

Item No. 4.	Classification: Open	Date: May 21 2008	Meeting Name: Council Assembly
Report title:		Appointment of Leader and Executive, Establishment of Committees and Other Constitutional Issues - 2008-09	
Ward(s) or groups affected:		All	
From:		Strategic Director of Legal and Democratic Services	

RECOMMENDATIONS

1. That council assembly consider the following constitutional issues for the coming municipal year 2008-09:
 - Appointment of leader
 - Appointment of executive portfolio members
 - Establishment and appointment of executive committee (Major Project Board)
 - Proportionality/size and composition of committees
 - Appointment of chairs and vice chairs
 - Appointment of councillor members on standards committee
 - Appointment of councillor members on licensing committee
 - Establishing the voluntary bodies appointment panel
 - Establishing the constitutional steering panel
 - Agreeing dates of council assembly meetings for 2008-09
 - Appointments to local government association general assembly
 - Appointments to local government association urban commission
2. That council assembly notes the appointment of political group leaders, deputies and whips, as set out in Appendix A.

Appointment of Leader of the Council and the Executive

3. That council assembly elects a leader of the council.

Note: Following the appointment of the leader, council assembly will receive a report by the leader on nominations for appointment to the executive. The leader can nominate between 2 and 9 members to form an executive. The leader can also report on any further delegations as set out in paragraph 26, subject to the approval of council assembly.

4. That council assembly appoints the executive.

Establishment and appointment of executive committee (Major Project Board)

5. That council assembly appoints members to executive committees.

Proportionality/Size and Composition of Council Committees

6. That the size and composition of the council's regulatory and other committees be established and appointed as follows:

The new figures are shown in bold. The 2007-08 figures are shown in brackets.

Committee	Total	Liberal Democrats	Labour	Conservative
Committee 1 (in 2007-08 - Appointments Committee)	7 (7)	3 (3)	3 (3)	1 (1)
Committee 2 (in 2007-08 - Planning Committee)	7 (7)	3 (3)	3 (3)	1 (1)
Committee 3 (in 2007-08 – Disciplinary Appeals Committee)	8 (8)	4 (4)	4 (4)	0 (0)
Committee 4 (In 2007-08 - Audit Committee)	5 (5)	2 (2)	2 (2)	1 (1)
Committee 5 (In 2007-08 Corporate Parenting Committee)	7 (7)	3 (3)	4 (4)	1 (1)
Total	35	15	16	4

- Notes:
1. The size and composition of the council's regulatory and other committees known as "ordinary committees" is set out above. This is based on a total number of **35** seats and includes the committees established in the 2007-08 municipal year. The proportionality is based on the total number of seats compared to the overall allocation of seats each political group has on the council (see Appendix E).
 2. It is for council assembly to agree the total number of seats and allocate the appointments, planning, disciplinary appeals, audit and corporate parenting committees to committees numbered 1 to 5 in the table above.
 3. At least one member of the executive shall serve on the appointments committee.
 4. Only one member of the executive and only one member of the overview and scrutiny committee shall serve on the audit committee.
 5. No more than one member of the executive may be a member of the audit committee and no executive member may chair the committee. No more than one member of the overview and scrutiny committee may be a member of the audit committee and no member of the overview and scrutiny committee may chair the committee.
 6. The constitutional review proposes that the audit committee be renamed 'audit and governance committee'.

Community Councils

7. That community councils be established as set out in Appendix B.

Overview and Scrutiny Committee

8. That the size and composition of the overview and scrutiny committee, as set out below, be approved:

The new figures are shown in bold. The 2007-08 figures are shown in brackets.

Committee	Total	Liberal Democrats	Labour	Conservative
Overview & Scrutiny Committee	9 (9)	4 (4)	4 (4)	1 (1)

- Notes:*
1. *The current overview and scrutiny procedure rules provide that the overview and scrutiny committee will consist of the chair, vice chair and the chairs of the scrutiny sub committees provided that the proportionality rules are not compromised. Each political group is permitted to nominate one non-executive member should this be necessary to maintain proportionality, for example, where there are fewer chairs of scrutiny sub committees than places on the overview and scrutiny committee.*
 2. *The overview and scrutiny committee and any sub committee which scrutinises the council's education functions will contain in its membership four voting co-opted members comprising one Church of England, one Roman Catholic Church and two parent governor representatives.*
 3. *No member of the executive shall serve on any scrutiny committee.*
 4. *In 2007-08 the overview and scrutiny committee comprised 9 members. The political composition of the committee was Liberal Democrats 4; Labour 4; and Conservative 1.*

Scrutiny Sub committees

9. That in accordance with overview and scrutiny procedure rules, the scrutiny sub committees be appointed by overview and scrutiny committee.

Appointment of Chairs and Vice chairs

10. That council assembly appoints the chair and vice chair of the overview and scrutiny committee.
11. That council assembly considers whether it wishes to appoint chairs and vice chairs for the following committees:
 - Planning committee
 - Licensing committee
 - Appointments committee
 - Disciplinary appeal committee
 - Audit and governance committee
 - Corporate parenting committee*

*Note: *The executive member for children's services and education will chair this committee. Council assembly is asked to formally approve this appointment.*

- (i) Community councils
- Borough and Bankside
 - Bermondsey
 - Rotherhithe
 - Walworth
 - Peckham
 - Camberwell
 - Nunhead and Peckham
 - Dulwich

Note: All outstanding appointments will be referred to the first meeting of the respective committee or community council in the 2008-09 municipal year.

Standards Committee

12. That council assembly appoints seven councillors to serve on the standards committee. The seats to be allocated to political groups based on political proportionality giving an allocation as follows:
- Liberal Democrats 3 places; Labour 3 places; Conservatives 1 place.
13. Political groups will be entitled to nominate reserves on the following basis:
- The number of reserves is equivalent to the number of places on the committee.
14. That in accordance with the constitution, the election of chair and vice chair takes place at the first meeting of the standards committee in the 2008-09 municipal year.

Licensing Committee

15. That council assembly appoints 15 councillors to serve on the licensing committee with the following allocation of seats: 7 Liberal Democrat, 7 Labour and 1 Conservative.

Notes: 1. In 2007-08 council assembly agreed to establish the committee on a proportionate basis.

2. For 2008-09 the proportionate allocation would remain the same.

Licensing Sub Committee

16. That council assembly appoints a licensing sub committee with delegated authority to hear all license applications including personal and premises licenses, reviews of licenses and temporary event notices. The sub committee to include all members of the licensing committee with a quorum of three members.

Urgency Committee

17. That council assembly agree to reconstitute the urgency committee to function during an interim period between a municipal election and council assembly 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)).

Establishment of Voluntary Bodies Appointment Panel

18. That council assembly establishes and determines the composition of the voluntary bodies appointment panel (VBAP) which will be responsible for recommending the appointment of charity trustees to specific Southwark charities and recommending appointments to the position of school governor on local education authority secondary and special school governing bodies.

Note: In 2007-08 the panel, which was established by Council Assembly (previously established by standards committee), comprised 2 Liberal Democrat, 2 Labour and 1 Conservative member and 1 independent member of standards committee place. The provision of including an independent member on the panel arose from the panel being established by the Standards Committee. There is no longer a link between the Standards Committee and the VBAP and it is therefore recommended that the panel be established without the provision of the independent member.

Establishment of the Constitutional Steering Panel

19. That council assembly agrees to establish a constitutional steering panel comprised of the whips of each political group represented on the council, with the terms of reference set out in paragraphs 58 and 59.

Calendar

20. That council assembly agrees to the following dates for meetings of council assembly and that these dates be fixed in the council calendar for the municipal year 2008-09:
 - July 2 2008
 - November 5 2008
 - January 28 2009
 - February 18 2009
 - April 8 2009
 - May 20 2009

Note: The draft calendar of meetings is attached as Appendix C

Appointments to Local Government Association General Assembly and Local Government Association Urban Commission

21. That council assembly makes appointments to the LGA General Assembly and LGA Urban Commission (see Appendix D).

Other Appointments to Joint Committees/Outside Bodies

22. That council assembly notes the executive and other committees will make appointments to all other outside committees and bodies for the municipal year 2008-09, as required by part 30 of the constitution.

BACKGROUND INFORMATION

23. The constitution is updated annually and the recommendations in this report are based on the current constitution.

KEY ISSUES FOR CONSIDERATION

Appointment of Leader of the Council and Appointment of the Executive

24. The council is required to appoint a leader of the council.
25. The leader will present a report on how the executive functions of the council will be exercised, subject to the approval of council assembly. The elected leader must then proceed to nominate his/her executive for appointment by council assembly. In accordance with the constitution this can consist of a minimum of 2 and up to a maximum of 9 nominated members, whose portfolios are determined and allocated by the leader. In 2007-08 the leader appointed nine executive members and allocated the following portfolios:
 - Leader (including responsibility for setting strategic direction and key priorities, overseeing the development of financial strategies, customer relationships policy, and representing the council in the community)
 - Deputy Leader (responsible for housing policy and the executive's relationship with the scrutiny committee)
 - Community Safety
 - Health And Adult Care
 - Environment
 - Children's Services and Education
 - Citizenship, Equalities and Communities
 - Resources
 - Culture, Leisure and Sport
 - Regeneration
26. The leader will be invited to report on delegations and nominate the memberships to any executive committees. Currently the only executive committee is the Major Projects Board. The membership in 2007-08 is set out below:
 - Leader
 - Deputy Leader and Executive Member for Housing Management
 - Children's Services and Education
 - Resources
 - Regeneration

27. The leader can report on any further delegations including:
- The extent of any authority delegated to executive members individually, including details of the limitation on their authority;
 - The terms of reference and constitution of executive committees;
 - The nature and extent of any delegation of executive functions to community councils, any other authority or joint arrangement; and
 - The nature and extent of any delegation to officers with details of any limitation on that delegation.
28. Any such delegations are then put to council assembly for approval.

Proportionality – The Legal Position

29. The Local Government and Housing Act 1989 covers the allocation of seats to political groups, it makes no provision for single independent members so they do not form part of the proportionality considerations.
30. Seats on committees and sub committees must be allocated in accordance with the four principles of proportionality contained in sections 15, 16 and 17 of the Local Government and Housing Act 1989. There is a duty to give effect to the following principles, as far as is reasonably practicable:
- (i) That not all the seats on a committee or sub committee are allocated to the same political group;
 - (ii) That the majority group must have the majority of seats on each committee or sub committee;

Note: As no one group has an overall majority on the council, this principle is not relevant.

- (iii) Subject to (1) and (2) above, it must be ensured that the proportion of each political group's seats of the total number of seats on "ordinary committees" reflects, as closely as possible, their proportion of seats on full council; and,

Notes: 1. The ordinary committees are appointments, planning, disciplinary appeals, audit and governance and corporate parenting. The total number of seats on these 3 committees must be allocated as proportionately as is reasonably practicable.

2. The licensing committee is appointed under the Licensing Act 2003 and the overview and scrutiny committee is appointed under section 21 of the Local Government Act 2000. Neither committee is an ordinary committee.

- (iv) Subject to (i) to (iii) above, the proportion of each political group's seats on each committee and sub committee reflects as closely as possible their proportion of seats on full council.

Note: This rule applies to all committees, sub committees and joint committees, except for licensing committee, standards committee and community councils.

Regulatory and Other Committees.

31. The regulatory and other committees are the “ordinary committees” of the council which in 2007-08 were:
- Appointments committee
 - Planning committee
 - Disciplinary appeals committee
 - Audit and governance committee
 - Corporate parenting committee
32. The total number of seats on the five ordinary committees is allocated and then divided between the five committees to give each committee as proportionate an allocation as is possible within the overall limit.

Overview and Scrutiny Committee

33. The overview and scrutiny committee and its sub committees are not “ordinary” committees and each is considered separately for the purposes of proportionality.

Overview and Scrutiny Sub committees

34. In accordance with the overview and scrutiny procedure rules, the overview and scrutiny committee appoints scrutiny sub committees. The constitution specifies that the appointment and composition of scrutiny committees/sub committees be considered at the first meeting of the overview and scrutiny committee.
35. In previous years the overview and scrutiny committee has agreed to vary the size and numbers on each sub committee to provide for greater cross-party representation (otherwise there would have been no Conservative members on any scrutiny sub committees). Overall this produced a disproportionate result.
36. In addition, consideration should be given to individual councillors who do not form a political group on the council. There is one such member now sitting on council. Although not included in proportionality rules, the overview and scrutiny committee may wish to consider allocating a place on a scrutiny sub committee to enable the member concerned to play a part in the scrutiny functions in their capacity as a non-executive member.
37. The allocation of seats in 2007-08 on scrutiny sub committees was as follows:

Scrutiny sub committee	Lib Dem	Labour	Cons.	Total	Chair/ Vice chair 2007-08
Environment and Community Support	3	3	1	7	Lab / LD
Children's Services and Education	4	3	0	7	Lab / LD
Regeneration and Resources	3	3	1	7	Con / LD
Health and Adult Care	3	3	1	7	LD / Lab
Housing	3	3	0	6	LD /Lab

38. Sub committees are not "ordinary" committees and, as such, are considered individually for the purposes of proportionality. So far as it is reasonably practicable, the allocation of seats on each sub committee should accord with the proportional allocation of seats on the parent committee.
39. The most proportionate allocation of seats will depend on the size of the committee. The table below shows the most proportionate arrangements for individual committees.

Committee Size	Liberal Democrat	Labour	Conservative
Nine Members	4	4	1
Seven	3	3	1
Six	3	3	0
Five	2	2	1
Four	2	2	0

40. Members can agree an allocation that is disproportionate, provided no member votes against this.

Appointments to Seats

41. Section 16(1) of the Local Government and Housing Act 1989 provides that it is the duty of an authority or committee to exercise its power to make appointments in such a way as to give effect "to such wishes about who is to be appointed to the seats on that body which are allocated to a particular political group as are expressed by that group".
42. There is no requirement that a seat allocated to a particular group can only be filled by a member of that group. Therefore, groups have a discretion to allocate seats as they wish, including to a member of another group, or an individual councillor or councillors sitting on the council.

Appointment of Chairs and Vice chairs

43. With the exception of the standards committee, chairs and vice chairs may be appointed directly by council assembly, or the appointments may be delegated to the first meeting of the relevant committee.
44. In the case of the corporate parenting committee, it is proposed that the executive member with responsibility for children's services be appointed chair.

Standards Committee

45. It is recommended that the standards committee comprise seven councillors, including at least one member from each political group as defined by the Local Government and Housing Act 1989. Section 53(10) of the Local Government Act 2000 provides that the duty to allocate seats to political groups does not apply to a standards committee. The power to appoint members of the committee vests in council assembly and, in practice, council assembly has appointed members on the basis of the number of seats allocated to each political group. Not more than one executive member may serve on the standards committee.
46. At least 25% of the committee's membership must be independent. Council assembly has previously agreed that the term of office for independent members be three years, with one independent member retiring each year. Independent members serve a maximum of two terms.
47. The following independent members will continue to serve on the standards committee after constitutional council:
 - Bola Ogun (until constitutional council May 2009)
 - Mark Roelofsen (until constitutional council May 2009)
48. The appointment of three other independent members will be confirmed once CRB checks have been finalised.
49. The chair and vice chair are appointed at the first meeting of the committee in the new municipal year. The chair is elected from the independent members of the committee.

Licensing Committee

50. Section 6 of the Licensing Act 2003 requires a licensing committee of 10 to 15 members. Council agreed in December 2004 that the licensing committee should comprise 15 members in order to achieve maximum flexibility. The power to appoint the committee vests in council assembly.
51. There is no requirement in the Licensing Act 2003 that the licensing committee should be proportionate. Council assembly agreed in December 2004 to establish the current committee on a proportionate basis. Council assembly, in 2007-08, agreed the following allocation of seats: 7 Liberal Democrat, 7 Labour and 1 Conservative. This remains the most proportionate allocation.
52. The Licensing Act 2003 makes no provision to appoint reserve members.

Reserve Members

53. Council assembly, committee and community council procedure rules and overview and scrutiny procedure rules make provision, respectively, for the appointment of reserve members to council committees and to overview and scrutiny sub committees. There is no provision for reserves on the licensing committee.
54. Each political group can appoint reserve members. The number of reserve members a group can appoint is, with the exception of the overview and scrutiny committee and standard committee, one less than the number of places the group holds on the committee or sub committee.

55. If a political group holds only one place on a committee or sub committee, that group may appoint a reserve member.
56. On the overview and scrutiny committee, scrutiny sub-committees and the standards committee, the number of reserve members that each political group can nominate is equal to the number of places each group holds on the committee.

Establishment of Voluntary Bodies Appointment Panel

57. Council assembly will consider the establishment and composition of the voluntary bodies appointment panel, which will be responsible for making recommendations on appointments to Southwark charities and for recommending appointments to school governing bodies.

Establishment of the Constitutional Steering Panel

58. The constitutional steering panel is responsible for reviewing and recommending amendments to the constitution. It is also responsible for making recommendations to council assembly for the award of the Honorary Freedom of the Borough and Honorary Aldermen and to recommend changes to the members' allowances scheme.
59. Membership of the panel comprises the group whips of each political party represented on the council.

Council Calendar

60. A calendar of council meetings for the 2008-09 municipal year has been prepared and is shown at appendix C.
61. The calendar is based on a 6-week cycle. The allocation of dates necessarily includes a number of deviations from the 6-week cycle to allow for school holidays, party conference and other committed dates. There are two executive meetings scheduled in each cycle and scrutiny sub committees are indicated by a number in the draft calendar, pending their establishment by the overview and scrutiny committee.
62. Dates of meetings of the corporate parenting committee and the major projects board are still to be added to the council calendar and this will be done when the dates are confirmed.
63. In respect of meetings other than council assembly, this calendar is subject to amendments, additions and cancellations. Revised details of meetings will be sent to members regularly. The dates proposed for council assembly meetings are included in the calendar and council assembly is asked formally to agree these, in accordance with the relevant statutory provision.

Appointments to Local Government Association (LGA) General Assembly

64. Council assembly is asked to appoint four representatives to the Local Government Association (LGA) General Assembly and allocate 5 votes amongst the representatives. The LGA encourages local authorities with 3 or 4 representatives to allocate at least one position and vote to a minority group leader.

Appointments to Local Government Association Urban Commission

65. Council assembly is asked to appoint two representatives to the Local Government Association (LGA) Urban Commission and allocate 5 votes amongst the representatives. The nomination of representatives to serve on the LGA Urban Commission is normally the responsibility of the executive. However the deadline for nominations is June 20 2008 (which is before the first meeting of the executive) council assembly is therefore asked to agree the nominations for the year 2008-09.

Appointments to Outside Bodies & Joint Committees

66. Government guidance states that appointments to outside bodies and joint committees are "local choice" functions. As such, the executive should make appointments that correspond to functions for which the executive has responsibility (e.g. housing, education, social services, regeneration, etc.). Council assembly agreed in 2003 that appointments to outside bodies, where they are not a function of the executive or delegated to any other body, should be the responsibility of standards committee or other delegated body.
67. The nomination of representatives to serve on the various London Councils committees and is normally the responsibility of the executive, as a local choice function. However, as the deadline for nominations is June 1 2008, council assembly is asked to agree the nominations for the year 2008-09 (see separate report).

Appointments to Panels, Boards and Forums

68. The executive will consider appointments to panels, boards and forums where the function falls within the responsibility of the executive (e.g. housing, education, social services, regeneration, etc.).

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Constitutional issues 2007-08 Council assembly May 2007 report	Town Hall Peckham Road London SE5 8UB.	Ian Millichap 020 7525 7225

APPENDICES

Appendix	Title
Appendix A	Political Group Leaders, Deputies and Whips
Appendix B	Regulatory and Other Committees Appointments 2008-09
Appendix C	Draft Calendar 2008-09
Appendix D	Appointments to LGA General Assembly and LGA Urban Commission
Appendix E	Committee Proportionality

AUDIT TRAIL

Lead Officer	Graham Love, Head of Democratic Services	
Report Author	Sean Usher, Constitutional Officer Ian Millichap, Constitutional Team Manager	
Version	Final	
Dated	May 9 2008	
Key Decision?	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / EXECUTIVE MEMBER		
Officer Title	Comments Sought	Comments Included
Strategic Director of Legal and Democratic Services	Yes	Yes (included in body of report)
Executive Member	N/A	
Date final report sent to Constitutional Support Services	May 9 2008	

POLITICAL GROUP LEADERS, DEPUTIES AND WHIPS 2008-09

1. LIBERAL DEMOCRAT GROUP

Leader	Councillor Nick Stanton
Deputy Leader	Councillor Linda Manchester
Chief Whip	Councillor James Barber

2. LABOUR GROUP

Leader	Councillor Peter John
Deputy Leader	Councillor Susan Elan Jones
Chief Whip	Councillor Chris Page

3. CONSERVATIVE GROUP

Leader	To be circulated
Deputy Leader	To be circulated
Chief Whip	To be circulated

REGULATORY AND OTHER COMMITTEE APPOINTMENTS 2008-09

APPOINTMENTS COMMITTEE

Summary of Functions	Status	Membership	How often it Meets	Politically Proportionate
To determine appointments to posts of chief officers, chief finance officer and borough solicitor. To constitute the disciplinary appeals sub committee.	Committee	8 Councillors	Ad hoc	Yes (Statutory)

Allocation 2007-08 (No. of Reserves in brackets)	Proposed Allocation 2008-09 (No. of Reserves in brackets)	Appointments to Committees	Nominations Received 2008-09
Liberal Democrats: 4 (3) Labour: 3 (2) Conservatives: 1 (1)		Chair Vice chair	

DISCIPLINARY APPEALS COMMITTEE

Summary of Functions	Status	Membership	How often it Meets	Politically Proportionate
<ul style="list-style-type: none"> • To review dismissal decisions of capability/disciplinary panels on the application of the dismissed employee. • To review the operational procedures of the hearing of appeals and report to the executive if any changes are considered necessary. • To constitute the disciplinary appeals panel (safeguarding children and vulnerable adults). 	Committee	8 Councillors	Ad hoc	Yes (Statutory)

Allocation 2007-08 (No. of Reserves in brackets)	Proposed Allocation 2008-09 (No. of Reserves in brackets)	Appointments to Committees	Nominations Received 2008-09
Liberal Democrats: 4 (3) Labour: 4 (3) Conservatives: 0 (0)	Liberal Democrats: 4 (3) Labour: 4 (3) Conservatives: 0 (0)	Chair Vice chair	

PLANNING COMMITTEE

Summary of Functions	Status	Membership	How often it Meets	Politically Proportionate
<ul style="list-style-type: none"> • To determine planning applications (including listed building consent, conservation area consent and advertising consent) where the development proposed involves the creation of 50 or more housing units or more than 3,500 m² of commercial floor space or a mixed use development with more than 3,500 m² of floor space, including applications for change of use, or the application is clearly linked to another application which is to be considered by the planning committee. • Expenditure of funds over £100,000 secured through legal agreements under section 106 of the Town and Country Planning Act 1990. • The designation of conservation areas and the consideration of and adoption for development control purposes of planning briefs to guide the development of particular sites. • To consider and determine all planning applications of strategic importance in the borough and determine all planning applications where the development will have a material impact on the area of one or more neighbouring community councils. • To consider any application reserved to community councils in the event that the relevant community council meeting was inquorate or the personal interests or decided views of a large number of members would be likely to render the meeting inquorate. 	Regulatory committee (Article 8)	8 Councillors	Monthly	Yes (Statutory)

<ul style="list-style-type: none"> To comment on the successive drafts of the UDP and draft supplementary planning guidance and make recommendations to the executive, as appropriate. 				
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Allocation 2007-08 (No. of Reserves in brackets)	Proposed Allocation 2008-09 (No. of Reserves in brackets)	Appointments to Committees	Nominations Received 2008-09
Liberal Democrats: 3 (2) Labour: 3 (3) Conservatives: 1 (1)		Chair Vice chair	

AUDIT AND GOVERNANCE COMMITTEE

Summary of Functions	Status	Membership	How often it Meets	Politically Proportionate
<ul style="list-style-type: none"> • To provide independent assurance of the adequacy of the council's governance arrangements. • To provide independent scrutiny of the council's financial and non-financial performance. • To provide an oversight of the financial reporting process. 	Committee	5 Councillors	Quarterly	Yes (Local Agreement)

Allocation 2007-08 (No. of Reserves in brackets)	Proposed Allocation 2008-09 (No. of Reserves in brackets)	Appointments to Committees	Nominations Received 2008-09
Liberal Democrats: 2 (1) Labour: 2 (1) Conservatives: 1 (1)	2 (1) 2 (1) 1 (1)	Chair Vice chair	

CORPORATE PARENTING COMMITTEE

Summary of Functions	Status	Membership	How often it Meets	Politically Proportionate
To review and monitor the council's role as a corporate parent.	Committee	5 Councillors	5 to 6 daytime meetings	Yes (Local Agreement)

Allocation 2007-08	Proposed Allocation 2008-09 (No. of Reserves in brackets)	Appointments to Committees	Nominations Received 2008-09
Liberal Democrats: 3 (2) Labour: 4 (3) Conservatives: 1 (1)	3 (2) 4 (3) 1 (1)	Chair: executive member for children's services Vice chair	

OVERVIEW & SCRUTINY

OVERVIEW & SCRUTINY COMMITTEE

Summary of Functions	Status	Membership	How often it Meets	Politically Proportionate
<p>Overview and scrutiny committee (OSC) is the main coordinating scrutiny body and appoints five themed scrutiny sub committees to carry out scrutiny inquiries in Southwark. It has the power to "call-in" decisions taken by the executive (i.e. may consider whether decisions are appropriate and can recommend that decisions are reconsidered). OSC also:</p> <ul style="list-style-type: none"> • Approves the annual overview and scrutiny work programme, including the programme of the sub committees, to ensure that there is efficient use of the sub committees' time, and that the potential for duplication of effort is minimised; • Manages scrutiny of the council's budget and policy framework; • Where matters fall within the remit of more than one sub committee, to determine which of them will assume responsibility for any particular issue, and to resolve any issues of dispute between sub committees; • To receive requests from the executive and/or council assembly and community councils for reports from sub committees and to allocate them if appropriate to one or more sub committees; • To comment on scrutiny reports that 	<p>Scrutiny committee</p>	<p>8 Councillors (a chair and vice- chair appointed by council assembly. The chairs of the five themed scrutiny committees provided that the proportionality rules are not compromised and provided that each political group is permitted to nominate one non-executive member should this be necessary to maintain proportionality; and education representatives as set out at paragraph 7.1 of the overview and scrutiny procedure rules).</p> <p>4 voting co-opted members.</p>	<p>Monthly</p>	<p>Yes (Local Agreement)</p>

<p>propose policy change or that have resource implications (as opposed to reports that comment on performance);</p> <ul style="list-style-type: none">• To put in place and maintain a system to ensure that referrals from scrutiny to the executive, either by way of report or for reconsideration, are managed efficiently;• To periodically review overview and scrutiny procedures to ensure that the function is operating effectively;• To report annually to council assembly on the previous year's scrutiny activity;• To monitor the budget for additional scrutiny research, and to determine funding requests from sub committees in respect of particular reviews;• To scrutinise matters in respect of human resources and the council's role as an employer and corporate practice generally;• To scrutinise matters relating to customer access issues including: e-government, information technology and communications.				
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Allocation 2007-08 (No. of Reserves in brackets)	Proposed Allocation 2008-09 (No. of Reserves in brackets)	Appointments to Committee	Nominations Received 2008-09
Liberal Democrats: 4 (4) Labour: 3 (3) Conservatives: 1 (1)	4 (4) 3 (3) 1 (1)	Chair Vice chair	

SCRUTINY SUB COMMITTEE No. 1– HOUSING

Summary of Functions	Status	Membership	How often it Meets	Politically Proportionate
<p>Housing scrutiny sub committee scrutinises the housing functions of Southwark council, including [but not limited to]:</p> <ul style="list-style-type: none"> • Management of the council's housing stock; • Development of partnerships with external organisations to meet housing need and regenerate unsatisfactory housing; • Improvement of private sector housing; • Relationships with the Housing Corporation, registered social landlords and stakeholder groups in the borough; • Grants and loans to owner occupiers, tenants, landlords and/or developers; • Homelessness and re-housing; • Special needs housing; and • Budget and performance matters relating to the housing department. 	Scrutiny committee	6 Councillors 3 co-opted members	6 weekly	Yes (Local Agreement)

Allocation 2007-08 (No. of Reserves in brackets)	Proposed Allocation 2008-09 (No. of Reserves in brackets)	Appointments to Committee	Nominations Received 2008-09
Liberal Democrats: 3 (3) Labour: 3 (3)	3 (3) 3 (3)	Chair Vice chair	

SCRUTINY SUB COMMITTEE No. 2 – ENVIRONMENT AND COMMUNITY SUPPORT

Summary of Functions	Status	Membership	How often it Meets	Politically Proportionate
<p>Environment and community support scrutiny sub committee scrutinises the environmental and community support and safety functions, including (but not limited to):</p> <ul style="list-style-type: none"> • Parks and open spaces; • Environmental management; • Energy conservation; • Recycling; • Waste management; • Development and review of the council's Air Quality Management Action Plan, Recycling Plan, Waste Minimisation Strategy; • Provision and management of museums, art galleries, theatres, archives, local history activities, libraries, leisure centers, swimming pools, allotments and other like facilities; • Development of the council's position statement on libraries; • The council's transport and parking policies; • Development and review of the council's local transport plan and the highway maintenance plan; and • Budget and performance matters relating to the environment and leisure department. 	Scrutiny committee	7 Councillors	6 weekly	Yes (Local Agreement)

Allocation 2007-08 (No. of Reserves in brackets)	Proposed Allocation 2008-09 (No. of Reserves in brackets)	Appointments to Committees	Nominations Received 2008-09
Liberal Democrats: 3 (3) Labour: 3 (3) Conservatives: 1 (1)	3 (3) 3 (3) 1 (1)	Chair Vice chair	

SCRUTINY SUB COMMITTEE No. 3 – CHILDREN’S SERVICES AND EDUCATION

Summary of Functions	Status	Membership	How often it Meets	Politically Proportionate
<p>Education and youth scrutiny sub committee scrutinises (but not limited to):</p> <ul style="list-style-type: none"> • All functions of the council as an Education authority under the Education Acts, School Standards and Framework Act 1998 and other relevant legislation in force from time to time; • All functions as they relate to the provision of opportunities for education, training and learning outside the school environment including pre-school, adult and community learning; • The impact of other council functions on education in the borough, including council sponsored initiatives in the areas of regeneration, housing and social services; and the policies and initiatives of other statutory and voluntary organisations; • Development of the council’s education development plan, the early years and childcare strategic development plan and the adult learning plan; • Review of the contractor’s annual plan, including revised delivery targets for the following year; • Budget and performance matters relating to the education department. 	<p>Scrutiny committee</p>	<p>5 Councillors (4 co-opted places)</p>	<p>6 weekly</p>	<p>Yes (Local Agreement)</p>

Allocation 2007-08 (No. of Reserves in brackets)	Proposed Allocation 2008-09 (No. of Reserves in brackets)	Appointments to Committees	Nominations Received 2008-09
Liberal Democrats: 4 (4) Labour: 3 (3) Conservatives: 0 (n/a)	4 (4) 3 (3) 0	Chair Vice chair	

SCRUTINY SUB COMMITTEE No.4 – REGENERATION & RESOURCES

Summary of Functions	Status	Membership	How often it Meets	Politically Proportionate
<p>Regeneration and transport scrutiny sub committee scrutinises</p> <ul style="list-style-type: none"> • regeneration of communities in the area; • major regeneration programmes; • development and review of the Southwark Plan (the UDP) • matters relating to the economic development of the borough and its constituent areas • overview of the best value process • issues relating to performance and service delivery generally and specifically in the regeneration department • matters relating to budget, finance and asset management generally and specifically in the Regeneration department • the development of community councils. 	Scrutiny committee	7 Councillors	6 weekly	Yes (Local Agreement)

Allocation 2007-08 (No. of Reserves in brackets)	Proposed Allocation 2008-09 (No. of Reserves in brackets)	Appointments to Committees	Nominations Received 2008-09
Liberal Democrats: 3 (3) Labour: 3 (3) Conservatives: 1 (1)	3 (3) 3 (3) 1 (1)	Chair Vice chair	

SCRUTINY SUB COMMITTEE No. 5 – HEALTH AND ADULT CARE

Summary of Functions	Status	Membership	How often it Meets	Politically Proportionate
<p>Health and social care scrutiny sub committee has responsibility for scrutinising health and social care functions of the authority, including:</p> <ul style="list-style-type: none"> • Residential and day care, family placements, domiciliary care, respite care • Social work for children, young persons, elderly people, people with physical disabilities, people with mental health problems and learning difficulties and children with special needs • Home care service, staffing and emergency response for elderly persons in sheltered housing, hospital social workers • Fostering and adoption, family support service • Funerals under the provision of the National Assistance Act 1948 • Transport service for client groups • Youth offending services • Meals production and distribution service • Registration and inspection; • Assisting in the development of the community strategy as it relates to health, • Reviewing the health improvement plan [HImP], • Collaborative working with health agencies in the area, 	Scrutiny committee	6 Councillors	6 weekly	Yes (Local Agreement)

<ul style="list-style-type: none"> • Reviewing health reconfigurations • Assessing the impact of the council's and other agencies services on the health of borough residents • Reviewing the integration of social services and health • Budget and performance matter relating to the social services department. 				
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Allocation 2007-08 (No. of Reserves in brackets)	Proposed Allocation 2008-09 (No. of Reserves in brackets)	Appointments to Committees	Nominations Received 2008-09
Liberal Democrats: 3 (3) Labour: 3 (3) Conservatives: 1 (1)	3 (3) 3 (3) 1 (1)	Chair Vice chair	

STANDARDS COMMITTEE

Summary of Functions	Status	Membership	How often it Meets	Politically Proportionate
To ensure the promotion and maintenance of high standards of conduct by councillors, co-opted members and church representatives in order to observe the members' code of conduct. Overview of whistle-blowing, complaints, policy and reviewing consultations.	Statutory committee	7 Councillors (Including at least one member of each political group, 6 Independent voting members).	6 weekly	Yes

Allocation 2007-08 (No. of Reserves in brackets)	Proposed Allocation 2008-09 (No. of Reserves in brackets)	Appointments to Committees	Nominations Received 2008-09
From April 2008: Liberal Democrats: 3 (3) Labour: 3 (3) Conservatives: 1 (1) Independent (voting) members: 6	3 (3) 3 (3) 1 (1)	Chair (independent member) and Vice Chair appointed at first meeting.	

LICENSING COMMITTEE

Summary of Functions	Status	Membership	How often it Meets	Politically Proportionate
<p>To determine and consider licensing and gambling applications for the grant, renewal, or transfer of licenses and registration of premises in accordance with the division of responsibilities agreed by council assembly in December 2004 and December 2006.</p> <p>3 members plus 1 reserve sit on sub-committees as and when required. The membership of these sub-committees is based on a procedure adopted by Licensing Committee in December 2007.</p>	Regulatory committee (Article 8)	15 Councillors	<p>Committee – 6 weekly</p> <p>Sub-Committees – as required</p>	Yes (Local Agreement)

Allocation 2007-08 (No. of Reserves in brackets)	Proposed Allocation 2008-09 (No. of Reserves in brackets)	Appointments to Committee	Nominations Received 2008-09
<p>Liberal Democrats: 7 Labour: 7 Conservatives: 1</p>	<p>7 7 1</p> <p>Note: There are no reserve members on this committee.</p>	<p>Chair Vice chair</p>	

COMMUNITY COUNCIL No.1 - BOROUGH & BANKSIDE

Summary of Functions	Status	Membership	How often it Meets	Politically Proportionate
To bring decision making nearer to local people. To increase public participation in shaping service delivery and policy choices and deliver democratic renewal and provide a forum where the views of all its constituents, partners and stakeholders can be heard.	Committee (Exercises some executive and regulatory functions)	Councillors	6 weekly	No

Allocation 2007-08 (No. of Reserves in brackets)	Proposed Allocation 2008-09 (No. of Reserves in brackets)	Appointments to Committees	Nominations Received 2008-09
All councillors from Cathedrals and Chaucer Wards:	Unchanged	Chair Vice chair	

COMMUNITY COUNCIL No.2 - BERMONDSEY

Summary of Functions	Status	Membership	How often it Meets	Politically Proportionate
To bring decision making nearer to local people. To increase public participation in shaping service delivery and policy choices and deliver democratic renewal and provide a forum where the views of all its constituents, partners and stakeholders can be heard.	Committee (Exercises some executive and regulatory functions)	Councillors	6 weekly	No

Allocation 2007-08 (No. of Reserves in brackets)	Proposed Allocation 2008-09 (No. of Reserves in brackets)	Appointments to Committees	Nominations Received 2008-09
All councillors from Grange, Riverside and South Bermondsey Wards	Unchanged	Chair Vice chair	

COMMUNITY COUNCIL No.3 - ROTHERHITHE

Summary of Functions	Status	Membership	How often it Meets	Politically Proportionate
To bring decision making nearer to local people. To increase public participation in shaping service delivery and policy choices and deliver democratic renewal and provide a forum where the views of all its constituents, partners and stakeholders can be heard.	Committee (Exercises some executive and regulatory functions)	Councillors	6 weekly	No

Allocation 2007-08 (No. of Reserves in brackets)	Proposed Allocation 2008-09 (No. of Reserves in brackets)	Appointments to Committees	Nominations Received 2008-09
All councillors from Rotherhithe and Surrey Docks Wards (voting) and Livesey Ward (non voting, except for planning matters)	Unchanged	Chair Vice chair	

COMMUNITY COUNCIL No.4 - WALWORTH

Summary of Functions	Status	Membership	How often it Meets	Politically Proportionate
To bring decision making nearer to local people. To increase public participation in shaping service delivery and policy choices and deliver democratic renewal and provide a forum where the views of all its constituents, partners and stakeholders can be heard.	Committee (Exercises some executive and regulatory functions)	Councillors	6 weekly	No

Allocation 2007-08 (No. of Reserves in brackets)	Proposed Allocation 2008-09 (No. of Reserves in brackets)	Appointments to Committees	Nominations Received 2008-09
All councillors from Faraday, East Walworth and Newington Wards	Unchanged	Chair Vice chair	

COMMUNITY COUNCIL No.5 - PECKHAM

Summary of Functions	Status	Membership	How often it Meets	Politically Proportionate
To bring decision making nearer to local people. To increase public participation in shaping service delivery and policy choices and deliver democratic renewal and provide a forum where the views of all its constituents, partners and stakeholders can be heard.	Committee (Exercises some executive and regulatory functions)	Councillors	6 weekly	No

Allocation 2007-08 (No. of Reserves in brackets)	Proposed Allocation 2008-09 (No. of Reserves in brackets)	Appointments to Committees	Nominations Received 2008-09
All councillors from Peckham and Livesey Wards	Unchanged	Chair Vice chair	

COMMUNITY COUNCIL No.6 - CAMBERWELL

Summary of Functions	Status	Membership	How often it Meets	Politically Proportionate
To bring decision making nearer to local people. To increase public participation in shaping service delivery and policy choices and deliver democratic renewal and provide a forum where the views of all its constituents, partners and stakeholders can be heard.	Committee (Exercises some executive and regulatory functions)	Councillors	6 weekly	No

Allocation 2007-08 (No. of Reserves in brackets)	Proposed Allocation 2008-09 (No. of Reserves in brackets)	Appointments to Committees	Nominations Received 2008-09
All councillors from Brunswick Park, Camberwell Green and South Camberwell Wards	Unchanged	Chair Vice chair	

COMMUNITY COUNCIL No.7 - NUNHEAD AND PECKHAM RYE

Summary of Functions	Status	Membership	How often it Meets	Politically Proportionate
To bring decision making nearer to local people. To increase public participation in shaping service delivery and policy choices and deliver democratic renewal and provide a forum where the views of all its constituents, partners and stakeholders can be heard.	Committee (Exercises some executive and regulatory functions)	Councillors	6 weekly	No

Allocation 2007-08 (No. of Reserves in brackets)	Proposed Allocation 2008-09 (No. of Reserves in brackets)	Appointments to Committees	Nominations Received 2008-09
All councillors from Nunhead, Peckham Rye and The Lane Wards	Unchanged	Chair Vice chair	

COMMUNITY COUNCIL No.8 - DULWICH

Summary of Functions	Status	Membership	How often it Meets	Politically Proportionate
To bring decision making nearer to local people. To increase public participation in shaping service delivery and policy choices and deliver democratic renewal and provide a forum where the views of all its constituents, partners and stakeholders can be heard.	Committee (Exercises some executive and regulatory functions)	Councillors	6 weekly	No

Allocation 2007-08 (No. of Reserves in brackets)	Proposed Allocation 2008-09 (No. of Reserves in brackets)	Appointments to Committees	Nominations Received 2008-09
All councillors from College, East Dulwich and Village Wards:	Unchanged	Chair Vice chair	

APPENDIX D

APPOINTMENT TO LGA GENERAL ASSEMBLY

Name	Purpose	Member Status	How often it Meets	Time of Meeting	No. of Places to be filled	Notes
LGA General Assembly	To consider strategic policy of national significance to local government	Council representative	Twice a year	July and December	4 representatives with an allocation of 5 votes. (2007-08 representatives: - Councillors Nick Stanton (2 votes) Peter John (1 vote) Fiona Colley (1 vote) and Toby Eckersley (1 vote).	The Local Government Association advises that votes can be allocated amongst the representatives as the local authority sees fit. The Local Government Association encourages local authorities with 3 or 4 representatives on the General Assembly to allocate one of the positions to minority group leaders. Council assembly can agree any combination of representatives and votes.

APPOINTMENT TO LGA URBAN COMMISSION

Name	Purpose	Member Status	How often it Meets	Time of Meeting	No. of Places to be filled	Notes
LGA Urban Commission	<p>The purpose of the Commission is to:</p> <ul style="list-style-type: none"> • provide a forum in which urban authorities can discuss matters of common concern and exchange good practice and experience. • assist the LGA take into account the needs, priorities and aspirations of urban authorities in formulating and promoting its policies; • help the LGA to promote the role and interests of urban authorities and the ability of those authorities to meet the needs of the communities they serve. 	Council representative	Twice a year – July / February	Daytime	2 representatives (2007-08 representatives: - Councillors Richard Thomas (3 votes) and Toby Eckersley (2 votes)	<p>The council is entitled to 5 votes and may allocate them amongst councillor representatives as it sees fit.</p> <p>1 representative may be an officer, however only councillor representatives may vote.</p>

PROPORTIONALITY - ORDINARY COMMITTEES – 2008-09

Proportionality

	<i>No. of Seats</i>	<i>%</i>
Lib Dem	27	42.86
Lab	29	46.03
Cons	6	9.52
Green	1	1.59
Ind	0	0.00
	63	100

Ideal Number of Ordinary Committee Places

Total Places	Lib Dem	Lab	Cons	Green	Ind
35	15.00	16.11	3.33	0.56	0.00

Proposed allocation of seats based on 2007-08 committees

	Lib Dem	Lab	Cons	Total	Total Discrepancy
Committee 1 (Appointments Cttee)	3	3	1		
Committee 2 (Planning Cttee)	3	3	1		
Committee 3 (DA Cttee)	4	4	0		
Committee 4 (Audit Cttee)	2	2	1		
Committee 5 (Corp Parent Cttee)	3	4	1		
Total no. of seats	15	16	4	35	
Discrepancy	0.00	0.11	-0.67		0.78