

# Council Assembly

## Ordinary meeting

Wednesday 20 March 2024

7.00 pm

Council Offices, 160 Tooley Street, London SE1 2QH

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Councillors are summoned to attend a meeting of the Council to consider the business contained herein

**Althea Loderick**  
Chief Executive

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### INFORMATION FOR MEMBERS OF THE PUBLIC

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#### **Contact**

Virginia Wynn-Jones, Andrew Weir on 020 7525 7055 or 020 7525 7222 or email: [virginia.wynn-jones@southwark.gov.uk](mailto:virginia.wynn-jones@southwark.gov.uk); [andrew.weir@southwark.gov.uk](mailto:andrew.weir@southwark.gov.uk); [constitutional.team@southwark.gov.uk](mailto:constitutional.team@southwark.gov.uk)

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Date: 8 March 2024



# Council Assembly

## Ordinary meeting

Wednesday 20 March 2024  
7.00 pm  
Council Offices, 160 Tooley Street, London SE1 2QH

## Order of Business

Item No.	Title	Page No.
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### **PART A - OPEN BUSINESS**

#### **1. PRELIMINARY BUSINESS**

##### **1.1. APOLOGIES FOR ABSENCE**

To receive any apologies for absence.

##### **1.2. ANNOUNCEMENTS FROM THE MAYOR, MEMBERS OF THE CABINET OR CHIEF EXECUTIVE**

To receive any announcements from the Mayor, members of the cabinet or the chief executive.

##### **1.3. NOTIFICATION OF ANY ITEMS OF BUSINESS WHICH THE MAYOR DEEMS URGENT**

In special circumstances an item of business may be added to an agenda within seven working days of the meeting.

##### **1.4. DISCLOSURE OF INTERESTS AND DISPENSATIONS**

Members to declare any interests and dispensations in respect of any item of business to be considered at this meeting.

##### **1.5. MINUTES**

1 - 10

To approve as a correct record the open minutes of the council assembly meeting held on 21 February 2024.

#### **2. ISSUES RAISED BY THE PUBLIC**

<b>Item No.</b>	<b>Title</b>	<b>Page No.</b>
	<b>2.1. PETITIONS</b>	
	No petitions have been received for this meeting.	
	<b>2.2. PUBLIC QUESTION TIME</b>	
	One public question has been received.	
<b>3.</b>	<b>THEMED DEBATE</b>	
	<b>3.1. COMMUNITY EVIDENCE</b>	
	There have been four requests to present community evidence.	
	<b>3.2. MOTION ON THE THEME</b>	11 - 15
	The leader of the council to present the theme for the meeting.	
<b>4.</b>	<b>DEPUTATIONS</b>	
	There have been six deputation requests.	
<b>5.</b>	<b>ISSUES RAISED BY MEMBERS</b>	
	<b>5.1. MEMBERS' QUESTION TIME</b>	16 - 20
	To receive any questions from members of the council.	
	<b>5.2. MEMBERS' MOTIONS</b>	21 - 33
	To consider the following motions:	
	<ul style="list-style-type: none"> <li>• Back the Bakerloo Line Extension</li> <li>• A Fair Deal for Housing in Southwark</li> <li>• Southwark Council calls for an immediate ceasefire in Gaza</li> <li>• Protecting Play Spaces in Southwark</li> <li>• Improving Inclusivity for People with Dyslexia</li> </ul>	
<b>6.</b>	<b>REPORT(S) FOR DECISION FROM THE CABINET</b>	
	<b>6.1. PROPOSED CONSTITUTIONAL UPDATES 2023-24: COUNCIL ASSEMBLY PROCEDURE RULES</b>	34 - 74
	<b>6.2. REVIEW OF CALL-IN PROCEDURE</b>	75 - 140

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6.3.	<b>ADJUSTMENT OF MEMBER ALLOWANCES IN LINE WITH THE NATIONAL LOCAL GOVERNMENT OFFICER PAY SETTLEMENT AND MEMBER ALLOWANCES SCHEME 2024-2025</b>	
6.4.	<b>COUNCIL ASSEMBLY DATES AND CALENDAR OF MEETINGS 2024-2025</b>	141 - 174
6.5.	<b>SPECIAL URGENCY AND URGENT IMPLEMENTATION DECISIONS - ANNUAL REPORT 2024</b>	175 - 180

## 7. AMENDMENTS

Seven amendments have been received.

### **ANY OPEN ITEMS IDENTIFIED AS URGENT AT THE START OF THE MEETING**

### **EXCLUSION MOTION (IF NECESSARY)**

The following motion should be moved, seconded and approved if the council wishes to exclude the press and public to deal with reports revealing exempt information:

“That under the access to information procedure rules of the Southwark constitution, the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in section(s) 1 – 7 of paragraph 10.4 of the procedure rules.”

### **PART B – CLOSED BUSINESS**

### **ANY CLOSED ITEMS IDENTIFIED AS URGENT AT THE START OF THE MEETING**

Date: 8 March 2024



## **Council Assembly** **(Budget and council tax setting meeting)**

MINUTES of the Council Assembly (Budget and council tax setting meeting) held on Wednesday 21 February 2024 at 7.00 pm at Council Offices, 160 Tooley Street, London SE1 2QH

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### **PRESENT:**

The Worshipful the Mayor for 2023-24, Councillor Michael Situ (Chair)	
Councillor Suzanne Abachor	Councillor Sarah King
Councillor Evelyn Akoto	Councillor Sunny Lambe
Councillor Jasmine Ali	Councillor Richard Leeming
Councillor Naima Ali	Councillor Richard Livingstone
Councillor John Batteson	Councillor James McAsh
Councillor Rachel Bentley	Councillor Kimberly McIntosh
Councillor Cassandra Brown	Councillor Darren Merrill
Councillor Maggie Browning	Councillor Portia Mwangangye
Councillor Victor Chamberlain	Councillor Graham Neale
Councillor Sunil Chopra	Councillor Margy Newens
Councillor Stephanie Cryan	Councillor Leo Pollak
Councillor Ellie Cumbo	Councillor Reginald Popoola
Councillor Sam Dalton	Councillor Sandra Rhule
Councillor Helen Dennis	Councillor Bethan Roberts
Councillor Esme Dobson	Councillor Catherine Rose
Councillor Gavin Edwards	Councillor Jane Salmon
Councillor Sabina Emmanuel	Councillor Martin Seaton
Councillor Natasha Ennin	Councillor Andy Simmons
Councillor Sam Foster	Councillor Charlie Smith
Councillor Renata Hamvas	Councillor Cleo Soanes
Councillor Barrie Hargrove	Councillor Emily Tester
Councillor Ketzia Harper	Councillor Chloe Tomlinson
Councillor Jon Hartley	Councillor Joseph Vambe
Councillor Youcef Hassaine	Councillor David Watson
Councillor Esme Hicks	Councillor Irina Von Wiese
Councillor Emily Hickson	Councillor Kieron Williams
Councillor Adam Hood	Councillor Kath Whittam
Councillor Nick Johnson	Councillor Ian Wingfield

## 1. PRELIMINARY BUSINESS

### 1.1 APOLOGIES FOR ABSENCE

Apologies were received from Councillors Dora Dixon-Fyle, Laura Johnson, Maria Linforth-Hall, Hamish McCallum, and Jason Ochere.

Apologies for early departure were received from Councillor Victoria Mills.

### 1.2 ANNOUNCEMENTS FROM THE MAYOR, MEMBERS OF THE CABINET OR CHIEF EXECUTIVE

The leader of the council, Councillor Kieron Williams, shared his sympathies to those dead and wounded in the Gaza conflict

The leader of the opposition, Councillor Victor Chamberlain, offered his hope for a lasting peace in the middle east.

The Mayor of Southwark called for a minute's silence in memory of innocents caught in war.

The Mayor of Southwark announced the passing of Patrick Kelly, past councillor of the borough. Councillor Ian Livingstone spoke to his memory.

Althea Loderick, the chief executive, welcomed the new Strategic Director of Housing, Hakeem Osinaike, from 1 March 2024, and announced Toni Ainge, substantive Director of Leisure, has taken over as the interim Strategic Director for Environment, Neighbourhoods and Growth.

### 1.3 NOTIFICATION OF ANY ITEMS OF BUSINESS WHICH THE MAYOR DEEMS URGENT

Council assembly agreed to accept Appendix 2 to item 2.1 as late and urgent.

At this juncture, the meeting agreed the programme motion.

That the meeting be conducted as follows:

Time	Business
7.00pm – 7.20pm	<b>1. Preliminary business and announcements</b>
7.20pm – 10.00pm	<p><b>Item 2.1. Policy and Resources Strategy 2024-25 - Revenue Budget</b></p> <p>1. Consideration of this item is not time limited but the meeting is subject to the guillotine.</p> <p>2. Debate to include:</p>

	<ul style="list-style-type: none"> <li>• Six questions on the report</li> <li>• Councillor Stephanie Cryan to present recommendations (10 minutes)</li> <li>• Councillor Adam Hood to reply on behalf of opposition (5 minutes)</li> <li>• Four amendments to be moved and seconded (3 minutes each)</li> <li>• Report and amendments to be debated as a single debate (all speakers 3 minutes each)</li> <li>• Reply to the debate from Councillor Stephanie Cryan (3 minutes)</li> <li>• Separate vote on each amendment</li> <li>• Recorded vote on substantive motion.</li> </ul> <p>Members can only speak once, except for Councillor Stephanie Cryan, who will reply to the single debate.</p> <p>This report has a legal requirement to take a recorded vote on the substantive motion.</p>
	<p><b>Item 2.2. Setting the Council Tax 2024-25</b></p> <p>There is no debate on this item.</p> <p>This report has a legal requirement to take a recorded vote on the substantive motion.</p>
	<p><b>Item 2.3. Capital Strategy and Treasury Management Strategy 2024-25</b></p> <p>To be considered as normal.</p>

### Item 2 Reports for decision

Each report to have a single debate, subject to the guillotine.

### 1.4 DISCLOSURE OF INTERESTS AND DISPENSATIONS

The Mayor announced that all councillors had been granted a dispensation by the monitoring officer to vote on Item 2.2: Setting the council tax 2024-25.

### 1.5 MINUTES

The minutes of the council assembly meeting held on 22 November 2023 were agreed as

a correct record.

## 2. REPORT(S) FOR DECISION FROM THE CABINET

### 2.1 POLICY AND RESOURCES STRATEGY: 2024-25 BUDGET AND MEDIUM TERM FINANCIAL STRATEGY

There were six questions on the report, the written responses to which were circulated at the meeting. There were six supplemental questions.

There were four amendments to this report.

In accordance with council assembly procedure rule 1.14.9, Councillor Stephanie Cryan, cabinet member for communities, democracy and finance, moved the report.

In accordance with council assembly procedure rule 1.14.9, Councillor Adam Hood responded to the cabinet member's statement.

Councillor Ellie Cumbo moved Amendment A. This was formally seconded.

Councillor Rachel Bentley, seconded by Councillor David Watson, moved Amendment B.

Councillor Victor Chamberlain, seconded by Councillor Emily Tester, moved Amendment C.

Councillor Irina von Wiese, seconded by Councillor Graham Neale, moved Amendment D.

Following debate (Councillors Emily Hickson, Joseph Vambe, Nick Johnson, Evelyn Akoto, Youcef Hassaine, Jane Salmon, Richard Livingstone, Jasmine Ali, Richard Leeming, Cassandra Brown, Catherine Rose, Ketzia Harper, James McAsh, Esme Hicks, Ian Wingfield, Portia Mwangangye, Cleo Soanes, Margy Newens, Charlie Smith, Chloe Tomlinson, and Kieron Williams), Councillor Stephanie Cryan exercised her right of reply.

Councillor Victor Chamberlain made a point of personal explanation following Councillor Richard Livingstone's speech. Councillor Victor Chamberlain asked, following Councillor Portia Mwangangye's speech, that members not accuse others inappropriately. The Mayor called for all councillors to treat all participants with respect. Councillor Victor Chamberlain made a point of personal explanation following Councillor Chloe Tomlinson's speech. The monitoring officer asked that councillors bring their concerns to her after the meeting.

Amendment A – Carried

Amendment B – Lost

Amendment C – Lost

Amendment D – Lost

At this juncture the clerk explained that the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014, which had come into force on 25 February 2014, required a recorded vote on key budget decisions by local authorities. The regulations required a



recorded vote on decisions only. Therefore in accordance with council assembly procedure rule 1.16(4) (a roll call recorded vote), an announcement was made at the beginning and end of one minute, after which the vote was taken.

The substantive motion was put to the vote, and the votes having been recorded, the Mayor declared the result as follows:

In favour of the substantive motion (48):

Councillors Suzanne Abachor, Evelyn Akoto, Jasmine Ali, Naima Ali, John Batteson, Cassandra Brown, Maggie Browning, Sunil Chopra, Stephanie Cryan, Ellie Cumbo, Sam Dalton, Helen Dennis, Esme Dobson, Gavin Edwards, Sabina Emmanuel, Natasha Ennin, Sam Foster, Renata Hamvas, Barry Hargrove, Ketzia Harper, Jon Hartley, Youcef Hassaine, Esme Hicks, Emily Hickson, Sarah King, Sunny Lambe, Richard Leeming, Richard Livingstone, James McAsh, Hamish McCallum, Kimberly McIntosh, Darren Merrill, Portia Mwangangye, Margy Newens, Leo Pollak, Reginald Popoola, Sandra Rhule, Bethan Roberts, Catherine Rose, Martin Seaton, Andy Simmons, Michael Situ, Charlie Smith, Cleo Soanes, Chloe Tomlinson, Joseph Vambe, David Watson, Kath Whittam, Kieron Williams, and Ian Wingfield

Against (0):

Abstained (9):

Councillors Rachel Bentley, Victor Chamberlain, Adam Hood, Nick Johnson, Graham Neale, Jane Salmon, Emily Tester, Irina von Weise and David Watson.

Absent (6):

Councillors Dora-Dixon-Fyle, Laura Johnson, Maria Linforth-Hall, Hamish McCallum, Victoria Mills and Jason Ochere.

The Mayor declared that the substantive motion was carried.

#### **RESOLVED:**

1. That Council Assembly approved:
  - a. the final balanced budget as detailed in Table 1 of the report.
  - b. the allocation of the additional funding from the final local government finance settlement comprising:
    - £0.072m additional Services Grant
    - £3.272m additional ring fenced Social Care grant
    - An expected £0.970m National Non-Domestic Rates (NNDR) levy release
 as detailed in paragraphs 8-12 of the report.
  - c. the refreshed general fund capital programme for the 10 year period to 2033-34 and the refreshed housing investment programme (HIP) for the 10 year period to 2033-34 (paragraphs 21-23 of the report).

2. That Council Assembly noted:
  - a. the 6 February 2023 cabinet report at Appendix 1, which provides details of the draft budget following the local government provisional settlement
  - b. the updated Public Health Grant updated allocations (paragraph 16)
  - c. the requirement, as stipulated in the Final Local Government Finance Settlement, for the development of a productivity plan (paragraphs 10-11).
3. Council assembly noted that:
  - a. This administration has committed to improving public spaces where women have told us they feel unsafe.
  - b. That following a borough-wide consultation, the following five areas were identified by women in Southwark as priority areas for improvement:
    - Burgess Park
    - Canada Water
    - Elephant and Castle
    - Rye Lane
    - Tooley Street
  - c. That an environmental visual audit was carried out in each of these five areas in conjunction with the Metropolitan Police Service which highlighted public realm works required to improve the safety of these areas.
4. Council assembly further noted:
  - a. We are committed to ending misogyny and harassment of, and violence against, women. Working with women and men to find solutions to these deep rooted issues, we will challenge ourselves, our partners and men, to take action as allies, so women can live free from violence, abuse and fear.
  - b. Southwark Council has invested in CCTV, increasing the operator capacity by 20%.
  - c. The council is investing in better and more reliable lighting on our streets; over 7,000 lamppost columns have been upgraded to LED lighting.
  - d. The council is working with the community to identify areas that will benefit from enhanced lighting.
  - e. We are committed to establish a ground-breaking Women's Safety Centre so that women experiencing violence and abuse can access the support they need in one place.
  - f. Southwark has established a network of safe havens at businesses in known harassment hotspots where women and other vulnerable people can access

safety and support when in need at night time. Staff in these businesses have received training to administer support.

5. Council assembly resolved to:
  - a. Allocate £250,000 from the Southwark 2030 Reserve Fund to ensure that the recommendations from the environmental visual audits are delivered and to make the borough safer for women and other vulnerable people.

### **Southwark Pride Fund**

6. Council assembly noted:
  - a. The council is committed to celebrating the diversity and heritage of our borough, including the contributions of the LGBTQ+ community who have helped shape Southwark's history and continue to shape our Borough.
  - b. Southwark is the proud home of a large, diverse and thriving LGBTQ+ community.
  - c. Results of the 2021 Census show Southwark to have one of the largest populations of LGBTQ+ people in England.
  - d. Southwark Council is proud to have worked with our LGBTQ+ community and the Mayor of London to open an LGBTQ+ centre in our borough to serve our whole city. The centre provides a safe, inclusive, intergenerational and intersectional space run by the community for the community. Our Council Delivery Plan commits to a permanent LGBTQ+ cultural space. Work is now underway to provide this permanent LGBTQ+ cultural space in Blackfriars in partnership with the LGBTQ+ community.
  - e. Last year, Southwark held its first 'Pride in Southwark' event to celebrate the LGBTQ+ community. At this event, the leader of the council committed to making Southwark a safer, more equal place for everyone in the LGBTQ+ community.
7. Council assembly resolved to:
  - a. Announce a new Southwark Pride Fund to celebrate and commemorate Pride month. The £30,000 fund will be used to help our community and local Voluntary Sector Organisations celebrate and commemorate the contributions of our LGBTQ+ communities in Southwark.
  - b. This will be an annual fund and will form part of the Council's Grants Programme. We will fund this from the Southwark 2030 Reserve Fund for 2024/25 with a growth item to be added to the baseline budget in 2025/26.

## **2.2 SETTING THE COUNCIL TAX 2024-25**

At this juncture the clerk explained that the Local Authorities (Standing Orders) (England)

(Amendment) Regulations 2014, which had come into force on 25 February 2014, required a recorded vote on key budget decisions by local authorities. The regulations required a recorded vote on decisions only. Therefore in accordance with council assembly procedure rule 1.16(4) (a roll call recorded vote), an announcement was made at the beginning and end of one minute, after which the vote was taken.

The substantive motion was put to the vote, and the votes having been recorded, the Mayor declared the result as follows:

In favour of the substantive motion (48):

Councillors Suzanne Abachor, Evelyn Akoto, Jasmine Ali, Naima Ali, John Batteson, Cassandra Brown, Maggie Browning, Sunil Chopra, Stephanie Cryan, Ellie Cumbo, Sam Dalton, Helen Dennis, Esme Dobson, Gavin Edwards, Sabina Emmanuel, Natasha Ennin, Sam Foster, Renata Hamvas, Barry Hargrove, Ketzia Harper, Jon Hartley, Youcef Hassaine, Esme Hicks, Emily Hickson, Sarah King, Sunny Lambe, Richard Leeming, Richard Livingstone, James McAsh, Hamish McCallum, Kimberly McIntosh, Darren Merrill, Portia Mwangangye, Margy Newens, Leo Pollak, Reginald Popoola, Sandra Rhule, Bethan Roberts, Catherine Rose, Martin Seaton, Andy Simmons, Michael Situ, Charlie Smith, Cleo Soanes, Chloe Tomlinson, Joseph Vambe, David Watson, Kath Whittam, Kieron Williams, and Ian Wingfield.

Against (0):

Abstained (9):

Councillors Rachel Bentley, Victor Chamberlain, Adam Hood, Nick Johnson, Graham Neale, Jane Salmon, Emily Tester, Irina von Weise and David Watson.

Absent (6):

Councillors Dora-Dixon-Fyle, Laura Johnson, Maria Linforth-Hall, Hamish McCallum, Victoria Mills and Jason Ochere.

The Mayor declared that the substantive motion was carried.

#### **RESOLVED:**

1. That the 2024-25 Southwark element of the council tax for band D properties in Southwark, including an increase of 2.99%, be set at **£1,321.58** (Appendix B).
2. That the 2024-25 formal resolution for Southwark council taxes in 2024-25 be approved (Appendix A).
3. That no discount be applied to properties in the former parish of St Mary Newington for 2024-25.
4. That Council Assembly noted the Greater London Authority (GLA) proposal to set a precept level of **£471.40** for band D, which the GLA will consider on 22 February 2024 (Appendix C).

5. That the existing local war disability and war widow/widowers' schemes for housing benefit be continued in 2024-25.
6. That Council Assembly established a council tax setting committee to set the council tax for the year 2024-25, in accordance with section 67(3) of the Local Government Finance Act 1992, and agreed the role and functions, matters reserved, and political composition (Appendix D).
7. That Council Assembly appointed the below councillors to serve on the council tax setting committee.

	<b>Labour (5)</b>	<b>Liberal Democrat (2)</b>
1.	Cllr Stephanie Cryan	Cllr Rachel Bentley
2.	Cllr Natasha Ennin	Cllr Irina von Wiese
3.	Cllr Sarah King	
4.	Cllr Martin Seaton	
5.	Cllr Kieron Williams	

8. That Council Assembly appointed Councillor Stephanie Cryan as chair and Councillor Rachel Bentley as vice-chair of the council tax setting committee.
9. That the special council tax setting committee will meet on Friday 23 February 2024. This will allow council tax notices to be issued in line with the normal statutory timetable.

### 2.3 CAPITAL STRATEGY AND TREASURY MANAGEMENT STRATEGY 2024-25

Councillor Stephanie Cryan, cabinet member for communities, democracy and finance, formally moved the report.

The recommendations contained within the report were put to the vote and declared to be carried.

#### **RESOLVED:**

1. That council assembly approved the Treasury Management Strategy and Capital Strategy for 2024-25, and its appendices:
  - a. Appendix A - Capital Strategy 2024-25 to 2033-34
  - b. Appendix B - Treasury Management Strategy 2024-25
  - c. Appendix C - Annual Investment Management Strategy 2024-25
  - d. Appendix D - Annual Minimum Revenue Provision Statement 2024-25
  - e. Appendix E - Prudential Indicators 2024-25 to 2026-27.

### 3. AMENDMENTS

The amendments were circulated in supplemental agenda no. 2.

The meeting closed at 9.29 pm.

**CHAIR:**

**DATED:**

<b>Item No.</b> 3.2	<b>Classification:</b> Open	<b>Date:</b> 20 March 2024	<b>Meeting Name:</b> Council Assembly
<b>Report title:</b>		Motion on the Theme: Southwark 2030: a proud history and a vibrant future: harnessing all of the strengths of our borough to deliver opportunity for all.	
<b>Ward(s) or groups affected:</b>		All	
<b>From:</b>		Proper Constitutional Officer	

## **BACKGROUND INFORMATION**

The theme for this meeting is Southwark 2030: a proud history and a vibrant future: harnessing all of the strengths of our borough to deliver opportunity for all.

The relevant cabinet member shall submit a motion on the theme. All other political groups on the council are allowed to submit one amendment to the motion. The cabinet member's motion and the amendments do not need to be seconded. The cabinet member will present the motion to the meeting, followed by the lead opposition spokesperson's response and moving of their amendment, if any. Following this, the subject matter of the theme will be open to debate. Amendment(s) from other opposition groups on the council can be moved during this part of the meeting.

### **Motion from Councillor Kieron Williams, Leader of the Council**

#### **Notes**

Southwark is a truly remarkable place. Our borough's success builds on our rich history. For centuries, Southwark has been a centre of diversity, creativity and innovation. We have much to be proud of, and every reason to have high ambitions for the decades ahead.

To continue to achieve those ambitions we must unite our community with common cause in delivering the future to which we aspire. That is why the council is working with the people and organisations of our borough to agree our shared Southwark 2030 plan. Thousands of Southwark residents and hundreds of Southwark organisations have already been involved in shaping this plan. This work is ensuring that we agree the right shared goals for the future of our borough.

Our greatest strength is the people of our borough, and the plan will therefore at its core be one that unlocks their potential. For centuries, people from across Britain and around the world have been drawn to Southwark to work, to study and make this borough their home. From the first Roman and Anglo Saxon settlers, to Flemish weavers in the fourteenth century, Dutch pottery makers in

the sixteenth century and Irish labourers in the eighteenth century, to the Windrush generation from the Caribbean and Commonwealth, people from across Africa, South America, Europe and China, alongside many more people from around the world and across our country, generation after generation, have brought new ideas and cultures that have come together to make Southwark one of the most diverse and creative places in the world. Our Southwark 2030 plan will draw on all of the talent in our community to deliver the change our borough needs.

To achieve the true potential of Southwark we need to unite the people and organisations of our borough with common purpose in delivering the big changes that our community need. That is why our Southwark 2030 plan will be one jointly owned and agreed, not just by the council as the democratic leadership of the borough, but also by our wider community, public services, business, education and cultural sectors. A shared plan setting out our shared ambitions and commitment to deliver them, together with our brilliant schools and universities, our world leading hospitals, innovative businesses and vibrant voluntary, community, faith, arts and cultural sectors all playing their part.

We have many successes to build on. In the last 14 years, Southwark has achieved so much, in very hard times. Working with the community to deliver what Southwark residents want, despite huge funding pressures imposed on local public services, including the council, schools, and our NHS, from Liberal Democrat and Conservative governments.

To give just a few examples of our successes, over recent years we have:

- **Transformed our schools**, from being some of the worst in the country to being some of the best, with 98% now rated as Good or Outstanding. Our schools also have a nationally leading offer of free healthy school meals and mental health support.
- **Created thousands of good jobs**, and supported thousands of Southwark residents into them, with the number of jobs in our borough at a record high, our employment rate lifted from below the London and national average to above both, and more apprenticeships created than any other London borough.
- **Built more council and social rent homes than any other council**, with over 3,000 new council homes built or under construction and more social rent homes started than any other borough in the country since 2015.
- **Delivered new and better parks, libraries, leisure centres and theatres**, opening six new libraries since 2010, new leisure centres and parks opened and under construction at Elephant and Castle and Canada Water, millions of pounds invested in our existing parks including the complete transformation of Burgess Park, and seven new theatres opened across our borough.



The Southwark 2030 plan will build on these successes and the many others our community and Labour run council are already delivering together.

In an ever-changing national and global political environment, we must continue to raise our ambitions for our borough, making sure we are the driving force behind what happens to Southwark and the people that live, work and study here.

Last year the council embarked on Southwark 2030, to outline a shared vision for the borough, developed by people who live, work, and study in Southwark.

The development of the plan is being undertaken collaboratively with our borough community. Over 5,000 people have been involved a programme of engagement through our Social Life, Life After Covid and Southwark 2030 involvement processes.

The Southwark 2030 engagement plan has been co-designed with local community groups and public sector partners. The comprehensive approach has reached a full range of Southwark residents. Including in-depth conversations with people who live, work, study and visit the borough, held in local venues across the borough. Thirty listening events hosted by a wide range of local community and voluntary groups, organised to reach residents who are often less heard, including events hosted by women's, older people's, LGBTQ+, migrants, parents, youth, disability and religious groups. Representative surveys of Southwark residents on their aspirations for their families and our borough. Decision at empowering ward forums. Work with schools and youth groups to hear the views of children and young people.

With local groups and organisations also given the opportunity to drive the direction of the Strategy and partners from the voluntary sector, NHS, schools universities, Police and cultural institutions activity engaged throughout.

During the consultation process residents have shared the things they love about Southwark: our vibrant and diverse culture, our fantastic schools, our drive to deliver good quality housing, our thriving small business and town centres, our green spaces and our accessible leisure centres.

We also learned about the priorities that people in Southwark want to see progress; even more and better affordable homes, reducing anti-social behaviour, increased access to the mental health support, creating cleaner air, extra chances to gain good jobs and skills, increased opportunities for young people and making sure everyone feel part of a community.

Southwark 2030 will build on what residents have told us, and ensure we have a shared plan focused on delivering on the goals that matter to our residents, ensuring:

- Children can flourish
- People can have good homes, that they can afford
- Our borough is safe

- We improve health and especially mental health
- There are good jobs for Southwark residents
- Our environment is clean and healthy
- Our neighbourhoods are great places to live.

Above all the plan will focus on closing the gaps across our community in each of the above areas. Because whilst our borough, city and country are full of opportunity, the gaps across our society means too many people in Britain today are being left behind. In Southwark, we are determined to lead in the way in closing that gap.

The work in these areas will be guided by overarching principle to guide our borough's plan between now and 2030:

- Reducing inequality
- Investing in prevention
- Empowering people.

**Southwark 2030: a proud history and a vibrant future: harnessing all of the strengths of our borough to deliver opportunity for all.**

1. Council assembly resolves to:
  - a. Thank everyone who was involved in the engagement process so far across our community and voluntary, public, business, education and cultural sectors.
2. Council assembly asks cabinet to:
  - a. Finalise and agree our Southwark 2030 Plan. This plan should deliver on the priorities of our community, including those set out above, and be developed in partnership with residents and organisations of our borough.
  - b. Establish a new partnership structure with local public services, anchor organisations and key businesses to ensure that they are part of delivering this vision.
  - c. Utilise this partnership to develop and agree actions that focus on the transformation changes we want to make together as we look to the future.
  - d. Allocate the Southwark 2030 fund towards delivering that plan, ensuring the funding is used to deliver on these priorities.
  - e. Put in place annual reporting on the progress in delivering the plan, and the goals within it.

**BACKGROUND DOCUMENTS**

<b>Background Papers</b>	<b>Held At</b>	<b>Contact</b>
Cabinet members Motion	Constitutional Team 160 Tooley Street London SE1 2QH	Constitutional Team <a href="mailto:Constitutional.Team@southwark.gov.uk">Constitutional.Team@southwark.gov.uk</a>

**AUDIT TRAIL**

<b>Lead Officer</b>	Chidilim Agada, Head of Constitutional Services
<b>Report Author</b>	Virginia Wynn-Jones, Principal Constitutional Officer
<b>Version</b>	Final
<b>Dated</b>	6 March 2024

<b>Item No.</b> 5.1	<b>Classification:</b> Open	<b>Date:</b> 20 March 2024	<b>Meeting Name:</b> Council Assembly
<b>Report title:</b>		Members' Question Time	
<b>Ward(s) or groups affected:</b>		All	
<b>From:</b>		Proper Constitutional Officer	

## BACKGROUND INFORMATION

Members' question time shall not exceed 30 minutes. During this time, members may not question any one cabinet member or committee chair for longer than fifteen minutes. Members are limited to one question at each meeting.

Questions to the leader will be taken first, followed by question followed by questions to other cabinet members. The order in which the different political groups ask questions of the leader will be rotated. Questions to cabinet members will also be rotated. The order of portfolios will be rotated at each meeting such that the cabinet member answering questions immediately after the leader will be the second to last cabinet member to answer any questions at the next meeting of council assembly. The rotation is in line with decisions of council assembly in July 2014 and rotations circulated by the proper constitutional officer.

Cabinet members and committee chairs have discretion to refer a question to another cabinet member.

Responses to members' questions will be circulated on the evening of the meeting.

The Mayor will ask the member asking the question if they wish to ask one supplemental question to the member to whom the question was asked. The supplemental question must arise directly out of the original question or the reply. Therefore, supplemental questions to the leader or other cabinet members are not free ranging.

No question shall be asked on a matter concerning a planning or licensing application.

### Notes:

1. The procedures on members' questions are set out in council assembly procedure rule 2.9 in the Southwark Constitution.
2. In accordance with council assembly procedure rule 2.9 (12) & (13) (prioritisation and rotation by the political groups) the order in which questions to the leader appear in this report may not necessarily be the order in which they are considered at the meeting.

**1. QUESTION TO THE LEADER OF THE COUNCIL FROM COUNCILLOR JANE SALMON**

I'm grateful that the Mayor has agreed to facilitate a meeting between the whips and group leaders to agree a way forward for better conduct in Council Assemblies. What further assurances can the leader give that our public meetings are conducted with the respect and tone that residents expect from us?

**2. QUESTION TO THE LEADER OF THE COUNCIL FROM COUNCILLOR YUCEF HASSAINE**

How many other local authorities took part in the recent Southwark-led Future of Council Housing summit?

**3. QUESTION TO THE LEADER OF THE COUNCIL FROM COUNCILLOR EMILY TESTER**

The repairs improvement plan published in September 2023 included a variety of commitments timetabled for 2023. Have those commitments been kept? In particular, are all calls and emails responded to within 5 minutes and 48 hours respectively?

**4. QUESTION TO THE LEADER OF THE COUNCIL FROM COUNCILLOR BETHAN ROBERTS**

What services are available for residents at the new Una Marson Library?

**5. QUESTION TO THE LEADER OF THE COUNCIL FROM COUNCILLOR RACHEL BENTLEY**

Occupational therapy is a vital part of supporting residents to live their life to the full and stay in their homes comfortably, but often face serious backlogs when applying for an assessment of their needs. Please could the Leader provide an update on the waiting list, including total number of people on the list and waiting times?

**6. QUESTION TO THE LEADER OF THE COUNCIL FROM COUNCILLOR ESME HICKS**

Given what we learned in the recent budget from the Conservative Chancellor, how is the council stepping in to provide the support that our residents need through the cost of living crisis and the current UK recession?

**7. QUESTION TO THE LEADER OF THE COUNCIL FROM COUNCILLOR DAVID WATSON**

When does the Leader expect neighbours, community groups and members of the public to be able to access the Finches Grotto park on Sawyer Street, in line with the planning permission granted in November 2018?

**8. QUESTION TO THE LEADER OF THE COUNCIL FROM COUNCILLOR JOHN BATTESON**

How many different organisations will benefit from the Positive Futures Fund for Young People in the next two years?

**9. QUESTION TO THE LEADER OF THE COUNCIL FROM COUNCILLOR GRAHAM NEALE**

Last year the council published its sustainable food strategy, with section 4b committing to promote plant-based diets as a sustainable way forward, including within its procurement. Will the Leader commit to working towards being a plant-based council?

**10. QUESTION TO THE LEADER OF THE COUNCIL FROM COUNCILLOR JOSEPH VAMBE**

How does the Residential Care Charter benefit our residents?

**11. QUESTION TO THE LEADER OF THE COUNCIL FROM COUNCILLOR NICK JOHNSON**

The last time we asked about local community infrastructure levy (CIL), we were told a review was due in spring. It is now by most definitions spring, and residents are still none the wiser about when they will see the benefit of the huge amount of development happening across the borough. Can we get a commitment that we will receive a timetable as soon as possible and before 31 May 2024, of when communities can expect to be able to see the benefit of the more than £15 million currently sat in the bank?

**12. QUESTION TO THE LEADER OF THE COUNCIL FROM COUNCILLOR DORA DIXON-FYLE**

How many automated external defibrillators (AED) have now been installed in our libraries and leisure centres?

**13. QUESTION TO THE LEADER OF THE COUNCIL FROM COUNCILLOR MARIA LINFORTH-HALL**

Despite committing to improving damp and mould services last year, residents still are experiencing unacceptable damp and mould conditions, and poor service when they attempt to resolve with the council. Can the leader commit to ensuring that all residents receive swift and adequate action to resolve damp and mould issues in line with Awaab's Law?

**14. QUESTION TO THE LEADER OF THE COUNCIL FROM COUNCILLOR MAGGIE BROWNING**

How much money has been raised via the Southwark Green investment?

**15. QUESTION TO THE LEADER OF THE COUNCIL FROM COUNCILLOR HAMISH MCCALLUM**

The external auditor has formally raised concerns with the state of the housing revenue account (HRA) in its audit of the 2021/22 accounts, including raising the fact that weaknesses could have been acted upon sooner to prevent the cliff-edge the council now faces. In addition to the HRA recovery plan, how will the council ensure that it never has to choose between building more homes and keeping existing homes safe again?

**16. QUESTION TO THE LEADER OF THE COUNCIL FROM COUNCILLOR ANDY SIMMONS**

Could the Leader please provide an update on the council's support for tenants to mutually exchange their homes?

**17. QUESTION TO THE LEADER OF THE COUNCIL FROM COUNCILLOR ADAM HOOD**

Will the council consider bringing forward plans to reverse the flow of Cope Street and change parking restrictions in order to alleviate the congestion currently experienced on Lower Road, which persists even after the cycle way roadworks have been removed?

**18. QUESTION TO THE CABINET MEMBER FOR JOBS, SKILLS AND BUSINESS FROM COUNCILLOR VICTOR CHAMBERLAIN**

Southwark's nightlife plan is welcome, but has numerous issues including lack of measurable impact and engagement with communities, especially with the LGBTQ+ community. With that in mind, how would the cabinet member assess the current state of the night time economy in Southwark, and is the night time plan sufficient?

**19. QUESTION TO THE CABINET MEMBER FOR JOBS, SKILLS AND BUSINESS FROM COUNCILLOR IRINA VON WIESE**

Can the cabinet member please provide an update on the the glasshouse in Courage Yard, and when the council will be able to collect rent on this valuable commercial property?

**20. QUESTION TO THE CABINET MEMBER FOR JOBS, SKILLS AND BUSINESS FROM COUNCILLOR SUZANNE ABACHOR**

How many Living Wage employers are now operating in Southwark?

**21. QUESTION TO THE CABINET MEMBER FOR JOBS, SKILLS AND BUSINESS FROM COUNCILLOR CASSANDRA BROWN**

Since its launch how many local business have so far benefitted from the Thriving High Streets Fund?

**22. QUESTION TO THE CABINET MEMBER FOR JOBS, SKILLS AND BUSINESS FROM COUNCILLOR DARREN MERRILL**

How many apprenticeship opportunities have been created?

**23. QUESTION TO THE CABINET MEMBER FOR JOBS, SKILLS AND BUSINESS FROM COUNCILLOR BARRIE HARGROVE**

How many business have received a grant via the Southwark Pioneers Fund?

**24. QUESTION TO THE CABINET MEMBER FOR JOBS, SKILLS AND BUSINESS FROM COUNCILLOR GAVIN EDWARDS**

Given the UK is in recession what additional support do you think is needed to protect London and Southwark's local economy?

**25. QUESTION TO THE CABINET MEMBER FOR THE CLIMATE EMERGENCY, CLEAN AIR AND STREETS FROM COUNCILLOR MARGY NEWENS**

How many people have responded to the Streets for People engagement exercise?

**26. QUESTION TO THE CABINET MEMBER FOR THE CLIMATE EMERGENCY, CLEAN AIR AND STREETS FROM COUNCILLOR RENATA HAMVAS**

What is the expected time line for the implementation of the new controlled parking zone (CPZ) roll out?

**27. QUESTION TO THE CABINET MEMBER FOR THE CLIMATE EMERGENCY, CLEAN AIR AND STREETS FROM COUNCILLOR RICHARD LEEMING**

How will the newly completed 'Cycle Super Highway 4' support cycling in Southwark?



<b>Item No.</b> 5.2	<b>Classification:</b> Open	<b>Date:</b> 20 March 2024	<b>Meeting Name:</b> Council Assembly
<b>Report title:</b>		Members' Motions	
<b>Ward(s) or groups affected:</b>		All	
<b>From:</b>		Proper Constitutional Officer	

## BACKGROUND INFORMATION

The councillor introducing or “moving” the motion may make a speech directed to the matter under discussion. This may not exceed five minutes<sup>1</sup>. A second councillor will then be asked by the Mayor to “second” the motion. This may not exceed three minutes without the consent of the Mayor.

The meeting will then debate the issue and any amendments on the motion will be dealt with. At the end of the debate the mover of the motion may make a concluding speech, known as a “right of reply”. If an amendment is carried, the mover of the amendment shall hold the right of reply to any subsequent amendments and, if no further amendments are carried, at the conclusion of the debate on the substantive motion.

The Mayor will then ask councillors to vote on the motion (and any amendments).

## IMPLICATIONS OF THE CONSTITUTION

The constitution allocates responsibility for particular functions to council assembly, including approving the budget and policy framework, and allocates to the cabinet responsibility for developing and implementing the budget and policy framework and overseeing the running of council services on a day-to-day basis. Therefore, any matters that are reserved to the cabinet (i.e. housing, social services, regeneration, environment, education etc.) cannot be decided upon by council assembly without prior reference to the cabinet. While it would be in order for council assembly to discuss an issue, consideration of any of the following should be referred to the cabinet:

- to change or develop a new or existing policy
- to instruct officers to implement new procedures
- to allocate resources.

**Note:** In accordance with council assembly procedure rule 2.10 (7) & (8) (prioritisation and rotation by the political groups) the order in which motions appear in the agenda may not necessarily be the order in which they are considered at the meeting.

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<sup>1</sup> Council assembly procedure rule 1.14 (9)

**1. MOTION FROM COUNCILLOR RICHARD LIVINGSTONE (Seconded by Councillor Cassandra Brown)**

**Back the Bakerloo Line Extension**

1. Council Assembly believes:
  - a. The Bakerloo Line Upgrade and Extension will deliver for people and businesses across our city and country, creating a more connected, productive and sustainable city and supporting the national economic growth our country needs.
  - b. The Bakerloo Line is an iconic part of the Underground, and a vital piece of economic infrastructure with 920,000 jobs – one in six in London – within a 12-minute walk of a station.
  - c. The Bakerloo Line Upgrade and Extension would have a transformational impact on London, by:
    - i. Boosting the economy:
      - Supporting 150,000 jobs in total, including nearly 10,000 directly
      - Creating 190,000 sqm of new commercial floorspace,
      - Generating £1.5bn of GVA per year
    - ii. Tackling the housing crisis:
      - Supporting 107,000 homes along the entire line
      - This includes unlocking 20,400 new homes as a direct result of the extension
    - iii. Greening our transport network:
      - Creating 150,000 additional public transport trips
      - 20,800 fewer car trips daily
      - Improving connectivity, with travel time from Old Kent Road to Oxford Circus cut by nearly two thirds from 38 minutes to 13 minutes;
2. Council Assembly notes:
  - a. The recent major construction milestone with a “bottoming out” ceremony for the new integrated ticket hall at Elephant and Castle’s Northern line tube station. The ITH will serve as the primary entrance to the Northern Line and represents the first piece of substantial infrastructure to support the proposed Bakerloo Line extension
  - b. Over the last decade, the council has invested over £70m into the Elephant & Castle tube upgrade, providing a new step-free station and integrating the Northern line with the Bakerloo Line and its anticipated extension.

- c. That the Mayor of London, and the Deputy Mayor for Transport, have offered their vocal support for the Bakerloo Line Extension.
  - d. Southwark's Cabinet have just agreed an allocation of Strategic CIL of £350,000 towards the Elephant and Castle over-ground station and £250,000 towards the Bakerloo Line Extension.
  - e. The Bakerloo Line Extension now has support from numerous Councils across London and the Leader of the Council Kieron Williams has been a key voice in rallying and securing this support.
  - f. The Bakerloo Line Extension is vital to delivering new homes, jobs and green spaces in the Old Kent Road Opportunity Area – 20,000 new homes in total, which are much needed given the current housing crisis.
  - g. That Southwark has an impressive record of affordable housing delivery along the Old Kent Road. Of the 3,333 homes already delivered or on site there, over 50% are affordable. The Bakerloo Line Extension would enable us to deliver many more genuinely affordable homes that Southwark residents need.
  - h. The Bakerloo Line Upgrade and Extension cannot happen without more support from government. Transport for London (TfL) has succeeded in boosting passenger numbers and restoring finances after the devastating impact of the pandemic. However, as with all major transport networks, TfL will need ongoing support with capital funding to maintain the network and invest in future growth.
  - i. The Government announced a short sighted and insufficient one-year capital investment deal for TfL in December. However, this provides only £250m next year, half the £500m to £600m TfL requires annually from government to meet its capital needs.
3. Council Assembly resolves to:
- a. Continue to campaign for the Bakerloo line extension working with TfL, the Mayor of London, councils across London and our wider community
  - b. Work with the Mayor of London to continue to deliver major upgrades to the transport network in Southwark to deliver for Southwark Residents including through increased bus capacity, including a Bakerloo Bus, on the Old Kent Road.

- c. Ask the Cabinet to produce a new piece of work outlining a path to secure the necessary funding from government that would see the BLE come to fruition
- d. Ensure there is continued investment from Southwark's Strategic Community Infrastructure Levy into the Bakerloo line extension
- e. After the Mayoral election in May, call on the newly elected Mayor of London to back the Bakerloo line extension.

**Note:** If the motion is agreed, any proposals will be submitted to the cabinet for consideration.

## 2. **MOTION FROM COUNCILLOR EMILY TESTER (Seconded by Councillor Victor Chamberlain)**

### **A Fair Deal for Housing in Southwark**

1. Council Assembly notes the context that Southwark finds itself in:
  - a. Housing affordability in Southwark is lower than ever, with average income in Southwark barely covering the average private rent.<sup>2</sup>
  - b. The impact low affordability has on almost every part of council services. With fewer families able to afford living in Southwark, lower pupil numbers mean our schools become less viable. With pressure on supply of social housing, there are more people living in temporary accommodation.
  - c. That in 2023/2024 Southwark Council is forecast to spend £20 million on temporary accommodation, up from £5 million in 2017/2018, with 54% of those in temporary accommodation housed outside of Southwark<sup>3</sup>
  - d. That the total housing waiting list is at a record high of over 17,700 households as at January 2024, with new applicants at 11,893 up from 6,772 in 2019.<sup>4</sup>
  - e. That from 2020 to 2023, Southwark owns almost 994 fewer council homes, and the proportion of total social housing in the borough has dropped from 44% to 38% since 2010.<sup>5</sup>

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<sup>2</sup> [Rent prices: How much have they gone up in your area? - BBC News](#); [Southwark Salary in United Kingdom - Average Salary \(talent.com\)](#)

<sup>3</sup> Internal queries to officers, DLUHC [Tables on Homelessness, Q3](#)

<sup>4</sup> Internal queries to officers, DLUHC Live Table [600](#)

<sup>5</sup> [Local Authority Registered Provider statistics](#); DLUHC Live Table [100](#)

- f. That despite the Labour administration's attempts, its 11,000 homes pledge is in disarray and seriously off track, with the former Housing Director telling Parliament that it's "unfunded".
- g. At the current rate of council housing delivery, it will take 145 years to get the waiting list to zero.<sup>6</sup>
- h. The pressure on the HRA has now resulted in the housebuilding programme being paused, including projects on Styles House, Bells Gardens, the Lindley Estate and Sceaux Gardens.
- i. That the competing priorities of delivering more homes versus maintaining and upgrading existing homes was an avoidable dilemma, according to the recently released external auditor's report on the 2021/2022 accounts.<sup>7</sup>

## 2. Council Assembly further notes

- a. That, 7 years after the Grenfell fire, cladding remains an issue in Southwark, with up to 10 blocks remaining with ACM systems yet to be remediated.<sup>8</sup>
- b. That the Council is lagging behind councils like Newham, who have successfully taken legal action against building owners who have purposefully delayed remedial work.<sup>9</sup>
- c. That damp and mould continues to be a systemic issue across Southwark, with councillors regularly getting casework on the subject from residents living in unacceptable conditions.
- d. Since the QHIP programme started, 1658 stage 1 complaints have been received, 1 in 4 projects have run over by more than 100 days, and the same proportion have overspent, with half of those being overspends of more than £100k.<sup>10</sup>
- e. The Strategic Director for Housing recently admitted that the current district heating systems are unsustainable, referring to frequent outages and issues with the system across multiple estates

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<sup>6</sup> [GLA AHP](#) statistics taking the 721 affordable homes over 6 financial years, divide current waiting list by that yearly average.

<sup>7</sup> Auditor's Annual Report, [page 7](#)

<sup>8</sup> DLUHC Building Safety Programme [Monthly Release](#)

<sup>9</sup> [Newham wins landmark legal case against building owner who delayed removing dangerous cladding – Newham Council](#)

<sup>10</sup> Internal queries to officers

- f. That the council has spent over £15 million on Maydew House, which is now being demolished, meaning 144 homes have been empty in the building since 2015.
  - g. The housing ombudsman has revealed that Southwark is the third most complained about council for housing, and has repeatedly found Southwark to have carried out “severe maladministration”, and last year forced it to pay £10,000 in compensation.
  - h. The Secretary of State, Michael Gove MP, explicitly called out Southwark Council’s record in this area, saying that he was “appalled”.
  - i. That leaseholders feel they are not getting value for money, yet are expected to pay extortionate bills, including administration fees charged as a percentage of costs as opposed to a flat fee covering staff time.
  - j. The high turnover of Housing portfolio holders in both national and local government, with there being five cabinet members in as many years at both levels with that portfolio.
  - k. That at the October Overview and Scrutiny committee (OSC), Liberal Democrat members asked for a root and branch review of the housing department, which was verbally agreed to by the cabinet member but little progress seen since.
3. Council Assembly notes with concern
- a. Residents’ trust in Southwark Council’s Housing department and response is at an all time low.
  - b. That there is a pattern of avoiding transparency and accountability within housing from members and officers.
  - c. A freedom of information request regarding the Devon Mansions Major Works programme was delayed by 2 years, prompting the Information commissioner to rule that the council was in breach of the Freedom Of Information Act
  - d. Residents were forced by this lack of communication to bring multiple major works projects to the attention of the Overview and Scrutiny Committee
  - e. At these meetings, where the acting Director of Housing apologised unreservedly for the multiple failures, Labour voted against a Liberal Democrat proposal to fully hold those responsible to account

- f. That the QHIP works were signed off with commitments to regularly monitor activity and spend, which the Cabinet Member for Housing is responsible for (outlined in the Gateway 2 decisions).
  - g. This ultimately places responsibility for these failures with those cabinet members who held the housing portfolio at the time.
  - h. The following 3 QHIP works were signed off during the period when the current Leader of the Council held the housing portfolio, and responsibility for monitoring the projects were subsequently inherited by the current Deputy Cabinet Member for Allocations, and the Cabinet Member for Finance, when they held the post from 2020-2021, and 2021-2022 respectively.
    - i. Devon Mansions: Gateway signed in June 2020
    - ii. Canada Estate: Gateway signed in January 2020
    - iii. Kirby Estate: Gateway signed in May 2019
  - i. Under the tenure of the incumbent Cabinet Member for New Homes, separate issues around the viability of the Styles House redevelopment were known for months without action. Residents were then left blindsided by the decision to not replace the council homes that were demolished to make way for it.
4. Council Assembly recognises:
- a. That Labour voted down our recent proposals to create one stop shops and introduce more apprentices into the repairs work stream, which would drastically improve the quality of repairs, and trust in the council from residents.
  - b. The Liberal Democrat Group have repeatedly called for change including:
    - i. Inviting the regulator of social housing to investigate Southwark Council
    - ii. Calls for 50% of homes on council land to be genuinely affordable
    - iii. Calls for all homes to be for primary residence only
    - iv. Fully investigating and remedying unacceptable temporary accommodation conditions.
  - c. That Labour have chosen to ignore or vote down these proposals when suggested by the Liberal Democrat Group.
5. Council Assembly resolves:

- a. To fully hold to account and call on cabinet members ultimately responsible for historic and ongoing major works scandals to apologise, and consider their positions as senior decision makers.
- b. To commit to a full root and branch review of the housing and modernisation department in light of the long-running scandals highlighted at recent OSC meeting, and for the findings to be published and brought to OSC.
- c. To measure housing success on direction of travel of waiting list, rather than starts or pipeline projects, or comparisons with other boroughs that are simply building even fewer.
- d. To commit that any heating systems installed in new housing schemes are cheaper, more reliable, and more efficient than the systems found in current estates
- e. To commit to exploring ways to make leaseholder charges fairer, including flat fees on administration charges
- f. To improve accountability and trust in repairs by residents having, in writing at the first opportunity, a full record of reports, visits, actions taken, and planned next steps for each repair request or complaint, and to create more opportunities for residents to raise issues in real time and face-to-face with officers.
- g. To call on the government to provide more financial support to local authorities, especially with regards to housing
- h. To call on the government to abolish residential leasehold and cap ground rents to a nominal fee
- i. To invite Regulator of Social Housing to investigate Southwark Council at the earliest possible opportunity.
- j. To call on the GLA to support private renters by:
  - i. Establishing a “Good Developers” scheme that certifies developers that genuinely engage with and add value to local communities
  - ii. Establish a fund to support residents challenging their landlords
- k. To follow the action of Newham and take legal action against building owners who have purposefully delayed remedial work.

**Note:** If the motion is agreed, any proposals will be submitted to the cabinet for consideration.



**3. MOTION FROM COUNCILLOR LEO POLLAK (Seconded by Councillor Irina von Wiese)**

**Southwark Council calls for an immediate ceasefire in Gaza**

1. Council Assembly notes:
  - a. Our profound horror and despair at scenes that we have seen unfolding over the past five months in Israel and in Gaza.
  - b. On 7 October 2023 Hamas killed around 1,200 Israelis, and took around 240 hostages, with over 100 still being held;
  - c. Since 7 October 2023, over 30,000 Palestinians have been killed and around 1.9 million have been displaced, with Gaza now facing a severe humanitarian crisis;
  - d. That these events have led to a deeply worrying increase in antisemitism and Islamophobia across the UK.
2. Council Assembly resolves to:
  - a. Stand with the residents of our borough who have been profoundly affected by this conflict, especially those who may be fearing for the lives of their families and friends currently in the region. It is an unconscionable position for far too many.
  - b. Stand firm and united against antisemitism and Islamophobia in all its forms.
  - c. Thank community leaders across our borough for the role they are playing in reducing tensions at this sensitive and difficult time.
3. Council Assembly believes:
  - a. That there can be no excuse for the scale of this suffering, no excuse for terrorist attacks, hostage taking or the utterly disproportionate scale of civilian deaths in Gaza.
  - b. That the fighting must stop now, with an immediate ceasefire observed by all sides. All hostages released. The siege conditions in Gaza ended, with full access for the food medicines, electricity and supplies needed to end the humanitarian crisis.
  - c. That an immediate ceasefire must be accompanied by a political process with the support of the UN, that delivers a permanent end to this suffering and a just and lasting peace.

4. Council Assembly also believes:
  - a. There can be no place for hate in our borough. Southwark must be a safe place for people of all faiths and nationalities. We must support people whose families and loved ones are caught up in this conflict and extend a special welcome to anyone fleeing war and persecution, in keeping with the Southwark's tradition as a borough of sanctuary.
  
5. Council resolves to:
  - a. Work with our local Jewish, Muslim and wider community to continue to ensure antisemitism and Islamophobia are not tolerated in our borough, and to be ready to welcome refugees fleeing this conflict.
  - b. Write to the Prime Minister and Foreign Secretary to ask the UK Government to:
    - call for an immediate bilateral ceasefire and unfettered humanitarian access to Gaza
    - work to advance a serious and concerted international effort for a two-state solution and a just and lasting peace.
    - provide safe and legal routes for refugees fleeing the region
    - request central government funding to support community cohesion at a local level.

**Note:** If the motion is agreed, any proposals will be submitted to the cabinet for consideration.

**4. MOTION FROM COUNCILLOR RACHEL BENTLEY (Seconded by Councillor Nick Johnson)**

**Protecting Play Spaces in Southwark**

1. Council assembly notes
  - a. Access to outdoor play is fundamental to the physical, social, mental and emotional development of children.
  - b. Article 31 of the UN Convention on the Rights of the Child states that Governments must "respect, protect and fulfil" the "right of the child to rest and leisure, to engage in play and recreational activities".
  - c. The UK is currently failing in that duty, with children suffering damage to their mental health and wellbeing due to the lack of

accessible play spaces.

- d. The impact of Covid lockdowns on the mental health of young people is yet to be fully understood but it is a clear that we must provide every opportunity for the affected generation to play and develop socially.
  - e. The disastrous cuts to local government funding implemented by the Conservative Government have left playgrounds falling into disrepair across the UK.
  - f. Councils in London have failed to prioritise the provision of accessible play spaces when granting planning permission to new developments.
2. Council assembly notes with concern:
- a. Too many play spaces in Southwark are in an appalling state.
  - b. Play areas across the borough have been neglected, with missing, damaged or unsafe equipment rendering them inaccessible for local communities.
  - c. Three playgrounds in Bermondsey, on the Kirby Estate, the Rouel Road Estate and the Abbeyfield Estate, were voted amongst the 'saddest' play areas in London, with local children describing them as "nasty" and "lonely".
  - d. Some communities have been left without any play space at all. The playground on the Bells Gardens estate was bulldozed as part of an infill development which the council has since run out of money to complete.
  - e. Developers have consistently failed to provide adequate play spaces on new residential developments, and some have even attempted to ban children from playing outside in shared spaces.
  - f. Where well maintained play spaces do exist, Southwark communities are finding them hard to access. Following the refurbishment of Mint Street adventure playground, residents and community groups say they have not been able to access the space freely and easily.
3. Council assembly resolves to:
- a. Conduct an audit of all council maintained play spaces to identify all equipment defects, safety concerns and required improvements, starting with the 3 playgrounds voted amongst London's 'saddest'.

- b. Conduct an audit of play spaces that have been a condition of planning permission, included whether they have been provided for or built at all.
- c. Update Southwark's applicable strategies to develop and implement a cross-departmental 'Southwark Play Strategy' with the aim of delivering safe, well maintained, accessible play spaces for all communities in Southwark. The strategy must include a clear timeframe for action.
- d. Hold developers to account in fulfilling commitments to provide play spaces on new developments in Southwark.
- e. Work with residents and community groups to improve access to Mint Street Adventure playground.

**Note:** If the motion is agreed, any proposals will be submitted to the cabinet for consideration.

**5. MOTION FROM COUNCILLOR GRAHAM NEALE (Seconded by Councillor Adam Hood)**

**Improving Inclusivity for People with Dyslexia**

1. Council assembly notes:
  - a. The council has a duty to ensure all services and materials are accessible to everyone.
  - b. Dyslexia is a protected characteristic covered by the Equality Act 2010.
  - c. Southwark's current house style for written communications and reports does not adhere to the British Dyslexia Society's dyslexia friendly style guide.
  - d. Southwark Council, therefore, runs the risk of excluding people with dyslexia from accessing services or participating in local decision-making.
  - e. The Southwark Liberal Democrats asked the council to commit to implementing the dyslexia friendly house style in March 2023.
2. Council assembly resolves to:
  - a. Immediately implement a house style in line with the 'dyslexia friendly style guide' as outlined by the British Dyslexia Society.

**Note:** If the motion is agreed, any proposals will be submitted to the cabinet for consideration.

## BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Member Motions	Constitutional Team 160 Tooley Street London SE1 2QH	Constitutional Team <a href="mailto:Constitutional.Team@southwark.gov.uk">Constitutional.Team@southwark.gov.uk</a>

## AUDIT TRAIL

<b>Lead Officer</b>	Chidilim Agada, Head of Constitutional Services
<b>Report Author</b>	Virginia Wynn-Jones, Principal Constitutional Officer
<b>Version</b>	Final
<b>Dated</b>	6 March 2024

# Agenda Item 6.1

<b>Item No.</b> 6.1	<b>Classification:</b> Open	<b>Date:</b> 20 March 2024	<b>Meeting Name:</b> Council Assembly
<b>Report title:</b>		Proposed Constitutional updates 2023-24: Council assembly procedure rules	
<b>Ward(s) or groups affected:</b>		All	
<b>From:</b>		Constitutional Steering Panel	

## RECOMMENDATIONS

1. That council assembly agree the proposed changes to the constitution affecting council assembly as outlined in Appendix 1 and 2 of this report.

### Consequential changes

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

## BACKGROUND INFORMATION

### Legal background

3. Under the Local Government Act 2000 the council is required to have a constitution that covers all the standing orders, delegated processes and the codes of conduct for councillors.
4. Southwark Council's constitution is regularly reviewed and updated to ensure good governance and transparent decision-making. The formal process to agree changes to the constitution is first via the constitutional steering panel (CSP), and then by agreement of council assembly.

## KEY ISSUES FOR CONSIDERATION

### Council Assembly

5. The Local Government Act 1972 sets out a requirement for an annual meeting of council assembly, and beyond that does not require any further gatherings of all councillors.
6. The business transacted at council assembly is set out in the constitution (CAPR 2.2) as:
  - Introduction and preliminary business
  - Time for residents to bring issues to assembly (petitions, public questions)
  - Themed debate (community evidence, motion on the theme)
  - Deputations

- Time for members to bring issues to assembly (members' questions, general motions)
  - Consideration of reports (cabinet, scrutiny, any other)
  - Formal constitutional business.
7. Council assembly has a guillotine set to three hours after the start of the meeting, where all motions not debated are deemed to be formally moved, and voted on without further debate. The only discussion following the guillotine is on reports, where members may give up to 15 minutes' debate on each report.
8. In order to ensure the smooth running of the meeting, the following changes have been recommended for discussion.
- a. Remove the requirement for rotation of questions to cabinet members (CAPR 2.9.8).

This rotation limits members' capacity to challenge cabinet members on matters which may be timely and relevant simply if the appropriate portfolio holder is at the end of the rotation. The concept was originally to ensure that all cabinet members were given appropriate challenge, but it may be more useful for members to have the chance to ask questions on current events, immediate issues and matters that are important to them, rather than to be restricted by an artificial rotation.

- b. Questions from members to the leader and cabinet members

- Bring the deadline for submissions of members' questions earlier  
The current deadline for submission of members' questions is nine clear working days prior to the meeting (CAPR 2.9.9). It is recommended that this be changed to twelve clear working days before the meeting to ensure that officers and cabinet members have sufficient time to offer a thorough and effective written response response.

- c. Late questions

The late question from the leader of the majority opposition has been a valuable tool in bringing urgent matters to the attention of the cabinet; but the deadline for receipt and for answering is a significant pressure on council time.

- Change the name of this rule to "Late and urgent questions by group leaders" (CAPR 2.8)

This should be defined as "a question that could not have been raised before the deadline for questions by members", in order for this to be a meaningful differentiation between late and urgent questions and questions by members.

- Change the number of supplementary questions by the leader of the majority opposition following the late and urgent question from two to one (CAPR 2.8.10)

This brings the question in line with all other questions by members and ensures parity.

- Bring the deadline for late and urgent questions earlier. The current deadline is 10am on the day of the meeting (CAPR 2.8.7). It is recommended that this be changed to 10am one clear working day before the meeting, on the Monday of the week of council assembly. This will allow officers and the leader to offer a thorough and effective written response tabled at the meeting.

d. Motions (CAPR 2.10)

- Introduce proportionality to the submission of members' motions on notice  
The current council assembly procedure rules do not limit the number of motions that can be proposed beyond the limitation that a member may only move one motion and second one motion. It is proposed that the number of motions submitted be directly proportionate to the number of members in the political group or independent members as follows:
  - Up to 10 councillors 1 motion
  - 11-20 councillors 2 motions
  - 21+ councillors 3 motions

### **Policy framework implications**

9. If approved by council assembly, the constitutional changes will be enforceable immediately.

### **Community, equalities (including socio-economic) and health impacts**

10. There are no direct impacts arising from this report. Any changes to the scheme are published on the council's website.

### **Climate change implications**

11. There are no immediate climate change implications arising from this report.

### **Legal implications**

12. The legal implications are set out in the body of the report.

### **Financial implications**

13. There are no immediate financial implications arising from this report.

### **Consultation**

14. Consultation is undertaken with group whips, relevant cabinet members and officers.



## SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

### Assistant Chief Executive - Governance and Assurance

15. The constitution is a written legal document that guides the council on its decision making processes. It provides a basis and framework for the councillors and officers to work within, and ensures honesty, accountability and lawful decision making. Southwark Council has agreed a constitution which sets out how the council operates. The constitution may be amended from time to time according to the law and the opportunities contained in the constitution for making such changes.
16. Article 1.5 of the states that any changes, other than minor, to the constitution are approved by the council assembly. Such changes require the prior consideration of the proposal by the constitutional steering panel. This consideration has taken place.

### Strategic Director of Finance

17. None in the context of this report.

## BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Southwark constitution	Constitutional Team 160 Tooley Street, London SE1 2QH	Constitutional Team <a href="mailto:constitutional.team@southwark.gov.uk">constitutional.team@southwark.gov.uk</a>

## APPENDICES

Appendix	Title
Appendix 1	Proposed constitutional changes

**AUDIT TRAIL**

<b>Lead Officer</b>	Doreen Forrester-Brown, Assistant Chief Executive, Governance and Assurance	
<b>Report Authors</b>	Chidilim Agada, Head of Constitutional and Member Services Virginia Wynn-Jones, Principal Constitutional Officer	
<b>Version</b>	Final	
<b>Dated</b>	8 March 2024	
<b>Key Decision?</b>	No	
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER</b>		
<b>Officer Title</b>	<b>Comments Sought</b>	<b>Comments Included</b>
Assistant Chief Executive, Governance and Assurance	Yes	Yes
Strategic Director of Finance	No	No
<b>Cabinet Member</b>	No	No
<b>Date final report sent to Constitutional Team</b>	8 March 2024	

## **COUNCIL ASSEMBLY PROCEDURE RULES**

### **CONTENTS**

#### **1. GENERAL PROCEDURES APPLYING TO COUNCIL ASSEMBLY MEETINGS**

- 1.1 Notice and summons of meetings
- 1.2 Chair of meeting
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- 1.4 Council assembly business panel
- 1.5 Powers of the chair
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- 1.9 Broadcasting and recording
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- 1.11 Previous decisions and motions
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- 1.15 Voting
- 1.16 Recorded votes by roll call
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#### **2. ORDINARY MEETINGS OF THE COUNCIL ASSEMBLY**

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- 2.4 Petitions to council assembly
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- 2.7 Themed debates
- 2.8 Late and urgent questions by group leaders
- 2.9 Questions by members
- 2.10 Submission of members' motions on notice
- 2.11 Notice for motions and amendments on reports from the cabinet, committees and officers
- 2.12 Recording of receipt of motions, petitions, deputations, amendments and questions

#### **3. EXTRAORDINARY MEETINGS**

- 3.1 Calling of extraordinary meetings
- 3.2 Authority for chief executive to summon council assembly
- 3.3 Business

#### **4. ANNUAL MEETING (MAYOR-MAKING AND CONSTITUTIONAL) OF THE COUNCIL ASSEMBLY**

- 4.1 Annual meeting (Mayor-making and Constitutional)
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- 4.3 Establishment and selection of councillors on committees and outside bodies
- 4.4 Leader and cabinet
- 4.5 Appointment of reserve/substitute members of committees and sub-committees
- 4.6 Proper officer shall make or terminate appointments if necessary
- 4.7 Continuing membership of the Mayor and Deputy Mayor in council election year
- 4.8 Voting rights of Mayor at annual meetings

## **5. GRANTING OF THE FREEDOM OF THE BOROUGH AND CONFERRING THE TITLE OF HONORARY ALDERMAN**

- 5.1 Freedom of the Borough
- 5.2 Honorary Aldermen

## **6. SUSPENSION AND AMENDMENT OF COUNCIL ASSEMBLY PROCEDURE RULES**

### **APPENDIX:**

Protocol governing the discussion in council assembly on investigations and rulings of the standards committee and sub-committees

#### **Information to members of the public:**

Members of the public may attend any meeting of the council assembly subject to the business being considered at the meeting not being exempt under the provisions set out in the access to information rules.

#### **Suspension of council assembly rule**

The following will indicate when a certain rule may not be suspended:  
*"This rule cannot be suspended."*

## 1. GENERAL PROCEDURES APPLYING TO COUNCIL ASSEMBLY MEETINGS

### 1.1 NOTICE AND SUMMONS OF MEETINGS

*This rule cannot be suspended.*

#### **Ordinary and extraordinary meetings**

1. The chief executive will give notice to the public of the time and place of any ordinary or extraordinary meeting in accordance with the access to information procedure rules. At least seven clear working days before a meeting, the chief executive will send a summons signed by him or her by electronic communication (where the member has presently consented to it being transmitted by this method), or by post to all members of the council or leave it at their usual place of residence. The summons will give the date, time and place of each meeting and specify the business to be transacted, and will be accompanied by such reports as are available.

#### **Annual meeting**

2. The chief executive will give notice to the public of the time and place of the annual meeting of council assembly in accordance with the access to information rules. At least five clear working days before the meeting, the chief executive will send a summons signed by him or her by electronic communication (where the member has presently consented to it being transmitted by this method), or by post to all members of the council or leave it at their usual place of residence. The summons will give the date, time and place of each meeting and specify the business to be transacted, and will be accompanied by such reports as are available.

#### **Electronic summons**

3. A member may consent to receiving a summons by electronic communication by informing the proper constitutional officer.
4. Members' requests to change their method of receipt must be submitted in writing to the proper constitutional officer. A minimum of five clear working days must elapse from the date of receipt of such a request before it becomes effective.

#### **Time and place**

5. Unless the council, or the Mayor in consultation with the chief executive, shall otherwise decide, all meetings of the council shall commence at 7.00pm.
6. All meetings of the council assembly shall be held in the borough.

#### **Meetings convened at short notice**

7. Meetings of the council assembly may only be convened at less than seven clear working days' notice where by reason of special circumstances, which shall be specified in the summons, the meeting is required to be called at that time as a matter of urgency.

#### **Postponement/cancellation of meetings**

8. The Mayor/chair, in consultation with the monitoring officer, may in exceptional circumstances cancel a meeting, direct that an ordinary meeting of council assembly be not called or change the date, time or venue of a meeting.

## 1.2 CHAIR OF MEETING

*This rule cannot be suspended.*

The person presiding at the meeting may exercise any power or duty of the Mayor.

## 1.3 QUORUM

*This rule cannot be suspended.*

1. No business shall be considered unless 16 councillors (or 25% of the membership) are present in the meeting room. If the chair considers the meeting to be inquorate, the meeting shall stand deferred for 15 minutes. If after 15 minutes' deferment there is still no quorum then the consideration of any business not transacted shall be held over to the next ordinary meeting of the council, unless the chair fixes an alternative date.

### **Quorum at start of meeting**

2. The meeting of the council assembly shall commence as soon as there is a quorum, following the time at which the meeting has been appointed to be held.

### **Quorum if more than one-third of members are disqualified**

3. Where more than one-third of members of the council become disqualified at the same time, then, until the number of members in office is increased to not less than two-thirds of the whole number of members in office of the council, the quorum of the council assembly shall be determined by reference to the number of members of the council remaining qualified instead of by reference to the whole number of members of the council. The quorum shall then be one-quarter of the members of the council who remain qualified.

## 1.4 COUNCIL ASSEMBLY BUSINESS PANEL

The Mayor shall convene a council assembly business panel to act as an advisory panel to him or her on planning a programme of council assembly meetings, including setting the themed debates, ensuring a balanced business agenda and the need to make meetings more engaging. The panel shall meet twice a year.

## 1.5 POWERS OF THE CHAIR

*This rule cannot be suspended.*

1. Having received the views of the council assembly business panel, the chair shall decide, having taken the advice of the monitoring officer, the council assembly agenda and the timings for relevant sections of the meeting.
2. The chair shall decide, having taken the advice of the monitoring officer, all matters of order, competence, relevancy, interpretation of council assembly procedure rules relating to the conduct of the meeting and the appropriateness of council questions.

## 1.6 VARIATION IN ORDER OF BUSINESS

Business falling under council assembly procedure rules 2.2(a), 2.2(c) and 4.2(b) will not be displaced but, otherwise, the order of business may be varied by:

- a) the Mayor at her or his discretion
- b) a resolution passed on a motion which shall be put without debate.

However, should no decision be made as to the election of the Mayor at the annual meeting, this shall be the first item of business to be considered at any other subsequent meetings.

## 1.7 CONDUCT

*This rule cannot be suspended.*

### **Equality and diversity**

1. Council assembly shall conduct its business in a way that:
  - a) promotes equality of opportunity between individuals and treats all people with dignity and respect
  - b) avoids and eliminates discrimination of any kind
  - c) promotes good relations within the community between members of different groups, and encourages the active participation of all.

### **Conduct**

2. Everyone present at the council assembly meeting must:
  - a) treat other participants with courtesy and respect
  - b) be sensitive to the needs of those participants who are not used to speaking in public, or whose first language is not English
  - c) conduct themselves in a way that does not cause offence to others or limits in any way others' ability to participate in meetings
  - d) only speak when called on by the chair and speak through the chair.
3. Unacceptable conduct includes:
  - a) using abusive or unbecoming language or making comments of a personal nature about another person
  - b) discriminatory or other derogatory remarks or actions
  - c) behaviour that intimidates any person present at the meeting
  - d) preventing others from expressing their views by interrupting or talking while they are speaking
  - e) attributing improper motives to others
  - f) failure to comply with the procedure rules
  - g) treating council officers disrespectfully, either individually or as a group, when speaking to them, or about them
  - h) making comments that relate to an investigation by (whether complete or not), or ruling of, the standards committee or sub-committee insofar as those comments relate to the behaviour or conduct of an individual member or members.
  - i) ignoring or not accepting the authority of the chair.

### **Members' statements**

4. No member shall mislead the council assembly on a matter of fact. If a misleading statement is made, the member shall inform council assembly at the earliest opportunity and offer a correct statement.
5. A member who knowingly makes a misleading statement to council assembly may be regarded as bringing the council and its proceedings into disrepute. If

this is the case then a breach of the members' code of conduct is likely to occur.

## **1.8 PREVENTION OF DISORDERLY CONDUCT**

*This rule cannot be suspended.*

### **Councillors**

1. A councillor may be directed to discontinue speaking if the chair considers the councillor is being repetitive, irrelevant, using unbecoming language, or is in some other way breaching the order of the meeting.

If a member persistently disregards the ruling of the chair by behaving improperly or offensively or deliberately obstructs business, the chair having warned the councillor shall move that the councillor called by name leaves the meeting. The motion, if seconded, shall be put immediately to the vote without further debate and if carried the councillor shall leave immediately.

### **Members of the public**

2. In the case of a member of the public disrupting the meeting or if there is a general disturbance, the chair may order the removal of a person or that the public areas be cleared. Readmission shall be at the discretion of the chair.
3. In the event of a general disturbance making orderly business impossible, the chair may adjourn the meeting for as long as he/she thinks necessary for order to be restored.

## **1.9 BROADCASTING AND RECORDING**

1. The council allows and welcomes any recording, photographing or filming of the proceedings of a council meeting or use of social media by any member of the public, media or councillor. Reasonable provision for facilities to do so shall be provided. The chair will make an announcement at the beginning of the meeting where appropriate.
2. Members of the public or media are encouraged to contact the relevant officer (i.e. proper constitutional officer) in advance of the meeting should they have any specific requirements.
3. The Mayor has the discretion to terminate or suspend the recording or photograph or filming if, in the opinion of the Mayor, continuing to do so would prejudice the proceedings of the meeting.
4. The circumstances in which termination or suspension might occur could include:
  - a) Public disturbance or suspension of the meeting (including any oral reporting or oral commentary as the meeting takes place)
  - b) Exclusion of public and press being moved and supported
  - c) The Mayor, on advice of the monitoring officer, considering that continued recording/photograph/filming/webcasting might infringe the rights of any individual
  - d) The Mayor, on advice of the monitoring officer, considering that a defamatory statement has been made.



**1.10 DECLARATION OF INTERESTS**

*This rule cannot be suspended.*

Councillors shall abide by the members' code of conduct. It is the responsibility of every councillor to declare an interest by the time the relevant item of business is reached.

**1.11 PREVIOUS DECISIONS AND MOTIONS****Motion to rescind a previous decision**

1. A motion or amendment to rescind a decision made at a meeting of council within the previous six months cannot be moved unless the notice of motion, delivered in accordance with rules 2.10(3) and (4), is signed by at least 16 members.

**Motion similar to one previously rejected**

2. A motion or amendment in similar terms to one that has been rejected at a meeting of council in the previous six months cannot be moved unless the notice of motion or amendment, delivered in accordance with rules 2.10(3) and (4), is signed by at least 16 members.

**Notice**

3. Notice of a motion to rescind or reject a previous motion shall be submitted to the proper constitutional officer four clear working days in advance of the meeting.

**1.12 GUILLOTINE**

*This rule cannot be suspended.*

**FOR ORDINARY, COUNCIL TAX SETTING AND EXTRAORDINARY MEETINGS****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 cabinet, 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 rule 1.12(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 council assembly procedure rule 1.12(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.

**FOR ANNUAL COUNCIL**

**Concluding the meeting**

7. The guillotine shall take effect one and half hours after the start of the meeting.
8. A bell will be rung once the guillotine is reached and the member speaking must immediately sit down.
9. 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 cabinet, committee or officer
  - any other business accepted by the Mayor as late and urgent business.

**Process for dealing with any outstanding business**

10. Each item of business specified in rule 1.12(3) and still outstanding at the fall of the guillotine, shall be put to the vote without debate.

**1.13 PROCEDURAL MOTIONS WITHOUT NOTICE**

The following procedural motions may be moved without notice:

- a) to appoint a chair of the meeting at which the motion is moved
- b) in relation to the accuracy of the minutes
- c) to change the order of business in the agenda
- d) to refer something to an appropriate body or individual
- e) to appoint a committee or member arising from an item on the summons for the meeting
- f) to receive reports or adoption of recommendations of committees or officers and any resolutions following from them
- g) to withdraw a motion
- h) to amend a motion, by its mover, with the consent of the meeting
- i) to proceed to the next business
- j) that the question be now put
- k) to adjourn a debate
- l) to adjourn a meeting
- m) to suspend a particular council assembly procedure rule
- n) to exclude the public and press in accordance with the access to information rules

- o) to exclude a member from the meeting under council assembly procedure rule 1.8(1)
- p) to give the consent of the council where its consent is required by this constitution
- q) to extend the time limit of speeches
- r) to suspend council assembly procedure rules without notice under council assembly procedure rule 6.1
- s) to receive a deputation under council assembly procedure rule 2.6(12)(a)
- t) motions and amendments on matters upon which the council is legally obliged to make a decision, but for which a motion of which notice had been given has been lost
- u) to extend the guillotine by up to 30 minutes under rule 1.12(6)
- v) to approve the programme motion.

Procedural motions shall not be debated and will be immediately put to the vote by the chair.

## 1.14 RULES OF DEBATE

### **Chair to call member to speak**

*This rule cannot be suspended.*

1. A councillor may indicate their desire to speak by raising their hand, but shall only speak when called by name by the chair. When speaking the councillor shall stand, unless unable to do so. All other councillors shall remain seated in their allotted place when another councillor is speaking, unless wishing to make a point of order or point of personal explanation. If more than one councillor stands, the chair will ask one to speak and the others must sit down.

### **Chair standing**

*This rule cannot be suspended.*

2. When the chair stands during a debate, any councillor speaking at the time must stop and sit down. The meeting must be silent.

### **Form of address**

*This rule cannot be suspended.*

3. Councillors shall address the chair when speaking, and refer to each other as Mayor, Deputy Mayor, leader, cabinet member, chair or councillor, as the case may be.

### **Order of debate**

4. The chair shall have the discretion to vary the order of debate on motions or amendments. Otherwise no debate shall be allowed except in relation to a motion or amendment under consideration. Only one motion or amendment may be considered at a time.

Where the chair or council assembly agree to hold a single debate on a theme or motion, the order of debate shall be varied as follows. All motions and amendments shall be moved and seconded, followed by a single debate. At the end of the debate the mover of the motion or theme shall have a right of reply. Each motion and amendment shall be voted upon separately.

**Mover and seconder required for all motions and amendments**

5. Every motion or amendment must be moved and seconded. A councillor may not move more than one amendment or motion on the same subject.

**No speeches until motion is seconded**

6. No speeches may be made until the mover has moved a proposal and explained the purpose of it. The motion shall be seconded if required.

**Right to require motion in writing**

7. Unless notice of the motion has already been given, the Mayor may require it to be written down and handed to him/her before it is discussed.

**Secunder's speech**

8. When seconding a motion or amendment, the seconder may reserve their speech until later in the debate.

**Content and length of speeches**

9. Speeches must be restricted 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.

An exception is when the relevant cabinet member presents the annual budget report at the council tax setting meeting. In this case, he or she will be allowed up to ten minutes in which to present the report and the shadow cabinet member shall have five minutes in which to reply.

**When a member may speak again**

10. A member who has spoken on a motion may not speak again whilst it is the subject of debate, except:
- a) to speak once on an amendment moved by another member
  - b) to move a further amendment if the motion has been amended since he/she last spoke
  - c) to speak on the main issue, if his/her first speech was on an amendment moved by another member (whether or not the amendment on which he/she spoke was carried)
  - d) in exercise of a right of reply
  - e) on a point of order
  - f) by way of personal explanation.

**Form of amendments**

11. An amendment to a motion must be delivered in accordance with rules 2.10(4) or 2.11(3) be relevant to the motion and will either be:
- a) to refer the matter to an appropriate body or individual for consideration or reconsideration
  - b) to leave out words
  - c) to leave out words and insert or add others
  - d) to insert or add words.
12. Only one amendment may be moved and discussed at any one time. No further amendment may be moved until the amendment under discussion has been completely dealt with.

13. If an amendment is not carried, other amendments to the original motion may be moved.
14. If an amendment is carried, the motion as amended takes the place of the original motion. This becomes the substantive motion to which any further amendments are moved. If there are no further amendments the substantive shall be put to the vote.

#### **Alteration of motions and amendments**

15. A member may alter a motion or amendment of which he/she has given notice, with the consent of the meeting. The meeting's consent will be signified without discussion.
16. A member may alter a motion or amendment which he/she has moved without notice with the consent of both the meeting and the seconder. The meeting's consent will be signified without discussion.
17. Only alterations, which could be made as an amendment, may be made.

#### **Withdrawal of a motion or amendment**

18. If the motion or amendment has been moved: A member may withdraw a motion or amendment which he/she has moved with the consent of both the meeting and the seconder. The meeting's consent will be signified without discussion. No member may speak on the motion after the mover has asked permission to withdraw it unless permission is refused. No further debate shall take place on a motion or amendment once it has been withdrawn.
19. If it has not been moved: If a motion or amendment has not yet been moved, it may be withdrawn by the mover. The consent of the meeting is not required. No debate shall take place on a motion or amendment once it has been withdrawn.

#### **Right of reply**

20. The mover of a motion has a right to reply at the end of the debate on the motion, immediately before it is put to the vote.
21. If an amendment is moved, the mover of the original motion has the right of reply at the close of the debate on the amendment, but may not otherwise speak on it. If an amendment is carried, the mover of the amendment shall hold the right to reply to any subsequent amendments and, if no further amendments are carried, at the conclusion of the debate on the substantive motion.
22. The mover of the amendment has no right of reply to the debate on his or her amendment.

#### **Motions which may be moved during debate**

23. When a motion is under debate, no other motion may be moved except the following procedural motions:
  - a) to withdraw a motion
  - b) to amend a motion
  - c) to proceed to the next business
  - d) that the question be now put

- e) to adjourn a debate
- f) to adjourn a meeting
- g) to exclude the public and press in accordance with the access to information rules
- h) to not hear further a member named under rule 1.8(1) or to exclude them from the meeting under rule 1.8(1).

### **Closure motions**

24. The following closure motions may be moved during discussion of another motion (“the original motion”). They shall be moved, seconded and put without discussion. A second closure motion in relation to the same question shall not be moved within 30 minutes of the rejection of a previous motion.
25. If the motion is moved and seconded, then the person presiding shall proceed as follows:
- a) “That the meeting proceed to the next business”
    - i) Moving the motion: Any member who has not already spoken on the question may, provided no other member is speaking, move (without speaking to the motion) that the meeting do now proceed to the next business and, if the motion is seconded, it shall be put to the vote without discussion.
    - ii) Effect on question under consideration: If the motion is carried, the question which was under consideration shall be dropped and deemed not approved.
  - b) “That the question be now put”
    - i) Any member who has not already spoken upon the question before the meeting may, provided no other member is speaking, move (without speaking to the motion) that the question be now put. The motion, if seconded, shall be put to the vote without discussion.
    - ii) Right to reply: If the motion is carried, no further speeches shall be permitted except in pursuance of a right to reply.
    - iii) Vote: The vote shall then be taken immediately.
  - c) “That the debate be now adjourned”
    - i) Motion to adjourn: Any member who has not already spoken upon the question before the meeting may, provided no other member is speaking, move that the debate is adjourned. That motion if seconded, shall be put to the vote without discussion.
    - ii) The adjourned debate: If a motion to adjourn the debate is carried, the discussion shall be resumed as adjourned business at the next ordinary meeting or such other day and hour as shall have been specified in the motion, and the meeting shall proceed to the next business on the agenda. Unless the adjourned business is taken at the next ordinary meeting, the only business which shall be transacted at an adjourned meeting shall be the uncompleted business set out in the summons for the meeting which was

adjourned. On resumption of an adjourned debate, the member who moved its adjournment shall be entitled to speak first.

- iii) Procedure in dealing with an adjournment motion: The mover of a motion under paragraph (i) above may speak for not more than five minutes but the seconder shall not be permitted to speak beyond formally seconding the motion. Upon such a motion for adjournment being made, the mover (or presenter) of the matter then under debate may (without prejudice to her or his ultimate right of reply if the adjournment motion is lost) speak on the adjournment for not more than five minutes after which the adjournment motion shall be put to the vote without further debate or reply by the mover.
- d) "That the meeting do now adjourn"
- i) Motion to adjourn: Any member who has not already spoken upon the question before the meeting may, provided no other member is speaking, move that the meeting do now adjourn. The chair shall not be required to take a time and place adjournment until and after consultation with the political group whips, if he/she so deems necessary.
  - ii) Uncompleted business: If a motion to adjourn the meeting, having been seconded, is carried, the council assembly shall stand adjourned to the next ordinary meeting or to such other day and hour as shall have been specified in the motion. Unless the adjourned business is taken at the next ordinary meeting, the only business which shall be transacted at an adjourned meeting shall be the uncompleted business set out in the summons for the meeting which was adjourned.
  - iii) Uncontentious business: Before putting to the meeting a motion for adjournment of the meeting, it shall be open to the Mayor to ask whether it will first deal with uncontentious business.
  - iv) Procedure in dealing with an adjournment motion: The mover of a motion under paragraph (i) above may speak for not more than five minutes but the seconder shall not be permitted to speak beyond formally seconding the motion. Upon such a motion for adjournment being made, the mover (or presenter) of the matter then under debate may (without prejudice to her or his ultimate right of reply if the adjournment motion is lost) speak on the adjournment for not more than five minutes, after which the adjournment motion shall forthwith be put to the vote without further debate or reply by the mover.

**Point of order**

*This rule cannot be suspended.*

26. A member may raise a point of order at any time during the meeting. The Mayor will hear them immediately. A point of order may only relate to an alleged breach of the council assembly procedure rules or the law. The member must indicate the rule or law and the way in which he/she considers it has been broken. The ruling of the Mayor on the matter will be final.

**Personal explanation**

*This rule cannot be suspended.*

27. A member may request to make a personal explanation at any time during the meeting. A personal explanation may only enable the member to refute or correct a statement attributed to him/her or any action he/she has taken.

The following procedure will apply.

- a) The member wishing to intervene to make a personal explanation must signify to the person presiding by standing up and stating "personal explanation".
- b) The person presiding will ask the member speaking at that time whether they are willing to allow the member wishing to intervene to make a personal explanation.
- c) The member speaking may either:
  - i) agree to receive the personal explanation immediately; or,
  - ii) delay the receipt of the personal explanation until later in her/his speech; or,
  - iii) not agree to receive it.
- d) If the request to receive the personal explanation is not agreed by the member currently speaking, the member requesting to make a personal explanation may not call for a further opportunity whilst that same member is speaking, but will however be entitled to a point of personal explanation once the member has ceased speaking if so desired.
- e) If and when a personal explanation is heard, it must not be excessively long.

**1.15 VOTING****Majority**

*This rule cannot be suspended.*

1. Unless this constitution provides otherwise or is required by statute, any matter will be decided by a simple majority of those members voting and present in the room at the time the question was put to the vote.

**Mayor/chair's casting vote**

*This rule cannot be suspended.*

2. If there are equal numbers of votes for and against, the Mayor/chair will have a second or casting vote. There will be no restriction on how the Mayor/chair chooses to exercise a casting vote.

**Show of hands**

*This rule cannot be suspended.*

3. Unless a recorded vote by roll call is demanded under rule 1.16, the chair will take the vote by show of hands, or if there is no dissent, by the affirmation of the meeting.



**Recorded vote by roll call**

4. If 45% or more members present at the meeting request a division, the names for and against the motion or amendment or abstaining from voting will be taken down in writing and entered into the minutes in accordance with council assembly procedure rule 1.16(5).

**Right to require individual vote to be recorded**

*This rule cannot be suspended. This is a mandatory standing order under the Local Authorities (Standing Orders) Regulations 1993.*

5. Where any member requests it immediately after the vote is taken, their vote will be recorded in the minutes to show whether they voted for or against the motion or abstained from voting.

**Voting on appointments**

*This rule cannot be suspended.*

6. If there are more than two people nominated for any position to be filled, the names will be put to the vote in alphabetical order and the name of the person with the least number of votes will be taken off the list and a new vote taken. The process will continue until there is a majority of votes for one person.

**1.16 RECORDED VOTE BY ROLL CALL****Requesting a recorded vote by roll call at council assembly meetings and number required**

1. Any member may request a recorded vote by roll call on a motion or amendment being voted upon by standing in her or his place and so requesting before the casting of votes has started.
2. The specified number of members to request a recorded vote is 45% of those members present who are entitled to vote on the item.
3. If a request receives sufficient support in accordance with (2) above, a division shall be taken in accordance with the following procedure.

**Procedure for recording the vote by roll call at council assembly meetings**

4. The Mayor shall cause the bell to be rung, after which the doors of the meeting room shall be closed and no members will be admitted until after the voting is completed. The Mayor shall put the question again. The proper constitutional officer shall call the names of all members in alphabetical order and each member present shall declare herself or himself 'for or against' the motion or amendment or that he/she abstains.
5. The votes, abstentions and absences from the meeting room shall be recorded in writing and entered in the minutes.
6. The Mayor shall declare the result of the recorded vote, stating the numbers for and against the motion or amendment and the number of members who abstained.

7. Once a recorded vote by roll call has been called, no adjournment may be moved until the vote has been taken.

**Motions where recorded votes by roll call are not permitted**

8. A recorded vote by roll call may not be held in voting on the following motions:
- a) election of the Mayor (council assembly procedure rule 4.2(1)(b))
  - b) the appointment of chairs and vice chairs (council assembly procedure rule 4.2(1)(g))
  - c) to vary the order of business (council assembly procedure rule 1.6)
  - d) motions relating to the accuracy of the minutes (council assembly procedure rule 2.2(d) and 4.2(1)(d))
  - e) receipt of information reports of committees
  - f) that all recommendations then outstanding be approved (council assembly procedure rule 1.12)
  - g) to proceed to the next business (council assembly procedure rule 1.14(25)(a))
  - h) that the question be now put (council assembly procedure rule 1.14(25)(b))
  - i) that the debate be adjourned (council assembly procedure rule 1.14(25)(c))
  - j) that the meeting be adjourned (council assembly procedure rule 1.14(25)(d))
  - k) seeking the consent of the council where it is required under council assembly procedure rules.

**1.17 FORMAL RECORDS TO BE MAINTAINED**

All meetings of the council assembly are to be clerked by a representative of the proper constitutional officer, with minutes to be produced including details of members attending each meeting and details of decisions taken. Copies of all agendas and minutes are to be maintained by the proper constitutional officer.

**2. ORDINARY MEETINGS OF THE COUNCIL ASSEMBLY**

**2.1 DATES AND FREQUENCY OF MEETINGS**

Meetings shall take place on such dates as agreed by the annual meeting and occasionally as set out in rule 3.

**2.2 ORDER OF BUSINESS AT ORDINARY COUNCIL MEETINGS**

**Formal meeting**

The business at an ordinary meeting shall be as follows, taken in the sequence indicated unless otherwise directed by the chair or agreed following a motion carried:

**Introduction and preliminary business**

- a) elect a person to preside if the Mayor is not present and the Deputy Mayor is not chosen to preside
- b) receive any announcements from the Mayor, members of the cabinet or the chief executive, including matters which the Mayor has decided to add

to the agenda as urgent. Wherever possible, cabinet member statements should be in writing and circulated at the start of the meeting

- c) receive any declarations of interest from members
- d) approve the minutes of the last meeting
- e) announcement of the guillotine

#### **Time for residents to bring issues to assembly**

- f) receive petitions
- g) receive questions from, and provide answers to, the public in relation to matters, which in the opinion of the person presiding at the meeting are relevant to the business of the meeting;

#### **Themed debates**

- h) consider themed debates centred on a cabinet member's portfolio or plans, policies and strategies
- i) debate the cabinet member's motion on the theme and amendments from political groups on the council
- j) receive any community evidence

#### **Deputations**

- k) deputations (that do not relate to the themed debate)

#### **Time for members to bring issues to assembly**

- l) late and urgent questions by group leaders
- m) questions from councillors to the leader, other cabinet members and chairs of committees
- n) consider motions

#### **Consideration of cabinet reports**

- o) receive cabinet proposals in relation to the council's budget and policy framework and any other reports for decision (if any)

#### **Consideration of scrutiny reports**

- p) receive occasional reports of the overview and scrutiny committee/sub-committee (if any)

#### **Formal constitutional business**

- q) receive reports from committees/officers of the council
- r) receive reports about and receive questions and answers on the business of joint arrangements and external organisations, including reports from members appointed to outside bodies
- s) deal with any business from the last council meeting
- t) consider open business which the chair has accepted as urgent
- u) consider any confidential business where the public are excluded from the meeting.

### **2.3 AGENDAS AND MINUTES**

1. The proper constitutional officer shall ensure that an agenda and summons for the meeting is despatched to each councillor and available to the public and press.
2. The proper constitutional officer shall ensure that a record is made of the decisions taken at every meeting of the council. The minutes shall also

include a record of the councillors in attendance, those absent and any apologies received.

3. The declaration of any personal interest shall be recorded in the minutes of the meeting, including whether the councillor remained present or withdrew from the meeting for the duration of the discussion.

#### **Signing the minutes**

*This rule cannot be suspended.*

4. The Mayor/chair will sign the minutes of the proceedings at the next suitable meeting. The Mayor/chair will move that the minutes of the previous meeting be signed as a correct record. The only part of the minutes that can be discussed is their accuracy.

#### **No requirement to sign minutes of previous meeting at extraordinary meeting**

*This rule cannot be suspended. This is a mandatory standing order under the Local Authorities (Standing Orders) Regulations 1993.*

5. Where, in relation to any meeting, the next meeting for the purpose of signing the minutes is a meeting called under paragraph 3 of schedule 12 to the Local Government Act 1972 (an extraordinary meeting), then the next following meeting (being a meeting called otherwise than under that paragraph) will be treated as a suitable meeting for the purposes of paragraph 41(1) and (2) of schedule 12 relating to signing of minutes.

### **2.4 PETITIONS TO COUNCIL ASSEMBLY**

*This rule cannot be suspended.*

#### **Which meetings consider petitions?**

1. Members of the public or councillors will be entitled to present petitions with 1,500 or more signatures to the Mayor at each council assembly meeting except the annual meeting or the council tax setting meeting.

#### **Deadline**

2. The petition must be submitted to the proper constitutional officer at least 10 clear working days before the date of the meeting. A petition can be submitted by any person of any age who lives, works or studies in Southwark.

#### **Scope**

3. Petitions must relate to matters in which the council has powers or duties or which affects Southwark. Petitions shall not concern approval or otherwise of a planning or licensing application, or a statutory petition which is a petition allowed by other legislation. Petitions will also be disallowed where there is already an existing right of appeal or the petition is vexatious, abusive or otherwise inappropriate.

#### **Procedure at meeting**

4. The Mayor will call on the spokesperson to present petitions in the order in which they were notified to the proper constitutional officer.
5. The spokesperson presenting the petition may speak for up to five minutes on the subject matter and number of signatories contained within the petition. Council assembly will debate the petition for a period of up to 15 minutes.

Council assembly may decide how to respond to the petition at this meeting. Receipt of the petition will be recorded in the minutes. The proper constitutional officer will arrange for a summary of any petition which addresses an issue within the direct responsibility of the council to be referred to the relevant cabinet member or chief officer.

6. The time during which petitions shall be considered shall not exceed 40 minutes.
7. The processes and procedures are set out in the council's petition scheme.

## **2.5 PUBLIC QUESTION TIME**

### **Which meetings consider public questions?**

1. Public questions shall be considered at ordinary meetings of the councils. Public questions cannot be considered at the annual meeting or the council tax setting meeting.

### **Who may ask a public question?**

2. The right to ask a public question only applies to persons resident in the borough or business ratepayers of the borough.

### **Scope of questions**

3. The Mayor in consultation with the monitoring officer may reject a question if it:
  - a) is a request from an individual who has alternative means of expressing their views through recognised channels, e.g. employees of the authority or trade unions representing staff employed by the authority
  - b) is not about a matter for which the council has powers or duties or which affects Southwark
  - c) is defamatory, frivolous or offensive
  - d) is substantially the same as a question which has been put at a meeting of the council in the past six months
  - e) requires the disclosure of confidential or exempt information
  - f) concerns a planning or licensing application
  - g) raises a grievance for which there are other established processes for resolution
  - h) relates to an investigation by (whether completed or not), or ruling of, the standards committee or sub-committee insofar as the question relates to the behaviour or conduct of an individual member or members.

### **Form of questions**

4. A resident or business ratepayer of the borough may ask one written question (limited to 50 words) on any matter in relation to which the council has powers.
5. Each question must provide the name and address of the questioner and name the cabinet member/committee chair to whom the question should be put.

**Deadlines**

6. An application for a question to be considered shall be submitted in writing to the proper constitutional officer no later than three clear working days in advance of the council assembly.
7. The date and time of receipt of such requests will be recorded and a copy of the question will immediately be sent to the member to whom it is to be put. Rejected questions will include reasons for rejection.
8. Questions shall be addressed to the relevant cabinet member or committee chair who shall be responsible for the content of the answer. Cabinet members and committee chairs shall have discretion to refer a question to another cabinet member or committee chair if this is appropriate.

**Agenda**

9. Questions shall be dealt with in the order in which they are received. Upon receipt a copy of each question shall be given to the Mayor and the appropriate cabinet member/committee chair. The content of any answers shall be within the discretion of the appropriate cabinet member/committee chair.

**Length of public question time**

10. The time during which public questions shall be taken shall not exceed 15 minutes. It is not in order to move for an extension of this time limit. When the time limit has expired, any remaining written replies shall be taken as read.

**Asking the question at the meeting**

11. Copies of all the questions to be dealt with at the meeting, together with written answers, shall be circulated in a suitable format at the meeting and copies shall be available for members of the public and the press.
12. The Mayor will invite the questioner to put the question to the member named in the notice. If a questioner who has submitted a written question is unable to be present, they may ask the Mayor to put the question on their behalf. The Mayor may ask the question on the questioner's behalf, indicate that a written reply will be given or decide, in the absence of the questioner, that the question will not be dealt with.

**Supplemental question**

13. A questioner who has put a question in person may also put one supplementary question without notice to the member who has replied to his or her original question. A supplementary question must arise directly out of the original question or the reply. The Mayor may reject a supplementary question on any of the grounds in rule 2.5(3) above.

**Written answers**

14. Any question which cannot be dealt with during public question time, either because of lack of time or because of the non-attendance of the member to whom it was to be put, will be dealt with by a written answer.

**Reference of question to the cabinet or a committee**

15. Unless the Mayor decides otherwise, no discussion will take place on any question, but any member may move that a matter raised by a question be

referred to the cabinet or the appropriate committee or sub-committee. Once seconded, such a motion will be voted on without discussion.

## 2.6 DEPUTATIONS TO COUNCIL ASSEMBLY

### **Which meetings consider deputations?**

1. Deputation requests shall be considered at ordinary meetings of the council. Deputations shall not be taken at the annual meeting or the council tax setting meeting.

### **Who may request a deputation?**

2. Deputations can only be made by a group of people resident or working in the borough.

### **Composition of deputation**

3. The deputation shall consist of no more than six persons, including the spokesperson.

### **Scope of deputations**

4. The Mayor in consultation with the monitoring officer may reject a deputation if it:
  - is a request from a group of people who have alternative means of expressing their views through recognised channels, e.g. employees of the authority or trade unions representing staff employed by the authority
  - is not about a matter for which the council has powers or duties or which affects Southwark
  - is defamatory, frivolous or offensive
  - requires the disclosure of confidential or exempt information
  - concerns a planning or licensing application
  - raises a grievance for which there are other established processes for resolution
  - relates to an investigation by (whether completed or not), or ruling of, the standards committee or sub-committee insofar as the deputation relates to the behaviour or conduct of an individual member or members.

### **Form of the deputation**

5. Each deputation request must provide the name and address of the persons/group requesting the deputation and a brief summary of the subject matter of their request.
6. Any written representations associated with a deputation should be submitted at the same time as the request for a deputation.

### **Deadlines**

7. An application for a deputation to be heard shall be submitted by a representative of the deputation in writing to the proper constitutional officer no later than three clear working days before the day of the council assembly meeting. The date and time of receipt of such requests will be recorded. Rejected deputations will include reasons for rejection.

### **Agenda**

8. Deputations shall be dealt with in the order in which they are received.

9. Details of written deputations will be included on the agenda papers for the meeting of the council assembly.
10. If the matter is not dealt with by the meeting, the matter shall be referred without debate to the relevant cabinet member who shall, after consideration, respond with an open reply to the sender.

**Maximum number of deputations to be considered at council assembly**

11. No more than three deputations shall be considered at any one meeting. Deputations shall be considered in the order of date and time received.

**What happens at council assembly meetings?**

12. The meeting, without debate, shall decide whether the deputation will:
  - a) be received at this meeting or a future meeting
  - b) not be received
  - c) be referred to the most appropriate committee/sub-committee.

The proper constitutional officer shall arrange for the attendance of any deputation. In doing so he/she shall inform the applicants that the council assembly has discretion as to whether or not to receive the deputation.

**Speech and question on behalf of deputation**

13. Only one member of the deputation shall be allowed to address the council assembly, her or his speech being limited to five minutes. The deputation spokesperson or any member of the deputation nominated by her or him shall be invited to ask a question of the leader or relevant cabinet member.

**Questions to the deputation and time limit**

14. Members of the council may ask questions of the deputation, which shall be answered by their spokesperson or any member of the deputation nominated by her or him for up to five minutes at the conclusion of the spokesperson's address.

**No debate during deputation**

15. Members shall not debate any issues arising out of the deputation, or the item to which it relates, with any members of the deputation.

**Deputation to withdraw from the floor**

16. As soon as questions to the deputation have been concluded, the deputation shall withdraw from the floor of the meeting to the public area where they may remain, subject to any resolution excluding attendance of the public.

**Debate, motion and amendments**

17. If more than one deputation is to be heard in respect of one subject there shall be no debate until each deputation has been presented. At the conclusion of the deputation(s) the subject of the deputation shall then be open to debate by the council assembly.

**Debate on deputations concerning reports on the agenda**

18. Having received the deputation(s) on a matter subject to a report on the agenda, the Mayor will seek consent of the meeting for that item to be brought forward for immediate consideration. A vote is to be taken without debate. In the event of this vote being carried the report may then be



considered. If the vote is lost, the subject matter will not be debated until the relevant item is reached in the order of business.

#### **Following up and feedback after council assembly**

19. The proper constitutional officer will arrange for a summary of the deputation and any decision which addresses an issue within the direct responsibility of the council to be referred to the relevant cabinet member to follow up and feed back to the deputation.

#### **Deputations concerning licensing or planning applications**

20. Deputations or representations received concerning licensing or planning applications will not be considered by council assembly. Any such representations received should be forwarded to the appropriate proper officer(s) for consideration as part of the formal consultation on such applications.

## **2.7 THEMED DEBATES**

#### **Theme**

1. The theme for each meeting will be set by the council assembly business panel including the budget and other themes focused on a cabinet member's portfolio.
2. One hour shall be allocated for the themed debate. The Mayor shall have the discretion to vary timings as appropriate.

#### **Community evidence**

3. Submissions (written or oral) from experts, community groups or local representatives may be heard or tabled at the meeting. Submissions will be time limited and subject to the programme motion

#### **Order of debate**

4. The order of business of the debate will be:
  - Community evidence
  - Cabinet member has seven minutes in which to present the theme, plan, strategy or policy
  - Shadow cabinet member has five minutes in which to reply (two minutes of which may be to present an amendment)
  - Debate will then open to any member who indicates to speak (all recognised groups on the council having had the opportunity to formally propose one amendment.)
  - At the conclusion of the debate (or time limit) the meeting will take a separate vote on the motion and amendment(s).

No seconding is required for motion or amendments.

#### **Public involvement and participation**

5. The theme of the meeting shall be actively promoted and residents encouraged to participate.

#### **Public evidence on themed debate**

6. The Mayor may reject any evidence if it is not relevant to the theme under discussion.

**Scope**

7. The Mayor in consultation with the monitoring officer may reject evidence if it:
- is a request from a group of people who have alternative means of expressing their views through recognised channels, e.g. employees of the authority or trade unions representing staff employed by the authority
  - is not about a matter for which the council has powers or duties or which affects Southwark
  - is defamatory, frivolous or offensive
  - requires the disclosure of confidential or exempt information
  - concerns a planning or licensing application
  - raises a grievance for which there are other established processes for resolution
  - relates to an investigation by (whether completed or not), or ruling of, the standards committee or sub-committee insofar as the deputation relates to the behaviour or conduct of an individual member or members.

**Form of request**

8. Each request must provide the name and address of the persons/group requesting to be heard and a brief summary of the subject matter of their request.
9. Any written representations shall provide the same information.

**Deadlines**

10. An application to be considered shall be submitted by a representative of the group in writing to the proper constitutional officer no later than three clear working days before the day of the council assembly meeting. The date and time of receipt of each request will be recorded. Rejected requests will include reasons for rejection.

**Agenda**

11. Details of relevant request will be included on the agenda papers for the meeting of the council assembly. If the matter is not dealt with by the meeting, the matter shall be referred without debate to the relevant cabinet member who shall, after consideration, respond with an open reply to the sender.
12. The cabinet member may invite relevant groups to actively participate before, during and after a themed meeting.

**2.8 LATE AND URGENT QUESTIONS BY GROUP LEADERS****Which meetings consider late and urgent questions?**

1. Late and urgent questions shall be taken at all ordinary council assembly meetings but not at the annual, extraordinary or council tax setting meetings.

**Who can ask late and urgent questions?**

2. The leader of each group, or in his or her absence the deputy leader, may ask a late and urgent question of:
- the Mayor
  - a member of the cabinet

- the chair of any committee or sub-committee
3. Group leaders are limited to one late and urgent question at each meeting.

#### **Scope**

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

#### **Deadline for submission of questions**

8. Late and urgent questions must be received by the proper constitutional officer no later than 10.00am one clear working day before ~~on the morning of~~ an ordinary council assembly meeting. If a meeting is scheduled to commence before 7.00pm or is to be held at the weekend this deadline shall be no later than 10.00am ~~on the~~ two working days prior to the meeting.
9. Questions shall be addressed to the relevant cabinet member or committee chair who shall be responsible for the content of the answer. Cabinet members and committee chairs shall have discretion to refer a question to another cabinet member or committee chair, if this is appropriate.

#### **Circulation of written answers**

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

#### **Supplementary questions**

11. ~~The leader of the opposition will be allowed two supplemental questions without notice. Other~~ All group leaders asking a question may ask one supplementary question without notice to the member who was asked the first question. The supplemental questions must arise directly out of the original question or the reply.

## **2.9 QUESTIONS BY MEMBERS**

#### **Which meetings consider questions by members?**

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

#### **Who can ask questions?**

2. A member of the council may ask one question of:
  - the Mayor

- a member of the cabinet
  - the chair of any committee or sub-committee
3. Composite questions – where a member wishes to raise a number of points in relation to the same subject matter, they may do so in a multi-part question provided that up to three parts shall be deemed to be one.

#### **Scope**

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

#### **Time period for question time**

*This rule cannot be suspended.*

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

#### **Deadline for submission of questions**

9. Questions must be received by the proper constitutional officer no later than midnight, ~~nine~~ **twelve** clear working days prior to the day of the council meeting. Questions to the leader and cabinet members will either be listed in the order received or, if notified, listed by whip prioritisation and rotation by the political groups/independent members (see council assembly procedure rules 2.9(12) and (13)). All other questions will be listed in the order of receipt.
10. Questions shall be addressed to the relevant cabinet member or committee chair who shall be responsible for the content of the answer. Cabinet members and committee chairs shall have discretion to refer a question to another cabinet member or committee chair if this is appropriate.

#### **Circulation of written answers**

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

**Supplementary questions**

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

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

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

**Questions to the leader**

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

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

15. Questions to cabinet members: Questions may be asked of any cabinet member, and will be listed in order of receipt, subject to the group rotation.

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

**Written answers to questions naming an individual member**

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

**2.10 SUBMISSION OF MEMBERS' MOTIONS ON NOTICE****Which meetings consider motions?**

1. Members' motions will not be taken at the annual meeting and the council tax setting meeting.

**Scope**

2. Motions must be about matters for which the council has powers or duties or which affect Southwark. Motions or amendments to motions shall not relate to an investigation by (whether completed or not), or ruling of, the standards committee or sub-committee insofar as the motion, or amendment, relates to the behaviour or conduct of an individual member or members.

### **Number of motions**

3. The maximum number of motions submitted by each political group or independent member shall be directly proportionate to the number of members in the political group as follows:
- up to 10 councillors: 1 motion
  - 11-20 councillors: 2 motions
  - 21+ councillors: 3 motions.

### **Notice**

4. Except for motions that can be moved without notice under rule 1.13, notice of every motion must be delivered to the proper constitutional officer not later than thirteen clear working days before the date of the meeting. All motions must be accompanied by a named mover and seconder by this deadline. A record of the date and time of receipt will be maintained. A member shall only move one such motion and second one such motion to a meeting. Any subsequent changes can only be agreed with the consent of the meeting.
5. Notice of every member's amendment to a motion shall be delivered before 12.00 midday on the second clear working day before the day of the meeting at which the motion is to be moved. If a meeting is scheduled to commence before 7.00pm or is to be held at the weekend this deadline shall be no later than 12.00 midday on the third clear working day before the day of the meeting. Amendments shall be submitted to the proper constitutional officer. Each member is limited to proposing one and seconding one amendment per item of business. All amendments must be accompanied by a named mover and seconder by this deadline. Amendments shall be placed on the agenda in order of receipt. Any subsequent changes can only be agreed with the consent of the meeting. Amendments will be circulated by 2.00pm on the working day before the meeting.

### **Motion set out in agenda**

6. Once motions have been deemed to be in order they shall be circulated to all members, after the deadline for the receipt of motions. Motions for which notice has been given will be listed on the agenda unless the member giving notice states that they propose to move it to a later meeting or withdraw it.

### **Motions to be debated at council assembly**

7. Unless the member, when submitting the motion, requests that the motion is debated at the council assembly, the motion will stand referred to the cabinet or to a committee or sub-committee, as appropriate. Having considered the motion, the proper constitutional officer shall circulate the outcome of their deliberations to all members.

### **Prioritisation and rotation by the political groups/independent members**

8. Motions will be listed in the order of whip prioritisation and rotation by the political groups. Four working days before the meeting, each chief whip may list motions from members of their respective groups in an order of priority to be taken at the meeting. All remaining motions will be taken in the order of receipt.
9. Motions will be rotated so that one is taken from each political group's list of priorities (and any independent councillors) for so long as there are motions remaining. For the first meeting following municipal elections or from the commencement of these arrangements, the Mayor will invite a

representative of each group (and any independent councillors) to draw lots to determine the order of groups at the first meeting. At subsequent meetings, the order will be rotated.

Note: Motions will be rotated on a ratio of 1:1:1:1 for Liberal Democrat, Labour, Conservative and independent members.

## **2.11 NOTICE FOR MOTIONS AND AMENDMENTS ON REPORTS FROM THE CABINET, COMMITTEES AND OFFICERS**

### **Reports from the cabinet and committees to be moved separately**

1. Each recommendation in the report from the cabinet member or committee shall be deemed as the motion and shall be moved separately by the member in whose name the report is submitted (or in his/her absence, by some other member who was present at the meeting). No seconder is required.

### **Reports submitted by officers to be moved by person presiding**

2. In the case of reports submitted direct to council assembly by officers, the recommendations shall be deemed to have been moved by the person presiding (with no seconder required) and will therefore be subject only to amendment, provided that notice has been given in accordance with the provisions of rule 2.11(3).

### **Notice required for amendments**

3. Notice of every member's amendment for a report from the cabinet, committee or officer shall be given in writing, signed by the member, and delivered before 12.00 midday on the second clear working day before the day of the meeting at which the report is to be moved. If a meeting is scheduled to commence before 7.00pm or is to be held at the weekend this deadline shall be no later than 12.00 midday on the third clear working day before the day of the meeting. Amendments shall be submitted to the proper constitutional officer. Each member is limited to proposing one and seconding one amendment per item of business. Amendments shall be placed on the agenda in order of receipt. Amendments will be circulated by 2.00pm on the working day before the meeting.

### **Notice required for questions on reports**

4. Notice of all questions on reports shall be given in writing, signed by the member and delivered at least three clear working days before the day of the meeting at which the report is to be moved, to the proper constitutional officer (i.e. by midnight of the Thursday in the week before an ordinary Wednesday council assembly meeting). If a meeting is scheduled to commence before 7.00pm or is to be held at the weekend this deadline shall be delivered at least four clear working days before the day of the meeting. Each member is limited to one question per item of business.

### **Circulation of questions and amendments**

5. The proper constitutional officer shall arrange for copies of all questions received in accordance with paragraph (4) above, to be circulated to members on the evening before the day of the meeting at which they are to be considered.

### **Dealing with questions on reports**

6. The following rules shall also apply to questions on reports:

- a) questions on reports shall be addressed to the member moving the report (see council assembly procedure rule 2.11(1))
- b) who can ask questions – composite questions (see council assembly procedure rule 2.9(4))
- c) scope (see council assembly procedure rule 2.9(5) to (7))
- d) all questions will be listed in the order of receipt (see council assembly procedure rule 2.9(10))
- e) cabinet members and committee chairs shall have the discretion to refer a question to another cabinet member or committee chair if this is appropriate (see council assembly procedure rule 2.9(11))
- f) circulation of written answers (see council assembly procedure rule 2.9(12))
- g) supplementary question (see council assembly procedure rule 2.9(13))
- h) written answers to questions naming an individual member (see council assembly procedure rule 2.9(17)).

## **2.12 RECORDING OF RECEIPT OF MOTIONS, PETITIONS, DEPUTATIONS, AMENDMENTS AND QUESTIONS**

A record of the date of receipt of all motions, petitions, deputations, amendments and questions received under council assembly procedure rules 2.4(2), 2.5(6), 2.6(7), 2.7(8), 2.7(9), 2.8(8), 2.9(9), 2.10(3), 2.10(4), 2.11(3) and 2.11(4) be kept by the proper constitutional officer which shall be open to inspection by every member of the council.

## **3. EXTRAORDINARY MEETINGS**

*This rule cannot be suspended.*

### **3.1 CALLING OF EXTRAORDINARY MEETINGS**

Those listed below may request the monitoring officer to call council meetings in addition to ordinary meetings:

- a) the council by resolution
- b) the Mayor
- c) the chief executive
- d) any five members of the council if they have presented a signed requisition presented to the Mayor and he/she has refused to call a meeting or has failed to call a meeting within seven clear working days of the presentation of the requisition.

### **3.2 AUTHORITY FOR CHIEF EXECUTIVE TO SUMMON COUNCIL ASSEMBLY**

The chief executive, as a matter of urgency, may call an extraordinary meeting of the council assembly at any time.

### **3.3 BUSINESS**

Extraordinary meetings of the council will consider only the specific business identified as the reason for the calling of the extraordinary meeting.

## **4. ANNUAL MEETING (MAYOR-MAKING AND CONSTITUTIONAL) OF THE COUNCIL ASSEMBLY**



**4.1 ANNUAL MEETING (MAYOR-MAKING AND CONSTITUTIONAL)**

*This rule cannot be suspended.*

1. The council shall in every year hold an annual meeting.
2. In a year of ordinary elections of councillors to the council, the annual meeting shall be held on the eighth day after the day of retirement of councillors or such other day as the council may fix within the twenty-one days immediately following the day of retirement.
3. The annual meeting shall in all other years be held in the month of May, except when re-arranged (so long as it is held in March, April or May).

**4.2 ANNUAL MEETING (MAYOR-MAKING AND CONSTITUTIONAL) – BUSINESS**

1. The annual meeting will:
  - a) elect a person to preside if the outgoing Mayor is not present
  - b) elect a new Mayor (the Mayor thereafter, may appoint a Deputy Mayor)
  - c) receive any Mayor's announcements, including apologies for absence
  - d) approve as a correct record and sign the minutes of the last meeting of the council assembly in the previous municipal year
  - e) elect the leader
  - f) receive a report from the leader on the determination and allocation of executive functions to members of the cabinet
  - g) receive any report of the leader on the delegation of executive functions for 'matters reserved for member decision' and 'scheme of delegation' or such part of it as the constitution determines it is for the council to agree (as set out in part 3 of this constitution)
  - h) establish the council's committees including at least one overview and scrutiny committee and such other committees, the number and allocation of places on each committee, their terms of reference and the appointment of chairs and vice-chairs for the coming year as the council considers appropriate to deal with matters which are neither reserved to the council assembly nor are executive functions (as set out in part 3 of this constitution)
  - i) establish the council's panels including the constitutional steering panel and pensions panel, the number and allocation of places on each panel, their terms of reference and the appointment of chairs and vice-chairs for the coming year as appropriate
  - j) receive a report from the proper constitutional officer as to the appointment of the leader of the majority group, the leader of the opposition, leaders of other party groups (if any) and the chief and deputy whip of each party group
  - k) receive a report from the proper constitutional officer on the appointment of representatives to outside bodies and joint committees
  - l) consider other business specified in the agenda (if any)
  - m) consider any matters of urgency not specified in the summons.

**4.3 ESTABLISHMENT AND SELECTION OF COUNCILLORS ON COMMITTEES AND OUTSIDE BODIES**

1. The annual constitutional meeting will:

- a) decide which committees to establish for the municipal year
- b) decide the size and terms of reference for those committees
- c) decide the allocation of seats and reserve/substitute members to political groups in accordance with the political balance rules
- d) receive nominations of councillors to serve on each committee and outside body
- e) appoint to those committees and outside bodies except where appointment to those bodies has been delegated by the council or is exercisable only by the cabinet.

#### **4.4 LEADER AND CABINET**

1. The leader shall be appointed at the first annual meeting of the council to be held after ordinary elections take place or, at an ordinary or extraordinary council meeting as necessary.
2. The leader shall appoint between two and nine other councillors at the first annual meeting of the council to be held after ordinary elections take place or at an ordinary or extraordinary council meeting as necessary, to serve as members of the cabinet.
3. The leader shall appoint one member of the cabinet at the first annual meeting of the council to be held after ordinary elections take place or at an ordinary or extraordinary council meeting as necessary, to serve as deputy leader. Where a vacancy occurs in the office of deputy leader, the leader must appoint another person in his place.
4. The leader shall have power to vary the allocation of portfolios within the cabinet on an interim basis. The leader shall also have power to designate a cabinet member as lead cabinet member in respect of any policy matter that is cross-cutting. In the event that a cabinet member ceases to be a member of the cabinet, the leader shall have the discretion as to whether or not to appoint a replacement.
5. Other political groups represented on the council may nominate a councillor to act as their leader. The leader of the largest opposition political group represented on the council shall be known as the leader of the opposition and shall act as the spokesperson for the opposition on all matters of general policy and business.

#### **4.5 APPOINTMENT OF RESERVE/SUBSTITUTE MEMBERS OF COMMITTEES AND SUB-COMMITTEES**

##### **Allocation**

1. As well as allocating seats on non-cabinet committees and sub-committees, the council will allocate seats in the same manner for reserve/substitute members.

##### **Number**

2. For each committee or sub-committee, council assembly will appoint one fewer reserve seats(s) than a political group holds ordinary seats, subject to a minimum of one, unless otherwise agreed by council assembly.<sup>1</sup>

#### **Powers and duties**

3. Substitute members will have all the powers and duties of any ordinary member of the committee but will not be able to exercise any special powers or duties exercisable by the person they are substituting.

#### **Substitution**

4. At the commencement of each meeting each political group shall announce whether any of the named voting members are to be substituted by a reserve or deputy. This substitution shall remain in effect for the whole of the meeting.

#### **4.6 PROPER OFFICER SHALL MAKE OR TERMINATE APPOINTMENTS IF NECESSARY**

1. Whenever an appointment of a voting member of a committee or sub-committee falls to be made in accordance with the wishes of a political group to whom the seat has been allocated, and whenever such an appointment falls to be terminated in accordance with such wishes, then the proper constitutional officer shall make the relevant changes and inform the appropriate committee or sub-committee at its next available meeting. The proper constitutional officer shall maintain a full list of committee and sub-committee memberships. In the event of the termination of an appointment in accordance with the wishes of a political group, the proper constitutional officer is to inform the individual concerned in writing within three days of notice being received.

#### **Notification of appointments, resignations and termination of appointments**

2. All appointments to and resignations from the membership of committees and sub-committees must be submitted in writing to the proper constitutional officer. A minimum of five clear working days must elapse from the date of receipt of such notices before any appointments become effective. Any resignations or terminations become effective immediately.

#### **4.7 CONTINUING MEMBERSHIP OF THE MAYOR AND DEPUTY MAYOR IN FULL COUNCIL ELECTION YEAR**

*This rule cannot be suspended.*

1. In a year when the term of office of the Mayor spans full council elections, the Mayor shall continue in office and remain as a member of the council notwithstanding that he/she does not seek or achieve re-election as a councillor.
2. In a year when the term of office of the Deputy Mayor spans full council elections, the Deputy Mayor shall continue in office but will not remain as a member of the council unless he/she achieves re-election as a councillor.

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<sup>1</sup> Council assembly has agreed that the number of reserve seats for the planning committee be the same as the number of members of the planning committee. (See record of decision at council assembly on 18 May 2019.)

3. The term of office of the Mayor and Deputy Mayor in an election year shall continue until the annual meeting of the council assembly.

#### **4.8 VOTING RIGHTS OF MAYOR AT ANNUAL MEETINGS**

*This rule cannot be suspended.*

1. If the person presiding at the annual meeting would have ceased to be a member of the council he/she shall not be entitled to vote in the election of the new Mayor except in accordance with paragraph 2 below.

#### **Casting vote**

*This rule cannot be suspended.*

2. In the case of an equality of vote, the person presiding at the meeting shall give a casting vote in addition to any other vote he/she may have.

#### **5. GRANTING OF THE FREEDOM OF THE BOROUGH AND CONFERRING THE TITLE OF HONORARY ALDERMAN**

##### **5.1 Freedom of the Borough**

The council assembly at a specially convened meeting shall consider the recommendation of the constitutional steering panel for nominations i.e. the conferment, for the purposes of honouring or granting the Freedom of the Borough, to any person, organisation or body that meet the criteria approved by the council and who have rendered eminent service to Southwark, and shall by a resolution passed by not less than two-thirds of the members voting agree upon those to be honoured. Thereafter, the Freedom of the Borough shall be presented to the agreed recipients.

##### **5.2 Honorary Alderman**

The council assembly at a specially convened meeting shall consider the recommendation of the constitutional steering panel for nominations i.e. the conferment, for the purposes of honouring or conferring the title of Honorary Alderman, to any person who meets the criteria approved by the council and who has rendered eminent service to Southwark as a past member of the council, and who is not then a councillor of the council, and shall by a resolution passed by not less than two-thirds of the members voting agree upon those to be honoured. Thereafter, the title of Honorary Alderman shall be presented to the agreed recipients.

#### **6. SUSPENSION AND AMENDMENT OF COUNCIL ASSEMBLY PROCEDURE RULES**

##### **Suspension**

1. Council assembly procedure rules 1.1, 1.2, 1.3, 1.5, 1.7, 1.8, 1.10, 1.12, 1.14(1), 1.14(2), 1.14(3), 1.14(26), 1.14(27), 1.15(1), 1.15(2), 1.15(3), 1.15(5), 1.15(6), 1.18, 2.3(4), 2.3(5), 2.4, 2.9(7), 2.9(8), 3, 4.1, 4.7, 4.8(1) and 4.8(2) may not be suspended. All the other rules may be suspended by motion on notice or without notice if at least one half of the all of the members of the council are present. Suspension can only be for the duration of the meeting.

##### **Amendment**

2. Any motion to add to, vary or revoke these council assembly procedure rules will, when proposed and seconded, stand adjourned without discussion to be

considered by the constitutional steering panel for report to the next meeting of the council.

**APPENDIX****Protocol governing the discussion in council assembly on investigations and rulings of the standards committee or sub-committee**

In addition to the provisions provided for in rules 1.7(3)(h), 2.5(3), 2.7(7), 2.6(4), 2.8(6), 2.9(5), and 2.10(2) of the council assembly procedure rules, members should note that:

A member or members of the council assembly as a whole should not comment on an investigation that is being undertaken or has been completed, or a ruling of the standards committee or sub-committee except by moving a motion that relates to a general corporate action.

A general corporate action would include:

- raising concerns about general behaviour or standards in the council that do not expressly refer to a particular member or members
- calling for the council to develop additional protocols governing members' conduct or actions
- calling for the council to review or amend existing protocols governing members' conduct or actions to ensure that they are providing members with clear and comprehensive guidance on conduct issues
- calling for the council to undertake member development training on the code of conduct, or any part of it, or protocol to increase awareness amongst members of the existence and contents of the council protocols and code of conduct.

Council assembly should delegate a request for a general corporate action to the appropriate committee or officer (for example a request to revise the member and officer protocol would need to be referred to the standards committee).

Calls for a particular member or members to take further action, including calling on a member or members to make a public apology, resign or any other action that could be taken to be a punitive action against that member or members, will be ruled out of order by the Mayor on advice from the monitoring officer.

<b>Item No.</b> 6.2	<b>Classification:</b> Open	<b>Date:</b> 20 March 2024	<b>Meeting:</b> Council Assembly
<b>Report title:</b>		Review of Call-in Procedure	
<b>Ward(s) or groups affected:</b>		N/A	
<b>From:</b>		Constitutional Steering Panel	

## RECOMMENDATIONS

1. That 'the use of call-in: guidance for English authorities' issued by the Centre for Governance and Scrutiny (CfGS), Appendix 1 of the report be noted, section 1 in particular (purpose of call-in).
2. That having regard to the CfGS guidance, the findings from the review of the council's current call-in process (Appendix 2 of the report) be noted.
3. That the main findings set out in paragraphs 13 to 41 of the report be noted (arising report recommendations set out at paragraphs 4 to 7).
4. That it be noted that written guidance on the call-in process in the form of a protocol/procedure note is being prepared for circulation to members, and publication on the council website (paragraphs 15 to 16 of the report).
5. That overview and scrutiny procedure rule 17.4 be amended to 'any five members of the council (including education representatives for the purpose of education decisions only)' (paragraphs 23 to 27 of the report).
6. That the 'Guidance Note: Principles of Decision Making' prepared to support the decision making process (Appendix 3 of the report) be noted.
7. That the proposed changes take effect from 1 April 2024 to enable training for both members and officers on any new call-in arrangements ahead of implementation (paragraphs 42 to 43 of the report).

## BACKGROUND INFORMATION

8. The council commissioned the Centre for Governance and Scrutiny to undertake an independent review (scrutiny improvement review) of the council's scrutiny function. Arising from that review was a recommendation that the council review its call-in procedure based on benchmarking and examples of good practice.
9. The CfGS highlighted the following themes (raised by Members and Officers) that came up during the scrutiny improvement review in relation to call-in (paragraph 5.6, page 13 of the CfGS feedback report):

- The relatively low number of call-ins for decisions
  - The threshold for making a call-in, reserved to Members of Overview and Scrutiny Committee and requiring three Members (OSC Procedure Rule 17.4)
  - The decision criteria for reviewing call-in requests and how they are processed based on the content and detail of the challenge.
10. Within the scrutiny improvement review report, the CfGS made reference to a review programme it was undertaking on 'call-in' which would include benchmarking practice across England and the sharing of practical experiences from Members and Officers. This was to lead to the issuing of refreshed guidance. The CfGS recommended that the council draw on this work to consider any learning that could enhance the council's call-in procedure.
  11. The guidance on the use of call-in was published on 17 April 2023 and was produced by the CfGS using funding from HM Government and with the support of Bevan Brittan LLP, Lawyers in Local Government (LLG) and the Association of Democratic Services Officers (ADSO).
  12. The overview and scrutiny committee agreed the CfGS recommendation to review the call-in procedure at its meeting held on 4 July 2023.

### **KEY ISSUES FOR CONSIDERATION**

13. The council's constitution, current practices and procedures have been reviewed having regard to the guidance issued by the CfGS. The review findings are set out in Appendix 2 of the report. A benchmarking exercise in relation to the call-in procedures of other London local authorities has also been undertaken. Both the guidance and the benchmarking exercise informs the resulting recommendations contained within this report.
14. The council's constitution pertaining to 'call-in' is for the most part in line with the refreshed guidance. Set out below for members' attention are the areas where differences in current practices have been identified.

#### **Protocol / procedure note on the call-in meeting process**

15. The rules around call-in are clearly set out in the council constitution, overview and scrutiny procedure rules 16 – 19. However, what is not included in the constitution in any detail, are the arrangements for the actual call-in meeting. The rules around the meeting arrangements are set out in the scrutiny officer's covering report, and chair's guidance note for the meeting.
16. The CfGS guidance recommends that written guidance be provided to members, which should itself be published in the interests of clarity and transparency. A protocol / procedure note on the meeting process is to be prepared and published on the council website.



### **Requestors of a call-in being allowed to be part of the reviewing call-in committee**

17. For Southwark, currently only members of the overview and scrutiny committee can request the call-in of a decision. Where a call-in meeting has taken place, the members who requested the call-in are allowed to take part in the meeting as participating committee members.
18. The guidance states “that many authorities do not normally allow those requesting the call-in to also be members of the reviewing overview and scrutiny committee conducting the review, in the same way that the decision-makers are not, on the basis of the natural justice principle, that one may not be a judge in one’s cause. This means that, in practice, while requestors may be able to be present and even participate in debate, they may not be able to vote.”
19. The benchmarking exercise has identified that a number of local authorities do not allow members who have requested a call-in to take part as a voting member of the call-in meeting. The exercise has also identified that there are a number of permutations to local authority arrangements, which may influence whether requestors of a call-in are able to take part as voting members of a call-in review meeting (see paragraphs 36 to 41).

### **Who should determine that a call-in is valid**

20. The CfGS is of the view that the decision on validity should be made by the Monitoring Officer, given the process and legal concepts involved.
21. Currently the scrutiny officer determines the validity of a call-in request in consultation with a governance lawyer as appropriate, setting out in writing the reasons for the determination. Where a call-in request has been considered invalid, there is provision in the constitution for the requestors of the call-in to refer the matter to the monitoring officer to review the determination. In light of this provision, the monitoring officer determines the validity of a call-in where requested.
22. Reviewing requests for call-in can be time consuming and requires a determination within 2 days of the request being made. The initial review by the scrutiny officer (in consultation with a governance lawyer) serves as a filter process, resulting in the monitoring officer only becoming involved in the validity process if necessary. It is not being recommended that this arrangement is changed.

### **Call-in Threshold (highlighted in scrutiny improvement review)**

#### **Numbers**

23. Currently three members of the overview and scrutiny committee (including education representatives for the purpose of education decisions only) are

required to make a request for call-in in order to meet the threshold for a request to be considered. Due to the political composition of the overview and scrutiny committee (9 Labour, 2 Liberal Democrats), it is currently not possible for the Liberal Democrat members on the overview and scrutiny committee to request a call-in without support from a Labour member of the committee.

24. The CfGS does not give specific direction in the guidance on the numbers or types of members that may trigger a call-in, but is of the view that the requirements should be clearly justified and reviewed following each election and after a change in political control. This is to ensure ongoing fairness and applicability as endorsed by the authority (page 14 of the guidance).
25. The benchmarking exercise has highlighted that the practices of London local authorities vary to some degree in respect of the number of councillors required to request a call-in. The various thresholds are detailed below. Some local authorities have dual arrangements whereby they have one threshold for the overview and scrutiny committee and another for other members of the council – these authorities are listed for each arrangement they have in place, and therefore appear in the list more than once.

<b>Threshold</b>	<b>Number of local authorities</b>
• 2 members of the council	2 local authorities
• 3 members of OSC	8 local authorities
• 3 members of the council	1 local authority
• 4 members of the council	3 local authorities
• 5 members of the council	9 local authorities
• 5 members of OSC	2 local authorities
• 6 members of the council	4 local authorities
• 7 members of the council	1 local authority
• 8 members of the council	1 local authority
• Above 8 members of the council	2 local authorities
• Dual call-in arrangements	5 local authorities
• Requiring representation from more than one political group	2 local authorities

26. In the case of Southwark, for the period 2002 – 2013, the call-in threshold was chair or vice-chair plus three members of the overview and scrutiny committee. This changed in the 2014/15 municipal year, when the call-in threshold was amended to the effect of removing the requirement for the chair or vice-chair to support a call-in. Detail setting out the political representation of the council and OSC composition since the introduction of scrutiny arrangements, is set out in the table below:

<b>Period</b>	<b>Political representation</b>	<b>OSC political composition</b>	<b>Call-in threshold</b>
2002 – 2005	Lib Dem 30 Lab 28 Con 5	Lib Dem 4 Lab 3 Con 1  Chair – Con VC – Lib Dem	Chair or vice-chair plus three members of the overview and scrutiny committee
2006 – 2009	Lib Dem 28 Lab 28 Con 6 Green 1	Lib Dem 4 Lab 4 Con 1  Chair – Lab VC – Lib Dem	Chair or vice-chair plus three members of the overview and scrutiny committee
2010 – 2013	Lab 35 Lib Dem 25 Con 3	Lab 6 Lib Dem 4 Con 1  Chair – Lib Dem VC - Lab	Chair or vice-chair plus three members of the overview and scrutiny committee
2014 – 2017	Lab 48 Lib Dem 13 Con 2	Lab 8 Lib Dem 3  Chair – Lab VC- Lib Dem	(Revised in June 2014 - requirement for chair or vice-chair to also request a call-in removed).  Three members of the overview and scrutiny committee
2018 – 2021	Lab 49 Lib Dem 14	Lab 8 Lib Dem 3  Chair – Lab VC – Lib Dem	Three members of the overview and scrutiny committee
2022 – Present	Lab 52 Lib Dem 11	Lab 9 Lib Dem 2  Chair – Lab VC – Lib Dem	Three members of the overview and scrutiny committee

27. The overview and scrutiny committee at its meeting held on 4 October 2023 proposed that the threshold be changed from three members of the overview and scrutiny committee to any three members of the council. In light of the findings of the benchmarking exercise, it is recommended that the requirement is any five members of the council (including education representatives for the purpose of education decisions only).

### Call-in Criteria

28. The CfGS in its guidance notes that a widespread development has been that a call-in request is only valid when it is accompanied by the meeting of other tests and in particular the reasons for the request. The CfGS is of the view that there should be a requirement to give reasons for call-ins (page 14 of the guidance).
29. The council's current arrangements for identifying appropriate reasons for 'call-in' are set out in paragraph 17.6 of the overview and scrutiny procedure rules. This rule states that "Requests for call-in should normally only be made if there is evidence that the decision maker did not take the decision in accordance with the principles of decision making as set out in Article 1.3 of the constitution."
30. Article 1.3 is as follows:

*All decisions of the council will be made in accordance with the following Principles:*

- a) *the link between strategy and implementation must be maintained*
  - b) *decision making generally, whether by individual officers, individual cabinet members or the cabinet collectively, should have reference to the policy framework*
  - c) *respect for human rights, law and probity*
  - d) *due consultation and the taking of professional advice from officers*
  - e) *proportionality (i.e. the action must be proportionate to the desired outcome)*
  - f) *a presumption in favour of openness*
  - g) *clarity of aims and desired outcomes*
  - h) *consideration of the likely climate consequences and the likely equality (including socio-economic disadvantage and health inequality) consequences of the relevant decision and therefore reports for decision should include advice from officers of the likely climate and equality impacts of that decision.*
31. Similar call-in criteria have been adopted by a number of local authorities.
  32. The overview and scrutiny committee at its meeting held on 4 October 2023, considered an alternative list of criteria to enable grounds for call-in to be made clearer, detailed below:

- Lack of consultation
  - New important evidence
  - Insufficient information or important information disregarded
  - Lack of a clear recommendation
  - Lack of reason for a recommendation
  - No details on other options considered, or consultation carried out
  - Inadequate consideration of legal and financial issues
  - No or incomplete list of background documents
  - Omission of key facts on which decision is based
  - Clear deviance from Constitution's decision-making principles
  - Outside the financial and legal frameworks
  - Flaw in process – procedures not followed correctly.
33. The alternative criteria has been reviewed by the Monitoring Officer, and in response is recommending amendments to Article 1.3 of the constitution [Principles of Decision Making] and developed a guidance note, explaining the principles to assist with the preparation of reports for decision making. This guidance will also assist councillors when considering whether to request the call-in of a decision. A draft of the guidance note is attached as Appendix 3 to this report (**Note:** this appendix is subject to consultation with officers and also does not require approval by council assembly).

#### **Mediation/round table discussions**

34. The guidance indicates that some councils include in the call-in process, a step between receiving a valid request for call-in and the call-in meeting, to facilitate a mediation process or a round table discussion between the lead requestor and the executive decision maker or chair of the decision-making meeting. The guidance further indicates that this type of meeting has on occasion been found to have resolved issues in advance, without the need for the call-in review meeting.
35. Currently there is no provision in the council constitution for such meetings to be offered. This provision is mentioned given reference to it in the CfGS guidance.

#### **Benchmarking Exercise – General observations**

36. The benchmarking exercise identified that whilst local authorities operate similarly in respect of their individual call-in procedures, there are some differences.
37. Local authority call-in thresholds vary - in some local authorities only members of the overview and scrutiny committee can request the call-in of a decision (Southwark's current arrangement), where as in other local authorities, an individual scrutiny chair can request a call-in and/or other members of the council (not necessarily scrutiny councillors). Some local

authorities require cross party representation in order for a call-in to be made.

38. Some local authorities have established a call-in sub-committee to consider call-ins, where as in other local authorities call-ins are considered by the scrutiny committee with the remit for the subject matter under consideration. Others operate a process similar to Southwark where the main overview and scrutiny committee considers the call-in.
39. Some local authorities appear to have very low call-in thresholds in terms of grounds for call-in, where if a call-in request is made then the call-in is considered. This is factored into the local authority's meeting arrangement process.
40. Some local authorities specifically disallow members who have requested a call-in to take part as voting members of a call-in review meeting.
41. The benchmarking exercise was carried out by reviewing individual local authority constitutions. No analysis has been undertaken on the effectiveness of any particular local authority arrangement.

#### **Member and officer training**

42. It is anticipated that with the widening of members who will be able to request the call-in of a decision, some form of training will be needed to enable members to be confident about call-in, and for council officers to be fully aware of what might attract the call-in of a decision.
43. A procedure/guidance note on revised call-in arrangements, including the meeting process will be prepared for circulation to members and officers and published on the council website.

#### **Policy framework implications**

44. There are no policy framework implications.

#### **Community, equalities (including socio-economic) and health impacts**

45. There are no specific community, equality or health impacts.

#### **Climate change implications**

46. There are no specific climate change implications.

#### **Resource implications**

47. There are no specific resource implications.

### **Legal implications**

48. Local authorities must have in place provision for its overview and scrutiny committee to be able to call-in an executive decision which has been made but not yet implemented.

### **Financial implications**

49. There are no specific financial implications arising from the report.

### **Consultation**

50. The political group whips have been consulted through the constitutional steering panel.

## **SUPPLEMENTARY ADVICE FROM OTHER OFFICERS**

### **Assistant Chief Executive, Governance and Assurance (Monitoring Officer) [AJW 31.10.23]**

51. Section 9F(2) of the Local Government Act 2000 requires the council to ensure that its overview and scrutiny committee has power to review and scrutinise decisions made and actions taken in relation to its executive functions. Section 9F(4) makes it clear that this includes a power to review a decision made but not yet implemented. Although “call-in” is not specifically referred to in the Act this is the provision that has come to be known as “call-in”.
52. These arrangements are set out in the council’s Overview and Scrutiny Rules. Any changes to these rules require approval of the full council as a change to the constitution under Article 1.5.
53. In considering any changes, the council must have regard to any guidance issued by the Secretary of State. In 2019 the government issued “Statutory Guidance on Overview and Scrutiny in Local and Combined Authorities”. This makes it clear that scrutiny committees have the power to “call-in” decisions but should not view it as a substitute for early involvement in the decision making process or as a party-political tool.
54. The “Local Government Act 2000: Guidance to English Authorities” last updated in July 2001 is also still in place. This includes a provision that the arrangements made by local authorities should ensure that any call-in procedure is not abused or used unduly to delay decisions or slow down the process of decision making.
55. Reference is made throughout the paper to the Centre for Governance and Scrutiny (CfGS) Guidance on call-in issued in March 2023. Whilst this provides helpful good practice advice, it does not have the same authority as government guidance - the Centre is a charitable organisation offering assistance on these issues to the sector. This guidance includes the view

that “call-in” is a “longstop”- a process that can be relatively infrequently used because other constitutional systems work alongside to ensure that decision-making overall is of a high quality”.

56. As regards the numbers required to request a call-in, the monitoring officer’s clear advice is that 5 members of the council would be a reasonable threshold to adopt. The 2000 guidance refers to having a “certain number of committee or local authority members to call in a particular decision”. The modular constitution issued at the time by the government referred to the request being made “by the chair or any three members of the committee [ie the overview and scrutiny committee]”. The monitoring officer has noted the benchmarking exercise which shows that the criterion with the highest representation is for five members of an authority.
57. The report makes reference to the point raised in the CfGS guidance about whether those that have requested a “call-in” can participate as members of the Overview and Scrutiny Committee in any decision on the item. The position adopted by many other authorities is not to permit this, it is suggested “on the basis of the natural justice principle”. The monitoring officer is not minded to make any firm recommendation on this, noting that the current practice is not to include any such restriction, and bearing in mind that the members of the committee are not actually reviewing a decision they have made themselves.
58. Any changes will need supplementing with relevant protocols and guidance as referred to in the report. Training will also need to be provided to members, given that any member may in future potentially be able to call-in a decision. The monitoring officer is clear that all of this should be in place prior to the implementation of any changes.

## BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
CfGS Use of call-in: guidance for English authorities	Centre for Governance and Scrutiny	Name Phone number
<a href="https://www.cfgs.org.uk/?publication=the-use-of-call-in-guidance-for-english-authorities">https://www.cfgs.org.uk/?publication=the-use-of-call-in-guidance-for-english-authorities</a>		
Southwark Council Constitution	Southwark Council Website	Virginia Wynn-Jones 020 7525 7055
<a href="https://moderngov.southwark.gov.uk/ieListMeetings.aspx?Committeed=425&amp;Info=1&amp;bcr=1">https://moderngov.southwark.gov.uk/ieListMeetings.aspx?Committeed=425&amp;Info=1&amp;bcr=1</a>		



## APPENDICES

No.	Title
Appendix 1	The use of call-in: guidance for English authorities
Appendix 2	Review of Call-in Process - Findings
Appendix 3	Guidance Note: Principles of Decision Making
Appendix 4	Proposed amendments to Article 1.3 and the Overview and Scrutiny Procedure Rules

## AUDIT TRAIL

<b>Lead Officer</b>	Doreen Forrester-Brown, Assistant Chief Executive, Governance and Assurance	
<b>Report Author</b>	Everton Roberts, Head of Scrutiny	
<b>Version</b>	Final	
<b>Dated</b>	22 February 2024	
<b>Key Decision?</b>	No	
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER</b>		
<b>Officer Title</b>	<b>Comments Sought</b>	<b>Comments Included</b>
Assistant Chief Executive, Governance and Assurance	Yes	Yes
Strategic Director Finance	No	No
Proper Constitutional Officer	Yes	
<b>Cabinet Member</b>	No	No
<b>Date final report sent to Constitutional Team</b>	8 March 2024	

# The use of call-in: guidance for English authorities



This is one of three connected publications, all aiming to provide technical advice on the operation and review of critical elements of governance framework for local authorities in England. Between them, the three publications look at:

- Call-in;
- The operation of schemes of delegation to support decision-making;
- The review of Council constitutions

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Appendix: legislation and statutory guidance

This paper aims to provide advice on the operation of the function of local authority scrutiny committees which provides for the scrutiny of decisions once they have been made but before they have been implemented. This function is better known as “call-in”.

We mainly deal with the operation of call-in under “executive arrangements” – which applies in those councils with a Leader and Cabinet, or Mayor and Cabinet, form of governance.

Call-in is also a feature in combined authorities, and can be a feature in authorities operating under the committee system. These different forms of call-in are discussed, in brief, later in this paper.

### The paper is based on:

- Desktop research into the approach taken on call-in by a range of councils;
- Three webinars organised by CfGS, attended by a total of 68 people;
- The results of recent CfGS annual surveys of overview and scrutiny in local government.

The paper also makes frequent reference to current legislation, and to the only comprehensive formal guidance in place on call-in, the statutory guidance “New council constitutions: guidance for English authorities” (DETR, 2000), which contained a mixture of statutory and non-statutory guidance and a distinct part entitled “Modular Constitutions for English Local Authorities”. Councils are still legally obliged to have regard to this guidance but should note in doing so that, in relation to call-in as well as broader constitutional issues, the legislative framework, and good practice, have moved on in many areas. Critical analysis of the guidance and its ongoing applicability is therefore required.

Following on from a description of the law, the layout of this guidance contains sections headed as questions. These are the relevant questions an authority will wish to ask itself when establishing or revising its call-in provisions. In doing so, we have attempted to answer those questions by reference to the legislation and Guidance but also with examples and common practices that we have encountered, as well as our views as to what constitutes best practice. These questions are also something we will return to and continue to ask of colleagues over time to discover novel practices and good ideas.

Further to this paper CfGS will produce a list of illustrative examples of call-in procedures and protocols, and a further “example” protocol that puts into practice some of the principles that we set out. Both of these will be accessible at [www.cfgs.org.uk/call-in](http://www.cfgs.org.uk/call-in) in spring 2023.

This guide covers the law relating to call-in for English local authorities only. Call-in is also a feature of the governance framework for Welsh authorities, but the legal basis is different. Welsh members and officers should have regard to separate statutory guidance produced by the Welsh Government<sup>1</sup>.

Call-in arrangements in combined authorities are different to those described in this paper. More information can be found in “Combined authority scrutiny: a plain English guide” (CfGS, 2021).

The paper has been produced by the CfGS using funding from HM Government and with the support of Bevan Brittan LLP, Lawyers in Local Government (LLG) and the Association of Democratic Services Officers (ADSO).

<sup>1</sup> The Welsh Government issued draft statutory guidance on call-in in March 2022. It can be found at section 9 (p95) of “Local Government: Guidance for Principal Councils” (Welsh Government, 2022): accessible at <https://www.gov.wales/sites/default/files/consultations/2022-03/consultation-document-wg44742.pdf>.

## 1. Introduction: the purpose of call-in

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### (a) What is call-in?

Councils are democratic institutions in which elected councillors are the principal decision-makers.

Where councils operate under what are called “executive arrangements”, only a comparatively small number of councillors are involved in day to day decision-making, through the body known as Cabinet. In order to bring rigour, scrutiny and accountability to this decision-making, a function called “call-in” exists.

Call-in is a safety valve to delay and interrogate important executive decisions. It provides a way for councillors who do not sit on Cabinet to ask that particular decisions are reconsidered by the person or people who originally made them.

Call-in also has a role in some authorities which operate using the committee system form of governance, but in those places it may look rather different. We explain this in more detail in section 1d ‘What is call-in for in a committee system authority?’

### (b) What are councils obliged to do?

The legal detail is provided in the Appendix – this section provides a general overview.

The phrase “call-in” is not used in legislation, but it is there that the central powers can be found. There is a two-step legal process for the establishment of call-in at law.

1. s9F(2) of the Local Government Act 2000, as amended. This provides the general power for overview and scrutiny committees to review or scrutinise executive decisions;
2. s9F(4) of the same Act, which provides a specific power to review or scrutinise a decision made, but not implemented.

This second power itself provides scrutiny with the basis for further powers:

1. To recommend that the decision be reconsidered by the person who made it;
2. To arrange for the call-in to be considered further by a meeting of full Council. Usually a reference to full Council will be made only where a scrutiny committee concludes that an executive decision has been made outside of the budget and policy framework, which we explain in more detail at section 5a) ‘Referral to Full Council’.

In exercising these powers scrutiny committees can benefit from the other, general, powers available to scrutiny committees – namely, to require the attendance of Cabinet members and council officers, and to require that information relating to the decision be provided.

### (c) What is call in for?

The legislation provides little direct advice on what call-in is “for”.

Call-in cannot “overturn” a decision. A call-in can result in a recommendation that a decision be reconsidered or withdrawn, but nothing more. It is best regarded as an urgent and serious request from councillors to the executive decision maker that they should think again. That request should be seen as notable because it is a function that should only be used in exceptional circumstances and, such a request, if then made, will come from a review carried out by a cross-party committee.

In practice, call-in has been seen by councils as having a number of purposes, including:

- Highlighting the presence of public contention in respect of a particular decision;
- Highlighting / surfacing serious political disagreement and providing the opportunity for political accountability;
- Providing fuller information, with a view to assurance on certain decisions where that information may be absent in an officer report or background papers.

In all cases, call-in is about providing an opportunity for challenge as a long-stop – when other attempts to influence or challenge a decision have failed.

The use of call-in can also be seen to be embarrassing and frustrating to a local authority and its leadership. Delay is inconvenient, and frequently costly. The wish to avoid call-in is therefore also seen as an incentive for council leaderships to mitigate the risk through early engagement with overview and scrutiny, backbench members and opposition groups – especially where decisions are likely to be contentious.

CfGS does not, however, consider that the use of call-in, or the threat of its use, should be seen as a failure. Quite often its use – presenting as it does a risk for the executive, of embarrassment or delay – has been seen to serve to provide opportunities for earlier scrutiny involvement in decision-making. Pre-decision scrutiny, and/or early involvement in policy development by overview & scrutiny committees and members, is likely to be more productive than call-in. It is also for this reason that CfGS adds its voice to the Guidance and Modular Constitution (para 16 above/attached), that use of call-in should certainly be infrequent and should only be used in exceptional circumstances.

In the past CfGS has described call-in as a “blunt tool”. There can be a perception among members that call-in can be used to reverse a decision. It is important to emphasise that this is not the case. More often the challenge is on the quality of the information accessed by the decision maker to arrive at what should be a robust and evidence-based decision. When used inappropriately or indiscriminately it may cause frustration (in particular to members who use it hoping or expecting that it will lead to a change in the decision in question).

Councils where call-in is a regular occurrence may need to reflect on members’ understanding of the purpose of call-in and what other mechanisms are available to them to challenge decisions. This should not be about raising the bar for a call-in to be valid but reflecting on whether sufficient opportunities exist for a wider range of members to be involved in policy development and decision-making – feeding in and influencing at the right stages. The frequent use of call-in is not always evidence that there are weaknesses in the corporate governance framework, but conversely it can be a sign of the existence of those wider problems.

For this reason, the presence of clear rules around call-in’s operation is important. Critically this is likely to include the use of criteria to determine whether a call-in is “valid”. The use of criteria will make call-in more focused and reduce the risk that it will be used for exclusively party political reasons – criteria also frame the nature of a debate in committee in a way that makes it more likely that a reasoned, informed outcome will be reached.

At their heart, all of the call-in practices continually being developed and undertaken by local authorities that we have seen endeavour to best achieve that central aim of how best to achieve that balance between overview and scrutiny effectively holding the decision-maker to account, being able to question decisions before they are implemented and at the same time not impeding the effective, efficient and business like decision making required by the executive or the day-to-day management and operational decisions taken by officers. Colloquially put, this is a deal to be done between the executive cabinet or policy committee members and the overview and scrutiny committee members to allow for healthy debate and examination of the issues on important decisions whilst not getting in the way of the Council being able to go about its business and achieve the things that almost all Members universally agree needs to be done.

This ‘deal’ is, as reflected above, one where the executive decision makers agree to delay implementation of certain decisions to allow for review and, if necessary, referral back for re-consideration. This, in turn, is in exchange for the adoption of a set of criteria such that only decisions deemed worthy of review by the overview and scrutiny committee are called-in by the process and reviewed, as a matter of exception, and that the remainder of executive decisions made by members and officers, the ordinary, administrative or uncontroversial elements of the local authority’s business, may continue to implementation unhindered.

The questions the authority will want to ask itself in setting that criteria out are explored below. This includes examples of practice in how differing local authorities have addressed those questions and how application of the Guidance and Model have moved on. We will say where those examples are at the extreme of things and where we consider those examples to be common or best practice.

#### **(d) What is call-in for in a committee system authority?**

Councils operating a committee form of governance do not have to have an overview and scrutiny committee, and as such do not need to have arrangements for call-in. However, if an overview and scrutiny committee *is* appointed, then call-in arrangements *must* form part of the way that it works.

Many of the “purposes” of call-in, set out in the section above, apply to an extent in committee system authorities. However, the decision-making dynamics are different.

Decisions in the committee system are made in committee, by cross-party groups of members. This makes call-in less obviously necessary, because a wider group of members and perspectives will arguably have played into the debate that precedes a decision being made. A call-in could, therefore, simply reproduce this earlier debate, while adding little practical value.

Call-in in committee system authorities will therefore need to focus on a rare set of circumstances – where some members feel that the earlier debate was deficient for want of critical information, or possibly that the committee did not have the power to make the decision because it was made outside the budget and policy framework. Councils can expect that the threshold for valid call-ins will be higher than they would be in an authority operating executive arrangements.

The section on criteria (section 3d, ‘What will a “valid” call-in be’) provides more insight to support thinking on this issue.



### (e) How does call-in fit into the wider governance framework?

Call-in is one of several checks and balances present in the constitution to ensure effective decision-making.

Call-in can be seen as part of a balanced system by which effective, consistent decision-making is supported and strengthened by rigorous – and proportionate – member oversight. Call-in is a “longstop” – a process that can be relatively infrequently used because other constitutional systems work alongside it to ensure that decision-making overall is of a high quality. This safety valve is vital if serious issues emerge about a given decision which seem, in members’ views, to demand that that decision be revisited.

In this way, members and officers should avoid thinking of call-in as a standalone feature of the governance framework.

This is backed up by the Statutory Guidance on Overview and Scrutiny in Local and Combined Authorities, which makes the point that call-in is not a substitute for early involvement in the decision-making process, nor is it a party political tool;

Call-in should be seen alongside other systems, which include. .

These systems include:

- The framing, and agreement, of the budget and policy framework (as determined by the authority) on an annual basis;
- The Annual Governance Statement, and the review that precedes it;
- The oversight provided by a Governance Committee, including audit committees, which “own” member oversight of governance issues, which can also be a useful way of monitoring the effectiveness of democratic processes and decision making and keeping related processes under review and addressing concerns;
- The general decision-making requirements and publicity relating to “key decisions”;
- The work of scrutiny in general, and in particular the role of pre-decision scrutiny;
- The way that performance management, and risk management, is carried out and overseen by members;
- The council’s finance systems, including the financial control environment and in-year financial monitoring as well as longer-term financial planning (which sets the framework within which decisions are made); and
- The decision making principles<sup>2</sup> and the legal and corporate requirements for the drafting of decision reports before any decision is made, including:
  - The requirement for legal and financial (and often other forms of) signoff for reports;
  - The requirement to present alternative options;
  - The requirement to consider equality, and human rights;
  - The requirement to present background papers.

All of these connected systems are essential to, and a reflection of, the authority’s culture of decision-making and the nature of relations between members. Where a mature culture of decision-making exists, call-ins will be few and far between – not because rules are designed to make it difficult to call decisions in in the first place but because the need for that safety valve is less pressing. Members and officers all, therefore, need to take it seriously – seeing it not as a procedural annoyance to be managed away but an important, if sometimes poorly-used, tool to assure decision-making probity.

<sup>2</sup> These principles form part of the Modular Constitution, and as such have been adopted by most councils in either this form, or using very similar wording.

## 2. Where call-in rules should sit

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There is no “right place” for call-in rules to sit in the constitution. In most authorities they reside in the overview and scrutiny procedure rules. In some authorities, however, they form part of executive/ cabinet procedure rules, in others as part of the council procedure rules (standing orders) and in others they can reside in the overview and scrutiny procedure rules or in a separate protocol.

It is certainly the case that many authorities provide that the rules about publication, call-in criteria and exceptions are contained in the constitutional rules but that the procedure of the call-in meeting itself, and sometimes prior steps for resolution, mediation or the variation and agreement of that procedure, are set out in a separate protocol or procedure note. This separation allows for flexibility where needed in order to react to the requirements of the particular circumstances, including technical detail, evidence and witnesses and public participation and time management in controversial matters.

Following this pattern, enough detail is needed that councillors considering calling a decision in can be confident in the rules that will apply to that request and how the process will function. For this reason, it may be sensible for basic rules to be set out in the constitution but for more detail to be provided in written guidance provided to members, which should itself be published in the interests of transparency. Drafting should highlight the most critical elements. For example, the use of criteria to determine call-ins’ validity, the person or people making a judgement about whether call-ins should go ahead, and the likely presence of restriction on a call-in’s requestor being able to take part in the vote at the committee where the call-in is considered, although they may be able to contribute to discussion<sup>3</sup>.

Additional written guidance allows for clarity and transparency and limits the extent to which officers have to provide advice on a case-by-case basis. Guidance cannot account for every circumstance, but it can explain key elements of the process and – importantly – provide justification for why they exist.

<sup>3</sup> Where a requestor is an ordinary member of the committee in question, procedure rules may require that they be substituted for the meeting.

### 3. Addressing what may be called in, how and why

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#### a. What decisions should be subject to call-in?

This is a fundamental part of establishing the governance process of call-in. Strictly speaking, all executive decisions are subject to review and, in so doing, are subject to the risk of delayed implementation that comes with that whilst that review takes place.

In reality, it would be unreasonable for *all* executive decisions (which would include executive decisions delegated to officers) to be subject to call-in, and the power in legislation was never developed for this purpose. In fact that guidance explicitly says, “day to day management and operational decisions taken by officers should not be subject to any call-in procedures”.

Instead, councils set out in the constitution which decisions may, or may not, be subject to call in – and the criteria which should apply to determining whether a call-in is valid, which we discuss later.

#### Key decisions

When it comes to what extent to exclude call-in from applying to operational decisions, most use the more straightforward approach that authorities are accustomed to for differentiating every day decisions from ones of potential importance, that of a ‘key decision’. This is also helpful because with the making of a key decision also comes the requirements around it on publicity, setting out what it is to be about, who is to make it and what documents (including the report) on which the decision-maker is to consider when making the decision.

A “key decision” is defined by regulation 8 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, repeating the earlier 2000 regulation, which states that it

“means an executive decision, which is likely—

- (a) *to result in the relevant local authority incurring expenditure which is, or the making of savings which are, significant having regard to the relevant local authority’s budget for the service or function to which the decision relates; or*
- (b) *to be significant in terms of its effects on communities living or working in an area comprising two or more wards or electoral divisions in the area of the relevant local authority”.*

Of course, this begs the question of what “significant” then means for these purposes. Usefully, the Guidance does set out some suggestions, saying:

“In considering whether a decision is likely to be significant, a decision maker will need to consider the strategic nature of the decision and whether the outcome will have an impact, for better or worse, on the amenity of the community or quality of service provided by the authority to a significant number of people living or working in the locality affected.”

At its most restrictive, some councils will use key decisions as the only criteria for what may be called in, applying it to cabinet and cabinet member decisions and excluding all decision made by an officer from being called in.

The most common approach, and that which we would consider best practice, is that all cabinet or cabinet member decisions are potentially subject to call-in, as are those key decisions made by an officer of the authority.

There are a class of such decisions that are considered especially urgent, and to which call-in should therefore not apply – this is discussed further below.

### b. For how long should the implementation of a decision be delayed, to allow the time for a call-in to be requested?

Delay prior to implementation is fundamental to call-in working at all.

In addressing this question, the statutory Guidance states that the provisions of a local authority's executive arrangements "may include a standard period of delay before decisions are implemented", not must.

Once it has decided what decisions call-in may apply to therefore, each Council must decide the length of delay that is to apply to a decision before it is implemented, thus giving time for call-in to take place to trigger a review and the statutory delay provisions to take effect whilst the review meeting and any re-consideration takes place.

The delay suggested by the 2001 Guidance was to allow **2 clear working days** for the decision notice or minutes to be published and then **5 clear working days** from publication to allow for a call-in to be requested.

This 2 days to allow for publication is followed by most authorities as a standard target for both member or officer decision notices and draft minutes. The 5 days to allow for a call-in request following publication of the decision is by no means followed by all authorities. Whilst most do, many authorities find 3 or even 2 days post-publication to be a quite adequate time period to allow for call-ins to be requested – although this will depend on the number, and type, of councillors required to request a call-in for it to be valid. Authorities that allow for longer than 5 days are quite rare.

### c. What exceptions should apply?

Not all decisions should be subject to delayed implementation so as to allow for a call-in to take place.

### Exception 1: Urgency

As the Guidance put it, *“the executive will, from time to time, need to take decisions that need to be implemented quickly”*. Under these circumstances the powers around call-in can be curtailed. Removal of call-in is usually couched in terms of it being for reasons that it would prejudice the interests of the Council, for safety reasons or because it is in the wider public interest to do so.

In some authorities, the provision for call-in is removed from a decision simply because the executive, be that cabinet, Leader or other cabinet member or an officer, decides that is to be the case and records that at the time of making the decision for the notice or minutes.

Most authorities still follow para 3.79 of the 2000 Guidance and the modular constitution and exclude a decision from call-in and delayed implementation by use of an urgency provision that requires the consent of the authority’s chair/civic mayoralty to agree that must agree that *“both that the decision proposed is reasonable in all the circumstances and to it being treated as a matter of urgency”*. Some councils refer to the chair of overview and scrutiny instead.

Other authorities are more restrictive and, in addition or in replacement, require the chief executive and/or monitoring officer to agree to that and also expressly define that a decision will only be urgent if any delay likely to be caused by the Call-In process would seriously prejudice the Council’s or the public’s interest.

Some councils operate a set of “general exception” urgency arrangements, “special urgency” arrangements and “emergency” arrangements, for decisions of different degrees of immediacy, processes for which affect call-in and member oversight in different ways. While potential complicated, this does mean that the right to call a decision in is wholly absent in only the most extreme of circumstances.

The decision to remove call in and the reasons why the delay to implementation of the decision should not be applied are usually required to be reported to a meeting of the full authority.

Alternatively or in addition, there is often an annual report and review on these matters.

### Exception 2: Only one call-in per decision

Guidance says that *“the provisions should ensure that a decision maker could only be asked to reconsider a decision once.”* This is almost universally the case, as the alternative is a potential merry-go-round of review and call-in being used as a means to so delay a decision that it is never implemented. When a decision is re-considered by the decision maker, that decision is then implemented whatever it may be. Nonetheless, it must be remembered that this provision must be expressly included in the constitution to be of effect.

### Exception 3: A limit on the number of call-ins overall

A final exception might be that call-in is limited to a finite number of times per year or quarter, following which no further call-ins would be permitted of any decision within that period. This is an option operated by no authority to our knowledge, on the basis that it is seen as not being in accordance with the principles of engagement and, quite simply, there can be no accounting for what contentious decision might yet be made.

#### d. What will a “valid” call-in be?

We have already noted that call-in must be subject to some form of restriction – in keeping with the fact that it should be seen as a long-stop, used rarely.

In order for this principle to be upheld, call-in arrangements must, practically, place hurdles which have to be overcome for a call-in to be considered “valid”. We should stress that putting such hurdles in place is not only legal, it is also a specific component of the legislation and formal guidance on this subject. Not to do so risks call-in being ineffective.

These hurdles should not be designed to thwart members’ legitimate right to call-in decisions. It is likely that where a Monitoring Officer is able to give advice to councillors wishing to request a call-in, a request which might on the face of it appear invalid could, with revision, be refocused into one that is legitimate. But both members and officers will need to understand that requests need to be reasoned and justified, which brings with it the need for judgement and discretion.

#### Hurdles to clear for a call-in to be valid

There are three main hurdles that can form part of a council’s call-in arrangements:

- Requiring a certain number of councillors to request a call-in for it to be valid;
- Requiring that certain criteria (in terms of the reasons for the call-in) to be met for the request to be valid;
- Requiring that councillors have not had a prior opportunity to consider and debate the decision.

#### Hurdle 1: Requiring a certain number of members to request a call-in for it to be valid

Almost every authority has adapted the only suggestion in this respect by the Guidance, which was that a “*safeguard which could be adopted in the executive arrangements could be to include provision requiring a certain number of committee (or local authority) members to call in a particular decision*”.

This is where the consensus ends, however, as the adoption of this suggestion over the intervening twenty-plus years has produced the widest variety of approaches. Often, councils’ approach has changed as political balance, and political Group dynamics, have changed. Requirements that may seem fair and proportionate with one particular balance of political representation may look less so when the numbers change after an election, which is why it is important to keep this under review.

The original drafting in the Modular Constitution suggested that 3 councillors (of any group, and sitting on any committee) would need to make a call-in request for its to be valid. This seemed a reasonable number as that number gave the request a certain legitimacy. That said, the size of the council in question does have an impact here – 3 out of 30 members requesting a call-in is of a different order to 3 out of 97.

Alongside that straight consideration of a number of members, several other potential requirements have been considered, including:

- Whether the councillors making the request need to sit on the same overview and scrutiny committee, so that two or three members of a ten or twelve seat committee need to request the call-in for example. This can be challenging where a council has multiple groups, or many independent members, with certain groups not being represented on every committee;
- Whether councillors making the request can all be from the same party, or need to represent different parties. This can help to ensure that call-ins reflect matters on which there is cross-party concern, although in councils with only one minority group, or none, this might not be reasonable.

As can be seen, the application of who may trigger a call-in varies according to local circumstance and is very much shaped by the experiences of each authority. That variety has now given us examples of:

- The signatures required to trigger a call-in is not members of the council but electors registered within the authority's area, in one case as low as 10 and in another 20, so as to allow for maximum engagement and consideration of significant issues where it is seen to matter by the electorate;
- a town or parish council or a recognised residents group that may submit a call-in request; through to the other extreme whereby
- the call-in mechanism is only triggered on a request submitted by half of the whole membership of the authority, which is seen as a response to a change in governance systems and their previous experiences.

It is the CfGS view is that these sort of requirements on numbers/types of members, bodies or persons requesting call-ins should be clearly justified, and reviewed following each election and after a change in political control to ensure their ongoing fairness and applicability as endorsed by the authority.

## **Hurdle 2: Requiring that the call-in request meets specific criteria, in terms of its substance**

A widespread development has been not only requiring that there is a number of requestors needed to trigger a call-in but that request is then only valid when it is accompanied by the meeting of other tests and, in particular, the reasons for the request.

### *Why require criteria to be met?*

As well as providing an additional safeguard to prevent abuse of the review and delay process, requiring that reasons be given satisfies four objectives in itself, to assist the processes and garner support for the legitimacy of the call-in process from members. We consider these to be:

1. It helps to ensure that call-ins are focused on those matters where they can add most value
2. It assists those requesting call-ins to marshal their ideas, and for others on the committee conducting the review to contribute productively to the debate;
3. Potentially it means that poorly thought-through call-ins can be avoided; and
4. It clarifies the grounds on which the decision is to be challenged by, for example, pointing to specific flaws in the process, which may be embarrassing to the decision maker and which they may want to correct, or it can point to flaws in the process such as poorly written reports or vague recommendations.

The over-arching object of requiring reasons is, however, to ensure that the call-in may be reasonably reviewed by an overview and scrutiny committee, often with regard to the legal principles that might apply to judicial review by the courts, but principally to return to that concept of the balance between reviewing decisions by exception, thus allowing scrutiny and the ability to question decisions before they are implemented whilst allowing effective and efficient decision making by the executive. A lack of criteria to frame the subsequent committee discussion means that the call-in exercise risks being unfocused and insufficiently directed towards what may, or may not be, the deficiencies of the decision.

The CfGS view is that there should be a requirement to give reasons for call-ins, for the reasons described above, but that authorities should ensure that they interpret this requirement permissively. It is also worth noting our view that, as reasons are likely to focus more on procedural issues, call-in is essentially a political process and it is entirely legitimate for the merits of a decision to be discussed as well.

### *Which criteria?*

Members might have a range of reasons to want to call a decision, but we have found that these generally fall into three different categories:

- The process of decision-making. The question here is has there been some flaw or deficiency in how the decision has been reached? This might be
  - a lack of consultation with the public,
  - important evidence that has been disregarded
  - insufficient information being provided in support of the decision-making process, which may itself include<sup>4</sup>:
    - A lack of a clear recommended decision in the relevant officer report;
    - A lack of reasons for that recommendation, and/or for the final decision itself;
    - No details of other options, or consultation carried out;
    - No, or inadequate, consideration of legal and financial issues;
    - No, or an incomplete, list of relevant background papers;
    - Omission of key facts on which important aspects of the report are based.

Criteria here may include reference to the decision-making principles in the constitution (which we set out in the Introduction) – including clear evidence that there has been deviation from these principles.

- The merits of the decision itself. Members may disagree with the substance of the decision, because they feel it is the wrong political choice. This is a more overtly political reason to call a decision in, but it can allow for interrogation of the why, as in why was this decision not taken and not an alternative option? What might an alternative option be?
- It may also be that they consider a decision has been made outside the budget and policy framework, in which case a recommendation can be made to full Council on how to take the matter forward. This is, however, very rare (and is covered in more detail below). It may be that “process” issues are dealt with by reference to the decision-making principles in the council constitution – we set this out in more detail below.

### **Hurdle 3: Taking into account prior opportunities to “feed in” to a decision**

Some authorities consider that, if members have already considered an issue at an overview and scrutiny committee, it is reasonable to take the approach that there should not be a further opportunity to use call-in to hold the decision-maker to account. Indeed, this is specifically provided for in the Guidance, which we highlighted in the introduction.

This is a matter of degree. Any previous consideration would need to have been in respect of the specific decision proposed to be called in, rather than any recent debate on the subject in general. Call-in procedures would also need to provide assurance that any previous consideration was substantive and meaningful, and that the call-in process could not add to it. In our view the presence of a pre-decision scrutiny process should not automatically remove the need for call-in later in the process.

<sup>4</sup> The following list derives from the Local Authorities (Executive Arrangements) (Meeting and Access to Information) (England) Regulations 2012, which require that report contain this information “as a minimum”.



If a council did want to restrict opportunities for call-in here, it would be likely to apply where the council operates some kind of “pre-decision” scrutiny process. This is where, for example, a draft cabinet report is brought to an overview and scrutiny committee some weeks before an executive meeting where a decision is proposed to be made, with councillors being given the opportunity to influence the content of that report. This may make call-in less likely but should not – in itself – be a factor in rejecting a call-in. Members may legitimately feel that pre-decision processes have not had due regard to their opinions, or that procedural and substantive flaws have been revealed later in the process.

Some councils simply make use of other informal processes to reduce the likelihood of call-in, such as regular all-member briefings on forthcoming issues, meetings for group leaders to discuss decisions which might cause contention, one-to-one meetings between representatives of groups not forming the cabinet and senior officers. Keeping lines of communication between the administration and backbenchers – taking a “no surprises” approach to decision-making – should necessarily reduce the sense that call-in is necessary.

In saying this, it is important that such “informal processes” do not take the place of necessary public scrutiny. Informal briefing is sensible under any circumstances, but it should not automatically preclude the use of call-in where justified.

#### Using a form

Many councils provide members with a “form” to use to request a call-in. The validity of a call-in should not rest on councillors’ correct use of a form but it is a useful way to ensure that requests are focused (particularly where multiple criteria for validity to exist).

#### e. Who should determine that a call-in is valid?

A requirement for evidential, and other, criteria raises some challenges because it imposes on the person or body judging whether or not the call-in is valid the need to make a judgement as to whether the reason(s) given is/are “good enough”.

Essentially, whether the reasons or other information or evidence submitted to support that a request for review is sufficient to meet the criteria to proceed is one for the overview and scrutiny committee. As a result, some councils divide the criteria above, with the proper officer (the person assigned to take responsibility on matters relating to democratic and committee business) calling the meeting on receipt of sufficient requests and the first agenda item for the overview and scrutiny committee being to consider whether it meets the criteria and whether or not to proceed to review.

In practice, however, this is rarely the case. Practicality dictates that this decision falls to a person to consider prior to the calling of the overview and scrutiny committee. This could be:

- the chair of the reviewing or over-arching strategic overview and scrutiny committee;
- the statutory scrutiny officer;
- the chief executive; or
- the monitoring officer.

Whoever makes that judgement, it would need to be clear and consistent. We would also suggest that the approach taken by the decision-maker is permissive.

This means that in cases where the “validity” of a call-in may be marginal (particularly where a subjective judgement is being made on the extent to which a request meets certain substantive criteria, as we set out in Hurdle 2), the approach should probably be to allow the call-in.

This is because the place for debate on the substance of the call-in is the meeting itself; the process for determining the validity of a call-in should not be about testing, and pre-empting, those arguments. This suggests that if members requesting a call-in are able to articulate a reason why, in their view, procedural or substantive reasons require it, it should be allowed to proceed if it complies with the council's own rules.

Given the process and legal concepts involved, as a matter of general principle it is the CfGS view that the decision on validity should be made by the Monitoring Officer.

Whatever criteria are applied by an authority, it is, in the CfGS view, key that it ensures that a call-in is an accessible tool while recognising that its use as a "long stop" means that call-ins should have wide support.

**f. Should call-ins alleging that a decision was not within or contrary to the budget or policy framework be treated differently?**

Requestors may consider that an executive decision is procedurally flawed because it has been made outside the budget and policy framework. On this point, the Monitoring Officer, and the s151 officer, will need to provide advice. The suggestion that a decision has been made which is flawed in this manner is a serious one, as it is potentially unlawful, and these two officers will have a central role to play in testing members' assertions.

It may be that those assertions should be dealt with in committee, if it is not possible to provide the members in question with reassurance earlier in the process.

It is important to note that this is the only called in matter which the Guidance considers worthy of the overview and scrutiny committee referring to a full authority meeting. That reference is covered later in this guidance.

## 4. Process and the Meeting

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### (a) Outcome of mediation or round table discussions

Some councils include in the process a step between receiving a valid request for call-in and the meeting of the overview and scrutiny committee to hold the review. This may include a mediation process or a round table discussion between the lead requestor(s) of the review and the executive decision maker or chair of (and/or proposer of the resolution at) the decision-making meeting. Where a round table meeting is held, the chair of the overview and scrutiny committee may also be present for some or all of this discussion.

This sort of meeting has, on occasion, been found to have resolved the issues in advance, without then the need for the call-in review to be held – as long as it is not misused as an attempt to put pressure of requestor(s) to withdraw the request.

In any event, it has been found to be helpful for the chair and supporting officers in preparing the report and managing the process and timing at the overview and scrutiny committee conducting the review.

### (b) How should more than one call-in on the same decision be approached?

It is possible that more than one valid call-in request is agreed in respect of a specific decision. This is particularly likely where the bar for a valid call-in is comparatively low, and/or in the case of an authority under no overall control.

It is not the case that once a valid request is received, the clock on the post-decision period stops in which a call-in might be received and no other call-ins can be accepted.

We have seen three possible solutions to this:

- A “first come first served” approach, whereby the first valid call-in is taken forward but any subsequent requests are denied.
  - This approach is considered likely to be unfair on members, and may well cause political difficulties;
- An approach which would see two or more call-ins on the same subject being considered sequentially at the same meeting
  - This approach could well be duplicative and potentially confusing, if not contradictory and disruptive;
- A “merged” approach, whereby liaison is undertaken with all requestors wishing to call-in a decision to try and ensure that the reviewing overview and scrutiny committee can consider concerns holistically
  - It is felt that the resulting procedure and decision making should, in most of these circumstances, be the fairest and most efficient in terms of good administration.

It is the CfGS view that, where two or more valid call-ins are requested on the same issue, the proper officer should liaise with those requesting (and with the relevant O&S Chair) to ensure that the matters can be considered together, without prejudicing either individual request or requesters.

If agreement cannot be reached – because the requestors disagree or for any other reason – the Monitoring Officer will need to find a fair solution that does not unreasonably disadvantage the council or any requestor. This might be to hold a single evidence-gathering session on the topic in committee, but to allow separate groups of requestors to make their case at the start, and for separate votes to be taken after. Readers will recognised that this, or another solution, is not optimal.

### (c) How might timescales and the council calendar be best managed for call-in?

It is important that the process is as streamlined and efficient as it can be. This means setting sometimes challenging timescales for the convening of the call-in meeting itself and keeping to them. Usually, it will be necessary to convene a special meeting. Occasionally, in those authorities where call-ins are common, we have found that democratic services teams manage to keep aside committee dates to accommodate such meetings as this is easier than trying to agree new dates based on availability of members, officers and rooms. This is done by either placing reserve dates in the calendar for the use of committee to hold a review at short notice or place formal dates in the calendar with the understanding that these meetings will be cancelled when not required.

Generally, a meeting will need to be called to take place within 10 working days of the end of the call-in period, which is the timescale contained in the 2000 Guidance.

This is intended to provide enough time for a report to be drafted and then the meeting to be called with the requisite 5 clear days' notice. As said, this is a very tight timetable, and officers putting forward key decisions where a call-in is likely will need to think about this earlier in the planning stage.

It is the CfGS view that a 10 working day period (beginning with the end of the call-in request period itself), within which a call-in should result in the matter being considered substantively by an overview and scrutiny committee, should be seen as standard and applied wherever practicable. Again, this seeks to balance the need for scrutiny and the need for efficient and effective decision making.

### (d) Who drafts the report, and what should it say?

The minimum information presented to the reviewing overview and scrutiny committee should be copies of the decision itself, together with any accompanying reports for the decision maker at that time, and a copy of the request for call-in.

This will often then include a covering paper setting out the reasons for the call-in given by the requestor, together with any comments on validity made by the monitoring officer (or Chair).

Those requesting the call-in will not usually have the opportunity to add their own covering report or to expand at length and in writing their own reasons for calling the decision in (although a call-in "request form", which we covered briefly above, may provide some of that information).

The opportunity is likely to exist for members to request that more information be provided in respect of the decision. Background information and other data likely to be relevant can and should be provided, especially if part of the reason for the call-in is member concern over a lack of supporting information.

CfGS considers that an agenda for the reviewing overview and scrutiny committee should be fronted by a report(s) by officers and should, at the least, reflect the same material that has gone to decision-makers, but those requesting call-ins may reasonably expect additional information to be provided.

The report and agenda should also set out the procedure to be followed at the meeting.

A call-in review is not necessarily an adversarial matter but 'a review', and as such that the procedure may include additional information and attendees to be included that are considered by the Chair, committee members or officers to be useful and may not purely be that or those requested by the decision-maker or those requesting the call-in.

## (e) What will the procedure be in the reviewing committee?

### (i) Who is invited to participate?

Call-in meetings are held in public and provide an opportunity for the decision-maker, and others, to be held to account for given decisions. In certain matters, it may be the only time when there has been the opportunity to discuss the issue in public. It is important that there is an opportunity for issues to get a full airing, and for this to happen relevant witnesses need to be invited.

At a minimum this includes:

- Those requesting the call-in. This may be for a set time and from each or just by a lead requestor for review (or shared time if more than one call-in)

It is worth noting that many authorities do not normally allow those requesting the call-in to also be members of the reviewing overview and scrutiny committee conducting the review, in the same way that the decision-makers are not, on the basis of the natural justice principle that one may not be a judge in one's own cause. This means that, in practice, while requestors may be able to be present and even to participate in debate, they may not be able to vote;

- The decision-maker. The decision-maker will need to have the opportunity to speak to the issues involved and to respond to questions;
- A relevant senior officer. An executive decision submitted to members will have been the subject of a report written by an officer who should be present to answer questions.

It is common that the requestors and the decision-maker(s) are permitted to request 'witnesses' to attend the meeting to support their view. This may be relevant officers but may also be those considered experts on a matter or representatives of those members of the public or community affected by the matter. Likewise, the Chair and members of the committee may want to gather evidence from others likely to be affected by the decision, although with limited time at their disposal it might be challenging to do so in a way that is fair.

Where this is the case, considering who, how many and how long they may speak for is an essential part of the meeting procedure or protocol, which will need to be determined by the Chair, usually in consultation with representatives of members of the committee from other political groups and the monitoring officer, as part of the pre-meeting and agenda setting process.

Call-ins are likely to happen in respect of high-profile issues. Members of the public (and others with an interest) are likely to attend the meeting although they will have no formal right to address members or to participate otherwise. In addition to considering formal invitations as above, some authorities, under certain circumstances, consider it appropriate for the Chair to invite those attending, in addition to any other people from outside the authority invited to give evidence, to come forward at the meeting to assist the committee. This has been found to be useful, for example, to get a sense of:

- community needs or impacts;
- the community impact of a decision;
- the nature of a consultation exercise which may have informed the decision; or
- stakeholders' views on issues where requestors may feel the decision maker gave too little or too much weight.

In engaging the wider public, officers supporting the committee, and the committee itself, will need to have regard to the way it communicates the role and purpose of call-in. In particular, the fact that the committee cannot "strike down" a decision or force a change in direction is important. It is likely that in communicating its work on call-in, a scrutiny committee will need to engage with the council's corporate communications function. Expectations will therefore need to be managed.

CfGS considers that, whilst it is the case that only members of the committee have a right to address the committee, and an invitation to others is at the discretion of the chair, the chair and others should have regard to the likelihood that high profile and complex decisions are likely to have a range of stakeholders, who may deserve the opportunity to be heard, within the confines of what is a time-limited process.

## (ii) The way discussion is conducted

Although detailed provisions about the conduct of call-in meetings probably do not need to form part of an authority's rules of procedure, it is common for there to be a set procedure contained in a protocol or other document and that this is known by members and agreed in final form and shared as part of the agenda setting process. At the very least it is the norm for there to be a guidance note for chairs and members of the overview and scrutiny committee, not least for reasons of consistency.

The level of formality with which call-in meetings are carried out will vary from authority to authority.

In some authorities the way the debate is “managed” is entirely a matter for the chair. Elsewhere the call-in provisions will set out certain requirements, including set strict time limits for a lead or secondary requestor, decision-maker and other presenters or witnesses to address the committee. This latter approach is common where the authority has a history of call-in that has proved to be fractious. Whatever happens, arrangements cannot be made up on the fly. Having a clear sense about how call-in meetings can be run fairly will require an agreed procedure. This may include:

- An introduction by the chair, setting out the reason for the call-in and reminding members of the purpose of call-in, running through the expected process of the meeting and providing a reminder for those present of the options that exist for the reviewing overview and scrutiny committee in terms of any recommendations they might make to the decision-maker;
- Providing an opportunity for those requesting the call-in to address the meeting and set out their arguments in more detail. As we have already noted, it is usual for requestors to be able to participate in the meeting, but it is likely that they will not be allowed to vote;
- Providing an opportunity for the decision-maker to respond. The decision-maker will be a witness – it will be for the chair to ensure fairness of time to address the committee between the requestor(s) for review and the decision-maker(s), whose contributions will be of central importance in allowing the committee to review their decision;
- Providing an opportunity for officers and other witnesses to contribute (see above);
- Questions from the committee members on the arguments and information put to the committee, which will have to be carefully managed by the chair to ensure there is no undue partiality, time-wasting or ‘grandstanding’ in the putting of questions and that replies are succinct and to the point (applying time limits if needs be);
- Debate amongst members. The chair is likely to need to ensure that debate focuses on the call-in and addressing only the decision itself, rather than ranging across into wider areas of council policy. An awareness of broader issues is important to provide context, but call-in should not be used as providing an opportunity for a wider critique of the organisation's priorities and direction;
- Taking a decision – considered in detail below.

Even where set process or standard agenda and timings may not be present in call-in protocols in the constitution, all authorities should have in place a published procedure that sets out in detail how call-in meetings will be carried out. The chair of the overview and scrutiny committee reviewing the called-in decision should be supported to ensure that this is used consistently, and participants (especially external participants) supported so that they understand their role and contribution.

### (iii) Taking the decision

The chair will need to determine when the debate has reached a point that issues have been dealt with sufficiently to allow a resolution/decision to be made as to “what happens” with the call-in.

As with any decision, a scrutiny committee can pass a resolution on a matter by general consent or by a recorded vote. It is quite likely that votes will be necessary at a call-in meeting.

The Committee cannot substitute its own judgement for the original decision. The Committee may however make a decision across the following range:

- (1) To uphold the original decision and allow it to be implemented unimpeded;
- (2) To uphold the original decision and allow it to be implemented unimpeded, but to also make recommendations to the decision maker or others in respect of future actions and policy (including recommending a further or more in-depth review by a committee;
- (3) To recommend that the decision be reconsidered by the original decision-maker;
- (4) To recommend that the decision be reconsidered by the original decision-maker who made it, together with recommendations for steps to be taken by the decision-maker or preferred outcomes, which may or may not sit alongside further recommendations concerning policy or review; or
- (5) To arrange for the call-in review, as conducted here so far as it relates to the decision, to be exercised instead by a meeting of the full authority, in which respect it must be noted that
  - the meeting of the full authority has no further powers than the committee can exercise, or has exercised and
  - the statutory Guidance, to which the committee must have regard, requires that the committee should *only* refer matters to the full council where the committee considers that the decision under review is contrary to the policy framework or contrary to or not wholly in accordance with the budget.

All of the above should be accompanied by the committee’s reasons.

## 5. The Outcome

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### (a) Referral to full Council

A referral to a full authority meeting will be highly unusual for the reasons set out in the statutory guidance detailed above. In this circumstance, the original decision and the committee's papers (minutes) will be referred to a meeting of the full authority.

In having regard to the statutory guidance, the subject matter referred to full council for review should only ever concern itself with whether the decision-maker ever held the lawful authority to purport to make that decision or not. As such, it will always be accompanied by a briefing note and/or advice from the monitoring officer and, in the case of budgetary matters, from the s.151 officer. It may also be accompanied by external legal or governmental advice.

The full authority meeting may only hold a debate so far as it relates to the decision called-in for review. The resolution that is produced as a result of that full authority debate may at most, like the committee, only recommend in exercise of its powers under s9F(4) Local Government Act 2000 that the decision be reconsidered by the person who made it.

### (b) Referring back to the original decision-maker

The Act refers to the decision being referred back to the person who made it and the Guidance describes it thus:

*“The decision maker reconsiders the decision and decides whether or not to change it, explaining her or his reasons to the next meeting of overview and scrutiny or full council as appropriate. For example, the decision is re-examined at the next meeting of the executive with one or more representatives of the overview and scrutiny committee attending to put their case.”*

If a single cabinet member or an officer made the decision that is being referred back, then they make go on to consider the referral, any recommendations and reasons and then make the decision anew. It is quite likely, however, that following the focus on the decision brought about by the call-in and the reviewing overview and scrutiny committee's disagreement with the decision that it is referred by the single cabinet member or officer who made the decision to the leader and full cabinet. This is entirely acceptable; any decision maker may refuse to exercise their delegation on the basis that it is no longer appropriate to do so and request that the higher authority (and in this case there is no higher than the meeting of full cabinet) makes the decision.

In practice, therefore, the decision will usually be referred back to Cabinet, at a meeting convened to follow shortly after the overview and scrutiny meeting. Here, scrutiny's recommendations will be considered and Cabinet will decide whether to accept, or reject, those recommendations and may either endorse the original decision, in which case it is implemented unaltered from the original, may make a new decision with amended elements or application, or determine to do something different altogether.

Whatever is determined by the decision-maker on re-consideration, the subsequent decision should not be open to further call-in, regardless of the outcome.

Reasons do not strictly need to be given by the decision-maker on reconsideration but it would be highly unusual not to. The CfGS view is that not only does this help to ensure that call-in is taken seriously but failure to do so may make the decision open to legal challenge.

Whilst the statutory guidance suggests that the original decision-maker would report their decision to a subsequent meeting of an overview and scrutiny committee, or to full Council, many councils do not and explain that this is because of the level of publicity and political scrutiny created by the call-in and referral back means that such further attendance and steps are usually unnecessary.



### The Local Government Act 2000 as originally drafted

The original drafting of the principal provisions relating to call-in were set out in sections 21 and 38 of the Local Government Act 2000. This was amended by the Localism Act 2011 so that those provisions now apply to Wales only and new sections 9F, 9FA and 9Q were inserted for England.

Readers unfamiliar with the legislation should ensure that they are looking at the right parts of the Act. The changes since 2011 mean that the parts relating to England, and the parts relating to Wales, are substantively very similar (particularly in respect of call-in) but do contain critical differences.

### The current legislation

Call-in is established through a two-step legal process. The first is by use of the general power of review and scrutiny at section 9F(2), which states that:

*“Executive arrangements by a local authority must ensure that its overview and scrutiny committee has power (or its overview and scrutiny committees, and any joint overview and scrutiny committees, have power between them) —*

- (a) to review or scrutinise decisions made, or other action taken, in connection with the discharge of any functions which are the responsibility of the executive”*

The specific element come to be known as ‘call-in’ is then an aspect of that wider ability to review or scrutinise any decision made by the executive provided for by Section 9F(4), which states that:

*“The power of an overview and scrutiny committee under subsection (2)(a) to review or scrutinise a decision made but not implemented includes power—*

- (a) to recommend that the decision be reconsidered by the person who made it, or*
- (b) to arrange for its function under subsection (2)(a), so far as it relates to the decision, to be exercised by the authority”*

To supplement this, section 9FA adds additional powers, including that:

*“(8) An overview and scrutiny committee of a local authority or a sub-committee of such a committee*

- (a) may require members of the executive, and officers of the authority, to attend before it to answer questions ...”*

In exercising this function the local authority must also apply the following requirements concerning statutory guidance. This is set out at section 9Q of the Local Government Act 2000, which states that:

- “(1) A local authority must have regard to any guidance for the time being issued by the Secretary of State for the purposes of this Part.*
- (2) Guidance under this section may make different provision for different cases or descriptions of local authority*

and is repeated more specifically in section 9FA, which states that:

*“(11) In exercising, or deciding whether to exercise, any of its functions an overview and scrutiny committee of a local authority, or a sub-committee of such a committee, must have regard to any guidance for the time being issued by the Secretary of State.”*

## Statutory Guidance

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The 2019 guidance aside, other statutory guidance on call-in is now over two decades old, and difficult to find online. The relevant sections are therefore presented in the section below in their entirety.

### **‘Statutory Guidance on Overview and Scrutiny in Local and Combined Authorities Guidance’**

This is the most recent statutory, issued for England in May 2019, refers to call-in at the following points.

At Section 2 (Culture), this guidance states:

*“11. Authorities can establish a strong organisational culture by:*

*“d) Managing disagreement*

*...*

*Scrutiny committees do have the power to ‘call in’ decisions, i.e. ask the executive to reconsider them before they are implemented, but should not view it as a substitute for early involvement in the decision-making process or as a party-political tool.”*

and at Section 3 (Resourcing), it states:

*“17 ... When deciding on the level of resource to allocate to the scrutiny function, the factors an authority should consider include:*

*Effectively-resourced scrutiny can help policy formulation and so minimise the need for call-in of executive decisions”*

### **‘Local Government Act 2000: Guidance to English Authorities’**

The original ‘Local Government Act 2000: Guidance to English Authorities’, last updated 20th July 2001, is what established the considerations for local authorities’ call-in arrangements in stating the following [updated where required].

#### **“CALL-IN OF DECISIONS**

*3.77 Sections 21(2) and (3) [(Wales) and sections 9F(2) and (4) (England)] of the Act mean that a local authority’s executive arrangements must ensure that overview and scrutiny committees have the specific powers, in respect of functions which are the responsibility of the executive, to recommend that a decision made but not yet implemented be reconsidered by the person who made the decision or to recommend that the full council consider whether that person should reconsider the decision.*

*3.78 Local authorities should make provision in their executive arrangements and standing orders, for procedures by which members of the local authority can request that a meeting of an overview and scrutiny committee be held to consider whether or not to use these powers in respect of a decision made but not yet implemented (a so called ‘call-in’ procedure). Such provisions may include a standard period of delay before decisions are implemented. Those provisions should ensure that there is an appropriate balance between effectively holding the executive to account, being able to question decisions before they are implemented and allowing effective and efficient decision making by the executive within the policy framework and budget agreed by the full council. The provisions should ensure that a decision maker could only be asked to reconsider a decision once. Day-to-day management and operational decisions taken by officers should not be subject to any call-in procedure.*

3.79 In addition, where the executive wishes to take an urgent key decision by seeking the agreement of the chair of a relevant overview and scrutiny committee (or where there is no chair of the overview and scrutiny committee with the chairman or vice chairman of the authority) that the matter is urgent the local authority's call-in procedure should include provisions which prevent such urgent decisions from being called-in or in any other way delayed.

3.80 Local authorities should also agree how called-in decisions are responded to. If an overview and scrutiny committee examines a decision and decides to recommend an alternative course of action, local authorities should set out how this should work. In particular local authorities should consider the following questions:

- how should the executive (or other body within the local authority as the case maybe) respond?
- what should the timescale for such a response be?

3.81 Figure [below] provides an illustrative example of one possible procedure for call in.

#### ILLUSTRATIVE EXAMPLE OF ONE POSSIBLE PROCEDURE FOR CALL IN

- The executive publishes decisions made either at an executive meeting or which has been taken by an individual member.
- The executive arrangements provide that decisions which can be subject to call-in will come into force within, say, 5 working days of the decision being published, unless an overview and scrutiny committee calls it in.
- Within that period any two or more members of an overview and scrutiny committee can request a meeting of the relevant overview and scrutiny committee to review the decision.
- All action to implement the decision is suspended for up to two weeks from the date of the decision. Within which time the overview and scrutiny committee may meet to decide whether to exercise the powers in section [9F(4)] of the Act.
- If the committee decides it disagrees with the decision, it may exercise the powers in [9F(4)] having regard to this statutory guidance.
- The decision maker reconsiders the decision and decides whether or not to change it, explaining her or his reasons to the next meeting of overview and scrutiny or full council as appropriate. For example, the decision is re-examined at the next meeting of the executive with one or more representatives of the overview and scrutiny committee attending to put their case.

3.82 Local authorities should ensure that the executive arrangements ensure that any call in procedure is not abused or used unduly to delay decisions or slowing down the process of decision making. In particular the executive will, from time to time, need to take decisions need to be implemented quickly. Local authorities will need to develop local conventions and protocols to prevent abuse of an overview and scrutiny committee's power to recommend that a decision made but not yet implemented be reconsidered. Local authorities should keep the operation of any call-in arrangements under review to ensure that they are not abused with an associated negative effect on the efficiency of executive decision making.

- 3.82A A call-in mechanism provides a process by which a decision made but not yet supplied implemented can be discussed at a meeting on an overview and scrutiny committee within a specified timescale during which implementation of the decision is suspended. A call-in mechanism cannot circumscribe the power in section [9FC] of the Act for an individual member of an overview and scrutiny committee to ensure that any matter of relevance to the remit of the committee be placed on the agenda and discussed at a meeting of the committee. However, the exercise of the power in section [9FC] does not have the effect of suspending implementation of a decision. Any call-in power for members to request a meeting and suspend implementation of a decision must therefore be in addition to the powers in section [9FC].
- 3.83 A safeguard which could be adopted in the executive arrangements could be to include provision requiring a certain number of committee (or local authority) members to call in a particular decision (although in the case of a church or parent governor representative they may be given an individual power to call in a decision).
- 3.85 Local authorities will need to consider, when designing such mechanisms, that under normal circumstances where a decision relates to a function which is the responsibility of the executive, ultimately only the executive can decide the matter.
- 3.86 To avoid the possibility of very many emergency council meetings the Secretary of State recommends that overview and scrutiny committees should only use the power in section [9F(4)(b)] to refer matters to the full council if they consider that the decision is contrary to the policy framework or contrary to or not wholly in accordance with the budget. Where an overview and scrutiny committee refers a decision to the full council there should be a clear timescale set out in the local authority's constitution within which the debate should take place and to avoid decisions being unnecessarily delayed."

## Modular Constitutions for English Local Authorities: Overview and Scrutiny Procedure Rules – Excerpt

### 16. Call-in

Within executive forms of constitutions there are several mechanisms which can be used to resolve conflict between the executive and the Council/overview and scrutiny committees. So long as there is compliance with section 21(3) 9F(4) of the Local Government Act 2000, Councils have a choice about the chosen mechanism.

Call-in is also a feature of the alternative arrangements. However, because decisions will be made under delegation from the full Council, rather than a separately constituted executive, local authorities may wish to avoid use of call-in other than in exceptional circumstances. The text below provides a clause that Councils operating alternative arrangements may wish to adopt at the start of their procedure rules relating to call in.

Call-in should only be used in exceptional circumstances. These are where members of the appropriate overview and scrutiny committee have evidence which suggest that the policy committee did not take the decision in accordance with the principles set out in Article 13 (Decision Making).

Councils may wish to give examples here, or elaborate the conditions in the light of their local circumstances. For example, they could refer to inadequate consultation with stakeholders prior to a decision or an absence of evidence on which to take a decision.

Various call-in processes can be used. These examples provide that decisions are notified to the overview and scrutiny chairs and only become effective if there is no objection by an overview and scrutiny committee within x days.

- (a) When a decision is made by [the executive, an individual member of the executive or a committee of the executive, or a key decision is made by an officer with delegated authority from the executive, — in executive arrangements] [a policy committee — under alternative arrangements] or an area committee or under joint arrangements, the decision shall be published, including where possible by electronic means, and shall be available at the main offices of the Council normally within 2 days of being made. Chairs of all overview and scrutiny committees will be sent copies of the records of all such decisions within the same timescale, by the person responsible for publishing the decision. Where the chairman is of the same party as the (majority of) the executive, Councils may wish to introduce a requirement for copies to be sent to all members of the committee.
- (b) That notice will bear the date on which it is published and will specify that the decision will come into force, and may then be implemented, on the expiry of [x — say 5] working days after the publication of the decision, unless an overview and scrutiny committee objects to it and calls it in.
- (c) During that period, the proper officer shall call-in a decision for scrutiny by the committee if so requested by the chair or any [three] members of the committee, and shall then notify the decision-taker of the call-in. He/she shall call a meeting of the committee on such date as he/she may determine, where possible after consultation with the chair of the committee, and in any case within 5 days of the decision to call-in.
- (d) If, having considered the decision, the overview and scrutiny committee is still concerned about it, then it may refer it back to the decision making person or body for reconsideration, setting out in writing the nature of its concerns or refer the matter to full Council. If referred to the decision maker they shall then reconsider within a further [x] working days, amending the decision or not, before adopting a final decision.
- (e) If following an objection to the decision, the overview and scrutiny committee does not meet in the period set out above, or does meet but does not refer the matter back to the decision making person or body, the decision shall take effect on the date of the overview and scrutiny meeting, or the expiry of that further [x] working day period, whichever is the earlier.
- (f) If the matter was referred to full Council and the Council does not object to a decision which has been made, then no further action is necessary and the decision will be effective in accordance with the provision below. However, if the Council does object, [the following text applies only to executive forms of constitution — it has no locus to make decisions in respect of an executive decision unless it is contrary to the policy framework, or contrary to or not wholly consistent with the budget. Unless that is the case,] the Council will refer any decision to which it objects back to the decision making person or body, together with the Council's views on the decision. That decision making body or person shall choose whether to amend the decision or not before reaching a final decision and implementing it. Where the decision was taken by [the executive as a whole or a committee of it — in executive arrangements] [a policy committee — under alternative arrangements], a meeting will be convened to reconsider within [x] working days of the Council request. [This text applies to executive forms of constitution — Where the decision was made by an individual, the individual will reconsider within [x] working days of the Council request.]
- (g) If the Council does not meet, or if it does but does not refer the decision back to the decision making body or person, the decision will become effective on the date of the Council meeting or expiry of the period in which the Council meeting should have been held, whichever is the earlier.

(h) Where a [n executive — in executive arrangements] decision has been taken by an area committee, then the right of call-in shall extend to any [x] members of another area committee if they are of the opinion that the decision made but not implemented will have an adverse effect on the area to which their committee relates. In such cases, those [x] members may request the proper officer to call-in the decision. He/she shall call a meeting of the relevant overview and scrutiny committee on such a date as he/she may determine, where possible after consultation with the chairman of the committee, and in any case within five days of the decision to call-in. All other provisions relating to call in shall apply as if the call in had been exercised by members of a relevant overview and scrutiny committee.

or

(i) Where a [n executive — in executive arrangements] decision has been taken by an area committee then the right of call-in shall extend to any other area committee which resolves to refer a decision which has been made but not implemented to a relevant overview and scrutiny committee for consideration in accordance with these provisions. An area committee may only request the proper officer to call-in the decision if it is of the opinion that the decision will have an adverse effect on the area to which it relates. All other provisions relating to call in shall apply as if the call in had been exercised by members of a relevant overview and scrutiny committee.

These provisions reflect some possibilities by which disputes between area committees may be dealt with and reviewed. Choices on area committee call in/resolution of disputes should be reflected here.

#### EXCEPTIONS

- (j) In order to ensure that call-in is not abused, nor causes unreasonable delay, certain limitations are to be placed on its use. These are (the paragraphs below are examples):
- i) that an overview and scrutiny committee may only call-in [y] decisions per [year] [three month period] [six month period];
  - ii) only decisions involving expenditure or reductions in service over a value of £[z] may be called in;
  - iii) five members of an overview and scrutiny committee [from at least two political parties] are needed for a decision to be called in;
  - iv) once a member has signed a request for call-in under paragraph 16 (call-in) above, he/she may not do so again until a period of [x months] has expired.

## CALL-IN AND URGENCY

The operation of the urgency provisions in relation to call-in procedures and the timescales in them are to be determined by Councils. In executive forms of constitution, the Council and the executive might agree a definition of urgency or the chairs of the overview and scrutiny committees might agree the definition. The arbiter need not be the chairman. It could be the chair of an overview and scrutiny committee. Report to Council is optional.

- (k) The call-in procedure set out above shall not apply where the decision being taken by the [executive — in executive arrangements] [policy committee — under alternative arrangements] is urgent. A decision will be urgent if any delay likely to be caused by the call in process would [for example — seriously prejudice the Council's or the public's interests]. The record of the decision, and notice by which it is made public shall state whether in the opinion of the decision making person or body, the decision is an urgent one, and therefore not subject to call-in. The chairman of the council (mayor — in leader and cabinet and alternative arrangements) must agree both that the decision proposed is reasonable in all the circumstances and to it being treated as a matter of urgency. In the absence of the chairman (mayor — in leader and cabinet and alternative arrangements), the vice-chair's (deputy mayor's — in leader and cabinet and alternative arrangements) consent shall be required. In the absence of both, the head of paid service or his/her nominee's consent shall be required. Decisions taken as a matter of urgency must be reported to the next available meeting of the Council, together with the reasons for urgency.
- (l) The operation of the provisions relating to call-in and urgency shall be monitored annually, and a report submitted to Council with proposals for review if necessary.



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**Review of Call-in Process**

Comparison of Southwark Council Call-in Process against ‘The use of Call-in: Guidance for English Authorities’ (Issued April 2023)

This document indicates the sections of the guidance the comparison to which the council’s process is being made, but needs to be read in conjunction with the guidance.

CfGS Call-in guidance	Page/para ref	Current position	OSC PR ref	Additional comments / recommendation
<b>1. Introduction: the purpose of call-in</b>				
Section 1 of the guidance sets out the purpose of call-in, the council’s obligation in respect of it, and how it fits with the wider governance framework.	Pages 5 - 8	<b>Note:</b> Section 1 does not translate for the purposes of comparison. See rest of the document for comparison of the council’s call-in process against the guidance.		
<b>2. Where call-in rules should sit</b>				
The CfGS guidance indicates that in most authorities, call-in rules reside in the overview and scrutiny procedure rules, and that separate protocols or procedure	Page 9	Information relating to the council’s call-in procedure is set out in the council constitution. OSC Procedure rules 16 – 19.	16 - 19	Information relating to the meeting process is covered in the scrutiny officer’s report when a call-in is considered, and in the chair’s meeting guidance note.

CfGS Call-in guidance	Page/para ref	Current position	OSC PR ref	Additional comments / recommendation
notes serves to allow flexibility where needed in order to react to the requirements of the particular circumstances.		The procedure rules capture the decisions subject to, and not subject to call-in, the procedure to call-in a decision, including publishing the decision, call-in threshold and scope and form of a call-in request, the procedure following a request for call-in, deadlines and timescales to be observed, who should be invited to attend a call-in meeting, and the potential outcomes open to the meeting and the process to be followed.		<p>The call-in procedure would benefit from being set out in a separate protocol/procedure note for purposes of clarity, transparency and understanding, having regard to the call-in guidance. Further detail on aspects to be covered is set out throughout this document.</p> <p><b>Recommendation:</b> That a separate protocol / procedure note on the meeting process is developed and published.</p>
<b>3. Addressing what may be called in, how and why</b>				
3.a What decisions should be subject to call-in?	Page 10	OSC procedure rule16 sets out the decisions that are and are not subject to the call-in process.	16.1 & 16.2	<p>This is in line with what the guidance considers best practice.</p> <p>No proposed change recommended.</p>

CfGS Call-in guidance	Page/para ref	Current position	OSC PR ref	Additional comments / recommendation
		<p>All executive decisions are subject to call-in with the follow exceptions:</p> <ul style="list-style-type: none"> <li>• recommendations on the budget and policy framework,</li> <li>• decisions for urgent implementation,</li> <li>• urgent decisions outside the budget or policy framework,</li> <li>• non-key decisions relating to contract standing orders</li> <li>• non-key decisions taken by officers.</li> </ul>		
<p>3b For how long should the implementation of a decision be delayed, to allow the time for a call-in to be requested?</p>	<p>Page 11</p>	<p>OSC procedure rule 17 sets out the time period for publishing the decision and call-in deadline</p> <ul style="list-style-type: none"> <li>• 2 days to give notice of decisions</li> <li>• 5 working days allowed for call-in</li> </ul>	<p>17.1 &amp;17.2</p>	<p>The call-in guidance does not stipulate what is considered best practice, however the timescales adopted by Southwark are those suggested in the 2001 Guidance, and the timescales adopted by most local authorities.</p> <p>No proposed change recommended.</p>

CfGS Call-in guidance	Page/para ref	Current position	OSC PR ref	Additional comments / recommendation
3.c What exceptions should apply	Page 11/12			
Exception 1: Urgency	Page 12	<p>As referenced in the guidance, similar to some other councils, Southwark has within its constitution provision to operate a general exception, special urgency and urgent implementation process in circumstances where an urgent decision is required. The use of these provision waives the required notification processes for 'key decisions' to varying degrees and the requesting of the use of these provision requires clearance from the relevant strategic director/director. Use of the general exception notice requires notification to the chair of overview and scrutiny committee. Use of special urgency and urgent implementation provision requires approval from the chair of overview and scrutiny committee.</p>	<p>Access to Information Procedure Rule 17, 18, 19 and 20</p>	<p>No proposed change recommended.</p>

CfGS Call-in guidance	Page/para ref	Current position	OSC PR ref	Additional comments / recommendation
		As indicated in the guidance, a report on the use of the special urgency and urgent implementation is submitted annually to the March meeting of Council Assembly.	Access to Information Procedure Rule 22.3	
Exception 2: Only one call-in per decision	Page 12	<p>Following a call-in meeting, if a decision is referred back to the decision maker for reconsideration, the subsequent decision is not subject to any further call-in.</p> <p>OSC procedure rule 19.4 'Referral back to the decision making person or body, contains a sentence which states 'The final decision shall take immediate effect, upon receipt of notice from the proper constitutional officer.</p>	19.4	No proposed change recommended.
Exception 3: A limit on the number of call-ins overall	Page 12	The council constitution does not stipulate a limit on the number of call-ins.	N/a	No proposed change recommended.

CfGS Call-in guidance	Page/para ref	Current position	OSC PR ref	Additional comments / recommendation
3.d What will a “valid” call-in be?	Pages 13 - 16	<p>The guidance makes reference to the need for call-in to be subject to some form of restriction, and hurdles to clear for a call-in to be valid i.e.</p> <ul style="list-style-type: none"> <li>• Requiring a certain number of councillors to request a call-in for it to be valid.</li> <li>• Requiring that certain criteria be met (reasons for the call-in) for it to be valid.</li> <li>• Requiring that councillors have not had a prior opportunity to consider and debate the decision.</li> </ul> <p>The procedure to call-in a decision is set out at paragraph 17 of the council constitution. Paragraph 17.4 indicates the ‘call-in threshold’ (3 members of the overview and scrutiny committee).</p>	17.1 – 17.7	<p>Currently only members of the council’s overview and scrutiny committee can request the call-in of an executive decision. (This includes the voting education co-opted members in respect of education decisions). This has been the case since the introduction of executive arrangements.</p> <p>It is proposed that the call-in threshold is amended to ‘any five members of the council’ (including education co-opted members.....)</p>

CfGS Call-in guidance	Page/para ref	Current position	OSC PR ref	Additional comments / recommendation
3.d What will a “valid” call-in be? cont.	Pages 13 - 16	<p>Paragraph 17.6 ‘scope and form of a call-in request’ states that a call-in should normally only be made if there is evidence that the decision maker did not take the decision in accordance with the principles of decision making, set out in <a href="#">Article 1.3</a> of the constitution).</p> <p>Paragraph 17.7 indicates that the request for call-in must state whether or not the members believe that the decision is outside the policy or budget framework.</p> <p>OSC Procedure Rule 18 sets out the procedure following a call-in request.</p> <p>Paragraph 18.1(a) states ‘if the scrutiny officer is of the opinion that a request for a call-in may not be valid, <u>because of a breach of procedure or other reason under this constitution</u>, they shall inform the relevant members’....</p>	<p>17.7</p> <p>18.1</p>	Amendments to Article 1.3 is being recommended and Guidance providing explaining the principles of decision making in more detail.

CfGS Call-in guidance	Page/para ref	Current position	OSC PR ref	Additional comments / recommendation
		<p>It is against the above conditions that the validity of a call-in is considered.</p> <p>A scrutiny call-in form is used to elicit and capture the necessary information when requesting a call-in, and to provide an audit trail of the call-in process.</p> <p>Where a call-in has been considered to be valid, the scrutiny officer notifies the decision maker and relevant chief officer, and the implementation of the decision is suspended pending the outcome of the scrutiny call-in.</p>		
3.e Who should determine that a call-in is valid?	Page 16	The council's scrutiny officer (Head of Scrutiny) determines whether a call-in is valid. In practice this is determined in consultation with a governance lawyer as appropriate.	18.1	<p>The CfGS is of the view that as a matter of general principle that the decision on validity should be made by the Monitoring Officer.</p> <p>As indicated, the current position is that the monitoring officer reviews the validity of a call-in if requested.</p>



CfGS Call-in guidance	Page/para ref	Current position	OSC PR ref	Additional comments / recommendation
		<p>Reasons for the determination of a valid or invalid call-in are provided to the decision maker / requestors of a call-in.</p> <p>In circumstances where a call-in has been ruled invalid, the requestors of a call-in have the option to refer the matter to the monitoring officer for review.</p> <p>The decision of the monitoring officer is final.</p>	<p>18.1(a) / 18.2</p> <p>18.1(b)</p> <p>18.1(a)</p>	<p>Requests for call-in require a determination by 4pm on the second working day after the day that a request is received. Call-in requests can be complex and require careful consideration, which involves the review of available information (officer report and grounds for call-in), and sometimes there is a need to consult with other officers, to ascertain a better understanding of an issue in order to reach a view. A clear written explanation is then required to confirm why a request for call-in has been deemed valid or invalid. Given the timescales involved, the validity of call-ins require high prioritisation, and review of call-in requests can be intense and time consuming in order to meet the constitutional deadline. The monitoring officer is also required to review a call-in in a short timescale in order not to delay the arrangements for a call-in meeting or the implementation of a decision.</p> <p>The initial review by the head of scrutiny (in consultation with a governance lawyer) serves as a filter process, resulting in the monitoring officer only needing to be involved in the validity process if necessary.</p>

CfGS Call-in guidance	Page/para ref	Current position	OSC PR ref	Additional comments / recommendation
				No proposed change recommended.
f. Should call-ins alleging that a decision was not within or contrary to the budget or policy framework be treated differently	Page 17	<p>When making a request for call-in the members are required to state whether or not they believe the decision is outside the policy or budget framework.</p> <p>If the request for call-in states that the reason for call-in is that the decision is outside the budget or policy framework, the monitoring officer and chief finance officer are notified by the scrutiny officer in order for a report to be prepared for the overview and scrutiny committee.</p> <p>At a call-in meeting, the overview and scrutiny committee will consider the call-in request, and in particular, whether or not the decision might be contrary to the policy framework or not</p>	<p>17.7</p> <p>18.2</p> <p>19.2</p>	<p>The process for decisions that are thought to be not within or contrary to the budget or policy framework, is set out in detail within the constitution.</p> <p>No proposed change recommended.</p>

CfGS Call-in guidance	Page/para ref	Current position	OSC PR ref	Additional comments / recommendation
		<p>wholly in accordance with the budget.</p> <p>The overview and scrutiny committee may refer the matter to council assembly if the decision is deemed to be outside the policy or budget framework.</p> <p>The process for decisions referred by overview and scrutiny committee to council assembly is set out in the constitution.</p>	<p>19.3(b)</p> <p>19.5 – 19.9</p>	
<b>4. Process and the meeting</b>				
a. Outcome of mediation or round table discussions	Page 18	There is no provision within the constitution or formal procedure for mediation / round table discussions. Informal discussions may take place at member level, if this happens, such discussions are not administratively supported by officers currently.		No proposed change recommended.

CfGS Call-in guidance	Page/para ref	Current position	OSC PR ref	Additional comments / recommendation
b. How should more than one call-in on the same decision be approached	Page 18	<p>The constitution is silent on the process to be followed if more than one call-in being received on the same decision.</p> <p>In practice, if more than one valid call-in request was received, then as indicated in the guidance, a merged approached would be taken to ensure that the reviewing overview and scrutiny committee can consider concerns holistically, and the separate groups of requestors being given the opportunity to make their case at the meeting.</p>	18.3 – 18.4	No proposed change recommended.
c. How might timescales and the council calendar be best managed for call-in?	Page 19	The timescales for arranging a meeting to consider a call-in request are set out in the overview and scrutiny procedure rules. A meeting must be arranged to meet within ten clear working days of the call-in request, unless agreement is reached that a call-in meeting can be arranged outside of this timescale following		<p>This timescale is in line with that proposed in the guidance.</p> <p>No proposed changed recommended.</p>

CfGS Call-in guidance	Page/para ref	Current position	OSC PR ref	Additional comments / recommendation
		consultation with the monitoring officer, chief finance officer and relevant chief officer.		
d. Who drafts the report, and what should it say?	Page 19	The call-in report is drafted by the scrutiny officer, and the report content is in line with that described in the guidance.		No proposed change recommended.
e. What will the procedure be in the reviewing committee?	Page 20	OSC Procedure Rule 19 sets out the process to be followed. This is reflected in the scrutiny officer's covering report.	19.1 – 19.9	<b>Recommendation:</b> That the process is included in a separate protocol / procedure note on the meeting process and published.
(i) Who is invited to participate?	Page 20	<p>As a minimum, the decision maker or an appropriate substitute is invited to attend and speak at the call-in meeting (OSC PR 19.1).</p> <p>Only members of the overview and scrutiny committee can call-in a decision, therefore those requesting the call-in will be members of the committee and able to take part in the call-in meeting. In light of this, there is no direct meeting invite to the requestors of the call-in.</p>		The CfGS guidance indicates that many authorities do not normally allow those requesting the call-in to be members of the reviewing overview and scrutiny committee conducting the review.

CfGS Call-in guidance	Page/para ref	Current position	OSC PR ref	Additional comments / recommendation
		<p>However, as part of the call-in meeting process, the requestors of the call-in are invited to state the grounds for call-in.</p> <p>Whilst not stipulated in the OSC procedure rules, relevant officers / ward councillors and individuals have been able to participate in the call-in meeting as appropriate, taking account of the matter under consideration.</p> <p>In terms of the role and purpose of call-in. The scrutiny officer's covering report sets out the potential outcomes available to the call-in meeting.</p>		<p><b>Recommendation:</b> That the potential outcomes available to the call-in meeting is included in the separate protocol / procedure note on the meeting process.</p>
(ii) The way discussion is conducted	Page 21	<p>The way discussion is conducted is set out in the Chairs Guidance note and relayed to the meeting.</p> <p>The call-in meeting is conducted along the lines indicated in the call-in guidance.</p>		<p>The CfGS guidance states that all authorities should have in place a published procedure that sets out in detail how call-in meetings will be carried out. This will be captured in the protocol / procedure note on the meeting process.</p>

CfGS Call-in guidance	Page/para ref	Current position	OSC PR ref	Additional comments / recommendation
(iii) Taking the decision	Page 22	<p>The options available to the overview and scrutiny committee when taking a decision are set out in the OSC Procedure Rules</p> <p>These are in line with the guidance.</p>	19.3	No proposed change recommended
<b>5. The Outcome</b>				
a. Referral to full Council	Page 23	<p>The procedure for referring the matter to council assembly is set out in the OSC Procedure Rules.</p> <p>The procedural process (including timescales) and circumstances where a call-in can be referred onto the full Council is line with the guidance.</p>	19.5 – 19.9	No proposed change recommended
b. Referring back to the original decision maker	Page 23	The procedure for referring the decision back to the original decision-maker (including timescales) is set out in the OSC Procedure Rules.	19.4	

CfGS Call-in guidance	Page/para ref	Current position	OSC PR ref	Additional comments / recommendation
		<p>The guidance makes reference to a circumstance where an individual decision maker (cabinet member or officer), may refer a decision to either the Leader or the Cabinet for reconsideration. The council's call-in process does not cover this eventuality. There is provision however in the constitution for a cabinet member to refer a decision to cabinet (Cabinet procedure rule 3.1.1(b)).</p> <p>Decisions taken on reconsideration of an issue are not open to further call-in.</p>		<p>No proposed change is recommended, however members may wish to amend the constitution to include this provision in the call-in process as an option for the decision maker.</p>



# GUIDANCE NOTE ON PREPARING REPORTS IN ACCORDANCE WITH THE PRINCIPLES OF DECISION MAKING

Date: February 2024

[www.southwark.gov.uk](http://www.southwark.gov.uk)

## PURPOSE OF THIS GUIDANCE NOTE

This guidance note has been developed to assist report authors when preparing reports for decision making.

Members and decision-makers may also use this guidance to reassure themselves that all decisions are made in accordance with the principles of decision making in [Article 1.3 of the Constitution](#) together with the procedures in the [Constitution](#).

This guidance note provides greater clarity and transparency around Call-in, including the criteria for Call-in and the reasons why members may want to call-in a decision due to a flaw or deficiency in the way the decision was made.

Our residents, partners, and key stakeholders will also find this guidance useful to understand how decisions are made, the principles which guide decision making and the steps that can be taken to hold officers and the Executive to account, through the role of Scrutiny and call-in.

## INTRODUCTION

All decisions of the council are to be made in accordance with the principles set out in Article 1.3 of the Constitution. This relates to both executive and non-executive decisions. All decision makers when making a decision must be provided with sufficient information to make a reasoned and informed decision.

The governance for the decision making process should be thought and mapped with advice from legal, constitutional, financial and policy colleagues (including those who specialise in climate, equality and health impacts). Advice should be taken from the relevant officers at the formative stage in the development of the decision.

In accordance with the [Overview and Scrutiny Rules](#), a relevant executive decision (as defined by the rules) may be called in if there is evidence that the decision-maker did not take the decision in accordance with the principles of decision making as set out in Article 1.3 of the constitution (see paragraphs 16-19 of the OSC Rules).

## PRINCIPLES OF DECISION MAKING

**ALL** decisions of the Council should be made in accordance with the Principles of Decision Making which are set out in [Article 1.3 of the Constitution](#) which are listed and explained below:

### **a. The link between strategy and implementation must be maintained**

There should always be a clear explanation as to how a decision fits with Southwark Council's overall strategy such as Southwark 2030, Future Southwark or the Council Delivery Plan. This principle ensures that the Council is able to achieve its corporate aims and focuses decision making so that it aligns with the current strategy. A decision making report should make clear the connection between its recommended actions and the Council's strategy.

### **b. Decision making generally, whether by individual officers, individual cabinet members or the cabinet collectively, should have reference to the policy framework**

The plans and strategies comprising the policy framework are set out in Part 3A of the constitution. Where relevant, any decision-making report should make reference to the following documents and plans:

[Council Delivery Plan](#)

[Southwark Plan 2022 - Southwark Council](#)

[Treasury management strategy \(including prudential borrowing arrangements\).](#)

[Southwark Climate Strategy](#)

### **c. Respect for human rights, law, probity and our constitution**

Clear reference should be made to any relevant human rights implications of a decision and the legal basis on which the decision is made. Reference may be made to these issues in the legal implications paragraph or the body of the decision making report.

The concurrent from the Monitoring Officer will address any governance issues and highlight any legal duties of the decision-maker. Decision-makers need to ensure that proper consideration is given to any potential conflicts of interests and to avoid any appearance of bias or having pre-determined views when making a decision.

Decision-makers should also satisfy themselves that the decision making process within the Constitution has been followed.

#### **d. Reasonable and proportionate consultation**

Some decisions require consultation by law ('statutory consultation') while others may not. Where consultation is not a legal requirement, the necessity to consult is dependent on whether it is:

- **reasonable** to expect consultation; and,
- **proportionate** to carry out consultation for that particular decision.

The reasonable expectation of consultation may come about where there has been an established practice of consultation, or in exceptional circumstances where not consulting would lead to unfairness.

Where consultation is required by statute then any relevant legal requirements must be satisfied and sufficient time should be provided for the consultation to be carried out properly.

There must be clarity about the issues being consulted on these should be outlined in the decision-making report. The results of consultations should be clearly set out in the report, including any response to the points being made so that the decision-maker can demonstrate that they have conscientiously taken the consultation into account.

#### **e. The taking of reasonable and appropriate professional advice from officers**

Advice from relevant officers should be obtained at a formative stage of decision making, report writing or policy development for the duration of the project.

Every decision-making report should include the advice of relevant officers, including the strategic director of finance and the Monitoring Officer who will provide financial and legal concurrents respectively, together with any other relevant professional officer advice.

A non-exhaustive list of the relevant key officers to seek advice from are listed in the table below:

Officer name	Title
Evereth Willis <a href="mailto:evereth.willis@southwark.gov.uk">evereth.willis@southwark.gov.uk</a>	Head of Equality Diversity and Inclusion
Louise Neilan <a href="mailto:louise.neilan@southwark.gov.uk">louise.neilan@southwark.gov.uk</a>	Head of Communications and Corporate Consultations
Jessica Leech <a href="mailto:jessica.leech@southwark.gov.uk">jessica.leech@southwark.gov.uk</a>	Community Engagement Manager
Elaine McLester <a href="mailto:elaine.mclester@southwark.gov.uk">elaine.mclester@southwark.gov.uk</a>	Head of Procurement
Sarah Feasey <a href="mailto:sarah.feasey@southwark.gov.uk">sarah.feasey@southwark.gov.uk</a>	Head of Law (Communities)
Nagla Stevens <a href="mailto:nagla.stevens@southwark.gov.uk">nagla.stevens@southwark.gov.uk</a>	Head of Law (Planning & Development)
Everton Roberts <a href="mailto:everton.roberts@southwark.gov.uk">everton.roberts@southwark.gov.uk</a>	Head of Scrutiny
Chidi Agada <a href="mailto:chidilim.agada@southwark.gov.uk">chidilim.agada@southwark.gov.uk</a>	Head of Constitutional Services
Tim Jones <a href="mailto:timothy.jones@southwark.gov.uk">timothy.jones@southwark.gov.uk</a>	Director of Finance
Tom Sharland <a href="mailto:tom.sharland@southwark.gov.uk">tom.sharland@southwark.gov.uk</a>	Head of Climate Change and Sustainability

**f. Proportionality (i.e. the action must be proportionate to the desired outcome)**

The decision being made should achieve the desired outcome in the least impactful way both on the community and financially. If other less impactful methods could achieve the same outcome then they should be explored and the reasons why they were not implemented should be explained. A decision making report must have an options appraisal outlining alternative measures that have been considered.

**g. A presumption in favour of openness**

Reports should contain all relevant and appropriate information and material to enable a properly informed decision. Reasons for the proposed decision should be set out adequately and intelligibly so that they can be easily understood. The recommendations should be clearly worded to avoid any ambiguity. All decisions must have a clear recommendation and, where appropriate, relevant and reasonable

background papers as evidence of information taken into account to inform the decision and decision-maker.

There are particular circumstances when decisions can be made based on closed reports in accordance with the statutory criteria, but wherever possible closed reports should be avoided.

#### **h. Clarity of aims and desired outcomes, including a summary of the reasonable options considered**

Reports for relevant decisions should clearly set out the aims and desired outcomes arising from the decision together with all necessary supporting information and evidence. The report should identify all relevant evidence to be taken into account in the appendices and background papers sections.

#### **i. Consideration of the likely climate consequences and the likely equality (including socio-economic disadvantage and health inequality) consequences of the relevant decision**

Reports should include reference to any climate consequences of the decision, and if relevant, references to the council's climate change strategy and action plan (linked above).

Consideration should always be given to the Public Sector Equality Duty ('PSED') contained in section 149 of the Equality Act 2010. The decision-maker will need to have due regard to the need to eliminate discrimination, advance equality of opportunity, and to foster good relations between people with protected characteristics and others in accordance with the PSED.

Although not required by statute, the council has also decided that the socio-economic and health impacts of decisions will be taken into account and where relevant these should be evidenced in any decision-making report.

## CHALLENGES TO DECISION MAKING

Failure to adhere to any of the Principles of Decision Making will open the possibility of a challenge to the decision made, which can be through:

- A **legal challenge** which can be initiated by any person through the courts in a process called judicial review. This could lead to the council's decision being 'quashed' meaning that it is reversed; or,
- A '**call-in**' which is initiated by at least **five councillors** of Southwark Council. The call-in may result in a recommendation by the Overview & Scrutiny Committee for the decision-maker to reconsider their decision.

In either case there will be delay, wasted costs and the potential for reputational damage. As such it is imperative that the Principles of Decision Making are followed absolutely.

## CONCLUSION

Members and officers are advised to ensure that decisions and reports are made in accordance with the Decision Making Principles. If these principles are not followed then the risk of a legal challenge or a call-in increases.

Report writing which incorporates advice taken from officers from the beginning and throughout the process works towards efficient and effective decision making.

## CONTACTS FOR FURTHER ENQUIRIES

Sarah Feasey, Head of Law (Communities)	<a href="mailto:sarah.feasey@southwark.gov.uk">sarah.feasey@southwark.gov.uk</a>
Nagla Stevens, Head of Law (Planning & Development)	<a href="mailto:nagla.stevens@southwark.gov.uk">nagla.stevens@southwark.gov.uk</a>
Chidi Agada, Head of Constitutional Services	<a href="mailto:chidilim.agada@southwark.gov.uk">chidilim.agada@southwark.gov.uk</a>
Everton Roberts, Head of Scrutiny	<a href="mailto:everton.roberts@southwark.gov.uk">everton.roberts@southwark.gov.uk</a>
Charles Meredith, Assistant Governance Lawyer	<a href="mailto:charles.meredith@southwark.gov.uk">charles.meredith@southwark.gov.uk</a>

## FURTHER DETAILED REPORT WRITING GUIDANCE

All reports to Cabinet, Committee, Individual Decision-Maker, or Chief Officer Decision must comply with the Report Writing Guidance for Officers which can be via this link: [Report writing guidance](#)

## PART 2 – ARTICLES

### Article 1 – The constitution

#### 1.3 Principles of decision making

All decisions of the council will be made in accordance with the following principles:<sup>2</sup>

- a) the link between strategy and implementation must be maintained
- b) decision making generally, whether by individual officers, individual cabinet members or the cabinet collectively, should have reference to the policy framework
- c) respect for human rights, law, and probity and the constitution
- d) due reasonable and proportionate consultation
- e) ~~and~~ the taking of reasonable and appropriate professional advice from officers
- f) proportionality (i.e. the action must be proportionate to the desired outcome)
- g) a presumption in favour of openness
- h) clarity of aims and desired outcomes, including of the options considered
- i) consideration of the likely climate consequences and the likely equality (including socio-economic disadvantage and health inequality) consequences of the relevant decision and therefore reports for decision should include advice from officers of the likely climate and equality impacts of that decision.

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<sup>2</sup>(a) and (b) local additions; (c) to ~~(g)~~ (h) statutory guidance; (c) law and probity added to modular constitution principle.

Changes to the constitution are shown as follows:

Additions (shown as underlined)

Deletions (shown with a ~~strikethrough~~).

## Overview and Scrutiny Procedure Rules (Excerpts from the rules)

### Call-in threshold

- 17.4 During that period, the scrutiny officer shall call-in a decision for scrutiny if so requested by ~~three members of the committee, including education representatives for the purpose of education decisions only~~ by any five members of the council, including education representatives for the purpose of education decisions only.



<b>Item No.</b> 6.3	<b>Classification:</b> Open	<b>Date:</b> 20 March 2024	<b>Meeting Name:</b> Council Assembly
<b>Report title:</b>		Adjustment of member allowances in line with the national local government officer pay settlement and Member Allowances Scheme 2024-2025	
<b>Ward(s) or groups affected:</b>		All	
<b>From:</b>		Constitutional Steering Panel	

## RECOMMENDATIONS

1. That council assembly approve with immediate effect the adjustment of member allowances in line with the national local government officer pay settlement and allowances for officers as detailed in paragraph 20 of this report.
2. That council assembly approve, with effect from 1 April 2024, the member allowances scheme for 2024-2025 as detailed in paragraphs 20 to 26 and Appendix 2 of this report, having had regard to the advice of the London Councils Independent Remuneration Panel Report 2023 (see Appendix 1).

## BACKGROUND INFORMATION

### Legal background

3. Under Section 18 of the Local Government and Housing Act 1989, the Secretary of State may make regulations authorising or requiring councils to make a scheme providing for the payment of allowances to members.
4. The council is required under the Local Authorities (Members' Allowances) (England) Regulations 2003 (as amended) to agree on an annual basis a schedule of Allowances payable to members for the following financial year. Under section 19 of the Regulations, when making or amending a scheme, the council is required to have regard to the recommendations of an Independent Remuneration Panel (IRP).
5. The council is required, if it wishes to pay such allowances, to adopt a Member Allowances Scheme on an annual basis with effect from 1 April each year.
6. The council must publish its scheme of members' allowances, dealing with basic allowances and special responsibility allowances. Payments to members of the council may only be made in accordance with this.

### Current scheme and process for review

7. Southwark's member allowances scheme (see Appendix 2) is comprehensive and includes basic allowances, special responsibility allowances (for posts which carry specific responsibilities) and other allowances and expenses that may be claimed.

8. The proposed member allowances scheme for 2024-2025 is based on the current scheme, which was adopted by council assembly on 22 March 2023 for 2023-2024. The council agreed its scheme, having considered the recommendations of the constitutional steering panel and having taken into account the London Councils Independent Remuneration Panel's 2023 report. The IRP usually produces a report every 3 to 4 years. The attached Appendix 1 was produced in 2023.
9. The proposed scheme for 2024-2025 maintains the following allowance arrangements previously agreed:
  - On 13 July 2022, council assembly agreed a revision to the scheme with regard to setting out members' entitlement to maternity, adoption and shared parental leave and relevant allowances.
  - On 12 July 2017, council assembly agreed a revision to the scheme with regard to arrangements for payment and leave made during periods of absence for members in receipt of special responsibility allowances.
  - On 21 January 2015, council assembly agreed the following:
    - i) That the basic allowance and special responsibility allowances be increased in accordance with the Independent Remuneration Panel recommendation for allowances to be adjusted in line with the local government officer pay settlement and that the licensing sub-committee payment and co-opted member's allowance be increased on the same basis.
    - ii) That the member allowances scheme be amended so in future years the level of the childcare and dependent carers allowances for councillors is automatically reviewed in line with changes in the London Living Wage.
10. The constitutional steering panel and council assembly are under a statutory duty to have regard to the advice of the London Councils Independent Remuneration Panel Report when considering the council's own scheme for member allowances.
11. The council is not, however, bound to adopt all or any of the panel's recommendations provided it has given them due consideration and is satisfied that it has justifiable reasons for not doing so.
12. In Southwark, the constitutional steering panel considers and recommends any changes to the member allowances scheme to council assembly for final adoption. The approval of the scheme and the setting of allowances are matters reserved for decision by council assembly.

## KEY ISSUES FOR CONSIDERATION

### London Councils Independent Remuneration Panel Report 2022

13. The Local Authorities (Members' Allowances) (England) Regulations 2003 ('the Regulations') authorise the establishment by the Association of London Government (now London Councils) of an independent remuneration panel to make recommendations in respect of the members' allowances payable by London boroughs. Such a panel ('the panel') was established and reported in 2001, 2003, 2006, 2010, 2014, 2018, 2022 and 2023. The regulations require a review of the scheme every four years as a minimum. The 2023 report is the current review. A full copy of the report is set out in Appendix 1.

### Basic and special responsibility allowances

14. The principle of pegging the basic allowance and special responsibility allowances (SRA) in line with the annual local government pay settlement is already recognised in the council's Member Allowances Scheme following the council assembly decision of 21 January 2015. The Licensing Sub-Committee meeting payments and co-opted member allowance will be increased on the same basis.
15. The member allowances scheme, paragraph 38, provides that allowances will be adjusted in line with the national local government officer pay settlement and allowances for officers<sup>1</sup>. This includes basic allowance, SRA levels, licensing payments and co-opted member allowances
16. For 2022-2023, the local government pay settlement offer was a fixed sum rather than a percentage increase. London Councils advised all London Boroughs that it had been appraised by the Head of London Regional Employers Organisation that the fixed sum equates to an uplift of 4.04% across all allowances. London Councils recommended that boroughs also use the 4.04% uplift for their member allowances for 2022-23.
17. For 2022-23, Southwark Council agreed to:
- Increase the total budget for all councillor allowances by 5.95%, equal to the staff pay settlement increase
  - Uplift the basic allowance for all councillors by 5.95%; also to be applied to licensing sub-committee payment and co-optees' annual allowance
  - Increase the total budget for special responsibility allowances (SRAs) by 5.95%
  - Use this to fund both a 2.91% increase to all SRAs, and the proposed revaluing of some SRAs (as detailed in paragraphs 27 and 28 of the 2023-24 report).
18. This scheme has been drafted on the basis that the council still wishes to pay the current basic and special responsibility allowances.

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<sup>1</sup> Index linking is to the general settlement rather than any special provision for particular groups of staff such as the low paid.

## PROPOSED CHANGES TO CURRENT SCHEME

### Local government pay settlement

19. The 2023-24 pay settlement increase equates to a 5.73% percent increase across all Southwark Council officer grades.
20. It is proposed that changes be agreed as follows:
- Increase the total budget for all councillor allowances by 5.73%, equal to the staff pay settlement increase.
  - Use this total budget solely to increase the basic allowance for all councillors, for an 8.09% increase in the basic allowance, and a 0% increase in the SRAs.
  - Per-meeting payments for attendance at licensing sub-committees be increased by 5.73%.
  - Independent persons and statutory co-optees' allowance be increased by 5.73%.

### Basic allowance

21. A basic allowance is paid to all councillors in recognition of their commitment to attend formal meetings of the Council as well as meetings with officers and constituents. The basic allowance is intended to cover any incidental costs which may arise.
22. Each councillor will be entitled to claim a basic allowance of £13,766 per annum (this includes the 8.09% uplift), which is payable monthly via the Council's payroll.

### Special responsibility allowance

23. A special responsibility allowance (SRA) is payable in addition to the basic allowance to those councillors that are given significant additional Council duties.
24. It is recommended that no changes are made to the current SRAs.
25. The revised member allowances payments for 2024-2025 (i.e. from 1 April 2024) are as follows:

<b>Basic allowance</b>	
All councillors	£13,766
<b>Licensing sub-committee</b>	
Per meeting	£148.62
<b>Independent persons and co-optees (i.e. statutory co-optees to the education committee)</b>	
Annual allowance (paid monthly)	£1,348

<b>Band 1a</b>	<b>SRA</b>
Vice-chair overview & scrutiny committee	£3,235
Vice chair of planning committee	£3,235
Deputy leader majority opposition	£3,235
Leader minority opposition	£3,235
Opposition whip	£3,235
<b>Band 1b</b>	
Community champion	£6,495
Deputy Mayor	£6,495
Chair audit and governance committee	£6,495
<b>Band 1c</b>	
Scrutiny commission chair	£9,753
Planning sub-committee chair	£9,753
Deputy cabinet member	£9,753
<b>Band 2a</b>	
Chief whip	£16,866
Leader majority opposition	£16,866
<b>Band 2b</b>	
Mayor	£24,025
Chair overview & scrutiny committee	£24,025
Chair planning committee	£24,025
Chair licensing committee	£24,025
<b>Band 3</b>	
Cabinet member	£39,218
Deputy leader	£39,218
<b>Band 4</b>	
Leader	£58,427

26. Our current member allowances payments (1 April 2023 to 31 March 2024):

<b>Basic allowance</b>	
All councillors	£12,736

<b>Licensing sub-committee</b>	
Per meeting	£140.57

<b>Independent persons and co-optees (i.e. statutory co-optees to the education committee)</b>	
Annual allowance (paid monthly)	£1,275

<b>Band 1a</b>	<b>SRA</b>
Vice-chair overview & scrutiny committee	£3,235
Vice chair of planning committee	£3,235
Deputy leader majority opposition	£3,235
Leader minority opposition	£3,235
Opposition whip	£3,235
<b>Band 1b</b>	
Community champion	£6,495

Deputy Mayor	£6,495
Chair audit and governance committee	£6,495
<b>Band 1c</b>	
Scrutiny commission chair	£9,753
Planning sub-committee chair	£9,753
Deputy cabinet member	£9,753
<b>Band 2a</b>	
Chief whip	£16,866
Leader majority opposition	£16,866
<b>Band 2b</b>	
Mayor	£24,025
Chair overview & scrutiny committee	£24,025
Chair planning committee	£24,025
Chair licensing committee	£24,025
<b>Band 3</b>	
Cabinet member	£39,218
Deputy leader	£39,218
<b>Band 4</b>	
Leader	£58,427

### Policy framework implications

27. This report is not considered to have direct policy implications.

### Community, equalities (including socio-economic) and health impacts

28. SRAs are paid to compensate members for their special responsibilities in addition to their role as ward councillors (for which a separate basic allowance is payable). SRAs are not deemed as salary, as members are not employees of the council. This report is not considered to have direct community, equalities (including socio-economic) and health impacts.

### Climate change implications

29. There are no immediate climate change implications arising from this report.

### Legal implications

30. The council is under a duty to adopt a scheme of members' allowances by virtue of section 18 of the Local Government and Housing Act 1989 and relevant regulations. It may only pay allowances in accordance with such a scheme. Members are reminded of the need to have regard to the guidance issued in relation to members' allowance, which is referred to in the report of the London Councils Remuneration Panel attached (Appendix 1).

31. There is a general rule that members may not usually vote on matters in which they have a disclosable pecuniary interest. However, decisions relating to the member allowances scheme are an exception to this general principle, and members may vote on this issue. The monitoring officer has granted a dispensation.

## Financial implications

32. The member expenditure budget makes provision for the basic allowance and special responsibility allowances. Additional costs arising from the local government pay settlement will be met from existing base budget and will not result in a budget pressure for the council.

## Consultation

33. Consultation has been undertaken with the group whips.

## BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Member Allowances Scheme, Southwark Constitution: <a href="#">Members Allowances Scheme_June 2023.pdf</a> (southwark.gov.uk)	Constitutional Team 160 Tooley Street, London SE1 2QH	Constitutional Team constitutional.team@southwark.gov.uk 020 7525 7055

## APPENDICES

Appendix	Title
Appendix 1	London Council Remuneration Panel Report 2023
Appendix 2	Amended Southwark's Member Allowances Scheme

## AUDIT TRAIL

<b>Lead Officer</b>	Doreen Forrester-Brown, Assistant Chief Executive - Governance and Assurance	
<b>Report Authors</b>	Chidilim Agada, Head of Constitutional and Member Services Virginia Wynn-Jones, Principal Constitutional Officer	
<b>Version</b>	Final	
<b>Dated</b>	8 March 2024	
<b>Key Decision?</b>	No	
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER</b>		
<b>Officer Title</b>	<b>Comments Sought</b>	<b>Comments Included</b>
Assistant Chief Executive - Governance and Assurance	Yes	Yes
Strategic Director of Finance	Yes	Yes
<b>Cabinet Member</b>	Yes	Yes
<b>Date final report sent to Constitutional Team</b>	8 March 2024	

# The Remuneration of Councillors in London 2023

Report of the Independent Panel





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# Remuneration of councillors in London 2023

## 1. Introduction

- 1.1 The Independent Panel on Members' Remuneration last published a report on member allowances in early 2022. In that report the Panel did not recommend substantial changes to Member allowances, it noted that the challenges facing councils and councillors appeared to be increasing and becoming more complex. Therefore, the Panel also recommended that it undertake a more detailed review in 2023.
- 1.2 For the 2023 review, the Panel has undertaken a detailed review of member allowances with the aim of providing up to date advice on appropriate levels of reward for the work of elected members in London over the next four years. The intention was to seek a wider consultation than previously, using qualitative and quantitative research to underpin its findings and recommendations. The Panel canvassed members and officers in all London boroughs through surveys, focus groups and interviews, in order to consider whether and how the role of councillors has changed in recent years and what the main issues that may have an effect on the recruitment and retention of councillors are currently. It also carried out a considerable benchmarking exercise of allowances paid in other parts of England as well as in Scotland, Wales and Northern Ireland, and undertook an in-depth review of the methodology used by Independent Remuneration Panels across the UK.
- 1.3 The research showed that basic allowances per annum in London are significantly lower than those paid in Scotland, Wales and Northern Ireland. The assessment of members' allowances in the home nations is carried out by independent bodies whereas in England, the level of allowances is determined by the local authority members themselves. It has also become clear that allowances in many boroughs are considerably lower than remuneration received by workers in London with comparative levels of responsibilities and skills. This comparative contrast in remuneration is juxtaposed against increased workloads, time pressures, accountability, and financial pressures that councillors are presently having to manage. The Panel takes the view that it is important that there is a system of support in place that recognises the vital role that elected representatives play in local government and the full scale of their responsibilities. This support includes appropriate remuneration levels.

## 2.0 Background

- 2.1 Local authorities are required by the Local Authorities (Members' Allowances) (England) Regulations 2003<sup>1</sup> to establish and maintain an independent remuneration panel to make recommendations on the level of the basic and special responsibility allowances. In London the regulations authorise the establishment of an independent panel (the Panel) by the Association of London Government (now London Councils)

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<sup>1</sup> [The Local Authorities \(Members' Allowances\) \(England\) Regulations 2003 \(legislation.gov.uk\)](https://www.legislation.gov.uk)

panel to make recommendations in respect of the members' allowances payable by London boroughs. The Regulations require a review of the scheme every four years as a minimum. Whilst the Panel makes recommendations, each council determines its own remuneration scheme for its own councillors, having regard to the Panel's recommendations.

- 2.2 The Independent Panel for London Councils currently comprises Mike Cooke (Chair), Sir Rodney Brooke CBE DL and Anne Watts CBE. It reported in 2022 and at that time recommended very few changes on the basis that more time was needed for a more detailed review during 2023, given that the Panel had received feedback that the work of councillors and the demands upon them had increased significantly.

### **3.0 Research**

- 3.1 This review has provided the Panel with an opportunity to consider the roles undertaken by councillors in London, and to examine more deeply how the demands, responsibilities and scope of duties of councillors have evolved in recent years. This review also provided the Panel with an opportunity to review the methodology used by other Independent Remuneration Panels and to carry out benchmarking with other local authorities across England, Scotland, Wales and Northern Ireland.
- 3.2 The Panel has expanded on the approaches used in previous reviews. In addition to carrying out a survey of London borough Leaders to gauge their views on the operation of the existing remuneration scheme, the Panel has held a series of feedback meetings with groups of elected councillors, conducted a survey of the London branch of the Association of Democratic Services Officers (ADSO), and held meetings with officers from the London Borough Legal Alliance (LBLA), and the South London Legal Partnership (SLLP), in order to get a more complete picture of the challenges facing London's councillors today. The Panel also commissioned Ipsos to carry out a small number of focus groups to gauge the public perception of councillors' roles, responsibilities and levels of allowances.
- 3.3 The member engagement focus groups consisted of a range of participants from the three major political parties – Labour, Conservative, and Liberal Democrat, and included a range of members from inner and outer boroughs, and with different levels of responsibility (e.g. newly elected backbench councillors, Cabinet Members and borough Leaders).
- 3.4 The Panel is grateful both to everyone who participated in the consultation process and thank them for their contributions as well and to London Councils for its support to the review.

#### 4.0 The crucial role of elected councillors

***The role of the councillor has fundamentally changed in recent times. There is now more reliance from the public on their local council due to challenges such as the cost of living crisis, the effects of the pandemic and the resettlement of refugees. (Borough Leader)***

- 4.1 Councillors in London oversee multi-million pound budgets and employ thousands of people; all are responsible for the delivery of a wide range of crucial services. The health and wellbeing of residents and communities are at the heart of the work of London boroughs who also at one end of the age spectrum are endeavoring to give children the best start in life, whilst at the other are helping to support older people to live as independently as possible. Local councils are at the heart of developing their boroughs and working with businesses to bring local economic benefits. The building of new homes and the improvement in the standards of existing houses are crucial to their work as is their local leadership on climate change.
- 4.2 A key aspect of the responsibility of councillors is managing the complex financial pressures involved in addressing increases in the demand for services with reductions in budgets. The scale of a London council's annual expenditure budget and other financial activities are in many instances comparable with those of large publicly quoted companies.

***"The budgets that borough Leaders are managing are huge, as is their level of responsibility when something goes wrong. A borough Leader's role is now similar to that of a non-executive director of a large company" (Borough Leader)***

- 4.3 At the same time Councillors are integral to the effectiveness of the local democratic process. As well as representing them, they stand ready to be approached by their residents to take up matters on their behalf where appropriate. The voice of democratically elected councillors in the development of the policies and strategies of their councils is absolutely essential. Councillors also play an important role in the oversight and scrutiny of services.
- 4.4 Some Councillors have additional and burdensome responsibilities, including Leaders of Councils, Elected Mayors and council portfolio holders. Some roles have specific statutory responsibilities (e.g. in the case of elected Mayors/statutory children's and adults cabinet members).
- 4.5 The needs of Londoners and of London's communities are becoming arguably more complex, given the seismic national and international changes ranging from the

global energy crisis, climate change, patterns of migration and housing shortages. The national economic challenges directly affect households and communities as well as businesses and councils themselves.

## 5.0 The role of Member Allowances

- 5.1 It is important to reflect on the purpose of the allowances, payments and related arrangements for councillors.
- 5.2 The Panel draws the reader's attention to the report of the 2007 Independent Commission on the Role of Local Councillors, chaired by Dame Jane Roberts which was commissioned to consider the incentives and barriers for encouraging people who are able, qualified and representative to be candidates to serve as councillors; retaining and developing them once they are elected and enabling them to secure public interest and recognition for the work they carry out for their communities.
- 5.3 The Roberts commission considered a wide range of issues but at its heart were the key questions of: 1) how best to ensure that people from a wide range of backgrounds and with a wide range of skills are encouraged to serve as local councillors; and 2) how to ensure those who participate in and contribute to the democratic process should not suffer unreasonable financial disadvantage.
- 5.4 Within these broad considerations there can be no doubt that financial compensation or a system of allowances plays a crucial part in making it financially possible for local people to put themselves forward to take on the onerous responsibilities involved in being a councillor and indeed to continue to serve as one.
- 5.5 For this reason it is crucial that allowances for councillors across London are pitched at an appropriate level such that they make a major contribution in ensuring diverse and effective local representation. This 2023 review of Member allowances has aimed to take a step back and ensure that the recommended allowances are pitched such that they serve this crucial purpose.
- 5.6 We are clear that the Panel can only make recommendations and that each council must determine its own system and rates of allowances. However each council must have regard to our recommendations. We are concerned that a wide variation in the level of allowances between councils across London has evolved over the years. **Given that this year's Panel review has been a significant stocktake and that we have made clear recommendations, with a clear rationale and for the important purpose described in this section, we strongly recommend that the findings of our review and the Panel's position are adopted across London. This is at the heart of ensuring a healthy, vibrant and representative local government in the capital.**

## 6.0 Time commitment and demands on councillors

6.1 Fulfilling the responsibilities of councillors in the many and various roles within a council has, arguably, always been demanding. In 2022 the Panel received anecdotal feedback that the workload and the time involved had increased significantly and so in this review we wanted to explore this in more detail.

6.2 The feedback from elected members and officers was that in the view of almost all the people we spoke to workloads, demands and pressures had increased. There appear to be a number of contributory factors:

- A wide range of recent events had added additional work; some examples given were: the demands of the pandemic years and the post-pandemic recovery work; sometimes given was the level of work in the resettlement of refugees; and the work to support residents through the very significant economic challenges of recent years, including during the energy crisis but also linked to the impact of food inflation and increased risks of homelessness.
- There has been a noticeable increase in the expectation that leading councillors work in closer partnership with other public services. The Health and Care Act 2022 in particular brings an expectation that councils will work in formal partnership with NHS organisations including NHS providers and Integrated Health Boards.
- The feedback confirmed the views we were given in 2002 that public expectations of councillors has increased especially linked to the societal changes that social media has brought about. Although most of the councillors we spoke to welcomed the flexibility that now exists for increased levels of remote meetings, the downside appears to be that there are more meetings. The representations which have been made to the Panel also suggest a picture of councillors being expected to be almost instantly available, with heavy constituency case loads and often with ever more complex responsibilities for the running of the council and overseeing its services.

***“ One resident submitted a formal complaint because they had messaged me on Friday evening and I hadn’t replied to them until the following Monday morning.”  
(Backbench councillor)***

As well as these issues adding complexity, they make additional time demands.

***“There are now many more meetings than pre-Covid. There are also numerous social media groups councillors are expected to be involved in, case work, and other commitments. I have worked out that on average I work 54 hours a week” (Cabinet Member)***

- 6.3 Members have told the Panel that it is increasingly difficult to maintain a full-time job alongside their role as councillors, and this is particularly true for Cabinet Members and Leaders. The implication of this would be that it is more likely that people who are already financially secure who can carry out these roles, which may prevent younger candidates, people with lower incomes or those with young families, from standing or taking on special responsibilities. Taking up a role in local government could also hinder councillors’ career progression in their day job, and in most cases the special responsibility allowances do not compensate for the reduced salary people receive as a result of not being able to dedicate themselves fully to their day job. The time pressures involved in the role, particularly councillors with special responsibilities can make it difficult to combine the role with a job and caring responsibilities.
- 6.4 One borough Leader told the Panel that at the 2022 election, there were so few candidates that in some wards residents did not have a choice of councillors to vote for.
- 6.5 Councillors also expressed concern that appointments to positions carrying special responsibilities could be uncertain and not in most cases for a set term. Consequently, councillors have significant concerns about giving up full-time work to undertake more senior roles in their councils.

## **7.0 The Basic Allowance**

- 7.1 As a result of the economic climate over the last decade and ongoing financial challenges, our recent reports have made no recommendations for increasing the levels of members’ allowances other than continuing provision for annual adjustments in accordance with the annual local government pay settlement for staff agreed by the National Joint Council for Local Government Staff.
- 7.2 As part of the research for this 2023 review, the Panel carried out benchmarking of recommendations on allowances and those paid by local authorities within the UK to see how current London allowances compare.
- 7.3 From the Panel’s benchmarking research, it is evident that the previous Panel’s recommendations for the basic allowance in London, lags behind Scotland, Wales and Northern Ireland. This issue was identified in the last two Panel reports, however, the Panel reluctantly decided at the time that given the financial climate it would have been inappropriate to recommend a general increase in member allowances.

- 7.4 In our last report the Panel recommended that there should be a Basic Allowance paid to every councillor of £12,014. Updated for the local government staff pay awards since then, the figure is now £12,499.
- 7.5 This allowance continues to be substantially lower than the allowance paid by all local authorities in Scotland which is presently £20,099<sup>2</sup> and similarly in Wales<sup>3</sup> where the government-appointed commission has set the basic allowance at £17,600 for members of local authorities with populations which are generally substantially lower than those of London boroughs. Furthermore, the basic allowance in Northern Ireland from 1 April 2023 is £16,394<sup>4</sup> per annum. The Panel's research has established that there are some parts of England that have similar basic allowances to those currently recommended for London boroughs. However, there are other English local authorities, where the roles and responsibilities of councillors are broadly the same to those of councillors serving in London boroughs, that pay significantly more. For example, in Birmingham<sup>5</sup>, in 2022-23 the basic allowance was £18,876, and in Manchester<sup>6</sup> it was £18,841.
- 7.6 The Panel is of the view that when taking everything into account that the rate of the basic allowance should now be addressed.
- 7.7 As part of the 2023 review, the Panel has reviewed the methodologies used by other Panels and has identified that Independent Panels across the UK use a variety of approaches for determining how to set the member allowances. The Panel has also re-examined the methodology used in calculating allowances in the original London panel report and updated it to reflect current circumstances. The original calculation in the Panel's first report in 2001 was based on a proportion of the average 'white collar worker' wage in London.
- 7.8 Although making the comparisons with Scotland, Wales, NI and other UK cities was useful in terms of gaining a comparative perspective, the Panel has reached the view that it needed to both determine a method for London and recommend a level of allowance that was achievable, bearing in mind the historic challenges for some councils in agreeing to previous recommended allowances.
- 7.9 Having looked at various options, the Panel has concluded that the most appropriate approach is to determine the basic allowance as a proportion to the remuneration of the people councillors represent and has used the Annual Survey of Hours and Earnings (ASHE) data, published by the Office for National Statistics as a basis of its calculation. The Panel has used the median wage for all London workers for this purpose. In 2022-23, this is £38,936.73 per annum. Based on a 37 hour week, and taking into account a 30% public service discount, (as has been the custom and practice) **the Panel has determined that the recommended basic allowance should be £15,960.**

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<sup>2</sup> [The Local Governance \(Scotland\) Act 2004 \(Remuneration\) Amendment Regulations 2023 \(legislation.gov.uk\)](#)

<sup>3</sup> [Independent Remuneration Panel for Wales: annual report 2022 to 2023 \[HTML\] | GOV.WALES](#)

<sup>4</sup> <https://www.communities-ni.gov.uk/publications/circular-ig-0323-consolidated-councillor-allowances>

<sup>5</sup> [Independent Remuneration Panel Reports | Birmingham City Council](#)

<sup>6</sup> [Microsoft Word - MCC IRP Final Report \(manchester.gov.uk\)](#)



7.10 The Panel considers that this allowance better reflects the high cost of living in London, than the previous recommendations.

7.11 It is the Panel's view that it is pressing that boroughs should implement these changes in 2024, as part of the contribution to recruiting and retaining a diverse range of good quality candidates to stand for office in London.

## **8.0 Special Responsibility Allowances**

8.1 The reasons for payment of special responsibility allowances, additional to the basic allowance, should be clearly set out in local allowances schemes. Special allowances should come into play only in positions where there are significant differences in the time requirements and levels of responsibility from those generally expected of a councillor.

8.2 Categories of special allowances:

The regulations specify the following categories of responsibility for which special responsibility allowances may be paid:

- Members of the executive where the authority is operating "executive arrangements"
- Acting as leader or deputy leader of a political group within the authority
- Presiding at meetings of a committee or sub-committee of the authority, or a joint committee of the authority and one or more other authorities, or a sub-committee of such a joint committee
- Representing the authority at meetings of, or arranged by, any other body
- Membership of a committee or sub-committee of the authority which meets with exceptional frequency or for exceptionally long periods
- Acting as spokesperson of a political group on a committee or sub-committee of the authority
- Membership of an adoption panel
- Membership of a licensing or regulatory committee
- Such other activities in relation to the discharge of the authority's functions as require of the member an amount of time and effort equal to or greater than would be required of him by any one of the activities mentioned above, whether or not that activity is specified in the scheme.

8.3 The Panel's research shows that the categories of SRAs recommended by the London Panel are comparable with those recommended by Independent Panels in other cities in the UK and in Scotland and Wales.

8.4 However, the Panel's previous recommendations have not consistently been adopted within London, and the resulting situation is that whilst there is some convergence

across London boroughs on the basic allowance, there remain substantial differences in the amounts of SRAs for similar roles in boroughs.

- 8.5 Given the extent of the responsibilities of Leaders of London boroughs, the Panel's first report in 2001 recommended that their remuneration should equate to that of a Member of Parliament. Our recommendations for other special responsibility allowances were historically determined as a sliding scale (pro-rata) proportion of the remuneration package for a council Leader. Since then, the increase in the remuneration of Members of Parliament has substantially exceeded the annual local government pay increase which was tied to the special responsibility allowance for the leader of a London borough, and the current MP salary is now £86,584
- 8.6 The Panel has taken the opportunity to review this historic link, and following feedback, we sense strong support for our own view that an MP's salary is no longer an appropriate comparator to set the Leader's allowance, as the roles are substantially different and indeed almost impossible to compare.
- 8.7 We received feedback that some members believe that the Leaders of London boroughs warrant a higher remuneration than an MP, because they have greater financial responsibility and legal burdens, and especially given the differential pension arrangements. Indeed, some respondent authorities suggested that the direct responsibilities of a Leader should command the salary of a junior minister.

***"An MP does not undertake an executive role (strategic leadership, management & accountability of a complex public service operationally managed by highly paid officials) and so not a comparator to a Leader or elected Mayor"***

***(Borough Leader)***

## **9.0 Leader's SRA**

- 9.1 This is often a full-time role, involving a high level of responsibility. It is right that it should be remunerated on a basis which compares with roles with similar levels of responsibility, while still retaining a reflection of the voluntary character of public service.
- 9.2 For the Leader's SRA, the Panel has decided that a more appropriate comparator would be the Annual Survey of Hours and Earnings (ASHE) data for Corporate Managers and Directors as the level of responsibilities most closely align to those of a borough Leader. For 2022-23, the average gross annual salary for full time workers in London within this category was £108,242. After applying a 30% public service discount (as has been the custom and practice) this would provide for a Leader's total

package of £75,773. The 2022 Panel report recommended that the Leader's SRA should be £62,090. Taking into account this figure, when combined with the new recommended basic allowance, the total package for a Leader would be £78,050. As this figure is greater than that based on the ASHE calculation, the Panel is not recommending any changes to the existing Leader's SRA at this time.

## 10.0 Other SRAs

- 10.1 The Panel has previously determined that all other SRAs are calculated as a proportion of the Leader's SRA. Since its inception, the Panel has recommended using bands rather than fixed amounts, in order to allow flexibility and recognise local variations on how the roles are performed. The Panel has decided to continue using this methodology. However, as part of the review, the Panel has benchmarked the sliding scale recommended by other Panels and used by local authorities and has adjusted the percentages historically used in order to more closely align with the average used by other local authorities outside of London. **The recommended bands and levels of allowance are attached as Annex A.**

## 11.0 Bridging the Gap and public perception

- 11.1 When considering a members' allowances scheme, boroughs are obliged to have to a report by an independent panel, but it is a matter for boroughs themselves to decide whether to adopt its recommendations.
- 11.2 However, in view of the evidence obtained over the past 18 months, the Panel strongly recommends that all authorities implement the recommendations in their boroughs in the next year. On average, the total annual budget for members allowances in a London Borough is between 0.4-0.5% of the council's general fund net budget. Notwithstanding this, the Panel acknowledges the challenges that increasing allowances may present to boroughs, both financially and reputationally; however, the Panel is concerned that if member allowances do not keep up with its recommendations, there is a risk that they will fall significantly further behind their comparators and that councils will consequently face even greater challenges in recruiting and retaining a good calibre of councillors in the future.
- 11.3 The Panel perceived that there was some concern from councillors about the public acceptability of increasing allowances. As a result the Panel sought to test the public view and therefore commissioned Ipsos to undertake qualitative research, through a number of focus groups, on the public's perception on councillors remuneration. The Ipsos research was small scale but provides indicative evidence of public views.
- 11.4 Ipsos held three discussion groups with a representative sample of the general public in June 2023 using a deliberative approach to enable participants to reach an informed perspective. The stimulus material included pen portraits of councillors based on information received from London Councils' members on their working hours and

levels of responsibility. The information given to participants also included typical allowances received in London, in Essex, and in Wales for councillors receiving a basic allowance and average SRAs paid to Cabinet Members, and council Leaders.

- 11.5 The research found that the Londoners in focus groups felt that allowances in London needed to increase to provide a more accurate reflection of councillors' responsibilities and hours.

***"I thought at least [the Council Leader's remuneration] would be about a £100,000 plus for the amount of work that she does because she's taken on casework as well... and that's time-consuming."***

When exposed to allowance comparisons in different parts of the country, participants thought the current allowances did not reflect the fact that the cost of living in London was higher than elsewhere in the country.

***"Councillors' pay should take into account that living in London is more expensive, so they should immediately just be paid more in general."***

In addition, they recognised that the level of allowances can have a detrimental effect on the diversity of councillors and would deter those from a lower income background from becoming councillors.

***"It feels like [we're] paying them so little, it feels like there are some people who can't afford to be a councillor. And that has consequences on the democratic process"***

- 11.6 Participants also suggested changes to remuneration for councillors: raising the basic allowance and increasing allowances to better reflect responsibilities and hours; and additional allowances provided to support councillors with childcare costs and saving for a pension.
- 11.7 Participants expressed surprise at the range of allowances paid across London, particularly at the cabinet member and council leader level and supported greater consistency in such remuneration levels across councils in London.
- 11.8 Although the sample of Londoners was only small, it indicates that with due briefing and deliberation there is likely to be support for the increase in allowances.
- 11.9 During the consultation process, a significant number of councillors told the Panel that they do not think that councillors should be responsible for setting their own allowances, and that this is perhaps one of the reasons why the basic allowance in London lags behind Scotland and Wales, where allowances are set by outside bodies and it is mandatory for local authorities to adopt the recommendations. The Panel is supportive of this view, but recognizes that this would need a change in legislation. The Panel intends to raise this issue with the Secretary of State.

## 12.0 Training and support

- 12.1 The responsibilities of councillors are substantial, extensive and complex, particularly since the Pandemic and its aftermath, which has seen a rapid increase of using digital technology, and flexible ways of working. The training and development of councillors is beyond the remit of this Panel. However, the feedback we received was that councillors require the logistical and clerical support and appropriate IT equipment which will help them carry out their roles efficiently. The Panel supports this view and recommends that boroughs undertake their own stock takes to ensure appropriate support is in place to enable members to fulfil their responsibilities.
- 12.2 Furthermore, we have heard from boroughs that councillors are experiencing increased levels of abuse on social media, and so we recommend that training in navigating the increasingly challenging world of social media is also provided.

## 13.0 Care Costs

- 13.1 It is important that obstacles to becoming a councillor should be removed wherever possible. Care costs could be a significant deterrent to service as a councillor. Our strong view is that in appropriate cases when they undertake their council duties, councillors should be entitled to claim an allowance for care of dependents. The dependents' carers' allowance should at least be set at the London living wage but payment should be made at a higher rate when specialist nursing skills are required or to reflect higher costs during non-standard working hours. We have had representation that the carers allowance should be payable to family members on the basis that it is preferable for family members to look after a dependent, especially in the evening but that the frequency is often such that it is unreasonable for this to be expected to be with no financial allowance.

***The level of dependent carers allowance does not recognise the fact that babysitters tend to charge more for evening and weekend work. In addition, the carers allowance should be able to be claimed even if a family member was looking after the councillors' dependents" (Newly-elected Backbench Councillor)***

- 13.2 The Panel recognises that allowance payments for family carers who are not members of a councillor's household would need to be designed with some careful consideration but is very sympathetic to this need and recommend that councils review their schemes to make this possible.
- 13.3 It's view is also that members' allowances schemes should allow the continuance of Special Responsibility Allowances in the case of sickness, maternity and paternity leave in the same terms that the council's employees enjoy such benefits (that is to say, they follow the same policies). To this end, London boroughs are recommended to adopt a related parental leave and sickness policy as an appendix to their allowances scheme.

13.4 The Panel has received feedback that there is a need to reform the legislation governing membership of the Cabinet/Executive and how this impacts Councillors who wish to take parental leave. Councils have a strict statutory limit of ten members of the cabinet/executive – including the Leader. Should one of those members wish to take parental leave for any significant period during their tenure as a cabinet member, and there is already a full complement of cabinet and leader up to the statutory limit they are faced with what is an entirely unfair dilemma. They either resign from the post so another councillor can be appointed or they leave their colleagues with an additional workload for their period of absence. While some Councils have sought to appoint deputy cabinet members or the like these are not proper answers to this issue as they are not cabinet members with the appropriate legal and constitutional authority. It is very easy to compare this to the position of an employee where a replacement can be appointed for the duration without prejudice to the individuals' rights to return. While self-evidently Councillors are not employees there should not be any additional hurdles to participation for any section of the population.

13.5 The Panel support the view that the legislation needs reviewing.

#### **14.0 Travel and Subsistence allowances**

14.1 The Basic Allowance should cover basic out-of-pocket expenses incurred by councillors, including intra-borough travel costs and expenses. The members' allowances scheme should, however, provide for special circumstances, such as travel after late meetings or travel by councillors with disabilities. The scheme should enable councillors to claim travel expenses when their duties take them out of their home borough, including a bicycle allowance.

#### **15.0 Allowances for Civic Mayor or Civic Head**

15.1 Many councils include the allowances for the mayor (or civic head) and deputy in their members' allowance scheme. However, these allowances do serve a rather different purpose from the 'ordinary' members' allowances, since they are intended to enable the civic heads to perform a ceremonial role. There are separate statutory provisions (ss 3 and 5 of the Local Government Act 1972) for such allowances and councils may find it convenient to use those provisions rather than to include the allowances in the members' allowance scheme.

#### **16.0 Allowances that fall outside this scheme**

16.1 Within the context of this review, the Panel has not looked at remuneration that councillors may receive for their roles on outside bodies, wholly owned companies or joint venture partnerships. However, in the interests of transparency, the Panel requests that councils consider how information on all members remuneration within their borough is made easily available to the public in the same place. The Panel recommends that where local authorities have set up companies which remunerate councillors who act as directors these allowance should be set out in the members allowances scheme.

## **17.0 Local discretion**

- 17.1 It is for each borough to decide how to allocate their councillors between the different bands, having regard to our recommendations and how to set the specific remuneration within the band. The Panel believes these should have the merits of being easy to apply, easy to adapt, easy to explain and understand, and easy to administer.
- 17.2 The scheme should be able to be applied to different types of governance arrangements and interpreted flexibly. The Panel has received legal advice that suggests that in boroughs which operate through the Committee System, where a Committee Chair has identified responsibilities in a role profile for particular services, then in practice the duties and responsibilities of a Committee Chair are equivalent to the role of a Cabinet Member and that a similar system of allowances should be used. For example, in some boroughs which use a committee system, the Statutory Lead Member for Children's Services is the Chair of the Children and Community Services Committee. In this case, it would be reasonable to suggest that this Committee Chair should receive the SRA equivalent to that of a Cabinet Member. The Panel must emphasise that these decisions are dependent on the arrangements adopted by the authority in question and should be decided on a case by case basis.

## **18.0 Pensions**

- 18.1 There is a widespread view amongst the councillors we spoke to in 2022 and this year that a disincentive to the recruitment and retention of councillors has been the Government's decision in 2014 to remove the right of councillors to join the local government pension scheme. This was keenly felt by those councillors the Panel heard from. The Panel notes that the rationale behind that decision was unclear and that councillors in Scotland, Wales and Northern Ireland continue to be entitled to a local government pension. The Panel is of the view that this inconsistency should be addressed. Although this issue is beyond the remit of the Panel, the Panel will nevertheless write a letter to the Secretary of State asking the government to look again at this important issue,

## **19.0 Annual uplifts**

- 19.1 The Panel continues to recommend that all allowances should be updated annually in line with the percentage pay award agreed by the National Joint Council (NJC) for Local Government Services staff.
- 19.2 In some years the NJC national pay award is agreed as being in the form of a lump sum for all or the majority of staff or the rate of increase is different at different levels on the NJC pay spine. In such situations a method of deriving an appropriate increase in the Members' basic allowance (so it keeps in line with the staff pay award) is required. To achieve this the panel will have regard to any NJC guidance such as guidance on what any lump sum equates to as an average percentage pay increase, and guidance on the percentage increase to any staff allowances. The Panel will also consider the average (mean) percentage increase to the spinal column points,

but excluding any exceptional increases such as measures to rectify a low pay problem at the lowest level of the pay spine. For illustrative purposes, for April 2023 the figure was 3.88%“

## **20. Review of implementation**

- 20.1 The Panel proposes to convene in the final quarter of 2024 to review how its recommendations have been implemented by boroughs across London and at the same time consider the most recently published ASHE data on median salaries of those working in the Greater London area, as well as any agreed NJC national pay award.

**Mike Cooke**

**Sir Rodney Brooke CBE DL**

**Anne Watts CBE**

**December 2023**



## Appendix A

### THE RECOMMENDED MEMBER ALLOWANCE SCHEME FOR LONDON

**The Basic allowance: £15,960**

#### **Special responsibilities – beyond the basic allowance**

##### **Calculation of special allowances**

The proposed amounts for each band are a percentage of the figure suggested for a council leader depending upon levels of responsibility of the roles undertaken and are explained below.

##### **BAND ONE**

The posts that the Panel envisages falling within band one, include:

- Vice chair of a service, regulatory or scrutiny committee
- Chair of sub-committee
- Leader of second or smaller opposition group
- Service spokesperson for first opposition group
- First opposition group whip (in respect of council business)
- Vice chair of council business
- Chairs, vice chairs, area committees and forums
- Cabinet assistant
- Acting as a member of a committee or sub-committee which meets with exceptional frequency or for exceptionally long periods
- Acting as a member of an adoption panel where membership requires attendance with exceptional frequency or for exceptionally long periods
- Leadership of a specific major project.

##### **Remuneration**

The Panel proposes that band one special responsibility allowances should be on a sliding scale of between 5-15% per cent of the Leader's SRA.

This would be made up as follows:

Basic allowance: £15,960

Band One allowance: £3,105 - £9,314

**Total: £19,065 - £25,274**

**BAND TWO**

The Panel considers that the types of office being within band two are:

- Lead member in scrutiny arrangements, such as chair of a scrutiny panel
- Representative on key outside body
- Chair of major regulatory committee e.g. planning
- Chair of council business (civic mayor)
- Leader of principal opposition group
- Majority party chief whip (in respect of council business).

**Remuneration**

The Panel proposes that band two allowances should be on a sliding scale between 25-50 per cent, pro rata of the remuneration package for a council leader.

This is made up as follows:

Basic allowance £15,960

Band two allowances: £15,523 - £31,046

**Total: £31,483 - £47,006**

**BAND THREE**

The Panel sees this band as appropriate to the following posts:

- Cabinet member
- Chair of the Health and Wellbeing Board
- Chair of the main overview or scrutiny committee
- Deputy leader of the council

**Remuneration:**

The Panel proposes that band three allowances should be between 60-75 per cent pro rata of the remuneration package for a council leader.

This is made up as follows:

Basic allowance: £15,960

Band three allowance: £37,255 - £46,569

**Total: £53,215 - £62,529**

**BAND FOUR**

Leader of the Council

This is often a full-time role, involving a high level of responsibility. It is right that it should be remunerated on a basis which compares with roles with similar levels of responsibility, while still retaining a reflection of the voluntary character of public service.

**Remuneration:**

**The Panel proposes that the remuneration package for a council leader under band four of our scheme should be £78,052.**

This is made up as follows:

Basic allowance: £15,960

Band four allowance: £62,092

**Total: £78,052**

**BAND FIVE**

Directly elected mayor

A directly elected mayor has a full-time job with a high level of responsibility and exercises executive responsibilities over a fixed electoral cycle. It is right that it should be remunerated on a basis which compares with similar positions in the public sector, while still retaining a reflection of the voluntary character of public service. However, the Panel believes that this post remains different to that of the strong leader with cabinet model. The directly elected mayor is directly elected by the electorate as a whole. The strong leader holds office at the pleasure of the council and can be removed by the council. The Panel believes that the distinction is paramount and this should be reflected in the salary level.

**Remuneration:**

The Panel proposes that a directly elected mayor should receive a remuneration of **£93,575**.

## **Appendix B**

### **A Job Profile for councillors**

In its previous reports, the Panel reflected on the importance of the role of elected members. The 'job profile' for councillors originally included in the Panel's 2010 report is repeated in as the Panel still considers it to be accurate and up to date.

#### **On behalf of the community – a job profile for councillors**

##### **Purposes:**

1. To participate constructively in the good governance of the area.
2. To contribute actively to the formation and scrutiny of the authority's policies, budget, strategies and service delivery.
3. To represent effectively the interests of the ward for which the councillor was elected, and deal with constituents' enquiries and representations.
4. To champion the causes which best relate to the interests and sustainability of the community and campaign for the improvement of the quality of life of the community in terms of equity, economy and environment.
5. To represent the council on an outside body, such as a charitable trust or neighbourhood association.

##### **Key Tasks:**

1. To fulfil the statutory and local determined requirements of an elected member of a local authority and the authority itself, including compliance with all relevant codes of conduct, and participation in those decisions and activities reserved to the full council (for example, setting budgets, overall priorities, strategy).
2. To participate effectively as a member of any committee or panel to which the councillor is appointed, including related responsibilities for the services falling within the committee's (or panel's) terms of reference, human resource issues, staff appointments, fees and charges, and liaison with other public bodies to promote better understanding and partnership working.
3. To participate in the activities of an outside body to which the councillor is appointed, providing two-way communication between the organisations. Also, for the same purpose, to develop and maintain a working knowledge of the authority's policies and practices in relation to that body and of the community's needs and aspirations in respect of that body's role and functions.
4. To participate in the scrutiny or performance review of the services of the authority, including where the authority so decides, the scrutiny of policies and budget, and their effectiveness in achieving the strategic objectives of the authority.
5. To participate, as appointed, in the area and in service-based consultative processes with the community and with other organisations.

6. To represent the authority to the community, and the community to the authority, through the various forums available.
7. To develop and maintain a working knowledge of the authority's services, management arrangements, powers/duties, and constraints, and to develop good working relationships with relevant officers of the authority.
8. To develop and maintain a working knowledge of the organisations, services, activities and other factors which impact upon the community's well-being and identity.
9. To represent effectively the interests of the ward for which the councillor was elected, and deal with constituents' enquiries and representations including, where required, acting as a liaison between the constituent and the local authority and where appropriate other public service providers.
10. To contribute constructively to open government and democratic renewal through active encouragement of the community to participate generally in the government of the area.
11. To participate in the activities of any political group of which the councillor is a member.
12. To undertake necessary training and development programmes as agreed by the authority.
13. To be accountable for his/her actions and to report regularly on them in accessible and transparent ways.

## Appendix C

The independent panel members

### **Mike Cooke**

Mike Cooke was the Chief Executive of the London Borough of Camden for seven years, where he had also been Director of Housing and Adult Social Care and HR Director. He has extensive experience of partnership working across London including as the Chief Executive Leadership Committee lead on children and chairing the London Safeguarding Children Board. Mike also has worked for seven years in financial services where he developed an expertise in remuneration.

Until November 2020 Mike had been a Non-Executive Director of the Central and North West London NHS Foundation Trust where he was chair of the HR Committee. Mike's current role is the Chair of the North Central London Integrated Health and Care System.

### **Sir Rodney Brooke CBE, DL**

Sir Rodney Brooke has a long career in local government, including as chief executive of West Yorkshire County Council, Westminster City Council and the Association of Metropolitan Authorities.

He was knighted in 2007 for his contribution to public service.

### **Dr Anne Watts CBE**

Anne Watts has an extensive career in governance, diversity and inclusion spanning commercial, public and voluntary sectors. She has held executive roles for HSBC and Business in the Community and was chair of the Appointments Commission. She has carried out reviews of Government departments and the Army. In addition she has been a member of Government Pay review bodies and Deputy Chair, University of Surrey where she chaired the Remuneration Committee and the new Vet School.

She is a non-exec of Newable (previously Greater London Enterprise) where she chairs the Environmental, Social and Corporate Governance Committee and is a non-exec of Newflex subsidiary. In addition she continues to sit on the Race and Gender Equality Leadership teams for Business in the Community.







## MEMBER ALLOWANCES SCHEME

### Introduction

1. The Local Government and Housing Act 1989 and the Local Authorities (Members' Allowances) (England) Regulations 2003 require authorities to make a scheme for payment of allowances to councillors. The regulations do not limit the amount that can be paid.
2. Before making, amending or reworking its allowance scheme, the council is required to have regard to the recommendations of an independent remuneration panel. The council is not, however, bound to adopt all or any of the panel's recommendations provided it has given them due consideration and is satisfied that it has justifiable reasons for not doing so. For this authority, the relevant independent panel is the London Councils Panel.
3. The member allowances scheme is agreed by council assembly in March of each year to set the allowances for the following municipal year.

### Basic allowance

4. Each member of the council is entitled to receive the annual basic allowance of £13,766. This is paid on a monthly basis rather than as a lump sum.

### Special responsibility allowance

5. The council has decided to pay special responsibility allowances (SRAs) to those members whom it considers to have special responsibilities for the discharge of the council's functions. This allowance is in addition to the basic allowance. No member may receive more than one SRA.

Where the leader of the council has appointed two members to the cabinet in a job share, the SRA is split between the members with 50% payable to each member.

The list of SRAs payable is set out below:

Band 1a	SRA
Vice-chair overview & scrutiny committee	£3,235
Vice chair of planning committee	£3,235
Deputy leader majority opposition	£3,235

Leader minority opposition	£3,235
Opposition whip	£3,235
<b>Band 1b</b>	
Community champion	£6,495
Deputy Mayor	£6,495
Chair audit and governance committee	£6,495
<b>Band 1c</b>	
Scrutiny commission chair	£9,753
Planning committee (smaller applications) chair	£9,753
Deputy cabinet member	£9,753
<b>Band 2a</b>	
Chief whip	£16,866
Leader majority opposition	£16,866
<b>Band 2b</b>	
Mayor	£24,025
Chair overview & scrutiny committee	£24,025
Chair planning committee	£24,025
Chair licensing committee	£24,025
<b>Band 3</b>	
Cabinet member	£39,218
Deputy leader	£39,218
<b>Band 4</b>	
Leader	£58,427

6. The level of allowance paid to a band 3 or band 4 member is dependent on the average number of hours per week the member is employed elsewhere, as set out below:
- less than 11 hours elsewhere, full SRA
  - 11 to 24 hours elsewhere, two thirds SRA
  - more than 24 hours elsewhere, one third SRA.

Where cabinet members are appointed in a job share, the average number of hours employed elsewhere are doubled.

### Licensing committee

7. Ordinary members of a licensing sub-committee will receive a payment of £148.62 per meeting attended.

Members will be selected to attend the sub-committee in accordance with a system of rotation agreed by members of the licensing committee, which ensures all members have an equal opportunity to attend.

Where a sub-committee is cancelled, ordinary members summonsed to sub-committee meetings will be eligible for the attendance payment unless a cancellation notice is sent by 10.00am on the second working day prior to the date of the meeting, thereby giving one clear working day's notice.

Ordinary members attending the licensing committee will not be eligible for the attendance payment.

### **Travel allowance**

8. Councillors (and co-optees receiving a special responsibility allowance) may only claim travel expenses necessarily incurred in carrying out their approved duties outside the borough, subject to the following exceptions:
- Members with mobility difficulties are able to claim the cost of travel when on council business
  - Members are able to claim for taxis home after council meetings ending after 9.00pm in summer (BST) and 7.00pm in winter (GMT)
  - It is noted that when undertaking civic duties, the Mayor and the Deputy Mayor may be required to use taxis when other forms of transport are unavailable. Similarly cabinet members may on occasions need to take taxis to allow them to efficiently and effectively perform their approved duties, e.g. to enable them to attend back to back meetings.
  - Non statutory co-optees (who do not receive an allowance) can claim their travel expenses.

A full list of approved duties is set out in paragraph 27 below.

9. Members cannot reclaim expenses they have incurred due to:
- a) congestion charges, including fines or penalties
  - b) parking/clamping fines.
10. For public transport, receipts must be produced in respect of all claims. Members using their own transport may submit mileage claims. The maximum rates per mile are set out below.
11. The following is a summary of the conditions, and has been excerpted and adapted from those which apply to officers.

### **Car users**

12. Casual car users allowances – general conditions:
- Public transport must be used on all appropriate occasions, e.g. where more economic, timely etc
  - Members should not use their own cars when there is room in one of the local authority's cars or in the car of another member making the same journey on the same business. As far as possible journeys over the same route should be arranged so as to synchronise
  - All official mileage has to be recorded
  - Members shall have included and maintain in their insurance policy a clause indemnifying the local authority against all third party claims (including those concerning passengers) arising out of the use of the vehicle on official business

- Members must ensure that the car they are travelling in has current insurance and MOT certificates and are encouraged to ensure that their car has passed emission checks:
    - For cars less than three years old, annually
    - For cars three years and above, twice yearly.
13. The national joint council reviews the rates payable to staff on an annual basis. The current rates are set out below. There are three bands of allowance according to the cubic capacity of the car: 451-999 cc; 1000-1199 cc; 1200 cc and above.

<b>Casual Users</b>	<b>451-999 cc</b>	<b>1000-1199 cc</b>	<b>1200 cc and above</b>	<b>Fully electric</b>
Per mile-first 8,500 miles	46.9 pence	52.2 pence	65.0 pence	65.0 pence
Per mile-after 8,500 miles	13.7 pence	14.4 pence	16.4 pence	16.4 pence

### **Motorcycles and mopeds**

There are five bands of allowance according to the engine size of the motorcycle: the rates are set out below:

<b>Engine Size (cc)</b>	
Up to 150	9 pence per mile
151 – 244	14 pence per mile
245 – 500	17 pence per mile
501 – 999	23 pence per mile
1000+	27 pence per mile

### **Pedal cycles**

A monthly cycle allowance is payable to councillors, independent and co-opted members who use their own cycles in connection with their official duties. The rate is currently £20 per month. Members must notify the proper constitutional officer of their intention to claim this allowance, as unlike other travel allowances it is not paid as an expense. Except in circumstances agreed by the proper constitutional officer members in receipt of the cycle allowance may not claim other travel allowances. Except in circumstances agreed by the proper constitutional officer members who have taken advantage of the Bikes4Work scheme are required to use their cycle for normal council business whether they claim the cycle allowance or not and will not be eligible to claim other travel allowances.

### **Subsistence allowance**

14. Subsistence allowance may be claimed in respect of approved duties, except where food is provided, if they involve an absence from the normal place of residence exceeding four hours in total, which includes one hour travelling time.

15. Claims are subject to the following maximum, which are the same for members as they are for officers:

Breakfast	£6.05
Lunch	£8.34
Evening Meal	£10.30

16. The amount to be reimbursed in respect of approved duties is the actual amount spent subject to the maximum figures quoted above. Receipts must be produced in respect of all claims.

### **Child-care and dependant carers allowance scheme**

17. Members may claim this allowance against any costs they incur in arranging carers to look after dependants who cannot be left by themselves by reason of age or other special needs. The allowance may only be claimed in respect of approved duties and is subject to tax and national insurance deductions at personal rates.
18. The maximum rate claimable shall be set at the level of the London living wage rate set annually by the Living Wage Foundation and calculated by the Greater London Authority. The rate shall be reviewed annually so it keeps in line with changes to the London Living Wage and be reported to the chief executive.
19. The following criteria also apply:
- payment is claimable in respect of children aged 15 or under or in respect of other dependants where there is medical or social work evidence that care is required
  - the allowance is not payable to a member of the claimant's own household
  - the carer must be 18 or over (and not a spouse or partner/co-habitee of the member or a relative living at the same address)
  - the claim shall cover the time spent at the meeting plus up to one hour for travel to and from the meeting
  - the allowance will be paid upon submission of the claim form and accompanied by relevant receipts
  - claims must be submitted within two months of the duty undertaken
  - any dispute as to entitlement and any allegation of abuse will be referred to the audit, governance and standards sub-committee for adjudication.

### **Co-opted members**

20. The following allowances are payable to co-opted members:
- a) All statutory co-optees (i.e. statutory co-optees to the education committee) should receive an annual allowance; this is £1,348.
  - b) No statutory co-optees may receive more than one allowance under (a) above

- c) That statutory co-optees should be subject to the same travel and subsistence claim regime as councillors, i.e. not able to claim for intra borough travel and subsistence except where one of the exceptions applies
  - d) Non-statutory co-optees should be able to claim reimbursement of travelling and subsistence expenses.
21. Co-optees may, in writing to the proper constitutional officer, elect not to receive allowances.
  22. The allowance to education co-optees should be payable from the date of appointment.
  23. Co-optees allowances are subject to the same index linking as members' allowances generally.
  24. Co-optees do not receive the basic allowance.
  25. If a co-opted member does not serve for the whole of the 12 month period, or become disqualified, they will only be entitled to pro-rata payments for the period(s) during which they were actually a serving co-opted member.
  26. Both statutory and non-statutory co-opted members are entitled to claim dependant carer's allowance as set out in paragraphs 17 - 19.

### **Approved duties**

27. For a member, an approved duty for the purpose of travel, subsistence and childcare and dependant carers allowances means:
  - a) attendance at a meeting of the council or of any committee or sub-committee of the council
  - b) attendance at a meeting of a body to which the member has been nominated by the council or of any committee or sub-committee of such a body, provided they are a member of the body concerned
  - c) attendance at any other meeting, the holding of which is authorised by the council, or a committee or sub-committee of the council or a joint committee of the council, or a sub committee of such a joint committee, provided that it is a meeting to which members of at least two political groups have been invited
  - d) attendance at a meeting of any association of authorities of which the council is a member
  - e) attendance at a meeting of the cabinet or of any of its committees
  - f) performance of any duty in connection with the discharge of a function of the authority empowering or requiring the inspection of premises
  - g) performance of any duty in connection with arrangements made by the authority for the attendance of pupils at special schools
  - h) any other duty approved by the council for the purpose of, or in connection with, the discharge of the functions of the council, or any of its committees or sub-committees

- i) any duty for the purpose of or in connection with the discharge of the functions of the cabinet
  - j) attendance at neighbourhood forums that fall within the member's ward
  - k) attendance at tenants' council and leaseholders' council
  - l) attendance at licensing or planning committees as a ward representative.
28. No allowances can be claimed in respect of political group meetings, members' surgeries or attendance at college or school governing bodies.

### **Entitlement to allowances**

29. Allowances are paid automatically in equal monthly instalments. If a member of the council does not serve for the whole of the year, becomes disqualified or ceases to be entitled to a special responsibility allowance (SRA), they will only be entitled to payments for the proportion of the number of days served in that year. Overpayment of SRAs for continuing members will be automatically deducted from the basic allowance. Other overpayments must be repaid to the authority. If the scheme is amended to affect entitlement, any variation will be paid from an agreed date only. Retrospective payments will not be made to members who are no longer serving.

### **Parental Leave for Councillors**

30. The following leave periods will apply:
- a) Members giving birth are entitled to up to 39 weeks maternity leave, with the option to extend up to 52 weeks if required, by notifying the monitoring officer, (subject to 30(h) – six months attendance rule).
  - b) In addition, where the birth is premature, the member is entitled to take leave during the period between the date of the birth and the due date in addition up to the 52 weeks' period. In such cases any leave taken to cover prematurity of 28 days or less shall be deducted from any extension beyond the initial period up to 52 weeks.
  - c) In exceptional circumstances, and only in cases of prematurity of 29 days or more, additional leave may be taken by agreement, and such exceptional leave shall not be deducted from the total up to 52 week entitlement.
  - d) Members shall be entitled to take maternity/adoption support leave (formerly known as paternity leave) with up to two weeks paid SRA allowance and up to 13 weeks with no SRA allowance if they are the biological father or nominated carer of their partner/spouse following the birth of their child(ren).
  - e) A member who is seeking to make Shared Parental Leave arrangements is requested to advise the Council of this intention at the earliest possible opportunity. Every effort will be made to accommodate such arrangements.

- f) Where both parents are members, leave may be shared up to a maximum of 52 weeks. Special and exceptional arrangements may be made in cases of prematurity.
- g) A member who adopts a child through an approved adoption agency shall be entitled to take up to 39 weeks adoption leave from the date of placement, with the option to extend up to 52 weeks by if required, by notifying the monitoring officer.
- h) Any member who takes maternity, shared parental or adoption leave retains their legal duty under the Local Government Act 1972 to attend a meeting of the Council within a six-month period unless Council Assembly agrees to an extended leave of absence prior to the expiration of that six-month period.
- i) Any member intending to take maternity, maternity/adoption support, shared parental or adoption leave will be responsible for ensuring that they comply with the relevant notice requirements of the Council, by notifying the monitoring officer, both in terms of the point at which the leave starts and the point at which they return.
- j) Any member taking leave should ensure that they respond to reasonable requests for information as promptly as possible, and that they keep officers and colleagues informed and updated in relation to intended dates of return and requests for extension of leave.
- k) If an election is held during the member's maternity, maternity/adoption support, shared parental or adoption leave and they are not re-elected, or decide not to stand for re-election, their basic allowance and SRA if appropriate will cease from the Monday after the election date when they would technically leave office.

### **Basic Allowance**

- 31. All members shall continue to receive their basic allowance in full whilst on maternity, adoption or maternity/adoption support leave.

### **Waiving right to receive allowances**

- 32. Members do not have to take their allowance(s) – if a member wishes to waive their right to receive a basic allowance, SRA, any other allowance, or part thereof, they must notify the proper constitutional officer in writing.

### **Claiming allowances**

- 33. Claims for travel, subsistence, child-care and independent carers allowances must be submitted within two months of the duty undertaken and accompanied by relevant receipts. Claims submitted outside of the two month period may be put forward to the audit, governance and standards sub-committee for consideration.

### **Taxation and allowances**

- 34. Allowances are not salaries but are subject to tax and national insurance as any allowance is considered as income. Any such deductions are subject to personal circumstances. Members should note that the council



is unable to deal with personal tax enquiries on their behalf and should inform their tax office of any change in circumstances.

### **Publication of allowances**

35. In accordance with the Local Authorities (Members Allowances) (England) Regulations 2003, the council is required to publish details of any basic and special responsibility allowances paid to councillors for the previous financial year, along with details of the allowances scheme which applied at that time. This statutory notice also includes details of subsistence, travel and carer's allowance. In addition, the council publishes further information regarding members' expenses. Any payments to cabinet members for loss of office will also be published.

### **Withholding allowances**

36. The audit, governance and standards sub-committee may withdraw allowances from individual members (including co-opted members) in whole or in part for non-attendance at meetings, or, for elected members only, for failure to attend required training. Withheld allowances are not repayable / recoverable.
37. Audit, governance and standards sub-committee may also consider the withdrawal of allowances for a member given approval by council assembly for a failure to attend, subject to a referral being made by council assembly.

### **Amendments to the allowances scheme**

38. Allowances will be adjusted in line with the national local government officer pay settlement and allowances for officers<sup>1</sup>. This includes basic allowance, SRA levels, licensing payments and co-opted member allowances.
39. Travel and subsistence allowances will be amended in line with changes to allowances for officers.
40. Dependant carer's allowance shall be set at the level of the London living wage rate set annually by the Living Wage Foundation and calculated by the Greater London Authority. The rate shall be reviewed annually so it keeps in line with changes to the London Living Wage and be reported to the chief executive.

### **Special leave arrangements**

41. The special leave arrangement for members applies to all recipients of special responsibility allowances. Where SRAs are paid at a reduced level, that level will apply during any special leave absence. Where

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<sup>1</sup> Index linking is to the general settlement rather than any special provision for particular groups of staff such as the low paid.

members have elected not to receive their allowance no special leave payment will be made.

42. Where a period of special leave includes the annual meeting of council assembly and the member is not reappointed to a post attracting an SRA, the special leave allowance will cease on the day following council assembly.

### **Maternity leave**

43. The maternity leave arrangement will be for up to 6 weeks full SRA allowance, 20 weeks half SRA allowance and 13 weeks SRA unpaid (subject to 30(h) above – six months attendance rule). No additional allowance will be paid for absence beyond 26 weeks. Antenatal care is part of the normal arrangements for short term absence and is not affected by special leave arrangements.
44. Members are not eligible for Statutory Maternity Pay (SMP) if they are not employed elsewhere. The council cannot pay SMP.

### **Adoption leave**

45. The adoption leave arrangement will be for up 6 weeks on full SRA allowance, 20 weeks half SRA allowance and 13 weeks SRA unpaid. No additional allowance will be paid for absence beyond 26 weeks.

### **Maternity/Adoption Support Leave**

46. The maternity/adoption support leave arrangement will be for two weeks paid SRA allowance and up to 13 weeks with no SRA allowance.

### **Sick leave**

47. The sick leave arrangement will be for up to six months full allowance in any 12 months.

### **Other special leave**

48. Normal leave arrangements and emergency situations do not affect SRAs. Extended absence e.g. service abroad in the Territorial Army or jury service to be in line with officer guidelines.

### **Other arrangements**

49. During any period for which special leave arrangements are in place any member who is appointed to deputise for the absent member will be eligible for the full SRA payments due in the same period up to a maximum of 52 weeks. Where a substantive member has more than one position with an SRA, only one member can deputise and receive one SRA for both positions. Payment to cabinet members for loss of office will not apply to members who deputise for a cabinet member.

<b>Item No.</b> 6.4	<b>Classification:</b> Open	<b>Date:</b> 20 March 2024	<b>Meeting Name:</b> Council Assembly
<b>Report title:</b>		Council Assembly Dates and Calendar of Meetings 2024-2025	
<b>Ward(s) or groups affected:</b>		All	
<b>From:</b>		Constitutional Steering Panel	

## RECOMMENDATIONS

1. That council assembly agree the following dates for meetings of council assembly be fixed in the council calendar for the 2024-25 municipal year:

<b>Council Assembly</b>	<b>Type of Meeting</b>
Wednesday 22 May 2024	Mayor Making/Annual meeting
Wednesday 10 July 2024	Ordinary meeting
Wednesday 20 November 2024	Ordinary meeting
Wednesday 26 February 2025	Budget and council tax setting
Wednesday 19 March 2025	Ordinary meeting
Saturday 17 May 2025	Mayor Making/Annual meeting

2. That council assembly note the agreement in May 2023 for the dates of the annual/mayor making meetings for 2025 to 2027 as set out below:
  - Saturday 17 May 2025 11am
  - Saturday 16 May 2026 11am
  - Saturday 15 May 2027 11am
3. That council assembly note the calendar of council meetings for the 2024-25 municipal year as shown at Appendix 1.

## BACKGROUND INFORMATION

### Council assembly dates

4. Council assembly procedure rules require that meetings shall take place on such dates as agreed by council assembly.
5. The proposed dates are based on the 2023-24 calendar of meetings and in line with the practice adopted at council assembly in July 2016 of five

meetings per municipal year, which includes the annual council assembly meeting.

### **KEY ISSUES FOR CONSIDERATION**

6. A schedule of council assembly meetings for the 2024-25 municipal year has been prepared and is shown at recommendation 1.
7. Council assembly are asked to formally agree these dates, in accordance with constitutional provision council assembly procedure rule 2.1.
8. A calendar of all council meetings for the 2024-25 municipal year (including council assembly meetings) has been prepared and is shown at Appendix 1. Appendix 2 is a list of all meetings for 2024-25 in a table format.
9. The calendar (Appendix 1) includes the dates for school holidays, party conferences and other committed dates. Due to business demands of the service, certain meetings will meet more frequently, for example, cabinet, overview and scrutiny committee and planning committee. Cabinet procedure rule 2.1 requires that the cabinet should meet at least eight times per year; therefore cabinet meetings are scheduled in line with this requirement. Scrutiny sub-committees are included in the draft calendar, pending their establishment by the overview and scrutiny committee.
10. The draft calendar has been circulated to group whips and relevant officers and comments have been collated as received and appropriate amendments made. The meeting cycle and framework has been scheduled in accordance with the council's governance arrangements and the current referral mechanism.
11. In respect of meetings other than council assembly, this calendar is subject to amendments, additions and cancellations. The calendar is published on the council's website and is regularly updated throughout the year.
12. The early planning and scheduling of formal council meetings is a vital and integral part of the decision making process. This supports the efficient administration of the council.

### **Policy framework implications**

13. This report is not considered to have direct policy implications.

### **Community, equalities (including socio-economic) and health impacts**

14. Publicising details of council and committee meetings will enable all stakeholders and the community to forward plan, should they wish to attend and, if appropriate, address those meetings, in accordance with the constitution. The constitution enables people, including the local community where relevant, to understand the role that they can play in the decision making of the council.

**Climate change implications**

15. There are no direct climate change implications arising from this report.

**Legal implications**

16. Legal comments are incorporated within the report.

**Financial implications**

17. There are no direct resource implications in the context of this report.

**Consultation**

18. Consultation has been undertaken with the Mayor, Group whips and relevant officers.

**SUPPLEMENTARY ADVICE FROM OTHER OFFICERS**

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

**BACKGROUND DOCUMENTS**

<b>Background Papers</b>	<b>Held At</b>	<b>Contact</b>
Southwark Constitution: <a href="http://modern.gov.southwark.gov.uk/ieListMeetings.aspx?CIId=425&amp;Year=0">http://modern.gov.southwark.gov.uk/ieListMeetings.aspx?CIId=425&amp;Year=0</a>	Council Offices, 160 Tooley Street, London SE1 2QH	Constitutional Team Email: <a href="mailto:constitutional.team@southwark.gov.uk">constitutional.team@southwark.gov.uk</a> Tel: 020 7525 7055

**APPENDICES**

<b>Appendix</b>	<b>Title</b>
Appendix 1	Council Calendar 2024-25
Appendix 2	Council Calendar 2024-25 (table format)

**AUDIT TRAIL**

<b>Lead Officer</b>	Chidilim Agada, Head of Constitutional and Member Services	
<b>Report Author</b>	Virginia Wynn-Jones, Principal Constitutional Officer	
<b>Version</b>	Final	
<b>Dated</b>	29 February 2024	
<b>Key Decision?</b>	No	
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER</b>		
<b>Officer Title</b>	<b>Comments Sought</b>	<b>Comments Included</b>
Assistant Chief Executive – Governance and Assurance	Yes	Incorporated in the report
Strategic Director of Finance	No	No
<b>Cabinet Member</b>	No	No
<b>Date final report sent to Constitutional Team</b>	29 February 2024	

## Draft Calendar of Meetings 2024 – 25 (and 2025-26)

May 2024						
Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
		<b>1</b> Education and Local Economy Scrutiny Commission 7pm	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>
<b>6</b> Early May Bank Holiday	<b>7</b>	<b>8</b>	<b>9</b>	<b>10</b>	<b>11</b>	<b>12</b>
<b>13</b> Party Group Meetings (tbc) 7pm	<b>14</b>	<b>15</b>	<b>16</b>	<b>17</b>	<b>18</b>	<b>19</b>
<b>20</b>	<b>21</b>	<b>22</b> Council Assembly (Annual Meeting) 6pm Overview & Scrutiny Committee (to <i>establish                      commissions and appoint                      chairs</i> ) TBC 7pm	<b>23</b>	<b>24</b>	<b>25</b>	<b>26</b>
<b>27</b> Late May Bank Holiday / Half-term	<b>28</b>	<b>29</b>	<b>30</b>	<b>31</b>	<b>1</b>	<b>2</b>

June 2024						
Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
<b>3</b> Audit, Governance and Standards Committee 6.30pm	<b>4</b> London Councils – Leaders Committee 11.30am-1.30pm (tbc)  Overview & Scrutiny Committee 7pm	<b>5</b> Planning Committee (Smaller Applications) 7pm	<b>6</b>	<b>7</b>	<b>8</b>	<b>9</b>
<b>10</b> Party Group Meetings (tbc) 7pm	<b>11</b> Leaders Committee (AGM) 11:30am – 1.30pm  Scrutiny Commission 1 7pm	<b>12</b> Constitutional Steering Panel 6pm  Planning Committee (Major Applications) A 6.30pm	<b>13</b>	<b>14</b>	<b>15</b>	<b>16</b>
<b>17</b> Scrutiny Commission 2 7pm	<b>18</b> Cabinet 11am  Licensing Committee 7pm	<b>19</b> Scrutiny Commission 3 7pm	<b>20</b>	<b>21</b>	<b>22</b>	<b>23</b>
<b>24</b>	<b>25</b> Scrutiny Commission 4 7pm	<b>26</b>	<b>27</b>	<b>28</b>	<b>29</b>	<b>30</b>



July 2024						
Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
<b>1</b> Party Group Meetings (tbc) 7pm	<b>2</b> Planning Committee (Smaller Applications) 7pm	<b>3</b> Planning Committee (Major Applications) B 6.30pm	<b>4</b>	<b>5</b>	<b>6</b>	<b>7</b>
<b>8</b> Cabinet 11am  Overview & Scrutiny Committee 7pm	<b>9</b> London Councils – Leaders Committee 11.30am-1.30pm (tbc)  Joint IT Committee (Brent, Lewisham & Southwark) 6pm	<b>10</b> Council Assembly <i>Ordinary meeting</i> 7pm	<b>11</b>	<b>12</b>	<b>13</b>	<b>14</b>
<b>15</b> Audit, Governance and Standards Committee 6.30pm  Audit, governance and standards (Civic awards) sub-committee \$\$ <i>following the rise the above</i>	<b>16</b> Planning Committee (Major Applications) A 6.30pm	<b>17</b> Corporate Parenting Committee 2pm	<b>18</b> Health & Wellbeing Board 10am	<b>19</b>	<b>20</b>	<b>21</b>
<b>22</b>	<b>23</b>	<b>24</b>	<b>25</b>	<b>26</b> School holidays start	<b>27</b>	<b>28</b>
<b>29</b>	<b>30</b>	<b>31</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>

August 2024						
Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
29	30	31	1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26 Summer Bank Holiday	27	28	29	30 School holidays end	31	1

September 2024						
Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
<b>2</b> Party Group Meetings (tbc) 7pm	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>	<b>7</b>	<b>8</b>
<b>9</b> Planning Committee (Smaller Applications) 7pm	<b>10</b> Cabinet 11am	<b>11</b> Planning Committee (Major Applications) B 6.30pm	<b>12</b>	<b>13</b>	<b>14</b> Liberal Democrat Party Conference	<b>15</b> Liberal Democrat Party Conference
<b>16</b> Liberal Democrat Party Conference	<b>17</b> Liberal Democrat Party Conference	<b>18</b> Scrutiny Commission 3 7pm	<b>19</b>	<b>20</b>	<b>21</b>	<b>22</b> Labour Party Conference
<b>23</b> Labour Party Conference	<b>24</b> Labour Party Conference	<b>25</b> Labour Party Conference	<b>26</b>	<b>27</b>	<b>28</b>	<b>29</b>
<b>30</b> Scrutiny Commission 2 7pm  Planning Committee (Smaller Applications) 7pm	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>

October 2024						
Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
30	1 Scrutiny Commission 1 7pm	2 Audit, Governance and Standards Committee 6.30pm	3	4	5	6 Labour Party Conference (tbc)
7 Party Group Meetings (tbc) 7pm	8 London Councils – Leaders Committee 11.30am-1.30pm (tbc)  Planning Committee (Major Applications) A 6.30pm	9 Overview & Scrutiny Committee 7pm	10	11	12	13
14 Scrutiny Commission 4 7pm	15 Cabinet 11am	16 Planning Committee (Smaller Applications) 7pm	17	18	19	20
21	22 Licensing Committee 7pm	23 Corporate Parenting Committee 2pm  Constitutional Steering Panel 6pm	24	25	26	27
28 Half-term	29	30	31	1	2	3

November 2024						
Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
<b>4</b>	<b>5</b> Planning Committee (Major Applications) B 6.30pm	<b>6</b>	<b>7</b>	<b>8</b>	<b>9</b>	<b>10</b>
<b>11</b> Party Group Meetings (tbc) 7pm	<b>12</b>	<b>13</b> Audit, Governance and Standards Committee 6.30pm  Scrutiny Commission 1 7pm	<b>14</b> Health & Wellbeing Board 10am	<b>15</b>	<b>16</b>	<b>17</b>
<b>18</b> Scrutiny Commission 2 7pm	<b>19</b> Planning Committee (Smaller Applications) 7pm	<b>20</b> Council Assembly ( <i>Ordinary meeting</i> ) 7pm	<b>21</b>	<b>22</b>	<b>23</b>	<b>24</b>
<b>25</b> Scrutiny Commission 3 7pm	<b>26</b> Joint IT Committee (Brent, Lewisham & Southwark) 6pm  Planning Committee (Major Applications) A 6.30pm	<b>27</b> Overview & Scrutiny Committee 7pm	<b>28</b>	<b>29</b>	<b>30</b>	<b>1</b>

December 2024						
Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
<b>2</b>	<b>3</b> Cabinet 11am Cabinet (Livesey Trust) Committee 10am Scrutiny Commission 4 7pm	<b>4</b> East Central multi ward area 6pm (non-decision making)	<b>5</b>	<b>6</b>	<b>7</b>	<b>8</b>
<b>9</b> Planning Committee (Smaller Applications) 7pm	<b>10</b> London Councils – Leaders Committee 11.30am-1.30pm (tbc) Planning Committee (Major Applications) B 6.30pm	<b>11</b>	<b>12</b>	<b>13</b>	<b>14</b>	<b>15</b>
<b>16</b>	<b>17</b>	<b>18</b>	<b>19</b>	<b>20</b> School holidays start	<b>21</b>	<b>22</b>
<b>23</b>	<b>24</b> Xmas Eve	<b>25</b> Xmas Day	<b>26</b> Boxing Day	<b>27</b>	<b>28</b>	<b>29</b>
<b>30</b>	<b>31</b> New Year's Eve	<b>1</b> New Year's Day				

January 2025						
Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
<b>30</b>	<b>31</b> New Year's Eve	<b>1</b> New Year's Day	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>
<b>6</b> Party Group Meetings (tbc) 7pm	<b>7</b> Cabinet 11am	<b>8</b> Overview and Scrutiny Committee 7pm	<b>9</b>	<b>10</b>	<b>11</b>	<b>12</b>
<b>13</b> South multi ward area 6pm (non-decision making)  North-west multi ward area 6.30pm (non-decision making)	<b>14</b> Leaders Committee 11:30am – 1.30pm  Planning Committee (Major Applications) A 6.30pm	<b>15</b> North-east multi ward area 6pm (non-decision making)  West Central multi ward area 6pm (non-decision making)	<b>16</b>	<b>17</b>	<b>18</b>	<b>19</b>
<b>20</b> Overview & Scrutiny Committee 10am  Constitutional Steering Panel 6pm	<b>21</b> Overview & Scrutiny Committee 7pm	<b>22</b> Planning Committee (Smaller Applications) 7pm	<b>23</b>	<b>24</b>	<b>25</b>	<b>26</b>
<b>27</b> Party Group Meetings (tbc) 7pm	<b>28</b> Scrutiny Commission 4 7pm	<b>29</b> Planning Committee (Major Applications) B 6.30pm	<b>30</b>	<b>31</b>	<b>1</b>	<b>2</b>

February 2025						
Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
<b>3</b> Cabinet 11am Audit, Governance and Standards Committee 6.30pm Scrutiny Commission 1 7pm	<b>4</b> London Councils – Leaders Committee 11.30am-1.30pm (tbc) Scrutiny Commission 2 7pm	<b>5</b>	<b>6</b>	<b>7</b>	<b>8</b>	<b>9</b>
<b>10</b> Scrutiny Commission 3 7pm Tenants’ Forum 7pm	<b>11</b> London Councils – Leaders Committee 11.30am-1.30pm (tbc) Planning Committee (Major Applications) A 6.30pm	<b>12</b> Overview & Scrutiny Committee 7pm	<b>13</b>	<b>14</b>	<b>15</b>	<b>16</b>
<b>17</b> <b>Half-term</b>	<b>18</b>	<b>19</b>	<b>20</b>	<b>21</b>	<b>22</b>	<b>23</b>
<b>24</b> Party Group Meetings (tbc) 7pm	<b>25</b> Planning Committee (Smaller Applications) 7pm Homeowner Forum 7pm	<b>26</b> Corporate Parenting Committee 2pm Council Assembly ( <i>Budget &amp; Council Tax setting meeting</i> ) 7pm	<b>27</b>	<b>28</b>	<b>1</b>	<b>2</b>



March 2025						
Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
<b>3</b> Audit, governance and standards (Civic awards) sub-committee 6pm	<b>4</b> Leaders Committee 11:30am – 1.30pm  West Central multi ward area 6pm	<b>5</b> Planning Committee (Major Applications) B 6.30pm  Constitutional Steering Panel 6pm	<b>6</b>	<b>7</b>	<b>8</b>	<b>9</b>
<b>10</b> Party Group Meetings (tbc) 7pm	<b>11</b> Cabinet 11am  North-west multi ward area 6.30pm	<b>12</b> North-east multi ward area 6pm  South-multi ward area 6pm	<b>13</b> Health & Wellbeing Board 10am	<b>14</b>	<b>15</b>	<b>16</b>
<b>17</b> East Central multi ward area 6pm	<b>18</b> London Councils – Leaders Committee 11.30am-1.30pm (tbc)  Joint IT Committee (Brent, Lewisham & Southwark) 6pm	<b>19</b> Council Assembly ( <i>ordinary meeting</i> ) 7pm	<b>20</b>	<b>21</b>	<b>22</b>	<b>23</b>
<b>24</b> Party Group Meetings (tbc) 7pm	<b>25</b> Planning Committee (Smaller Applications) 7pm	<b>26</b> Planning Committee (Major Applications) A 6.30pm	<b>27</b>	<b>28</b>	<b>29</b>	<b>30</b>
<b>31</b>						

April 2025						
Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
31	<b>1</b> Corporate Parenting Committee 2pm  Planning Committee (Major Applications) B 6.30pm	<b>2</b> Constitutional Steering Panel 6pm  Scrutiny Commission 1 7pm	<b>3</b> Scrutiny Commission 2 7pm	<b>4</b> <b>Start of school holidays</b>	<b>5</b>	<b>6</b>
<b>7</b>	<b>8</b>	<b>9</b>	<b>10</b>	<b>11</b>	<b>12</b>	<b>13</b>
<b>14</b>	<b>15</b>	<b>16</b>	<b>17</b>	<b>18</b> <b>Good Friday</b>	<b>19</b>	<b>20</b>
<b>21</b> <b>Easter Monday;</b> End of school holidays	<b>22</b> Scrutiny Commission 3 7pm	<b>23</b>	<b>24</b>	<b>25</b>	<b>26</b>	<b>27</b>
<b>28</b> Overview & Scrutiny Committee 7pm	<b>29</b> Planning Committee (Major Applications) A 6.30pm	<b>30</b> Scrutiny Commission 4 7pm	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>

May 2025						
Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
28	29	30	1	2	3	4
5 Early May Bank Holiday	6	7	8	9	10	11
12 Party Group Meetings (tbc) 7pm	13	14	15	16	17 Council Assembly (Annual Meeting) 11am Overview & Scrutiny Committee (to establish commissions and appoint chairs) TBC 12noon	18
19	20	21	22	23	24	25
26	27	28	29	30	31	1

<b>Spring Bank Holiday, Half-term start</b>				<b>End of half-term</b>		
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June 2025						
Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
<b>2</b>	<b>3</b> London Councils – Leaders Committee 11.30am-1.30pm (tbc)  Audit, Governance and Standards Committee 6.30pm  Planning Committee (Major Applications) A 6.30pm	<b>4</b>  Overview & Scrutiny Committee 7pm	<b>5</b>	<b>6</b>	<b>7</b>	<b>8</b>
<b>9</b> Party Group Meetings (tbc) 7pm	<b>10</b> Leaders Committee 11:30am – 1.30pm	<b>11</b> Planning Committee (Major Applications) B 6.30pm	<b>12</b>	<b>13</b>	<b>14</b>	<b>15</b>
<b>16</b> Scrutiny Commission 2 7pm	<b>17</b> Cabinet 11am Planning Committee (Smaller Applications) 7pm	<b>18</b> Constitutional Steering Panel 6pm Scrutiny Commission 1 7pm	<b>19</b>	<b>20</b>	<b>21</b>	<b>22</b>
<b>23</b> Scrutiny Commission 3 7pm	<b>24</b> Licensing Committee 7pm	<b>25</b> Scrutiny Commission 4 7pm	<b>26</b>	<b>27</b>	<b>28</b>	<b>29</b>
<b>30</b> Party Group Meetings (tbc) 7pm	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>

July 2025						
Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
30	1 Planning Committee (Smaller Applications) 7pm	2	3	4	5	6
7 Cabinet 11am  Overview & Scrutiny Committee 7pm	8 London Councils – Leaders Committee 11.30am-1.30pm (tbc)  Joint IT Committee (Brent, Lewisham & Southwark) 6pm (tbc)	9 Council Assembly <i>Ordinary meeting</i> 7pm	10	11	12	13
14 Audit, Governance and Standards Committee 6.30pm  Audit, governance and standards (Civic awards) sub-committee \$\$ <i>following the rise the above</i>	15 Planning Committee (Major Applications) A 6.30pm	16 Corporate Parenting Committee 2pm	17 Health & Wellbeing Board 10am	18	19	20

21	22	23 Start school holidays	24	25	26	27
28	29	30	31	1	2	3

August 2025						
Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
28	29	30	31	1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25 Summer Bank Holiday	26	27	28	29 School holidays end (tbc)	30	31



September 2025						
Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
<b>1</b> Party Group Meetings (tbc) 7pm	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>	<b>7</b>
<b>8</b> Planning Committee (Smaller Applications) 7pm	<b>9</b>	<b>10</b> Planning Committee (Major Applications) B 6.30pm	<b>11</b>	<b>12</b>	<b>13</b>	<b>14</b>
<b>15</b> Party Group Meetings (tbc) 7pm	<b>16</b> Cabinet 11am  Scrutiny Commission 1 7pm	<b>17</b> Scrutiny Commission 3 7pm  Audit, Governance and Standards Committee 6.30pm	<b>18</b>	<b>19</b>	<b>20</b> Liberal Democrat Party Conference (tbc)	<b>21</b> Liberal Democrat Party Conference (Tbc)
<b>22</b> Liberal Democrat Party Conference (Tbc)	<b>23</b> Liberal Democrat Party Conference (Tbc)	<b>24</b>	<b>25</b>	<b>26</b>	<b>27</b>	<b>28</b>
<b>29</b> Scrutiny Commission 2 7pm	<b>30</b> Planning Committee (Major Applications) A 6.30pm	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>

October 2025						
Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
29	30	1 Overview & Scrutiny Committee 7pm	2	3	4	5 Labour Party Conference (tbc)
6 Labour Party Conference (tbc)	7 Labour Party Conference (tbc)	8 Labour Party Conference (tbc)	9	10	11	12
13 Scrutiny Commission 4 7pm	14 Cabinet 11am	15 Planning Committee (Smaller Applications) 7pm	16	17	18	19
20	21 Licensing Committee 7pm	22 Corporate Parenting Committee 2pm  Constitutional Steering Panel 6pm	23	24	25	26
27 Half-term (tbc)	28	29	30	31	1	2

November 2025						
Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
<b>3</b>	<b>4</b> Planning Committee (Major Applications) B 6.30pm	<b>5</b>	<b>6</b>	<b>7</b>	<b>8</b>	<b>9</b>
<b>10</b> Party Group Meetings (tbc) 7pm	<b>11</b> Planning Committee (Smaller Applications) 7pm	<b>12</b> Council Assembly ( <i>Ordinary meeting</i> ) 7pm	<b>13</b> Health & Wellbeing Board 10am	<b>14</b>	<b>15</b>	<b>16</b>
<b>17</b> Scrutiny Commission 2 7pm	<b>18</b>	<b>19</b> Audit, Governance and Standards Committee 6.30pm Scrutiny Commission 1 7pm	<b>20</b>	<b>21</b>	<b>22</b>	<b>23</b>
<b>24</b> Scrutiny Commission 3 7pm	<b>25</b> Joint IT Committee (Brent, Lewisham & Southwark) 6pm (tbc) Planning Committee (Major Applications) A 6.30pm	<b>26</b> Overview & Scrutiny Committee 7pm	<b>27</b>	<b>28</b>	<b>29</b>	<b>30</b>

December 2025						
Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
<b>1</b>	<b>2</b> Cabinet 11am Cabinet (Livesey Trust) Committee 10am Scrutiny Commission 4 7pm	<b>3</b> East Central multi ward area 6pm (non-decision making)	<b>4</b>	<b>5</b>	<b>6</b>	<b>7</b>
<b>8</b> Planning Committee (Smaller Applications) 7pm	<b>9</b> London Councils – Leaders Committee 11.30am-1.30pm (tbc) Planning Committee (Major Applications) B 6.30pm	<b>10</b>	<b>11</b>	<b>12</b>	<b>13</b>	<b>14</b>
<b>15</b>	<b>16</b>	<b>17</b>	<b>18</b>	<b>19</b> School holidays start (tbc)	<b>20</b>	<b>21</b>
<b>22</b>	<b>23</b>	<b>24</b> Xmas Eve	<b>25</b> Xmas Day	<b>26</b> Boxing Day	<b>27</b>	<b>28</b>
<b>29</b>	<b>30</b>	<b>31</b> New Year's Eve	<b>1</b> New Year's Day	<b>2</b>	<b>3</b>	<b>4</b>



January 2026						
Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
29	30	31 New Year's Eve	1 New Year's Day	2	3	4
5 Party Group Meetings (tbc) 7pm	6 Cabinet 11am	7 Overview and Scrutiny Committee 7pm	8	9	10	11
12 South multi ward area 6pm (non-decision making)  North-west multi ward area 6.30pm (non-decision making)	13 Leaders Committee 11:30am – 1.30pm  Planning Committee (Major Applications) A 6.30pm	14 North-east multi ward area 6pm (non-decision making)  West Central multi ward area 6pm (non-decision making)	15	16	17	18
19 Overview & Scrutiny Committee 10am  Constitutional Steering Panel 6pm	20 Overview & Scrutiny Committee 7pm	21 Planning Committee (Smaller Applications) 7pm	22	23	24	25
26	27	28	29	30	31	1

Party Group Meetings (tbc) 7pm	Scrutiny Commission 4 7pm	Planning Committee (Major Applications) B 6.30pm				
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February 2026						
Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
<b>2</b> Cabinet 11am Audit, Governance and Standards Committee 6.30pm Scrutiny Commission 1 7pm	<b>3</b> London Councils – Leaders Committee 11.30am-1.30pm (tbc) Scrutiny Commission 2 7pm	<b>4</b>	<b>5</b>	<b>6</b>	<b>7</b>	<b>8</b>
<b>9</b> Scrutiny Commission 3 7pm Tenants’ Forum 7pm	<b>10</b> London Councils – Leaders Committee 11.30am-1.30pm (tbc) Planning Committee (Major Applications) A 6.30pm	<b>11</b> Overview & Scrutiny Committee 7pm	<b>12</b>	<b>13</b>	<b>14</b>	<b>15</b>
<b>16</b> <b>Half-term (tbc)</b>	<b>17</b>	<b>18</b>	<b>19</b>	<b>20</b>	<b>21</b>	<b>22</b>
<b>23</b> Party Group Meetings (tbc) 7pm	<b>24</b> Planning Committee (Smaller Applications) 7pm Homeowner Forum 7pm	<b>25</b> Corporate Parenting Committee 2pm Council Assembly ( <i>Budget &amp; Council Tax setting meeting</i> ) 7pm	<b>26</b>	<b>27</b>	<b>28</b>	<b>1</b>

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March 2026						
Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
<b>2</b> Audit, governance and standards (Civic awards) sub-committee 6pm	<b>3</b> Leaders Committee 11:30am – 1.30pm  West Central multi ward area 6pm	<b>4</b> Planning Committee (Major Applications) A 6.30pm  Constitutional Steering Panel 6pm	<b>5</b>	<b>6</b>	<b>7</b>	<b>8</b>
<b>9</b> Party Group Meetings (tbc) 7pm	<b>10</b> Cabinet 11am North-west multi ward area 6.30pm	<b>11</b> North-east multi ward area 6pm South-multi ward area 6pm	<b>12</b> Health & Wellbeing Board 10am	<b>13</b>	<b>14</b>	<b>15</b>
<b>16</b> East Central multi ward area 6pm	<b>17</b> London Councils – Leaders Committee 11.30am-1.30pm (tbc)  Joint IT Committee (Brent, Lewisham & Southwark) 6pm (tbc)	<b>18</b> Council Assembly ( <i>ordinary meeting</i> ) 7pm	<b>19</b>	<b>20</b>	<b>21</b>	<b>22</b>
<b>23</b> Party Group Meetings (tbc) 7pm	<b>24</b> Planning Committee (Smaller Applications) 7pm	<b>25</b> Planning Committee (Major Applications) B 6.30pm	<b>26</b>	<b>27</b> School hols start (tbc)	<b>28</b>	<b>29</b>
<b>30</b>	<b>31</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>

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April 2026							
Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday	
30	31	1	2	3 Good Friday	4	5	
6 Easter Monday	7	8	9	10 School holidays end (tbc)	11	12	
13	14 Corporate Parenting Committee 2pm Planning Committee (Major Applications) A 6.30pm	15 Constitutional Steering Panel 6pm Scrutiny Commission 1 7pm	16 Scrutiny Commission 2 7pm	17	18	19	
20 Planning Committee (Smaller Applications) 7pm	21 Scrutiny Commission 3 7pm	22 Scrutiny Commission 4 7pm	23	24	25	26	
27	28	29	30	1	2	3	



Overview & Scrutiny Committee 7pm	Planning Committee (Major Applications) B 6.30pm					
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May 2026						
Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
27	28	29	30	1	2	3
<b>4</b> Early May Bank Holiday	5	6	7	8	9	10
<b>11</b> Party Group Meetings (tbc) 7pm	12	13	14	15	<b>16</b> Council Assembly (Annual Meeting) 11am Overview & Scrutiny Committee (to establish commissions and appoint chairs) TBC 12noon	<b>17</b>
<b>18</b>	<b>19</b>	<b>20</b>	<b>21</b>	<b>22</b>	<b>25</b>	<b>26</b>

<b>27</b>	<b>28</b>	<b>29</b>	<b>30</b>	<b>31</b>		

**Table of calendar of meetings 2024-2025**

	May 2024	June 2024	July 2024	Aug 2024	Sep 2024	Oct 2024	Nov 2024	Dec 2024	Jan 2025	Feb 2025	Mar 2025	Apr 2025	May 2025
Council Assembly	Wed 22 **		Wed 10 ***				Wed 20 ***			Wed 26 %	Wed 19 ***		Sat 17 ** \$
Constitutional Steering Panel		Wed 12				Wed 23			Mon 20		Wed 5	Wed 2	
Party Group Meetings (to be confirmed)		Mon 10	Mon 1		Mon 2	Mon 7	Mon 11		Mon 6 and Mon 27	Mon 24	Mon 10 & Mon 24		Mon 12
Cabinet		Tue 18	Mon 8		Tue 10	Tue 15		Tue 3	Tue 7	Tue 3	Tue 11		
Cabinet (Livesey Trust) Committee								Tue 3					
Overview & Scrutiny Committee	Wed 22 £££	Tue 4	Mon 8			Wed 9	Wed 27		Wed 8, Mon 20 and Tue 21	Wed 12		Mon 28	Sat 17 £££ \$
Scrutiny Commission 1		Tue 11				Tue 1	Wed 13			Mon 3		Wed 2	
Scrutiny Commission 2		Mon 17			Mon 30		Mon 18			Tue 4		Thu 3	
Scrutiny Commission 3		Wed 19			Wed 18		Mon 25			Mon 10		Tue 22	
Scrutiny Commission 4		Tue 25				Mon 14		Tue 3	Tue 28			Wed 30	
Tri-Borough IT Committee			Tue 9				Tue 26				Tue 18		
Audit, Governance and Standards Committee		Mon 3 ££	Mon 15			Wed 2	Wed 13			Mon 3			
Audit, governance and standards (Civic awards) sub-committee			Mon 15								Mon 3		
Corporate Parenting Committee			Wed 17			Wed 23				Wed 26		Tue 1	
Health & Wellbeing Board			Thu 18				Thu 14				Thu 13		
Licensing Committee		Tue 18				Tue 22							
Planning Committee (Major Applications) A		Wed 12	Tue 16			Tue 8	Tue 26		Tue 14	Tue 11	Wed 26	Tue 29	
Planning Committee (Major Applications) B			Wed 3		Wed 11		Tue 5	Tue 10	Wed 29		Wed 5	Tue 1	
Planning Committee (Smaller Applications)		Wed 5	Tue 2		Mon 9 and Mon 30	Wed 16	Tue 19	Mon 9	Wed 22	Tue 25	Tue 25		
North-west multi ward area									Mon 13 &		Tue 11		
North-east multi ward area									Wed 15 &		Wed 12		
West Central multi ward area									Wed 15 &		Tue 4		
East Central multi ward area								Wed 4 &			Mon 17		
South multi ward area									Mon 13 &		Wed 12		

**\$ subject to venue availability**

**% budget and council tax setting**

**\*\* annual meeting / held jointly with the civic awards**

**\*\*\* ordinary meeting**

££ to establish sub-committees and chairs  
£££ to establish commissions and appoint chairs  
& non-decision making meeting

<b>Item No.</b> 6.5	<b>Classification:</b> Open	<b>Date:</b> 20 March 2024	<b>Meeting Name:</b> Council Assembly
<b>Report title:</b>		Special Urgency and Urgent Implementation Decisions – Annual Report 2024	
<b>Ward(s) or groups affected:</b>		All	
<b>From:</b>		Proper Constitutional Officer	

## RECOMMENDATION

1. That council assembly notes the schedule of special urgency and urgent implementation decisions (set out in Appendix 1) taken in accordance with access to information procedure rules 19 and 20.

## BACKGROUND INFORMATION

2. The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 requires local authorities to consider an annual report detailing each executive decision where the making of the decision was agreed as a special urgency decision.
3. Special urgency decisions are decisions that need to be taken within five clear working days; i.e. the requirements of access to information procedure rule 18 (general exception) on notice cannot be complied with.
4. The procedure for special urgency decisions is set out in Rule 19 of the access to information procedure rules. It states:

“If the date by which a decision must be taken means that rule 18 (general exception) cannot be followed, then the decision can only be taken if the decision maker (if an individual) or the chair of the body making the decision, obtains the agreement of the chair of the overview and scrutiny committee that the taking of the decision cannot be reasonably deferred.

If there is no chair of the overview and scrutiny committee, or the chair of overview and scrutiny committee is unable to act, then the agreement of the Mayor of the council, or in his/her absence the Deputy Mayor will suffice.”

5. Urgent implementation decisions are decisions that whether they have been included on the forward plan or not, need to be implemented immediately by virtue of the urgency of the actions that need to be taken. These decisions are not subject to call-in. Decisions taken under urgent implementation are not required to be reported to council assembly, however as urgency also applies these have been included.

6. The procedure for urgent implementation is set out in Rule 20 of the access to information procedure rules. It states:

“If a decision needs to be implemented immediately by virtue of the urgency of the actions that need to be taken, then the decision can only be taken if the decision maker (if an individual) or the chair of the body making the decision obtains the agreement of the chair of overview and scrutiny committee both that the decision proposed is:

- a) reasonable in all circumstances
- b) to be treated as a matter of urgency.”

## KEY ISSUES FOR CONSIDERATION

7. The schedule listed as Appendix 1 contains details of those decisions which have been considered under the provisions of special urgency or urgent implementation since the last annual report of 22 March 2023. There were seven urgent implementation/special urgency decisions in this period.

### Policy framework implications

8. This report is not considered to have direct policy implications.

### Community, equalities (including socio-economic) and health impacts

9. There are no direct community, equalities or health impacts arising from this report.

### Climate change implications

10. There are no direct climate change implications arising from this report.

## BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Special Urgency and Urgent Implementation Decisions	Council Offices, 160 Tooley Street, SE1 2QH	Virginia Wynn-Jones 020 7525 7055
<b>Links</b>		
1.	<a href="https://moderngov.southwark.gov.uk/ieDecisionDetails.aspx?ID=7867">https://moderngov.southwark.gov.uk/ieDecisionDetails.aspx?ID=7867</a>	
2.	<a href="https://moderngov.southwark.gov.uk/ieDecisionDetails.aspx?ID=7873">https://moderngov.southwark.gov.uk/ieDecisionDetails.aspx?ID=7873</a>	
3.	<a href="https://moderngov.southwark.gov.uk/ieDecisionDetails.aspx?ID=7879">https://moderngov.southwark.gov.uk/ieDecisionDetails.aspx?ID=7879</a>	
4.	<a href="https://moderngov.southwark.gov.uk/mgDecisionDetails.aspx?IId=50032569&amp;Opt=1">https://moderngov.southwark.gov.uk/mgDecisionDetails.aspx?IId=50032569&amp;Opt=1</a>	
5.	<a href="https://moderngov.southwark.gov.uk/mglIssueHistoryHome.aspx?IId=50032529&amp;Opt=0">https://moderngov.southwark.gov.uk/mglIssueHistoryHome.aspx?IId=50032529&amp;Opt=0</a>	
6.	<a href="https://moderngov.southwark.gov.uk/mglIssueHistoryHome.aspx?IId=50033834&amp;Opt=0">https://moderngov.southwark.gov.uk/mglIssueHistoryHome.aspx?IId=50033834&amp;Opt=0</a>	
7.	<a href="https://moderngov.southwark.gov.uk/ieDecisionDetails.aspx?ID=8045">https://moderngov.southwark.gov.uk/ieDecisionDetails.aspx?ID=8045</a>	

**APPENDICES**

<b>No.</b>	<b>Title</b>
Appendix 1	Schedule of Special Urgency and Urgent Implementation Decisions

**AUDIT TRAIL**

<b>Lead Officer</b>	Chidilim Agada, Head of Constitutional Services	
<b>Report Author</b>	Maria Lugangira, Principal Constitutional Officer	
<b>Version</b>	Final	
<b>Dated</b>	7 March 2024	
<b>Key Decision?</b>	No	
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER</b>		
<b>Officer Title</b>	<b>Comments Sought</b>	<b>Comments Included</b>
Assistant Chief Executive Governance and Assurance	No	No
Strategic Director of Finance	No	No
<b>Cabinet Member</b>	No	No
<b>Date final report sent to Constitutional Team</b>	7 March 2024	

**REPORT TO COUNCIL ASSEMBLY – 20 MARCH 2024  
SPECIAL URGENCY AND URGENT IMPLEMENTATION DECISIONS**

This schedule lists details of those decisions which have been considered under the provisions of special urgency or urgent implementation since the last annual report of 22 March 2023. There were seven Special Urgency/Urgent Implementation decisions in this period.

REPORT TITLE/DECISION SUMMARY	DATE AND MEMBER WHO AGREED TO SPECIAL URGENCY / URGENT IMPLEMENTATION	REASON FOR URGENCY	DATE DECISION AGREED
<b>Gateway 2 - Contract Award Approval – Southwark Works Framework Appointment and initial Call-off Contracts approval</b>	Special Urgency  17 May 2023  Councillor Ian Wingfield, Chair of Overview and Scrutiny Committee	<p>Special urgency is requested due to unforeseen delays in the procurement process. The decision needs to be made on the 17th May in order to give the existing and recommended new providers adequate and appropriate time to fulfil their TUPE obligations.</p> <p>The decision cannot reasonably be deferred as delay in the decision making process will mean the council will not be able to meet important TUPE obligations in a reasonable timeframe which carries a number of related consequences such as cost and impact on personnel. There could feasibly also be an impact upon the jobs of those employees of the current Southwark Works providers subject to TUPE</p>	17 May 2023



REPORT TITLE/DECISION SUMMARY	DATE AND MEMBER WHO AGREED TO SPECIAL URGENCY / URGENT IMPLEMENTATION	REASON FOR URGENCY	DATE DECISION AGREED
<b>Approval of Publication of Amalgamation Proposals for Cobourg and Camelot Primary Schools</b>	Special Urgency 23 May 2023  Councillor Ian Wingfield, Chair of Overview and Scrutiny Committee	A decision is required to move the statutory process on to the next stage, that is to publish a proposal and invite representations for a further four week period. At the end of this period a full report will be presented to Cabinet in July 2023 which will take into account results of consultation period before deciding whether to proceed with amalgamation of schools. If decision is not taken presently to move to the next stage it will not be possible to complete this in time for July Cabinet meeting	23 May 2023
<b>Gateway 3 – Variation Decision Peckham Rye Station Square Phase 1 Approval of final account and settlement Agreement with Circet Ltd for Phase 1 contract</b>	Urgent Implementation 1 June 2023  Councillor Ian Wingfield, Chair of Overview and Scrutiny Committee	Urgent Approval to Sign & Engross Settlement Agreement between the Council and Circet Ltd (formerly known as KN Networks Services Ltd) for completion of works on Blenheim Grove building: PC 14 August 2023	1 June 2023
<b>Gateway 2 - Contract Award Approval - Leisure Insourcing Commercial Cleaning Services Contract</b>	Urgent Implementation 9 June 2023  Councillor Ian Wingfield, Chair of Overview and Scrutiny Committee	Urgency is being sought in order to provide the authority that will enable the council to appoint the contractor and leave the required time to undertake the other activity required to onboard the contract before midnight on 20th June 2023.	9 June 2023

REPORT TITLE/DECISION SUMMARY	DATE AND MEMBER WHO AGREED TO SPECIAL URGENCY / URGENT IMPLEMENTATION	REASON FOR URGENCY	DATE DECISION AGREED
<b>Gateway (GW) 2 - Special Educational Needs and Disabilities (SEND) Buses Contract Award</b>	Urgent Implementation 25 July 2023  Councillor Ian Wingfield, Chair of Overview and Scrutiny Committee	The urgency for this decision is that the provider needs to secure leases on the vehicles required to deliver the service before the end of July 2023. If these leases are not secured in advance of the contract start date this could lead to increased costs of 25%.	25 July 2023
<b>Approval of the Christmas 2023 small grants for tenants and residents associations and constituted community groups</b>	Urgent Implementation 15 December 2023  Councillor Ian Wingfield, Chair of Overview and Scrutiny Committee	Urgency sought for the approval of the Christmas 2023 small grants for tenants and residents associations and constituted community groups. It is important that this decision is taken urgently because over 3,000 residents and over 30 community groups depend on this funding to put on community events which helps to facilitate community cohesion	15 December 2023
<b>Easter of Food and Fun 2024 holiday programme grant recommendations</b>	Special Urgency 4 March 2024  Councillor Ian Wingfield, Chair of Overview and Scrutiny Committee	Special urgency was sought because of the decision is not taken now, the majority of the programmes (which are VCS Sector organisations) will not be able to operate over the holidays as they won't be able to prepare adequately or pay upfront costs. This programme supports vulnerable families including low income households, children of asylum seekers and refugees and looked after children. Without going ahead, additional pressure will be placed on families who are already under financial pressure due to the ongoing cost of living crisis. This will likely have an impact on the council's reputation.	4 March 2024

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**COUNCIL ASSEMBLY AGENDA DISTRIBUTION LIST (OPEN) (FULL LIST)  
MUNICIPAL YEAR 2023/24**

**NOTE:** Original held by Constitutional Team; all amendments/queries to  
Virginia Wynn-Jones Tel: 020 7525 7055

<b>ONE COPY TO ALL UNLESS OTHERWISE STATED</b>	Copies	To	Copies
<p><b>Councillors</b> (1 each) Councillor Jasmine Ali Councillor Sunil Chopra Councillor Renata Hamvas Councillor Maria Linforth-Hall Councillor Darren Merrill Councillor Leo Pollak Councillor Sandra Rhule Councillor Martin Seaton Councillor Andy Simmons Councillor Cleo Soanes Councillor Kath Whittam Councillor Kieron Williams</p> <p><b>Electronic Versions (No hard copy)</b> All other councillors</p>	<p><b>12</b></p>	<p><b>Press</b></p> <p>Southwark News South London Press</p> <p><b>Group Offices</b></p> <p>Jack Beddoe, Labour Group Office Euan Cadzow-Webb, Liberal Democrat Group Office</p> <p><b>Officers</b></p> <p>Althea Loderick Clive Palfreyman Doreen Forrester-Brown Stephen Gaskell Chidilim Agada Toni Ainge David Quirke-Thornton Hakeem Osinaike Sangeeta Leahy</p> <p><b>Constitutional Team</b></p> <p>(Copies to Virginia Wynn-Jones, 2<sup>nd</sup> Floor, Hub 2, Tooley Street)</p> <p><b>Others</b></p> <p>Matt Dean, Grant Thornton Ground floor audit office, Tooley Street</p> <p><b>Total:</b></p> <p><b>Last updated:</b> March 2024</p>	<p>by email by email</p> <p>by email by email</p> <p>by email by email by email by email by email by email</p> <p>6</p> <p>by email</p> <p><b>20</b></p>