

<b>Item No.</b> 7.2	<b>Classification:</b> Open	<b>Date:</b> 27 March 2013	<b>Meeting Name:</b> Council Assembly
<b>Report title:</b>		Constitutional Changes - Arrangements for the Annual Meeting of Council Assembly	
<b>Ward(s) or groups affected:</b>		All	
<b>From:</b>		Proper Constitutional Officer	

## **RECOMMENDATION**

1. That council assembly considers the recommendations of the constitutional steering panel in relation to the annual council meeting as identified in paragraph 2 and possible changes to the council assembly procedure rules set out in paragraphs 8 and 13 (see Appendix 1).

## **BACKGROUND INFORMATION**

### **Introduction**

2. This report considers a number of issues relating to the agenda and procedures at annual council. The issues are as follows:
  - Longer meetings since 2008
  - Delays in reconvening the meeting after mayor making, and
  - Time taken to deal with constitutional business so members were unable to attend the reception for the new Mayor.
3. All constitutional changes were considered by the constitutional steering panel on 5 March 2013, and the panel's recommendations are set out in the body of this report. Changes to the constitution are generally agreed by council assembly, unless another body or individual is authorised to do so – see Article 1.15.
4. In 2010 the first stage of the Democracy Commission reviewed the operation of council assembly and made a number of recommendations, which were considered by council assembly. Council assembly agreed with most of the Democracy Commission recommendations, which included taking council meetings to new venues around the borough and introduced the themed debate into the agenda.

## **KEY ISSUES FOR CONSIDERATION**

### **ANNUAL MEETING**

#### **Comparisons with other local authorities**

5. Officers have looked at the arrangements of other local authorities. A summary is set out below:

- All councils surveyed held a single annual meeting combining mayor making and constitutional business
  - In some authorities the constitutional review was dealt with at another full council meeting
  - The annual meetings lasted on average one and a half hours.
6. This review of the options for the annual meeting has looked at a number of meeting formats with a view to delivering the following:
- A shorter meeting
  - Avoiding the lengthy adjournment mid-way though the meeting after mayor making
  - To deal with constitutional business more efficiently so members are able to attend the reception for the new Mayor. Alongside this officers have considered whether the constitutional section of the meeting could be reduced by consolidating some reports, limiting the number of reports considered and reducing the number of votes taken.
7. Having reviewed the various options, if the length of the annual meeting is to be reduced retaining a single meeting and reviewing the agenda content would seem the most manageable and workable. This would change the way the constitutional business is dealt with and voted upon and involve moving some items of business to other meetings.

**Retain single meeting and review agenda**

8. Keeping a single meeting but reviewing, shortening and/or providing alternatives for existing constitutional business so it is dealt with more efficiently and quicker would require some changes. Paragraphs 9 to 11 look in more detail at changes to content and the running order of the voting process so the meeting runs more smoothly and quickly.

- For:**
- Reduce number of items on agenda i.e. constitutional review, member allowances scheme, council calendar and council assembly dates
  - Limited changes required to constitution
  - Cost effective as no need for a second meeting or event

- Against:**
- The length of the meeting is dependent to some extent on the number of amendments received - for example in 2012 there was a long debate on amendments to the constitution
  - Some increase in the number of items on the agenda for ordinary meetings
  - If constitutional review was considered at an ordinary meeting it is likely the guillotine would apply
  - Risk associated with shorter meeting to the extent that there may be a perception that important issues are not properly debated.

## Changes required to the constitution

9. Introducing the above changes would require amendment to council assembly procedure rules. Changes to the constitution are shown as follows:

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

All changes are indicated in full in Appendices 1 and 2 and are summarised below:

- Deleting the requirement to consider a constitutional review, member allowances scheme, council calendar and council assembly dates. Instead these would be considered at ordinary meetings throughout the year. In some respects this would allow issues to be considered at more appropriate times e.g. meeting calendar in January for following municipal year.
- Introduce guillotine (see paragraph 13).

## Reducing the length of the annual meeting

### Changes to the voting process at constitutional section of the annual meeting

10. Based on the agenda for 2012 annual meeting, initial work on reducing the business and voting suggests the number of votes could be reduced to four rather than the 15 votes taken in 2012.

11. The revised agenda and voting would be as follows:

- (1) Leader's report on executive arrangements = **no vote\***

\* - unless annual meeting after election in which case leader of the council would be elected.

- (2) Report on the establishment of committees, community councils, appointments of chairs/vice-chairs and other constitutional issues = **2 votes\***

\* - This could be taken as a single vote if all nominations for chairs and vice-chairs are uncontested. It is also highly dependent on the number of amendments submitted.

- (3) Report on nominations to London councils committees, Greater London employment forum and nominations of lead borough members = **1 vote**

- (4) Report on the constitutional review 2013/14 = **1 vote** (also dependent on number of amendments submitted)\*

\* - the constitutional review could be considered at another ordinary meeting reducing business at the annual meeting.

**Total votes = 4** (excluding amendments).

## Changes required to the constitution

12. Introducing the above changes would not require any amendment to the constitution but would mean a slight change to the procedures customarily used at annual council.

## Guillotine

13. In addition to the above suggestions it is proposed that a guillotine could be attached to the annual meeting. If agreed it is suggested that the guillotine fall one and half hours after the start of the meeting (8.30pm, assuming a 7.00pm start time). Any outstanding business would be voted upon without debate. Please see Appendix 2 for suggested changes to council assembly procedure rule 1.12 on the guillotine. This would allow the annual meeting to conclude so the Mayor's reception could commence.

## Community impact statement

14. There will be no direct impact on local people from adoption of these changes to the council's constitution. The constitution will enable people, including the local community where relevant, to understand the role that they can play in the decision making of the council and how the council will safeguard high standards of conduct amongst members and officers. Any specific issues relevant to each constitutional change are set out in the relevant section of this report.

## Resource implications

15. The cost of holding a meeting of council assembly at Tooley Street is appropriately £12,500. This includes the costs of hiring furniture, staging, drapes, lighting, sound system and other costs. Any of the options in this report to separate the annual meeting into two parts would incur additional costs, which vary depending on the preferred option. There are no resources in budgets available to fund these additional costs.
16. The budget for 2012/13 was set on 29 February 2012 and any changes to the constitution must be contained within the budget.
17. The constitution is produced in binder form with loose leaf pages and dividers. This means that any additional costs arising from the reproduction of small sections of the constitution are reduced compared to the reprinting of the whole constitution. Therefore, it is anticipated that the cost can be contained within existing budgets.

## BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
<a href="http://www.southwark.gov.uk/info/10058/about_southwark_council/375/councils_constitution">http://www.southwark.gov.uk/info/10058/about_southwark_council/375/councils_constitution</a>	160 Tooley Street, London SE1 2QH	Constitutional Team <a href="mailto:constitutional.team@southwark.gov.uk">constitutional.team@southwark.gov.uk</a> 020 7525 7228

## APPENDICES

Appendix	Title
Appendix 1	Constitutional Changes for Annual Meeting

## AUDIT TRAIL

<b>Lead Officer</b>	Ian Millichap, Constitutional Manager	
<b>Report Author</b>	Lesley John, Constitutional Officer	
<b>Version</b>	Final	
<b>Dated</b>	14 March 2013	
<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>
Director of Legal Services	Yes	Incorporated in the report
Strategic Director of Finance and Corporate Strategy	Yes	Incorporated in the report
<b>Cabinet Member</b>	No	No
<b>Date final report sent to Constitutional Team</b>	14 March 2013	