

<b>Item No.</b> 8.5	<b>Classification:</b> Open	<b>Date:</b> 25 November 2015	<b>Meeting Name:</b> Council Assembly
<b>Report title:</b>		Constitutional Issues	
<b>Ward(s) or groups affected:</b>		All	
<b>From:</b>		Proper Constitutional Officer	

## **RECOMMENDATIONS**

### **Appointments**

1. That council assembly appoints:
  - The Chair of the Standards Committee
  - The Vice-Chair of the Camberwell Community Council.

### **Cabinet member question time**

2. That constitutional steering panel recommends that council assembly agrees to change the date and format of the March 2016 meeting of council assembly, as set out in paragraph 21 of this report.
3. That constitutional steering panel recommends that a cabinet members' question time be held on the same evening of council assembly on 16 March 2016, in line with the principles and format as set out in paragraphs 11 to 18 of this report.

## **BACKGROUND INFORMATION**

4. This report considers two constitutional issues, the appointment to the chair of standards and the vice chair of the Camberwell community council, and the constitutional steering panel's recommendations. On 4 November 2015 constitutional steering panel met to consider proposals for the introduction of a cabinet members' time prior to the March meeting of council assembly. The recommendations of the panel are set out in this report.

## **KEY ISSUES FOR CONSIDERATION**

### **APPOINTMENT TO COMMITTEES**

5. Annual council on 16 May 2015 established and appointed to all the committees of the council for the 2015/16 municipal year, however as a result of the resignation of a member of the council there are now two vacancies to be filled on committees.
6. Council assembly procedure rule 4.2(1)(h) states that the annual meeting of the council assembly shall appoint to committees.
7. Where a position becomes vacant during the course of the municipal year, the practice in such situations is that any re-appointments are considered by the next scheduled meeting of the council assembly.

8. Nominations for the position may either be received in writing prior to council assembly, or be moved from the floor during the meeting. In accordance with council assembly procedure rule 1.15(6), if more than two people are nominated for a 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. This process will continue until there is a majority of votes for one person.

### **CABINET MEMBER QUESTION TIME**

9. On 22 October 2014, Southwark Council held its first ever Leader's Public Question Time (LPQT) event at City Hall, SE1. The event was brought about as a result of the decision by Council Assembly on 11 June 2014 to introduce a leader's question time meeting. The meeting provided an opportunity for the community to submit questions to the leader on any matter in relation to which the council has powers.
10. A short evaluation report on the LPQT event was brought to the Constitutional Steering Panel (CSP) in February 2015. At the meeting CSP were asked to take a view on holding a Cabinet Members' Question Time (CMQT), similar in format to the Leader's event albeit focused exclusively on cabinet portfolio holders only, excluding the Leader.

### **Principles**

11. The hosting of a cabinet members' question time event is directly in line with the council values of being open, honest and accountable as set out in the Council Plan 2014-18. Like the LPQT before it, the event would be an experiment to test the extent to which it is useful for members of the public to hold cabinet members, both individually and collectively, directly to account.
12. Members of the public would be encouraged to submit questions on any matter pertaining to the responsibilities of individual cabinet members.
13. The principles of a cabinet members' question time could be summarised as:
  - Improving democratic engagement in a modern, leaner Council context;
  - Promoting the Council's values of openness and transparency through an event that gives members of the public the opportunity to hold cabinet members directly to account;
  - Promoting how the council supports and manages such public events embracing social media and creating a modern, open and more informal, accessible feel;
  - Being distinct from the Leaders Public Question Time and the interview process by Overview and Scrutiny Committee of Cabinet Members, adding to and not replacing these methods of holding the political leadership of the Council to account.

### **Approach and format**

14. Questions would be invited from members of the public ahead of the event with a deadline for receipt of all questions. Questions could be submitted via email, the website and other social media. Like LPQT, there would be no fixed criteria for the subject matter of questions.

15. The event would be timed to be as accessible to as many members of the public as possible and so take place early evening (6.30pm), and allowing up to one and half hours for the entire event with a short break and council assembly then taking place. The truncated business of council assembly would be conducted directly following the cabinet member question time. Like LPQT, City Hall is again considered as the most appropriate venue for the event. The event would be filmed although streaming is not possible at City Hall.
16. A facilitator would act as chair, ensuring that questions are considered in a fair and equitable manner and taking account of the need to cover as wide a set of issues as possible relative to the questions submitted ahead of the event. It would be for the chair to determine how best to handle supplementary questions.
17. It will be important to ensure all cabinet members are held to account. Questions could be grouped by cabinet portfolio, with linked issues to cover several portfolios at once. Alternatively, a themed based approach might work where the relevant cabinet member(s) are called to account accordingly. The timing given over to each theme/portfolios would depend on the nature of questions submitted in advance.
18. As members question time would be on the council assembly agenda later that evening, questions from members would be excluded, although leaders of the opposition parties would be allowed to submit a question. The chair and vice chair of overview and scrutiny could also submit a question, but this would be depended on the number of questions received from the public.

#### **Venue and date**

19. Having considered the principles, approach, format and venue of a CMQT, CSP resolved that council assembly be recommended to agree to a CMQT being held prior to the March 2016 meeting of council assembly, in the venue suggested and with the principles and format set out within this report.
20. In order to facilitate holding a CMQT the date of council assembly in March 2016 would need to be changed as the chosen venue (City Hall), is not available on the date that council assembly is currently scheduled to meet (23 March 2016). Therefore in accordance with council assembly procedure rule 2.1, council assembly is requested to change the date of council assembly in March 2016.
21. Having considered all the above CSP agreed that the following be recommended to council assembly:
  - That the date of the March council assembly meeting be changed to 16 March 2016.
  - That a cabinet members' question time be held on 16 March 2016 prior to council assembly.
  - That a cabinet member question time be held at City Hall at 6.30pm for a maximum of one and half hours.
  - That a facilitator be sought for the event.

- That the principles, approach and format of the cabinet members' question time as outlined in this report be agreed.
- That council assembly business on 16 March 2016 be truncated so that only the following be considered:
  - Preliminary business
  - Members question time (including late question to the leader)
  - Reports
  - Members' Motions.

### Community impact statement

22. The proposals in this report for CMQT provide an additional opportunity for members of the public to hold cabinet members directly to account.

### Resource implications

23. The financial implications of a CMQT can be met from existing budgets for council assembly. Neither of the appointments attracts a special responsibility allowance.

### BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Annual council agenda 16 May 2015	160 Tooley Street London SE1 5LX	Constitutional Team 020 7525 7228

### APPENDICES

No.	Title
None	

### 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>	10 November 2015	
<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>
Head of Strategy and Partnerships	Yes	Yes (Included in the body of the report)
Director of Law & Democracy	Yes	Yes (Included in the body of the report)
Strategic Director of Finance and Governance	No	No
<b>Date final report sent to Constitutional Team</b>		10 November 2015