

Public Document Pack

Council AGM SUMMONS AND AGENDA

All Members of Lewisham Council are summoned to attend the meeting of the Council.



Jeremy Chambers Monitoring Officer
21 March 2023

Wednesday, 29 March 2023
7.30 pm, Council Chamber - Civic Suite
Civic Suite
Lewisham Town Hall
London SE6 4RU

For more information contact: Emma Aye-Kumi (committee@lewisham.gov.uk)

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Members of the public are welcome to attend committee meetings. However, occasionally, committees may have to consider some business in private.

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Council AGM

Election of Speaker

Date: 29 March 2023

Class: Part 1

Contributors: Head of Governance and Committee Services

Outline and recommendations

To elect a Speaker.

Recommendation

The Council is invited to elect a Speaker for the municipal year 2023/24.

Agenda Item 2



Council AGM

Election of Deputy Speaker

Date: 29 March 2023

Class: Part 1

Contributors: Head of Governance and Committee Services

Outline and recommendations

To elect a Deputy Speaker.

Recommendation

The Council is invited to elect a Deputy Speaker for the municipal year 2023/24



Council AGM

Minutes

Date: 29 March 2023

Class: Part 1

Contributors: Head of Governance and Committee Services

Outline and recommendations

Members are asked to consider the Minutes of the last Council meeting held on 1 March 2023.

Recommendation

That the Minutes of the meeting of the Council meeting held on 1 March 2023 be agreed as a true and accurate record.

MINUTES OF THE COUNCIL

Wednesday, 1 March 2023 at 7.30 pm

PRESENT: Councillors Damien Egan (Mayor), Yemisi Anifowose, Tauseef Anwar (Chair), Chris Barnham, Paul Bell, Peter Bernards, Chris Best, Andre Bourne, Bill Brown, Natasha Burgess, Suzannah Clarke, Will Cooper, Laura Cunningham, Liam Curran, Brenda Dacres, Sophie Davis, Amanda De Ryk, Ese Erheriene, Billy Harding, Stephen Hayes, Coral Howard, Mark Ingleby, Mark Jackson, Liz Johnston-Franklin, Louise Krupski, Jack Lavery, Aisha Malik-Smith, Joan Millbank, Hilary Moore, John Muldoon, Oana Olaru, Rachel Onikosi, Rosie Parry, Jacq Paschoud, John Paschoud, Stephen Penfold, Kim Powell, James Rathbone, Rudi Schmidt, Aliya Sheikh, Sakina Sheikh, Liam Shrivastava, Luke Sorba, Eva Stamirowski, Hau-Yu Tam, James-J Walsh, Luke Warner, Carol Webley-Brown and Susan Wise

JOINING ONLINE: Councillors Sian Eiles and James Royston

ALSO PRESENT: Chief Executive, Interim Chief Executive, Monitoring Officer, Head of Governance and Committee Services, Committee Officer

Apologies for absence were received from Councillor Juliet Campbell, Councillor Edison Huynh, Councillor Eva Kestner and Councillor Ayesha Lahai-Taylor

1. Minutes

The Speaker of the Council MOVED, the Deputy Speaker SECONDED and it was RESOLVED that the minutes of the extraordinary meeting held on 15 February 2023 be confirmed and signed as a true and accurate record.

2. Declaration of Interests

Councillor Jackson declared a registrable interest as a Council-appointed Director of Lewisham Homes, relevant to Item 8 – Budget 2023/24.

Councillor Wise declared a registrable interest as a member of the Lewisham Homes Board, relevant to Item 8 – Budget 2023/24

Councillor Curran declared a registrable interest as the Chair of Friends of Sydenham Library and a member of the Bell Green Neighbourhood Forum, relevant to Item 6 – Public Questions.

3. Young Mayor Election

The Speaker congratulated Jentai Gen-One and Llywella-Paige Hoban on their election as Lewisham's Young Mayor and Deputy Young Mayor respectively.

The Mayor introduced the item, and thanked the outgoing Young Mayor, Rosanna Campbell for her service. He summarised her achievements during her time in office, paying particular attention to the success of the Halo project, and the

speech she gave at the lighting of the Jubilee beacon at Blackheath. He praised the way she had conducted herself and represented the borough.

The outgoing Young Mayor addressed the meeting and expressed her gratitude for the opportunity, outlined the ways in which she had grown from the experience, and thanked those that had supported her during her time as Young Mayor.

4. Announcements or Communications

The Mayor announced that Jennifer Daothong had been appointed as the Interim Chief Executive. He thanked the outgoing Chief Executive, Kim Wright, highlighting the positive change she had brought to the leadership team. He informed the meeting that under Kim's leadership, the council had been nominated for six Local Government Chronicle awards, including most improved council. He praised her swift, community and resident-focused response to the pandemic. He acknowledged the culture change and positivity within the organisation and wished her every success and happiness at Brent. He then presented her with a bouquet of flowers, a gift from all Councillors.

The Chief Executive responded, commending Councillors for their tireless community service and thanking council officers for their hard work and support.

Councillor Walsh announced the reopening of the Broadway Theatre, drawing the Council's attention to some upcoming events, including free backstage tours for residents, and Nouveau Nights, a production by Nouveau Riche – a black, world majority theatre company. Tickets were being offered on a pay-what-you-can basis, which, he said, was putting into practice Lewisham values.

The Deputy Mayor made a call for action for gender parity in anticipation of International Women's Day on 8 March. He gave details of a range of events celebrating the achievements of Lewisham women. Details of these events were available on the council's website
<https://lewisham.gov.uk/inmyarea/events/international-womens-day>

The fourth and final announcement was by Councillor Walsh. He was pleased to announce that the council had secured £19m of Levelling Up funding, and would match fund an additional £5m. He explained that this £24m would be used to improve Lewisham town centre, delivering 3 main projects, namely:

1. Increasing town centre connectivity in the central business district;
2. Jobs and enterprise, focusing on investing in the market;
3. Delivering a new library, cultural and business hub for Lewisham town centre.

Councillor Walsh thanked ward councillors Aliyah Sheikh and Edison Huynh for "championing" Lewisham town centre. He also criticised the way in which central government had handled Levelling Up funding.

5. Petitions

Councillor Bell presented a petition asking the council to keep tennis courts in Telegraph Hill free and open.

Councillor Webley-Brown presented a petition on behalf of residents in Crofton Park ward, opposing the introduction of a CPZ on Parbury, Tatnell, Riseldine and Grierson Roads, and Brockley Rise.

A member of the public also presented a petition against his impending housing eviction.

6. Public Questions

101 questions were received and written answers supplied.

Some questioners that were present at the meeting asked supplementary questions, and these were answered by the relevant Cabinet Members.

7. Member Questions

9 questions were received from Members and written answers supplied. Some Members asked supplementary questions and these were answered at the meeting.

8. Budget 2023-24

The Mayor introduced the Budget 2023/24 proposals.

The motion was **MOVED** by Councillor De Ryk and **SECONDED** by Councillor Rathbone.

Under the provisions of the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014, a recorded vote was conducted on this item with the following result:

For (49)

Councillors Curran, Warner, Hayes, Jackson, Burgess, Onikosi, Howard, Schmidt, John Paschoud, Aliya Sheikh, Malik-Smith, Muldoon, Brown, Webley-Brown, Johnston-Franklin, Cooper, Cunningham, Shrivastava, Moore, Millbank, Stamirowski, Erheriene, Anifowose, Sakina Sheikh, Harding, Olaru, Parry, Clarke, Bernards, Rathbone, Penfold, Ingleby, Wise, Best, Sorba, Lavery, Jacq Paschoud, Davis, Walsh, Bourne, Bell, De Ryk, Powell, Barnham, Krupski, Tam, Dacres, Egan, Anwar (49)

Against (0)

Nil

Abstention (0)

Nil

RESOLVED that, having considered the views of those consulted on the budget, and subject to proper process as required, Council agrees to:

General Fund Revenue Budget

1. note the projected overall variance after the use of corporate provisions and reserves of £9.6m (or 3.9%) against the agreed 2022/23 revenue budget of £248.610m as set out in section 6 of this report and that any year-end overspend will be met from corporate provisions and reserves;
2. endorse the budget cut reduction measures of £12.587m as per the Mayor and Cabinet meeting of the 7 December 2022, as set out in section 6 of the report and summarised in Appendix Y1 and Y2;
3. agree the allocation of £43.848m of resources from the corporate risks and pressures, social care precept, new homes bonus, social care grant, ASC market sustainability and improvement fund and services grant in 2023/24 to be invested in funding quantified budget pressures and opportunities, both recurring and once-off as set out in section 6;
4. agree a General Fund Budget Requirement of £263.679m for 2023/24 be approved;
5. agree to a 4.99% increase in Lewisham's Council Tax element. This will result in a Band D equivalent Council Tax level of £1,492.13 for Lewisham's services and £1,926.27 overall. This represents an overall increase in Council Tax for 2023/24 of 6.02% and is subject to the GLA precept for 2023/24 being increased by £38.55 (i.e. 9.74%) from £395.59 to £434.14, in line with the GLA's budget proposals;
6. note the Council Tax Ready Reckoner which for illustrative purposes sets out the Band D equivalent Council Tax at various levels of increase. This is explained in section 6 of the report and is set out in more detail in Appendix Y4;
7. consider the Section 25 Statement from the Chief Finance Officer. This is attached at Appendix Y5;
8. agree the statutory calculations for 2023/24 as set out at Appendix Y6;
9. note the prospects for the revenue budget for 2023/24 and future years as set out in section 6;

Other Grants (within the General Fund)

10. note the adjustments to and impact of various specific grants for 2023/24 on the General Fund as set out in section 7 of this report;

Dedicated Schools Grant and Pupil Premium Schools Block

11. note the provisional gross Dedicated Schools Grant (DSG) allocation of £337.776m before the Department's adjustments to fund Academy schools and inclusion of the £7.6m mainstream additional grant;
12. note the provisional DSG allocation for £231.029m (this includes £6.18m streamlining of the supplementary grant from 2022/23) be the Schools' Budget (Schools Block) for 2023/24 covering both maintained schools and academies;
13. agree, (as recommended by Schools Forum) the once-off transfer of circa £0.4m (0.18%) of Dedicated Schools Grant to the High Needs Block; Central Schools Services Block (CSSB);
14. note the construct and allocation of £3.309m for the CSSB block allocation for 2023/24, a reduction of circa £0.4m from the £3.693m 2022/23 allocation;

High Needs Block (HNB)

15. note the provisional HNB £77.154m to support the Council's statutory duty with regards Special Education Needs (SEN). This includes £3.2m additional

funding from the autumn statement. This is a net increase of £7.030m relative to 2022/23. The HNB will be finalised in March for deductions arising for institutions funded by the Education and Skills Funding Agency (ESFA); Early Years Block (EYB)

16. note the Dedicated Schools Grant allocation to the EYB of £26.283m; and that the Department for Education has increased hourly funding for “3 and 4 year old” from £6.04 to £6.33 (this includes 11p for Teacher’s Pay and Pension Grant which is now streamlined into the hourly rate). This is therefore an increase of circa 4.8% from 2022/23. With respect to 2 year funding, the hourly rate has increased from £6.87 to £7.52, an 9% increase (i.e. 65p per hour) for 2023/24;

Pupil Premium

17. note that the pupil premium will continue in the 2023/24 financial year. At the time of writing, the overall allocation, which is linked to Free School Meals Ever 6 data (i.e. covers 6 census worth of data), has not been confirmed, the per-pupil funding is expected to increase by 5%. We would expect to receive the final allocation until summer 2023;

Housing Revenue Account

18. note the consultation report on proposed service charge increases to tenants’ and leaseholders in the Brockley area, presented to tenants and leaseholders on 5th December 2022, as attached at Appendix X3;
19. note the consultation report on proposed service charge increases to tenants’ and leaseholders and the Lewisham Homes budget strategy presented to tenants and leaseholders on 12th December 2022 as attached at Appendix X4;
20. agree to set an increase in dwelling rents of 7.0% (an average of £7.22 per week) – as per the Governments direction for capping increases to be applied to rents for 2023/24 outlined in section 9 of this report;
21. agree to set an increase in the hostel’s accommodation charge by 7.0% (or £2.63 per week), in accordance with Governments direction for capping increases to be applied to rents for 2023/24;
22. approve the following average weekly increases/decreases for dwellings for:
 - a. service charges to non-Lewisham Homes managed dwellings (Brockley) to ensure full cost recovery and 13.6% inflationary uplift for 2023/24;
 - caretaking 13.6% (£0.46)
 - grounds 13.6% (£0.26)
 - communal lighting 13.6% (£0.02)
 - bulk waste collection 13.6% (£0.18)
 - window cleaning 13.6% (£0.00)
 - tenants’ levy 0.00% (£0.00)
 - b. service charges to Lewisham Homes managed dwellings:
 - caretaking 10.00% (£0.68)
 - grounds 0.00% (£0.00)
 - window cleaning -27.00% -(£0.03)
 - communal lighting 7.00% (£0.19)
 - block pest control -17.00% -(£0.35)
 - waste collection 7.00% (£0.14)
 - heating & hot water 5.00% (£0.54)
 - tenants’ levy 0.00% (£0.00)

- bulk waste disposal 7.00% (£0.07)
 - sheltered housing 0.00% (£0.00)
23. approve the following average weekly percentage changes for hostels and shared temporary units for;
- service charges (hostels) – caretaking etc.; 6.31% or £4.60pw
 - energy cost increases for heat, light & power; 20.0% or £1.19pw
 - water charges increase; 5.0% or £0.01pw
24. approve an increase in garage rents by 10.0% (£1.66 per week) for Brockley and Lewisham Homes residents as outlined in Appendix X5;
25. note that the budgeted expenditure for the Housing Revenue Account (HRA) for 2023/24 is £257.1m, split £103.6m revenue and £153.5m capital, which includes the decent homes and new build programmes;
26. agree the HRA budget strategy cut proposals in order to achieve a balanced budget in 2023/24, as attached at Appendix X1;

Treasury Management Strategy

27. approve the Treasury Management Strategy 2023/24 including the prudential indicators and treasury indicators, as set out in section 10 of this report;
28. approve the Annual Investment Strategy and Creditworthiness Policy, set out in further detail at Appendix Z2;
29. approve the Investment Strategy as set out in section 10 of this report, along with the operational boundary of £607.6m and the authorised limit of £668.4m for the year as set out in section 10 of this report;
30. approve the Minimum Revenue Provision (MRP) policy as set out in section 10 of this report;
31. agree to delegate to the Executive Director of Corporate Resources authority during 2023/24 to make amendments to borrowing and investment limits as set out in section 10 of the report provided, they are consistent with the strategy and there is no change to the Council's authorised limit for borrowing;
32. approve the overall credit and counterparty risk management criteria, as set out at Appendix Z2, the proposed countries for investment at Appendix Z3, and that it formally delegates responsibility for managing transactions with those institutions which meet the criteria to the Executive Director for Corporate Resources;

Capital Programme

33. approve the 2023/24 to 2026/27 Capital Programme of £480.6m as set out in section 11 of this report and Appendix W1;
34. agree to delegate to the Executive Director for Corporate Resources authority to amend the scheme mix within the Capital programme to respond to the risks as set out and to identify the match funding necessary for the recently awarded Levelling-up bid of £19m as long as this is done within the total programme parameters set out and asks that an updated capital programme is brought back to Mayor & Cabinet in 2023/24 at the earliest opportunity.

9. Motions

Motion 1 Extension of the Franchise

It was MOVED by Councillor Rathbone, SECONDED by Councillor Olaru and RESOLVED that the Council resolves to:

1. Write to the Minister of State at the Department for Levelling Up, Housing and Communities requesting that the franchise for local elections be extended in England and Northern Ireland to all qualifying foreign nationals in line with eligibility criteria in Scotland and Wales. This would ensure a UK-wide and fair approach so that all our residents who are also our council taxpayers are enfranchised.
2. Work collaboratively with other local authorities and voluntary sector organisations in London to develop a strategy of communications about voter eligibility following the Elections Act.
3. Ensure that the responsible council officers have a strategy in place to ensure that the implementation of the Elections Act, including the removal of some EU citizens from the register, does not wrongfully remove eligible voters from the register.

Motion 2 Celebrating Lewisham's Tamil Community

It was MOVED by Councillor Aliya Sheikh, SECONDED by Councillor Powell and RESOLVED that the Council:

1. thanks the Tamil community for their invaluable contribution to our borough.
2. notes that January marks Tamil Heritage Month and that Pongal – the Harvest Festival – commences on 14th January.
3. ensures these occasions continue to be marked and that our much-valued Tamil community is supported in Lewisham and across the city.

Councillors Ingleby, Burgess and the Mayor also spoke in support of the motion.

The meeting ended at 9:33pm.



Council AGM

Declarations of Interest

Date: 29 March 2023

Class: Part 1

Contributors: Head of Governance and Committee Services

Outline and recommendations

Members are asked to consider declare any personal interest they have in any item on the agenda.

Declaration of interests

Members are asked to declare any personal interest they have in any item on the agenda.

1 Personal interests

There are three types of personal interest referred to in the Council's Member Code of Conduct :-

- (1) Disclosable pecuniary interests
- (2) Other registerable interests
- (3) Non-registerable interests

2 Disclosable pecuniary interests are defined by regulation as:-

- (a) Employment, trade, profession or vocation of a relevant person* for profit or gain
- (b) Sponsorship –payment or provision of any other financial benefit (other than by the Council) within the 12 months prior to giving notice for inclusion in the register in respect of expenses incurred by you in carrying out duties as a member or towards your election expenses (including payment or financial benefit from a Trade Union).

- (c) Undischarged contracts between a relevant person* (or a firm in which they are a partner or a body corporate in which they are a director, or in the securities of which they have a beneficial interest) and the Council for goods, services or works.
- (d) Beneficial interests in land in the borough.
- (e) Licence to occupy land in the borough for one month or more.
- (f) Corporate tenancies – any tenancy, where to the member’s knowledge, the Council is landlord and the tenant is a firm in which the relevant person* is a partner, a body corporate in which they are a director, or in the securities of which they have a beneficial interest.
- (g) Beneficial interest in securities of a body where:-
 - (a) that body to the member’s knowledge has a place of business or land in the borough; and
 - (b) either
 - (i) the total nominal value of the securities exceeds £25,000 or 1/100 of the total issued share capital of that body; or
 - (ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the relevant person* has a beneficial interest exceeds 1/100 of the total issued share capital of that class.

*A relevant person is the member, their spouse or civil partner, or a person with whom they live as spouse or civil partner.

(3) Other registerable interests

The Lewisham Member Code of Conduct requires members also to register the following interests:-

- (a) Membership or position of control or management in a body to which you were appointed or nominated by the Council
- (b) Any body exercising functions of a public nature or directed to charitable purposes, or whose principal purposes include the influence of public opinion or policy, including any political party
- (c) Any person from whom you have received a gift or hospitality with an estimated value of at least £25

(4) Non registerable interests

Occasions may arise when a matter under consideration would or would be likely to affect the wellbeing of a member, their family, friend or close associate more than it would affect the wellbeing of those in the local area generally, but which is not required to be registered in the Register of Members’ Interests (for example a matter concerning the closure of a school at which a Member’s child attends).

(5) Declaration and Impact of interest on members' participation

- (a) Where a member has any registerable interest in a matter and they are present at a meeting at which that matter is to be discussed, they must declare the nature of the interest at the earliest opportunity and in any event before the matter is considered. The declaration will be recorded in the minutes of the meeting. If the matter is a disclosable pecuniary interest the member must take no part in consideration of the matter and withdraw from the room before it is considered. They must not seek improperly to influence the decision in any way. **Failure to declare such an interest which has not already been entered in the Register of Members' Interests, or participation where such an interest exists, is liable to prosecution and on conviction carries a fine of up to £5000**
- (b) Where a member has a registerable interest which falls short of a disclosable pecuniary interest they must still declare the nature of the interest to the meeting at the earliest opportunity and in any event before the matter is considered, but they may stay in the room, participate in consideration of the matter and vote on it unless paragraph (c) below applies.
- (c) Where a member has a registerable interest which falls short of a disclosable pecuniary interest, the member must consider whether a reasonable member of the public in possession of the facts would think that their interest is so significant that it would be likely to impair the member's judgement of the public interest. If so, the member must withdraw and take no part in consideration of the matter nor seek to influence the outcome improperly.
- (d) If a non-registerable interest arises which affects the wellbeing of a member, their, family, friend or close associate more than it would affect those in the local area generally, then the provisions relating to the declarations of interest and withdrawal apply as if it were a registerable interest.
- (e) Decisions relating to declarations of interests are for the member's personal judgement, though in cases of doubt they may wish to seek the advice of the Monitoring Officer.

(6) Sensitive information

There are special provisions relating to sensitive interests. These are interests the disclosure of which would be likely to expose the member to risk of violence or intimidation where the Monitoring Officer has agreed that such interest need not be registered. Members with such an interest are referred to the Code and advised to seek advice from the Monitoring Officer in advance.

(7) Exempt categories

There are exemptions to these provisions allowing members to participate in decisions notwithstanding interests that would otherwise prevent them doing so. These include:-

- (a) Housing – holding a tenancy or lease with the Council unless the matter relates to your particular tenancy or lease; (subject to arrears exception)
- (b) School meals, school transport and travelling expenses; if you are a parent or guardian of a child in full time education, or a school governor unless the matter relates particularly to the school your child attends or of which you are a governor;
- (c) Statutory sick pay; if you are in receipt
- (d) Allowances, payment or indemnity for members
- (e) Ceremonial honours for members
- (f) Setting Council Tax or precept (subject to arrears exception)



Council AGM

Announcements and Communications

Date: 29 March 2023

Class: Part 1

Contributors: Head of Governance and Committee Services

Outline and recommendations

Members are asked to receive any announcements or communications

1. Stephen Warren, the Chair of Lewisham Council's Pensions Board and independent member of Lewisham's Audit Panel, is being [appointed as the inaugural Auditor General for the Isle of Man](#) on the 21st of September. Stephen has served Lewisham since 2017, having previously worked for the Audit Commission for 26 years, including as Technical Director. He will remain as Chair of the Pensions Board but will stand down from the Audit Panel once the Council appoints a replacement.

Agenda Item 6



Council AGM

Composition of the Executive

Date: 29 March 2023

Class: Part 1

Contributors: Head of Governance and Committee Services

Outline and recommendations

Members are asked to note the composition and portfolios of the Cabinet.

Details will be available at the meeting.

Correct as of 4pm on 29 March 2023



Council AGM

Composition of the Executive

Date: 29 March 2023

Class: Part 1

Contributors: Head of Governance and Committee Services

Outline and recommendations

Members are asked to note the composition and portfolios of the Cabinet.

To receive written notification from the Mayor of the constitution and composition of the Executive

The Mayor has informed the Chief Executive that the members, listed below, will serve as members of the Cabinet in for the municipal year 2023-24.

Name	Portfolio
Damien Egan	Mayor of Lewisham
Cllr Brenda Dacres	Deputy Mayor and Cabinet Member for Housing Development and Planning
Cllr Chris Barnham	Cabinet Member for Children and Young People
Cllr Paul Bell	Cabinet Member for Health and Adult Social Care
Cllr Juliet Campbell	Cabinet Member for Communities, Refugees and Wellbeing

Cllr Sophie Davis	Cabinet Member for Housing Management Homelessness and Community Safety
Cllr Amanda de Ryk	Cabinet Member for Finance and Strategy
Cllr Louise Krupski	Cabinet Member for Environment and Climate Action
Cllr Kim Powell	Cabinet Member for Businesses, Jobs and Skills
Cllr André Bourne	Cabinet Member for Culture, Leisure and Communications (job share)
Cllr James-J Walsh	Cabinet Member for Culture, Leisure and Communications (job share)

The Council is therefore:

RECOMMENDED to note the constitution and composition of the Executive for the municipal year 2023/24



Council AGM

Scheme of Delegation

Date: 29 March 2023

Class: Part 1

Contributors: Head of Governance and Committee Services

Outline and recommendations

Members are asked to note that there are no changes to the existing Mayoral Scheme of Delegation in Part VIII of the Council's Constitution

To receive notification from the Mayor of the nature and extent of any decision making powers delegated by him in relation to Executive functions and to incorporate this in the Council's Constitution at Part VIII

The Mayor has not made any changes to the existing powers delegated by him in relation to Executive functions.

The Council is therefore **RECOMMENDED** to note that there are no changes to the existing Mayoral Scheme of Delegation in Part VIII of the Council's Constitution.

Agenda Item 8



Council AGM

Report title: Review of the Constitution

Date: 29 March 2023

Class: Part 1

Contributors: Jeremy Chambers, Monitoring Officer

Outline and recommendations

The Council's Monitoring Officer, is required to keep the Constitution under periodic review. Given the size of the Constitution (470 pages), the current review is broken down into three phases. The first phase was completed in November, with phase three coming at later date. Phase two covers: -

1. Petition Scheme;
2. Amalgamation of Committees;
3. Planning Committee;
4. Overview & Scrutiny Arrangements.

The proposed amendments were considered by the Constitution Working Party on 14th March 2023 and the recommendations in this report were unanimously agreed for recommendation to Council at that meeting.

Recommendations

Council is asked to: -

1. Note the contents of this report;
2. Agree that the recommendations detailed at paragraphs 3.1, 4.2, 5.14 & 6.11 and that such amendments to the Constitution come into effect immediately.
3. Note that the Monitoring Officer will ensure the terminology used in the Constitution is appropriate and also 'tidy up' any minor spelling, grammatical and formatting errors.

1. Executive Summary

- 1.1. The Constitution is the document that governs how the Council makes decisions, how scrutiny operates, how the public engages with the Council and how the Council operates. The Council is required to keep the Constitution under review and the Council's Monitoring Officer is the custodian of the Constitution.

2. Introduction

2.1. The Constitution aims to:-

- i) lead to effective and efficient Council decision making;
- ii) make it clear to local people who is making decisions on their behalf;
- iii) give Councillors and local people greater opportunity to engage directly;
- iv) set out clearly the arrangements for local political governance;
- v) separate decision making from scrutiny of those decisions to create greater accountability.

2.2. The Council's Monitoring Officer, is required to keep the Constitution under periodic review. Given the size of the Constitution (470 pages), the current review is broken down into three phases. The first phase was completed in November, with phase three coming at later date. Phase two covers: -

1. Petition Scheme;
2. Amalgamation of Committees;
3. Planning Committee;
4. Overview & Scrutiny Arrangements.

2.3. The Constitution Working Party (CWP) has, as part of its Terms of Reference, responsibility for making proposals to the Council for any changes to the Council's Constitution it considers necessary. With limited exceptions only a meeting of the Council can make amendments to the Constitution. The recommendations in this report were unanimously agreed by the CWP.

2.4. The report will consider each provision in turn and give examples from other councils. At the CWP meeting when the report was considered, the Monitoring Officer was in attendance to clarify legal requirements, where members do and do not have options and, when required, gave a professional view on effectiveness of each provision in terms of good governance.

3. Petition Scheme

3.1. The Council's current petition scheme appears incomplete and lacks clarity and detail regarding how the Council deals with petitions. Petition Schemes should provide the public, councillors and officers with sufficient details to understand how petitions will be dealt with and processed.

Petition Scheme Recommendations

1. That the Council adopts the revised petition scheme set out below with immediate effect.

Petitions Scheme for the London Borough of Lewisham

The Council will consider all petitions that fall within the scope of this scheme. A petition template and signature sheet is attached at Appendix 1. This sets out the information we need to consider your petition. If you need any advice, please contact the Governance & Committee Services team at committee@lewisham.gov.uk.

We accept both paper and e-petitions. The requirements of the Councils petition scheme apply to both paper and e-petitions. E-Petitions should use the council's system which can be found on the council's website.

Is this report easy to understand?

Please give us feedback so we can improve.

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Go to <https://lewisham.gov.uk/contact-us/send-us-feedback-on-our-reports>

Paper petitions can be sent to: Governance and Committee Services, 1st Floor, Laurence House, Catford Road, SE6 4RU.

To submit an e-petition you will need to register on the Council's petition page. Registration is simple requiring a few details in case we need to contact you. On the e-petition page, select 'submit a new petition' and follow the prompts from there. Your online form will be submitted to the Governance & Committee Services Team. You must let us know when you would like your e-Petition to go live on the website, and a date for when your e-petition will stop collecting signatures. The Council accepts no liability for the petitions on these web pages. The views expressed in the petitions do not necessarily reflect those of the Council. When the e-petition reaches its closing date, you will no longer be able to sign it online. The petition will then be dealt with in line with the scheme.

We do not accept hybrid petitions.

The Council will acknowledge receipt of a petition within ten working days. In all cases the relevant Cabinet member and senior officer (at Director level) will be informed, if the petition relates to a particular part of the Borough, then we will also notify the local ward councillors.

Who can submit a petition?

Any person who lives, works or studies in Lewisham can organise a petition, including those under the age of 18. The address provided must be an address within the borough of Lewisham: it may be the home, work or study address.

Who can sign a petition?

Any individual can sign a petition and may be any age and should provide an address which shows that they live, work or study in Lewisham. There may be occasions where it is appropriate for signatories from outside the borough to sign a petition, for example where the matter significantly affects the community in a neighbouring borough. You can only sign a petition once.

What are the guidelines for submitting a petition?

Petitions submitted to the council must:

- Contain the name, a valid address with postcode, and the signature of any person supporting the petition. A valid address is within the Borough of Lewisham and can be a home, work or study address.*
- Include a clear and concise statement covering the subject of the petition. It should state what action the petitioners wish the council to take.*
- have the petition organisers contact address. This is the person we will contact to explain how we will respond to the petition. The contact details of the petition organiser will not be placed on the website. If no lead petitioner is identified, we will consider the first decipherable name on the petition to be the lead contact.*
- relate to a matter for which the authority has responsibility, and which affects the authority or its area.*

Are there petitions the Council cannot accept?

Most petitions we receive will be accepted but there are some circumstances where we will not be able to deal with your petition under this scheme. To avoid contempt of court or prejudice to the Council's position, and duplicating procedures where established processes already exist, some matters are excluded from this scheme:

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- *petitions which in the opinion of the Monitoring Officer are considered vexatious, defamatory, offensive, frivolous or abusive or otherwise inappropriate will not be accepted.*
- *any matter that does not engage the council's responsibilities including, matters which relate to the proceedings of a political party, and matters that are the subject of electoral law.*
- *petitions which relate to any matter that is, or is likely to be, the subject of legal proceedings. This includes petitions which the Monitoring Officer considers would put the Council at risk of constituting a contempt of court, or any petition which is asking the Council to do anything unlawful.*
- *in the period immediately before an election or referendum we may need to deal with your petition differently – if this is the case, we will explain the reasons and discuss the revised timescale which will apply*
- *if a petition does not follow the guidelines set out above, the council may decide not to do anything further with it. In that case, we will write to you to explain the reasons.*
- *any matter where there is already an existing way of making representation and a process for right of appeal such as Planning, Licensing, council tax banding and non-domestic rates, where the existing procedures will be used.*
- *requesting a statutory petition (for example requesting a referendum on having an elected mayor)*
- *names or clearly identifies an employee of the authority or any matter relating to an individual*
- *petitions which are substantially the same as a petition which has been considered under the petition scheme within the last 12 months as agreed by the Monitoring Officer.*
- *involve the disclosure of confidential or exempt information as defined under Schedule 12A to the Local Government Act 1972 (as amended by the Local Authorities (Access to Information (Exempt Information))(England) order 2006)*

What will the Council do when it receives my petition?

An acknowledgement will be sent to the petition organiser within ten working days of receiving the petition. It will let them know what we plan to do with the petition and when they can expect to hear from us again.

The Council will normally send its substantive response within 4 weeks of receipt, however there may be occasions where this is not possible, for example, over the summer holidays, in the period immediately prior to an election or referendum, where a petition relates to a matter yet to be considered.

If we can do what your petition asks for, the acknowledgement may confirm that we have taken the action requested and the petition will be closed. Where the subject matter of the petition relates to a matter which is or will shortly be the subject of statutory or non-statutory consultation by the authority, the Monitoring Officer may elect to include the petition in the consultation process. You will be informed if this is the route that has been taken.

If the petition has enough signatures to trigger a debate at a meeting of full Council or at an Overview and Scrutiny Select Committee then the acknowledgment will confirm this and tell you when and where the meeting will take place.

If the petition needs more investigation, we will tell you the steps we plan to take.

The Council reserves the right to verify signatures as required. Please ensure each

signatory has given a valid address and postcode. These signatures will be taken into account when identifying if a debate at an Overview and Scrutiny Select Committee, or full Council has been triggered. Any signature without a valid address, or duplicates will be discounted.

Our response to a petition will depend on what a petition asks for and how many people have signed it, but may include one or more of the following: -

- a) taking the action requested in the petition*
- b) considering the petition at a council meeting*
- c) holding an inquiry into the matter*
- d) undertaking research into the matter*
- e) holding a public meeting*
- f) holding a consultation*
- g) holding a meeting with petitioners*
- h) referring the petition for consideration by an Overview and Scrutiny Select Committee*
- i) writing to the petition organiser setting out our views about the request in the petition*
- j) referring the petition for consideration to the Standards Committee.*

If your petition is about something that a different authority is responsible for, for example a local railway or hospital, we will consider the best method for responding; this may consist of simply forwarding your petition to that body, or the council may consider making representations on behalf of the community to the relevant body.

This may depend on whether the petition conflicts with Council policy. In any event, we will always inform you of the action taken.

Full Council debates

If the petition contains at least 1% of the assessed population figure from the 2021 Census (insert number) as published by the Office of National Statistics it will be debated by the full Council unless it is a petition asking for a senior council officer to give evidence at a public meeting.

This means that the issue raised in the petition will be discussed at a meeting which all councillors can attend. The council will endeavour to consider the petition at its next meeting, although on some occasions this may not be possible and consideration will then take place at the following meeting. The petition organiser will be advised of the date for full Council and the time allowed for presentation of the petition. The petition organiser will be contacted by the Governance & Committee Services Team to clarify what remedy is being sought and to advise of the option of having their Councillor present their petition. The Governance & Committee Services Manager will prepare a report detailing the subject of the petition and what action the Council and/or partners is being asked to take and arrange for this issue to be placed on the appropriate Council agenda to suit all parties.

The petition organiser will be given five minutes to present the petition at the meeting and the petition will then be discussed by councillors for a maximum of fifteen minutes. The council will decide how to respond to the petition at this meeting. They may decide to take the action the petition requests, not to take the action requested for reasons put forward in the debate, or to commission further investigation into the matter, for example by a relevant committee.

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Where the issue is one on which the Mayor & Cabinet are required to make the final decision, the Council will decide whether to make recommendations to inform that decision. The petition organiser will receive written confirmation of the Council's decision. This confirmation will also be published on our website.

What can I do if I feel my petition has not been dealt with properly?

If you feel that we have not dealt with your petition properly, the petition organiser has the right to request a review of the steps that the Council has taken in response to your petition. If your petition was considered and a response given by officers, then please send your concerns via the council's corporate complaints system which can be accessed via the council's website. If you remain dissatisfied, you can submit a complaint to the Local Government and Social Care Ombudsman.

If your petition was considered and debated at either an Overview & Scrutiny meeting, or Full Council, then please request a referral to the Chair of OSC who will consider how best to respond, depending on the nature of the concerns, please email scrutiny@lewisham.gov.uk.

Privacy policy

The details you give us are needed to validate your support and your details will not be published on the website. This is generally the same information required for a paper petition. The Council may contact you in relation to any petitions you have signed, unless you have requested not to be contacted when signing the e-Petition. London Borough of Lewisham is the data controller for personal information collected in respect of both the Council's E-petition facility and for paper petitions.

4. Amalgamation of Committees

- 4.1. The Council currently has an Audit Panel, Health & Safety Committee, Elections Committee and Constitutional Working Party.
- 4.2. As part of ensuring the Council's meeting structure is fit for purpose and as efficient as possible, a review of the Council's formal meeting structure has been undertaken, including a steer from the administration and several roundtable informal discussions with councillors. The following recommendations are as result of these discussions.

Amalgamation of Committees Recommendations

1. The Audit Panel be renamed the Audit & Risk Management Committee;
2. The Chair of the Audit & Risk Management Committee be paid Special Responsibility Allowance of £7151 in recognition of the remit of the committee;
3. That the Audit & Risk Management Committee meets six times a year;
4. That there are no changes to the Health & Safety Committee at present but the matter is kept under review following the transfer of the housing stock to the Council from Lewisham Homes;
5. That the Elections Committee and Constitutional Working Party are merged into a Governance Committee that meets as and when required as determined by the Monitoring Officer in consultation with the Chair of the committee.
6. A Special Responsibility Allowance of £7151 be paid to the Chair of Pensions Investments Committee.

5. Planning Committee

- 5.1. Feedback through the Local Democracy Review programme suggested that there was a need for improved and earlier engagement with Members who are on Planning Committees and increased training. This feedback recognised that this will require greater time commitment from Members and officers who support committees so changes would be needed to the number of meetings and types of applications that are taken to Planning Committee to support that type of change.
- 5.2. The rationale for the planning proposals is to give a greater sense of fairness in terms of the type of cases that come to committee and the process of how decisions are made, enable better decision making by ensuring that sufficient time is available for those Members who are on committees for training and ensure that Members still have the opportunity to appropriately advocate for all their communities and effectively fulfil the wider range of responsibilities members have.
- 5.3. Most planning decisions are made by officers using their delegated powers. However, for applications where there are three or more objections, those involving the loss of a pub or departures from the development plan, decisions are made by a planning committee. Schemes where an objection is received from an amenity society or residents' association are also automatically referred to planning committee.
- 5.4. Lewisham has one of the highest numbers of planning committees in London (three committees and strategic planning committee). Lewisham's current threshold for Planning Committee is 3 objections, or a single amenity society objection and is the lowest in London. The most common threshold is between 5 and 10 objections and officers are currently unaware of any other authority who gives an automatic call-in right to amenity societies.
- 5.5. As a consequence of the low objection threshold, Lewisham has 4 planning committees (A, B & C and Strategic Planning Committee) to address the committee case pipeline. The committee threshold is the second highest in London. Lewisham has 37 planning committee councillors in order to run the 4 committees, and is the highest in London by some margin. The majority of boroughs have between 7-10 Councillors with a number of boroughs have a core group of councillors with a reserve or pool list for flexibility. This includes Enfield, Lambeth, Southwark and Richmond.
- 5.6. The majority of boroughs have a single planning committee, and a large number have a dual set up for planning committee (planning committee and a strategic committee).
- 5.7. Temporary changes to the scheme of delegation during the Covid-19 pandemic increased officer delegations. Cases with 3-4 objections were decided by planning officers under delegated powers. Schemes with 5-9 objections or an amenity society objection were taken to a Chair's Review meeting where a decision was made by a planning committee chair on whether a scheme would be decided by committee or under delegated powers. Member training and briefings were undertaken virtually with high levels of attendance and engagement and protocols and standard scripts prepared for committees and chairs to assist with virtual committees.
- 5.8. It is proposed to increase the threshold of objections that would trigger a committee referral to 10 objections. This would bring Lewisham in line with other authorities in London.
- 5.9. It is also considered that Chairs' Review meetings for those schemes with an amenity society objection should become a permanent feature of the scheme of delegation to

recognise the value of our Amenity Societies and their commentary on planning applications, whilst ensuring that planning committees are used for the most complex cases only. The temporary changes during Covid-19 demonstrated that good decision was safeguarded despite a higher committee threshold and ensured that only the most complex and sensitive schemes are referred to planning committee.

5.10. The proposed changes are likely to reduce the Planning Committee backlog from the current 67 cases to around 20-30. It is therefore also proposed to alter the structure, frequency and resourcing of planning committees. This would enable the Planning Service to refocus resource to support the increased early engagement activities promoted via a refreshed Statement of Community Involvement and enable a smaller pool of Members to have more focus on planning matters to help improve decision making.

5.11. It is proposed that the number of planning committees is reduced to 2 main committees of equal standing ensuring that cases are spread equally. Along side the two main committees there will be a Strategic Planning Committee, which will sit only when required. The Strategic Planning Committee will be made up as follows: -

- Chairs of the two Planning Committees;
- Vice-Chairs of the two Planning Committees;
- Two Cabinet Members nominated by the Mayor;
- One other member from each of the two Planning Committees.

5.12. A meeting of the Strategic Planning Committee will only be triggered if the application falls within ***Parts 1-4 of the Schedule to The Town and Country Planning (Mayor of London) Order 2008.***

5.13. Alongside the changes to thresholds and the committee structure, it is proposed to introduce greater clarity to the constitution to define what a planning application is to avoid any uncertainty regarding submission types that are not a planning application (such as a certificate of lawful development, prior approval or approval of details).

5.14. The proposals can be summarised as follows: -

Planning Committee

- Replace the existing committee structure made of up 4 committees, with 2 committees of equal status.
- *Planning Committee* – meeting monthly this covers all referable committee application.
- Planning Committee Members to comprise a core group and a reserve list (for further exploration with other boroughs that have this arrangement – Southwark, Lambeth, Enfield and Richmond)
- Councillor call-in to be retained, a reason must be provided in writing and limited to the ward in which the development is located or adjacent ward.
- Public speaking arrangements at committee to be retained – 5 minutes.

Scheme of Delegation/ Committee threshold

- Increase the current threshold from 3 to 10 objections.

Amenity Societies

- Formal recognition of amenity societies – they will need to be constituted, representative and meet the terms of the London Forum for Amenity and Civic Societies.
- They will have a defined area of one conservation area (not multiple conservation areas). This would ensure each group has an identifiable area and avoid current issues of different amenity groups covering the same area.

- Amenity groups would retain a form of call-in power for their defined area but this would refer cases to a Chairs' Review Panel rather than automatically to committee. Other groups would be free to make representations but would not have call in powers.

Planning Committee Arrangements Recommendations: -

- 1. The deletion of the current four committees and the establishment of two main planning committees of equal standing;**
- 2. The creation of a new Strategic Planning Committee, which only meets when an application falls within Parts 1-4 of the Schedule to The Town and Country Planning (Mayor of London) Order 2008.**
- 3. That the new Strategic Planning Committee be constituted as follows: -**
 - a. Chairs of the two Planning Committees;**
 - b. Vice-Chairs of the two Planning Committees;**
 - c. Two Cabinet Members nominated by the Mayor;**
 - d. One other member from each of the two Planning Committees.**
- 4. That the Chairs of both committees be paid a Special Responsibility Allowance of £10,216 (an amount equal to the current SRA payable to the Chair of Strategic Planning Committee) and the Chair of Strategic Planning Committee does not get a Special Responsibility Allowance;**
- 5. That each main committee has a membership of 8 councillors;**
- 6. That each main committee meets bi-monthly;**
- 7. That the threshold for referral to a main Committee be increased from 3 objections to 10 objections;**
- 8. That amenity societies must be formally constituted and meet the terms of the London Forum for Amenity and Civic Societies;**
- 9. That any objection from an amenity society is not automatically referred to a main committee but suitability for referral to committee is determined by the Director of Planning in consultation with the Chairs of both committees (or Vice-Chairs in their absence) in a Chairs' Briefing.**

6. Overview & Scrutiny Arrangements

- 6.1. Overview and scrutiny is a way in which non-executive councillors can hold the Mayor and Cabinet, officers and external organisations to account for the decisions that they make. The scrutiny process enables councillors to examine the functions of the Council; ask questions about how decisions have been made; and investigate issues of local concern to consider whether service improvements can be put in place. The main types of scrutiny are pre and post decision scrutiny; performance monitoring; and policy development.
- 6.2. All non-executive councillors (currently 44 Members) sit on the Overview and Scrutiny Committee (OSC). This body focuses on cross-cutting and strategic issues and can get involved in policy development, performance monitoring and pre-decision scrutiny.
- 6.3. There are currently 8 sub-committees: 6 select committees and 2 business panels. The 6 select committees have remits covering specific service areas and they focus on policy development, pre-decision scrutiny and performance monitoring. The 2 business panels agree the overall scrutiny work programme and handle post-decision scrutiny and call-in.
- 6.4. Time-limited sub-committees called Task and Finish Groups (TFGs) can also be established by OSC. TFGs consider topical issues of concern and focus on policy development. They gather evidence to develop recommendations to inform policy and make service improvements via methods such as desktop research, telephone

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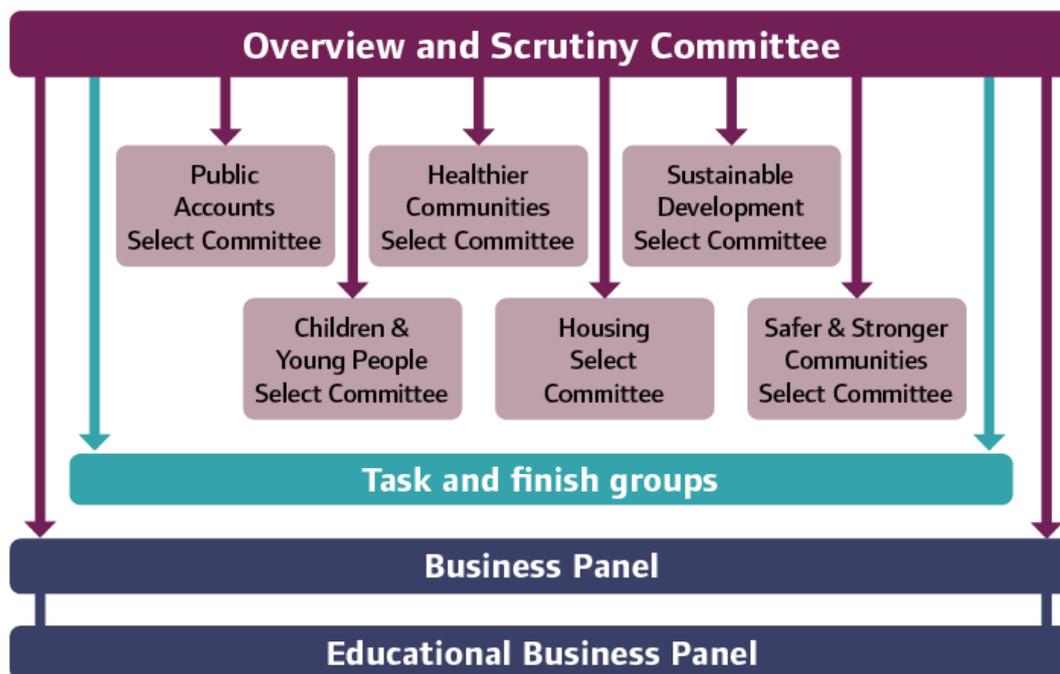
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conferences, site visits, good practice visits and a wide range of engagement activities.

6.5. The diagram below shows the current structure:



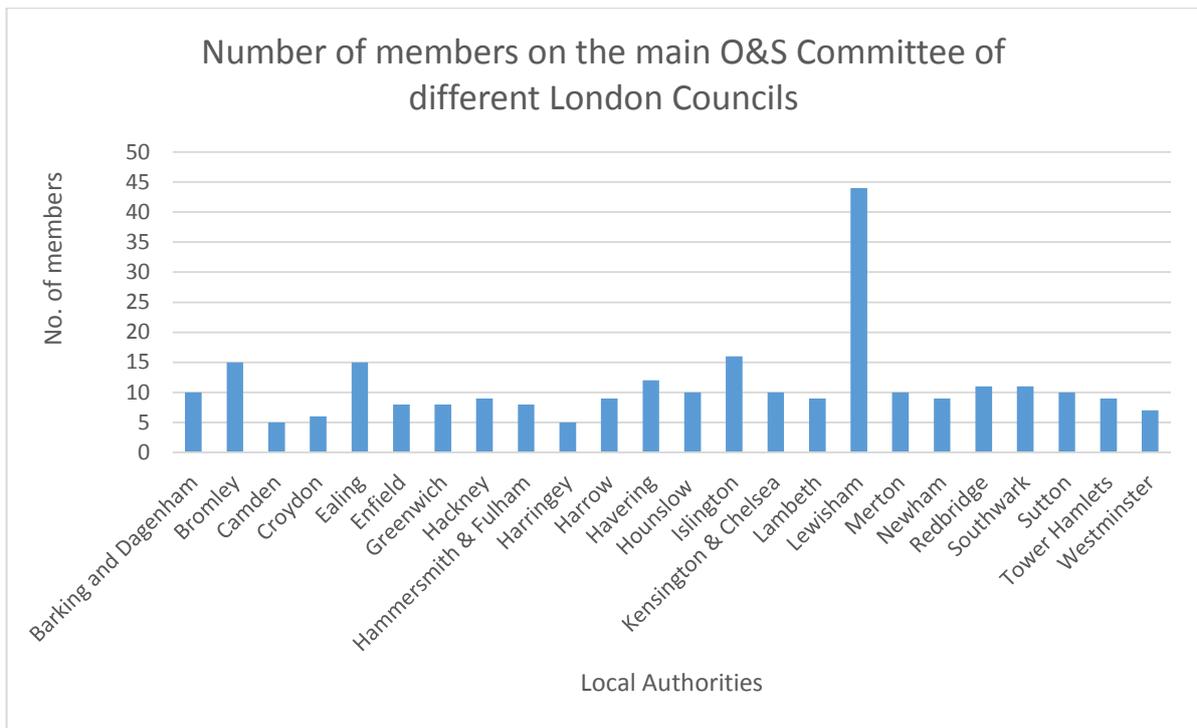
- 6.6. The steer from the administration is to ensure that the scrutiny arrangements for Lewisham are efficient in their use of member and officer time, avoid confusion and duplication, are simple to understand and allow scrutiny to really add value to the Council and wider community.
- 6.7. In informal conversations with councillors, both in relation to scrutiny and wider committee structures, there has been a real appetite for change and simplification of the Council's scrutiny arrangements. The following paragraphs deal with structure, number of councillors, project work, SRAs, and call-ins.
- 6.8. There has been significant support for the removal of the current three-tier scrutiny structure with a simpler two-tier structure instead, i.e., a "parent" Overview & Scrutiny Committee with a number of sub-committees under it. This simplification will remove the need for both business panels and in effect merge the current committee and two business panels into one committee.
- 6.9. As can be seen above, the current Overview & Scrutiny Committee contains all non-executive councillors. This is highly unusual. The table below demonstrates how far removed from other London Boroughs Lewisham is regarding the number of councillors that sit on Overview & Scrutiny Committee.

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6.10. The preferred number of councillors on the committee in other London Boroughs that responded is 10 and that is what is recommended for Lewisham.

6.11. There had been a suggestion that the Council prohibits councillors that sit on a regulatory committee from sitting on the Overview & Scrutiny Committee or any sub-committee but our benchmarking has shown that no other London Borough that responded has that restriction so that is not recommended here.

Overview & Scrutiny Arrangements Recommendations: -

1. The current three-tier scrutiny structure is replaced with a simplified two-tier structure made up of an Overview & Scrutiny Committee and the current select committees;
2. That the number of councillors on Overview & Scrutiny Committee be 10;
3. That the Chair of each Select Committee must be a member of Overview & Scrutiny Committee but cannot be the Chair or Vice-Chair of Overview & Scrutiny Committee;
4. That councillors who sit on any of the Council's regulatory committees are able to also sit on Overview & Scrutiny Committee or any of its Select Committees;
5. That the Special Responsibility Allowance payable to the Chair of Overview & Scrutiny Committee is £13,281;
6. That the Special Responsibility Allowance payable to the chairs of each of the Select Committees is £7,151;
7. That the Chair of any Task & Finish Group does not receive a Special Responsibility Allowance;
8. That the work programmes for the Select Committees are approved by the Overview & Scrutiny Committee;
9. The current Task & Finish Groups are recommended to remain provided the following provisions are put in place: -
 - a. The remit, scope, duration and membership of Task & Finish Groups can only be agreed by the Overview & Scrutiny Committee;
 - b. Any non-Executive councillor can be selected to sit on a Task & Finish Group;
 - c. The maximum number of councillors that can sit on a Task & Finish Group is five (5);
 - d. No more than three (3) Task & Finish Groups can be undertaken in any single municipal year.

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10. That any post decision call-ins are dealt with by the Overview & Scrutiny Committee;
11. That any pre-decision scrutiny which has taken place is brought to the attention of the decision-maker (ordinarily Mayor & Cabinet) to ensure they are fully informed of the views of scrutiny as appropriate;
12. That, in circumstances where pre-decision scrutiny has taken place and the decision-maker has been made aware of the outcome of the pre-decision scrutiny, there is no requirement for the decision-maker to formally respond to the pre-decision scrutiny;
13. To note that the Head of Overview, Scrutiny & Policy, as the Council's statutory scrutiny officer, will be issuing further detailed guidance following the Annual General Meeting of the Council.

7. Financial implications

7.1. Following the most recent review of members' allowances, the current cost of allowances for councillors totals £1,018,459 per annum. This is made up of £648,756 for basic allowances and £369,703 for Special Responsibility Allowances.

7.2. The proposed changes to the structure of the Council's formal meetings, if approved by Council will have an additional cost of £3,065, calculated as follows: -

Current

Strategic Planning Chair	10216	1	10216
Planning Committee Chair	7151	3	21453
Scrutiny Select Committee Chair	7151	6	42906
Overview & Scrutiny Committee Chair	13281	1	13281
		Total:	87856

Future

Planning Committee Chair	10216	2	20432
Overview & Scrutiny Committee Chair	13281	1	13281
Scrutiny Panel Chair	7151	6	42906
Audit & Risk Committee Chair	7151	1	7151
Pensions Investment Committee Chair	7151	1	7151
		Total:	90921

Cost: -3065

7.3. The service budget pressure of £3,065 will be funded from corporate provisions in 2023/24 and the change adjusted for in the service budget for 2024/25.

8. Legal implications

8.1. The report has been prepared by the Council's Monitoring Officer and all legal matters have been addressed in the body of the report.

9. Background papers

9.1. A copy of the Council's constitution is available at the following link:

[Lewisham Council - Our constitution](#)

10. Report author and contact

Jeremy Chambers
Director of Law & Corporate Governance
Monitoring Officer

Email: jeremy.chambers@lewisham.gov.uk

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Council AGM

Committee Terms of Reference

Date: 23 March 2023

Class: Part 1

Contributors: Head of Governance and Committee Services

Outline and recommendations

Members are asked to note the changes to the terms of reference of the Committees listed below.

Terms of Reference of these committees have been amended as follows:

Committee	Composition	Terms of reference
2 planning committees A and B having no geographical boundaries	10 members of the Council, including no more than 1 member from each Council ward	<p>All non-executive, (except for any local choice functions reserved to the Executive – see table at Part III) – decisions relating to planning and development control under the Town and Country Planning Act 1990 and all other relevant legislation in force from time to time and in relation to building control under the Building Act 1984, regulations thereunder and all other legislation in force from time to time:</p> <p>This includes by way of example but not limitation:</p> <ul style="list-style-type: none"> Determining applications for planning permission, advertisement consent, listed building and conservation area consents, certificates of lawfulness or lawful development, works to trees, hazardous substances and building control approval

		<ul style="list-style-type: none"> • Issuing enforcement notices, stop notices and listed building enforcement notices • Taking action in relation to unauthorised advertisements • Issuing notices in relation to untidy land • Issuing notices and orders in relation to building control • The exercise of the Council's powers in relation to listed buildings • Commenting on draft planning briefs and plans to the development of land prepared by the Executive • Entering into agreements to regulate the development or use of land • Carrying out any other regulatory enforcement functions contained with town and country planning or building control legislation in force from time to time • Creating, diverting and stopping up highways, footpaths and bridleways • Removal of nuisance deposits on the highway • all non-executive highways and planning functions not reserved to Council by law or this Constitution including those set out in the Schedule of relevant statutes in the Scheme of Delegation • to authorise the Director of Law to take any legal action which may be appropriate which relates to any functions of the committee including the taking or defending of legal proceedings and entering into legal agreements as may be required
Strategic Planning Committee	8 members of the Council who shall be the chairs and vice chairs of each of the other Planning Committees, two Cabinet Members nominated by the Mayor and one other member from each of the other Planning Committees.	<ul style="list-style-type: none"> ▪ To consider applications that fall within Parts 1-4 of the Schedule to the Town and Country Planning (Mayor of London) Order 2008.
Governance Committee	6 members of the Council no more than	The Committee may exercise certain powers in relation to the holding of

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	one half of whom may also be members of the Executive	<p>elections and the maintenance of the electoral register, and may from time to time advise the Council where the law requires that the decision may only be taken by full Council:</p> <ul style="list-style-type: none"> • the appointment of an electoral registration officer • the assignment of officers in relation to requisitions of the registration officer • the appointment of a returning officer for local government elections • the provision of assistance at European Parliamentary elections • the division of constituencies into polling districts • the division of electoral divisions into polling districts at local elections • the submission of proposals to the Secretary of State for an order under section 10 Representation of the People Act 2000 for a pilot scheme for local elections • power to make submissions to the Boundary Commission for England in relation to the boundaries of the borough or ward boundaries • the appointment of a proper officer for the purposes of giving various notices in relation to elections and referendums (e.g. in relation to the verification number for petitions for a referendum under LGA 2000) • to conduct reviews of the conduct of elections in the borough • to advise the Council on the operation of its executive arrangements under the Local Government Act 2000 as amended, and make proposals to the Council for any changes to the Council's Constitution it considers necessary.
Audit and Risk Committee	Consisting of 6 non executive Councillors, one of whom shall serve as chair and up to 4 independent co-opted members	<p>(a) To receive, review and where appropriate advise as appropriate and make recommendations to the Council * on the following matters:</p> <ul style="list-style-type: none"> • The review and approval of the Council's Internal Audit strategy, plans and resources. • Internal Audit progress reports on a quarterly basis summarizing the audit reports issued and

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		<p>performance of the Internal Audit function.</p> <ul style="list-style-type: none"> • The annual report of the Council's Head of Internal Audit and Inspection Agencies. • Reports from Internal Audit on the implementation of agreed recommendations where management have failed to undertake the necessary actions within the planned audit time frame. • The external auditor's Annual Plan, relevant reports, and reports to those charged with governance. • External inspection reports and specific reports as agreed with the external auditor. • The monitoring of the effectiveness of the Council's risk management arrangements, the control environment and associated anti-fraud and anti-corruption arrangements. • An overview of the Council's Constitution in respect of audit procedure rules, contract procedure rules, and financial regulations. • The Council's assurance arrangements including the Statement of Internal Control. • The Council's Annual Statement of Accounts, to consider whether appropriate accounting policies have been followed and whether there are any concerns arising from the financial statements or from the audit that need to be brought to the attention of the Executive • The external auditor's opinion and reports to members, and monitoring of management action in response to issues raised by external audit.
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All other Committees' terms of reference remain unchanged.



Council AGM

Allocation of Seats to Political Groups on the Council

Date: 29 March 2023

Class: Part 1

Contributors: Director of Law & Corporate Governance
Head of Governance and Committee Services

Outline and recommendation

Members are asked to agree the allocation of all seats on committees to the Labour Group.

1. Summary

This report proposes that all seats on all committees are allocated to the Labour Group.

2. Purpose

The purpose of this report is to comply with the Local Government and Housing Act 1989, which requires the allocation of seats on committees in accordance with the level of representation of political groups on the Council as a whole.

3. Background

Section 15 of the Local Government and Housing Act 1989 places a duty on the Council to review the representation of political groups on its committees where the members of the Council are split into different political groups. A council is deemed to be split into different political groups where there is at least one such group on the Council. There is a particular duty to conduct this review at the Annual General Meeting or as soon as practicable after that.

4. Proposed arrangements

The Proper Officer has confirmed that only one political group exists on the council and all seats are to be allocated to it.

5. Legal Implications

The legal implications are contained in the body of the report.

6. Financial implications

There are no specific implications arising from this report.

7. Recommendations

Members are asked to agree the allocation of all seats on committees to the Labour Group.



Council

Appointments to Committees

Date: 29 March 2023

Class: Part 1

Contributors: Head of Governance and Committee Services

Outline and recommendations

Members are asked to agree appointments to committees for 2023/24.

Council appointments to committees for the municipal year 2023/2024

A schedule of proposed membership will be available at the meeting.

Correct as of 4pm on 29 March 2023

COUNCIL AGM – 29 March 2023

COMMITTEE APPOINTMENTS

The following proposals are subject to agreement by the Council and are as notified to the Governance and Committee Services team.

Council Speaker Tauseef Anwar

Council Deputy Speaker Jacq Paschoud

Overview & Scrutiny Committee

Rudi Schmidt

Ese Erheriene

Luke Sorba

Chris Best

Stephen Penfold

James Rathbone

Liam Shrivastava

James Royston

Joan Millbank

Mark Ingleby

Children & Young People Select Committee

Luke Sorba

Luke Warner

Yemisi Anifowose

Hilary Moore

Liz Johnston-Franklin

Jacqueline Paschoud

Jack Lavery

Monsignor Nicholas Rotheron (non-councillor co-optee)

Rev. Erica Wooff (non-councillor co-optee)

Brian Strom (non-councillor co-optee)

Clive Caseley (non-councillor co-optee)

Oluwafela Ajayi (non-councillor co-optee)
Monsignor Nicholas Rothon (non-councillor co-optee)

Healthier Communities Select Committee

Chris Best
Alyia Sheikh
Laura Cunningham
Peter Bernards
Stephen Hayes
John Muldoon
Carol Webley-Brown

Housing Select Committee

Stephen Penfold
Will Cooper
Suzannah Clarke
Rosie Parry
Natasha Burgess
Bill Brown
Sakina Sheikh

Public Accounts Select Committee

James Rathbone
Billy Harding
Eva Kestner
Joan Millbank
Aisha Malik-Smith
Mark Ingelby
Susan Wise

Safer Stronger Select Committee

Liam Shrivastava
Hau-Yu Tam
Ayesha Lahai-Taylor
Mark Jackson
Oana Olaru

Coral Ann Howard

Rachel Onikosi

Sustainable Development Select Committee

James Royston

Edison Huynh

Sian Eiles

Tauseef Anwar

Liam Curran

Eva Stamirowski

John Paschoud

Health & Safety Committee

Laura Cunningham

Paul Bell

Natasha Burgess

Chris Best

Carol Webley-Brown

Ayesha Lahai-Taylor

Pensions Investment Committee

Sian Eiles

Louise Krupski

John Muldoon

James Royston

Liam Shrivastava

Mark Ingleby

Mark Jackson

Chris Best

Governance Committee

Jacq Paschoud

James-J Walsh (CAB)

Will Cooper

Aisha Malik-Smith
Oana Olaru
John Paschoud

Council Urgency Committee

Tauseef Anwar
Brenda Dacres
Paul Bell
Rudi Schmidt
Joan Millbank
Jacq Paschoud

Standards Committee

Hilary Moore
Bill Brown
Brenda Dacres
Rosie Parry
Aliya Sheikh
Eva Stamirowski
Will Cooper
Peter Bernards
James Rathbone
Rachel Onikosi
Cathy Sullivan (non-councillor co-optee)
Gill Butler (non-councillor co-optee)
David Roper Newman (non-councillor co-optee)
Leslie Thomas (non-councillor co-optee)
Fasil Bhatti (non-councillor co-optee)
Joy Walton (non-councillor co-optee)

Appointments Committee

Rudi Schmidt
Cabinet Member
Cabinet Member

Joan Millbank
Peter Bernards

Audit & Risk

Eva Kestner
Hau-Yu Tam
Billy Harding
James Rathbone
Suzannah Clarke
Luke Sorba
Ian Pleace (non-councillor)
Stephen Warren (non-councillor)
Carole Murray (non-councillor)
1 non-councillor vacancy

Public Transport Liaison Committee

James Royston
Edison Huynh
Louise Krupski
Open to all Cllrs

Licensing Committee

Susan Wise
Yemisi Anifowose
Coral Ann Howard
Bill Brown
Luke Warner
Eva Kestner
Mark Jackson
Liam Shrivastava
Edison Huynh
Stephen Hayes

Planning Committee A

Peter Bernards
Sian Eiles
Sakina Sheikh
Rosie Parry
Jacq Paschoud
William Cooper
Liam Curran
Stephen Penfold

Planning Committee B

Jack Lavery
Aliya Sheikh
Hilary Moore
Liz Johnston-Franklin
John Paschoud
Billy Harding
Oana Olaru
John Muldoon

Strategic Planning Committee

Peter Bernards
Jack Lavery
Sian Eiles
Aliya Sheikh
Liam Curran
John Paschoud
Cabinet Member
Cabinet Member

Agenda Item 12



Council AGM

Appointments to Outside Bodies

Date: 29 March 2023

Key decision: No.

Class: Part 1

Contributors: Head of Governance and Committee Services

Outline and recommendations

To appoint named Members to outside bodies.

Council is recommended to appoint named Members to outside bodies.

A schedule of nominations will be available at the meeting.

OUTSIDE BODIES

Organisation	Appointment 23/24	Notes
Age Exchange Board of Trustees (1)	Amanda de Ryk	Blackheath Cllrs only / 1 day work p/month
Albany 2001 Council of Management (1)	Stephen Hayes	1 day work p/month
Albion Millennium Green Trust (1)	Billy Harding	
Blackheath Joint Working Party (3)	Amanda de Ryk Juliet Campbell Luke Warner	Blackheath Cllrs only
Deptford Challenge Trust (1)	Rosie Parry	1 meeting a month – 3 hrs avg
Lewisham Local History Society (1)	Jacq Paschoud	
London Youth Games (2)	Hilary Moore Aisha Malik-Smith	1 -2 days at Games in July & support to Team Lewisham
Marsha Phoenix Memorial Trust (1)	Laura Cunningham	1 meeting every 6 weeks, 2 hrs avg
Trinity Laban (1)	Laura Cunningham	0.5-1 day p/month
Our Healthier South East London (OHSEL) JHOSC (2)	Chris Best Carol Webley-Brown	4 meetings a year & travel to different Boroughs
Youth First Board (1)	Edison Huynh	4 year term / 1.5 days

Agenda Item 13



Council

Mayoral Appointments

Date: 29 March 2023

Key decision: No.

Class: Part 1

Contributors: Head of Governance and Committee Services

Outline and recommendations

Council is recommended to note appointments made by the Mayor for 2023/24.

A schedule of annual appointments made by the Mayor will be available at the meeting.

Correct as of 27th March 2023

MAYORAL APPOINTMENTS

Position	Appointment 23/4	Notes
Brent, Lewisham, Southwark IT Committee (2)	Amanda de Ryk Brenda Dacres	Cabinet appointment
Children and Young People's Strategic Partnership Board	Chris Barnham	Daytime meeting
Corporate Parenting Group (6)	Chris Barnham (Cabinet) Paul Bell (Cabinet) Luke Sorba Jacq Paschoud Carol Webley-Brown Edison Huynh	Early evening meetings start 6pm
Groundwork Local Authority Strategic Input Board	Susan Wise	
Health & Wellbeing Board (2)	Damien Egan Paul Bell	Daytime meetings
Intercultural Cities: Group Spokesperson	Edison Huynh	
Joint Street Lighting Committee (2)	Louise Krupski Amanda de Ryk	Cabinet appointments
Lewisham Homes Board (2)	Susan Wise Mark Jackson	
Lewisham College	Hilary Moore	Appointed on a 4-year cycle
Lewisham Local Collaborative	Joan Millbank	
Lewisham Safer Neighbourhood Board	Hau-Yu Tam	
Local Government Association – General Assembly (4)	Damien Egan Brenda Dacres Chris Barnham Rudi Schmidt	
London Councils: a. Leaders' Committee b. Grants Committee c. Greater London Employment Forum d. Transport & Environment Committee	a. Damien Egan / Brenda Dacres b. Damien Egan / Juliet Campbell c. Amanda de Ryk / Kim Powell	Cabinet appointments

	d. Louise Krupski / Brenda Dacres	
London Road Safety Council (2)	John Paschoud Carol Webley Brown	
Newable (Greater London Enterprise)	Kim Powell	
Phoenix Community Housing Association (2)	Jacqueline Paschoud Oana Olaru	
Positive Ageing Council Steering Group	Coral Howard	Daytime meetings
Safer Lewisham Partnership	TBC	Cabinet appointment
SLaM Governor	James Rathbone	
Social Services Fostering Panel	Jacqueline Paschoud	Fortnightly – Daytime meetings
South East London Combined Heat & Power (SELCHP) Board	James Royston	Chair of SD
Standing Advisory Council for Religious Education (SACRE) (3)	Jacqueline Paschoud Liz Johnston-Franklin Aliya Sheikh	
London South East Flood Risk Partnership	Louise Krupski	Cabinet appointment
Reserve Forces' and Cadets' Association	Jacqueline Paschoud	
Works Council	All Cabinet members	Cabinet members Daytime meeting with TU reps
Capital Letters	Sophie Davis	Cabinet appointment

CHAMPIONS

Evening and Night Time Economy Champion	Will Cooper
Mental Health Champion	Stephen Hayes
Cycling Champion	Mark Ingleby
Armed Forces Champion	Brenda Dacres
Heritage Champion	Chris Best
Air Quality Champion	Yemisi Anifowose

Agenda Item 14



Council AGM

Calendar of Meetings 2023/24

Date: 29 March 2023

Class: Part 1

Contributors: Head of Governance and Committee Services

Outline and recommendations

The Council is recommended to agree a programme of meetings for 2023/24.

Programme of council meetings for the municipal year 2023/24

Recommendation

That the Council:

- (i) Agrees that ordinary meetings of the Council will be held on the following dates:
Wednesday 17 May 2023
Wednesday 5 July 2023
Wednesday 27 September 2023
Wednesday 22 November 2023
Wednesday 28 February 2024
- (ii) Agrees that the Annual General Meeting be held on Wednesday 27 March 2024
- (iii) Approves a schedule of meetings for 2023/24, which will be available at the meeting.

Committee Calendar 2023/24

	APRIL 23	MAY 23	JUNE 23	JULY 23	AUG 23	SEPT 23	OCT 23	NOV 23	DEC 23	JAN 24	FEB 24	MAR 24
COUNCIL		Wed 17		Wed 5		Wed 27		Wed 22			Wed 28 (Budget)	Wed 27 AGM
MAYOR & CABINET SCRUTINY		Wed 10	Wed 21	Wed 19		Wed 20		Wed 1	Wed 6	Wed 24	Wed 7 (Budget)	Wed 13
Overview & Scrutiny Committee		Tue 23 (call-in only)		Tue 4	Tue 1 (Call-in only)		Tue 3	Tue 14 (Call-in only)	Tue 19 (Call-in only)		Tue 6 Tue 20 (Call-in only)	Tue 26 (Call-in only)
Select Committees:												
Housing Select			Tue 6			Tue 12		Tue 28		Wed 10		Thu 7
Safer Stronger			Tue 27			Thu 14		Tue 7		Tue 16		Wed 20
Children and Young People			Thu 15			Tue 19		Thu 23		Thu 11		Tue 12
Healthier Communities			Tue 20			Wed 6		Thu 2		Thu 4	Thu 29	
Sustainable Development			Mon 19			Tue 12		Wed 8		Tue 9		Tue 5
Public Accounts				Thu 6		Thu 21		Thu 30		Tue 23		Thu 14
PLANNING												
Planning A		Thu 25		Tue 18		Wed 13		Wed 15		Thu 18		Thu 21
Planning B	Tue 25		Thu 29		Thu 24		Thu 19		Thu 14		Wed 21	
Strategic Planning Committee – to be arranged as required												

OTHER BODIES	APRIL 23	MAY 23	JUNE 23	JULY 23	AUG 23	SEPT 23	OCT 23	NOV 23	DEC 23	JAN 24	FEB 24	MAR 24
Audit & Risk Management Committee			Thu 22			Wed 13		Wed 1	Wed 6			Wed 6
Pensions Investment Committee			Thu 8			Thu 7		Thu 16			Thu 22	
Licensing Committee			Thu 1	Tue 11	Tue 8 Thu 31	Tue 26	Thu 12 Tue 31	Tue 21	Wed 13	Wed 24	Wed 7 Tue 27	Tue 19
Public Transport Liaison Committee			Tue 13				Wed 4		Tue 5			Tue 12
Standards Committee		Thu 25		Wed 12					Tue 12			Wed 6
Health and Wellbeing Board (daytime)				Tue 18			Tue 17				Wed 21	
Pension Board (daytime meetings – dates tbc)												
SACRE * suggested dates tbc with the Chair. ** date confirmed.		Tue 9**	Wed 28**				Tue 17*	Tue 28*		Tue 30*		
Lewisham, Southwark and Brent Joint Borough IT Committee				Tue 11 (Lewisham to host)				Tue 28 (Brent to host)				Tue 19 (Southwark to host)
Health & Safety Committee		Wed 24						Tue 14			Tue 6 Feb	
Governance Committee – to be arranged as required												
CHILDREN'S SERVICES												
Corporate Parenting Group	Wed 19			Thu 20			Wed 18			Wed 31		