

MINUTES OF THE CONSTITUTION WORKING PARTY

Tuesday 29 October 2019 at 6pm

Present: Councillor Wise (Chair), Councillor Bonavia (Vice Chair), Councillor Davis, Councillor Walsh

Also Present: Councillor Rathbone, Kath Nicholson (Head of Law), Sarah Assibey (Committee Officer)

Apologies: Councillor Adefiranye, Councillor Brown

1. Election of Chair and Vice-Chair

Councillor Wise was elected as Chair and Councillor Bonavia was elected as Vice Chair of the Constitution Working Party for the municipal year 2019/20

2. Declarations of Interest

No interests were declared

3. Minutes

The Minutes of the last meeting were agreed as an accurate record.

4. Constitution Update

The Head of Law presented the report. The report outlined proposed changes to the Constitution to be considered at full Council for adoption.

The following updates were proposed alongside the report:

A Speaker

Out of the Democracy Review, titles Chair and Vice Chair be amended say Speaker and Deputy Speaker, as referenced in the report. Statutory duties are to remain the same.

Approved Duties

Changes to Schedule 2 to the Scheme of Allowances was proposed. The list outlining the bodies entitled to these allowances be replaced with the list of those falling under the succinct definition outlined in the report, which is used by the LGA. There has to be a recommendation to Council if this change is agreed.

Change to Schemes of Delegation

It is proposed that the Council and Mayor agree both relevant parts of the Scheme of Delegation. The changes in responsibilities between directorates is reflected in the report.

The issuing of contracts for services to vulnerable individuals

Decisions whereby an arrangement for vulnerable individuals is above the limit, should not be deemed as a key decision as circumstances usually dictate that it is not feasible for the procedure for key decision to be followed.

Urgency Committee

As the Committee sits in the capacity of the Full Council it is proposed that Chair of the Urgency Committee is the Speaker, and should be stated explicitly in the Constitution.

Limits on chairing Sub Committees

The general provision is that there is one Chair. Members were asked to consider if a change to this provision would be appropriate or not.

Members questioned if chairing both Strategic Planning and Planning Committees is agreeable as it changes the functioning of how these committees operate, although the Constitution does not currently prohibit it.

There is an upcoming Democracy Review which will consider the number of planning committees, which may subsequently be reduced.

It was proposed that this decision is reviewed at the next Constitution meeting.

Young Mayor

There is no current formal recognition of the Young Mayor position in the Constitution. The proposal is reflection in new Article 21 and the report.

It was suggested that the same rights of an assembly are extended to the Young Mayor, i.e. the ability to make referrals. There is, however, nothing that precludes the YM from doing this. The Party agreed to propose an allowance of one referral per annum from the YM team.

Audit Panel

To ensure referrals are made to the appropriate decision maker it is proposed that the AP refer to CE/ED for Corporate Services. Currently referrals must go to PAC first then referred to M&C. This is a slow process as it means it could sometimes take up to 6 months to get a response from M&C, based on scheduled meetings, on first instance. It also falls out of line with CIPFA guidance which states that AP should be fully independent of the Overview and Scrutiny function and causes a replication of work as AP is a sub-committee of PAC.

Correction of error in terms of reference of Safer Stronger Select Committee

The words “in relation to equalities issues” have been proposed to be inserted to correct an error of omission and provides clarity.

SACRE

At the request of the SACRE, expanding the membership to include a representative from the African-Caribbean churches and another from the Pentecostal church is proposed.

The current membership also permits under Teachers’ Professional Associations; one representative from the Association of Teachers and Lecturers and two representatives from the National Union of Teachers. Due to the incorporation of those professional associations to form the National Education Union, it is proposed that the Lewisham SACRE Constitution be amended to reflect the incorporation of the NEU and retains the same number of representatives from the new union as there were previously shared between the two predecessors to that union.

Other Business

It has been proposed by the Local Government Group that in Council documents that a clause, by way of precautionary warning given that the law would be in flux if and when the UK leaves the European Union.

RESOLVED the proposals are agreed as above, but to specify an allowance for the Young Mayor to make 1 referral per year to Mayor and Cabinet.

The meeting finished at 6.45pm