

<b>Item No.</b> 6.1	<b>Classification:</b> Open	<b>Date:</b> 28 January 2020	<b>Meeting Name:</b> Council Assembly
<b>Report title:</b>		Empowering Communities Programme – Devolved Budget Decisions and Communications Protocols	
<b>Ward(s) or groups affected:</b>		All wards	
<b>From:</b>		Constitutional Steering Panel	

## RECOMMENDATIONS

1. That Council Assembly agree the proposal of the creation of five area committees to take devolved budget decisions.
2. To note that the area committees will follow the Multi-ward boundaries and the rule will only apply to one round of Multi-ward meetings a year.
3. To agree the membership of the new area committees remain the same as the multi-wards' and the relevant Community Champions act as Chairs for their respective multi-ward areas.
4. To create the post of Deputy Community Champions for each of the multi-ward areas whose role will be to deputise in the absence of the Community Champions and act as Vice Chairs of the new area committees. The role will not attract a special responsibility allowance.
5. To agree the proposed communications guidance for promoting ward and multi-ward forum meetings.
6. To note that the proposed changes will require changes to Article 8 and Part 3H of the Constitution and any other consequential constitutional changes.

## BACKGROUND INFORMATION

7. Council Assembly on 18 May 2019 agreed the proposal to revamp Community Councils (CC) with a more flexible and devolved Empowering Communities Programme (ECP), that:
  - Promotes resident-led initiatives
  - Strengthens the local leadership role of ward councillors
  - Supports Cabinet accountability
  - Enables Community Champion councillors
  - Promotes transparency of funding.
8. Following the Council Assembly decision, the new programme was introduced on 1 June 2019 with a combination of meetings, events and funds, together with the new role of Community Champions. This included:
  - A Democracy Fund of £20k per annum to facilitate community led events
  - Ward meetings which met at least four times a year (three in first year)

- Multi-ward cluster meetings, at least two times a year (three in first year)
  - An annual residents' conference.
9. The new Empowering Communities Programme aims to bring local communities together, to focus on the issues specific to neighbourhoods, and to facilitate communication between residents and their councillors.
  10. Southwark is divided into five new Multi-ward clusters; North West, North East, West Central, East Central, and South.

These areas comprise the following wards:

- North East: North Bermondsey; South Bermondsey; Rotherhithe; Surrey Docks
- North West: Borough & Bankside; London Bridge & West Bermondsey; Chaucer; St Georges
- East Central: Old Kent Rd; Peckham; Nunhead & Queens Rd; Rye Lane; Peckham Rye
- West Central: North Walworth; Newington; Faraday; Camberwell Green; St Giles
- South: Champion Hill; Goose Green; Dulwich Hill; Dulwich Village; Dulwich Wood.

## **KEY ISSUES FOR CONSIDERATION**

11. One of the recommendations in the 18 May 2019 Council Assembly report was that the Leader of the Council would be asked to delegate powers to individual councillors for devolved budget decisions. It was proposed that the power would be delegated to individual councillors as there were no other appropriate bodies to take on this executive function.
12. Prior to the introduction of ECP, Community Councils acted as formal 'Area Committees' where devolved budget decisions were taken.
13. Following the implementation of ECP, officers have identified that the individual member decision created unnecessary administration burdens where there would need to be 63 individual reports and decisions. This process would need to be repeated for all devolved funding streams, i.e. CGS, Devolved Highways, and Neighbourhoods Fund etc.
14. Under the individual member decision format, there would be a requirement to publish all decisions prior to announcing them at multi-ward meetings.
15. Officers feel that that by delegating powers to area committees (multi-ward meetings), one cycle a year (Feb/March), would allow members to make decisions as they would have under Community Councils. This will also reduce the administrative burden on members as well as officers and would only require five reports for each funding stream rather than 63 as highlighted in paragraph 13.
16. It is expected that the Community Champions will chair the multi-ward forums.
17. Currently as noted in the introduction to the Council's Constitution, the main function of Community Champions is:

*“To scrutinise funding applications to the Democracy Fund and to provide overview and guidance for meetings organised through the Ward Fund. They also support residents in discussing issues relevant to the local area.”*

18. This will need to be amended to include chairing the multi-ward area meetings.

### **Deputy Community Champions**

19. It is proposed that five Deputy Community Champion roles are created for multi-ward areas and their role will be to deputise in the absence of the Community Champions and act as Vice Chairs of the new area committees. The role will not attract a special responsibility allowance.

### **Communications Protocol for Ward and Multi Ward meetings**

20. Ward and Multi-ward forum meetings are council meetings and any official publicity for the meetings should be sent out by officers using council resources; therefore all correspondence publicising the meetings must be politically neutral. Ward Forums are not an extension of members' surgeries and should not be publicised on party political lines. All official correspondence and publicity should be produced using council templates.
21. Correspondence in relation to ward forums needs to comply with the Monitoring Officer's guidance. When publishing any material at any time, the council must comply with the provisions of the Local Government Act 1986 (the act) and The Code of Recommended Practice on Local Authority Publicity 2011 (the code). The code provides that a local authority shall not publish (or assist others to publish) any material which in whole or in part is designed to affect public support for a political party.

### **Constitutional issues**

22. Community Councils exercised a number of executive and consultative functions.
- Executive: Allocation of Neighbourhoods Fund, CGS and the Devolved Highways Fund; Recommendations of chief officer and cabinet on variations to environment contracts, receive reports on and take part in contract reviews; Appoint ward members to sit on warden scheme steering groups; Approve projects to be included in the Community Projects Bank.
  - Consultative: Comment on £100K+ expenditure of section 106 funding, on proposals for development control documents for specific sites and on all strategic schemes being dealt with by Planning Committee; To be consulted on Local Implementation Plans (public transport) and on traffic/highways improvement projects
23. It is proposed that the functions listed above will be now devolved to Multi-ward meetings.

### **Community impact statement**

24. The proposed changes to allow area committees to take funding decisions provide alternative structures and processes to enable all Southwark residents to participate in discussing matters of interest and concern for their local

community, while strengthening the relationship with their elected members.

25. Placing the emphasis on resident-led initiatives for smaller areas will help bring together members of Southwark's diverse local communities, in compliance with the council's duty under the Equality Act 2010 which requires the council to have due regard when taking decisions to the need to:
  - a. Eliminate unlawful discrimination, harassment, victimisation or other prohibited conduct
  - b. Advance equality of opportunity between persons who share a relevant protected characteristic and those who do not share it
  - c. Foster good relations between those who share a relevant protected characteristic and those that do not share it.
26. The relevant protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.
27. Having due regard to the need to advance equality of opportunity is further explained by the Act, which states that it involves
  - Removing or minimising disadvantages connected with a relevant protected characteristic.
  - Taking steps to meet the different needs of persons who share a relevant protected characteristic.
  - Encouraging persons who share a relevant protected characteristic to participate in public life or any other activity in which they are under-represented.
28. Due consideration was given to this duty during this process and no adverse impact on any group with a protected characteristic was evident.

### **Resource implications**

29. There are no resource implications. The new arrangements will be met within existing resources.

### **Consultation**

30. The Constitutional Steering Panel is being consulted.

### **Financial implications**

31. There are no financial implications although this will be reviewed after an initial year.

## **SUPPLEMENTARY ADVICE FROM OTHER OFFICERS**

### **Director of Law and Democracy**

32. Part II of the Local Government Act 2000 provides for the discharge of a local

authority's functions by an executive of the authority (in Southwark the Leader and Cabinet), unless those functions are specified as functions that are not to be the responsibility of the authority's executive.

33. Under Section 9E the Leader may arrange for the discharge of any executive functions by an area committee. An area committee is:
- (i) a committee established to discharge functions in respect of part of the area of the authority, and
  - (ii) the members of the committee who are members of the authority are elected for electoral divisions or wards which fall wholly or partly within that part.
34. In addition under regulation 16A of the Local Government (Committees and Political Groups) Regulations 1990 an area committee should be made up of all the voting members of the committee who are members of the council have been elected for electoral divisions or wards which are wholly or partly within that part; and either–
- (iii) the area of the part of the authority covered by the committee should not exceed two-fifths of the total area of the authority, or
  - (iv) the population of that part of the authority covered by the committee, as estimated by the authority, does not exceed two-fifths of the total population of the area of the authority as so estimated.

#### **Strategic Director of Finance and Governance (FC19/020)**

35. The Strategic Director of Finance and Governance notes the proposed recommendations and resource and financial implications detailed in the report.

#### **BACKGROUND DOCUMENTS**

<b>Background Papers</b>	<b>Held At</b>	<b>Contact</b>
None		

#### **APPENDICES**

<b>No.</b>	<b>Title</b>
Appendix 1	Multi-ward map

## AUDIT TRAIL

<b>Lead Officer</b>	Stephen Douglass, Director of Communities	
<b>Report Author</b>	Forid Ahmed, Empowering Communities Programme Manager	
<b>Version</b>	Final	
<b>Dated</b>	16 January 2020	
<b>Key Decision</b>	Yes	
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER</b>		
<b>Officer Title</b>	<b>Comments Sought</b>	<b>Comments included</b>
Director of Law and Democracy	Yes	Yes
Strategic Director of Finance and Governance	Yes	Yes
Strategic Director of Housing and Modernisation	No	No
<b>Cabinet member</b>	Yes	No
<b>Date final report sent to Constitutional Team</b>	16 January 2020	

# APPENDIX 1

