

Council Assembly

Wednesday 23 May 2012

7.00 pm

The Atrium, 160 Tooley Street, London SE1 2QH

Tabled Items

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Date: 23 May 2012

ITEM 3.1 – EXECUTIVE FUNCTIONS 2012/13 (see pages 1 - 4 of the main agenda)

All cabinet members

All cabinet members will be publicly accountable for the actions of the council and provide community leadership for the borough. This will include specific responsibility for:

- proactive community engagement of Southwark's diverse communities in order to promote the work of the council, to promote engagement in decisions and activities relating to the council and to improve council awareness and responsiveness to community needs and aspirations
- working to eliminate unlawful discrimination, harassment and victimisation, to advance equality of opportunity and foster good relations between people of all backgrounds
- promoting good communication of the work of the council, its plans and objectives in order to improve public understanding and support for the work of the council and its partners
- representing the council with external bodies and agencies in order to promote the work of the council and the council's interests and to improve council influence with external bodies, particularly government
- the development of clear, ambitious and affordable policies and strategies for services which are consistent with the council's wider objectives, particularly the community strategy, and are consistent with the council's cross-cutting objectives
- setting clear priorities and performance objectives, which are consistent with policy and strategic objectives, and ensuring these are properly communicated and performance managed
- ensuring that resources are efficiently managed within allocations, delivering the savings identified for the year as set by council and that risk is well managed
- specific projects as agreed with the leader of the council.

All full-time cabinet members are expected to work an average of 38 hours per week on executive matters; some of this work will naturally be in the evenings and at weekends and much of it will be undertaken out of the office. Cabinet members will have 30 days of leave per year. They are expected to keep a record of their leave taken.

Leader of the council – Councillor Peter John

To provide leadership of the council, by setting the strategic direction and key priorities and representing the council in the community and in negotiations with regional and national organisations. The leader will appoint the deputy leader and other members of the cabinet and has the discretion to change cabinet member portfolios during the year. In the absence of a cabinet member the leader will have responsibility for all relevant matters within the remit of the cabinet. The leader will work closely with the deputy leader on developing a long-term housing stock strategy

The leader will have particular responsibility for:

- performance management of the Cabinet
- communications
- strategic partnerships and relationships with government
- equal opportunity
- legal services
- electoral registration
- 30 year housing strategy, with the Deputy Leader
- regeneration in the north of the borough (all aspects of development control and planning) in Rotherhithe (Canada Water), Bermondsey, Borough & Bankside and Walworth (Elephant & Castle & Aylesbury Estate).
- Affordable Housing policy (SPD and Affordable Housing Fund)
- Community Infrastructure Levy
- Open Spaces Strategy.

Deputy leader and cabinet member for housing management – Councillor Ian Wingfield

To deputise in the leader's absence. The deputy leader will also be responsible for the housing portfolio, including housing management, community housing services, including homelessness and sheltered housing, housing allocations, the housing investment programme and leasehold management. To work closely with the cabinet member for health and adult social care (with regard to the housing needs of vulnerable adults) and to work closely with the leader (with regard to developing a long-term housing stock strategy).

The portfolio holder will have particular responsibility for:

- deputising in the Leader's absence
- making all council homes warm, dry and safe
- 30 year housing strategy, with the Leader
- housing services
- housing repairs
- engaging with council tenants and leaseholders
- leaseholder charging
- major works
- rehousing arrangements as part of major regeneration projects.

Health and adult social care – Councillor Catherine McDonald

To improve the health of the borough and to safeguard the needs of vulnerable adults, including health promotion, the provision of personal social services, services to older people, services to people with disabilities, services to those with HIV/AIDS and/or those with drug and alcohol problems, services to those with mental health needs and "supporting people". The portfolio holder will work closely with the leader (with regards to the council's new public health role) cabinet member for children's services (with regard to children's health), with the cabinet member for culture, leisure, sport and the Olympics (with regard to healthy lifestyles) and the deputy leader (with regard to the housing needs of vulnerable adults).

The portfolio holder will have particular responsibility for:

- developing the council's new public health role, with the Leader
- adult social care, including personalisation

- the council's relationship with the NHS
- relationships with relevant voluntary organisations
- local health services
- the council's contribution to the Freedom Pass and approach on the taxicard scheme
- older people and pensioner poverty
- developing networks of community volunteer champions.

Transport, environment and recycling – Councillor Barrie Hargrove

To continue working towards a cleaner and greener borough, including having responsibility for waste management, street scene and highway infrastructure, traffic management and parking enforcement, improved facilities for walking and cycling, lobbying for improved public transport services, protecting and improving parks and open spaces, and increasing levels of recycling. The portfolio holder will be required to work closely with the leader and cabinet member for (to ensure that traffic management is integrated into plans for town centre regeneration)

The portfolio holder will have particular responsibility for:

- street cleaning
- recycling
- refuse collection
- the council's relationship with Transport for London
- roads and road safety
- parking
- cycling
- pedestrians
- carbon reduction and climate change
- markets and street trading
- parks
- street scene.

Finance, resources and community safety – Councillor Richard Livingstone

To ensure sound business planning and financial probity within the council, including the medium term resource strategy and all financial management of revenue and capital, the Housing Revenue Account, the capital programme and the management of capital receipts. The portfolio holder will be responsible for oversight of the implementation of the council's budget and for identifying areas where the council can transform the way it works to secure savings. To deliver a safer Southwark through oversight of council initiatives and services concerned with community safety, tackling anti-social behaviour, enforcement policy, emergency planning and business continuity. The portfolio holder will work closely with the cabinet member for children's services (to work to reduce the number of young people who are victims of crime or commit offences).

The portfolio holder will have particular responsibility for:

- council tax collection
- corporate ICT
- the council's property portfolio
- human resources

- customer services
- corporate procurement, corporate debt strategy, income management and audit & risk management
- crime & drugs strategy and alcohol control zones
- licensing policy
- lobbying to protect Southwark's police
- environmental health
- trading standards
- Southwark anti-social behaviour unit
- the community warden service
- the noise team
- CCTV and other safety measures in public places
- corporate strategy, including the Council Plan, Performance management, Shared Services, Service delivery modernisation.

Children's services – Councillor Dora Dixon-Fyle

To assume the statutory role of lead member for children's services in accordance with the guidance produced by the Department for Education (DfE), including responsibility for children's social care, early years and youth services, the inclusion agenda, and work to develop and implement the children and young people's plan. The portfolio holder will hold political accountability and exercise leadership over all areas included in DfE guidance. They will work closely with the cabinet member for health and adult social care (with regard to children's health) and with the cabinet member for community safety (with regard to children's safety and youth offending).

The portfolio holder will have particular accountability for:

- youth offending.
- universal services for people aged 0-19
- early intervention
- specialist services for most vulnerable children, young people and their families
- Free Healthy School Meals
- school place provision and admissions
- reducing teenage conception rates
- services for young people
- the Youth Fund
- Building Schools for the Future and the primary capital programme
- safeguarding children
- corporate parenting.

Communities and economic development – Councillor Claire Hickson

To improve the council's engagement with all Southwark's communities, including those hardest to reach, and to work to promote business growth and employment. The portfolio holder will work closely finance, resources and community safety on the council's transition fund and with the leader and cabinet member for culture, sport, the Olympics and regeneration (south) to ensure that Southwark's employers and job-seekers get a good deal out of development.

The portfolio holder will have particular responsibility for:

- relationships with the voluntary and community sector

- the Transition Fund and working to ensure Southwark has a strong voluntary and community sector
- community councils and community engagement
- relationships with faith communities
- economic development and employment
- business improvement districts
- the council's relationship with Jobcentre Plus
- Employment & enterprise support
- Business engagement
- Community restoration fund.
- adult learning.

Culture, Sport, the Olympics and Regeneration (South) – Councillor Veronica Ward

To promote and develop sport and culture in the borough, including leisure services and facilities, sports development, arts, museums and heritage, and libraries. To have To work with the cabinet member for health and social care (with regard to public health and healthy lifestyles)

The portfolio holder will have particular responsibility for:

- performance of the council's leisure contractor
- leisure investment
- events
- work to secure an Olympic legacy
- libraries
- working with organisations in the borough's thriving culture, leisure and sporting communities
- regeneration in the south of the borough (all aspects of development control and planning) in Camberwell, Peckham, Nunhead and Dulwich.

Councillor Fiona Colley (maternity leave)

**COUNCIL ASSEMBLY APPOINTMENTS
NOMINATIONS FOR CHAIRS AND VICE-CHAIRS
2012/13**

1. APPOINTMENTS COMMITTEEElection of Chair

Labour Nomination	Councillor Peter John
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Election of Vice-Chair

Labour Nomination	Councillor Ian Wingfield
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Liberal Democrat Nomination	-
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2. AUDIT AND GOVERNANCE COMMITTEEElection of Chair

Labour Nomination	Councillor Mark Glover
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Liberal Democrat Nomination	Councillor James Barber
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Conservative Nomination	-
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Election of Vice-Chair

Labour Nomination	-
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Liberal Democrat Nomination	-
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Conservative Nomination	-
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3. CORPORATE PARENTING COMMITTEEElection of Chair

Appointment of cabinet member for children's services to be formally noted

Election of Vice-Chair

Labour Nomination	-
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Liberal Democrat Nomination	Councillor Eliza Mann
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4. LICENSING COMMITTEE

Election of Chair

Labour Nomination	Councillor Sunil Chopra
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Liberal Democrat Nomination	-
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Conservative Nomination	-
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Election of Vice-Chair

Labour Nomination	-
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Liberal Democrat Nomination	Councillor Jeff Hook
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Conservative Nomination	-
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5. OVERVIEW & SCRUTINY COMMITTEE

Election of Chair

Liberal Democrat Nomination	Councillor Catherine Bowman
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Election of Vice-Chair

Labour Nomination	Councillor Dan Garfield
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Liberal Democrat Nomination	-
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6. PLANNING COMMITTEE

Election of Chair

Labour Nomination	Councillor Nick Dolezal
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Liberal Democrat Nomination	-
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Conservative Nomination	-
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Election of Vice-Chair

Labour Nomination	Councillor Darren Merrill
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Liberal Democrat Nomination	-
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7. STANDARDS COMMITTEE (from 1 July 2012)Election of chair

Labour Nomination	Councillor Dora Dixon-Fyle
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Liberal Democrat Nomination	-
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Conservative Nomination	-
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Election of Vice-Chair

Labour Nomination	-
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Liberal Democrat Nomination	Councillor Tim McNally
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8. COMMUNITY COUNCILS**Bermondsey and Rotherhithe**Election of Chair

Liberal Democrat Nomination	Councillor Nick Stanton
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Election of Vice-Chair

Liberal Democrat Nomination	Councillor Michael Bukola
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Borough, Bankside and WalworthElection of Chair

Labour Nomination	Councillor Martin Seaton
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Election of Vice-Chair

Liberal Democrat Nomination	Councillor David Noakes
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CamberwellElection of Chair

Labour Nomination	Councillor Norma Gibbes
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Election of Vice-Chair

Labour Nomination	Councillor Dora Dixon-Fyle
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DulwichElection of Chair

Labour Nomination	-
Liberal Democrat Nomination	Councillor Robin Crookshank Hilton
Conservative Nomination	-

Election of Vice-Chair

Labour Nomination	-
Liberal Democrat Nomination	-
Conservative Nomination	-

Peckham and NunheadElection of Chair

Labour Nomination	Councillor Cleo Soanes
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Election of Vice-Chair

Labour Nomination	Councillor Mark Glover
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9. PANELS**Constitutional Steering Panel**Election of Chair

Labour Nomination	Councillor Helen Morrissey
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Voluntary Bodies Appointments PanelElection of Chair

Labour Nomination	Councillor Ian Wingfield
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LOCAL GOVERNMENT ASSOCIATION GENERAL ASSEMBLY 2012/13

Note: The council is asked to appoint up to **three representatives** with an **allocation of five votes**.

The Local Government Association advises that votes can be allocated amongst the representatives as the local authority sees fit. The Local Government Association encourages local authorities with three or four representatives on the General Assembly to allocate one of the positions to minority group leaders. In 2011/12 the allocation of votes was Labour - 3 votes, Liberal Democrat - 2 votes.

Labour nomination	Councillor Peter John (3 votes)
Liberal Democrat nomination	Councillor Anood Al-Samerai (2 votes)
Conservative nomination	-

COUNCIL ASSEMBLY

(ANNUAL MEETING)

WEDNESDAY 23 MAY 2012

QUESTIONS ON REPORTS

ITEM 3.1: EXECUTIVE FUNCTIONS 2012/13

1. QUESTION TO THE LEADER FROM COUNCILLOR ANOOD AL-SAMERAI

Has the leader considered returning to the committee system?

RESPONSE

Yes, I have considered it, but don't believe it is right for Southwark for the following reasons:

- **Cost** – at a time when we are making considerable savings by cutting the cost of councillors and meetings, any increase in council meetings would come with as yet unidentified costs. Any increase in costs would have to be funded by cuts to services that people value.
- **Transparency** – in the already hugely complex world of local government, the leader and cabinet model is easier to understand for residents, businesses and partners, and political accountabilities are clear. In contrast, the committee system adds a further layer of complexity and blurs accountability, making it less transparent.
- **Efficiency** – since the introduction of the leader and cabinet model, the council has been working to break down internal silos and to respond to problems more cohesively and holistically. The leader and cabinet model facilitates this by focusing team-working at the top level of political leadership in the council, cutting across all portfolios and policy areas. In contrast, the committee system focuses team-working at a second-tier committee level, promoting a less joined-up approach with more duplication of effort across the organisation.

I wish good luck to those councils, such as Liberal Democrat Kingston, that are choosing to focus their resources, efforts and attention on changing their administrative and governance structures at the time of the biggest ever cuts for local government. In Southwark, we will be using all of our ingenuity and effort to try to protect our residents' valued front line services.

ITEM 3.2 - ESTABLISHMENT OF COMMITTEES, COMMUNITY COUNCILS AND OTHER CONSTITUTIONAL ISSUES 2012/13

1. QUESTION FROM COUNCILLOR NICK STANTON

In section 5, the report highlights five community council areas to be established as set out below:

- Bermondsey and Rotherhithe
- Borough, Bankside and Walworth
- Camberwell
- Dulwich
- Peckham and Nunhead

Please can the relevant cabinet member set out a) the population and b) the size of each geographical area for each community council?

RESPONSE

Community Council	Area in Hectares	Area %	Population	Population %
Bermondsey & Rotherhithe	761	25	74,136	26
Bermondsey				
Riverside	133	4	13,548	5
Grange	120	4	14,855	5
South Bermondsey	97	3	12,906	5
	350	12	41,309	15
Rotherhite				
Rotherhithe	149	5	13,069	4
Surrey Docks	190	6	12,883	4
Livesey (50%)	72	2	6,875	3
	411	14	32,827	11
Dulwich	704	24	34,403	12
Dulwich				
College	323	11	11,314	4
Village	279	9	11,101	4
East Dulwich	102	3	11,988	4
Peckham & Nunhead	655	22	58,636	21
Peckham				
Peckham	87	3	12,082	4
Livesey (50%)	72	2	6,875	3
	159	5	18,957	7
Nunhead & Peckham Rye				
Nunhead	132	4	12,104	4
The Lane	139	5	14,587	5
Peckham Rye	225	8	12,988	5
	496	17	39,679	14
Borough, Bankside & Walworth	543	18	73,480	26
Borough & Bankside				
Cathedrals	176	6	15,988	6
Chaucer	82	3	16,221	6
	258	9	32,209	12
Walworth				
Faraday	88	3	13,586	5

Community Council	Area in Hectares	Area %	Population	Population %
Newington	83	3	14,495	5
Community Council	Area in Hectares	Area %	Population	Population %
East Walworth	114	4	13,190	4
	285	10	41,271	15
Camberwell	323	11	38,678	15
Camberwell				
South Camberwell	133	4	12,337	5
Brunswick Park	93	3	12,363	5
Camberwell Green	97	3	13,978	5
Borough Total	2,986	100	279,333	100

*Source GLA 2009

2. QUESTION FROM COUNCILLOR JEFF HOOK

Who proposed the themes for council assembly as set out in paragraph 16? Will the relevant cabinet member consider allowing community councils to propose themes for council assembly?

RESPONSE

Following the democracy commission review of council assembly a council assembly business panel was established to review the work of council assembly. The panel consists of the Mayor and the three group whips. Amongst other things the panel has the function of choosing the themes for meetings of council assembly for the municipal year ahead.

The council assembly business panel met to set the 2012/13 themes on 23 April 2012 as set out in item 3.2, pages 10-11. Community councils are able to make suggestions for themes through the group whips.

3. QUESTION FROM COUNCILLOR GRAHAM NEALE

Are community councils allowed to meet more than five times a year on requests of local residents, as set out in paragraph 41, if they can find the resources to do so?

RESPONSE

Following the decisions of council assembly in February 2012, the community councils will meet five times a year in 2012/13. Due to the reductions in council budgets no additional meetings can be supported. There is nothing to stop local residents holding public meetings if they have the resources to do so. However, they would not be community council meetings as these are formal council meetings and require the appropriate officer support.

4. QUESTION FROM COUNCILLOR DAVID HUBBER

Has the cabinet member considered devolving licensing powers to community councils?

RESPONSE

The democracy commission were tasked with investigating the roles and functions of community councils in the context of budgetary savings. Devolving licensing powers to community councils would result in additional meetings at a higher cost than licensing sub-committee meetings. Taking regulatory decisions at community councils can also make it difficult for ward members to represent their constituents – as highlighted by the democracy commission. This was a consideration in their recommendation to introduce planning sub-committees

ITEM 3.4 - CONSTITUTIONAL REVIEW 2012/13**1. QUESTION FROM COUNCILLOR JAMES BARBER**

What will be the cost of forming two planning sub committees? How many planning applications that have previously gone to members will now be decided by officers?

RESPONSE

Introducing two planning sub-committees as an alternative to planning at community councils resulted in a saving of £92,238. Deleting planning from community councils and delegating all decisions currently taken by community councils to officers would have saved £186,435.

It is likely that around 100 applications will be considered by the planning sub committees compared with 119 applications considered by community councils in 2011.

It is important to note that between June 2010 and May 2011 approximately 76% of applications which went to community councils were considered after the application expiry date, and could have been subject to legal challenge for non-determination.

2. QUESTION TO THE CABINET MEMBER FOR FINANCE RESOURCES AND COMMUNITY SAFETY FROM COUNCILLOR MARK GETTLESON

At the budget meeting in February 2012, the cabinet member for finance, resources and community safety said he would investigate whether there is a requirement to have five community council areas as he outlined at the meeting of Bermondsey community council as the reason behind not merging Camberwell community council in with one of its neighbours. Please can he confirm whether he has done this?

RESPONSE

The democracy commission recommended the new five community council areas identifying that:

- there were overlaps in items being considered in Borough and Bankside and Walworth community councils on issues such as the regeneration of Elephant and Castle
- there was an overlap of attendance between Bermondsey and Rotherhithe (20 people on average) and to a lesser extent between Peckham and Nunhead and Peckham Rye (three people on average)
- there was no overlap at Camberwell community council in terms of either issues or attendees.

The commission therefore did not recommend merging it with another community council area.

On the specific matter of my undertaking to investigate the matter further, I can confirm that I did ask the strategic director of communities, law & governance for further advice after the meeting. I have set out below the reply I received in full:

“The constraint is set out below, in bold.

Although two-fifths is greater than a quarter, the issue for us is that complying with the two-fifths rule while keeping some form of sensible boundary was getting very difficult.

I hope this helps.

Deborah Collins

Section 18 Local Government Act 2000

18 Discharge of functions by area committees. E+W

This section has no associated Explanatory Notes

(1)The Secretary of State may by regulations make provision for or in connection with enabling an executive of a local authority, or a committee or specified member of such an executive, to arrange for the discharge of any functions which, under executive arrangements, are the responsibility of the executive by an area committee of that authority.

(2)Regulations under this section may impose limitations or restrictions on the arrangements which may be made by virtue of the regulations (including limitations or restrictions on the functions which may be the subject of such arrangements).

(3)In this section—
"area committee", in relation to a local authority, means a committee or sub-committee of the authority which satisfies the conditions in subsection (4),
"specified" means specified in regulations under this section.

(4)A committee or sub-committee of a local authority satisfies the conditions in this subsection if—

(a)the committee or sub-committee is established to discharge functions in respect of part of the area of the authority,

(b)the members of the committee or sub-committee who are members of the authority are elected for electoral divisions or wards which fall wholly or partly within that part, and

(c)either or both of the conditions in subsection (5) are satisfied in relation to that part.

(5)Those conditions are—

(a)that the area of that part does not exceed two-fifths of the total area of the authority,

(b)that the population of that part, as estimated by the authority, does not exceed two-fifths of the total population of the area of the authority as so estimated.”

3. QUESTION FROM COUNCILLOR PAUL NOBLET

The report clarifies the process for community council questions being asked to cabinet members. Does the cabinet member believe community councils should get to ask cabinet members supplemental questions?

RESPONSE

Yes, the councillor asking the question on the community council's behalf can ask a supplemental question.