DEMOCRACY COMMISSION

MINUTES of the Democracy Commission held on Monday 12 July 2010 at 6.00 pm at Cambridge House, 131 Camberwell Road, London SE5 0HF

PRESENT:	Councillor Abdul Mohamed (Chair) Councillor Anood Al-Samerai Councillor Columba Blango Councillor Mark Glover Councillor Michael Mitchell Councillor Helen Morrissey Councillor Cleo Soanes
OTHER MEMBERS OF THE PUBLIC PRESENT:	Mr Les Alden
OFFICER SUPPORT:	Shelley Burke, Head of Overview & Scrutiny Stephen Douglass, Head of Community Engagement Ian Mark, Senior Lawyer - Governance Team Ian Millichap, Constitutional Manager James Postgate, Principal Strategy Officer

1. INTRODUCTION AND WELCOME BY THE CHAIR

1.1 The chair welcomed everyone to the meeting, introduced himself and asked everyone present to introduce themselves.

RESOLVED: That the minutes of the meeting held on 6 July 2010 be circulated to members for agreement at the next meeting.

2. APOLOGIES

2.1 Apologies for lateness were received from Councillors Anood Al-Samerai and Mark Glover.

3. TERMS OF REFERENCE

3.1 The chair informed members that the report from this body would be received at the October 2010 meeting of the Council Assembly.

3.2 Mr Les Alden stated that he hoped the committee would be open to new ideas regarding public participation with the council.

RESOLVED: That the terms of reference for the Democracy Commission were agreed.

4. COUNCIL ASSEMBLY'S ROLE AND SCOPE FOR CHANGE

4.1 The Constitutional Manager presented this item concerning background information on the council assembly's role and scope for change. The Senior Lawyer was also present to address any legal issues which may arise from members' questions.

4.2 The officer pointed out that the key aspects of council assembly were contained under paragraph 5 of the report, which included budget setting and the policy framework.

- Council assembly sets policy framework i.e. (planning and licensing) and has added community councils to the framework. council assembly has delegated some matters to cabinet, which in turn can delegate down to community councils such as the cleaner greener fund.

4.3 It was pointed out to members that over the last few years the number of meetings have been reduced, but this year one extra meeting has been called for October 2010 so there are now currently a total of 7 meetings scheduled for this year.

4.4 It should be noted that if changes were made to council assembly, it should also recognise that for each meeting there is only a limited amount of time (3 hours).

4.5 The current forms of public participation include:

- Petitions: new rules from central government set out where and when a petition is heard by the council i.e. depending on the number of signatories it will have to be heard either by a community council, the council assembly or the cabinet. In general the new rules are quite prescriptive but there are some changeable elements e.g. thresholds set for the number of signatures.

- Deputations: (1) only allowed if there is a relevant report on the agenda to be decided on at that session (otherwise the deputation would be advised to submit a request to a community council or cabinet). (2) Strict time rules : 5 minutes speaking, 5 minutes for questions.

- Public Questions

4.6 Members then heard from the Senior Lawyer (Governance Team) who explained decisions were in fact driven by the council's executive. This had replaced the previous style under the local government act 1972, where members carried out council business through committees and sub-committees.

4.7 The local government act 2000 has allowed the executive/cabinet decision making powers. Part of the idea had been to reduce the number of meetings. The system was made to be more efficient, and more clear to the public, with a small number of members making decisions.

4.8 Scrutiny was set up to monitor and check executive decisions. Any item decision made by the executive/cabinet can be called in under the call-in process.

4.9 Members were informed that council assembly was not the only decision making body. The others were:

- Individual member decision
- Cabinet
- Planning committee
- Licensing committee
- Community council

4.10 In response to questions regarding empowering community councils, the officer reported that central government wants to give more decision making powers to community councils and would allow councils to go back to the old committees if they wish or retain cabinet arrangements. The authority has to operate legally and essentially council assembly and cabinet can devolve some decisions down to community councils or another body.

4.11 The officer reported that with regards to petitions and deputations'. What used to happen was that a deputation would be submitted, this would provide a motion to council assembly where it would be heard and debated, which would impact on the rest of the agenda. The motion would then be referred to the cabinet for decision, so members would indeed need more meetings which would impact on the budget.

4.12 Members were informed that council assembly cannot override cabinet decisions, but overview and scrutiny committee can call-in any decisions.

4.13 Les Alden stated that questions and answers to cabinet members should be published on the Southwark website.

4.14 Councillor Glover stated that decisions were not taken at council assembly meetings where public concerns were raised. More people would attend meetings if they could be heard and the council could make decisions which were binding.

RESOLVED: That officers provide to members a list of things that council assembly can and cannot do. A report would be provided that would detail what

powers could be delegated to Council Assembly from Cabinet etc and what decision making powers could be moved to other bodies , such as Community Councils.

5. LEARNING FROM SCRUTINY ELSEWHERE - HOW OTHER COUNCILS HAVE IMPROVED THEIR COUNCIL ASSEMBLY

5.1 The Head of Overview & Scrutiny presented a review of other councils; reporting that in particular four other councils (South Tyneside, Nottingham City Council, Birmingham City Council and Bath & North East Somerset) had reviewed their assemblies through scrutiny reviews.

5.2 The three roles for full council meeting were policy framework decisions, holding the executive to account and demonstrating community leadership.

5.3 The four common themes were :

- How to express community leadership – state of the borough type reports, leader's annual look back/look forward – cutting across partnership themes – encouraging partners to come and address council meetings. This raises the question of where do citizens come into the picture?

- Varying the styles of meetings e.g. Nottingham were developing different styles of council meetings for different purposes (participation of different interest groups, debating issues with partners with the council in committee mode).

- Communicating the work and work programme of the council meeting (advance planning, webcasting).

- Holding the cabinet to account – how do full council and scrutiny's role complement one another.

5.4 The officer reported that Southwark was the first to undertake executive/cabinet member interviews in its scrutiny committees. Executive members were willing to open up and debate issues with backbenchers in a dialogue that was more manageable in a relatively small committee than it might be at council assembly.

5.5 Members discussed how the council could engage with the community and those groups which do not normally attend council meetings. It was suggested that other councils have done this through webcam on the council website, one council received 3,500 hits regularly. Another suggestion was to stop public questions at meetings, instead public questions along with the answer should be posted on the council website or through webcasting. It was reported that the GLA and Camden had provided webcasting successfully.

5.6 The officer stated that there were different models used by other authorities for public questions.

5.7 Members discussed having themed meetings and agreed that this would be a good way forward and arranging a meeting later in the year, it was felt that this would

attract people to attend, it was also felt that new initiatives were needed to be taken on by the council and this would be explored.

6. WORKPLAN

6.1 The Head of Community Engagement introduced the work-plan for the Democracy Commission and stated that this was a draft document outlining dates which needed to be firmed up for future action.

6.2 Members were informed that the commission is to participate in Southwark Youth Council and Youth Community Councils Summer Event on Monday 23rd August 2010.

It was reported that Saturday 4th September 2010 would consist of two parts :

- Public hearing which would be community focused event engaging others in Council decision making
- Public seminar to present and review evidence (including conclusions drawn from workshops and focus groups so far, video footage and feed back from events and outreach activities.

6.3 The programme highlighted the months July – October 2010, members expressed concern that some dates may clash with conference dates for the political groups.

6.4 Members also expressed a wish to engage all 8 community councils views into the report to council assembly, which is scheduled for 20th October 2010

6.5 The commission was informed that a group of residents (12-20) who have never attended council assembly will be attending the focus group workshop on Wednesday 14 July 2010 .

6.6 Member discussed the short timescale to cover all aspects of the work-plan and decided there was a need to meet as many deadlines as possible.

This report was noted.

7. QUESTIONNAIRE

7.1 Members viewed the draft questionnaire and stated that people attending meetings will have seen the document and it will also be included at workshop meetings.

7.2 Members discussed that the questionnaire needed to generate data to produce both quantifiable and qualifiedly data that can be collated and used in the report to council assembly. The officer informed members that this was the start of the process and more details would be included as the process picked up. Members stated that generic branding with the right level of questions were required.

7.3 It was reported that the commission web page is up and running and the questionnaire can be loaded onto it for the public to access the document.

Members wanted the public to access the document and feed their thoughts back to the council.

The document was noted.

7.4 Councillor Columba Blango gave his apologies for the meeting of the 4th September 2010

The meeting ended at 8.10 pm

CHAIR:

DATED: