

Democracy Commission

Thursday 26 May 2011

7.00 pm

Town Hall, Peckham Road, London SE5 8UB

MEMBERS ARE REMINDED TO BRING THEIR INFORMATION PACKS
FROM THE APRIL MEETING ALONG

Membership

Councillor Abdul Mohamed (Chair)
Councillor Columba Blango
Councillor Mark Glover
Councillor Michael Mitchell
Councillor Helen Morrissey
Councillor Paul Noblet
Councillor Cleo Soanes

INFORMATION FOR MEMBERS

Contact

Tim Murtagh on 020 7525 7187
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Webpage: www.southwark.gov.uk/democracy

Members of the panel are summoned to attend this meeting

Annie Shepperd
Chief Executive
Date: 20 May 2011



Democracy Commission

Thursday 26 May 2011
7.00 pm
Town Hall, Peckham Road, London SE5 8UB

Order of Business

Item No.	Title	Page No.
1.	INTRODUCTION AND WELCOME BY THE CHAIR	
2.	APOLOGIES	
3.	ITEMS OF BUSINESS THAT THE CHAIR DEEMS URGENT	
	The Chair to advise whether they have agreed to any items of urgent business being admitted to the agenda.	
4.	MINUTES	1 - 3
	To confirm as a correct record the minutes of the meeting held on 21 April 2011.	
5.	DEMOCRACY COMMISSION: OVERVIEW REPORT FOR MAY MEETING - ROLE AND PURPOSE OF COMMUNITY COUNCILS, NEIGHBOURHOODS AND BOUNDARIES	4 - 10
	Overview Report Team Configuration	
	5.1. ROLE AND PURPOSE	11 - 23
	Legal framework presentation Role and purpose paper	
	5.2. NEIGHBOURHOODS & BOUNDARY OPTIONS	24 - 29
	Boundaries presentation and paper	

Item No.

Title

Page No.

6. PUBLIC COMMENTS

Opportunity for residents in attendance to comment on any matters raised during the meeting.

Date: 20 May 2011



DEMOCRACY COMMISSION

MINUTES of the Democracy Commission held on Thursday 21 April 2011 at 7.00 pm
at Town Hall, Peckham Road, London SE5 8UB

PRESENT: Councillor Abdul Mohamed (Chair)
Councillor Helen Morrissey
Councillor Cleo Soanes

OFFICER SUPPORT: Stephen Douglass - Head of community engagement
Ebony Riddell-Bamber – Community participation manager
Alexa Coates – Principal Constitutional officer
Tim Murtagh – Constitutional officer

1. INTRODUCTION AND WELCOME BY THE CHAIR

Councillor Mohamed welcomed councillors and officers to the meeting.

2. APOLOGIES

Apologies for absence were received from Councillor Michael Mitchell and Councillor Paul Noblet.

3. ITEMS OF BUSINESS THAT THE CHAIR DEEMS URGENT

There were none.

4. MINUTES

That the minutes of the meeting held on 11 March 2011 be agreed as a correct record of the meeting, and signed by the chair.

5. DEMOCRACY COMMISSION - STAGE 2 COMMUNITY COUNCIL BUDGET MEETING

Stephen Douglass took Members through the report and appendices. He explained that future Democracy Commission (DC) meetings would have further information on particular areas. The level of saving required was about 25% of the budget which was consistent with reductions being made elsewhere in the Council.

Members commented that Community Councils (CCs) should link up more with Council Assembly. Members wanted to know more about the attendance patterns of residents to assess what worked and how to attain better value for money. Officers agreed to provide a further break down of the attendance statistics to include cost of meeting per person and more information on members of the public who attended more than one community council.

Members discussed staffing levels, the cost of planning meetings, the community council fund, a central fund for carer and sign language payments and the hire of PA microphones. Members requested that further information be provided to future meetings to include:

- Description of staff roles
- Information on actual cost per meeting based on a selection of cc meetings
- Estimated costs comparison of hiring/buying a PA system

Members agreed that planning and the Localism Bill would be looked at in greater depth with planning officers at the June DC meeting and requested that the information provided at that meeting included options if planning decisions were not taken by community councils.

Stephen Douglass explained that issues relating to staffing matters were reserved to the chief executive and any officers appointed by her. This did not prevent the Commission from considering these issues but explained that any recommendations made about staffing levels would need to be made to the Strategic Director of Communities Law & Governance.

Members wanted CCs to increase attendance and public engagement and to look at the sponsorship of meetings or particular items as a way of raising interest and saving resources. They thought the times of day for meetings along with the views of community engagement staff and locally active people were important.

Members said the views of absent DC members on the report should be heard before reaching firm conclusions. They noted the DC aim of compiling draft recommendations in October 2011. Officers advised that the areas members had identified for further investigation could be incorporated into the existing workplan.

Residents in attendance were unhappy at the level of awareness of DC meetings. They said the process should be announced at CC meetings. Councillor Mohamed said chairs would be made more aware and there would be further opportunities for local people to take part in future meetings.

Action – Tim to circulate bullet points to absent DC members regarding areas for further information and further investigation, seeking their views. (These were sent to all DC

members on 27 April 2011).

The meeting ended at 8.30pm

CHAIR:

DATED:

Item No. 5	Classification: Open	Date: 26 May 2011	Meeting Name: Democracy Commission – Phase 2
Report title:		Democracy Commission: Overview report for May meeting - Role and Purpose of Community Councils, Neighbourhoods and Boundaries	
Ward(s) or groups affected:		All	
From:		Strategic Director of Communities, Law & Governance	

RECOMMENDATION(S)

1. That the Democracy Commission notes the contents of this report which provides an overview of issues to be covered in its May meeting.

BACKGROUND INFORMATION

2. On 25 January 2011, cabinet resolved that the Democracy Commission be tasked with phase 2 of their work, focusing on the role and powers of community councils in the context of budgetary savings. The Democracy Commission will report their progress to council assembly in April 2011 and make their final recommendations in December 2011.
3. At the first meeting of the second phase of the Democracy Commission on Friday 11 March, members agreed a workplan (see information pack) and suggested a slight amendment to the terms of reference.
4. At its second meeting on Thursday 21 April, the Democracy Commission considered the budgetary context of the review of community councils. Members considered the high level options for making savings and officers were tasked with bringing further information more detailed saving estimates to future meetings.
5. Requests from members for further information or investigation around savings options will be incorporated in the following meetings in the Commission's workplan:

Further information request	Delivery date
Meeting costs including cost per person and meeting costs	July meeting
More detail on Service Level Agreement charges	July meeting
2009/10 costs and projected outturn for 2010/11	July meeting
Officer roles and responsibilities	May meeting
Attendance statistics including number of people who attend more than one community council	July meeting

Further investigation request	Delivery date
PA system – alternatives to hire of system	September meeting
Planning – including sub-committee alternatives and impact of Localism Bill	June meeting
Opportunities for sponsorship of community council meetings – including venues and catering options	September meeting

KEY ISSUES FOR CONSIDERATION

6. This is an overview report outlining the issues to be covered in the May meeting of the Democracy Commission. These are:
 - **The role and purpose of community councils**, including the legal framework governing area committees and delegated decision-making powers, and how community councils function in practice (see separate report)
 - **Southwark neighbourhoods and community council boundaries**, including research into natural neighbourhoods, an examination of what is a neighbourhood, existing community council boundaries and options for change (see separate report)

Report on Role and Purpose of Community Councils

7. A detailed report on the “Role and Purpose of Community Councils” has been prepared, covering the formal decision making, engagement and consultative role of community councils.
8. The role and function of community councils is examined in the context of the required budgetary savings.

Report on Neighbourhoods and Community Council Boundaries

9. A further report on “Community Council Neighbourhoods and Boundaries” has been prepared, outlining some potential options for the future delineation of community council boundaries.
10. The report provides the Commission with relevant information on wards in the community council areas, and options for reducing the number of these areas. This was identified as an option for further investigation at the previous meeting of the Commission.

For information: Officer roles and responsibilities

11. Additional information about officer roles at community councils was requested by the Commission at its previous meeting, which is included in paragraphs 13-19.
12. Issues relating to staff numbers are reserved to the chief executive and officers appointed by her. This does not prevent the Commission making recommendations that impact on staffing numbers but if this is the case then these need to be made to the Strategic Director of Communities, Law & Governance who will consider whether they are implementable.

Community Councils – Constitutional Team

13. The community council team are responsible for the constitutional and administrative aspects of the community council meetings. They are responsible for ensuring that community council decisions are taken within the constitutional and legislative framework.
14. The team consists of 1 principal constitutional officer and 3 community council officers. The team sits within the larger constitutional team. Each team member covers 2 community council areas and clerk main and planning meetings.
15. The principal constitutional officer manages the team and community council budget and has other roles within the constitutional team. For example: acting as deputy to the constitutional manager and responsibilities for aspects of the committee management system.
16. Community Council Officers have the following roles and responsibilities:
 - Arranging venue and transport/security services
 - Scheduling community council meetings for the municipal year including report deadlines
 - Supporting the community council chair for example through agenda planning and procedural advice
 - Maintain up-to date distribution lists for community council agenda
 - Agenda planning, include the co-ordination of formal reports for the agenda
 - Agenda preparation and publication, including checking of reports
 - Providing constitutional advice to officers, members of the public and councillors prior to and during meetings
 - Responsible for meeting set up including arranging PA system and liaising with the venues
 - Clerking community council main and planning meetings
 - Drafting and publication of community council meeting minutes
 - Drafting and publishing community council decision notices
 - Following up on public question time – forwarding questions to officers and co-ordinating responses for the next meeting
 - Maintaining and updating community council meeting webpages in the council and democracy pages of the website

Community Councils – Neighbourhoods team

17. The neighbourhoods team ensures that Community Councils engage more people with their work and covers all aspects of the local community. It also supports the role of ward Councillors in their community leadership role. The team works across Council services to ensure local people are engaged in place-shaping and area-based initiatives
18. The team consists of a Neighbourhood Manager and 1 Co-ordinator and Community Council Development officer for each quadrant (each quadrant covers two Community Council areas)
19. Neighbourhood Co-ordinators have the following roles and responsibilities:
 - Co-ordinates action after Community Council meetings where a cross-service response is needed or when Members establish sub-groups e.g. Peckham has

a longstanding Transport sub-group; Rotherhithe have set up a group focussing on Albion Street

- Advises and undertakes the community engagement aspect of area-based initiatives e.g. Peckham Area Action Plan; Camberwell Development Team; Elephant and Castle Regeneration
- Working closely with the Chair and Vice Chair to promote Community Councils as *'more than a meeting'* so that there is greater inter-action and participation at CC meetings so would arrange workshops; commission films; arrange markets/events e.g. Bermondsey Jobs Fair; youth-themed workshops; Dulwich Festival event
- Responsible to the Chair for establishing and monitoring the effectiveness of Community Council forward plans, which set out Members priorities and themes for CC meetings for the municipal year.
- Providing briefings to CC Chairs and Vice Chairs on issues raised and acting as a resource for ward Members.
- Ensures that an Annual Review of Community Councils is completed.
- Supervises the Community Council Development Officer and cost centre manager for the Community Council Fund and marketing and publicity budget.
- Takes on one of four Borough-wide responsibilities for Community Councils- assisting the Neighbourhoods Manager in this role: (Communications; Monitoring and Evaluation; Outreach; Community Council Fund)
- Being the initial point of contact for members of the public for the two CC areas they're responsible for through the 'In my Area' pages on the Council website.
- Works in partnership with other key agencies within their areas to secure better services for residents by pooling resources and collaborative working. e.g. South Bermondsey Partnership.

20. Community Council Development Officers have the following roles and responsibilities:

- Undertakes outreach within their identified areas to promote attendance and participation at Community Councils.
- Identifies and signposts Community groups and individuals to capacity-building initiatives working closely with other colleagues to avoid duplication e.g. events training
- Monitors attendance at CC meetings and provides feedback to Members after meetings
- Identifies gaps in attendance and targets initiatives to meet those that are hard to reach through an Improvement Plan for each CC area
- Implements a communications plan to encourage attendance at meetings and informing local people about Community Councils thorough all forms of media

- Promotes and manages the Community Council Fund, presenting reports to Members and CC meetings
 - Supports the Neighbourhood Co-ordinator in maintaining links with other area-based initiatives (e.g. youth providers networks; area housing forums) to promote the role of CC meetings and avoid duplication in terms of community engagement between departments.
 - Takes on one of four Borough-wide responsibilities- assisting the Neighbourhoods Manager- in terms of community engagement (Civic engagement assisting the Mayor; providing background information for the Democracy Commission; Communications; assisting colleagues in promoting the Council Assembly.)
21. A protocol between the neighbourhoods and constitutional teams covering the management arrangements around community councils is included at Appendix 1.

Policy implications

22. The terms of reference for the Democracy Commission phase two have been drawn up within the specific context of current council policies, plans and strategies. The information gathered during the second phase of the commission's work will provide opportunities for the council to engage in debate with residents and will potentially provide decision makers with new information when developing council policy.

Community impact statement

23. The aim of the Democracy Commission is to bring the Council closer to its residents, making it more accountable to them and more connected with their concerns. The work of the Commission will be led by the Community Engagement team that has significant experience in leading work of this nature, aimed at improving the voices of local people in decision-making. The engagement activity will be underpinned by principles of equality and human rights (including the new public sector equality duty which comes into force in April 2011) and will reflect the diverse residents of the borough.

Resource implications

24. No additional budget is required for the setting up of the commission and stage two of its work. Any costs will be covered within existing resources. The commission will be required to bear in mind the need to keep under review the officer and other resources required to support its work and the implementation of its recommendations within the context of increasing resource constraints on the council.
25. The task of the Commission will be to deliver a reduction of £344,000 in the total costs of community councils to take effect from 1 April 2012 as agreed in the council's Policy and Resources Strategy 2011-2014.

Consultation

26. The work of the commission includes public consultation and involvement: public meetings and conferences, questionnaires, focus group and recording vox pops. This work will be developed and improved upon during phase two.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Democracy Commission Phase 2 reports and agenda	Tooley Street, London, SE1 2TZ	Tim Murtagh 020 7525 7187

APPENDICES

No.	Title
Appendix 1	Community Council Management Arrangements

AUDIT TRAIL

Lead Officer	Deborah Collins, Strategic Director of Communities, Law & Governance	
Report Author	Stephen Douglass, Head of Community Engagement	
Version	Final	
Dated	19 May 2011	
Key Decision?	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Strategic Director of Communities, Law & Governance	Yes	No
Finance Director	No	No
List other officers here		
Cabinet Member	Yes	No
Date final report sent to Constitutional Team	19 May 2011	

Community Council Management Arrangements: Core Functions**The Community Councils Team is responsible for the following:**

- 1 Agenda planning, preparation and dispatch/publication
- 2 Advice to chairs and other CC members on correct procedure
- 3 Arranging and clerking CC meetings
- 4 Drafting, consulting on and publishing minutes/Take Note
- 5 Managing CC Planning meetings
- 6 The provision of basic refreshments at meetings
- 7 CC meeting publicity and preparation and issue of Take Note in full consultation with the Area Management Team
- 8 Setting the annual calendar of CC meetings

The Neighbourhood Co-ordination Team is responsible for the following:

- 9 In conjunction with the Chair, forward planning and improvements to meetings
- 10 Provision of support to the Chair in relation to outreach, marketing and meeting publicity
- 11 The provision of additional services, catering and other facilities such as interpretation services and facilitating workshops where considered appropriate.
- 12 Managing the Community Fund revenue programme

Both teams are jointly responsible for the following:

- 13 Development of the roles and functions of Community Councils
- 14 Supporting the portfolio member
- 15 Organising and supporting quarterly chairs/vice chairs meetings
- 16 Acting as the Council lead officers in relation to planning the business of CC meetings

Item No. 5.1	Classification: Open	Date: 26 May 2011	Meeting Name: Democracy Commission
Report title:		Role and Purpose Community Councils	
Ward(s) or groups affected:		All	
From:		Strategic Director Communities Law & Governance	

RECOMMENDATIONS

1. To consider the role and functions of community councils.
2. To consider evidence provided by witnesses at this meeting
3. To consider drafting any recommendations based on the evidence considered in the report and at this meeting.

BACKGROUND INFORMATION

1. In the workplan agreed by the Commission the purpose of this meeting is to consider the role and purpose of community councils, The role and purpose of community councils can be split into three distinct areas:
 - Constitutional/formal decision making role
 - Engagement role
 - Consultative role
2. The Commission are asked to consider how community councils balance the three areas of their responsibilities which can be more broadly split into decision making and influencing.
3. This report examines these roles in the context of the budgetary savings required from the community council's budget. The task of the Commission is to make recommendations to cabinet and council which can deliver savings of £344,000 in the total costs of community councils to take effect from 1 April 2012. Through the workplan members of the Commission have identified that they wish to consider the planning role at a separate meeting in June, so this has not been covered in any great detail in this report. Additionally, more information about the engagement role of community councils and Environment and Housing Functions will be presented at the July meeting, after more in depth research has been carried out into the views of residents as well as officers in the Community Engagement team. This paper outlines the Environment decisions taken by community councils and input from officers has been sought, this will be reported in more detail in July.

KEY ISSUES FOR CONSIDERATION

Constitutional/ formal decision making role

4. The community councils have a number of formal functions as set out in Part 3H of the council's constitution, extract attached at Appendix A. These formal functions are split into decision making and consultative/non-decision making. The community councils also have executive and non-executive functions. Non-Executive functions are delegated by Council Assembly and Executive functions are delegated by the Leader of the Council. The only non-executive decisions taken by community council relate to planning matters and these will be considered in more detail at the June meeting of the Commission. Any recommendations to amend the roles and functions of community councils need to be made to Council or the Leader of the Council depending on whether the function is non-executive or executive.
5. The Executive functions delegated to community councils include: the cleaner greener, safer capital programme, the community council fund, traffic management and appointment to local education authority governors to local nursery and primary schools.
6. Formal decisions require statutory processes to be followed in terms of the administration of community council meetings. Notice of meetings must be given 5 clear working days before meetings, any formal decision require reports which must be provided to members and made publically available 5 clear working days before the meeting. Minutes are produced to record the decisions taken by the community council and in the case of executive functions (which are subject to call-in) decision notices must be published in the 2 days following the meeting. The community council team provide the necessary constitutional support for the community council meetings.
7. Community councils also have formal consultative/non decision making roles for example in relation to environmental management issues and contract reviews. As this is a formal role the constitutional and legal process must be followed in a similar way as decisions, for example, reports must be published 5 clear working days before the meeting and included in the agenda and minutes of the discussion and outcomes produced.
8. Some of the decision making powers of the community councils are considered below. Any change in scope of powers needs to be considered in the legislative context. It is also worth noting as the Commission has discussed previously, meetings are the main cost of the community councils. Any change in role which increases the number of meetings increases the cost of community councils.
9. Care must be taken when, considering which powers could be extended and devolved, to acknowledge the impact that this could have on the agenda of meetings, in particular the ability of residents to participate and the ability for the agenda to be flexible to meet local needs. The successful balance between the formal decision making and community engagement role is discussed in more detail at paragraphs 28-29.

Environmental Management

10. Community councils have delegated powers to make recommendation on local contract variations to the strategic director of environment and the cabinet. They also have the power to appoint ward members to service on warden schemes steering groups. In terms of consultative/non-decision making community councils should receive regular reports on environmental issues and participate

in contract reviews. In practice community councils have not received any formal reports on environmental management in 2010/11 although the environment department has provided support in terms of public questions and support environment themes at specific community council meetings.

11. No departmental payments are made to support this function.

Cleaner Greener Safer

12. Community councils approve the allocation of funds to cleaner greener safer capital schemes using the resources identified by cabinet. Resources are identified by the cabinet through an Individual Decision Maker (IDM) report. No resources have been allocated in 2009/10 and 2010/11 and officers are currently progressing projects from previous years.
13. Community councils also receive updates on Cleaner Greener Safer projects, usually at the request of the chair and reports on change control requests when funding needs moving around projects. No departmental payments are made to support this function.

Traffic Management Functions

14. The constitution sets out powers for community councils to determine local non-strategic matters for traffic management and determine objections to traffic management orders that are not strategic or borough wide. The community councils also have consultative/non-decision making roles on consultation for parking or traffic safety schemes, are to be consulted on the council's annual bid to Transport for London for transport funding (known as the Local Implementation Plan) and to be consulted on traffic management decisions of a strategic nature. Community councils receive traffic management reports on a quarterly basis.
15. The Public Realm Division, who report to the community councils on traffic management issues such as CPZ and disabled parking bays, has been consulted and they commented that the traffic management function works relatively well at community councils however they did make some observations will be investigated by officers for the July meeting.
16. Payments of £20,162 are made to the regeneration and environment departments to support this function.

Education Functions

17. Community councils make appointments of local education authority school governors to the governing bodies of nursery and primary schools within the community council area. The school governor development team has been consulted on how this function operates at community councils and in their view it works well. Officers from the governor development team do not attend community council meetings to present reports. A payment of £10,895 was made to Children's Services in 2010/11 for supporting this function at community councils.
18. The information councillors consider in making the appointments is restricted under the categories set out in paragraph 10.4 of the council's access to information procedure rules. This means that the public and press are excluded from community council meetings when these decisions are taken. This can be difficult from a practical point of view as members of the public often want to talk

to councillors at the end of the meeting. Therefore, considering these appointments at the close of the meeting acts as a clear barrier to engagement. Excluding the public from community council meetings does not necessarily fit with the engagement role of the community councils as the public has no opportunity and no role in influencing these decisions.

19. The Voluntary Bodies Appointments Panel currently makes recommendations to the Strategic Director of Children's Services on appointments of local education authority school governors to the governing bodies of secondary schools in Southwark. If members are minded to remove the education function from community councils it is not recommended that this is moved to this panel and it is recommended that these decisions are taken at chief officer level as this would reduce the level of administration required in taking decisions. As previously discussed by the Commission any change which results in more meetings either by community councils or other committees or panels of the council will not incur the savings required.
20. There is a proposal that Overview & Scrutiny conduct a review into the appointment of school governors, although at the time of writing this report this has not been confirmed. If there is a scrutiny review any recommendations/outcomes will be reported to the Commission.

Community Project Bank

21. Community councils approve projects for inclusion within the community project bank. When projects are suggested for inclusion within the community council project banks the relevant community council consider reports on the matter. No departmental payments are made to support this function.

Community Council Fund

22. The Executive established the community council fund for all community council areas in a decision taken in November 2005 following pilots in Rotherhithe, Peckham and Dulwich. Each community council has £15,260 to support activities run by community groups for local people, which promote community cohesion. As this delegated function is not set out in the constitution the Commission may wish to recommend that this role is formalised in Part 3H. No departmental payments are made to support this function.

Highways and Lighting capital scheme

23. In 2009 the then Executive Member for Environment agreed to allocate some funding for the highways and lighting capital schemes to community councils. Each community council was assigned £100,000 for highways schemes and £75,000 for lighting schemes. This was repeated in 2010/11. No departmental payments are made to support this function.
24. As recommended for the Community Council Fund this could be formalised in the constitution along a similar line to Cleaner, Greener, Safer by delegating the approval of funds to highways and lighting capital schemes, using the resources identified by cabinet.

Deputations/Petitions/Public questions

25. The community council procedure rules and petition scheme set out the community councils' formal engagement role with members of the public. The constitution allows community council meetings to have a public question time on

the order of business. In practice this works in very different ways across all community councils, for example some answers are given by councillors at the meeting and in some community councils questions are submitted in writing and written responses are provided at the next meeting.

26. Deputations can be made to community councils in a similar way to council assembly. Community councils receive a relatively low number of deputations as the less formal public question time tends to be used by members of the public to raise an issue.
27. Since December 2010 petitions can also be considered by community councils, the trigger for a debate at a community council meeting is 250 signatures. The limited experience to date has identified some issues. Often petitions do not meet the requirements of the petition scheme in that they do not have the required number of signatures or they have not been submitted in the required 10 clear working days before the meeting. In these instances members of the public are advised to submit a public question to raise their issue at the community council meeting.

Community Engagement Role

28. Community councils have been successful in balancing the constitutional and legal requirements of taking formal decisions and engaging effectively with local people. Being area based community councils give an opportunity for members to enhance their ward role by engaging with residents in their locality. Community councils are encouraged to be 'more than a meeting'. Many community councils have piloted ways to encourage this role by: supporting events, neighborhood walks and activities within meetings.. Community councils have done things like support the establishment of local groups for example the Walworth Green Spaces Open Space Network and arrange community events such as the recent event on climate change at the Dulwich Festival (which members of the Commission were invited to attend).
29. Community councils have also been successful in the introduction of thematic meetings. Most community council meetings are now based around a theme which is identified in the community council forward plans at the beginning of the municipal year. Common themes across the 8 community councils include: young people, environment, crime and safety and older people. Themed meetings allow the community councils to target a specific audience and engage with new people.
30. Community councils have also been successful on engaging on specific regeneration issues such as the development of Elephant and Castle. Lend Lease the developers have attended Borough & Bankside Community Councils regularly in 2010/11. Regular attendance at the community council meetings has allowed Lend Lease to keep residents informed on what is happening with the development and has allowed them to develop their consultation plan and reach more people and organisations.
31. Community Councils have also been used in the preparation of area action plans most notably Rotherhithe with the Canada Water Area Action Plan and Peckham/Nunhead and Peckham Rye with the Peckham Area Action Plan. Residents were informed about the consultation process at the community council meetings and several workshops were held. The workshops which took

place at the meetings referred to proposals for the preferred sites and options for development. Representatives from the developers use the community council meetings to update residents and councillors about pending planning applications for the sites. This practice is hoped to be repeated in Borough and Bankside following the agreement with Lend Lease over the re-development of the Elephant and Castle area.

32. Other examples of engagement on specific area-based issues include King's Stair's Gardens (Rotherhithe) and the Aylesbury Action Plan (Walworth).
33. Phase one of the Commission's work recommended the introduction of themed council assembly meetings and using the community councils to engage with residents on those themes. As a result community council chairs have been asked to consider council assembly themes in their forward planning so residents can be consulted on the theme and their comments can feed into the final debate at council assembly.
34. It is not expected that everyone who attends community council meetings would want to attend council assembly meetings and so the community councils are seen as vehicles for stimulating debate amongst local people in the community on the themes and feeding comments back to council assembly via the cabinet member or through the community council questions.
35. In line with the workplan of the Commission, more information about the engagement role of community councils will be presented at the July meeting, after more in depth research has been carried out into the views of residents, as well as officers in the Community Engagement team.
36. Commission members have requested some preliminary information concerning residents' views on the engagement role of community councils, which can be found detailed in Appendix C. This is a record of feedback from community council attendees across the eight areas between November 2010 and March 2011.

Though many residents said they were generally happy with the format and content of meetings, some common areas for improvement were highlighted. These are summarised below:

Issue	Detail/suggestions for improvement
Agendas	<ul style="list-style-type: none"> • More input from residents on setting themes • Agendas to be sent out further in advance • Flexibility to shift agenda at meetings in response to interest from attendees
Advertising and marketing of meetings	<ul style="list-style-type: none"> • Wider outreach in the community • More notice of meetings • Need to reach out more to young people, young parents, beyond the usual suspects
Chairing and presentations	<ul style="list-style-type: none"> • More time for questions • Stricter chairing to avoid overly lengthy presentations • Short, succinct presentations
Meeting timing and format	<ul style="list-style-type: none"> • Weekend or daytime meetings from time to time to allow more people to attend

	<ul style="list-style-type: none"> • Roundtable format • Table seating rather than formal audience • More interactive and less formal
Resident input and feedback	<ul style="list-style-type: none"> • More time for residents to pose questions, debate issues • More feedback about how residents' suggestions have been taken into account e.g. around consultations – strengthening accountability • Information on council spending in areas
Online	<ul style="list-style-type: none"> • Online blog/forum for those who can't attend to have their say, e.g. on major consultations

Consultative Role

37. As well as the formal consultative/non-decision making role, community councils are used as a discussion forum for consultations which affect the area. Some of the consultations which have been promoted or conducted at community councils in 2010/11 include: a fairer future for all, the transport plan, sex establishments licensing and residential car parking charges based on Co2 emissions.
38. Community councils are an established mechanism for consultation within the council and are effective in raising awareness of consultations. Some chairs have been critical of the lack of clearance on consultations before they are brought to community councils and there is sometimes a feeling of 'consultation overload'. Community councils have also identified that they alone should not constitute the only form of consultation as the audience at community councils meetings is not necessarily reflective of an entire community council area. The Commission may wish to consider how this important consultation role could be more effective.
39. Community councils were involved in the recent budget consultation: 'Fairer Future for All'. Cabinet members attended community council meetings to explain the budget process prior to the launch of community councils meetings. Residents were invited to participate in the spending challenge at community council meetings and various other organisations in Southwark. In the 'Southwark Spending Challenge' residents were asked to identify areas for investment and savings using red and green cheques. The results were reported to cabinet and fed into the budget process. Cabinet members returned to the community councils to explain the results at each of the community councils meetings. Residents were also invited to take part by giving comments via the website and contacting cabinet members directly.
40. These engagement roles all come under the paragraphs 3 and 4 of part 3H, the Commission may wish to consider recommending developing the wording of these paragraphs to recognise the influence and engagement role of the community councils

Other roles

41. Overview and Scrutiny have used community councils as a valuable source of local knowledge and experience on particular issues. For example at Walworth in November the chair of the Housing and Community Safety Scrutiny Sub-Committee attended to get residents views on housing repairs. This was the theme of the community council meeting which coincided with a scrutiny review into the performance monitoring of the housing repairs service. The chair of the sub-committee asked a series of questions and the results were collated instantaneously at the meeting with the use of voting buttons. The results of the

questions were used as evidence in formulating a set of recommendations on the housing repairs service which have since been considered by cabinet on 17 May 2011.

42. The link between community councils and overview and scrutiny has worked in an informal way and the Commission may wish to consider if this could be further developed.
43. There are other roles for community councils which it is suggested the Commission consider at the mid-point of the review if they wish:
 - Developing annual themes link to MORI survey results of local priorities
 - Developing links to the voluntary sector- some Community Councils have a regular slot at meetings for community and voluntary groups especially those funded by the Community Council Fund
 - Developing reporting links to cabinet on specific local issues
 - Performance monitoring of specific local service issues
44. It is important to remember that meetings are the main community council cost so any development of roles must not add to the level of meetings or it is unlikely that the targeted savings will be reached. If the scope of the role and functions of community councils is amended there may also be an effect on resources required to support meetings, specifically in terms of officer time. If further support and development is required then this may take officers away from other tasks and there may be an impact on staff resources across the departments affected.

Policy implications

45. The Democracy Commission is being conducted within the context of current council policies, plans and strategies. Any recommendations of the Commission will be made to Council Assembly via the Cabinet. Any policy considerations will be taken into account by Cabinet if recommendations are implemented.

Community impact statement

46. This is a discussion paper and any specific proposals will be included in the final report of the Democracy Commission.

Resource implications

47. The task of the Commission is to make recommendations to deliver a saving of £344,000 across the community council budgets to take effect from 1 April 2012 as agreed in the council's Policy and Resources Strategy 2011-2014.

Legal/Financial implications

48. There are no specific legal or financial implications arising directly from this report. Any change to the role and functions of community councils needs to be considered in the legislative and constitutional framework. Changes to the role and functions of community councils may impact on the cost of community council meetings; this will be considered when the Commission makes its final recommendations.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Executive Report 8 November 2005	Constitutional Team 160 Tooley Street, London SE1 2QH	Alexa Coates alexa.coates@southwark.gov.uk 020 7525 7385
Executive Member for Environment reports/decision notices 21 July 2009 and 29 March 2010	Constitutional Team 160 Tooley Street, London SE1 2QH	Alexa Coates alexa.coates@southwark.gov.uk 020 7525 7385

APPENDICES

No.	Title
Appendix A	Constitution extract Part 3H
Appendix B	Residents Feedback on community council meetings

AUDIT TRAIL

Lead Officer	Deborah Collins, Strategic Director of Communities Law & Governance	
Report Author	Stephen Douglass, Head of Community Engagement	
Version	Draft	
Dated	19 May 2011	
Key Decision?	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Strategic Director of Communities, Law & Governance	Yes	No
Finance Director	No	No
Head of Public Realm	Yes	Yes
Cabinet Member	Yes/No	Yes/No
Date final report sent to Constitutional Team	19 May 2011	

PART 3H: COMMUNITY COUNCILS

Role and functions

1. To promote the involvement of local people in the democratic process and to bring decision making closer to local people.
2. To take decisions about local matters. At present community councils have delegated authority in the following key areas: local planning applications, the cleaner, greener, safer capital programme, traffic management, appointment of local education authority governors to local nursery and primary schools and community project banks.
3. To act as a formal consultation mechanism on council wide policies and strategies.
4. To be a focal point for discussion and consultation on matters that affects the area.

MATTERS RESERVED FOR DECISION

Planning functions (non-executive function)¹

Decision making

1. Consideration of the following categories of planning applications (including listed building consent, conservation area consent and advertising consent), where the development proposed involves the creation of fewer than 50 housing units or less than 3,500m² of commercial floor space or a mixed use development with less than 3,500m² of floor space, including applications for change of use, except where the application is clearly linked to another application which is to be considered by the planning committee:
 - a) Those which are significantly contrary to the provisions of the local development framework approved by the council for the purpose of development control, and which are recommended for approval
 - b) Those which are controversial, i.e. subject to 3 or more relevant objections (a "relevant objection" is defined as any objection except an objection which clearly does not raise any material planning considerations) or raise a major issue of a planning nature except where they are straightforward refusals²
 - c) Those requested by a ward member to be determined by elected members, subject to the request being agreed by the chair of the community council

¹ The powers of the community council in respect of planning functions are formally delegated to it by the planning committee. For the purposes of decision making it is constituted as a sub-committee of the main committee. The planning committee will consider and determine all planning applications on or near community council boundaries, which will have a material impact on the area of one or more neighbouring community councils. The strategic director of regeneration and neighbourhoods will determine when boundary proximity is a material factor.

² To be determined by the strategic director of regeneration and neighbourhoods.

51

- d) All applications for the council's own developments except for the approval of:
- reserved matters and minor developments to which no relevant objections have been made
 - developments that are proposed by community councils.
- e) Those involving legal agreements, other than those in accordance with policy requirements, e.g. affordable housing, highway improvements, environmental work and other works required as part of a development proposal.
2. To consider the confirmation of tree preservation orders:
- Those which are the subject of a sustained objection (a "sustained objection" is defined as an objection that is maintained despite an attempt by officers to resolve it, or which officers consider incapable of resolution by negotiation).

Consultative/non decision making

3. To comment to planning committee on the proposed expenditure of funds over £100,000 secured through legal agreements under section 106 of the Town and Country Planning Act 1990, or any previous legislation where the site to which the agreement relates and the site(s) where expenditure will be incurred are in the same community council area.
4. To comment to planning committee on proposals for the designation of conservation areas including the adoption of conservation area character appraisals and detailed design guidance, and authorisations under article 4 of the Town and Country Planning Permitted Development Order 1995 affecting the area of the community council.
5. To comment to planning committee on proposals to adopt supplementary planning documents for development control purposes to guide the development of particular sites within the area of the community council.
6. To be consulted on all major and strategic schemes prior to consideration by the planning committee, subject to the consultation deadlines.
7. To receive regular information reports (at least quarterly) on local planning enforcement issues.

Environmental management (executive function)Decision making

8. Recommendations to the strategic director of environment and housing, on local contract variations.³
9. Recommendations to the cabinet on issues concerning major changes to contracts.
10. Appointment of ward members to serve on warden schemes steering groups.

³ Decisions regarding contract variation shall remain the responsibility of the strategic director (environment and housing).

Consultative/non decision making

11. To consider regular reports on environmental management issues, including street cleaning, refuse collection, abandoned vehicles and leisure centres.
12. To participate in contract reviews and be able to suggest service improvements and identify local priority issues.

Cleaner, greener, safer capital programme (executive function)Decision making

13. Approval of the allocation of funds to cleaner, greener, safer capital schemes of a local nature, using the resources identified by the cabinet, for example:
 - designing out dumping and fly-tipping
 - local playground improvements
 - local parks
 - improvement to local sports facilities
 - improvement to local community centres and youth facilities
 - eyesores and facelifts
 - improving ward-level communication routes and pathways
 - bins, street furniture etc.
14. To oversee and take responsibility for the development and implementation of the local schemes.
15. If successful in the bidding to the cabinet for strategic projects, to oversee and take responsibility for the development and implementation of the schemes.

Consultative/non decision making

16. Recommendation of bids to the cabinet for funding for capital schemes of a strategic nature as part of an open bidding process.

Traffic management functions (executive function)⁴Decision making

17. Determination of the following local non-strategic matters:
 - the introduction of single traffic signs
 - the introduction of short lengths of waiting and loading restrictions
 - the introduction of road markings
 - the introduction of disabled parking bays
 - the setting of consultation boundaries for consultation on traffic schemes.
18. Determination of objections to traffic management orders that do not relate to strategic or borough wide issues.

⁴ In respect of traffic matters that have a potential impact on more than one community council, the strategic director of environment and housing shall determine if boundary proximity is a material issue.

19. To hear and determine traffic petitions and deputations that are of a non strategic nature.

Consultation/non-decision making

20. Following a strategic decision to introduce a parking or traffic safety scheme, community councils to be consulted on the detail of the schemes such as:
- the method of consultation and how it is undertaken
 - the type of traffic features to be introduced
 - where street furniture is positioned.
21. To be consulted on the borough spending plans (BSP), the council's annual bid to Transport for London for transport funding covering such things as local safety schemes and 20mph zones, before it is submitted to Transport for London.
22. To be consulted on decisions of strategic nature, such as whether to create parking zones or home zones.

Education functions (executive function)

Decision making

23. Appointment of local education authority school governorships to the governing bodies of nursery and primary schools within the area of the community council, from among the list of suitable persons maintained by the council, except in the circumstances set out in paragraph 23 below.
24. Where a school is eligible for intervention the strategic director of children's services or nominated officer (as set out in the departmental scheme of management) shall have the power to appoint local authority governors to the governing body, subject to consultation with the relevant cabinet member and the chair or vice-chair of the relevant community council consistent with the statutory time constraints placed on the strategic director as well as the widest possible engagement with other councillors, especially the ward councillors for the ward in which the school is located.

Community project bank (executive function)

Decision making

25. To approve projects for inclusion within the community project bank.

Notes

- a) All matters not reserved as above are delegated to the appropriate chief officer and head of service. All delegated matters can always be decided by the parent body. See also Part 3P: Matters delegated to officers.
- b) All planning matters not reserved as above are delegated to the appropriate chief officer, head of service or business unit manager
- c) Each chief officer and/or head of service in making decisions under the above scheme is required to do so within the internal scheme of management for their own department. This will include appropriate monitoring arrangements, and dissemination of information both internally and externally to the council.

Item No. 5.2	Classification: Open	Date: 26 May 2011	Meeting Name: Democracy Commission
Report title:		Community Council Neighbourhoods and Boundaries	
Ward(s) or groups affected:		All	
From:		Strategic Director of Communities, Law & Governance	

RECOMMENDATIONS

1. That the Democracy Commission considers the future delineation of Community Council boundaries.
2. That the Democracy Commission considers the potential options for future boundaries as set out in paragraph 11 of this report and identify options to be investigated in more detail.

BACKGROUND INFORMATION

3. On 25 January 2011, cabinet resolved that the Democracy Commission be tasked with phase 2 of their work, focusing on the role and powers of community councils in the context of budgetary savings. The Democracy Commission will report their progress to council assembly in April 2011 and make their final recommendations in December 2011.
4. At the first meeting of the second phase of the Democracy Commission on Friday 11 March, members agreed a workplan. This is the second meeting of the Commission since that meeting and this report sets out considerations regarding the neighbourhood boundaries for Community Council meetings.
5. The purpose of this meeting is to set out the options members may wish to consider for the future delineation of Community Council meetings. Members are asked to consider these options in the light of the need for making savings. While one of the tasks of the review is to consider how financial reductions can be made it is also timely for the Commission to consider how changes to boundaries and enlargement of existing areas may improve the working of Community Councils.

KEY ISSUES FOR CONSIDERATION

Community Council budget savings

6. The review of community councils is to be undertaken within the context of the recently agreed council budget and the reductions in public expenditure. The task of the Commission will be to make recommendations to cabinet and council which can deliver a reduction of £344,000 in the total costs of community councils to take effect from 1 April 2012.

Therefore the purpose of this report is to provide the commission with relevant information concerning the wards to be included in Community Council areas. The options, which reduce the number of community council areas, will effectively reduce the running costs of community councils in relation to their various functions. The Local Government Act 2000 requires that the population covered in a community council area does not exceed two-fifths of the total area of the authority.

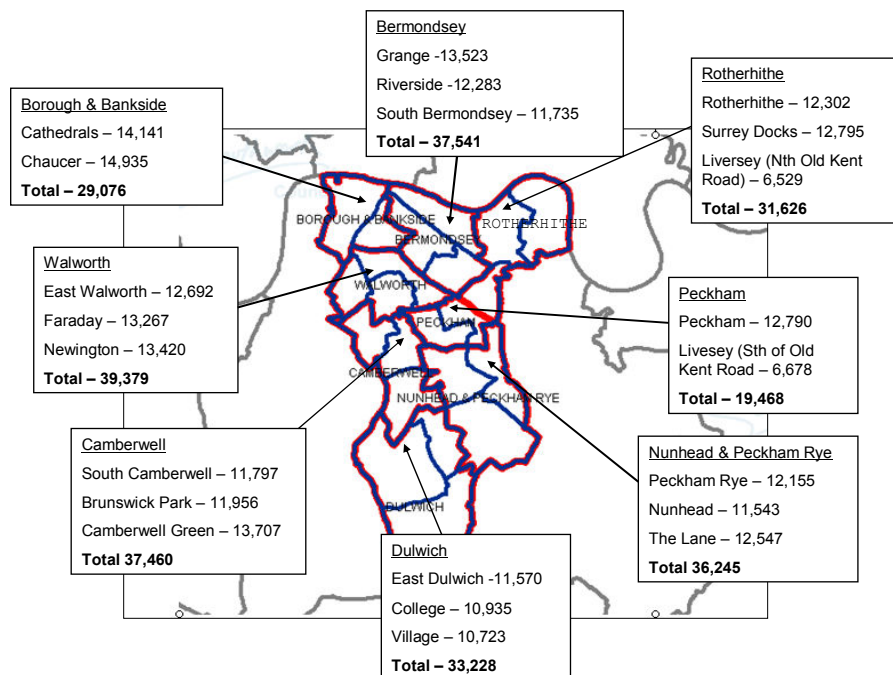
7. At the previous meeting of the Democracy Commission in order to make recommendations for the required budgetary savings the following options were identified:
 - Reduce the number of meetings
 - Reduce the number of community council areas
 - Consider the role and functions
 - Cut down on printing and marketing costs
 - Cut down on community engagement around meetings
 - To stop holding Community Council meetings

8. Members are asked to consider the following suggestions to meet the second of these requirements namely reducing the number of Community Council areas.

9. All of the options are likely to have an impact on meetings. Reducing the number of Community Council areas will impact on the number of agenda items and may well lead to changes in the format of future meetings e.g. introducing more options within meetings for smaller discussions perhaps breaking out into wards

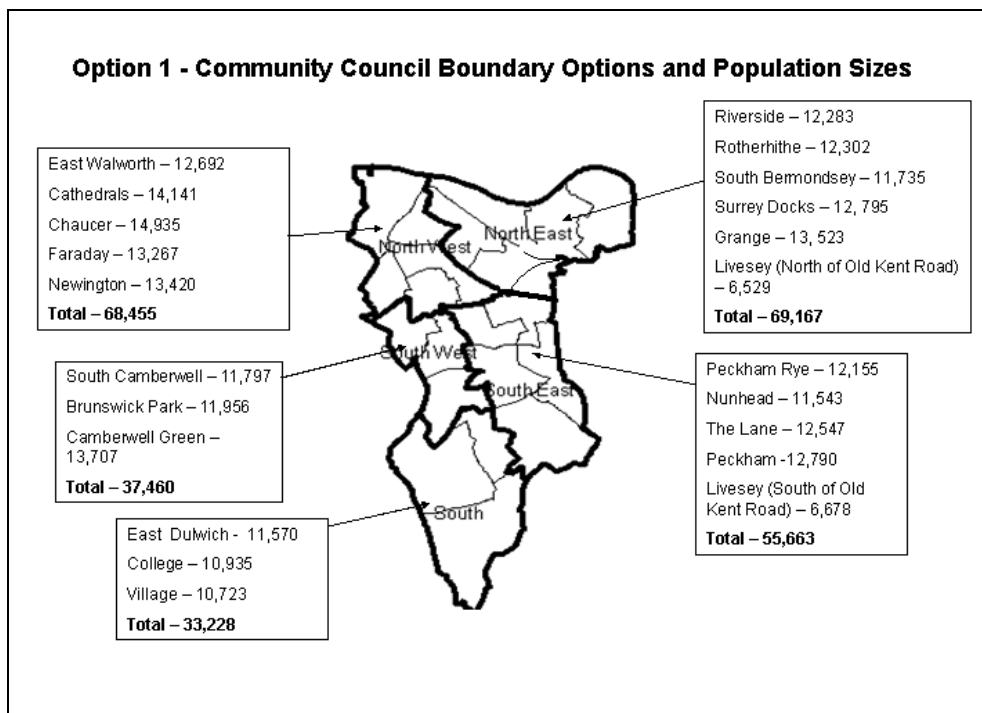
Community Council Boundaries

10. The existing Community Council areas are shown below. There are 8 Community Council areas, with each area taking between 2-3 wards. The exception is Peckham Community Council which covers just 1.5 wards.



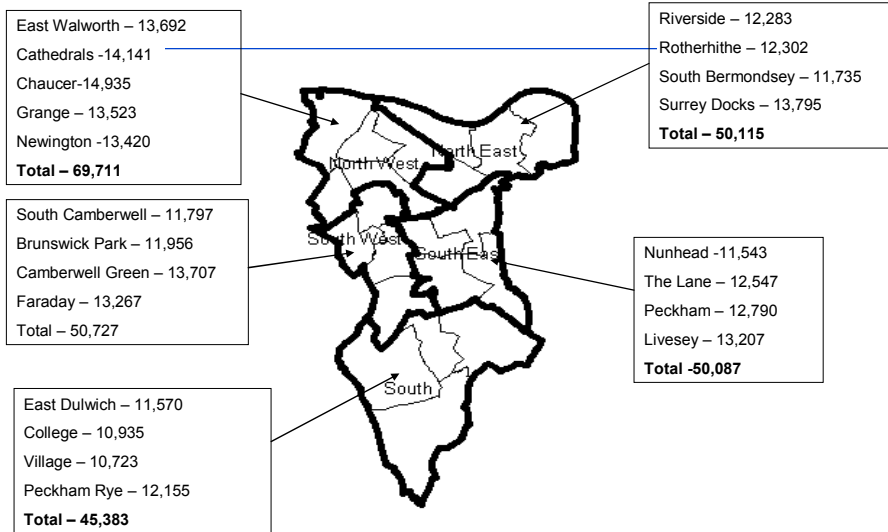
Options

- 11 The following options give a detailed breakdown of what 5 Community Council areas could look like. In presenting these options, officers have been wary of balancing the responsibility to ensure population sizes do not greatly vary from area to area whilst retaining the integrity of traditional neighbourhood boundaries.



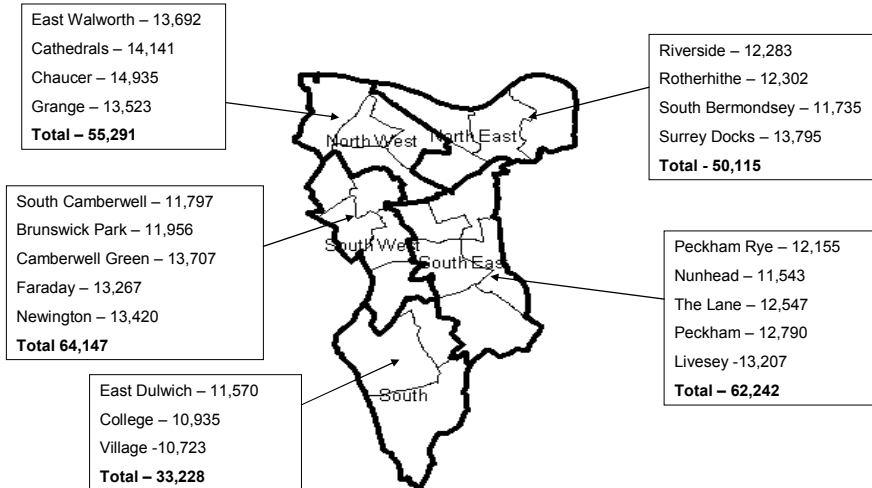
Although there is variation in times of population size, the integrity of traditional neighbourhoods remains with this option.

Option 2 - Community Council Boundary Options and Population Sizes



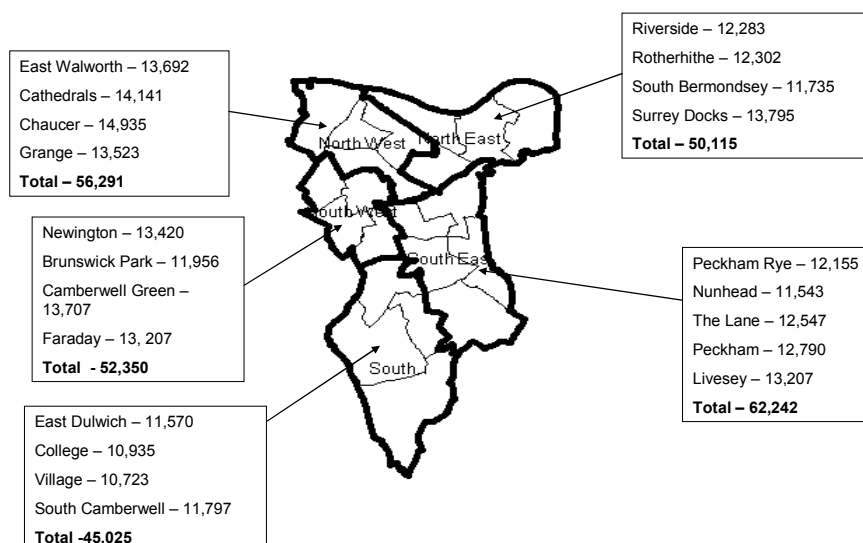
With this option sizes of population are more evenly distributed. However the wards that make up the neighbourhood of Peckham are split between two different Community Council areas.

Option 3 -Community Council Boundary Options and Population Sizes



This third option distributes population even more and subsequently takes away from the traditional neighbourhoods of Walworth and Camberwell by amalgamating them.

Option 4 - Community Council Boundary Options and Population Sizes



This last option moves further towards a more balanced distribution of population sizes whilst impacting on the traditional boundaries of three Community Council areas—Walworth, Camberwell and Dulwich.

Policy Implications

The aim of this report is to allow the Democracy Commission to consider how the Community Councils can operate better and making them more accountable to peoples concerns.

Resource implications

As mentioned in the previous Commission meeting the existing 8 Community Councils have 7 main meetings a year (56 in total). If we were to reduce the number of Community Councils there would then be a subsequent reduction in the number of meetings and an opportunity to save money. For example if the number of Community Council areas were to be reduced to 5 there would be 21 fewer main meetings and savings in terms of running costs (hire of PA equipment, printing of agendas, publicity leaflets) would be identified. All the options assume that planning meetings would be held for each area. The following estimates are based on the figures set out in the information pack.

- Main meetings saving: £96,663 – based on a reduction in meetings of 40%.
- A reduction in the number of Community Council planning meetings for the 5 areas would lead to approximately 24 fewer planning meetings.
- Planning meetings saving: £55,372 – based on a reduction in planning meetings of 40%.

Total meeting cost savings: £152,005 (This does not include reductions in staff costs.)

No additional budget is required for the setting up of the new Community Council boundaries. The savings have been identified in this report and any re-branding of Community Council areas will be met from the existing publicity and marketing budget.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Democracy Commission Phase 2 reports and agenda	Tooley Street, London, SE1 2TZ	Tim Murtagh 020 7525 7187

AUDIT TRAIL

Lead Officer	Deborah Collins, Strategic Director of Communities, Law & Governance	
Report Author	Stephen Douglass, Head of Community Engagement	
Version	Final	
Dated	26 May 2011	
Key Decision?	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Strategic Director of Communities, Law & Governance	Yes	No
Finance Director	No	No
List other officers here		
Cabinet Member	Yes	No
Date final report sent to Constitutional Team	19 May 2011	

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