

# Council Assembly

## Ordinary Meeting

Wednesday 30 November 2016

7.00 pm

Council Offices, 160 Tooley Street, London SE1 2Q

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Councillors are summoned to attend a meeting of the Council to consider the business contained herein

Eleanor Kelly  
Chief Executive

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### INFORMATION FOR MEMBERS OF THE PUBLIC

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#### **Contact**

Virginia Wynn-Jones or Andrew Weir on 020 7525 7055 or 020 7525 7222 or email: [virginia.wynn-jones@southwark.gov.uk](mailto:virginia.wynn-jones@southwark.gov.uk); [andrew.weir@southwark.gov.uk](mailto:andrew.weir@southwark.gov.uk); [constitutional.team@southwark.gov.uk](mailto:constitutional.team@southwark.gov.uk)

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Date: 18 November 2016



# Council Assembly

## Ordinary Meeting

Wednesday 30 November 2016  
7.00 pm

### Order of Business

Item No.	Title	Page No.
	<b>PART A - OPEN BUSINESS</b>	
<b>1.</b>	<b>PRELIMINARY BUSINESS</b>	
	<b>1.1. ANNOUNCEMENTS FROM THE MAYOR, MEMBERS OF THE CABINET OR CHIEF EXECUTIVE</b>	
	To receive any announcements from the Mayor, members of the cabinet or the chief executive.	
	<b>1.2. NOTIFICATION OF ANY ITEMS OF BUSINESS WHICH THE MAYOR DEEMS URGENT</b>	
	In special circumstances an item of business may be added to an agenda within seven working days of the meeting.	
	<b>1.3. DISCLOSURE OF INTERESTS AND DISPENSATIONS</b>	
	Members to declare any interests and dispensations in respect of any item of business to be considered at this meeting.	
	<b>1.4. APOLOGIES FOR ABSENCE</b>	
	To receive any apologies for absence.	
<b>1.5.</b>	<b>MINUTES</b>	1 - 15
	To approve as a correct record the open minutes of the council assembly meeting held on 13 July 2016.	

**2. ISSUES RAISED BY THE PUBLIC****2.1. PETITIONS**

No petitions have been received.

**2.2. PUBLIC QUESTION TIME**

The deadline for public questions is midnight, Thursday 24 November 2016. Questions can be emailed to [constitutional.team@southwark.gov.uk](mailto:constitutional.team@southwark.gov.uk).

Questions from the public will be distributed in a supplemental agenda.

**3. THEMED DEBATE - TRANSPORT****3.1. COMMUNITY EVIDENCE**

The deadline for community evidence on the theme is midnight, Thursday 24 November 2016. Submissions can be emailed to [constitutional.team@southwark.gov.uk](mailto:constitutional.team@southwark.gov.uk).

Submissions from the public will be distributed in a supplemental agenda.

**3.2. MOTION ON THE THEME**

16 - 18

The cabinet member for regeneration and new homes and the cabinet member for environment and the public realm to present the theme for the meeting.

**4. DEPUTATIONS**

The deadline for deputation requests is midnight, Thursday 24 November 2016. Deputations can be emailed to [constitutional.team@southwark.gov.uk](mailto:constitutional.team@southwark.gov.uk).

Deputation requests will be distributed in a supplemental agenda.

**5. ISSUES RAISED BY MEMBERS****5.1. MEMBERS' QUESTION TIME**

To receive any questions from members of the council.

<b>Item No.</b>	<b>Title</b>	<b>Page No.</b>
	<b>5.2. MEMBERS' MOTIONS</b>	19 - 24
	To consider the following motions:	
	<ul style="list-style-type: none"> <li>• Tackling flytipping in Southwark</li> <li>• Stand up for local pharmacies</li> <li>• Saving Southwark's community pharmacies</li> <li>• Make fair transitional state pension arrangements for 1950's women</li> <li>• The Bus Services Bill motion</li> </ul>	
<b>6.</b>	<b>REPORT(S) FOR DECISION FROM THE CABINET</b>	
	<b>6.1. REFRESH OF COUNCIL PLAN 2014-18</b>	25 - 45
	Council assembly is asked to consider and agree the proposed refresh of the council plan set out in the report.	
<b>7.</b>	<b>OTHER REPORTS</b>	
	<b>7.1. TREASURY MANAGEMENT - MID YEAR UPDATE 2016/17</b>	46 - 57
	Council assembly is asked to note the treasury management mid-year update.	
	<b>7.2. APPOINTMENT OF LOCAL AUDITOR</b>	58 - 61
	Council assembly is asked to consider and agree the option of opting in to the national scheme for the appointment of external auditors set out in the report.	
	<b>7.3. CONSTITUTIONAL AMENDMENTS</b>	62 - 95
	Council assembly is asked to consider the recommendations of the constitutional steering panel in respect of the proposals set out in the report.	
	<b>7.4. COMMUNITY COUNCILS - CONSTITUTIONAL ISSUES</b>	96 - 120
	Council assembly is asked to consider the recommendations of the constitutional steering panel in respect of the proposals set out in the report.	

**8. AMENDMENTS**

Any member of the council may submit an amendment to a report or motion on the agenda. The amendments will be circulated to all members in a supplemental agenda.

**ANY OPEN ITEMS IDENTIFIED AS URGENT AT THE START OF THE MEETING****EXCLUSION MOTION (IF NECESSARY)**

The following motion should be moved, seconded and approved if the council wishes to exclude the press and public to deal with reports revealing exempt information:

“That under the access to information procedure rules of the Southwark constitution, the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in section(s) 1 – 7 of paragraph 10.4 of the procedure rules.”

**PART B – CLOSED BUSINESS****ANY CLOSED ITEMS IDENTIFIED AS URGENT AT THE START OF THE MEETING**

Date: 18 November 2016



## Council Assembly (Ordinary Meeting)

MINUTES of the Council Assembly (Ordinary Meeting) held on Wednesday 13 July 2016 at 7.00 pm at Council Offices, 160 Tooley Street, London SE1 2QH

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### PRESENT:

The Worshipful the Mayor for 2016-17, Councillor Kath Whittam (Chair)

Councillor Evelyn Akoto	Councillor Maria Linforth-Hall
Councillor Anood Al-Samerai	Councillor Richard Livingstone
Councillor Jasmine Ali	Councillor Rebecca Lury
Councillor Maisie Anderson	Councillor Vijay Luthra
Councillor James Barber	Councillor Jane Lyons
Councillor Radha Burgess	Councillor Eliza Mann
Councillor Sunil Chopra	Councillor Hamish McCallum
Councillor James Coldwell	Councillor Darren Merrill
Councillor Fiona Colley	Councillor Victoria Mills
Councillor Catherine Dale	Councillor Michael Mitchell
Councillor Helen Dennis	Councillor Jamille Mohammed
Councillor Nick Dolezal	Councillor Adele Morris
Councillor Gavin Edwards	Councillor David Noakes
Councillor Paul Fleming	Councillor Damian O'Brien
Councillor Tom Flynn	Councillor James Okosun
Councillor Lucas Green	Councillor Leo Pollak
Councillor Renata Hamvas	Councillor Sandra Rhule
Councillor Barrie Hargrove	Councillor Catherine Rose
Councillor Jon Hartley	Councillor Rosie Shimell
Councillor David Hubber	Councillor Andy Simmons
Councillor Peter John OBE	Councillor Johnson Situ
Councillor Eleanor Kerlake	Councillor Michael Situ
Councillor Sarah King	Councillor Charlie Smith
Councillor Anne Kirby	Councillor Dan Whitehead
Councillor Sunny Lambe	Councillor Kieron Williams
Councillor Octavia Lamb	Councillor Mark Williams
Councillor Lorraine Lauder MBE	Councillor Ian Wingfield

## 1. PRELIMINARY BUSINESS

### 1.1 ANNOUNCEMENTS FROM THE MAYOR, MEMBERS OF THE CABINET OR CHIEF EXECUTIVE

Following the by-election on 9 June 2016, the Mayor welcomed Councillor Dan Whitehead to his first meeting of council assembly.

The Mayor also announced the death of Sam King MBE, and the leaders of the political parties gave tribute to him. A one-minute silence was observed in his memory.

The Mayor also congratulated the people who had been awarded honours in the Queen's Birthday Honours. A list of Southwark recipients had been circulated around the chamber and the meeting sent its congratulations to those who had been awarded an honour.

### 1.2 NOTIFICATION OF ANY ITEMS OF BUSINESS WHICH THE MAYOR DEEMS URGENT

The Mayor formally moved the programme motion:

#### RESOLVED:

That the meeting be conducted as follow:

Time	Business
	<b>Ordinary Meeting</b>
<b>19:00 - 19:10</b>	<b>1. Preliminary business and announcements</b>
<b>19:10 - 19:20</b>	<b>4. Deputation Requests</b>  1. In support of Southwark residents living with Motor Neurone Disease (MND)
<b>19:20 - 19:25</b>  (proposer and seconders' speeches only)	<b>5.2 Members' Motions</b>  1. Motor Neurone Disease Charter
<b>19:25 – 20:30</b>  (10 minutes)  (10 minutes)  (7 minutes)  (5 minutes)	<b>Themed debate</b>  <b>3.1 Community Evidence</b> <ul style="list-style-type: none"> <li>• The residents of the Pumphouse and Canada Estate - Social housing developments as a joint submission</li> <li>• St Mungo's Community Housing Association</li> </ul> <b>3.2 Motion on the Theme</b> 1. Councillor Stephanie Cryan, deputy leader and cabinet member for housing, and Councillor Mark Williams, cabinet member for regeneration and new homes

(30 minutes)	2. Councillor Anood Al-Samerai, opposition spokesperson, to speak on the motion and move Amendment A
(3 minutes)	3. Themed debate open to all other councillors
	4. Cabinet member's right of reply to the debate
<b>20:30 - 21:00</b>	<b>5.1 Members' Question Time</b>
<b>21:00 - 22:00</b>	<b>5.2 Motions</b>
	Motion 6 – Rights of EU citizens
	Motion 2 – School funding in Southwark
	Motion 3 – Tax compliance and procurement
	Motion 4 – A Cinderella Line
	Motion 5 – Condemning hate crime
<b>22:00*</b>	<b>6. Other Reports</b>
* subject to the guillotine rule	6.1 Treasury management performance - 2015/16 annual report and prudential indicators
	6.2 Constitutional issues 2016/17
	6.3 Special urgency decisions - annual report

**Note:** Any time left remaining on any item will be rolled into the next items.

That the meeting be conducted as follows:

#### **Item 4**

To vary the order of business to take item 4, deputation requests, and Motion 1, Motor Neurone Disease Charter, first.

Meeting to agree to hear a deputation from:

1. In support of Southwark residents living with Motor Neurone Disease (MND)

#### **Item 3 - Themed debate**

##### **Community Evidence Submissions**

To receive submissions from the group listed in the themed section of the agenda:

- The residents of the Pumphouse and Canada Estate - Social housing developments as a joint submission
- St Mungo's Community Housing Association

Five minute presentation from each group, followed by a question from each group to the relevant cabinet member; and up to five minutes for questions from members.

##### **Themed debate**

To run as listed in the timings above.



## Item 5.2 - General Motions

General motions to be taken in the below order:

6. Rights of EU citizens
2. School funding in Southwark
3. Tax compliance and procurement
4. A Cinderella Line
5. Condemning hate crime

Each motion to have a single debate, subject to the guillotine.

Motion 2 – School funding in Southwark

- To seek the meeting's consent to change the mover and seconder of Motion 2 to Councillor Catherine Rose and Councillor Jasmine Ali.

Motion 4 - A Cinderella Line (Amendment D)

- In accordance with CAPR 1.14.15, a member may alter a motion of which she has given notice, with the consent of the meeting. The meeting's consent will be signified without discussion.

The meeting's consent to the alteration show in Amendment D listed in supplemental agenda no. 1 be sought. Therefore the meeting will debate the revised Motion 4.

**Note:** Relevant procedure rules will be suspended.

- CAPR 2.7.2 Length of themed debate.

### 1.3 DISCLOSURE OF INTERESTS AND DISPENSATIONS

#### Item 5.2: Members' Motions: Motion 3 – Tax compliance and procurement

Councillor Helen Dennis declared a disclosable pecuniary interest in this motion, as she works for Christian Aid, which is instrumental in campaigning on this issue. She left the room whilst the motion was voted upon.

### 1.4 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Stephanie Cryan, Dora Dixon-Fyle, Karl Eastham, Ben Johnson, Samantha Jury-Dada, Martin Seaton, Cleo Soanes and Bill Williams.

### 1.5 MINUTES

#### RESOLVED:

1. The minutes of the ordinary and extraordinary meetings held on 16 March 2016 were agreed as a correct record.

2. The minutes of the annual meeting held on 14 May 2016 were agreed as a correct record, subject to the inclusion of Councillor Sunny Lambe in the list of members present.

## **2. ISSUES RAISED BY THE PUBLIC**

### **2.1 PETITIONS**

There were no petitions.

### **2.2 PUBLIC QUESTION TIME**

There were no questions from the public.

## **3. THEMED DEBATE- TACKLING THE HOUSING CRISIS**

### **3.1 COMMUNITY EVIDENCE**

The meeting agreed to receive submissions from the following:

#### **Residents of the Pumphouse Canada Estate – Social housing developments**

As part of the programme motion, council assembly agreed to hear both community evidences as a single presentation. The representatives for the Residents of Pumphouse and a representative for Residents of the Canada Estate spoke to the meeting for five minutes and thereafter asked a question of the cabinet member for regeneration and new homes.

Three members (Councillors Eliza Mann, David Hubber and Dan Whitehead) asked questions of the group's representatives.

#### **St Mungo's Community Housing Association**

The group's representatives spoke to the meeting for five minutes and thereafter asked a question of the leader of the council.

Three members (Councillors Richard Livingstone, Adele Morris and Michael Situ) asked questions of the group's representatives.

### **3.2 MOTION ON THE THEME**

#### **MOTION ON THE THEME – TACKLING THE HOUSING CRISIS** *(see pages 29-30 of the main agenda)*

The cabinet member for regeneration and new homes, Councillor Mark Williams, presented the motion on the themed debate.

Councillor Anood Al-Samerai, the majority opposition group spokesperson, responded to

the cabinet member's motion and proposed Amendment A.

Following debate (Councillors Nick Dolezal, Adele Morris, Kieron Williams, Catherine Dale, Dan Whitehead, Peter John and Paul Fleming), the cabinet member for regeneration and new homes, Councillor Mark Williams, responded to the debate.

Amendment A was put to the vote and declared to be Lost.

The motion was put to the vote and declared to be Carried.

**Note:** This motion will be referred as a recommendation to the cabinet for consideration.

**RESOLVED:**

1. Council assembly recognises the role of local authorities in tackling the housing crisis, to ensure that there are enough decent affordable homes for all of our residents.
2. Council assembly welcomes the steps that this administration is taking to ensure Southwark plays its role in solving the housing crisis, including:
  - Building 11,000 new council homes, with the first 1,500 delivered by 2018
  - Ensuring that local residents benefit directly by reserving half of all the new council homes for residents on the housing waiting list who live in the local area
  - Ensuring the delivery of truly affordable homes by securing over 35% affordable homes in new developments last year, with over 50% of these for social rent
  - Improving the quality of 15,000 council homes, spending £480m to make every council home warm, dry and safe and ensuring every council tenant has a quality kitchen and bathroom
  - Introducing a private-rented sector licensing scheme to raise standards in private rented housing and protect the 1 in 4 families in Southwark who rent privately.
3. Council assembly recognises that at a time when the Conservative government has slashed funding for new affordable homes, it is more important than ever to hold developers to account and secure as many affordable homes as possible, and therefore welcomes the new rules introduced by this administration to make viability assessments public for all new developments.
4. Council assembly welcomes the new Mayor of London's bold plan to deliver the homes that Londoners need, including supporting councils to enforce clear, new rules to maximise the affordable housing in new developments and the option to set local affordable housing targets.
5. Council assembly condemns the government for pushing through its disastrous Housing and Planning Act despite fierce opposition by local councils including Southwark and for refusing to accept concessions to limit the impact of 'pay to stay' on council tenants and to ensure that any high value council homes sold are replaced in

the same area.

6. Council assembly recognises that the government's 'Starter Homes' contained in this act will not be affordable for most Southwark residents, and calls on the cabinet to work with the Mayor of London to explore alternatives for low cost home ownership, to support residents who are struggling to buy their own home.
7. Council assembly recognises that the lack of detail in the legislation about the implementation of the act seriously limits the information and advice that the council can provide to residents, but calls on the cabinet to do everything it can to minimise the impact of this disastrous legislation on Southwark residents and particularly council tenants.
8. Council assembly calls on all councillors to continue to fight the Conservatives' attack on social housing.

#### **4. DEPUTATIONS**

*(See pages 3 - 4 of supplemental agenda 1)*

As part of the programme motion the meeting agreed to hear a deputation from:

##### **Motor Neurone Disease Association**

The group's representative spoke to the meeting for five minutes and thereafter asked a question of the cabinet member for adult care and financial inclusion.

Councillors Fiona Colley and Eliza Mann asked questions of the deputation.

Thereafter the deputation returned to their seats in the public seating area.

#### **5. ISSUES RAISED BY MEMBERS**

##### **5.1 MEMBERS' QUESTION TIME**

*(See pages 31-35 of the main agenda and the blue and yellow papers circulated at the meeting)*

There was one late question to the leader of the council, the written response to which was circulated on blue paper at the meeting. One supplemental question was asked of the cabinet member for adult care and financial inclusion and one supplemental question was asked of the leader of the council.

There were 34 members' questions, the written responses to which were circulated on yellow paper at the meeting. There were 14 supplemental questions.

##### **5.2 MEMBERS' MOTIONS**

###### **MOTION 1 - MOTOR NEURONE DISEASE CHARTER** *(See page 37 of the main agenda)*

This motion was considered prior to the guillotine having fallen.

Councillor Anood Al-Samerai, seconded by Councillor Richard Livingstone, moved the motion.

Following debate (Councillor Peter John), the motion was put to the vote and declared to be carried.

**RESOLVED:**

1. Council assembly notes that there is a 1 in 300 chance of developing Motor Neurone Disease (MND), a disease that has no cure and kills more than half those diagnosed within two years.
2. Council assembly supports the Motor Neurone Disease Charter, which sets out the care and support that people living with MND and their carers deserve and should expect. The charter identifies five rights for people living with MND and their carers:
  - People with MND have the right to an early diagnosis and information
  - People with MND have the right to high quality care and treatments
  - People with MND have the right to be treated as individuals and with dignity and respect
  - People with MND have the right to maximise their quality of life
  - Carers of people with MND have the right to be valued, respected, listened to and well supported.
3. By adopting the Motor Neurone Disease charter, Council assembly expects Southwark Council to promote the Charter and make it available to all councillors, council staff, partner organisations and health and social care professionals who deliver services for the council.
4. Council assembly calls on cabinet to adopt the Motor Neurone Disease Charter and raise awareness of MND and what good care looks like for those living with this devastating disease, as stated in the charter, and do everything we can as the council to positively influence the quality of life for local people with MND and their carers living in our community.

**Note:** This motion will be referred as a recommendation to the cabinet for consideration.

**MOTION 2 - SCHOOL FUNDING IN SOUTHWARK** *(See page 37-38 of the main agenda)*

This motion was considered prior to the guillotine having fallen.

Councillor Catherine Rose, seconded by Councillor Jasmine Ali, moved the motion.

Councillor James Okosun, seconded by Councillor James Barber, moved Amendment B.

Following debate, (Councillor Catherine Rose), at 10.05pm the Mayor announced that the guillotine had fallen.

The guillotine having fallen, Amendment B was put to the vote and declared lost.

The substantive motion was put to the vote and declared to be carried.

**RESOLVED:**

1. Council assembly expresses its grave concern about the new schools funding formula being proposed by the government, which could see funding for Southwark schools cut by 20%, which would have a devastating impact on schools in our borough.
2. Council assembly notes that Southwark schools have made dramatic improvements in raising standards and that these unprecedented cuts risk reversing these improvements.
3. Council assembly believes that the government should show a real commitment to the next generation and level up funding for schools outside of London, like the previous Labour government did within London.
4. Council assembly welcomes the government's u-turn on its plans to force all schools to become academies following pressure from local authorities and campaigners, but remains concerned about the government's proposals to forcibly convert 'coasting' or 'failing' schools, despite evidence that intensive support from a local authority can help a struggling school get back on track.
5. Council assembly notes that the government's forced academisation plan would have cost an estimated £1.3bn and calls on the government to instead use this money to provide fair and adequate funding to all schools in the country.
6. Council assembly calls on the cabinet to continue to work with Southwark schools through support and investment to drive improvements and to oppose proposals for any schools to be forced to convert to academy status without the support of local parents and the community.

**Note:** This motion will be referred as a recommendation to the cabinet for consideration.

**MOTION 3 - TAX COMPLIANCE AND PROCUREMENT** *(See page 38-39 of the main agenda)*

Councillor Helen Dennis, having declared a pecuniary interest in this item, left the room for the vote upon the motion.

The guillotine having fallen, Amendment C was put to the vote and declared to be carried.

The motion was put to the vote and declared to be carried.

**RESOLVED:**

1. Council assembly notes that:
  - corporate tax evasion and avoidance are having a damaging impact on the world's poorest countries and the UK's tax revenue that funds vital public services

- as much as £30bn is lost to UK tax revenues annually through tax evasion and avoidance
  - this practice also has a negative effect on small- and medium-sized companies in Southwark which pay more tax proportionately.
2. Council assembly further notes that:
    - the UK government has taken steps to tackle the issue of tax compliance by issuing 'Procurement Policy Note 03/14' which applies to all central government contracts worth more than £5m
    - the availability of independent means of verifying tax compliance, such as the Fair Tax Mark
    - in early 2015, new regulations required public bodies, including local authorities, to ask procurement qualification questions of all companies for tenders over £173,000 for service contracts and £4m for works contracts.
  3. Council assembly welcomes the Corporate Tax Transparency Initiative that the Local Authority Pension Fund Forum is spearheading, which seeks to use the collective shareholder power of Local Authority Pension Funds to influence the companies we part own.
  4. Council assembly believes that bidders for Southwark council contracts should be asked to account for their past tax record using the standards in PPN 03/14 rather than the lower standards in the recent regulations for public bodies.
  5. Council assembly therefore calls on the cabinet to amend the borough's existing procurement procedures to require all companies bidding for council contracts to self-certify that they are fully tax-compliant in line with central government practice, using the standards in PPN 03/14 in all contracts of the amount specified above.
  6. Council assembly also calls on the cabinet to publicise this policy and to report on its implementation annually.

**Note:** This motion will be referred as a recommendation to the cabinet for consideration.

**MOTION 4 - A CINDERELLA LINE** *(See page 39 of the main agenda)*

Amendment D to this motion was agreed as per the programme motion.

The guillotine haven fallen, Amendment E was put to the vote and declared to be carried.

The motion was put to the vote and declared to be carried.

**RESOLVED:**

1. Council assembly notes that commuters on the Catford loop stations are facing overcrowding and late running trains at Denmark Hill, Peckham Rye and Nunhead stations.
2. Council assembly further notes that London Bridge station is also facing overcrowding at peak times due to a combination of train service disruptions and

ongoing construction work at the station, and that this is leading to further delays and passenger dissatisfaction.

3. Council assembly notes with concern that at peak times trains run at 130 per cent capacity and are only on time 55 per cent of the time.
4. Council assembly welcomes Network Rail's commitment to delivering more train services from 2018 when the works at London Bridge station are complete.
5. Council assembly recognises, however, that urgent improvements are needed before 2018, and calls on the cabinet to lobby Thameslink and Network Rail to take immediate action to deliver:
  - A reliable day to day service
  - All trains in the morning and evening peaks having eight carriages.
6. Council assembly also recognises that Govia Thameslink passengers are suffering currently from strike action and high levels of staff sickness, and supports calls for the company to resolve these issues as well as abandon the new revised timetable on its Southern Trains network meaning 341 fewer services each day and leading to Southwark stations such as East Dulwich having even fewer trains during the morning rush hour compared to the previous already crowded service.
7. Council assembly also calls on the cabinet to join forces with the Cinderella Line Campaign, Lewisham Council and other councils in responding to the forthcoming Department for Transport draft south London timetable for 2018 onwards to provide:
  - At least four trains per hour throughout the day on the Catford Loop with all trains running through to St Pancras, rather than some trains (mainly in the evening) running to Blackfriars only as presently
  - At least four trains per hour throughout the day to Victoria from Nunhead/Peckham Rye/Denmark Hill
  - For services to be evenly spread across the hour rather than bunched together
  - Station standards that match London Overground.
8. Council assembly further calls on the cabinet to support calls for:
  - Southern Trains executives not to receive their bonuses
  - A new system of passenger refunds for journeys delayed more than 15 and 30 minutes
  - The company to lose their franchise as a result of their ongoing failure to provide a decent service to Southwark residents
  - Suburban rail services to be incorporated into the Transport for London network and for the Southern Trains franchise to be one of the first to be transferred given the ongoing service issues.
9. Council assembly notes that hundreds of Southwark rail services have been cut this week under a new timetable, which follows months of disruption, delays and cancellations for passengers on Southern services.



10. Council assembly notes that the new timetable has only 1-2 services an hour through Peckham Rye and Queens Road to London Bridge and vice versa, which will lead to massive delays, station overcrowding and huge disruption for our residents trying to get to work.
11. Council assembly notes its concern that the new timetable, which has 341 fewer daily services, will compromise passenger safety by leaving remaining trains dangerously overcrowded, and will leave an already unreliable service at breaking point.
12. Council assembly condemns Govia Thameslink Railway (GTR) for failing to provide an adequate and reliable service for passengers and believes that the government should strip GTR of its franchise and allow Transport for London to run the service.

**Note:** This motion will be referred as a recommendation to the cabinet for consideration.

**MOTION 5 - CONDEMNING HATE CRIME** *(See page 40 of the main agenda)*

The guillotine having fallen, the motion was put to the vote and declared to be carried.

**RESOLVED:**

1. We are proud to live in a diverse and tolerant society. Racism, xenophobia and hate crimes have no place in our country. Southwark Council condemns racism, xenophobia and hate crimes unequivocally. All people living in Southwark are valued members of our community and we will not allow hate to become acceptable.
2. Southwark Council works closely with the police and local bodies and organisations to support programmes to fight and prevent hate crimes, including hate crime training and awareness, services and support for victims and taking robust action against perpetrators.
3. Council assembly calls on the cabinet to continue to work with these organisations and take all necessary action to fight and prevent racism and xenophobia and all hate crimes.

**Note:** This motion will be referred as a recommendation to the cabinet for consideration.

**MOTION 6 - RIGHTS OF EU CITIZENS** *(see page 6 of supplemental agenda no. 1)*

The guillotine having fallen, the motion was put to the vote and declared to be carried.

**RESOLVED:**

1. Council assembly notes the 52% rise in hate crime and racial abuse in London reported to the Metropolitan Police since the EU referendum and the need to reassure EU residents in Southwark that the council stands with them against such incidents.
2. Council assembly further notes the level of unease and insecurity expressed by many EU residents about the lack of information about their future residency and

working rights in the United Kingdom following the referendum result and how this impacts on the 21,977 registered European Union voters in Southwark and council employees who are EU voters.

3. Council assembly believes the government has so far failed to provide any assurances to EU citizens resident in the United Kingdom that they will have the right to remain in this country and supports calls that this issue should not be used as a bargaining chip in the Government's negotiations on leaving the European Union.
4. Council assembly acknowledges the growing calls for action with over 50,000 people signing a petition nationally calling on the Prime Minister to guarantee the rights of EU citizens in the United Kingdom.
5. Council assembly calls on cabinet to urge the government and the borough's Members of Parliament to support all measures to secure the right to remain for EU citizens in Southwark.

**Note:** This motion will be referred as a recommendation to the cabinet for consideration.

## 6. OTHER REPORTS

### 6.1 TREASURY MANAGEMENT PERFORMANCE - 2015/16 ANNUAL REPORT AND PRUDENTIAL INDICATORS

*(See pages 41-49 of the main agenda)*

#### **RESOLVED:**

1. That council assembly notes this 2015-16 outturn report on treasury management and that:
  - all treasury management activity was undertaken in compliance with the approved treasury management strategy and with the council's Prudential Indicators.
  - the balance remaining on all loans at 31 March 2016 was £463m (£371m Housing Revenue Account and £92m General Fund). Loans totalling £6.4m were repaid during the year. No new borrowing or debt rescheduling were undertaken during the period.
  - in the year to March 2016 the sum invested averaged £237m and the balance of investments at 31 March 2016 stood at £144m. The average return on investments was 0.77% (0.73% 2014-15).
  - following the result of the European Union referendum vote no immediate changes to our overall treasury management strategy are proposed.

### 6.2 CONSTITUTIONAL ISSUES 2016/17

*(See pages 50-77 of the main agenda)*

**RESOLVED:****Part 4: Rules – Protocol on key decisions**

1. That the change to the protocol on key decisions to include gateway zero decisions, as described in paragraphs 14 and 15 of the report, be agreed.

**Part 4: Rules – Contract standing orders**

2. That the changes to the contract standing orders, as described in paragraph 16 to 18 of the report and set out in Appendix 1 of the report, be agreed.

**Leader and cabinet member public question time**

3. That in October 2016, a Leader and Cabinet Member Public Question Time (LCMPQT) event be held as a stand alone event, i.e. without a truncated council assembly meeting following the event, and that this becomes a fixed arrangement in the council calendar. A thematic approach would be adopted over the entire electoral cycle involving the leader and relevant cabinet members, depending on the theme for each event.
4. That subject to venue availability, the date for the October 2016 LCMPQT be confirmed and communicated to all councillors.

**Revised schedule of council assembly / question time dates 2016/17**

5. That as a result of the above recommendations relating to public question time events, the revised schedule of council assembly dates be agreed as set out in paragraph 27 of the report, including:
  - An ordinary meeting of council assembly to be held on 22 March 2017.
  - The annual meeting to be held on Saturday 13 May 2017 at Southwark Cathedral.

**Minor constitutional changes**

6. That the minor proposed changes to the constitution, as outlined in Appendix 2 of the report, be agreed.

**Consequential constitutional changes**

7. That the proper constitutional officer be authorised to make any consequential changes as a result of the proposals set out in the report.

**6.3 SPECIAL URGENCY DECISIONS - ANNUAL REPORT**

*(See pages 78-80 of the main agenda)*

**RESOLVED:**

1. That council assembly noted the schedule of special urgency decisions (set out in Appendix 1 of the report) taken in accordance with access to information procedure rule 19.

**7. AMENDMENTS**

Amendments are set out in supplemental agenda no. 1.

The meeting closed at 10.10 pm.

**CHAIR:**

**DATED:**

<b>Item No.</b> 3.2	<b>Classification:</b> Open	<b>Date:</b> 30 November 2016	<b>Meeting Name:</b> Council Assembly
<b>Report title:</b>		Motion on the Theme: Transport	
<b>Ward(s) or groups affected:</b>		All	
<b>From:</b>		Proper Constitutional Officer	

## BACKGROUND INFORMATION

The theme for this meeting is Transport.

The relevant cabinet member shall submit a motion on the theme. All other political groups on the council are allowed to submit one amendment to the motion. The cabinet member's motion and the amendments do not need to be seconded. The cabinet member will present the motion to the meeting, followed by the lead opposition spokesperson's response and moving of their amendment, if any. Following this the subject matter of the theme will be open to debate. Amendment(s) from other opposition groups on the council can be moved during this part of the meeting.

## MOTION FROM COUNCILLOR MARK WILLIAMS, CABINET MEMBER FOR REGENERATION AND NEW HOMES, AND COUNCILLOR IAN WINGFIELD, CABINET MEMBER FOR ENVIRONMENT AND THE PUBLIC REALM

### Transport

1. Southwark Labour is committed to making the borough a cleaner, greener, healthier and more pleasant place to live for our residents.
2. Council assembly recognises that high quality, accessible and well maintained transport is essential to improve the public realm, expand economic growth and to enable residents to travel and access services as freely and easily as possible.
3. Council assembly also recognises that transport has a significant environmental impact, particularly on air quality, and this administration's priority is to deliver a sustainable transport system, which promotes and encourages walking, cycling and improving public transport access and links.
4. Council assembly welcomes the steps this administration has taken improve transport and make Southwark a more pleasant borough to live, including:
  - investing over £30m in cycling over 5 years and launching the Southwark Cycling Strategy to make it easier and safer for people in the borough to travel by bike,
  - delivering the new north-south cycle route, the Southwark Spine, to complement Quietway cycling routes and link to the new north-south Cycle Superhighway on Blackfriars Road;
  - increasing the number of Play Streets, closing roads to make it easier and safer for children to play outdoors;
  - making Southwark an Age Friendly Borough, enabling older people to access a broad range of affordable and accessible transport options to get around the borough easily;

- doubling investment in roads and making Southwark a 20mph borough;
- successfully campaigning for improvements to bus services, such as extending the 42 and 136 bus routes, and improving the C10.

### **Regeneration**

5. Council assembly recognises that effective transport infrastructure is necessary for regeneration, to both unlock new developments and meet existing demand, for example on the Old Kent Road, where the Bakerloo Line Extension will help deliver growth in homes and jobs.
6. Council assembly welcomes the steps that the administration has taken to use infrastructure in new developments to make it safer for people to walk and cycle, for example at Elephant Park;
7. Council assembly calls on the cabinet to continue working with transport for London (TfL) to extend the Santander Cycle Hire scheme through Bermondsey and Rotherhithe, and bring the scheme to Camberwell, Peckham and Walworth.

### **Air Quality**

8. Council assembly recognises the significant impact transport has on air quality; the most polluted areas in the borough, where national standards for air quality are frequently exceeded, correspond to the major road network.
9. Council assembly therefore welcomes the work the council has done to improve air quality, including working with Tower Hamlets on the Tower Bridge Anti-idling partnership to encourage drivers to turn off engines when stationary, and improving the council's commercial fleet to reduce emissions.
10. Council assembly also welcomes Mayor of London's commitment to improving air quality by:
  - bringing forward the implementation of the Ultra Low Emissions Zone (ULEZ) and extending it to cover more of the borough, following calls led by Southwark Labour;
  - introducing new Clean Bus Corridors, prioritising new, clean buses in the most polluted roads in the city, and setting a target of only buying clean electric or hydrogen buses from 2020;
  - bringing forward plans for the new Rotherhithe pedestrian and cycle bridge following campaigns by Labour councillors, which will bring benefits for the local environment by reducing congestion;
  - making cycling easier and safer for more Londoners.
11. Council assembly welcomes the Mayor's commitment to delivering 'Healthy Streets' and calls on the cabinet to continue to put pressure on TfL to deliver public realm improvements in Peckham and Camberwell town centres in line with this vision.

### **Rail services**

12. Council assembly welcomes the consultation on the new Thameslink Programme timetable and the introduction of 4 trains an hour on the Catford Loop, but believes that this should be a 7 day service and should extend the service through the whole Thameslink core;

13. Council assembly notes the continued and unacceptable levels of delays, cancellations and overcrowding on Southern Rail services, and calls on the Government to allow TfL to be able to take over rail services in south London;
14. Council assembly welcomes the progress the council has made with TfL on the re-opening of Camberwell station, and calls on the cabinet to continue lobbying TfL and train companies to make the strong case for re-opening the station.

#### **BACKGROUND DOCUMENTS**

<b>Background Papers</b>	<b>Held At</b>	<b>Contact</b>
Cabinet members motion	Constitutional Team 160 Tooley Street London SE1 2QH	Andrew Weir 020 7525 7222

#### **AUDIT TRAIL**

<b>Lead Officer</b>	Chidilim Agada, Constitutional Manager
<b>Report Author</b>	Virginia Wynn-Jones, Principal Constitutional Officer
<b>Version</b>	Final
<b>Dated</b>	16 November 2016

<b>Item No.</b> 5.2	<b>Classification:</b> Open	<b>Date:</b> 30 November 2016	<b>Meeting Name:</b> Council Assembly
<b>Report title:</b>		Motions	
<b>Ward(s) or groups affected:</b>		All	
<b>From:</b>		Proper Constitutional Officer	

### BACKGROUND INFORMATION

The councillor introducing or “moving” the motion may make a speech directed to the matter under discussion. This may not exceed five minutes<sup>1</sup>.

A second councillor will then be asked by the Mayor to “second” the motion. This may not exceed three minutes without the consent of the Mayor.

The meeting will then debate the issue and any amendments on the motion will be dealt with.

At the end of the debate the mover of the motion may make a concluding speech, known as a “right of reply”. If an amendment is carried, the mover of the amendment shall hold the right of reply to any subsequent amendments and, if no further amendments are carried, at the conclusion of the debate on the substantive motion.

The Mayor will then ask councillors to vote on the motion (and any amendments).

### IMPLICATIONS OF THE CONSTITUTION

The constitution allocates responsibility for particular functions to council assembly, including approving the budget and policy framework, and allocates to the cabinet responsibility for developing and implementing the budget and policy framework and overseeing the running of council services on a day-to-day basis. Therefore any matters that are reserved to the cabinet (i.e. housing, social services, regeneration, environment, education etc.) cannot be decided upon by council assembly without prior reference to the cabinet. While it would be in order for council assembly to discuss an issue, consideration of any of the following should be referred to the cabinet:

- to change or develop a new or existing policy
- to instruct officers to implement new procedures
- to allocate resources.

**Note:** In accordance with council assembly procedure rule 2.10 (7) & (8) (prioritisation and rotation by the political groups) the order in which motions appear in the agenda may not necessarily be the order in which they are considered at the meeting.

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<sup>1</sup> Council assembly procedure rule 1.14 (9)



1. **MOTION FROM COUNCILLOR ROSIE SHIMELL** (Seconded by Councillor Ben Johnson)

### **Tackling flytipping in Southwark**

1. Council assembly:
  - notes with concern the publication of statistics by the Department for Environment, Food and Rural Affairs in October 2015 which show that Southwark was the fourth worst council in England for reported flytipping in 2014-2015 with 25,583 recorded incidents in the borough.
  - further notes that there were only 1,889 actions against flytippers by the council recorded and that £0 was collected in fines for flytipping in the same year.
  - believes that the introduction last year of the flat-rate £16 bulky waste collection charge has also contributed to increases in flytipping on Southwark's streets and estates and discriminates against residents without access to a car or on lower incomes.
2. Council assembly therefore calls on the cabinet to withdraw the bulky waste collection charge for residents introduced in December 2015.

**Note:** If the motion is agreed, any proposals will be submitted to the cabinet for consideration.

2. **MOTION FROM COUNCILLOR ELEANOR KERSLAKE** (Seconded by Councillor Kieron Williams)

### **Stand up for local pharmacies**

1. Council assembly notes that Department of Health has announced it is pushing forward with dramatic cuts of £170 million to the funding of community pharmacies in England this year and that it has not ruled out more cuts to follow.
2. Council assembly notes that this funding cut could result in 3,000 pharmacies (a quarter of all pharmacies) closing across the country. In Southwark, 18 pharmacies could be at risk of closing.
3. Council assembly believes that the government's plans threaten patient access to pharmacies and pharmacy services in Southwark. Our local pharmacies are at risk of closure or being forced to cut services such as free delivery of prescription drugs, family planning advice and advice on medicines. This will put more pressure on GPs and hospitals and impact social services and is at odds with the local Clinical Commissioning Group's desire to increase the use of pharmacists to ease pressure on GPs.
4. Council assembly notes that the Local Government Association (LGA) has criticised the Department of Health for overlooking the role of community pharmacy as a 'much needed social and economic asset' and warned of 'unintended consequences' that will impact elsewhere in the local community.

5. Council assembly therefore calls on the Government to abandon these cuts and maintain a fully-funded community pharmacy service and asks the cabinet member for public health, parks and leisure to write to the Secretary of State for Health, NHS England and Southwark Clinical Commissioning Group expressing this view.

**Note:** If the motion is agreed, any proposals will be submitted to the cabinet for consideration.

3. **MOTION FROM COUNCILLOR DAVID NOAKES** (Seconded by Councillor Eliza Mann)

### **Saving Southwark's community pharmacies**

1. Council assembly notes:
  - that Southwark's local pharmacies provide a range of NHS services and ensure residents can get professional, face-to-face healthcare advice without an appointment making them a health and social care asset close to where people live, work and shop.
  - the £170million reduction in NHS funding for community pharmacies announced on 17 December 2015 which could put pharmacies in Southwark out of business.
  - the statement by the Government on 20 October 2016 announcing that the proposals will proceed as planned.
  - the reversal of plans to introduce a "hub and spoke" model for community pharmacies.
2. Council assembly believes that:
  - the Government's plans threaten patient access to community pharmacy services in Southwark and are causing uncertainty about future investment in local pharmacy services.
  - Southwark's local pharmacies are at risk of closure or being forced to cut services, such as free delivery of prescription drugs, family planning advice and advice on medicines.
  - this will put more pressure on the borough's GPs and hospitals, as well as impact on adult social care services, and is at odds with Clinical Commissioning Groups' desire to increase the use of pharmacists to ease pressure on GPs.
3. Council assembly therefore calls on the cabinet to:
  - write urgently to the Secretary of State for Health calling for the Government to abandon these funding cuts and to make a commitment to maintaining a fully-funded community pharmacy service.

- write to the borough's three Members of Parliament and to the Chair of the Southwark Clinical Commissioning Group asking them to make similar representations on this matter to the Secretary of State for Health.

**Note:** If the motion is agreed, any proposals will be submitted to the cabinet for consideration.

**4. MOTION FROM COUNCILLOR STEPHANIE CRYAN** (Seconded by Councillor Jasmine Ali)

**Make fair transitional state pension arrangements for 1950's women**

1. Council assembly calls on the Government to make fair transitional state pension arrangements for all women born on or after 6th April 1951, who have unfairly borne the burden of the increase to the State Pension Age (SPA) with lack of appropriate notification.
2. Council assembly notes that:
  - Hundreds of thousands of women had significant pension changes imposed on them by the Pensions Acts of 1995 and 2011 with little or no personal notification of the changes. Some women had only two years notice of a six-year increase to their state pension age.
  - Many women born in the 1950s are living in hardship. Retirement plans have been shattered with devastating consequences. Many of these women are already out of the labour market, caring for elderly relatives, providing childcare for grandchildren, or suffer discrimination in the workplace so struggle to find employment.
  - Women born in this decade are suffering financially. These women have worked hard, raised families and paid their tax and national insurance with the expectation that they would be financially secure when reaching 60.
  - It is not the pension age itself that is in dispute - it is widely accepted that women and men should retire at the same time. The issue is that the rise in the women's state pension age has been too rapid and has happened without sufficient notice being given to the women affected, leaving women with no time to make alternative arrangements.
3. Council assembly calls on the Government to reconsider transitional arrangements for women born on or after 6 April 1951, so that women do not live in hardship due to pension changes they were not told about until it was too late to make alternative arrangements.

**Note:** If the motion is agreed, any proposals will be submitted to the cabinet for consideration.

**5. MOTION FROM COUNCILLOR LORRAINE LAUDER** (Seconded by Councillor Sunil Chopra)

**The Bus Services Bill motion**

1. Council assembly notes:

- That the Bus Services Bill currently passing through Parliament includes Clause 21 that will effectively “prohibit a local authority from forming a company for the purposes of providing a local bus service”
- That the Localism Act 2011 provides general powers of competence to local authorities
- That municipal bus companies provide some of the best bus services in the country and have a successful track record of increasing bus passenger numbers and providing high quality bus services
- That polling by We Own It found that a majority of the public (57%) oppose Clause 21, whilst just 22% support it. The opposition to Clause 21 is consistent across voters from all political parties.

2. Council assembly believes:

- Clause 21 contradicts the general powers of competence and the spirit of the Localism Act 2011
- If there is a need and a demand from their public, then Councils should be able to provide their own bus services
- Should they wish, Councils should be legally able to follow the model developed by Reading and Nottingham
- Consequently Clause 21 should be omitted from the Bus Services Bill.

3. Council assembly therefore calls on cabinet:

- To write to Lord Ahmad and to call on the Department for Transport to omit Clause 21 from the final legislation
- To write to Harriet Harman, Neil Coyle and Helen Hayes MPs to ask them to oppose Clause 21 when the Bus Services Bill reaches the House of Commons and ask them to write to Lord Ahmad and the Department of Transport to raise concerns about Clause 21
- To work with any organisations such as We Own It to publicise our opposition to Clause 21 in local media.

**Note:** If the motion is agreed, any proposals will be submitted to the cabinet for consideration.

**BACKGROUND DOCUMENTS**

<b>Background Papers</b>	<b>Held At</b>	<b>Contact</b>
Member Motions	Constitutional Team 160 Tooley Street London SE1 2QH	Andrew Weir 020 7525 7222

**AUDIT TRAIL**

<b>Lead Officer</b>	Chidi Agada, Constitutional Manager
<b>Report Author</b>	Virginia Wynn-Jones, Principal Constitutional Officer
<b>Version</b>	Final
<b>Dated</b>	16 November 2016

<b>Item No.</b>	<b>Classification:</b> Open	<b>Date:</b> 30 November 2016	<b>Meeting Name:</b> Council Assembly
<b>Report title:</b>		Refresh of the Council Plan 2014-18	
<b>Ward(s) or groups affected:</b>		All	
<b>From:</b>		Councillor Peter John OBE, Leader of the Council	

### RECOMMENDATION

1. That council assembly agrees to the proposed refresh of the Council Plan 2014-2018.

### BACKGROUND INFORMATION

2. In February 2015 council assembly approved the Council Plan 2014-18.
3. The Council Plan is Southwark Council's overarching business plan. It sets out the programme of work that the council will achieve over the period 2014/15 to 2017/18 and as such sets out a clear statement to residents, businesses, and local voluntary/community sector organisations and other stakeholders of how the council will work with them to deliver a fairer future for all in Southwark.
4. The Council Plan 2014-18 built on the achievements of the organisation's previous Council Plan. Both plans were developed in light of unprecedented reductions in funding from central government.
5. In the two years since the council adopted its Council Plan 2014-18, the context in which we deliver services has changed and the council as an organisation is modernising how it delivers services with and for residents. Our partnerships have grown and we are increasingly working across borough and sector boundaries to deliver innovative, cost effective services. The reach of local authorities is also changing, and over the course of this Council Plan legislation relating to housing and localism has, or will, come into effect; therefore shaping our influence over local resources.
6. The council has also made huge strides in delivering key commitments and reshaping our activities to ensure successful delivery against the fairer future vision. To date we have built over 150 new council homes and helped more than 2,500 Southwark residents into jobs, adopted an ethical care charter, opened two new nurseries, secured accreditation as an Age Friendly Borough, and launched a free gym and swim offer - to name a few. The full annual review of progress against the Council Plan is outlined in the Fairer Future Annual Performance Report 2015/16.
7. These achievements and developments present a timely juncture to fine tune the direction of the Council Plan, ensuring the commitments we make are relevant and continue to achieve a fairer future for all.
8. On 20 September 2016 Cabinet agreed the proposed refresh of the Council Plan and recommended that the document is agreed by Council Assembly.

## KEY ISSUES FOR CONSIDERATION

9. The council has delivered against a number of commitments since adopting the Council Plan 2014-2018, as detailed in the Fairer Future Annual Performance Report 2015/16.
10. Refreshing the Council Plan enables us to build on our achievements so far, reflect the emerging strategic priorities of the council, and establish a set of ambitions that respond to a changing local and national policy context, and organisational change.
11. In light of these developments, a number of new commitments are proposed under each theme.
12. The refreshed Council Plan 2014-2018 retains all the core features of the Council Plan 2014-2018 including:
  - A vision for a fairer future for all in Southwark via the five fairer future principles.
  - Ten fairer future promises that set out our key commitments for the residents and businesses of Southwark.
  - A set of fairer future themes and commitments around which future delivery will be based.
  - An outline of the aims, context and processes that guide delivery.
13. The current Council Plan 2014-18 includes six priority themes, these are:
  - Quality affordable homes
  - Best start in life
  - Strong local economy
  - Healthy active lives
  - Cleaner, greener, safer
  - Revitalised neighbourhoods.
14. It is proposed that the refreshed Council Plan adopts a seventh priority theme entitled “fit for the future”. This theme articulates our commitment to deliver responsive, digitally enabled services that adapt well to change and deliver continuous improvement to residents. Building on the strong foundations that we have laid in the last five years through greater efficiencies – and in spite of unprecedented reductions in government funding – this priority will focus on harnessing the skills and talents we need for the changing borough in which we operate.
15. The refreshed Council Plan contains a range of promises and commitments which the Council will deliver up to 2017/18. More detailed performance schedules, which sit beneath this council plan, have been developed for each Council Plan theme. These include lead cabinet member and chief officer responsibility for each commitment apportioned across the cabinet portfolios. This ensures the whole organisation is working towards delivery of the plan.
16. The Cabinet will receive an annual performance report on progress against the Council Plan. The council’s website will be the primary channel of regular reporting and communication on the Council Plan, with updates also provided through our Southwark Life magazine.

### **Policy implications**

17. The refreshed Council Plan 2014-18 acts as the council's overarching business plan, and sets out the programme of work that the council will achieve over the period until 2017/18.
18. The Council Plan articulates the vision, principles and priorities that the council will endeavor to uphold.

### **Community impact statement**

19. The purpose of this report is for council assembly to agree the proposed refresh of the Council Plan 2014-2018. Throughout the plan we have made specific commitments to equality and fairness.
20. The proposed promises and commitments have been developed to have a positive impact on different sections of the community and particularly on residents who possess one or more of the protected characteristics.
21. In 2016 an equality analysis of the implementation of the commitments was completed for the Council Plan 2014-18 in tandem with the 2015-16 budget setting process.
22. As part of the 2016-17 budget setting process an equalities analysis was also undertaken, which reviews the impact of the activities that will deliver the commitments in the refreshed Council Plan (within the 2016-17 financial year). This analysis and the 2015-16 analysis are available as background documents.
23. Future decisions made on the basis of the commitments highlighted in this plan may require further equality analysis to be undertaken and more detailed consideration of the impact on local people and communities as appropriate.

### **Resource implications**

24. There are no immediate resource implications arising from this report. Any additional funding required will be subject to financial appraisal and reported through the council's budget setting process.

### **Legal implications**

25. There are no immediate legal implications arising from this report. Any decisions or actions required to deliver the proposed Council Plan will be subject to the council's legal and governance procedures.

### **Financial implications**

26. See paragraph 24.

### **Consultation**

27. The Council Plan 2014-18 which was agreed in 2015 was subject to consultation and helped shape the ten fairer future principles which the refreshed Council Plan retains without amendments.



28. As part of this process, engagement on the plan was undertaken with the chairs of the overview and scrutiny committee and its sub committees through the council's consultation on its future budgets. There was also opportunity to comment on the plan initially approved by cabinet and discussion took place on the fairer future promises through both cabinet member interviews and topics in the committee work programme.
29. The Equality and Human Rights panel were consulted on how to further embed equality into the Council Plan.
30. The refreshed Council Plan 2014-18 being presented does not make any changes to the fairer future principles that were consulted on in 2015.

## **SUPPLEMENTARY ADVICE FROM OTHER OFFICERS**

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

31. It was previously a requirement for local authorities to publish a best value performance plan. The Local Government and Public Involvement in Health Act 2007 removed the powers of the Secretary of State to specify performance indicators and standards for local authorities, the duty on authorities to meet such standards and to publish best value performance plans. However there are clear advantages to the council providing a clear statement to the residents, businesses and other stakeholders about the programme of work that the council is working towards to deliver a set of agreed objectives.
32. A local authority is still required to achieve best value.
33. Equality analysis has been undertaken for this report on assessing impact of implementation of the promises and commitments. Cabinet is reminded of the requirement to have due regard to the public sector equality duty ("PSED") set out in s.149 Equality Act 2010 in its future deliberations and conclusion.
34. The duty is a continuing one, namely, it cannot be exercised once and for all, but must continually be revisited and borne in mind throughout the decision making process. If circumstances change, it may be necessary to reconsider the impact of the PSED duty on the proposed course of action. Alternatively, in a case where a decision or course of action has an obvious impact, but its extent is difficult to predict, it may be appropriate to make a reasonable judgment and then monitor the outcome with a view to making any adjustments that may seem necessary.
35. As stated above the analysis is available as a background paper.

### **Strategic Director of Finance and Governance (FC16/025)**

36. The strategic director for finance and governance notes the recommendation in this report and that there are no immediate financial implications arising from this report itself.
37. The staffing and other costs connected with the implementation of the council plan need to be contained within existing departmental revenue budgets, the agreed housing revenue account, or the council's agreed capital programme as applicable. Where any additional resources are required to deliver the proposed

Council Plan these will be subject to the council's usual financial governance procedures.

## BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Fairer Future Annual Performance Report 2015/16	Chief Executive's Department, Chief Executive's Office. 160 Tooley Street	Nazmin Yeahia <a href="tel:02075254474">0207 525 4474</a>
<a href="http://moderngov.southwarksites.com/documents/s62943/Appendix%201%20Annual%20performance%20report.pdf">http://moderngov.southwarksites.com/documents/s62943/Appendix%201%20Annual%20performance%20report.pdf</a>		
Council Plan 2014/15-2017/18	Chief Executive's Department, Chief Executive's Office. 160 Tooley Street	Nazmin Yeahia <a href="tel:02075254474">0207 525 4474</a>
<a href="http://www.southwark.gov.uk/downloads/download/4181/council_plan_2014-18">http://www.southwark.gov.uk/downloads/download/4181/council_plan_2014-18</a>		
Equality analyses of the Council Plan 2014-18	Chief Executive's Department, Chief Executive's Office. 160 Tooley Street	Nazmin Yeahia <a href="tel:02075254474">0207 525 4474</a>
2015-16: <a href="http://www.southwark.gov.uk/downloads/download/4076/equality_analysis_of_the_council_plan_201415-2017-18">http://www.southwark.gov.uk/downloads/download/4076/equality_analysis_of_the_council_plan_201415-2017-18</a>		
2016-17: <a href="http://moderngov.southwark.gov.uk/documents/s59880/Background%20document%20Cross%20council%20equality%20analysis%20budget%20proposals%20screening.pdf">http://moderngov.southwark.gov.uk/documents/s59880/Background%20document%20Cross%20council%20equality%20analysis%20budget%20proposals%20screening.pdf</a>		
Southwark's Digital Strategy: Equality and health analysis	Chief Executive's Department, Chief Executive's Office. 160 Tooley Street	Nazmin Yeahia <a href="tel:02075254474">0207 525 4474</a>
<a href="http://moderngov.southwark.gov.uk/documents/s59721/Appendix%203%20Southwarks%20Digital%20Strategy%20Equality%20and%20Health%20Analysis.pdf">http://moderngov.southwark.gov.uk/documents/s59721/Appendix%203%20Southwarks%20Digital%20Strategy%20Equality%20and%20Health%20Analysis.pdf</a>		
Refresh of Council Plan 2014-18 (Cabinet Report)	Chief Executive's Department, Chief Executive's Office. 160 Tooley Street	Nazmin Yeahia <a href="tel:02075254474">0207 525 4474</a>
<a href="http://moderngov.southwark.gov.uk/documents/s63820/Report%20Refresh%20of%20the%20Council%20Plan.pdf">http://moderngov.southwark.gov.uk/documents/s63820/Report%20Refresh%20of%20the%20Council%20Plan.pdf</a>		

## APPENDICES

No.	Title
Appendix 1	Council Plan 2014 to 2018, Summer 2016 Refresh

## AUDIT TRAIL

<b>Lead Officer</b>	Eleanor Kelly, Chief Executive	
<b>Report Author</b>	Nazmin Yeahia, Senior Strategy Officer	
<b>Version</b>	Final	
<b>Dated</b>	16 November 2016	
<b>Key Decision?</b>	Yes	
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER</b>		
<b>Officer Title</b>	<b>Comments Sought</b>	<b>Comments Included</b>
Director of Law and Democracy	Yes	Yes
Strategic Director of Finance and Governance	Yes	Yes
<b>Cabinet Member</b>	Yes	No
<b>Date final report sent to Constitutional Team</b>		16 November 2016

# Council Plan

2014 to 2018

Summer 2016 refresh

# Foreword

When I first became Leader in 2010, we quickly set about putting in place our promises to deliver a fairer future. Six years on I'm really proud of what we've achieved in making those promises and plans a daily reality for many across our fantastic borough. The facts speak for themselves. We've kept all our libraries open, and built two new ones at Canada Water and Camberwell. And now Canada Water is among the busiest libraries in London. As the Olympic Games commenced, we opened The Castle Leisure Centre with free gym and swim on offer to residents. The World Health Organisation has accredited us as an age friendly borough meaning whatever your age you can get the best from living here.

We're making Southwark the place in London to learn and earn. Most of our secondary schools have 70 per cent or more students securing at least five good GCSEs. 91 per cent of all our Schools are rated "good" or better by Ofsted. Over 400 new apprenticeships were created in the last year alone, the best in London. Over the last two years our investment, including through regeneration, has helped over 2,500 residents start new jobs. In fact, more people are employed in Southwark in 2016 than at any other time this century.

And this is a great place to call home. We've delivered on our promise to make council properties warm, dry and safe with over £250m worth of improvements benefitting over 5,000 residents and decency rates for homes at their highest rate in 10 years. Your council rents continue to be among the lowest in London. In the last five years, we've delivered 2,646 new affordable homes, over half of these at social rents, which is one of the best records in the country. We're on track to build 1,500 new council homes by May 2018 with many more new homes under construction through the major regeneration of Elephant & Castle, Aylesbury and Canada Water. We have the best recycling rates in inner London. And although we're only 11 square miles, we're bursting with fabulous open spaces with 23 of the borough's parks awarded the prestigious green flag making Southwark a great place to go out, get active and have fun!

And all of this has been done whilst delivering £156m in savings over the last five years, with another £69m savings required before 2019, as a result of unprecedented and sustained reductions in government funding to our borough since 2010. It's not just us thinking this is a great council and place to be either – an independent assessment of the council by the Local Government Association found we had a 'can-do approach' and much to be proud of.



Councillor  
Peter John  
OBE  
Leader of the  
Council

Six years ago we put together an ambitious set of commitments to you, as residents, businesses, and the wider community, with many already achieved. There is more to do and we face new realities including a new housing and planning Act putting different pressures on us locally, and more broadly what the borough's place will be in a country outside of the European Union.

So as we refresh our plans to take account of what's changed and might change up to 2018, I'd like to thank you for the part you play in continuing to make Southwark the best borough in the country. I'm confident our refreshed plan will help us go even further in making good on our promises to you and I look forward to reporting back on how we're continuing to achieve a fairer future for all.

# Introducing the cabinet team



Councillor Peter John OBE  
Leader of the Council



Councillor Stephanie Cryan  
Deputy Leader and Cabinet Member for Housing



Councillor Maisie Anderson  
Cabinet Member for Public Health, Parks and Leisure



Councillor Fiona Colley  
Cabinet Member for Finance, Modernisation and Performance



Councillor Barrie Hargrove  
Cabinet Member for Communities and Safety



Councillor Richard Livingstone  
Cabinet Member for Adult Care and Financial Inclusion



Councillor Victoria Mills  
Cabinet Member for Children and Schools



Councillor Johnson Situ  
Cabinet Member for Business, Employment and Culture



Councillor Mark Williams  
Cabinet Member for Regeneration and New Homes



Councillor Ian Wingfield  
Cabinet Member for Environment and the Public Realm

# About this council plan refresh

## What is the council plan?

As the overall plan for the organisation, the council plan describes how we will deliver on our vision of a fairer future for all, by making a series of promises and commitments to the people of Southwark.

This refreshed council plan considers the progress we have made since 2014 and consolidates our ambitions for the next two years.

As our plan of action, the council plan will shape what every team and member of staff does, meaning that we are all working together to achieve our shared goals; all the while recognising that a modern, agile and forward looking organisation is crucial to delivering our promises.

We aspire to be more than the sum of our parts. We know that when we work together to achieve shared goals, we achieve so much more and it's by working together that we can make the vision of a Fairer Future for all a reality.

## Why are we refreshing the council plan?

Our work to revitalise communities has moved from an ambition to a reality, as we begin to visibly improve places and spaces in Southwark.

Our young people are doing even better at school and we're making sure everyone is able to stay healthy and active irrespective of their age or ability.

This means that many of the commitments we made in 2014 have already been met, such as the adoption of a ethical care charter, the opening of two new nurseries, accreditation as an Age Friendly Borough,

and the launch of a free gym and swim offer - to name a few.

But the world continues to change and Southwark faces new and different challenges to those faced in 2014. The country's decision to leave the European Union will have lasting impact on the borough.

Major changes to government policies, such as the Housing and Planning Act mean that as London's largest landlord we will need to rethink the way we deliver and fund some services. Throughout we want to stay agile as an organisation so that we can continue to deliver the very best for our residents.

We're proud of everything we've achieved since 2014. By refreshing our council plan we can take stock, refine and rebalance our commitments so that we can do even more to deliver a fairer future for all.

## What will the refreshed council plan deliver?

We have reaffirmed our promises to improve schools, build more new homes, help more residents into jobs, revitalise our neighbourhoods, and keep Southwark safe. Our commitments reflect the great progress we've made, and set out our aspirations for Southwark until 2018.

We want to be a council that doesn't overlook any one group or community. We want to bring everyone with us, which means we'll hear the voices of all in our borough, and do everything we can to ensure residents get the most out of the opportunities around us. So, throughout the plan, we have made specific commitments to equality and fairness.

And since the council took over important responsibilities for public health in 2013, and responsibilities for early years public health in 2015, we have been thinking differently and more ambitiously about what we want to achieve.

Our vision of a fairer future is one that can't happen unless we address the inequalities in health that prevent too many from reaching their full potential. We are determined to be a council that truly makes a difference to the health of our people. Throughout this plan, there are specific actions that will help us achieve this.

### **How will we report on progress?**

We will be transparent and accountable about what it is that we're going to deliver. That's why we'll be regularly checking to make sure that we are meeting our targets and report back on progress. The cabinet will also receive an annual performance report each June covering the previous year's performance. We'll also communicate our progress through our website and Southwark Life magazine.



# Our fairer future principles

What makes our borough so special, so vibrant and so different to anywhere else in London or the UK is the people that live here. They shape the character and voice and culture of our borough. They are the soul of the borough.

That's why our residents are central to everything we will achieve over the next four years. They have helped us form the principles that are the backbone of this plan.

In everything we do, we will be led by our fairer future principles. We want people to see their values reflected back in the work their council is doing; we want our work to be guided by the aspirations our residents have for themselves, their families and their community.

What does this actually look like in practice? One example is making sure that it's easy for residents to see how their council tax is being spent, making sure that we're open, honest and accountable.

Another is our commitment to deliver a council wide approach to age friendliness, because we've pledged to treat older and vulnerable residents like valued members of our own family, and the right to easily access information, services and have our needs considered is something we all want for our mum, dad or grandparents.

And we're doing all we can to create jobs and training opportunities in the borough for our residents, working to make sure that everyone can fulfil their potential.

We don't just want our residents to shape our principles - we want to work with residents to create the kind of borough they are truly proud of. That's why we are bringing together residents, businesses

and partners to make the most of the place where we live and create new opportunities for the future.

- **Treating residents as if they were a valued member of our own family**
- **Being open, honest and accountable**
- **Spending money as if it were from our own pocket**
- **Working for everyone to realise their own potential**
- **Making Southwark a place to be proud of**

# Our ten Fairer Future promises

## Promise 1: Value for money

“We will continue to keep Council Tax low by delivering value for money across all our high quality services.”

## Promise 2: Free swimming and gyms

“We will make it easier to be healthier with free swimming and gyms for all residents and doubling the number of NHS health checks.”

## Promise 3: Quality affordable homes

“We will improve housing standards and build more homes of every kind including 11,000 new council homes by 2043 with 1,500 by 2018. We will make all council homes warm, dry and safe and start the roll out of our quality kitchen and bathroom guarantee.”

## Promise 4: More and better schools

“We will meet the demand for primary and secondary school places and drive up standards across our schools so at least 70% of students at every secondary school get at least five good GCSEs.”

## Promise 5: Nurseries and childcare

“We will help parents to balance work and family life including investment in our children’s centres to deliver more quality affordable childcare and open two new community nurseries”

## Promise 6: A greener borough

“We will protect our environment by diverting more than 95% of waste away from landfill, doubling the estates receiving green energy and investing in our parks and open spaces.”

## Promise 7: Safer communities

“We will make Southwark safer with increased CCTV, more estate security doors and a Women’s Safety Charter. We will have zero-tolerance on noisy neighbours.”

## Promise 8: Education, employment and training

“We will guarantee education, employment or training for every school leaver, support 5,000 more local people into jobs and create 2,000 new apprenticeships.”

## Promise 9: Revitalised neighbourhoods

“We will revitalise our neighbourhoods to make them places in which we can all be proud to live and work, transforming the Elephant and Castle, the Aylesbury and starting regeneration of the Old Kent Road.”

## Promise 10: Age friendly borough

“We want you to get the best out of Southwark whatever your age so will become an age friendly borough including the delivery of a Southwark ethical care charter and an older people’s centre of excellence.”

# Quality affordable homes

Good quality affordable homes are essential to maintaining strong communities and making this a borough which all residents are proud to call home. We are determined to lead the way in London.

We'll build more homes of every kind across the borough and use every tool at our disposal to increase the supply of all different kinds of homes in the borough.

Homes in Southwark will be of such quality that when you come to see families and friends in Southwark, you will not know whether you are visiting homes in private, housing association or council ownership.

We will make sure that vulnerable residents and families are helped to find the right housing and live as independently as possible. We aim for our residents to take pride in and feel responsible for their homes and the local area too.

## What progress have we made?

Over the last two years over 150 Council homes have been completed as part of the new council homes programme. We've also worked hard to improve all of our existing housing stock and in 2015 we achieved the highest decency rate in ten years – meaning nine out of ten homes met warm, dry and safe standards.

These are just a few of the accomplishments achieved since 2014, in the next two years we want to do more to make quality affordable homes a reality for our residents.

## What are our plans for the future?

### We will....

- Build more homes of every kind
- Invest in our existing housing stock, including delivering a quality kitchen and bathroom for every council tenant.
- Build at least 1,500 new council homes by 2018, and 11,000 by 2043.
- Keep council rents low.
- Set up a homeowner agency.
- Improve repair services.
- Manage homelessness and temporary accommodation effectively, leading to better outcomes for residents.
- Support hoarders through multi agency working.
- Refresh the Southwark Housing Strategy.
- Introduce licensing in the private rented sector and further crack down on rogue landlords.
- Have a lettings policy that means that 50 per cent of all new council homes go to people from that area, with the rest going to other Southwark residents

# Best start in life

We believe in giving all our young people the best start in life. We want them to be in safe, stable and healthy environments where they have the opportunity to develop, make choices and feel in control of their lives and future.

We will offer our young people and families, including those who are more vulnerable or have special educational needs, the right support at the right time, from their early years through adolescence and into successful adult life.

We will work with our looked-after children to find them stable and loving homes. In our schools, the high demand for new primary and secondary places means we'll make sure there are enough places for all. Our children deserve the very best and that's what we'll always aim for.

## What progress have we made?

In the last two years we have opened two new community nurseries and rolled out a free fruit programme to all primary schools. Our secondary schools have gone from strength to strength, with 74 per cent of all secondary school pupils achieving five or more A\*-C grades at GCSE in 2015, and we've looked to new ways to resolve longstanding issues, such as childcare for working parents. We're committed to giving every child the best start in life, and our plans for the next two years will drive this ambition.

## What are our plans for the future?

### We will...

- Invest more in 'early support' for families.
- Invest in the borough's children's centres.
- Deliver more quality affordable childcare places.
- Guarantee a local primary place for every child.
- Ensure that 70 per cent of students at every secondary get at least five good GCSEs.
- Open new secondary schools to meet demand including on the Dulwich Hospital site in East Dulwich.
- Help more people to foster and adopt by paying their council tax for them.
- Protect children and young people from harm by tackling child sexual exploitation, domestic violence, neglect, female genital mutilation and violent crime.
- Work with and support parents to secure the best possible outcomes in life, for them, their children, and their family.
- Ensure a top quality children's playground in every local area.
- Increase library access with a free library card to every secondary school child.

# Strong local economy

When our economy is strong, then all our residents benefit. It brings more opportunities for people in Southwark to find work, get into training and achieve their aspirations. We want our town centres and high streets to thrive. We want to make Southwark the place to do business in a central London and a global economy, where business owners know this is the borough where their enterprises will grow and prosper.

We want our residents to be and stay financially independent. With local business and other partners we'll make sure our residents are equipped with the skills and knowledge to access the many exciting opportunities that being in Southwark brings.

## What progress have we made?

Over the last two years we've partnered with businesses, education and training providers and a host of stakeholders to strengthen our local economy.

We are on track to support 5,000 local people into jobs; we have created hundreds of apprenticeships and established the Southwark Apprenticeship Standard, delivering a higher quality offer, including payment of the London Living Wage, for residents. Our high streets have benefitted from innovative projects through the High Street Challenge, and we have used planning powers to stop the spread of pawnbrokers, betting shops, gambling machines and pay day lenders.

We also delivered programmes to improve the financial inclusion of our residents, especially young people.

## What are our plans for the future?

### We will...

- Invest in our relationships with businesses through the Southwark Business Forum.
- Support our business improvement districts.
- Encourage our partners to sign up to the diversity standard, our shared commitment to a fairer and more inclusive borough.
- Invest in more affordable business space, street markets and encourage pop-up shops to help start up businesses.
- Enhance and expand affordable studio and performance space.
- Increase access for all to our rich cultural offer.
- Double the number of Southwark Scholarships and award scholarships to local young people from low income backgrounds to study art foundation.
- Guarantee education, employment or training for every school leaver.
- Support a high quality FE and skills offer in the borough.
- Make sure young people are ready for work.
- Make sure local residents benefit from new jobs and apprenticeships.
- Support 5,000 local people into jobs.
- Create 2,000 new apprenticeships
- Encourage young people to save by depositing £20 into every credit union account opened for an 11 year old.
- Stop the spread of pawnbrokers, betting shops, gambling machines and pay day lenders

# Healthy active lives

For people to lead healthy lives, we need to tackle the root causes of ill health and reduce the inequalities that limit the lives of too many in our society. We will work to reduce health inequalities and improve people's lives; for example, by making all council homes warm, dry and safe and by building quality new homes, we are helping people to live healthier lives.

We will work with residents and our partners to build resilient communities, extending opportunities to all to maintain and improve their health and wellbeing.

We're also committed to people remaining in their own homes for longer and we want our most vulnerable residents to lead and enjoy independent lives, achieve their goals and have a great future in Southwark.

## What progress have we made?

Earlier this summer we rolled out our pioneering free gym and swim offer to all residents, with thousands accessing the service since it was first piloted in 2015. We secured our status as one of a handful of WHO Age Friendly Boroughs and adopted an Ethical Care Charter.

We created even more opportunities for children to stay active through the launch of Play Streets and brought more parks up to 'green flag' standards. The commitments we've made for the next two years will help even more residents to lead healthy active lives, irrespective of their age or ability.

## What are our plans for the future?

### We will...

- Develop a cross-council plan for age-friendliness in Southwark.
- Enhance the vital work of the voluntary and community sector.

- Encourage all Southwark residents to make use of free gym and swim.
- Encourage residents, businesses and visitors within Southwark to walk and cycle in the borough on safer routes.
- Deliver a safer cycling network.
- Extend bike hire across the borough.
- Work to improve air quality in the borough, including supporting the Mayor's plan to tackle air pollution by extending the Ultra Low Emission Zone to the south circular road.
- Bring ten more parks to green flag standard.
- Deliver 'play streets', where some streets are closed to traffic during school holidays.
- Implement the Southwark ethical care charter, with better paid carers and an end to zero hours contracts.
- Diversify nursing home provision and improve homecare standards, making sure our staff are only ever judged by the quality of care they provide to our older and more vulnerable residents.
- Double the number of free NHS health checks to catch problems like heart disease and diabetes early.
- Reduce the numbers of people contracting HIV and other sexually transmitted infections.
- Further reduce teenage conceptions.
- Take new approaches to tackling obesity.
- Reduce smoking in the borough.
- Support vulnerable residents.

# Cleaner greener safer

We want people to feel safe in their borough, to walk down clean streets and to know that their borough is leading the way when it comes to things that matter like recycling and reducing landfill waste. With local people our aim is to deliver the very best so the borough is clean, green and a safe place to be.

We'll keep getting the basics right and continue to do all we can to be as efficient as possible in providing the essential services you need.

We want to make a positive difference to the quality of life in Southwark and by providing good services well, we know we can deliver.

## What progress have we made?

In the last two years we've improved our recycling rates to become the best in inner London, whilst also diverting 99 per cent of waste from landfill.

In 2015 a third of all estates were deep cleaned and we've launched targeted campaigns to encourage people to clear up after their dogs.

Our Women's Safety Charter was adopted by 81 licensed premises in 2015, and 250 households were made safer through refurbished entry door systems.

## What are our plans for the future?

### We will...

- Improve the quality of neighbourhoods.
- Maintain clean streets.
- Continue estate deep cleans.
- Encourage people to keep Southwark clean, and use our enforcement powers where people litter or don't clean up after their dogs.
- Increase recycling rates.
- Divert more than 95 per cent of waste away from landfill.
- Have zero tolerance on noisy neighbours.
- Increase CCTV coverage.
- Deliver the Women's Safety Charter.
- Deliver the Domestic Abuse Strategy.
- Support the Mayor's commitment for dedicated police officers in every ward.
- Campaign for Seeley Drive police base in the south of the borough.
- Double the number of estates receiving green energy from the South East London Combined Heat and Power.
- Use our regulator powers to minimise the impact of the Super Sewer tunnelling on local residents and schools.
- Double capital investment into roads.
- Invest in our libraries, including Nunhead, East Dulwich and Kingswood House, and keep all libraries open

# Revitalised neighbourhoods

We are a borough with a proud heritage and a great future. It's a future filled with potential, with some of the most exciting and ambitious regeneration programmes in the country being delivered right on our doorstep.

We will continue work with our local communities to make our neighbourhoods places that we are proud to live and work in.

We will ensure that all our residents can access the benefits of our regeneration programmes and the opportunities created by those programmes – new homes, jobs, and infrastructure.

## What progress have we made?

Over the past two years we've seen residents move into new homes and opened a state of the art leisure centre at Elephant & Castle. A new library has been built in Camberwell, with all others kept open.

We're working with local stakeholders to shape the regeneration of the Old Kent Road, and have progressed plans for improvement in Peckham. We've also developed a new Diversity Standard, making good on a key commitment from 2014 to transform how we work together with partners and the community.

## What are our plans for the future?

### We will...

- Refresh the way we involve residents in decision making.
- Revitalise our neighbourhoods to make them places where we can all be proud to live and work.
- Transform the Aylesbury Estate with new homes, a library, health centre and employment opportunities.
- Transform the Elephant and Castle with a new leisure centre, affordable homes and a shopping centre.
- Revitalise Camberwell, with a new library, homes and upgraded parks and public realm.
- Improve Peckham Town Centre, through improvements to Peckham Rye Station, cultural events and a new academy of theatre arts.
- Deliver an improved playground in Peckham Rye Park.
- Create a vibrant, mixed use town centre in Canada Water.
- Make London Bridge, Bankside and Blackfriars central London's best place to work and visit.
- Transform the Old Kent Road with new homes, businesses, community facilities, and plans for an extended Bakerloo Line.
- Secure the long term future of Greendale and Dulwich Hamlet Football Club.
- Deliver a free cash point in Nunhead.
- Improve connectivity across the borough and make it easier for people get around.
- Deliver a strategic approach to planning and development.
- Bring superfast broadband to Rotherhithe.



# Fit for the future

We are a dynamic borough at the heart of London. Ambitious and confident, we want the very best outcomes for our residents. This means leaving no one behind in a fast changing world.

We will be a council that is fit for the future with responsive, digitally enabled services that adapt well to change. Through our digital strategy we will make it easier for residents and businesses on the move to access more services via the web and smartphone.

Three quarters of our staff tell us they are proud to work for the council. We will harness this passion through a workforce plan that empowers staff, grows talent, develops future leaders and attracts the very best to play their part too.

Our values will guide how we engage with our changing community. There's no escaping the impact of dwindling budgets on what we do. We will deliver value for money, whether through charging for certain services and working with new and different partners including beyond Southwark to be more than the sum of our parts. All backed by good governance and sound resource planning for today and in years to come.

## What progress have we made?

In the last two years, despite facing some of the largest reductions in funding in the country, we've balanced the books and kept service reductions to a minimum.

We've also changed the way we work, started to modernise our operations and streamlined our senior management arrangements to do more with much less. We've been awarded Investors in People Gold, demonstrating our commitment to developing our staff, our key asset.

We also launched our digital strategy and improved the resident experience by helping even more people access council services through 'MySouthwark'.

## What are our plans for the future?

### We will...

- Develop the culture, skills, processes and management capability to support a productive, motivated and high performing workforce.
- Provide a bright, modern, flexible work environment for all staff that supports mobility, productivity and collaboration across departments.
- Become a leading digital borough, transforming how we serve and enhancing the lives of people in our community so that no one is left behind.
- Deliver a customer experience where services can be accessed at a time convenient to residents and businesses.
- Deliver a modern, responsive, website which can be accessed by residents through a range of devices.
- Deliver modern, reliable, secure, cost effective technology that supports the digital strategy and enables service transformation across the council.
- Manage council finances and ensure financial sustainability, while delivering value for money through performance and efficiencies.
- Take a zero tolerance approach to fraud, ensuring the fair use of council resources including council housing.

# Contact us

We'd love to hear what you think about this Council Plan and if you've got questions, we are here to answer them.

There are lots of different ways to get in touch with us and share your views.



@lbs\_southwark



/southwarkcouncil

Or if you prefer, email [councilnews@southwark.gov.uk](mailto:councilnews@southwark.gov.uk) or call 020 7525 7251.

<b>Item No:</b> 7.1	<b>Classification:</b> Open	<b>Date:</b> 30 November 2016	<b>Meeting Name:</b> Council Assembly
<b>Report title:</b>		Treasury Management – Mid-year Update 2016-17	
<b>Wards or Groups affected:</b>		All	
<b>From:</b>		Strategic Director of Finance and Governance	

## RECOMMENDATIONS

1. That council assembly note this 2016-17 mid-year treasury management update report on treasury management and that:
  - a) all treasury management activity in the period was undertaken in compliance with the approved treasury management strategy and with the council's prudential indicators.
  - b) the balance on all loans at 31 March 2016 was £463m (371m HRA and £92m General Fund). Loans totalling £2.5m were repaid during the period. No new borrowing or debt rescheduling were undertaken during the period.
  - c) in the six months to 30 September 2016 the sum invested averaged £186m (£253m in the corresponding period last year) and the balance of investments at 30 September stood at £206m. The average return on investments was 0.52% (0.77% in 2015-16).
  - d) following the result of the European Union referendum no changes to the overall treasury management strategy were necessary.
  
2. That council assembly:
  - a) approve the council's acceptance of the UK Municipal Bonds Agency Framework Agreement and its accompanying schedules including the joint and several guarantee.
  - b) note that signing the Framework Agreement does not make the council subject to the joint and several guarantee or provisions of the Framework Agreement until such time as it chooses to borrow from the Agency.
  - c) delegate authority to the Strategic Director of Finance and Governance to agree amendments to the Framework Agreement as appropriate.

## BACKGROUND INFORMATION

3. In compliance with the Local Government Act 2003, the council has adopted the Chartered Institute of Public Finance and Accountancy (CIPFA) Treasury Management Code of Practice. The Code requires local authorities to determine an annual Treasury Management Strategy and, as a minimum,

formally report on their treasury activities and arrangements to Council Assembly mid-year and after the year-end.

4. The CIPFA Code provides the following objective with regard to treasury management:

*“It is important that treasury management policies adequately reflect risk and in particular security, liquidity and yield risk, in that order of importance. No treasury management transaction is without risk and management of risks is the key purpose of the treasury management strategy.”*

5. The 2016-17 Treasury Management Strategy was approved by council assembly in February 2016. Under financial delegation all executive, managerial and operational decisions are the responsibility of the strategic director of finance and governance.
6. The council has borrowed and invested substantial sums of money and is therefore exposed to financial risks including the loss of invested funds and the revenue effect of changing interest rates. The key issues covered in this report are:
  - i. treasury activity during the first six months of 2016-17 and treasury position at 30 September 2016
  - ii. confirmation of continuing compliance with treasury and prudential indicators
  - iii. update on the treasury management strategy following the outcome of the European Union referendum result.

#### **Municipal Bonds Agency Framework Agreement**

7. This report seeks approval for the council to enter into the borrowing documents prepared by the UK Municipal Bonds Agency (the Agency). The Agency requires that local authorities borrowing from it enter into its Framework Agreement.

#### **KEY ISSUES FOR CONSIDERATION**

##### **Borrowing strategy and debt management activity/position**

8. At 30 September 2016 the council held £460m of loans (£371m HRA and £89m General Fund), a decrease of £2.5m on 31 March 2016. The council does not expect to take additional borrowing in 2016-17.
9. The majority of current loans were taken out many years ago to pay for investment in housing and general fund capital spend when rates were high. The loans are all with from the Public Works Loans Board (PWLB) at fixed rates. In 2016-17 £2.5m PWLB loans have matured and been repaid. No new borrowing was undertaken in the period.
10. Affordability and the “cost of carry” remained important influences on the borrowing strategy alongside the consideration that for any borrowing undertaken ahead of need, the proceeds would have to be invested in the money markets at rates of interest significantly lower than the cost of borrowing. As short term interest rates have remained and are likely to remain, at least over the forthcoming two years, lower than long-term rates, it has been more cost effective in the short-term to use internal resources. However should cash supporting internal borrowing be needed in the future for spend, external borrowing would be necessary.

11. As well as PWLB loans, the council also has internal borrowing to support previous years' capital expenditure. The sum outstanding in internal borrowing at 30 September 2016 was £198m (£181m General Fund, £17m HRA). Internal borrowing is temporary drawing on internal balances pending replacement with loans.
12. Each year, the General Fund sets aside sums known as the minimum revenue provision (MRP) to reduce its borrowing liabilities. In February 2016 council assembly approved an updated MRP strategy. The revised approach continues to make a prudent provision for the repayment of debt but now takes account of other factors, most notably affordability. The HRA also sets aside sums to reduce its own borrowing liabilities.
13. The PWLB continues to operate a spread of approximately 1% between "premature repayment rates" and "new loan" rates so the premium charge for early repayment of PWLB debt remained expensive for the council's portfolio and therefore unattractive for debt rescheduling activity. No debt rescheduling was undertaken in the period.
14. The council's capital programme is expanding and the financing strategy is to maximise the application of capital grants and contributions, capital receipts and revenue contributions before considering borrowing. This year, the Housing Investment Programme (HIP) is expecting to draw on the £98m debt finance that was made available during 2015-16 to secure investment in new housing, make existing properties warm dry and safe, and provide quality kitchens and bathrooms. This would not involve the council taking any new loans, but instead be advanced to the HRA by drawing on existing PWLB debt held by the General Fund at an average rate of 3.5%, close to historical lows and well below the 6.0% rate on existing HRA loans. This ensures the council, as a whole, does not suffer a significant financial loss by borrowing money before it is actually needed.

#### **Investment strategy and investment activity and position**

15. The council holds significant invested funds, representing income received in advance of expenditure plus balances and reserves held. Cash flow forecasts indicate that during 2016-17 investment balances would range between £230m and £90m at the year end. Investments held at 30 September 2016 were £206m (£252m at 30 September 2015).
16. Cash that is not immediately used in spend is invested in money market instruments in accordance with the DCLG Guidance on Local Authority Investments and the approved Investment Strategy. The guidance gives priority to security and liquidity and the council's aim is to achieve a yield commensurate with these principles.
17. The half year return was around 0.6%. The UK bank rate had been maintained at 0.5% since March 2009 until August 2016, when it was cut to 0.25%. It is expected that the bank rate will be cut further towards zero in the coming months, which will in turn lower short-dated money market investments with banks and building societies. This, together with lower cash balances, is likely to result in fall in investment income over the year.
18. The investment strategy demands that no investment may be longer than five years and holdings beyond one year can only be in: government bonds,

supranational bonds, quasi-sovereign bonds or covered bonds issued by major banks.

19. The investments are managed by an in-house operation and two fund managers, AllianceBernstein and Aberdeen Asset Managers. The fund managers invest more stable cash over a longer term within a risk controlled framework in UK government gilts, supranational bank bonds, and certificates of deposits issued by major banks/building societies. The use of fund managers has the advantages of diversification of investment risk, coupled with the services of professional fund managers which, over the longer-term, provides enhanced returns within the council's risk appetite. Their performance and suitability in meeting the council's investment objectives are regularly monitored.
20. In-house, the focus is on liquidity and meeting variable day to day cash requirements, principally using money market funds.
21. The distribution of investments across counterparties, maturities and instruments at 30 September 2016 is set out in the table below:

INVESTMENT COUNTERPARTY AND RATING AT 30 SEPTEMBER 2016								
Counterparty	Country Of Origin	CREDIT RATING			FUND			Grand Total £m
		Sovereign Rating	Long- term	Short term	Aberdeen £m	Alliance £m	In house £m	
AUSTRALIA & NEW ZEALAND BANKING GROUP	AUSTRALIA	AAA	AA-	F1+	-	1.4	-	1.4
ABN AMRO BANK	NETHERLANDS	AAA	A	F1	1.5	1.1	-	2.6
BANK NEDERLANDSE GEMEENTEN EN OVERHEDE	NETHERLANDS	AAA	AAA		-	0.7	-	0.7
BANK OF AMERICA	UNITED STATES	AAA	A+	F1+	5.0	-	-	5.0
BANK OF MONTREAL	CANADA	AAA	AA-	F1+	4.0	2.2	-	6.2
BANK OF NOVA SCOTIA	CANADA	AAA	AA-	F1+	2.0	2.2	-	4.2
BARCLAYS BANK PLC	GREAT BRITAIN	AA+	A	F1	1.5	2.2	-	3.7
BNP PARIBAS	FRANCE	AA	A	F1	5.0	-	-	5.0
CAISSE D'AMORTISSEMENT DE LA DETTE	FRANCE	AA	A		-	1.4	-	1.4
CANADIAN IMPERIAL BANK	CANADA	AAA	AA-	F1+	2.0	2.2	-	4.2
COMMONWEALTH BANK OF AUSTRALIA	AUSTRALIA	AAA	AA-	F1+	3.0	2.2	-	5.2
CREDIT AGRICOLE CORP & INVESTMENT BANK	FRANCE	AA	A	F1	-	2.3	-	2.3
CREDIT SUISSE AG/LONDON	SWITZERLAND	AAA	A	F1	4.2	-	-	4.2
DANSKE BANK A/S	DENMARK	AAA	A	F1	0.9	2.2	-	3.1
EUROPEAN INVESTMENT BANK	SUPRANATIONAL	AAA	AAA	F1+	4.8	-	-	4.8
EXPORT DEVELOPMENT CANADA	CANADA	AAA	AAA		-	1.4	-	1.4
FMS WERTMANAGEMENT AOER	GERMANY	AAA	AAA	F1+	-	2.9	-	2.9
GLOBAL TREAS FUNDS - MMF	GLOBAL	AAA	AAA		-	-	31.8	31.8
ING BANK NV	NETHERLANDS	AAA	A+	F1	1.3	2.1	-	3.4
INTERNATIONAL BANK FOR RECONSTRUCTION & DEVELOPMENT	SUPRANATIONAL	AAA	AAA	F1+	-	2.9	-	2.9
INTERNATIONAL SECURITY FUND - MMF	GLOBAL	AAA	AAA		-	-	30.4	30.4
JPMORGAN CHASE & CO	UNITED STATES	AAA	AA-	F1+	-	2.1	-	2.1
KFW	GERMANY	AAA	AA+	F1+	-	0.3	-	0.3
LLOYDS TSB BANK PLC	GREAT BRITAIN	AA	A+	F1	4.0	2.1	-	6.1
NATIONAL AUSTRALIA BANK LTD	AUSTRALIA	AAA	AA-	F1+	1.0	-	-	1.0
NATIONWIDE BUILDING SOCIETY	GREAT BRITAIN	AA	A	F1	-	2.2	-	2.2
NORDEA EIENDOMSKREDITT AS	NORWAY	AAA	AA-	F1+	-	2.2	-	2.2
RABOBANK LONDON	GREAT BRITAIN	AA	AAA		-	1.9	-	1.9
ROYAL BANK OF CANADA	CANADA	AAA	AA	F1+	5.0	2.2	-	7.2
SANTANDER UK PLC	GREAT BRITAIN	AA	A	F1	0.7	2.1	-	2.8
SKANDINAVISKA ENSKILDA BANKEN	SWEDEN	AAA	AAA		2.4	2.2	-	4.6
SOCIETE GENERALE	FRANCE	AA	A	F1	4.5	2.3	-	6.8
STANDARD CHARTERED BANK	GREAT BRITAIN	AA	A+	F1	5.0	-	-	5.0
SWEDBANK HYPOTEK AB	SWEDEN	AAA	AAA		-	2.1	-	2.1
SVENSKA HANDELSBANKEN	SWEDEN	AAA	AA	F1+	5.0	-	-	5.0
TORONTO-DOMINION BANK	CANADA	AAA	AA-	F1+	-	2.2	-	2.2
UBS LONDON	SWITZERLAND	AAA	A	F1	3.5	-	-	3.5
UNITED KINGDOM I/L	GREAT BRITAIN	AA	AA+	F1+	-	0.3	-	0.3
UNITED KINGDOM TBILLS	GREAT BRITAIN	AA	AA+	F1+	2.4	18.5	-	20.9
WELLS FARGO BANK	UNITED STATES	AAA	AA	F1+	2.0	-	-	2.0
WESTPAC BANKING CORP	AUSTRALIA	AAA	AA-	F1+	1.0	-	-	1.0
<b>Grand Total</b>					<b>71.7</b>	<b>72.1</b>	<b>62.2</b>	<b>206.0</b>

INVESTMENT MATURITY PROFILE AND RATING - 30 SEPTEMBER 2016				
Yr Band	A	AA	AAA	Total
Up to 1 Year	51.70	53.00	76.30	<b>181.00</b>
1 - 2 years	4.70	10.60	5.00	<b>20.30</b>
2 - 5 years	0.70	1.80	2.20	<b>4.70</b>
<b>Total £m</b>	<b>57.10</b>	<b>65.40</b>	<b>83.50</b>	<b>206.00</b>

INVESTMENT MATURITY PROFILE AND RATING - 30 SEPTEMBER 2016				
Yr Band	A	AA	AAA	Total
Up to 1 Year	25%	26%	37%	<b>88%</b>
1 - 2 years	2%	5%	2%	<b>10%</b>
2 - 5 years	0%	1%	1%	<b>2%</b>
<b>Total</b>	<b>28%</b>	<b>32%</b>	<b>41%</b>	<b>100%</b>

Rating	Definition
AAA	Highest credit quality
AA	Very high credit quality
A	High credit quality
Ratings issued by Fitch or equivalent (The UK government and its treasury bonds are rated AA by Fitch, Aa1 by Moody's and AA by Standard & Poor's) Money market funds have a AAA rating based on liquidity and diversification	

22. Various indicators of credit risk reacted negatively to the result of the referendum on the UK's membership of the European Union. Fitch downgraded the UK's sovereign rating by one notch to AA from AA+, and Standard & Poor's downgraded its corresponding rating by two notches to AA from AAA. Fitch, S&P and Moody's have a negative outlook on the UK.

### Prudential Indicators

23. The CIPFA codes set out a series of prudential indicators to support local authority capital financing, borrowing and investment activities. The indicators were last approved by council assembly in February 2016. The 2015-16 outturn indicators were reported to council assembly in July 2016 and an update to 2016-17 indicators is set out at appendix A.
24. The indicators include a self imposed authorised limit on debt, determined under the Local Government Act 2003. As well as loans, the limit accommodates long term liabilities (e.g. from the three PFI funded schools and the integrated waste reprocessing facility), capacity to replace internal borrowing with loans and borrow for very short periods if needed for re-finance within a risk controlled framework. The 2016-17 authorised limit is £900m and the council has remained within it. Over the six months to 30 September 2016 the actual debt and PFI liabilities totalled £572m. The draw against the limit will increase where the council has to raise loans to prudently manage interest rate exposure or raise cash to meet spend.

### Impact of the European Union membership referendum

25. The council's treasury management strategy follows the CIPFA principles of preservation of capital and liquidity over yield and this approach protects the council's cash position. In the run up to the EU referendum we reviewed the council's investments in consultation with our advisors, Arlingclose, and with

both our fund managers in the context of potential scenarios arising from both possible outcomes.

26. Whilst the fund managers undertook some positive actions in the run up to the referendum in order to hedge risk and position portfolios appropriately (for example shorter durations, diversified counterparties and sovereigns, increased holdings of index linked securities), no specific changes to the implementation of the approved strategy were considered necessary.
27. Following the vote to leave the European Union, there was turbulence in UK and European markets. Initial post-referendum economic data showed that the feared collapse in business and consumer confidence had not immediately led to lower GDP growth. However, the prospect of a leaving the single market has dented business confidence and resulted in a delay in new business investment and, unless counteracted by higher public spending or retail sales, will weaken economic growth in 2017-18.
28. Negotiations are expected to start once the UK formally triggers exit in early 2017 and last for at least two years. Uncertainty over future economic prospects will therefore remain throughout this year and next.
29. The fall and continuing weakness in sterling and the near doubling in the price of oil in 2016 have combined to drive inflation expectations higher. The Bank of England is forecasting that Consumer Price Inflation will breach its 2% target in 2017, the first time since late 2013, but the Bank is expected to look through inflation overshoots over the course of the next few years when setting interest rates so as to avoid derailing the economy.
30. Whilst the negotiations for a smooth exit from the European Union will be a major external influence on the Authority's treasury management strategy for 2017-18, the current treasury investment strategy remains prudent and continues to protect our overall cash position. No changes are recommended at this stage.

#### **UK Municipal Bonds Agency Framework Agreement**

31. The purpose of the Agency is to deliver cheaper capital finance to local authorities. It will do so via periodic bond issues, as an aggregator for financing from institutions such as the European Investment Bank ("EIB") and by facilitating greater inter-authority lending. The Agency is wholly owned by 56 local authorities and the Local Government Association ("LGA"). The council is a shareholder in the Agency with a total investment of £200,000.
32. The Agency requires that local authorities borrowing from it enter into its Framework Agreement. The Agreement sets out the arrangements for borrowing from the Agency and incorporates a joint and several guarantee that requires all local authorities borrowing from the Agency to guarantee the money owed by the Agency to those who have lent it money to fund its loans. The Agreement incorporates a mechanism to prevent a call under the guarantee by requiring borrowers to lend the Agency money to cover a default by another local authority, referred to as "contributions". Entering into the Framework Agreement enables the council to access funding from the Agency if and when required.
33. Acting on behalf of prospective borrowers, Southwark Council, Birmingham Council and Reading Council, appointed lawyers, Allen and Overy, to review and advise on the documentation. Allen & Overy instructed counsel to obtain



senior opinion on vires and reasonableness. The advice and opinion resulted in a small number of changes to the Agency's documentation.

34. The Framework Agreement comprises:
- The Framework Agreement itself, which is primarily designed to prevent a call on the joint and several guarantee and lays out how the Agency will interact with local authorities:
    - Schedule 1: Form of Authority Accession Deed, which local authorities sign to commit themselves to the Framework Agreement.
    - Schedule 2: Form of Guarantee, which is the joint and several guarantee.
    - Schedule 3: Loan Standard Terms, which is the loan agreement that covers any borrowing by an authority.
    - Schedule 4: Form of Loan Confirmation, which supplements the Loan Standard Terms and confirms details of a loan such as principal, maturity, interest rate and etc. It is signed by the Agency and a borrower.
35. The joint and several guarantee is a schedule to the Framework Agreement and is direct, unconditional, irrevocable and not separately administered. In practice this means that all borrowers are collectively and individually guaranteeing the lenders to the Agency against a default by a local authority.
36. Signing the Framework Agreement does not make the council subject to the joint and several guarantee or provisions of the Framework Agreement until such time that it chooses to borrow from the Agency.
37. The council can withdraw from the joint and several guarantee by giving notice and repaying its loans to the Agency. However, the irrevocable nature of the guarantee means that the council will continue to guarantee the Agency's borrowings at the date of withdrawal until those borrowings mature. This prevents moral hazard i.e. a local authority borrowing from the Agency to achieve a cheaper borrowing rate, but walking away from the obligations. Withdrawal does mean that the council will not be guaranteeing future borrowing by the Agency.
38. The risk to the council is the requirement to make contributions in the event of a default by another borrower and this exposure is proportional because it is calculated by reference to the amount borrowed by the Council as a proportion of all non-defaulting loans made by the Agency. In return for accepting this risk, the Council will receive access to more diverse and cheaper sources of capital finance via the Agency.
39. The risk of a default by a local authority is deemed to be very low: no principal local authority has ever defaulted on a loan. The National Audit Office in its Financial Sustainability of Local Authorities report of November 2014 observed:
- “A legal framework at the core of the local government accountability system effectively prevents local authorities becoming insolvent. Local authorities cannot borrow to finance revenue expenditure or run deficits.”*
40. The council has a forecast need to borrow over the next three years comprising of borrowing to fund capital expenditure and refinancing of maturing loans and internal borrowing. If the council signs the Framework

agreement, then the Agency will provide a potential alternative source of borrowing, and the council will be able to compare the rates offered by the Agency against rates from alternative sources primarily finance available from the Public Works Loan Board (PWLB). The Agency's intent is to make funding available at favourable rates compared to the PWLB, and borrowing from the Agency may therefore offer savings in interest payments. However, the council would review all potential sources of borrowing to ensure VFM in any borrowing decision, and would also weigh up any potential savings which could be achieved from borrowing via the Agency against the potential risks.

## **SUPPLEMENTAL ADVICE FROM OTHER OFFICERS**

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

#### **Treasury Management**

41. The constitution determines that agreeing the treasury management strategy is a function of the council assembly and that review and scrutiny of strategies and policies is the responsibility of the audit, governance and standards committee.
42. Financial standing orders require the strategic director of finance and governance to set out the treasury management strategy for consideration and decision by council assembly, and report on activity on a regular basis to cabinet and at mid and year-end to council assembly. Furthermore all executive and operational decisions are delegated to the strategic director of finance and governance.
43. The Local Government Act 2003 ("the 2003 Act") and supporting regulations require local authorities to determine annual borrowing limits and have regard to the Prudential Code for Capital Finance, and the Treasury Management in the Public Services Code of Practice and Guidance, published by the Chartered Institute of Public Finance and Accountancy, when considering borrowing and investment strategies, determining or changing borrowing limits or prudential indicators.
44. Section 15(1) of the 2003 Act requires a local authority "to have regard (a) to such guidance as the Secretary of State may issue". This guidance is found in the Department of Communities and Local Government Guidance on Local Authority Investments updated March 2010 and there is statutory guidance on the Minimum Revenue Provision (MRP) made under section 21(1A) of the 2003 Act.
45. Section 12 of the 2003 Act grants local authorities the powers to invest for any purpose relevant to its functions or for the purposes of the prudent management of its financial affairs.

#### **Municipal Bonds Agency Framework Agreement**

46. With regard to approval for the Council to enter into the borrowing documents prepared by the UK Municipal Bonds Agency my view is that the council can rely on the general power of competence in section 1 of the Localism Act 2011, together with the power to borrow in section 1 of the 2003 Act.

**BACKGROUND DOCUMENTS**

<b>Background Papers</b>	<b>Held At</b>	<b>Contact</b>
Municipal Bonds Agency Framework Agreement	Finance & Government Department, Southwark Council, 160 Tooley Street SE1 2QH	Fay Hammond 020 75250614

**APPENDICES**

<b>No.</b>	<b>Title</b>
Appendix A	Prudential Indicators 2016-17 Mid Year Update

**AUDIT TRAIL**

<b>Lead Officer</b>	Duncan Whitfield, Strategic Director of Finance and Governance	
<b>Report Author</b>	Fay Hammond, Department Finance Manager Corporate Finance	
<b>Version</b>	Final	
<b>Version Date</b>	18 November 2016	
<b>Key Decision</b>	Yes	
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER</b>		
<b>Officer Title</b>	<b>Comments Sought</b>	<b>Comments Included</b>
Director of Law and Democracy	Yes	Yes
Strategic Director of Finance and Governance	Not applicable	Not applicable
Cabinet Member	Yes	Yes
<b>Final Report Sent to Constitutional Team</b>		18 November 2016

## TREASURY MANAGEMENT MID-YEAR UPDATE 2016-17

### PRUDENTIAL INDICATORS 2016-17 MID-YEAR UPDATE

#### BACKGROUND

- Capital finance, borrowing and investment arrangements are supported by a series of prudential indicators, drawn from the Prudential Code on Capital Finance for Local Authorities and the Treasury Management in the Public Services Code of Practice and Guidance, published by CIPFA. The Local Government Act 2003 requires that councils have regard to these codes. The indicators were approved by council assembly in February 2016, and the outturn position was reported in July 2016. This appendix updates 2016-17 indicators.
- The indicators are grouped into three broad areas: affordability and prudence, capital finance and treasury management. The indicators are of a technical nature and have no effect on existing budgets.

#### INDICATORS ON AFFORDABILITY AND PRUDENCE

- The table below shows the indicators for affordability and prudence

2015-16 Actual	2016-17 Estimate	
		<b>Ratio of Financing Cost to Net Revenue Stream</b> a measure of the cost of borrowing, long term liabilities (e.g. PFI) and sums set-asides to reduce debt net of interest income, as a percentage of revenue.
10%	17%	HRA
6%	8%	General Fund
		<b>Incremental Impact of Capital Spend</b> a measure of the effect of capital plans on council tax and rents.
Nil	Nil	Weekly rents: The HRA is expecting to draw on debt finance to secure capital expenditure and the cost of servicing and repaying the debt is expected to be met from existing resources
Nil	Nil	Council tax – band D
		<b>Capital Financing Requirements (CFR) and Gross Debt</b> the CFR is the balance remaining on past capital expenditure financed through loans, internal borrowing and long term liabilities (e.g. PFI). The level of gross debt (PWLB loans) should not exceed the CFR unless prudent over the short term.  Actual gross debt (PWLB loans) remained below the CFR throughout the half-year to September 2016 on account of internal borrowing and PFI transactions. The estimated CFR includes additional debt finance to support HRA capital expenditure.
£776m	£890m	CFR
£463m	£458m	Maximum Gross Debt (PWLB loans) in the Year

## INDICATORS ON CAPITAL FINANCE

4. The table below shows the indicators for capital finance.

2015-16 Actual	2016-17 Estimate	
		<b>Capital Expenditure</b> The latest estimated capital spend in 2016-17 is set out below and will be updated over the course of the year to reflect spend profile and the latest position on resources.
£264m	£221m	Housing Investment Programme
£73m	£162m	General Fund
<b>£317m</b>	<b>£383m</b>	<b>Total</b>
		<b>Capital Financing Requirement (CFR)</b> the CFR is the balance on past capital expenditure financed through loans, internal borrowing and long term liabilities (e.g. PFI). The estimated HRA CFR includes additional debt finance to support HRA capital expenditure.
£393m	£462m	Housing Investment Programme
£383m	£428m	GF
<b>£776m</b>	<b>£890m</b>	<b>Total</b>
		<b>HRA Indebtedness Limit</b> a limit determined by the government below which the HRA CFR must remain. The HRA CFR has remained within the indebtedness limit and will remain so following debt finance used to support 2016-17 HRA capital spend.
£577m	£577m	HRA indebtedness limit determined by the government
£393m	£462m	Estimated HRA CFR

## INDICATORS ON TREASURY MANAGEMENT

5. The Operational Boundary on Debt and Authorised Limits for External Debt limits the council determine to accommodate borrowing (PWLB loans) and long term liabilities. The lower limit is the operational boundary. It takes account of existing positions and accommodates activity which includes replacing internal borrowing with loans. The higher limit is the authorised limit, enabling additional borrowing to be taken for very short periods, in the interest of prudence, within a risk controlled framework.

6. The table below shows the indicators for treasury management.

2015-16 Actual	2016-17 Limit	2016-17 Estimate	
			<b>Operational Boundary on Debt and Authorised Limits for External Debt</b> No new loans were taken on in the first half of 2016-17. The council was able to access internal cash and remain below both limits over the six months to September 2016.
			<b>Operational Boundary</b>
£463m	£780m	£458m	Borrowing (maximum PWLB loans outstanding over 1 <sup>st</sup> half of 2016-17)
£114m	£120m	£110m	Other Long Term Liabilities
<b>£577m</b>	<b>£900m</b>	<b>£574m</b>	<b>Total</b>

2015-16 Actual	2016-17 Limit	2016-17 Estimate	
			<b>Authorised Limit</b>
£463m	£815m	£458m	Borrowing (maximum PWLB loans outstanding over 1 <sup>st</sup> half of 2016-17)
£114m	£125m	£110m	Other Long Term Liabilities
<b>£577m</b>	<b>£940m</b>	<b>£568m</b>	<b>Total</b>
			<b>Gross and Net Debt</b> - an upper limit on net debt (PWLB loans less investments) as a percentage of gross debt (PWLB loans).  The net debt has remained below the gross on account of investments held to meet spend.
69%	100%	80%	Upper Limit and Outturn
			<b>Fixed and Variable Rate Upper Limits</b> - limits recognising existing positions with flexibility to vary exposure within a risk controlled framework should it be prudent.
£469m	£740m	£458m	Fixed rate debt
£0m	£185m	£0m	Variable rate debt

7. The table below shows the indicators for maturity structure of fixed rate debt which limits accommodating existing loan maturity profile with flexibility to vary exposure within a risk controlled framework.

2015-16 Actual	2016-17 Limit	2016-17 Estimate	Maturity Structure of Fixed Rate Debt
0%	20%	1%	Under 1 year
0%	20%	1%	1 year and within 2 years
0%	30%	5%	2 years and within 5 years
0%	40%	19%	5 years and within 10 years
0%	50%	28%	10 years and within 20 years
0%	50%	6%	20 years and within 30 years
0%	50%	33%	30 years and within 40 years
0%	50%	7%	40 years and within 50 years

8. The table below shows the indicators for limits on investments greater than one year which caps on the maximum exposure to longer investments, while recognising benefits from prudent exposure within a risk controlled framework. Actual exposure has remained cautious in view of market volatility.

2015-16 Actual	2016-17 Limit	2016-17 Estimate	Limits on Investments Greater than One Year
19%	50%	17%	Percentage longer than one year
8 Months	2 Years	8 Months	Overall maximum average maturity

<b>Item No.</b> 7.2	<b>Classification:</b> Open	<b>Date:</b> 30 November 2016	<b>Meeting Name:</b> Council Assembly
<b>Report title:</b>		Appointment of local auditor	
<b>Ward(s) or groups affected:</b>		All	
<b>From:</b>		Strategic Director of Finance and Governance	

## RECOMMENDATION

1. That council assembly approve the option of opting in to the authorised national scheme for the appointment of external auditors through the sector-led body, Public Sector Audit Appointments (PSAA), for the appointment of an external auditor for five financial years starting 1 April 2018.

## BACKGROUND INFORMATION

2. The council is currently audited by Grant Thornton under a contract let by the Audit Commission in 2012. Following closure of the Audit Commission under the Local Audit and Accountability Act 2014 (“the 2014 Act”), transitional arrangements were put in place. These include the management of the current audit contract by Public Sector Audit Appointments Ltd (PSAA), an independent not for profit company limited by guarantee and established by the Local Government Association. These arrangements cover up to and including 2017-18 audits.
3. Under the 2014 Act, the council is required to have its accounts audited by an auditor appointed in accordance with the Act. The Act makes local authorities responsible for appointing their own local auditors.
4. The Local Audit (Appointing Person) Regulations 2015 (“the 2015 Regulations”) require these appointments to have been made by 31 December in the year preceding the year of audit. As 2018-19 is the first year of the new arrangements, the council needs to have appointed an auditor by 31 December 2017.

## KEY ISSUES FOR CONSIDERATION

5. The 2014 Act allows local authorities to either opt in to the appointing regime or to establish an auditor panel (either alone or with other local authorities) and conduct their own procurement exercise.
6. PSAA has been specified by the Secretary of State as an appointing person under the 2015 Regulations which means that they are able to make auditor appointments for audits of the accounts from 2018-19 for principal local authorities which choose to opt in to its arrangements.
7. PSAA published its outline procurement strategy on 10 November 2016 and this sets out their key objective as being to secure high quality audit services at the most competitive prices. Their approach is being informed by the lessons learned from the procurements undertaken by the Audit Commission that resulted in the current contracts.

8. These contracts were negotiated nationally and covered both the NHS and local government bodies. Maximum economies of scale meant that significant reductions in fees were achieved. Although the PSAA's remit does not include the NHS, there are nonetheless over 490 principal local authorities that are eligible to opt in and it is therefore likely that PSAA is well placed to be able to maximise value for local authorities.
9. Firms wishing to undertake external audit must be registered one of the chartered accountancy institutes acting in the capacity of a Recognised Supervisory Body (RSB) and the quality of their work will be subject to scrutiny by both the RSB and the Financial Reporting Council (FRC). Current indications are that fewer than ten large firms will register as there are currently only nine providers that are eligible to audit local authorities.
10. Authorities which do not opt in to the appointing person regime will need to carry out a procurement exercise, once they have established an auditor panel. The 2014 Act requires auditor panels to be independent, with either all, or a majority, of its members being independent and an independent chair. This has been defined so as to exclude current and former elected members and officers so that elected members would not have a majority input to the procurement process.
11. Even if a number of authorities set up a joint auditor panel, the process is likely to be more resource intensive and the opportunity to bid for a series of smaller contracts may be less attractive to potential bidders.
12. By opting in to the sector-led option offered by PSAA, it is expected that overall procurement costs will be lower and, once the contract is in place, PSAA will monitor contract delivery and ensure compliance with contractual, audit quality and independence requirements.
13. Although it is not possible to quantify audit fees at this stage, it is highly unlikely that the council, whether acting alone or with a small number of partner authorities, would be able to achieve the economies of scale of a comparable level to those likely to be achieved through a large-scale procurement such as that which PSAA is able to undertake.
14. It is therefore recommended that the council opt in to the appointing person arrangements to be made by PSAA. PSAA have advised councils that the closing date to give notice to PSAA of their acceptance of the invitation to opt in to the appointing regime is 9 March 2017.
15. The audit, governance and standards committee's terms of reference include "To have oversight over the appointment of the external auditor". A report on the appointment of the local auditor was considered by that committee at its meeting on 16 November 2016 and, as Regulation 19 of the 2015 Regulations requires that the decision to opt in must be taken by the council assembly, the audit, governance and standards committee agreed to recommend to council assembly the option of opting in to the authorised national scheme for the appointment of external auditors through the sector-led body, PSAA.
16. The meeting of council assembly on 30 November 2016 is the last ordinary meeting of council assembly before the date by which notification has to be sent to PSAA and members are asked to approve the option of opting in to the authorised national



scheme for the appointment of external auditors through the sector-led body, Public Sector Audit Appointments (PSAA).

## SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

### Director of Law and Democracy

17. The 2014 Act abolished the Audit Commission and put in place a new external audit regime. In general terms the 2014 Act requires that the authority's accounts for a financial year be audited by a "local auditor", and for the appointment of a local auditor not later than 31 December in the preceding year.
18. The 2014 Act prescribes the manner in which a local auditor must be appointed, and offers two routes. An authority wishing to appoint its own local auditor (the first route) must appoint an auditor panel, constituted in accordance with the provisions of the 2014 Act. The auditor panel's role is to advise on the appointment of an auditor and the maintenance of an independent relationship between the authority and the local auditor.
19. The second route for appointing a local auditor under the 2014 Act is through an "appointing person", specified by the Secretary of State in accordance with the 2015 Regulations. Public Sector Audit Appointments, a sector-led body, has been so specified by the Secretary of State. PSAA has extended an invitation to the authority to "opt in" to an arrangement whereby PSAA will appoint a suitably qualified and registered auditor, monitor contract delivery and ensure compliance with contractual, audit quality and independence requirements. The report recommends that the council accept the invitation of PSAA to "opt in" to this regime.
20. The decision to appoint a local auditor directly or to opt in to arrangements made by an appointing person is reserved to council assembly.
21. Council assembly is reminded that the council, in exercising any of its functions, must give due regard to the need to eliminate discrimination, advance equality of opportunity, and foster good relations between people with protected characteristics and those with none (section 149 Equality Act 2010).

## BACKGROUND DOCUMENTS

Background Documents	Held At	Contact
PSAA Audit services outline procurement strategy	<a href="http://www.psa.co.uk/wp-content/uploads/2016/11/Outline-Procurement-Strategy-2016.pdf">http://www.psa.co.uk/wp-content/uploads/2016/11/Outline-Procurement-Strategy-2016.pdf</a>	Jo Anson 020 7525 4308
PSAA prospectus	<a href="http://www.psa.co.uk/wp-content/uploads/2016/08/PSAA-A5-web-portrait-August-2016.pdf">http://www.psa.co.uk/wp-content/uploads/2016/08/PSAA-A5-web-portrait-August-2016.pdf</a>	Jo Anson 020 7525 4308
PSAA – Appointing person: frequently asked questions	<a href="http://www.psa.co.uk/wp-content/uploads/2016/11/Appointing-person-FAQs-updated-27-October-2016.pdf">http://www.psa.co.uk/wp-content/uploads/2016/11/Appointing-person-FAQs-updated-27-October-2016.pdf</a>	Jo Anson 020 7525 4308

## APPENDICES

No	Title
None	

## AUDIT TRAIL

<b>Cabinet Member</b>	Councillor Fiona Colley, Finance, Modernisation and Performance	
<b>Lead Officer</b>	Duncan Whitfield, Strategic Director of Finance and Governance	
<b>Report Author</b>	Jo Anson, Head of Financial and Information Governance	
<b>Version</b>	Final	
<b>Dated</b>	17 November 2016	
<b>Key Decision?</b>	No	
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER</b>		
<b>Officer Title</b>	<b>Comments sought</b>	<b>Comments included</b>
Strategic Director of Finance and Governance	Not applicable	Not applicable
Director of Law and Democracy	Yes	Yes
<b>Cabinet Member</b>	Yes	Yes
<b>Date final report sent to Constitutional Team</b>	17 November 2016	

<b>Item No.</b> 7.3	<b>Classification:</b> Open	<b>Date:</b> 30 November 2016	<b>Meeting Name:</b> Council Assembly
<b>Report title:</b>		Constitutional Changes 2016/2017 - Overview and Scrutiny Procedure Rules and Communication Protocol (guidance on using social media)	
<b>Ward(s) or groups affected:</b>		All	
<b>From:</b>		Constitutional Steering Panel	

That council assembly considers the recommendations of the constitutional steering panel in respect of the proposals set out in this report.

## RECOMMENDATIONS

### Overview and Scrutiny Procedure Rules

1. That the proposed changes to overview and scrutiny procedure rules be agreed (see Appendix 1).

### Communication Protocol

2. That the proposed change to the communications protocol (see Appendix 2) to include a link to the Monitoring Officer's guidance on using social media set out in Appendix 3 be agreed.

### Cabinet Procedure Rules

3. That the revised Cabinet Procedure Rules be recommended to council assembly for adoption (see paragraph 17 below).

### Consequential changes

4. That the proper constitutional officer be authorised to make any necessary consequential changes to the constitution as a result of the above.

## BACKGROUND INFORMATION

5. In accordance with Article 1.5 of the constitution, any changes to the constitution are considered by constitutional steering panel, which then recommends changes to council assembly. Changes to the constitution are generally agreed by council assembly, unless another body or individual is authorised to do so – see Article 1.5(b). Changes to the role and functions of ordinary committees and procedure rules are reserved to council assembly. The constitutional steering panel considered the proposals and agreed to recommend the changes contained within this report to council assembly.

Changes to the constitution are shown as follows:

- Additions (shown as underlined)
- Deletions (shown with a ~~strikethrough~~)

## KEY ISSUES FOR CONSIDERATION

6. This report considers three constitutional changes:
  1. Overview and Scrutiny Procedure Rules
  2. Communication Protocol
  3. Cabinet Procedure Rules

### Overview and scrutiny procedure rules

7. The overview and scrutiny procedure rules are being revised in order to provide clarification on some clauses within the rules and better reflect current circumstances.
8. A revised overview and scrutiny procedure rules is attached as Appendix 1. The appendix is recommended for approval. The key changes are summarised below:
  - 1) The conduct of all committees including overview and scrutiny committee is governed by committee procedure rules.
  - 2) Potential impact of proportionality on the composition of the committee depending on the number of sub-committee chairs and size of the overview and scrutiny committee.
  - 3) The role of scrutinising the crime and disorder function of the council can be undertaken by the committee or one of its sub-committees.
  - 4) It is recommended that the annual report of the committee is circulated to all councillors rather than a report to council assembly. This reflects a consistent approach with other committees and the move to less paper on council assembly agenda.
  - 5) Updated clause to reflect that councillor call for action no longer applies.
  - 6) A two month period for a cabinet member to consider and provide a written response to a committee/sub-committee report.
  - 7) Minor alteration which would allow an individual stand alone proposal to be called-in. Currently the procedure rules refer to a "decision" and this is interpreted as meaning the whole report. In the case of a report which contains a number of individual schemes for decision, currently the whole report would be subject to the call-in provisions. This change would allow more effective decision making.
  - 8) A revised clause to reflect a more reasonable timescale for a decision maker to reconsider their decision and take any necessary advice.
9. Appendix 1 includes more detailed comments on specific changes.

### Communication protocol

10. Standards committee on 8 March 2016 agreed that officers look at the feasibility of providing guidance for members in social media and digital services. In view of the increasing use of social media, it was agreed that there was a need for clearer guidance on when a member, whilst using social media, is acting in their capacity as a member, as a campaigner or in their private capacity.
11. The council is increasingly moving towards digital services and councillors are ever more dependent on digital devices and social media. Both these factors potentially have an impact on the role of councillors and in particular the way in which they interact with constituents and also with officers within the council.

12. At the moment there is no specific guidance for members within the code of conduct regarding social media and digital technology.
13. The communication protocol has been amended at paragraph 23 of the communication protocol to include a link to the best practice guideline. The communication protocol is attached as Appendix 2.
14. The guideline for using social media is to help members engage with an audience and also avoid any potential pitfalls and risks of challenge. This is attached as Appendix 3.

### **Cabinet Procedure Rules**

15. A rule change is suggested to clarify that where an executive officer decision does not fall within the definition of a key decision but there is sensitivity and/or a public interest (see cabinet procedure rule 4.2.1 (c) below) then the decision should be recorded and published only, and not be subject to scrutiny call-in period. The regulations governing the recording of this category of officer decisions do not require prior notice period before the decision is taken. The current officer guidance contained on the Source implies that if there is a public interest and it is non-key it should always be treated as if it is a key decision. This is not in the interest of efficient decision making because if a decision was intended to be key it would have been designated as such earlier in the decision making process and listed on the forward plan.

#### **4.1 Who takes the decision**

1. *Part 3 of the constitution states that any executive function that is not specially delegated by the leader of the council to the cabinet or an individual cabinet member is deemed to be delegated to the appropriate chief officer in the relevant department. The relevant chief officer as the senior officer in each department will maintain an internal scheme of management setting out individual delegations to officers.*

#### **4.2 Business**

1. *The following executive decisions are to be recorded in accordance with regulation 13(4) by officers:*
  - a) *Contract reports that are key decisions*
  - b) *Other key decisions taken by officers, including those decisions which should always be treated as key decisions as set out in the protocol on key decisions*
  - c) *Any non-key decisions which are sufficiently important and/or sensitive that a reasonable member of the public would reasonably expect it to be publicly available.*
16. The change above would necessitate a constitutional change to cabinet procedure rule 4.5 – All other decisions.

#### **4.5 All other decisions**

All other decisions delegated to an individual officer in accordance with rule 4.2.1 a) and b) 4.4 and subject to recorded officer decision making in accordance with Regulation 13(4), will be subject to rule 21 of the overview and scrutiny procedure rules. The proper constitutional officer or his/her representative will circulate the decision to all members in accordance with the scrutiny call-in process (see paragraph 21 of the overview and scrutiny procedure rules). Non-key decisions recorded in accordance with rule 4.2 c) will be published on the council's website and are implementable with immediate effect. Such decisions will not be subject to call-in.

### **Community impact statement**

17. The proposals in this report provide additional benefits to the public and the local community and enhance the council's commitment to diversity and fairness.

### **Resource implications**

18. The financial implications within this report seek to have a positive impact on improving the outcomes and delivery of value for money.
19. The constitution is published on the council's website and is available for viewing online. Limited numbers of the constitution are produced in binder form with loose leaf pages and dividers. This means that any additional costs arising from the reproduction of small sections of the constitution are reduced compared to the reprinting of the whole constitution. It is anticipated that the cost can be contained within existing budgets.

### **BACKGROUND DOCUMENTS**

<b>Background Papers</b>	<b>Held At</b>	<b>Contact</b>
Southwark Constitution	160 Tooley Street London SE1 5LX	Constitutional Team 020 7525 7228

**APPENDICES**

<b>No.</b>	<b>Title</b>
Appendix 1	Revised Overview and Scrutiny Procedure Rules
Appendix 2	Communication Protocol
Appendix 3	Monitoring officer guidance on using social media

**AUDIT TRAIL**

<b>Lead Officer</b>	Norman Coombe, Head of Corporate Team, Legal Chidilim Agada, Constitutional Manager (Acting)	
<b>Report Author</b>	Chidilim Agada, Constitutional Manager (Acting)	
<b>Version</b>	Final	
<b>Dated</b>	17 November 2016	
<b>Key Decision?</b>	No	
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER</b>		
<b>Officer Title</b>	<b>Comments sought</b>	<b>Comments included</b>
Director of Law and Democracy	Yes	Yes (included in the body of the report)
Strategic Director of Finance and Governance	No	Not applicable
<b>Date final report sent to Constitutional Team</b>		17 November 2016





## OVERVIEW AND SCRUTINY PROCEDURE RULES

### 1. Arrangements for overview and scrutiny

1.1 The council will appoint an overview and scrutiny committee. The overview and scrutiny committee will appoint ~~three scrutiny sub-committees~~ and determine their terms of reference.

**Comment [MI1]:**

Simplification - To ensure procedure rules do not require annual updating with changes to sub-committees [see also consequential changes in OSPR 2.2(c), 6.1(a)].

1.2 The overview and scrutiny committee and its sub-committees may appoint informal member working groups to undertake specific tasks. While such bodies cannot substitute for the scrutiny committees, or exercise the powers associated with scrutiny (which are the preserve of the scrutiny committees) they can contribute to or inform the scrutiny process.

1.3 Meetings of overview and scrutiny committee and its sub-committees must comply with council's committee procedure rules.

**Comment [MI2]:**

Clarification – Conduct of all committees is governed by the committee procedure rules. The committee procedure rule will be updated to reflect some of the specific scrutiny rules flagged up later in this document, such as quorum, order of business etc.

### 2. Membership of overview and scrutiny committees and its sub-committees

2.1 All councillors except members of the cabinet may be members of the overview and scrutiny committee and sub-committees. However, no member may be involved in scrutinising a decision in which he/she has been directly involved.

2.2 The overview and scrutiny committee will include:

- a) a chair, appointed by council assembly
- b) a vice-chair, appointed by council assembly
- c) the chairs of the ~~three~~ scrutiny sub-committees, provided that the proportionality rules are not compromised ~~and provided that each political group is permitted to nominate non-cabinet members should this be necessary to maintain proportionality~~
- d) education representatives as set out at paragraph 4.

**Comment [MI3]:**

Clarification – This clause identifies the potential impact of proportionality on the composition of the committee depending on the number of sub - committee chairs and the size of the overview and scrutiny committee. In the future it is possible that the composition and proportionality of OSC would need to be reviewed if its overall size changed. It is useful for officers that this clause flags that proportionality is a potential issue. The text marked with a strikethrough is not required.

2.3 Overview and scrutiny committee will appoint the chairs and vice-chairs of the scrutiny sub-committees and agree the size and composition of the sub-committees, in accordance with the statutory rules relating to proportionality.

2.4 Each political group is entitled to nominate reserve members to overview and scrutiny committee and its sub-committees. The number of reserve member seats that each political group is entitled to nominate is equal to the number of places each group holds on overview and scrutiny committee or its sub-committees.

### 3. Co-optees

3.1 Overview and scrutiny committee and its sub-committees may appoint a number of people as non-voting co-optees, with the approval of the chair and vice chair of the overview and scrutiny committee, who may be appointed to serve for the full year or the duration of a specific task or review.

- 3.2 In the event that a co-opted member does not attend a meeting of the committee on which they serve for a period of six consecutive months, without the approval of the council, they shall cease to be a member of the authority **committee**.

Comment [AC4]: Typographical change.

#### 4. Education representatives

- 4.1 Overview and scrutiny committee and any sub-committee dealing with education functions shall include in its membership the following voting representatives:
- a) one Church of England diocese representative
  - b) one Roman Catholic diocese representative
  - c) two duly elected parent governor representatives
- 4.2 Overview and scrutiny committee and any sub-committee dealing with education functions may also contain the following co-opted, non-voting members:
- a) up to three representatives of other faiths or denominations, of which at least two should be from non-Christian faiths
  - b) up to two co-opted non-voting representatives of community groups.
- 4.3 If the committee/sub-committee deals with any matters outside education functions, the representatives outlined in 4.1 above shall not vote on these matters, though they may stay in the meeting and, with the discretion of the chair, speak.
- 4.4 Voting education representatives on overview and scrutiny committee may only sign a call-in request when the matter called-in relates to an education function.
- 4.5 In the event that an education representative does not attend a meeting of the committee on which they serve for a period of six consecutive months, without the approval of the council, they shall cease to be a representative on the committee.

#### 5. General terms of reference of all scrutiny committees/sub-committees

- 5.1 Within their terms of reference, all scrutiny committees/sub-committees will:
- a) produce a one year rolling work programme, which will be approved by the overview and scrutiny committee
  - b) review and scrutinise decisions made or actions taken in connection with the discharge of any of the council's functions
  - c) review and scrutinise the decisions made by and performance of the cabinet and council officers both in relation to individual decisions and over time in areas covered by its terms of reference

- d) review and scrutinise the performance of the council in relation to its policy objectives, performance targets and/or particular service areas
- e) question members of the cabinet and officers about their decisions and performance, whether generally in comparison with service plans and targets over a period of time, or in relation to particular decisions, initiatives or projects and about their views on issues and proposals affecting the area
- f) assist council assembly and the cabinet in the development of its budget and policy framework by in-depth analysis of policy issues
- g) make reports and recommendations to the cabinet and or council assembly arising from the outcome of the scrutiny process
- h) consider any matter affecting the area or its inhabitants
- i) liaise with other external organisations operating in the area, whether national, regional or local, to ensure that the interests of local people are enhanced by collaborative working
- j) review and scrutinise the performance of other public bodies in the area and invite reports from them by requesting them to address the scrutiny committee and local people about their activities and performance
- k) conduct research and consultation on the analysis of policy issues and possible options
- l) question and gather evidence from any other person (with their consent)
- m) consider and implement mechanisms to encourage and enhance community participation in the scrutiny process and in the development of policy options
- n) conclude inquiries promptly and normally within six months.

5.2 The overview and scrutiny committee, or one of its sub-committees shall be responsible for scrutinising the crime and disorder function.

## 6. Terms of reference of the overview and scrutiny committee

6.1 The terms of reference of the overview and scrutiny committee will be:

- a) to appoint three sub-committees, ~~including a sub-committee with responsibility for crime and disorder~~, agreeing the size, composition and terms of reference and to appoint chairs and vice chairs
- b) to agree the committee's annual work programme and to approve the programmes of the sub-committees
- c) to consider requests from the cabinet and/or council assembly and community councils for scrutiny reviews
- d) to exercise the right to call-in for reconsideration of cabinet ~~executive~~ decisions made but not yet implemented

### Comment [MI5]:

Clarification – This new clauses sets out the current position, i.e. the role can be undertaken by the main committee or one of the sub-committees. It replaces the text in 6.1(a) and reflects the current position with OSC undertaking the crime and disorder function.

### Comment [CN6]:

Typographical change.

- e) to receive and comment on scrutiny reports from the sub-committees
- f) to arrange for relevant functions in respect of health scrutiny to be exercised by an overview and scrutiny committee of another local authority where the council considers that another local authority would be better placed to undertake those relevant functions, and that local authority agrees to exercise those functions
- g) if appropriate, to appoint a joint overview and scrutiny committee with two or more local authorities and arrange for the relevant functions of those authorities to be exercised by the joint committee
- h) to periodically review overview and scrutiny procedures to ensure that the function is operating effectively
- i) to report annually to all councillors council assembly on the previous year's scrutiny activity
- j) to determine major funding requests from sub-committees in respect of particular reviews
- k) to scrutinise matters in respect of:
  - the council's policy and budget framework
  - regeneration
  - human resources and the council's role as an employer and corporate practice generally
  - customer access issues, including digital strategy e-government, information technology and communications
  - the council's equalities and diversity programmes.

**Comment [MI7]:**

Clarification – This change ensures overview and scrutiny committee is consistent with other committees such as audit, governance and standards committee. In March 2016, council assembly agreed the change for AGS committee as part of an initiative to improve the efficiency of democracy by reducing the number of information reports to council assembly.

**Comment [MI8]:**

Clarification - Updating of current policy description.

## 7. Terms of reference of a joint overview and scrutiny committee appointed to consider proposals relating to the health service

- 7.1 Where the council is required to form a joint overview and scrutiny committee with another authority or authorities to consider a consultation on a proposal for substantial development of or variation to the health service affecting each council's area, it will be for each appointing authority to adopt terms of reference and procedure rules as they consider appropriate.
- 7.2 The joint overview and scrutiny committee may:
  - only consider the relevant matter
  - make comments on the proposal
  - require relevant information or require an employee or member of a NHS body or health service provider to attend and answer questions.
- 7.3 When establishing a joint overview and scrutiny committee the appointing local authorities will determine whether the power of referral to the Secretary of State in relation to a relevant proposal should be made by the Joint Committee or by the local authorities themselves. If the power is retained by the local authorities it may then be delegated to the overview and scrutiny committee or one of its sub-committees.

**Comment [MI9]:**

Clarification – This new clause updates the health role of scrutiny.

7.3 The joint overview and scrutiny committee will meet for such a period as is necessary to consider the consultation and make reports and recommendations.

## 8. Matters within the remit of more than one scrutiny sub-committee

8.1 Where a matter for consideration by a scrutiny sub-committee also falls (whether in whole or in part) within the remit of one or more other scrutiny sub-committees, then the sub-committee conducting the review shall either:

- a) invite the chair of the other sub-committee (or his/her nominee) to attend meetings when the matter is being reviewed
- b) invite the other sub-committee to comment on findings prior to submitting its report to overview and scrutiny committee and the cabinet/council assembly.

8.2 If necessary, overview and scrutiny committee will determine which sub-committee will assume responsibility for any particular issue and resolve any issues of dispute between sub-committees.

## 9. Policy review and development

9.1 The cabinet is required to make arrangements for consultation in respect of any proposals to the council for the adoption of any plan, strategy or budget that forms part of the budget and policy framework. The role of the overview and scrutiny committee and its sub-committees in relation to consultation is set out in detail in the budget and policy framework procedure rules.

9.2 In relation to council policy, the overview and scrutiny committee/sub-committees may make proposals to the cabinet for developments insofar as they relate to matters within their terms of reference.

## 10. Meetings of the overview and scrutiny committee and its sub-committees

10.1 ~~There shall be at least eight ordinary meetings of the overview and scrutiny committee in each year. In addition, there shall be~~ At least one ordinary meeting of the overview and scrutiny committee (or sub-committee) will act as the crime and disorder committee for the in each year.

**Comment [MI10]:**  
Clarification – Updated In line with current calendar.

10.2 Extraordinary meetings may be called by the chair of the committee, by two-thirds of the committee's voting membership or by the proper officer if he or she considers it necessary or appropriate.

**Comment [MI11]:**  
Clarification – This change reflects current practice on crime and disorder [see also change to OSPR 5.2].

10.2 ~~The chair of the committee may also cancel a meeting for lack of business, or reschedule a meeting, having first consulted with the designated representatives of all political groups recognised by the council.~~

**Comment [MI12]:**  
Duplication – A similar rule is included in the committee procedure rules. The relevant committee procedure rules will be amended by adding “or designated scrutiny officer”.

10.3 The sub-committees shall determine their own arrangements for when meetings are held.

10.4 ~~A schedule of meetings will be published at the beginning of each municipal year.~~

**Comment [CN13]:**  
Duplication – This is covered in the committee procedure rules.

**11. Quorum**

~~11.1 The quorum for the overview and scrutiny committee and its sub-committees shall normally be 25% of the voting membership of the relevant committee/sub-committee but no fewer than two.~~

**Comment [CN14]:**  
Duplication – This is covered in the committee procedure rules.

**12. Prohibition of party whip over voting on overview and scrutiny committee/sub-committees**

12.1 The party whip does not apply to meetings of overview and scrutiny committees or sub-committees.

12.2 The expression “party whip” is taken to mean “any instruction given by or on behalf of a political group to any councillor who is a member of that group as to how that councillor shall speak or vote on any matter before the council or any committee or sub-committee, or the application or threat to apply any sanction by the group in respect of that councillor should he/she speak or vote in any particular manner.”

**13. Procedure at overview and scrutiny committee/sub-committee meetings**

~~13.1 The overview and scrutiny committee and its sub-committees shall consider the following business (with the exception of c) which only applies to overview and scrutiny committee):~~

- ~~a) minutes of the last meeting~~
- ~~b) declarations of interest~~
- ~~c) consideration of any matter referred to the committee for a decision in relation to call-in of a decision~~
- ~~d) consideration of any councillor call for action~~
- ~~e) responses of the cabinet to reports of the committee~~
- ~~f) business otherwise set out on the agenda for the meeting.~~

**Comment [CN15]:**  
Duplication – This is covered in the committee procedure rules. OSPR 13.1(c) is included in the call-in procedure rules below (see OSPR 25.2).

**14. Formal records to be maintained**

~~14.1 No meeting of overview and scrutiny committee or any of its sub-committees shall commence or conduct business unless the monitoring officer or their representative is present. All meetings are to be clerked by a representative of the scrutiny officer, with minutes to be produced including details of members attending and details of decisions taken. Copies of all agendas and minutes are to be maintained by the scrutiny officer.~~

**Comment [MI16]:**  
Duplication – A similar rule is already found in committee procedure rule 1.9. CPR 1.9 will be redrafted to take account of different meetings, with a specific rule covering the arrangements at OSC e.g. a new 1.9.2. The revised rule will also clarify that the attendance of the monitoring officer at all scrutiny sub-committees is no longer required. This is in line with existing practice.

**15. Work programmes**

~~15.1 The overview and scrutiny committee and each of its sub-committees Each of the scrutiny committees will develop an annual work programme.~~

15.2 The overview and scrutiny committee will approve and review the individual work programmes of the sub-committees.

15.3 Five members of the council may request the overview and scrutiny committee to consider an individual addition or subtraction to the work programme of a sub-committee.

**16. Agenda items**

### Reference by committee members

16.1 Any member of the overview and scrutiny committee or a sub-committee shall be entitled to give notice to the scrutiny officer that he/she wishes an item relevant to the functions of the committee/sub-committee of which they are a member to be included on the agenda for the next available meeting. On receipt of such a request the scrutiny officer will ensure that it is included on the next available agenda. This rule will apply where the councillor call for action procedure set out in paragraph 16.3 does not apply.

~~16.2 Any two members of the council who are not members of the overview and scrutiny committee or a sub-committee may give written notice to the scrutiny officer that they wish an item to be included on the agenda of that committee/sub-committee. If the scrutiny officer receives such a notification, then he/she will include the item on the first available agenda of the committee/sub-committee for consideration. This rule will apply where the councillor call for action procedure set out in paragraph 16.3 does not apply.~~

### Reference by councillors

16.2 ~~Any member of the council may give written notice to the scrutiny officer that he/she wishes an item relevant to the functions of the overview and scrutiny committee or a sub-committee and which is not an "excluded matter"<sup>1</sup> to be included on the agenda of the next available meeting. On receipt of such a request the scrutiny officer will ensure that it is included on the next available agenda of the committee/sub-committee for consideration.<sup>2</sup>~~

16.3 ~~Any member of the council may give written notice to the scrutiny officer that they wish to refer a councillor call for action to overview and scrutiny. If the scrutiny officer receives such a notification then he/she will include the item on~~

<sup>1</sup> An "excluded matter" is defined in accordance with the section 9FC (5) of the Local Government Act 2000, and set out in The Overview and Scrutiny (Reference by Councillors) (Excluded Matters) (England) Order 2012. An excluded matter is:

- a) any matter relating to a planning or licensing decision
- b) any matter relating to a person who has a right of recourse to a review or right of appeal conferred by or under any enactment
- c) any matter which is vexatious, discriminatory or not reasonable to be included in the agenda for, or to be discussed at, a meeting of the overview and scrutiny committee or at a sub-committee.

A matter does not fall within a description in (a) or (b) above if it consists of an allegation that a function for which the authority is responsible has not been discharged at all or that its discharge has failed or is failing on a systemic basis.

<sup>2</sup> If an item for which a councillor has given notice is a local crime and disorder matter within the meaning of section 19 of the Police and Justice Act 2006 (local authority scrutiny of crime and disorder matters) and it does not fall within the definition of an excluded matter set out in footnote 1 above, it shall be included on the next available agenda of the committee/sub-committee with responsibility for scrutinising the crime and disorder function.

**Comment [CN17]:**  
Update - No longer required, replaced by new 16.2 below.

**Comment [MI18]:**  
Updated clause - Councillor call for action no longer exists. A new footnote includes the definition of an excluded matter.

~~the agenda of the first appropriate committee or sub-committee for consideration as to whether it is valid in accordance with the councillor call for action scheme.~~

#### **17. Overview and scrutiny budget**

~~17.1 Within the agreed budget for overview and scrutiny, the overview and scrutiny committee/sub-committees may:~~

- ~~a) hold enquiries and investigate the available options for future direction in policy development~~
- ~~b) appoint advisers and assessors to assist them in this process~~
- ~~c) go on site visits, conduct public surveys, hold public meetings, commission research and do all other things that they reasonably consider necessary to inform their deliberations~~
- ~~d) ask witnesses to attend to address them on any matter under consideration~~
- ~~e) pay any advisers, assessors and witnesses a reasonable fee and expenses for doing so.~~

~~17.2 The overview and scrutiny committee will have responsibility for monitoring the budget for additional scrutiny research and determining funding requests from its sub-committees in respect of particular reviews.~~

#### **18. Members and officers giving account**

18.1 Overview and scrutiny committee or a sub-committee may scrutinise and review decisions made or actions taken in connection with the discharge of any council functions. In fulfilling the scrutiny role, a committee may require any member of the cabinet, the head of paid service and/or any senior officer to attend before it to explain, in relation to matters within their remit:

- a) any particular decision or series of decisions
- b) the extent to which the actions taken implement council policy
- c) their performance

and it is the duty of those persons to attend if so required.

18.2 In fulfilling the scrutiny role, a committee may require any deputy cabinet member to attend before it to explain, in relation to matters within their remit, their performance and it is the duty of those persons to attend if so required.

18.3 In response to the receipt of a petition (with 500 or more signatures) requesting that an officer be held to account at a meeting of an overview and scrutiny committee or sub-committee, a meeting may require a named officer to report and be questioned on their actions (as set out in the council's petition scheme). It is the duty of those persons to attend if so required.

#### **Comment [CN19]:**

Clarification – A budget no longer exists for additional scrutiny research. This revised clause reflects current practice.



18.4 Where any member or officer is required to attend a scrutiny committee/sub-committee under this provision, the chair of the committee/sub-committee will inform the scrutiny officer. The scrutiny officer shall inform the member or officer in writing giving at least five clear working days notice of the meeting at which he/she is required to attend. The notice will state the nature of the item on which he/she is required to attend to give account, the specific area of inquiry and whether any papers are required to be produced for the committee/sub-committee.

18.5 Where, in exceptional circumstances, the member or officer is unable to attend on the required date, then the scrutiny officer in consultation with the committee/sub-committee and the member or officer shall arrange an alternative date for attendance.

## 19. Attendance by others and public attendance

19.1 A scrutiny committee may invite people other than those people referred to in paragraph 18 above to address it, discuss issues of local concern and/or answer questions. It may for example wish to hear from residents, stakeholders and members and officers in other parts of the public sector and shall invite such people to attend. Attendance by these people is optional.

19.2 Where people attend to give evidence as part of an investigation, meetings are to be conducted in accordance with the following principles:

- a) that the investigation be conducted fairly and all members of the committee/sub-committee be given the opportunity to ask questions of attendees, and to contribute and speak
- b) that those assisting the meeting by giving evidence be treated with respect and courtesy
- c) that the investigation be conducted so as to maximise the efficiency of the investigation or analysis.

19.3 Members of the public may attend open meetings of scrutiny committees that are open to the public and may request to speak. The public may be excluded from meetings whenever it is likely in view of the nature of the business to be transacted or the nature of the proceedings that confidential or exempt information would be disclosed.<sup>3</sup>

## 20. Reports from the overview and scrutiny committee and its sub-committees

20.1 Once it has formed recommendations on proposals for development, the overview and scrutiny committee or a sub-committee will prepare a formal report and submit it to the proper constitutional officer for consideration by the cabinet. The committee/sub-committee will also report to council assembly as appropriate (in respect of the budget setting process, relevant scrutiny reports should be forwarded with cabinet recommendations to council assembly).

**Comment [MI20]:**  
Clarification - The revised wording is based on clauses in the Access to Information Procedure Rules, which apply to committees.

<sup>3</sup> See Access to Information Procedure Rules 3 and 10.

- 20.2 If the overview and scrutiny committee or a sub-committee cannot agree on one single final report, then any member of the committee/sub-committee may prepare a minority report to be submitted for consideration by the cabinet or council assembly with the majority report.
- 20.3 The cabinet shall consider and provide a written response to a scrutiny committee's/sub-committee's report within ~~three~~ **two** months.
- 20.4 Management of the flow of reports to the cabinet will be the responsibility of the overview and scrutiny committee. Reports are formally routed via the overview and scrutiny committee so that it can add its own comments.

## 21. **Call-in Decisions subject to call-in**

21.1 The overview and scrutiny committee can "call-in" any executive decision which has been made but not yet implemented by the following—made by:

- a) the cabinet or
- b) an individual member of the cabinet, or
- c) a committee of the cabinet, or
- d) an executive decision taken by a community council, or
- e) a key decision made by an officer with delegated authority, a cabinet decision which has been made but not yet implemented.

This enables the overview and scrutiny committee to consider whether the decision is appropriate. The committee may recommend that the decision maker reconsider the decision.

### **Decisions not subject to call-in**

21.2 The following categories of ~~urgent~~ executive decision are not subject to call-in:

- a) recommendations on the budget and policy framework
- b) decisions for urgent implementation (Rule 20, access to information procedure rules)
- c) urgent decisions outside the budget or policy framework (Rule 4, budget and policy framework procedure rules)
- d) non-key decisions relating to contract standing orders
- e) non key decisions taken by officers.

21.2 Requests for call-in should normally only be made if there is evidence that the decision maker did not take the decision in accordance with the principles of decision making as set out in Article 1.3 of the constitution.

- a) proportionality (i.e. the action must be proportionate to the outcome)

#### **Comment [MI21]:**

Clarification – The two month period set out in clause 20.3 will ensure consistency for all scrutiny reports including those submitted to cabinet and NHS bodies. This reflects the duty to respond set out in NHS scrutiny and executive legislation. In the case of the executive it has two months to respond beginning on the date on which the executive received the report or the recommendations or (if later) the notice.

A response to a scrutiny report can be agreed as an individual decision by the cabinet member with the relevant portfolio responsibility. Where the issues are cross cutting the leader would need to assign the decision to a named cabinet member using a notice of variation to executive functions. This is an option in those limited occasions where the cabinet is not scheduled to meet within the two month time period.

**Comment [MI22]:** New clause replacing existing OSPR 21.1 using same information but presented in a more consistent and clearer format.

**Comment [CN23]:** Typographical change

#### **Comment [MI24]:**

Clarification – New clause e) to reflect current position.

#### **Comment [MI25]:**

Moved to new clause on submission of valid call-in, bringing together two clauses on same issue.

- b) ~~due consultation and the taking of professional advice from officers~~
- e) ~~respect for human rights~~
- d) ~~presumption in favour of openness~~
- e) ~~clarity of aims and desired outcomes~~
- f) ~~the link between strategy and implementation must be maintained~~
- g) ~~decision making generally should have reference to the policy framework and be in accordance with the budget.~~

## 22. Procedure to call-in a decision

### Publishing the decision and call-in period

- 22.1 ~~When a relevant decision as defined in overview and scrutiny procedure rule 21.1 is made by the cabinet or an individual member of the cabinet, or a committee of the cabinet, or an executive decision is taken by a community council, or a key decision is made by an officer with delegated authority, the decision shall be published, normally within two clear working days of being made. All members will be sent copies of the records of all such decisions within the same time scale, by the person responsible for publishing the decision.~~
- 22.2 That notice will bear the date on which it is published and will specify that the decision will come into force, and may then be implemented, on the expiry of five clear working days after the publication of the decision, unless the overview and scrutiny committee objects to it and calls it in.
- 22.3 ~~For reports, which contain a number of individual schemes for decision, an individual stand-alone proposal may be called-in rather than the whole report. For the avoidance of doubt the proposals not called-in may be implemented.~~

**Comment [MI26]:**  
New cross-reference. Note:  
Numbering may need updating.

### Call-in threshold

- 22.4 During that period, the scrutiny officer shall call-in a decision for scrutiny if so requested by three members of the committee, including education representatives for the purpose of education decisions only.
- 22.5 A member serving on a community council (who is also a member of the overview and scrutiny committee) who participates in taking an executive decision shall not sign a call-in request on the same decision (thus avoiding any conflict of interests).

**Comment [AC27]:** Minor alteration which would allow an individual stand proposal to be called-in. Currently the procedure rules refer to a "decision" and this is interpreted as meaning the whole report. In the case of a report which contains a number of individual schemes for decision, currently the whole report would be subject to the call-in provisions. This change would allow more effective decision making.

### Scope and form of a call-in request

- 22.6 ~~Requests for call-in should normally only be made if there is evidence that the decision maker did not take the decision in accordance with the principles of decision making as set out in Article 1.3 of the constitution.~~
- 22.7 A valid request for call-in must contain the requisite number of signatures and give reasons for the call-in. In particular, the request must state whether or not

the members believe that the decision is outside the policy or budget framework.

### **23. Decisions not subject to call-in**

23.1 The following categories of urgent decision are not subject to call-in:

- f) recommendations on the budget and policy framework
- g) decisions for urgent implementation (Rule 19, access to information procedure rules)
- h) urgent decisions outside the budget or policy framework (Rule 4, budget and policy framework procedure rules)
- i) non-key decisions relating to contract standing orders.

23.2 The operation of the provisions relating to call-in and urgency shall be monitored annually, and a report submitted to council assembly with proposals for review if necessary.

### **24. Procedure following call-in**

#### **Invalid call-in request – Next steps**

24.1 If the scrutiny officer is of the opinion that a request for a call-in may not be valid, because of a breach of procedure or other reason under this constitution, they shall inform the relevant members (this must always include the chair and vice chair) within one clear working day of receipt of the request. In the event of dispute, the decision of the monitoring officer shall be final.

#### **Valid call-in request – Notice and next steps**

24.2 Following call-in of a decision, the scrutiny officer shall notify the decision maker and the relevant chief officer, who shall suspend implementation of the decision. If the request for call-in states that the reason for call-in is that the decision is outside the budget or policy framework, the scrutiny officer shall also notify the monitoring officer and chief finance officer in order for a report to be prepared for the overview and scrutiny committee.

#### **Actions following notice of a valid call-in request**

24.3 Within five clear working days of the call-in request, and where possible in consultation with the chair of the overview and scrutiny committee, the scrutiny officer shall:

- a) refer the called-in decision to the next meeting of the overview and scrutiny committee, if that meeting is within ten clear working days of the receipt of the call-in request, or
- b) call an extraordinary meeting of the overview and scrutiny committee to consider the called-in decision, to take place as soon as possible and in any case within ten clear working days of the call-in request, or

**Comment [MI28]:**  
Clarification – Moved to new OSPR 21 so follows list of decisions subject to call-in.

**Comment [MI29]:**  
Clarification – Updated to reflect current position. OSC reports regularly to cabinet on a range of issues. Its reports are readily accessible on the council's website.

**Comment [MI30]:**  
Clarification – New heading.

**Comment [MI31]:**  
Clarification – New heading.

**Comment [MI32]:**  
Clarification – New heading.

- c) if appropriate arrange, where a called-in decision cannot reasonably be considered within the timescale in clauses a) or b) above, an extraordinary meeting of the overview and scrutiny committee to consider the matter outside the normal timetable, unless in the view of the monitoring officer and/or the chief finance officer, in consultation with the relevant chief officer, the matter cannot wait and in which case it shall be considered in accordance with the timescale set out above.

**Time limit for consideration of the call-in request**

- 24.4 If the overview and scrutiny committee does not meet within the constitutional timescale set out for call-ins, ~~or does meet but does not refer the matter back to the decision making person or body,~~ the decision shall take effect on the date of the scrutiny meeting, or the expiry of 15 clear working days after the decision was published, whichever is the earlier, unless the provisions of 24.3(c) are applied.

**Comment [MI33]:**  
Clarification – New heading.

**Comment [MI34]:**  
Clarification – The highlighted wording has been moved to clause 25.3 because it relates to the potential outcomes available to the call-in meeting.

**25. Call-in meeting and action required of decision-makers**

**Attendance of decision maker or an appropriate substitute**

- 25.1 The decision maker or an appropriate substitute will be invited to attend and speak at the call-in meeting of the overview and scrutiny committee. Inability to attend will not delay consideration of the called-in decision.

The other strikethroughs in this clause are because the wording is now superfluous given the changes that have been made.

**Comment [CN35]:**  
Typographical change.

**Call-in meeting**

- 25.2 Following the introductory business (i.e. apologies, confirmation of voting members, minutes, declarations), a call-in of a decision shall be the first substantive item of business to be considered at the meeting. On meeting, the overview and scrutiny committee will consider the call-in request and in particular whether or not the decision might be contrary to the policy framework or not wholly in accordance with the budget. Advice should be sought from appropriate chief officers, the monitoring officer or the chief finance officer. The monitoring officer's report and/or the chief finance officer's report shall be copied to every member of the council.

**Comment [MI36]:**  
Clarification – New heading.

**Comment [MI37]:**  
Clarification – New heading.

**Comment [MI38]:**  
Clarification – This additional wording takes in existing OSPR 13.1(c) which states that call-in decisions should be considered as the first item of business following any introductory business.

**Potential outcomes available to the call-in meeting**

- 25.3 If, having considered the decision and all relevant advice, the overview and scrutiny committee ~~is still concerned about it, then it~~ may either:
- refer it back to the decision making person or body for reconsideration, setting out in writing the nature of its concerns, or
  - refer the matter to council assembly if the decision is deemed to be outside the policy and budget framework, or
  - not refer the matter back to the decision making person or body but decide to undertake a subsequent scrutiny review of a policy or service issue, which shall not affect the implementation of the decision, or
  - not refer the matter back to the decision making person or body.

**Comment [MI39]:**  
Clarification – New heading.

OSPR 25.3 has also been revised to include all the options available to the overview and scrutiny committee when it has considered the call-in of a decision.

In 25.3 c) and d) above, the decision shall take effect on the date of the scrutiny meeting, upon receipt of notice from the proper constitutional officer. Notice of the decision will be issued to all councillors and published on the council's website.

#### **Referral back to the decision making person or body**

- 25.4 If referred to the decision maker, unless the decision maker is a body such as cabinet or a with the exception of community council, the proper constitutional officer shall give five clear working days notice to all councillors of a forthcoming decision for reconsideration. The decision maker they shall then reconsider their decision within a further seven ~~clear~~ **10** clear working days. If referred back to a body ~~community council~~, reconsideration will wait until the next scheduled meeting of the body ~~community council~~, unless the monitoring officer determines, following consultation with the relevant chief officer and chair of the body ~~relevant community council~~ (or in his or her absence the vice-chair), that the matter can not wait in which case it will be considered within ~~15 seven~~ **clear** working days. If it is the view of the monitoring officer or the chief finance officer that the decision falls within the policy and budget framework, the decision maker may amend the decision or not, before adopting a final decision. The final decision shall take immediate effect, upon receipt of notice from the proper constitutional officer. Notice of the decision will be issued to all councillors and published on the council's website.

#### **Referral to council assembly**

- 25.5 If referred to council assembly, the decision is further suspended pending a meeting of council assembly, this must take place within 20 ~~seven~~ clear working days of the decision to refer to council, unless the monitoring officer determines, following consultation with the relevant chief officer and the Mayor as chair of council assembly, that the matter can wait until the next scheduled meeting of council assembly or another appropriate date and time.

Within this time, the decision maker must decide what action to take in respect of the monitoring officer's and/or the chief finance officer's advice and to prepare a report to council assembly.

- 25.6 If the council assembly does not meet in the period set out above, or does meet but does not refer the matter back to the decision making person or body, the decision shall take effect on the date of the council assembly meeting, or the expiry of 20 ~~15~~ clear working days after the decision was published, whichever is the earlier.
- 25.7 The council assembly will receive details of the decision, the advice of the monitoring officer and/or the chief finance officer, the comments of the overview and scrutiny committee and the report from the decision maker.
- 25.8 Where the council assembly accepts that the decision is within the budgetary and policy framework it may either:
- endorse a decision or proposal of the decision taker as falling within the existing budget and policy framework. In this case no further action is required, save that the decision of the council assembly be minuted and circulated to all councillors in the normal way. The final decision shall take immediate effect, upon receipt of notice from the proper constitutional

**Comment [MI40]:**

Clarification – New heading.

**Comment [MI41]:**

Updated – The revised clause reflects a more reasonable timescale for the decision maker to reconsider their decision and take any necessary advice from officers or receive other representations in this period. This is in line with existing timelines for decision making. The revised rule also includes a notice period for a reconsidered decision. If the decision became urgent for any reason the decision maker/officers could seek an urgent implementation notice in the normal way (see Access to Information Procedure Rule 20).

The rules applying to meetings have been brought into line with the existing rules for community councils, which reflects existing practice. Therefore reconsideration would normally be referred to the next scheduled meeting, unless the monitoring officer or chief finance officer is satisfied the decision cannot wait.

**Comment [MI42]:**

Consistency – All other timescales refer to "clear working days".

**Comment [MI43]:**

Clarification – In line with current practice.

**Comment [MI44]:**

Clarification – New heading.

**Comment [MI45]:**

Updated – This rule has been amended so it is in line with clause 25.4. Currently the council must give seven working days notice of a council assembly meeting so "seven" is totally impractical for convening a meeting. A period of 20 days is considered more reasonable, due to greater complexity and logistics. It is recognised that on occasions (as in OSPR 25.4) reconsideration may be moved to another date or referred to the next scheduled meeting of council assembly on advice of the monitoring officer or chief finance officer.

officer. Notice of the decision will be issued to all councillors and published on the council's website, or

**Comment [MI46]:**  
Clarification – In line with current practice.

- b) if it objects to the decision on grounds other than it falling outside the budget or policy framework, refer the decision back to the decision making person or body, together with the council assembly's views on the decision. The decision maker will reconsider the decision within ~~15~~ five clear working days and choose whether to amend the decision or not before reaching a final decision. The final decision shall take immediate effect, upon receipt of notice from the proper constitutional officer. Notice of the decision will be issued to all councillors and published on the council's website and implementing it, reporting this to overview and scrutiny committee.

**Comment [MI47]:**  
Consistency – This timescale has been changed to bring it in line with recommended deadline in 25.4.

**Comment [MI48]:**  
Clarification – In line with current practice.

25.9 Where the council assembly accepts that the decision is contrary to the policy framework or contrary to or not wholly in accordance with the budget, it may either:

- a) amend the council's budget or policy framework to encompass the decision or proposal of the body or individual responsible for that executive function and agree to the decision with immediate effect. In this case, no further action is required save that the decision of the council assembly be minuted and circulated to all councillors in the normal way. The final decision shall take immediate effect, upon receipt of notice from the proper constitutional officer. Notice of the decision will be issued to all councillors and published on the council's website, or

**Comment [MI49]:**  
Clarification – In line with current practice.

- b) require the individual decision maker or body to reconsider the matter in accordance with the advice of either the monitoring officer or chief finance officer. ~~within five working days to reconsider/amend the decision and this will be reported to the overview and scrutiny committee~~ If referred to an individual decision maker, the proper constitutional officer shall give five clear working days notice to all councillors of a forthcoming decision for reconsideration. The decision maker shall then choose whether to amend the decision or not before reaching a final decision, within a further 10 clear working days. If referred back to a body, reconsideration will wait until the next scheduled meeting of the body, unless the monitoring officer determines, following consultation with the relevant chief officer and chair of the body (or in his or her absence the vice-chair), that the matter can not wait in which case it will be considered within 15 clear working days. The final decision shall take immediate effect, upon receipt of notice from the proper constitutional officer. Notice of the decision will be issued to all councillors and published on the council's website.

**Comment [MI50]:**  
Updated – The revised clause has been updated so the timescales and approach is the same as revised OSPR 25.4 above.

This reflects a more reasonable timescale for the decision maker to reconsider their decision and allows bodies to be treated in line with existing rules.

**Comment [MI51]:**  
Clarification – The notice requirements are in line with current practice and similar changes to other OSPRs.

## COMMUNICATION PROTOCOL

### Scope of the protocol

1. This protocol applies to all publicity issued or produced and paid for out of the council's resources.
2. The protocol also applies to any other material issued by organisations that are either wholly or partly separate from the council but which use council's grants or other funding from the council to produce the publicity.

### The legal framework

3. When publishing any material at any time, a local authority must comply with the provisions of the Local Government Act 1986 (the act) and the Code of Recommended Practice on Local Authority Publicity 2011 (the code) which was revised on 31 March 2011. Section 2 of the act states as follows:
  - (1) A local authority shall not publish (or assist others to publish) any material, which in whole or in part is designed to affect public support for a political party
  - (2) In determining whether material falls within the prohibition regard shall be had to the content and style of the material, the time and other circumstances of the publication and the likely effect on those to whom it is directed and in particular the following matters:
    - a) whether the material refers to a political party or to persons identified with a political party or promotes or opposes a point of view on a question of political controversy which is identifiable as the views of one political party and not of another
    - b) where the material is part of a campaign, the effect that the campaign appears to be designed to achieve.
4. Section 6 of the act defines publicity as "any communication in whatever form, addressed to the public at large or to a section of the public".
5. The key points to note from the above section and the code are that publicity by local authorities should:
  - (1) be lawful
  - (2) be cost-effective
    - Consideration needs to be given to achieving value for money and to what is the most appropriate publicity in each case.
    - The code requires that where central government publicity has been issued on a matter, local authorities should not incur expenditure on publicity on the same matter unless they consider additional value is added, i.e. by giving a local context to national issues.



- Local authorities should consider whether to take advice before embarking on a publicity campaign involving very large expenditure.
- (3) be objective
- Where publicity is used to comment on, or respond to the policies and proposals of central government, or other local councils, the comments or response should be balanced and factually accurate and should avoid anything likely to be perceived by readers as constituting a political statement.
  - Any publicity describing council policies and aims should be as objective as possible, concentrating on facts or explanations or both.
  - Local authorities should not use public funds to mount publicity campaigns whose primary purpose is to persuade the public to hold a particular view on a question of policy.
- (4) be even-handed
- Where local authority publicity addresses matters of political controversy it should seek to present the different positions in question in a fair manner.
  - Except where a period of heightened sensitivity exists (i.e. purdah), it is acceptable for local authorities to publicise the work done by individual members of the council, even if those views do not reflect the views of the local authority itself, although such publicity should make this fact clear.
  - It is acceptable for local authorities to host publicity prepared by third parties such as blogs and with links to external sites, although those may need to be disabled during a period of heightened sensitivity.
  - It is acceptable for publicity prepared by third parties and hosted by local authorities to include a logo associated with a political party or particular member of the authority such as the leader, but publicity material relating to a particular member must not seek to affect public support for that individual.
- (5) be appropriate
- Local authorities should not incur any expenditure in retaining the services of lobbyists in order to publish material designed to influence public officials, MPs or the government.
  - Publicity about local authorities and services should be freely available in accessible formats.
  - Local authority publicity should clearly identify itself as a product of the local authority.
- (6) have regard to equality and diversity
- Publicity may seek to influence attitudes on health, safety, crime prevention, equality, diversity and community issues.
- (7) be issued with care during periods of heightened sensitivity
- Particularly regard needs to be paid before elections and referendums, when the general rule is that no publicity should be issued which seeks to influence voters.
- (8) When deciding whether publicity may fall foul of the act and the code, the council should consider
- the content and style of the materials

- the timing and circumstances of the materials
- the likely effect on those to whom it is addressed
- whether it refers to a political party or politician
- whether it advocates a particular view that can be easily identified with a political party
- if it is part of a campaign, the effect that campaign is designed to achieve.

### **Publicity of individual councillors**

6. Publicity about councillors may include their contact details, their political affiliation, the position they hold with the council and their responsibilities.
7. Publicity may include information about individual councillor's proposals, decisions and recommendations where this is relevant to their position and responsibilities within the council. Publicity of individual councillors should avoid personalisation of issues or personal image making.

### **Ward member of the council**

8. Ward councillors will be invited to attend public meetings and events organised by the council to consider a local issue and will also be kept informed of consultative exercises on local issues. Some events will involve some members in formal roles, i.e. take part in photo opportunities, make presentations or officially address an audience and members will be advised of what those formal roles are and who is involved in those at the time of invitation.
9. Nothing in this protocol shall prevent the normal publication of the details of members' surgeries on-line, in hard copy or in advertisements.

### **Official visits by government and shadow ministers**

10. It is open to government and shadow ministers to visit the borough at any time. However should the minister require assistance or access to any of the council's services or facilities, the visit will need to be arranged through official channels of the council. This will ensure that appropriate support is provided on the day.
11. To this end all such requests from government and shadow ministers must be referred to the head of communications who will promptly notify the chief executive of the request.
12. The head of communications will liaise with their counterpart at the relevant government department to ascertain the purpose of the visit. The head of communications in consultation with the chief executive and monitoring officer will authorise the visit if satisfied that the visit would assist the council in promoting one or more of its policies and or objectives or would be purely for fact finding.
13. Events which involve government ministers or other political figures and shadow ministers should usually be led by the leader or cabinet member with the Mayor informed or invited to lead as appropriate. Ward councillors and

leaders of all the political parties should be invited where possible and appropriate.

### **Visits by local and other Members of Parliament (MPs)**

14. There may be instances where local and other MPs who are not ministers will have a special interest in attending an event that is taking place in the borough. In this instance the MP in question may either be formally invited or merely informed about the event. Where the MP has not been specifically invited to attend, he or she should not expect to be treated as an "official" invitee.

### **Promotional publicity**

15. Local authorities are authorised under the Local Government Act 1972 to publicise information as to the services provided by them or other local authorities in their area. Publicity can also be used to explain or justify the council's policies either in general, such as in the annual report, or on specific topics, for example as a background to consultation. However, any such publicity should comply with the principles of the code.

### **Publicity of matters going before the cabinet, council assembly or any committee of the council**

16. All matters going before the cabinet or committees for decision are publicised five clear working days before the meeting or seven clear working days in the case of council assembly unless the report contains exempt information (i.e. information that has been judged by the proper officer as confidential). Some matters will obviously generate more press interest than others. Where the press is interested in a matter that is to be the subject of a decision by the council, the head of communications in conjunction with the relevant chief officer and cabinet member may issue a press release explaining the reasons behind the recommendations. Any such press release must be factual and objective. Members may be asked by the media to comment on this press release but should remember that whilst criticism of ideas and opinion is part of the democratic process, a member must comply with the code of conduct.
17. Where there has been misinformation about any of the council's policies or objectives the head of communications is authorised to take any appropriate corrective measures.

### **Scrutiny**

18. Publicity about scrutiny will concentrate on factual information about which scrutiny exercises the council is conducting, who is involved, the process they will follow and the decisions they take. Where scrutiny suggests a course of action that differs to or challenges one agreed by the cabinet or any other council decision making body, this would be made clear in publicity together with the process for resolving the difference.

### **Contact with press**

19. As outlined in the code of conduct for employees, employees and other staff should not communicate with press and other media unless authorised by the appropriate manager to do so.

### **Press releases**

20. All press releases from the council must be agreed and signed off by the communications unit and issued either electronically or on council headed paper. Press releases containing quotes from members must be agreed and signed off by the appropriate member.

### **Social media**

21. It is acceptable for the council to host social media, such as a blog, which itself contains links to external sites where the content would not itself comply with the code. However care needs to be exercised in that such links do not:
- contain content that may result in actions for libel, defamation or other claims for damages
  - be used to process personal data other than for the purpose stated at the time of capture
  - be used in an abusive, hateful or disrespectful manner.
22. However particular care must be taken during the period before elections and referendums to ensure that no breach of any legal restriction takes place. It may be necessary to suspend the hosting of material produced by third parties or public forums during such periods.
23. In addition, where members are present as voting members at any meeting where they are determining any application for any approval, consent, licence, permit or permission, they should not access the internet, send or receive emails, text, messages or tweets concerning the business of that committee. Further advice is given by the monitoring officer's guidance 'A few top tips for members using social media' issued September 2016 link.

### **Publicity during periods of heightened sensitivity**

24. Candidates in an election or referendum should not be provided with any form of publicity during the period between the notice of an election and the election itself.
25. Any publicity should be objective, factual, not deal with controversial political issues and avoid personalisation of the issues or inappropriate personal image making.
26. The council should not produce publicity designed to influence the views of local people on petitions, referendums or specific proposals.

### **The role of the communications unit**

27. The communications unit works on behalf of the council and not for any political party. The purpose of its work is to provide high quality information about the council, its policies and its services and to maintain public confidence and where appropriate to protect and to promote the council's reputation. It aims to encourage better relationships with the local community. It is important to remember that all publicity and press releases are directed through the communications unit so these goals can be achieved.

28. The head of communications can advise members on how to deal with press enquiries, and how to arrange publicity for events, which can be properly publicised. Members have a remit to discover and make public inefficiency and poor public service; however, they should be careful where a matter they wish to make public relates to identifiable officers.
29. Publicity and information will cover areas such as why the council makes the decisions it does, and why other proposals are rejected. The communications unit will feature the decisions of the council, i.e. those decisions made by the council assembly, cabinet, scrutiny, planning or licensing committees or community councils, or those actions which have been taken within the broad policy framework already set by the council, subject to any call-in arrangements.

### **Obligations on officers in relation to documents being prepared for public consumption**

30. Council staff and resources must not be used to arrange proactive events, such as photocalls, if they would provide politicians with a platform to communicate with the public that would not otherwise be available to them.
31. When considering whether a communication or publicity is safe to be put out officers should ask themselves whether the communication or publicity is objective, balanced, informative and accurate. If the answer is an unequivocal yes then the communication or publicity is safe to be put out.
32. Where officers are uncertain as to whether a communication or publicity is appropriate they should seek advice from the communications unit and the monitoring officer in those cases.
33. If something cannot go out as a member has suggested then officers can explain why and offer an alternative form of words. Again the communications unit or the monitoring officer can offer you guidance on what would be appropriate.

### **The role of the Mayor**

34. The Mayor is the first citizen of the borough and as such is apolitical. He or she is responsible for promoting the council as a whole and representing the council in civic and ceremonial events.
35. The Mayor is also responsible for chairing meetings of the council assembly and interpreting the constitution as necessary. Where the Mayor is unable to act or the office is vacant, the Deputy Mayor will discharge all of the Mayor's duties except that the deputy may not chair meetings of the council assembly unless specifically appointed to do so.

### **Key spokespeople**

36. The role of the spokesperson is to present facts about council decisions, the context in which they were taken, actions, and issues faced by the council. Members who are key council spokespeople are the leader and deputy leader and cabinet members within their portfolio, the chair of overview and scrutiny committee, planning chair, licensing chair, chair of the relevant community

council, standards chair and chair of the audit and governance committee. They will be quoted or featured in publicity where it relates to their responsibilities on the council.

### **Correspondence**

37. Generally correspondence from one member should not be copied to, or discussed with, another member without the member's consent subject to any rights of access arising from the Freedom of Information Act 2000 and the Data Protection Act 1998. If a member has sought advice from an officer and included a circulation list, it can be assumed that the officer's response can be circulated to those people on the circulation list for the original letter, even if that list includes other members.
38. This does not prevent officers copying letters to each other about casework across ward or interest boundaries in order to respond to a member inquiry. Points of general interest to all members may be converted into general advice, and circulated (within the limitations set down in the Data Protection Act). A chief officer is also able to advise a relevant cabinet member in general terms of an issue raised with the chief officer in correspondence, or otherwise, by another member.
39. Official letters from the council should normally be sent out in the name of the appropriate officer rather than a member. It may be appropriate for members to write in certain circumstances (e.g. representations to a government minister); however, this would be the exception rather than the norm. Letters which create obligations or give instructions should not be sent out in the name of a member.

### **Postage**

40. Preparation and postage of correspondence are a significant part of the support given to members. The content and purpose of letters, leaflets, and other correspondence must relate to the member's role in the authority. The members' services manager will arrange for monitoring arrangements to be put in place, and refer doubtful cases to the monitoring officer.
41. The use of council resources in the preparation and postage of the following kinds of post are not permitted:
  - private mail including correspondence for other bodies
  - mailshots
  - letters sending out information (concerning planning application, refuse collection, etc) which is the responsibility of officers
  - letters which criticise other groups and their members or praise the writer or their political group
  - group publicity such as political party greetings cards.

For the avoidance of doubt, correspondence to residents about the location of surgeries by members who do not have a fixed location for their surgery shall not constitute a mailshot.

42. The question of what is a mailshot has proved problematic. Members are entitled to use council resources to respond to requests that their constituents

have raised with them for action and explain what action has been taken, but not generally to publicise their work in the ward. Requests to send out large numbers of letters will have to show what demand is being responded to, and that the letter is a proportionate response to that demand. In any event, member services do not have the resources to send out more than one batch of such letters a month for any member. Members are reminded that this is a finite resource, and member services may need to limit the use of this if excessive costs are incurred. Further advice is given by the monitoring officer's guidance 'Correspondence and Mailshots' issued 18 January 2013 (<http://moderngov.southwark.gov.uk/documents/s35152/Monitoring%20Officer%20Guidance%20on%20Mailshots.pdf>).

43. Where members are uncertain as to whether a communication or publicity is appropriate they should seek advice from the head of communications and the monitoring officer in those cases.

### **Emails**

44. Email and internet access facilities are provided to members to support work on council related activities. The standards set out for officers in the use of emails apply equally to members. The key standards are that:
- any behaviour or comment that is not permitted in the spoken or paper environment is also not permitted in an email message
  - email messages should be inoffensive and should not be construed to harass
  - emails must not incite racial hatred or be pornographic in nature either in the body of the text or as an attachment
  - chain emails should not be forwarded on.
45. As a general rule, emails cannot be used for party political purposes but:
- emails organising the political group in relation to council business are allowed
  - the use of the email address in a party political leaflet to advertise a ward surgery or as a means of allowing residents to contact their ward members on non-party political matters is allowed
  - emails to newspapers as a means of commenting on council business from the political group's perspective are allowed.
46. Members should note the requirements for social media are given in paragraphs 21 and 22.
47. Members should remember that emails may be subject to disclosure if a request is made under the Freedom of Information Act 2000.
48. Any use of IT resources, including email and the internet, that contravenes any legislation (such as the Data Protection Act 1998; the Computer Misuse Act 1990; and the Copyrights, Designs and Patents Act 1988 (amended 2002)); or breaches the general obligations of the code of conduct for members; or breaches council policies on information security is considered to be unacceptable. Members are responsible for the content of any email sent from your username and in certain circumstances the council may also be found liable for the content of such email.

49. Emails and other personal information should be retained only for the minimum period necessary, in accordance with the Data Protection Act 1998. Further details on the Data Protection Act in term of members' business use can be obtained from legal services.
50. It is important that members manage the information that they store to ensure its availability, confidentiality and integrity. Therefore members should regularly review all council information (including files and email messages) they hold and delete all redundant or irrelevant data.
51. Where a telephone number has been issued to a member or group of members it is expected that this number will be publicised except on political publicity material.



## APPENDIX 3

### Monitoring Officer Guidance

#### A few top tips for members using social media

These best practice guidelines for using social media are to help members engage with an audience and also avoid the pitfalls and risks of challenge.

Social media is a type of interactive online media that allows parties to communicate or to share information in a public forum. This includes online social forums such as Twitter, Facebook and LinkedIn. Social media also covers blogs and video and image-sharing websites such as YouTube and Flickr. There are many more examples of social media than are listed here and this is a constantly changing area. These guidelines aim to help members make the most out of social media tools.

What you write on social networking sites is essentially in the public domain, even if you have privacy settings or material is posted on a closed profile or group. You need to consider if you would be happy for this tweet or Facebook message to appear in the national press and bear in mind words and phrases can be taken and presented out of context. Any use of social media made by you as a member needs to be in compliance with the **Member Code of Conduct**.

#### Always consider

- Do I need to respond to this tweet/text?
- Think about your response and re-read before sending

#### Content

- Be mindful that what you publish may be public for a long time
- Respect copyright laws
- Do not publish or report information or conversations that are meant to be private without explicit permission. "Conversations" may be oral or e-mail exchanges
- Maintain confidential information and data protection rules -don't include personal information about someone else without their consent
- When retweeting or sharing content, think about whether adding any text will benefit the message. Don't just automatically share; think whether a prelude would be preferable. Add a level of engagement - show you have put thought into it.
- When sharing or retweeting content take a moment to check previous messages from the same person or organisation. While you might agree with their latest message, be aware that previous postings could clash with your intentions. . It's important to remember that the legal risks relate to retweets and sharing content just as much as to original tweets
- Avoid repetition and add variety to the content of messages to give a more personal presence
- When talking about individuals, make sure to include them in the tweet with an '@' if you wish to speak to them directly, and be aware of how your message might be taken
- Where questions are posed through social media that are of a private, contentious or irrelevant nature, ask users to make contact directly to discuss their concerns

Date issued:

- Where questions are posed through social media that are relevant, proactively respond and engage

The social media protocol available for staff on the Source can provide useful guidance and can be found here: [The Source • Social Media Protocol](#)

## **Emergencies**

If an emergency in the borough – such as an unexploded bomb in Bermondsey – occurs, please refer to [www.southwark.gov.uk](http://www.southwark.gov.uk) for the latest and accurate information; be aware that the public will view your social media as being a reliable source of information in these circumstances.

## **Style and tone**

- Be consistent. Be reliable.
- Images - when posting an image think: who will this interest? Will this attract attention and/or inform?
- “Retweetability” - think about the tone of communications and how they might be shared across social media platforms. Be friendly, open and honest.
- Reach out to people and organisations, engage, write messages, collaborate, and build mutually supportive relationships through reciprocity
- Keep language simple and avoid acronyms
- Be mindful to use good grammar and punctuation.
- Avoid use of ALL CAPITALS as it can give the wrong impression e.g. (appears as if you are shouting)

## **Further Guidance**

If you require any further clarification on this guidance, please contact the following officers:

Doreen Forrester-Brown, Monitoring Officer – ext. 57502

Norman Coombe, Deputy Monitoring Officer – ext. 57678

Doreen Forrester-Brown

Director of Law and Democracy

Date issued:

## Appendix 1

There are a number of potential legal risks associated with social media including:

- Making defamatory or derogatory comments about individuals or other organisations or groups
- Potential harm to reputation
- Impact on people's right to privacy
- False or misleading statements
- Data Protection infringement
- Breach of copyright, e.g. using someone else's image or written content without permission

There are a number of potential legal consequences as a result of the above including injunctions, order to remove statement, compensation or damages awarded and very punitive awards are possible.

## Appendix 2

### Twitter Basics (From Tweeting as a Cultural Organisation, Taras Young)

Twitter is a social network that lets you compose status updates, or “tweets”, which are limited to 140 characters. Web links use up 22 characters, regardless of how long they are (links to secure sites, starting https://, use up 23 characters).

If you attach an image to your tweet, this will use 23 characters.

@ExampleOrg (the sender) and @amadigital are usernames. Usernames always begin with an @ symbol, and are not case-sensitive. When you mention someone else’s username in a tweet, they get alerted.

#twitter and #cats are hash tags. Adding a # symbol before a word turns the word into a link. This lets others browse related concepts, and can help new people find your tweet.

Twitter is based around the concept of timelines – chronological lists of tweets. You might also hear this referred to as a ‘Twitter stream’ or ‘feed’. Your timeline shows all the tweets sent by people you follow. You can also view an individual user’s timeline, which shows just the tweets they’ve sent.

If you put a username at the start of a tweet, it is visible to you, the recipient, and anyone who follows you both:

However, tweets are not private – anyone looking directly at @ExampleOrg’s timeline in the example above, or searching for any of the words used in the tweet, would be able to see it.

To start a tweet with a username, and have all your followers see it, put a full stop before the message. Retweeting - If there’s a particular tweet you’ve seen which you like, you can retweet it. This simply means highlighting a tweet so those following you can enjoy it too. There are a few ways to retweet:

- Press the ‘retweet’ button in your Twitter app. This will send the tweet to everyone who follows you, while retaining the original sender’s details.
- An ‘old-style’ retweet: quote the whole tweet, adding RT @username: at the start.

<b>Item No.</b> 7.4	<b>Classification:</b> Open	<b>Date:</b> 30 November 2016	<b>Meeting Name:</b> Council Assembly
<b>Report title:</b>		Community Councils - Constitutional Issues	
<b>Ward(s) or groups affected:</b>		All	
<b>From:</b>		Constitutional Steering Panel	

That council assembly considers the recommendations of the constitutional steering panel in respect of the proposals set out in this report.

## RECOMMENDATIONS

### Community engagement

1. That the recommendations set out in paragraph 39 of this report for broadening the reach of community councils and improving the way in which the council engages with its residents be recommended to council assembly for approval.
2. That the changes set out in this report take effect from 1 January 2017, with the first round of shorter decision making meetings being held in the January/February 2017 cycle of meetings (followed by a town hall style meeting) and the first round of town-hall style meetings taking place in the March/April 2017 cycle.

### Constitutional changes

3. That the constitutional changes set out in paragraph 40 and Appendices 1 and 2 of this report be recommended to council assembly for approval.
4. That the recommended changes to the executive scheme of delegation be noted by council assembly and referred to the leader of the council for publication in a notice of variation, which will be circulated to all councillors. The changes are set out in Appendix 3.

### Consequential changes

5. That the proper constitutional officer be authorised to make any necessary consequential changes to the constitution as a result of the above.

### Other issues

6. That it be noted the existing community councils' boundaries will be retained, and reviewed after the next borough-wide elections in the light of the outcome of the boundary review by the Local Government Boundary Commission for England.

## BACKGROUND INFORMATION

### Introduction

7. This paper sets out proposals to improve the engagement and governance arrangements for community councils. The primary reasons for conducting this review are to broaden their reach and better the way in which the council engages with its residents.

8. There are no significant constitutional or policy framework implications since the boundaries and number of meetings would remain unaltered. However there is a need to review the requirement for a separate set of community council procedure rules and a number of recommended changes to the constitution are set out in this report. The report also details the changes that will be made to the executive scheme of delegation, which are the responsibility of the leader of the council. The special responsibility allowances for chairs of community councils would be retained.

### **Decision making route and constitutional changes**

9. In accordance with Article 1.5 of the constitution, any changes to the constitution are considered by constitutional steering panel, which then recommends changes to council assembly. Changes to the constitution are generally agreed by council assembly, unless another body or individual is authorised to do so – see Article 1.5(b). In this case the delegations to the community councils are executive functions and therefore it would be for the leader of the council to change or make new delegations. Changes to committee and community council procedure rules are reserved to council assembly. The constitutional steering panel is being asked to consider the proposals and recommend any changes to council assembly in November 2016.

Changes to the constitution are shown as follows:

- Additions (shown as underlined)
- Deletions (shown with a ~~strikethrough~~).

### **Role of community councils**

10. Community councils are a non statutory function which is valued by councillors and local communities. The role of community councils is to promote the involvement of local people and to act as an important gateway for council departments and other relevant agencies to consult local people on a wide range of council wide policy initiatives and local issues.
11. The current structure is based on five community councils meeting five times a year. Community councils operate as “area committees”. Community councils meet in local venues around the borough. Community councils are divided by geographical areas as follows:
- Bermondsey and Rotherhithe
  - Camberwell
  - Peckham and Nunhead
  - Borough, Bankside and Walworth
  - Dulwich
12. The primary focus for community councils is the involvement of local people and community engagement. Currently this role is constrained by community councils operating as formally constituted “area committees” and having to comply with a range of constitutional requirements such as statutory notice periods, agendas and a formal meeting style. Increasingly the most exciting and innovative work of community councils relates to the engagement activity and a whole host of ideas and initiatives have been used in different areas to make them as engaging as possible. This engagement role could be more creative and ambitious if the meetings did not have to comply with the formal constitutional requirements. There is also a potential benefit by removing some of the overlap and duplication in roles performed by the constitutional and community engagement officers. Benchmarking indicates that this is generally more consistent with other councils who have a local consultative structure.

## **Outcome of community council monitoring and evaluation**

13. The council conducts an annual evaluation of community councils which involves asking those who attend to complete a short survey of what they think about community councils – this consultation exercise informed the current proposals. The key findings of this exercise included that:
  - Respondents tended to say that they wanted more focused agenda items with more meaningful discussion.
  - Respondents tended to want more interactive and dynamic meetings, rather than the current formal format.
  - People were more likely to say that they preferred a local ward focus to make meetings more relevant.
  - People were more likely to comment on wanting greater transparency about how decisions are taken.
  - People tended to want more feedback for all the decisions, consultations and questions raised.
  
14. The community council monitoring and evaluation 2014/15 reported to the community council's chairs and vice-chairs meeting in October 2015 highlighted a number of issues about the style of meetings.

## **KEY ISSUES FOR CONSIDERATION**

### **Proposals for meeting structure - Community engagement and decision making**

15. The proposals in this report seek to broaden the reach of community councils and improve the way in which the council engages with its residents. This report proposes that the number of meetings remain the same at five annually but that formal decision making takes place in two key meetings, that are held directly prior to the main meeting and in the same venue.
  
16. Under the new meeting structure, there would be five town hall-style meetings every year, during which formal constitutional decision-making will not take place. Chairs and vice chairs will have maximum flexibility to design bespoke agendas and to make the meetings as relevant and engaging as possible.
  
17. Prior to two of these meetings, there would be a shorter, public decision-making meeting. It is envisaged that one of these meetings would be focused on Cleaner Greener Safer funding allocation and the other, on the Neighbourhood Fund. Other decisions could then be divided amongst these two meetings as appropriate.
  
18. The 5-2 structure would allow for CGS and Neighbourhood Fund decision-making to take place in separate meetings, and would not reduce the overall number of meetings which are valuable opportunities for community engagement and consultation. Community fund decisions could also be accommodated in the two decision making meetings.
  
19. It is anticipated that separating the public decision-making function of community councils from the main meetings would be a significant improvement. Those who wished to attend for the decision-making only, could do so without the frustration of sitting through a long meeting waiting for the final agenda items. Those who prefer the "town hall" forum element of community councils– or the consultations – could choose whether or not they also wanted to attend the decision-making meeting.
  
20. This would also allow for more flexibility and creativity in agenda setting for the five "town hall" style meetings, including: more consultations and break out sessions; guest

chairs for certain agenda items; councillors sitting amongst the meeting attendees; live performances and more.

21. Many items on community council agenda are currently there for consultative reasons only including transport schemes delegated to the relevant cabinet member or use of section 106 monies delegated to planning committee. These could be considered by either meeting. It is noted that in the future it will be important to make use of the town hall-style community council meetings as a way of preparing the ground for the formal decisions.

### **Local traffic management schemes – overview of decision making**

22. Local traffic management scheme reports are the most frequent decision making items on community council agenda (in 2015: 39 items – Bermondsey & Rotherhithe 10; Borough, Bankside & Walworth 8; Camberwell 8; Dulwich 8; Peckham & Nunhead 5). At present officers can submit a local traffic management report to every community council meeting. An analysis of the pattern of reports demonstrates that most community council meetings will contain such a report; a single report may include a number of schemes. Other traffic management proposals will be submitted for decision as part of the development control process. The standard time from request to implementation of any local parking amendment averages nine months at present if no objections are received.
23. In 2015, community councils were also consulted on a number of strategic transport schemes and made recommendations to the cabinet member: 14 items – Bermondsey & Rotherhithe 3; Borough, Bankside & Walworth 3; Camberwell 4; Dulwich 2; Peckham & Nunhead 2). The consultative reports are unaffected by the proposed meeting structure changes; consultative matters could be considered by either a town hall style meeting or a decision making meeting.

### **Local traffic management schemes – Decision making process**

24. There is a two stage decision making processes for non-strategic traffic management schemes:
  - (1) Report to approve a scheme prior to statutory consultation.  
Note: Following approval of a scheme, statutory consultation will take place with residents, business and other stakeholders.
  - (2a) If there are no objections the scheme is implemented as agreed in (1) above.
  - (2b) If objections are received, the scheme and objections are reported to the decision maker for consideration and final decision.
25. For some schemes, depending on the size/complexity, an informal public consultation is carried out prior to stage 1. For example, proposals to implement stretches of yellow line or similar go straight to stage 1, but proposals to install some local traffic calming measure(s) or a zebra crossing would have a prior informal public consultation due to the degree of likely interest and impact. Informal public consultation involves informing residents and business located close to a proposal to assess the likely impact and interest and seeking their views; ward councillors would also be notified.
26. An important governance principle in the decision making process is that stages 1 and 2 are considered by the same decision maker. This ensures accountability and transparency but also provides for a consistent approach when considering the potential merits of a scheme and balancing this with issues raised by any objections.



27. This differs from the process for strategic traffic management schemes, whereby the community council is consulted once, or twice on parking zone schemes, prior to step 1 above. For strategic schemes, the decision-maker is the relevant cabinet member.

### **Traffic management – Response to consultation**

28. In the original consultation paper circulated to all councillors, it was recommended that local traffic management decisions are held by the leader of the council (who may delegate them to an individual cabinet member), but that ward members could request that a specific decision is referred to a community council for consideration. The existing leader's notice of variation process would be used to delegate a specific decision, where there is a significant public interest and at the request of the relevant community council chair.
29. Since the end of the consultation period, officers have undertaken some further work on the traffic management proposals. This work could not be concluded until after a number of by-elections around the borough took place and pending the outcome of the annual meeting in May 2016 at which time several new cabinet members were appointed to key portfolios. Officers have reviewed the original proposal contained in the consultation paper. It has been concluded that the original proposal (see paragraph 28) will introduce too much complexity into the decision making process, for the following reasons:
- (1) Extra administrative work involved in publishing a potentially high volume of variations to the executive scheme of delegation.
  - (2) Constitutionally it would create uncertainty in terms of the identity of the final decision maker, undermining transparency and accountability.
  - (3) Because the original mechanism would be based on schemes at an early stage, ward councillors may not be in a position to indicate whether a scheme is likely to generate local interest.
  - (4) Following the stage 1 decision and after the conclusion of the statutory consultation stage, officers may face pressure to re-direct a report to the community council.
  - (5) There are no dedicated traffic officer resources to manage this kind of process.
  - (6) There would be a disproportionate amount of officer time spent on what are minor local parking amendments.
30. Members should be aware that the more complex the decision-making structure, the more expensive it would be to administer. This includes traffic officer attendance at meetings, time that could otherwise be spent improving the informal consultation process with residents/businesses located close to a proposal.
31. In response to the consultation, an alternative "referral" mechanism for local traffic management schemes is recommended (see paragraph 32 below and Appendix 4), which allows a community council to consider a scheme prior to statutory consultation and influence the final outcome by making its own representations to the decision maker. This is in addition to the existing right of ward councillors to make their own representations to an individual decision maker and the call-in process. The decision maker for local traffic management schemes would be the relevant cabinet member. This approach has a number of features: it will release officers resources to conduct more informal consultations, for example, for those schemes of greater complexity or public interest; give community councils more choice on whether to consider a particular scheme or not; reduce the average turnaround time of nine months for approving a scheme; allow local ward councillors to act as advocates for constituents without the constraints imposed by the decision making rules on bias/predetermination.

### Traffic management referral mechanism

32. This section of the paper recommends a “referral” mechanism for local traffic management schemes that allows a community council to consider a scheme and influence the outcome by making its own representations to the decision maker. This is in addition to the existing right of ward councillors to make their own representations to an individual decision maker. This mechanism would apply in advance of the stage 1 decision only. The key features are:
- (1) **Decision maker:** The decision maker for local traffic management schemes would be the relevant cabinet member.
  - (2) **Informal consultation:** Prior to any formal decision, for any scheme that officers believe there should be an informal consultation stage, ward councillors would be informed, and a letter drop would take place and the responses would be reported to the ward councillors and cabinet member.
  - (3) **Notice of a forthcoming decision:** During the five clear day notice of a forthcoming decision to approve a scheme or schemes for statutory consultation (stage 1), regardless of whether an informal consultation had already been carried out, the relevant ward councillors would be notified of the forthcoming decision.
  - (4) **Single councillor representation:** During this period one or more ward councillor(s) may submit their own representations to the individual decision maker.
  - (5) **Ward councillor referral:** Alternatively the ward councillors could request that all or part of the report is held in abeyance (i.e. a part being a single stand-alone scheme) and referred to the next community council for consideration. A threshold of two councillors per ward would have to submit a request. If there are cross boundary issues then other wards would also have an opportunity to make a referral.
  - (6) **Referral triggered:** Should the threshold be reached, the decision would be held in abeyance until consideration by the next scheduled community council meeting. The community council would consider submitting any representations to the decision maker. This issue could be considered by a town hall-style or decision making community council.
  - (7) **Decision, if there are no community council representations:** The cabinet member would consider the recommendation to proceed to statutory consultation. The decision would be subject to scrutiny call-in and then implementation i.e. the necessary statutory consultation.
  - (8) **Decision, if community council representations received:** The decision maker will consider the recommendation to proceed to statutory consultation and take into account the additional representations from the community council. This decision would then be subject to scrutiny call-in and implementation. This decision would trigger the necessary statutory consultation.
  - (9) **Next steps:** Following the statutory consultation, should no objections be received, the scheme will be implemented automatically. If objections are received, a further decision would be required by cabinet member. This decision would again be subject to scrutiny call-in and then implementation.
  - (10) **Strategic traffic management reports:** These would continue to be subject to prior consultation with community councils, as occurs now.
33. This approach should lead to a reduction in the average turnaround time for obtaining approval and implementing a local traffic management scheme. Currently this can take an average of nine months. Cabinet member individual decision making is generally a more efficient mechanism for taking decisions and already includes a separate process for receiving written representations from the local community and councillors. There would be no change to the frequency of local traffic management scheme reporting, i.e. bi-monthly and a single report would include a number of

individual schemes within each community council area. It would also allow local ward councillors to act as advocates for constituents without the constraints imposed by the decision making rules on bias/predetermination.

34. The referral threshold of two out of three ward councillors is set at this level to accommodate any absences or if one councillor is unable to act. The referral process is separate from the normal scrutiny call-in process, which would be conducted after a decision is made. The referral process provides an extra layer of consultation allowing the community council influence over the scope of the scheme that is finally subject to statutory consultation.
35. This referral process if adopted could be aligned with the existing decision making process without adding too much complexity. It would be based on reports that are already being prepared for decision. There would be an increase in the volume of reports within the individual decision making process, which is considered manageable. The referral mechanism described above would overlap with the existing notification of a forthcoming decision process. Compared to the original proposal in the consultation paper, there would be no requirement for officers to produce a high volume of variations to the executive scheme of delegation and this approach provides clear accountability. This provision would be included in the relevant meeting procedure rules. A flow chart of the referral process is set out in Appendix 3.

### **Digital developments**

36. A key part of the future development of community councils and community engagement is the use of social media and new technologies which have an increasingly important role to play in both promoting community councils and the work of local councillors as community leaders. It is important that this is done in a cost effective way particularly at a time of diminishing resources.
37. There is an opportunity to develop a consistent approach to digital services and the use of digital tools across all community councils. This package needs to take account of the requirements of other councils meetings, including council assembly, cabinet and scrutiny committees. Some key themes requiring further investigation include: digital tools, such as the council website and social media channels; live streaming of meetings; use of data analytics; and, community council dedicated webpages.

### **Community councils' boundaries**

38. The paper is based on the current five community councils' boundaries being retained. It is recommended that the community council's are reviewed following the next borough wide elections in the light of the outcome of the boundary review by the Local Government Boundary Commission for England.

### **Summary of recommendations**

39. A summary of recommendations concerning community engagement and decision making is set out below:

#### **Meeting structure**

##### Community engagement

- 1) There should be five town hall-style meetings every year, during which formal constitutional decision-making will not take place. Chairs and vice chairs will have maximum flexibility to design bespoke agendas and to make the meetings as relevant

and engaging as possible.

#### Decision making

- 2) Prior to two of these meetings, there would be a shorter, public decision-making meeting. One of these meetings would be focused on Cleaner Greener Safer funding allocation and the other on the Neighbourhood Fund. Other decisions could then be divided amongst these two meetings as appropriate.

#### **Local traffic management schemes**

- 3) A “referral” mechanism would operate allowing community councils to consider a local traffic management scheme in more detail and make its own representations to the decision maker. The relevant ward councillors would be notified of a forthcoming decision to approve a scheme prior to statutory consultation and could request that all or part of the report is held in abeyance (i.e. a part being a single stand-alone scheme) and referred to the next community council for consideration. A threshold of two councillors per ward would have to submit a request. If there are cross boundary issues then other wards would also have an opportunity to make a referral. Following consideration by the community council meeting, the decision maker will consider the report and any representations from the community council. This decision would then be subject to scrutiny call-in and implementation. The decision maker for local traffic management schemes would be the relevant cabinet member.

#### **Digital developments**

- 4) All community council’s should be offered a consistent package of digital services and make better use of digital tools. This package should be developed in conjunction with the digital offer to be made available to all council meetings.

#### **Community council’s boundaries**

- 5) That the community council’s current boundaries be retained and reviewed after the next borough wide elections in the light of the outcome of the boundary review.

#### **Constitutional changes**

40. As a result of this report the following constitutional changes will be necessary:

<b>No.</b>	<b>Section of Constitution to be changed</b>	<b>Summary of change</b>	<b>To be agreed by</b>
1.	Introduction	Minor changes about frequency of decision making meetings	Consequential change
2.	Part 3H: Who takes decisions – Community Councils	As the delegations in Part 3H are executive functions, the leader will be required to give notification of any changes to the executive scheme of delegation.	Leader of the council
3.	Part 4: Committee Procedure Rules	In future it is recommended that committee procedure rules will govern decision making at community councils (i.e. when operating as area committees at the shorter decision making meetings). A new section on additional rules on community councils will include any relevant decision making clauses relating to community	Council assembly

No.	Section of Constitution to be changed	Summary of change	To be agreed by
		councils only such as public speaking at community councils (CCPR 7.2), Voting CCPR 9.1, Agenda CCPR 13.2).	
4.	Part 4: Community Council Procedure Rules (CCPR)	The CCPR explain how a formal decision meeting operates within the context of a community engagement led meeting. If the changes to the style of meetings are agreed then a separate set of procedure rules will no longer be necessary. It is recommended that CCPR be removed from the constitution and replaced with an additional rule specific to community councils in the committee procedure rules. This is because there is a high degree of overlap and duplication with the existing committee procedure rules which in future will govern decision making at community councils. This will simplify the governance and advice on local decision making.	Council assembly
5.	Part 4: Overview and Scrutiny Procedure Rules	The call-in procedure rules would be subject to a minor alteration which would allow a stand-alone non-strategic traffic management proposal to be called-in. Currently the procedure rules refer to a "decision" and this is interpreted as meaning the whole report. In the case of non-strategic traffic management reports these contain a number of individual schemes for decision and currently the whole report would be subject to the call-in provisions. This change would allow more effective decision making, whilst scrutiny would continue to be able to call-in an individual scheme.	Council assembly

41. As these are executive functions, any changes would be agreed by the leader of the council using a notice of variation to the executive scheme of delegation.

#### Other changes

42. The matters reserved on local traffic management schemes were introduced in 2005 and since then have only been updated once to reflect the different types of disabled parking bays. From a good governance perspective, the clauses need further updating to clarify the scope of decision making.
43. **Planning committee:** If planning consent has been granted for a development and where it is clear within submitted documents and any officer report that changes to road markings and signage (i.e. non-strategic traffic changes) will be required to facilitate the development then it will proceed automatically to implementation subject to statutory consultation. This change would ensure that the council does not duplicate its own decision making processes when considering such schemes. If any

statutory objections are received they would be considered by officers under delegated authority.

44. **Very minor schemes and amendments:** Schemes which require no statutory consultation or are considered to be very minor in nature will not require a formal decision and can be implemented by decision of officers. For example: placing of single traffic signs; dropped kerbs; vehicular crossovers if no changes to waiting and loading restrictions are required; amendments to road markings that do not require a traffic management order, etc. Ward councillors would be consulted / notified, depending on the nature and impact of the minor scheme.
45. **Highway safety:** Where an acute highway safety issue needs urgent resolution, the decision to implement subject to necessary statutory process, should be decided by officers under delegated authority, and ward councillors and cabinet member notified. For example, because other changes to the highway network have had an unforeseen dangerous side effect highlighted by a road safety specialist or police traffic management team.
46. **Executive delegations:** This provides an opportunity to review the wording for all the traffic management delegations in the constitution to ensure they are consistent with the proposed approach. It is envisaged that the delegations in the following sections would be updated:
  - (1) Part 3C: Who takes decisions - Cabinet Member: Matters Reserved – Replace existing wording with a more simplified wording that more clearly defines the areas for cabinet member decision making i.e. (1) to decide to implement a traffic and highway improvement project, subject to statutory consultation; (2) to determine statutory objections to a traffic and highway improvement project.
    - Note: Certain decisions would be taken by other decision makers including: schemes agreed as part of the development control process by the planning committee; highways schemes with compelling safety grounds, “origin” disabled parking bays, minor schemes and amendments under delegated officer authority
  - (2) Part 3H: Who takes decisions – Community councils: Matters Reserved – The sections on traffic management would be updated to include the new referral mechanism and remove some of the existing delegations. The consultation section would also be updated to reflect current practice.

## Consultation

47. In February and March 2016, a consultation exercise was conducted with all councillors on the role of community councils. The consultation was based on five key proposals for improving the operation of community councils and enhancing engagement activity with local residents. This involved a 5:2 structure with five town hall-style meetings and prior to two of these meetings, there would be a shorter, public decision-making meeting. The consultation paper recommended no changes to the frequency of meetings or boundaries. It was suggested in the consultation paper that local traffic management decisions should be held by the leader of the council (who may delegate to the relevant cabinet member) and ward members could request that a specific decision be referred to a community council.
48. Of the 63 councillors emailed, there were five responses in total, including ones submitted by the Liberal Democrat and Conservative groups respectively. This is a relatively low level of response. The consultation responses received are generally supportive of the proposed approach. However four of the five responses expressed

concern about changes to local traffic management decision making. One response proposed holding five short decision making meetings prior to community councils, however this approach would not generate any benefit to engagement activity. Traffic management accounts for over 50% of decision making reports considered by community councils and most meetings will usually have a traffic management report on the agenda. If there are no changes to the way this decision making currently operates, community councils will not have the flexibility and freedoms to develop their engagement role.

### Community impact statement

49. The annual survey with residents had identified a number of areas for development of the community council meetings including more focused agenda items and more dynamic and interactive meetings. This report seeks to improve the engagement and governance arrangements for community councils to broaden their reach and better the way in which the council engages with its residents. It is anticipated that the proposals in this report will enhance community council meetings because they will no longer be subject to the formal constitutional requirements and the “formal meetings” style.
50. The constitution enables people, including the local community where relevant, to understand the role that they can play in the decision making of the council.

### Resource implications

51. Under the current arrangements, the community engagement team leads on engagement support around meetings and manages the neighbourhood fund. The constitutional team provides formal governance support to community councils including staffing and meeting costs. Resources could be used more effectively if community councils meetings did not have to comply with formal constitutional requirements and the “formal meetings” style.
52. The constitution is published on the council’s website and is available for viewing online. Limited numbers of the constitution are produced in binder form with loose leaf pages and dividers. This means that any additional costs arising from the reproduction of small sections of the constitution are reduced compared to the reprinting of the whole constitution. It is anticipated that the cost can be contained within existing budgets.

### Next steps and indicative timelines

53. The following table outlines the indicative timelines for considering any changes to community councils.

Date	Event	Action
End of February – March 2016	Consultation with other political groups.	Consultation with political groups.
April – June 2016	By-elections and annual meeting	Consideration of proposals held in abeyance during this period
End of August 2016	Circulate consultation responses to all councillors.	Circulate consultation responses and provide commentary on responses received and proposals.
20 September 2016	Constitutional Steering Panel	To consider recommendations to council assembly and any additional responses
30 November 2016	Council Assembly (Ordinary meeting)	To consider any consequential constitutional changes associated

Date	Event	Action
		with revised arrangements for community councils.
December 2016	Notice of variation	The leader of the council to give notice of any changes to the executive scheme of delegation for community councils.
January 2017	First round of community council meetings under the new arrangements	Commencement of new arrangements

## SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

### Director of Law and Democracy

54. The procedure rules form part of the Council's constitution. All constitutional changes are considered by constitutional steering panel which then recommends changes to council assembly.
55. Under Part 3A of the constitution, council assembly is responsible for determining the procedure rules.

### Strategic Director of Finance and Governance (F&G16/004)

56. The strategic director of finance and governance notes the recommendations in this report which are not anticipated to require any additional resource.

## BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Consultation Paper (February 2016) and Responses to Councillor Consultation Paper (September 2016)	Constitutional Team, 160 Tooley Street, London SE1 2QH	Chidilim Agada 020 7525 3310
Southwark Constitution <a href="http://www.southwark.gov.uk/info/10058/about_southwark_council/375/councils_constitution">http://www.southwark.gov.uk/info/10058/about_southwark_council/375/councils_constitution</a>	Council Offices, 160 Tooley Street, London SE1 2QH	Constitutional Team Email: <a href="mailto:constitutional.team@southwark.gov.uk">constitutional.team@southwark.gov.uk</a> Tel: 020 7525 7228

## APPENDICES

Appendix	Title
Appendix 1	Committee Procedure Rules – Additional rule applying to community councils only
Appendix 2	Draft Notice of Variation to the Executive Scheme of Delegation: Who takes decisions Part 3D – Cabinet Member
Appendix 3	Draft Notice of Variation to the Executive Scheme of Delegation: Who takes decisions Part 3H – Community Councils
Appendix 4	Referral Flowchart for non-strategic traffic management proposals
Appendix 5	Feedback from consultation with councillors



## AUDIT TRAIL

<b>Lead Officer</b>	Stephen Douglass, Director of Communities Doreen Forrester-Brown, Director of Law and Democracy	
<b>Report Author</b>	Chidilim Agada, Constitutional Manager (Acting)	
<b>Version</b>	Final	
<b>Dated</b>	17 November 2016	
<b>Key Decision?</b>	No	
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER</b>		
<b>Officer Title</b>	<b>Comments Sought</b>	<b>Comments Included</b>
Director of Law and Democracy	Yes	Incorporated in the report
Strategic Director of Finance and Governance	Yes	None
<b>Cabinet Member</b>	Not applicable	Not applicable
<b>Date final report sent to Constitutional Team</b>		17 November 2016

## 10. ADDITIONAL RULES APPLYING TO COMMUNITY COUNCILS

### **Application of committee procedure rules**

1. At any meeting of a community council when operating as a decision making area committee meeting, committee procedure rules will govern decision making.

### **Public speaking**

2. In addition to councillors, a member of the public may indicate their desire to speak by raising their hand, but shall only speak at the discretion of the chair.
3. Only one person may speak at a time.
4. All remarks and discussion must be made through and with the permission of the chair.
5. Remarks should not be repetitive or irrelevant, or use unbecoming language.
6. Speakers may only speak on the agenda item under discussion.
7. Remarks shall not exceed three minutes, subject to the chair extending or limiting the time that someone may speak.

### **Public question time**

8. The chair, in consultation with the proper constitutional officer, shall have discretion to include a public question time on the order of business and to determine the time allocation for public question time.

### **Petitions**

9. Members of the public will be entitled to present petitions with over 250 or more signatures to the chair at community council meetings. The procedure for petitions will be in accordance with committee procedure rules.

### **Voting**

10. Only councillors are entitled to vote on formal decisions to be taken by the community council. Unless this constitution provides otherwise or it is required by statute, any matter will be decided by a simple majority of those councillors voting and present in the room at the time the question was put to the vote (*See also 1.8 of Committee Procedure Rules*).

### **Agendas**

11. Agendas and notices for community councils meetings, which deal with both functions of the executive and functions that are not the responsibility of the executive, will state clearly whether an item relates to an executive or non-executive function.

## APPENDIX 2

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### PART 3D: INDIVIDUAL CABINET MEMBERS

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#### MATTERS RESERVED FOR DECISION

##### Introduction

There are occasions when matters affect more than one portfolio; on such occasions the decision will be referred to a meeting of the full cabinet<sup>1</sup>.

In discharging any functions that have been delegated, a cabinet member must act lawfully. This means that the cabinet member must act within the scope of the authority that is delegated to him or her in accordance with any limits within the delegation, this constitution, council policies, procedure rules and the members' code of conduct.

##### Budget

1. Proposing revenue and capital budget allocations to the cabinet, in relation to their areas of responsibility.
2. Agreement of significant programmes in relation to these objectives.
3. Agreement of changes to existing fees and charges, in relation to their areas of responsibility and in line with the medium term resources strategy, other than any set by council assembly as part of the budget process.
4. Approving the submission of bids for additional resources from government and other agencies, in relation to their areas of responsibility, where member level agreement is required by the external agency.
5. Matters reserved to individuals above specific financial thresholds:
  - Approving write offs of debt for their portfolio area of a value of £5,000 – £50,000.
  - Approving grants to voluntary organisations over £2,500.

##### Service planning and delivery

6. Agreement of statutory and other strategies, in relation to their areas of responsibility, except where they relate to crosscutting issues.
7. Agreement to significant policy issues, in relation to their areas of responsibility.
8. Agreement of performance standards and key policy objectives, in relation to their areas of responsibility.

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<sup>1</sup> In the event an issue affects both parts of the shared cabinet portfolio the leader of the council will decide who deals with it.

9. Agreement to policy and performance priorities for the short and medium term in relation to their areas of responsibility and taking into account the needs of the council as a whole.
10. Agreement of service plans, in relation to their areas of responsibility.
11. To consider any inspection report by an external agency and:
  - agree the action plan, including recommendations for no action, where there are no significant policy implications
  - make recommendations to the cabinet, including recommendations for no action, where there are significant policy implications.
12. Agree reports when there are any significant changes associated with the delivery of an agreed plan.
13. Sign off any plan or strategy or programme when completed or take decisions where no further significant cabinet approval is required.
14. Monitor the effectiveness and appropriateness of the plan or strategy or programme within the portfolio holders responsibility and agree any necessary changes.

#### **Tenders and contracts**

15. Decisions on matters reserved to individual cabinet members in accordance with the provisions of contract standing orders in part 4 of the constitution.

#### **Partnerships and consultation**

16. To approve responses to consultation documents from government, Greater London Authority, Local Government Association, London Councils and other bodies relating to significant changes affecting their portfolio area, which would not require changes to the budget and policy framework.
17. Agreeing broad consultation arrangements, in relation to their areas of responsibility.
18. To promote effective partnerships, between the council and other agencies and bodies affecting the community, in relation to their areas of responsibility.
19. To deal with petitions in their portfolio area in accordance with council procedure.
20. To agree the following school organisation decisions:
  - Agreement to carry out the initial consultation where the council is proposing to make a statutory change to a school
  - Following the outcome of the initial consultation process, to agree to publish the statutory notice
  - Approval of the co-ordinated admissions process for primary schools in Southwark if there are no changes from the previous year<sup>2</sup>.

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<sup>2</sup> See record of delegation at cabinet on 19 March 2013.

21. To agree draft local development framework documents for consultation, such as supplementary planning documents.

**Transport issues**

22. ~~To decide to implement a new controlled parking zone (CPZ).~~
23. ~~To determine objections to traffic orders that are of a strategic nature.~~
24. ~~To decide to make strategic changes to an existing CPZ (i.e. changing the hours/days of operation).~~
25. To decide to implement a traffic and highway improvement project, subject to statutory consultation.
26. To determine statutory objections to a traffic and highway improvement project.

**Comment [WV1]:** These paragraphs will be replaced with the two below.

## APPENDIX 3

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### PART 3H: COMMUNITY COUNCILS

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#### 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: the neighbourhoods fund, cleaner, greener, safer and devolved highway capital programmes, traffic management 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)

###### Consultative/non decision making

5. To comment to planning committee or its sub-committees 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.
6. 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.
7. 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.
8. To be consulted on all major and strategic schemes prior to consideration by the planning committee, subject to the consultation deadlines.
9. ~~To receive regular information reports (at least quarterly) on local planning enforcement issues.~~

##### Environmental management (executive function)

###### ~~Decision making~~ Consultative/non decision making

**Comment [AC1]:** This is superfluous as enforcement issues are circulated to ward councillors as part of an initiative to improve efficiency of democracy by reducing the number of information reports.

**Comment [AC2]:** Clarification – Updated to reflect proposed position. Paragraphs 10 to 14 are consultative and not decision making.

10. Recommendations to the appropriate chief officer on local contract variations.
11. Recommendations to the cabinet on issues concerning major changes to contracts.
12. Appointment of ward members to serve on warden schemes steering groups.

#### Consultative/non decision making

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

#### **Neighbourhood fund<sup>1</sup>, ~~and~~ cleaner, greener, safer, and devolved highway capital programmes (executive function)**

##### Decision making

15. To approve the allocation of neighbourhood funds, ~~and~~ cleaner, greener, safer and devolved highway capital schemes of a local nature using the resources and criteria identified by the cabinet.
16. In the event that a programme variation decision is required before the next scheduled meeting of a community council the appropriate chief officer shall be authorised to determine this, in consultation with the relevant chair of the community council and relevant ward members. Variation decisions shall include any allocation or reallocation of funds or variation in projects (this list is not exhaustive).

~~To oversee and take responsibility for the development and implementation of the local schemes.~~

17. 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

18. 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)<sup>2</sup>**

##### Decision making

19. ~~Determination of the following local non-strategic matters:~~

- ~~• the introduction of single traffic signs~~
- ~~• the introduction of short lengths of waiting and loading restrictions~~

<sup>1</sup> The neighbourhood fund was established in December 2014 by amalgamating the Community Council Fund and the Cleaner Greener Safer revenue scheme. This required some consequential constitutional changes (see notice of variation to executive scheme of delegation dated 4 March 2015)

<sup>2</sup> In respect of traffic matters that have a potential impact on more than one community council, the appropriate chief officer shall determine if boundary proximity is a material issue.

- the introduction of road markings
- the setting of consultation boundaries for consultation on traffic schemes
- the introduction of destination disabled parking bays
- statutory objections to origin disabled parking bays.

20. Determination of objections to traffic management orders that do not relate to strategic or borough wide issues.

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

Comment [AC3]: This will be referred to the leader of the council for publication in a notice of variation, which will be circulated to all councillors

### Consultation/non-decision making

22. 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.

23. 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.

24. To be consulted on decisions of strategic nature, such as whether to create parking zones or home zones.

25. To be consulted on the Local Implementation Plan (LIP) programme before it is submitted to Transport for London.

26. To be consulted on strategic traffic and highway improvement projects.

27. To be consulted on any non-strategic traffic and highway improvement project that has been referred to community council.

### Community project bank (executive function)

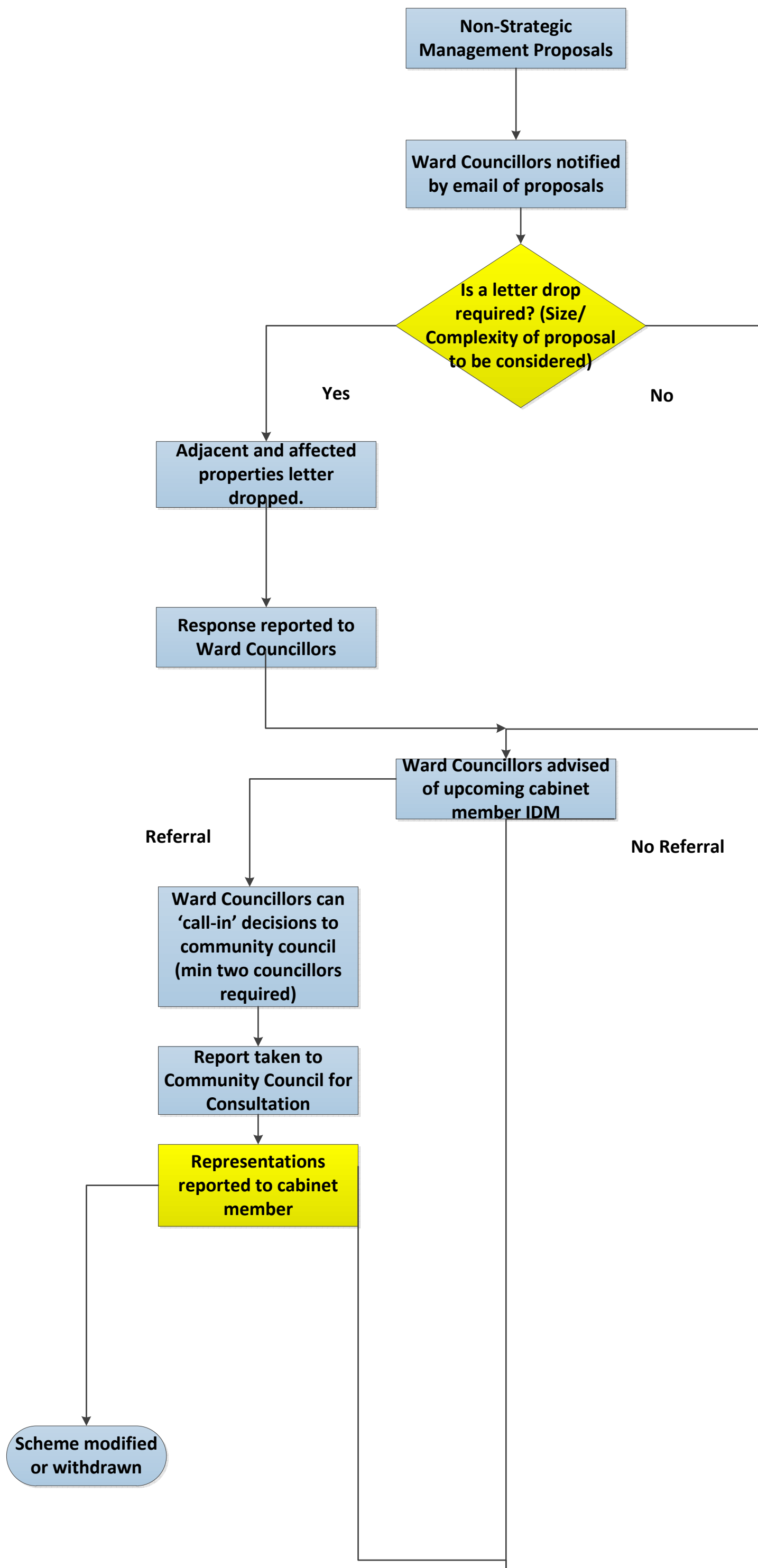
#### Decision making

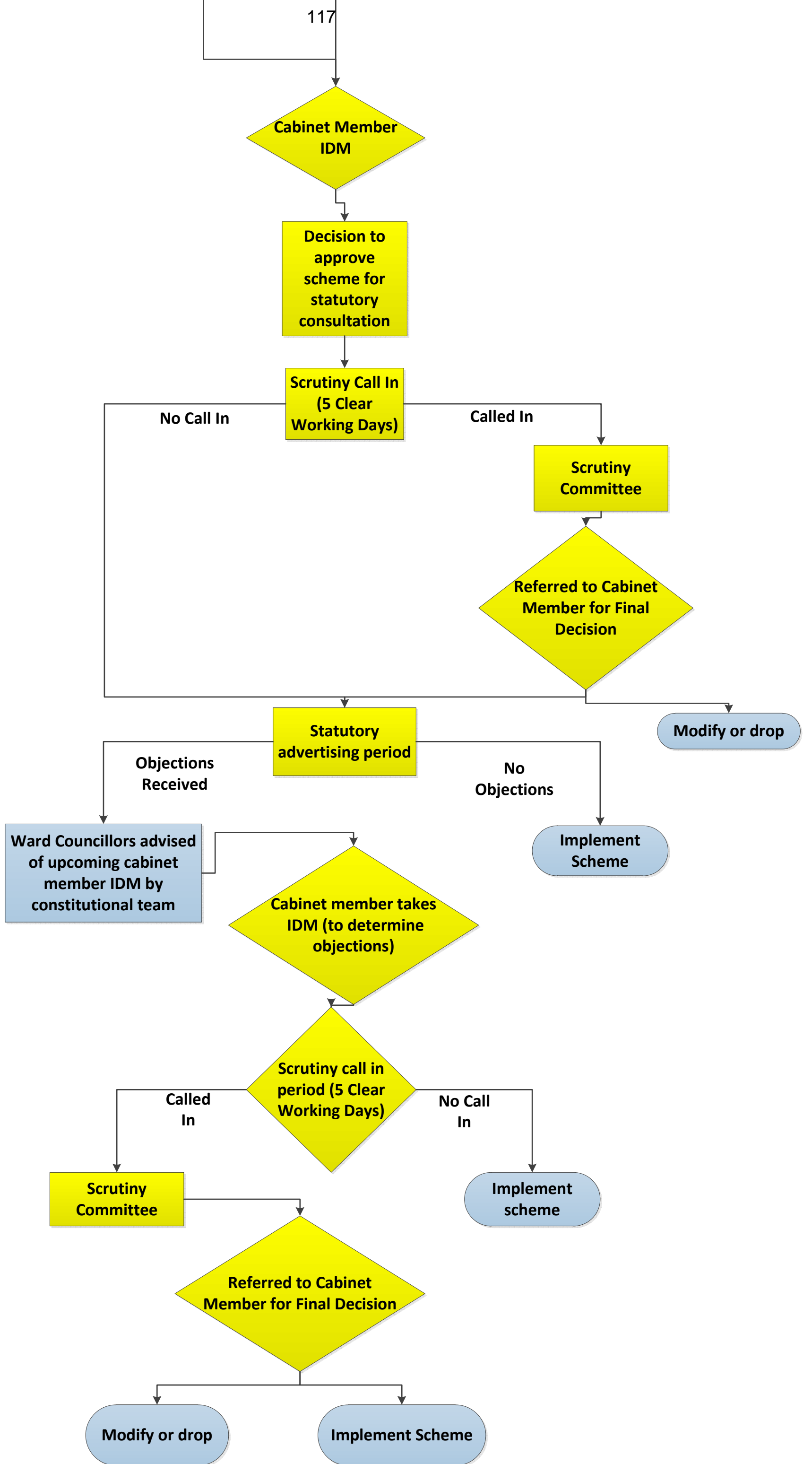
28. To approve projects for inclusion within the community project bank.

#### 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 3O: Matters delegated to officers.
- b) 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.







## COMMUNITY COUNCILS - FEEDBACK FROM CONSULTATION WITH COUNCILLORS

No.	From	Feedback
1.	Councillor A	<p>I do not agree with the following item in the consultation paper:</p> <p>22. This paper recommends that local traffic management decisions are held by the leader of the council (who may delegate them to an individual cabinet member); but that importantly ward members could request that a specific decision is referred to a community council for consideration. The existing leader's notice of variation process would be used to delegate a specific decision, where there is a significant public interest and at the request of the relevant community council chair. The delegation would be for the leader to approve. Where there is not a decision making meeting scheduled, proposals could be discussed at a "town hall" forum meeting, and the recommendations of the community council referred to the leader (or cabinet member) for decision. In this way traffic management issues of local concern could still be subject meaningful local discussion.</p> <p>23. Members should be aware that the more complex the decision-making structure, the more expensive it would be to administer. A simple delegation of the decisions to either the leader or the cabinet member would be by far the most economic. This type of decision-making with a referral mechanism already happens on a number of types of decisions, e.g. most planning decisions are made</p> <p>I feel it is imperative that the traffic decisions be left for the local community and community council to enable better consultation.</p>
2.	Councillor B	<p>I appreciate and understand much of the contents of the report. However, I would be opposed to a move to the 2-5 system. I would much prefer that each meeting is preceded by a formal meeting to consider those matters of formal business, rather than two a year.</p> <p>These meetings could be guillotined, in order to reduce costs and define staff time. This would resolve the issue about the frequency of some requests.</p> <p>There are many traffic management and other proposals which are simply not appreciated by local residents until they appear on a Community Council agenda. I would fear that introducing the consultative items to the 'town hall' style meetings would be problematic too. I can see them sapping any excitement</p>

No.	From	Feedback
		<p>or engagement out of those meetings, and creating a great deal of confusion. We, as elected members, have a mandate to speak on behalf of residents not there present, and to contribute from the floor creates ambiguity as to that role. To put us around a table or platform drags us back to where we are now. Much better to have them out of the way in a formal part of a meeting before the main business.</p>
3.	Liberal Democrat Group	<p>We welcome the Council's decision to review the current community council structure and its boundaries. The councils are currently too large and the review should include more consultation, with members of all parties and all residents.</p> <p>We welcome the Council's desire to engage more with the local community but <i>where</i> decision making takes place is important in defining what type of engagement we are seeking with local residents and whether we plan on keeping them engaged. The administration is forgetting how much it would benefit from demonstrating a willingness to do things in a way that is more aligned to the needs and approaches of others. These community council meetings should not become mere 'talking-shops' with a lack of concrete outcomes taking place in the meetings themselves.</p> <p>The consideration to delegate all decisions to the Leader of the Council is based on an exaggerated emphasis on balancing the books and will lead to fewer decisions being made at a local level and less transparency. The best way of fulfilling ambitions in Southwark is likely to be through considering things more broadly and looking at them as part of a wider set of collective priorities. We therefore disagree with decisions on issues like traffic management being subject to the Leader of the Council instead of local councillors who are arguably more familiar with their wards and entitled to making individual decisions. Real and meaningful engagement will be found in these ward councillors collaborating with residents to make these decisions, providing direct feedback and responding to any questions raised at the meetings.</p>
4.	Councillor C	<p>I have read the consultation paper and after due consideration would like to give my full support.</p>
5.	Conservative Group	<p>We write to object strongly to the proposals set out in this paper which take powers away from Community Councils and centralise them at Tooley Street.</p> <p>In 2010 the Labour group having secured a narrow majority fulfilled their manifesto pledge to increase the number of Council Assemblies as part of their vision to increase participation and democracy. Since when we have seen a steady reversal of the decentralisation of powers which had taken place under previous administrations.</p>

No.	From	Feedback
		<p>First the number of Community Councils was reduced from 8 to 5 and the powers to determine local planning applications were removed, along with the power to appoint school governors. The excuse at the time was as a cost saving measure but that was shown to be untrue as a plan was produced which maintained the status quo at the lower funding level, but this was rejected out of hand.</p> <p>Returned with a larger majority in 2014 we have now seen the removal of the additional Council Assembly and further measures which effectively remove one if not two traditional Council Assembly meetings from the calendar.</p> <p>We particularly oppose the withdrawal of traffic management decisions from automatically coming to Community Councils. At the Dulwich Community Council on 15<sup>th</sup> March, following a public question of which notice had been given in advance, the Chair Cllr Hartley misled the meeting by suggesting there were no changes proposed. On being challenged Cllr Simmons rode to the rescue by saying the Leader had given him a promise that he had no wish to take such decisions himself, from which the DCC was left to infer that while there are changes proposed, in practice traffic management decisions would continue to come to DCC just as before. Any reader of the consultation paper will see that this is not the case and most of the decisions are likely to fall to the relevant Cabinet Member. If the Labour administration is truly relaxed about the DCC continuing as before, why should other CCs be discriminated against? Surely it would be better to leave the powers where they currently rest.</p> <p>The report sets out the value of Community Councils in Para 8 and the most recent feedback in Para 10. Nothing expressed in these paragraphs supports the assertion in Para 11 that “involvement of local people...is constrained by community councils operating as formally constituted ‘area committees’ “. We are very concerned at any suggestion CCs should move away from the existing formal structure. The role of a Councillor is to represent local people, which at times may be inconvenient for the Cabinet and the Executive. The cover of cuts must not be used as an excuse to diminish that role. Sadly one is forced to the conclusion that the bigger the Labour majority, the more centralising the administration becomes.</p>

**COUNCIL ASSEMBLY AGENDA DISTRIBUTION LIST (OPEN) (FULL LIST)  
MUNICIPAL YEAR 2016/17**

**NOTE:** Original held by Constitutional Team; all amendments/queries to  
Virginia Wynn-Jones Tel: 020 7525 7055

<b>ONE COPY TO ALL UNLESS OTHERWISE STATED</b>	<b>Copies</b>	<b>To</b>	<b>Copies</b>
<b>Councillors (1 each)</b>	<b>54</b>	<b>Officers</b>	<b>4</b>
		Eleanor Kelly	1
		Duncan Whitfield	1
		Doreen Forrester-Brown	1
		Chidi Agada	1
<b>Electronic Versions (No hard copy)</b>		<b>Constitutional Team</b>	
Councillor Anood Al-Samerai		(Copies to Constitutional Team, 2 <sup>nd</sup> Floor, Hub 4, Tooley Street)	<b>25</b>
Councillor Maisie Anderson			
Councillor James Coldwell		<b>Others</b>	<b>1</b>
Councillor Fiona Colley			
Councillor Karl Eastham		Elizabeth Olive, Audit Commission, Ground Floor, Tooley Street	1
Councillor Gavin Edwards			
Councillor Jon Hartley			
Councillor Sarah King			
Councillor Michael Situ			
<b>Group Offices</b>	<b>2</b>		
Aine Gallagher, Labour Group Office	1		
Niko Baar, Liberal Democrat Group Office	1		
<b>Press</b>	<b>2</b>		
Southwark News	1		
South London Press	1		
		<b>Total:</b>	<b>89</b>
		<b>Last updated:</b> November 2016	