

LIBERAL DEMOCRAT DRAFT RECOMMENDATIONS

Southwark Democracy Commission Recommendations

1 Introduction

- 1.1 The commission recommendations should be considered as whole Package. Whilst they can be implemented individually the commission believes that as a whole they represent a comprehensive solution for the Council Assembly.
- 1.2 The commission notes that **some of** the recommendations set out here will require Constitutional changes. And these need to be considered by the Constitutional Steering Panel and a report brought to Council Assembly that sets out the alterations that are required to the constitution for these recommendations to be implemented at the earliest opportunity.
- 1.3 The commission notes that a number of recommendations set out here are likely to have resource implications and these need to be examined by officers. The Commission is mindful of the need to minimise cost or be achievable within existing resources. For most recommendations the changes proposed should have minimal cost. One of the driving factors for these changes is to ensure the maximum benefit for the cost of Council Assembly.

2 The need for change

- 2.1 That the **Commission** accepts the need for change and acknowledges that doing nothing is not an option based on the strong body of evidence accompanying this review.
- 2.2 That the Commission recommendations should be considered together as a whole package to obtain the maximum positive effect.
- 2.3 That the Commission recommends these changes on the basis of maximising the benefits of the Council Assembly by:
 - Increasing the involvement and participation of local people.
 - Increasing accountability to local people.
 - Discussion of issues relevant to local people.
 - Better scrutiny of decision making for the people of the borough.
 - **Improving the quality of decisions made in the Council Assembly.**
 - **Holding the Administration to Account.**

3 PURPOSE The role of the Council Assembly

- 3.1 The Commission has found a need to set out a clear and easily understood role for the Council Assembly. The commission therefore recommends that the role of the Council Assembly is to:

- Decide on policy framework, strategies plans and policies.
- Debate and inform council plans, priorities and strategies.
- Debate and consider issues of relevance to residents and members.
- **Hold the Cabinet to Account.**
- Demonstrate community leadership.

3.2 The Commission recommends that the Council actively seeks to:

- Develop its role as a community leader by better community engagement and involvement.
- Strengthen the ability of residents and Elected Members **to influence and hold the cabinet to account.**
- Enable residents to more easily bring issues of relevance to the Council Assembly.
- Enable the public and members to participate in decision making early enough to influence change; both before and at the Assembly meeting.

The Commission recommends that:

4 In deliberating and deciding policy, plans and strategies,

4.1 The Council Assembly both considers those plans and strategies that the Government through the legal framework makes mandatory, and gains the power to decide whether it wishes to consider plans which are currently the preserve of Cabinet on a case by case basis, or whether to devolve them to Cabinet for decision.

4.2 Delete

4.3 Delete

5 In debating and considering issues of relevance to residents and Members,

5.1 Council Assembly may take a petition according to the rules set out by Government. At present 2500 signatures are needed to trigger a debate at Council Assembly. The evidence supported lowering this, and the Constitutional Steering Panel should **advise on** an appropriate number as soon as possible **for decision by the Council Assembly.**

5.2 It is made easier to take a deputation to Council Assembly. Three deputations are allowed per meeting on a first come first served basis. Furthermore, more time is given to deputations, deputees are to be allowed to present directly for 3 minutes and ask a question of the Cabinet member/Leader. The relevant Cabinet Members will take responsibility for any follow up work and feedback.

5.3 The existing arrangements will continue to apply for taking and discussing Motions at the meetings.

5.4 Council Assembly should make allowances for a balanced business agenda and the need to make meetings more engaging. A draft of the Council Assembly agenda to be available to political groups well in advance of the despatch/publishing date.

5.5 Members can bring motions from those agreed by Community Councils to Assembly.

6.0 Monitoring executive functions of the Cabinet as well as its performance

6.1 Members Question Time will continue and be strengthened, with thought given to simplify the rules of debate, introducing parliamentary style questions and allowing the leaders of the opposition parties two supplementary questions

6.2 - Delete – It is important to ensure that the agenda is lead by councillors and local people, rather than by an arbitrary theme. However, if invited by Council Assembly, cabinet members should be willing to take additional questions and take part in debate on their portfolio.

6.3 There may be opportunities to link debates to plans, strategies and policies and where this is the case, they will be clearly signposted to residents and Members so they are able to connect debate to plans and monitor their implementation.

6.4 Scrutiny's role will be enhanced with space on the Assembly agenda to bring reports and recommendations to Assembly for endorsement .

7 Demonstrating community leadership

7.1The Assembly will seek to involve the wider community in planning debates, to build and strengthen its community leadership role. Alongside this it will provide more opportunities for the community to influence and participate in debate and decisions at an opportune time.

7.2 It is vital that Community Councils are better empowered to carry out their very important community leadership function by devolving as much power as possible to them.

7.3 The following fuctions mentioned in the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 for executive decision which could be devolved (wholly or in part) to community councils:

- The making of arrangements under section 20 (questions on police matters at council meetings) of the Police Act 1996 for enabling questions to be put on the discharge of the functions of a police authority.
- Any function relating to contaminated land.
- The discharge of any function relating to the control of pollution or the management of air quality.
- The service of an abatement notice in respect of a statutory nuisance.
- The inspection of the authority's area to detect any statutory nuisance.

- The investigation of any complaint as to the existence of a statutory nuisance.
- The making of agreements for the execution of highways works.

7.4 Functions mentioned in the Liberal Democrat Manifesto for potential devolution:

- All funding for public realm improvements, including routine highways maintenance, street lighting and tree maintenance
- Voluntary sector funding/grants in their area
- TRA Halls
- Monitoring of housing services performance (eg repairs, leasehold charges)
- Questioning/monitoring of LAA partners at a local level (perhaps exercising some scrutiny functions at a local level on questioning local representatives of other public, private and voluntary sector bodies)
- Allotments
- More involvement in the determination of large scale planning applications in their area, that are currently taken by the planning committee
- Build on the role of CCs in local schools (already appoint LEA governors) by increasing their involvement in admissions, exclusions, appeals and the general development of schools (reference powers already available under 1998 schools act mentioned in Democracy Commission agenda – 5th August)

There will be opportunities caused by the Government's Localism Bill, announced in Queen's Speech, to further improve the ability of Council Assembly and Community Councils to provide strong community leadership. The most relevant measures yet announced are:

- Return decision-making powers on housing and planning to local councils **(beef up powers of Community Councils over planning)**
- New powers to help save local facilities and services threatened with closure, and give communities the right to bid to take over local state-run services **(decided by CC or CA, whichever most relevant)**
- Give councils a general power of competence **(shouldn't be solely vested in the cabinet)**
- Give residents the power to instigate local referendums on any local issue and the power to veto excessive council tax increases **(referenda should be presented to CCs or CA, not cabinet, for decision)**
- Form plans to deliver a genuine and lasting Olympic legacy **(Cabinet under the guidance of CA)**
- Create new trusts that would make it simpler for communities to provide homes for local people **(CA)**

The Coalition Agreement also state that:

- We will give councillors the power to vote on large salary packages for unelected council officials **(This should be vested in Council Assembly)**

In addition, we would wish the Democracy Commission to back the government's plans for voting reform for local government in addition to national government, to ensure that members of council assembly are as representative as possible of the community as a whole, and reflects a wider range of political views across the borough.

8 Themed meetings

8.1 Except where necessary (for example, the annual budget setting meeting), meetings of Council Assembly should not be constrained to a particular theme as they are the only opportunity for members of the public and of the council to raise issues of current concern. However, themes will occur naturally on occasion, such as where the Housing Strategy is being considered.

8.2 - Deleted

8.3 - Deleted

8.4 - Deleted

8.5 The Council Assembly should receive a single annual report covering the work of the Community Councils to highlight issues that are of borough wide concern.

9 Format of the Council Assembly meeting

9.1 That each Council Assembly starts with an informal session, this to be up to an hour before the formal start of the meeting. The informal session will be an opportunity to explore any theme, for information about the meeting to be presented in creative ways and for residents to mix with Members in an informal setting.

9.2 During these informal sessions officers provide sufficient information papers about the meeting in plain English outlining the agenda of the meeting and the way the meeting is conducted. Also to make available sheets explaining how the Council and Council Assembly works and the role of the Councillors.

9.3 That an officer from the constitutional team is present in the informal session to explain the process and the paper work. The information screens in the Assembly Meeting should provide better information such as the speakers name, the ward they represent, political group and position if Cabinet member.

9.4 That the outcome of the meeting should be available in Plain English and accessible format and published on the Councils' website. And this should form the basis of any feedback to the residents at the following Council Assembly.

9.5 See appendix for suggested outline of a Council assembly meeting format

10.0 - Deleted – It is vital that Council Assembly agendas are a function of issues of current concern for both local residents, and all members of the council, as well as necessary council business. Council Assembly is the principal opportunity for individual, particularly non-executive, councillors to raise issues of concern to them. Any move to constrain this ability, or to give control of agendas to a small clique must be avoided.

10.1 - Deleted

10.2 - Deleted

10.3 - Deleted

11 MEETING CONTENT

11.1 Cabinet lead Members could be called by Council Assembly to present reports on their work and their vision, priorities and plans for the future. They will already have conducted engagement activities involving residents intended to inform policy development on their theme at Community Councils and in other fora. Residents could have the right to ask pre-submitted questions to this item on the agenda.

11.2 The Mayor to have more discretionary power in debate and allow interjections during discussions if there is a relevant point to be added to the discussions. Debating rules will be simplified. This item to be kept under review by the Council Assembly Business Panel and to offer changes if it does not elicit good behaviour.

12 Times and venues for Council Assembly (The timing and locations must take into account the fact that a majority of councillors have full time jobs, and many also have families, making both daytime and weekend meetings challenging)

12.1 The Commission recommends that the times of the Council Assembly be altered from previous times for the different themed meetings to cater for a meeting held for young people in partnership with the Youth Council, or for a themed meeting on Adult Social Care which would particularly appeal to older people.

12.2 That the budgetary meeting in (January or February) may be held on a Saturday afternoon to enable a larger cross-section of residents to attend.

12.3 The commission recommends that the Council Assembly ceases meeting in the current Council Chamber and has its meetings in other venues around the borough. **(While we understand that the chamber is not entirely suitable, particularly for disabled access, this should not be used as an excuse to dispose of the Town Hall)**

12.4 That the officers working on the current accommodation strategy explore this recommendation and the special requirements outlined in this report and present suitable alternative venues. The officers work out the costs of the various options available for the complete cycle of Council Assembly meetings including the cost of the current Council Chamber.

13 COMMUNICATION and using new technology

13.1 The Commission recommends engaging the media by providing

media briefings before the meetings. These should be briefings by officers on the information role only and the Members on the opinion and values. Updates, briefings and alerts could go out to all media and local online community websites.

- 13.2 That all documents are published online before the meeting or soon after (with a summary decision sheet) so media outlets have all the documents on hand.
- 13.3 That the rules on the recording of audio are relaxed and all audio recording of the proceedings in Council Assembly be allowed.
- 13.4 That podcasts be released on the Council's website from recordings of the sound system.
- 13.5 That wireless access is enabled in any meeting venue that houses Council Assembly to enable tweeting and posting online.
- 13.6 That better use of the Council's existing communication platforms and networks is undertaken. A better explanation of the Council Assembly should appear on Southwark media; Southwark Life and on the web including dates and announced in advance, summaries of the meeting, and the calls for questions. Updates, briefings and summaries and alerts should go out to community networks (Southwark Life, TRAs, Forums, social media Sites, newspapers).
- 13.7 Text / Facebook / Twitter /Assembly newsletter updates and invites should go to those residents signed up to Southwark platforms or there could be an option to join a specific list. Cost effective posting of important debates and decisions could have limited 'clips.'
- 13.8 Targeted promotion for specific debates should be considered when at all practical – i.e. regeneration of a particular area would lead to invitations to local groups and people; a debate on Housing would target local TRAs etc.
- 13.9 It is recommended that the costs for webcasting and TV broadcasting are looked into alongside the opportunities for using venues with built in facilities (e.g. the London Assembly debating chamber at the GLA).

14 Community Education

- 14.1 That there should be better information through the existing channels for better awareness and understanding of the Council Assembly, the workings of the Council in general, and the role of the Councillors in particular for the residents of the borough. Training, mentoring and citizenships class should all be promoted so residents have the skills, knowledge and support to get involved.

15. Equalities issues

- 15.1 The Democracy Commission has been set up with the aim of bringing the Council closer to its residents, making it more accountable to them and more connected with their concerns. And these recommendations are primarily aimed at achieving that aim. Any implementation plan should include a full Equality and Community Impact Assessment.
- 15.2 Council Assembly will need to think carefully about how it works with existing equalities groups to enable wider participation
- 15.3 Consideration should be given to training for officers and members in community engagement and how to ensure openness to community influence.

16. Next Steps

- 16.1 Following the acceptance of these recommendations, the Chair of the Democracy Commission to report back to the next meeting of the Council Assembly with a full implementation plan including any resource implications.
- 16.2 Also the Council Assembly requests that a report is brought to the next Council Assembly to outline how the Council Constitution will be altered to enable these changes to be implemented.
- 16.3 The Democracy commission as currently constituted oversees and assists the development of the implementation plan.
- 16.4 That the Democracy Commission reviews the implementation of the agreed recommendations after 12 months after these changes have been fully implemented and to work to for further improvements.

Appendix 1

MEETING FORMAT

Preparation

Prior to the themed debate taking place outreach would take place by Cabinet Members visiting Community Councils and other community forums on set themes in the weeks prior to the event. There may also be other engagement work to support this – **This implies a top down approach. It is vital that Community Councils have control over their own agendas and programmes of work – it must not be for Cabinet Members to lead this type of engagement, but for Community Councils. If local communities and their councillors wish to invite Cabinet Members to their meetings, they will do so.**

Meeting

Informal start

30 minute informal 'meet the Assembly session' prior to the meeting start. – **If this takes place, it must be for the general benefit of members of the public – giving them an opportunity to talk informally with members of the council, rather than as an opportunity for members of the cabinet to present information to them.**

It would give an opportunity for the public to informally discuss issues with Members and the wider community.

Formal meeting

This is an outline guide to timings; it is recommended this is given to the CSP for more work. The Council Business Committee too would most likely need to adjust the timings by deciding the priority of each meeting. The meeting will last for no longer than three hours (subject to guillotine on debating formal reports for decision). – **We do not believe that a guide is necessary, nor the proper role of the Commission – it is vital that agendas are left as free and unrestricted as possible to avoid discouraging engagement. It is also important to recognise that everything mentioned below is already possible given the existing procedure rules listed in the constitution.**

1. **Time for residents to bring topical and pertinent issues to Assembly**
– would need to find a balance between quality over quantity & accessibility
30 - 45 minutes for deputations and petitions from the public. – **Residents already have this right, and it is rightly already at the top of the agenda.**
2. **Time for Members to bring topical and pertinent issues to Assembly**
20 - 45 minutes for Members to bring topical motions, motions from Community Council and ask parliamentary style questions – **Members already have the right to ask questions and motions towards the beginning of the meeting, but we are worried about the suggestion that 20-45 minutes are devoted to questions and to motions, a marked reduction on the current situation. It is vital that any areas**

of the agenda devoted to allowing individual members of the council, and of the public, to raise concerns are maximised rather than reduced.

3. Themed debated centred on Cabinet member's portfolios - 1 hour for themed debate

- 10 minutes for Cabinet lead to present vision, priorities and plan for the year
 - 15 minutes for public pre submitted questions
 - 30 minutes for Member's motions and questions on the Cabinet theme using present principles to allow sufficient political balance and political parties to hold Cabinet to account. – **As already mentioned, we do not believe that themed meetings are necessary, and are in fact in danger of constraining the meetings to the detriment of individual members' ability to raise issues of current concern that do not fit with an arbitrarily chosen theme. Should Council Assembly wish to question a cabinet member, it should have the right to do so but it should not be forced to.**
4. **Scrutiny reports** (max 10 - 30 minutes) This slot would be reserved for occasional engaging and appropriate reports (freedom pass, food strategy) – **Scrutiny reports can already come to Council Assembly – specifying a time slot is unnecessary.**
5. **Formal constitutional business** (normally 10-30 minutes but the whole meeting in case of deciding the budget). This may be able to be reduced further if some reports are removed but would expand if Members wanted to Council assembly in future to consider additional policies for decisions – bearing in mind legal constraints may make this difficult. – **Formal business also already comes to Council Assembly. Specifying a time slot is unnecessary.**