

Item No. 8.	Classification: Open	Date: 25 January 2011	Meeting Name: Cabinet
Report title:		Democracy Commission – Implementation Plan	
Ward(s) or groups affected:		All	
Cabinet Member:		Councillor Abdul Mohamed, Equalities and Community Engagement	

FOREWORD - COUNCILLOR ABDUL MOHAMED, CABINET MEMBER FOR EQUALITIES AND COMMUNITY ENGAGEMENT

1. It is always useful to recall our pledge to make a change and invigorate the state and relevance of the Council for Local people.
2. The Democracy Commission was set up to work on these issues and was set to reform the council assembly as a first step. The commission worked hard and thoroughly, ensuring that all due care and attention was taken to review the issues involved, establish and propose those necessary changes to make the council assembly more relevant to local people. Over the past six months the commission ensured that citizens and members of the borough were as fully involved as possible in this review from which a robust set of recommendations were compiled. These were accepted by the council assembly last October.
3. The constitutional amendments required to implement the recommendations were approved by Council Assembly in December 2010.
4. At the same time the cabinet was charged with the implementation of the other recommendations. This report outlines the Implementation plan and resource implications. It is clear that the cabinet would be concerned that these changes are as cost effective as possible in the current financial climate and the report sets out the cost options for these changes. The cabinet would require that there be a maximum benefit from any expenditure on council assembly and these would be justified on the basis of effectiveness of council assembly debates, its assistance to better decision making and involvement of Southwark's citizens and relevance to local issues.
5. The implementation plan also sets out the process for starting phase 2 of the Democracy Commission and the report suggests that this is focused on the role and powers of community councils. The cabinet are asked to task the Democracy Commission with suggesting terms of reference for phase 2 to council assembly in April 2011.

RECOMMENDATIONS

6. That the cabinet approves the Democracy Commission Implementation plan set out in Appendix 1.
7. That the cabinet note the resource implications of the implementation plan and

approve the principle that the budget required to implement the recommendations is transferred from Facilities Management to Communities, Law and Governance.

8. That the Cabinet tasks the Democracy Commission with phase 2 of their work, focusing on the role and powers of community councils in the context of budgetary savings. The Democracy Commission will report their progress to council assembly in April 2011 and make their final recommendations in December 2011.

BACKGROUND INFORMATION

9. The Council Assembly at its meeting on 19 May 2010 agreed that the cabinet be tasked with establishing a democracy commission with the following aims:
 - To consider the avenues of democratic engagement with the council for local residents.
 - Specifically to fully review how council assembly can be changed to increase democratic engagement with local people.
10. On 15 June 2010 the cabinet agreed to establish a democracy commission with the following key recommendations :
 - Consider changes to the council's constitution to make the council's democratic functions more open and engaging.
 - Be focused and task-based to increase its ability to deliver recommendations for substantive change and so that it can be delivered within existing budgets.
 - That the first task should be to consider reforms to Council Assembly,
11. After considering the evidence the main areas that the commission made recommendations on were:
 - The content and format of council assembly meetings to ensure that they are more relevant to residents concerns; more clearly demonstrate the council's community leadership role and strengthen the role of members and residents in holding the Administration to account.
 - The establishment of a Council Assembly Business Panel to improve how agendas are planned.
 - How the residents, the community and members can more easily bring topical issues to assembly meetings by making it easier to bring deputations and petitions and through strengthening links with community councils.
 - The concept of themed meetings and debates to inform plans, priorities and strategies at an early stage.

- Plans to involve the community and residents in themed debate by holding early discussions in community councils and other fora prior to council assembly.
 - Making better use of new technology and established communication channels, including local media, to engage and communicate with residents and elicit opinion and questions on debates held at Council Assembly on themes and plans.
 - Improving how outcomes of debates and decisions at council assembly are communicated to residents and other stakeholders.
 - The location and timing of meetings.
12. The Democracy Commission recommendations were approved by Council Assembly on 20 October 2010. The implementation plan identifies the actions required to implement the recommendations and the expected costs. The implementation plan suggests that the first themed meeting could be held in April 2011. Council Assembly agreed the constitutional amendments required to implement the Democracy Commission recommendations on 1 December 2010.

KEY ISSUES FOR CONSIDERATION

Constitutional amendments

13. The constitutional amendments required to implement the Democracy Commission recommendations were agreed by council assembly on 1 December 2010. The amendments included changes to the council assembly procedure rules, lowering the threshold for petitions to council assembly and creating terms of reference for the Council Assembly Business Panel.

Delivering themed meetings

14. The implementation plan suggests that the first themed meeting of council assembly is held in April 2011. Supporting themed meetings will require additional staff resources. This will impact on the teams which a specific theme relates to but more regularly on Community Engagement, Communications and the Constitutional Team. The community council model provides an example of the level of work involved in delivering meetings which are on a theme basis and engage successfully with the local community.
15. The Democracy Commission report recommends that cabinet lead members are called to present annual reports on their work, vision, priorities and plans for the future at themed meetings. Officers from particular departments will need to support cabinet members in the preparation of these reports and will need to be available at the meeting to support the cabinet members and answer questions. It is likely that work for cabinet members and their supporting departments will be created from the outcomes of the themed meetings.

Webcasting meetings

16. The Democracy Commission recommended that the costs for webcasting and broadcasting meetings are investigated. The cost of webcasting meetings would be approximately £15,000 for a two year lease. Members may wish to consider

whether webcasting has a positive effect on meeting engagement or whether the relaxation of the rules for audio recording of council assembly meetings (agreed by council on 1 December 2010) covers the aims of the Democracy Commission. The resource implications section of the report identifies a more cost effective option of making digital audio recordings of council assembly meetings and posting on the council's website. The costs associated with this would be for the digital recording equipment, which have been included in the specification for a PA system and an impact on staff priorities in preparing and publishing the recordings.

17. Relaxation of the council assembly procedures rules for audio recording meetings means that individuals can make sound recordings of the meeting without the prior agreement of the chair. These recordings are not subject to copyright rules and individuals can make the recordings publically available on mechanisms outside the control of the council such as community forums and social networking sites. Guidance on the recording of meetings was produced for council assembly to consider alongside the recommendation to relax the rules and is attached at Appendix 3.

The future of the town hall

18. Many of the recommendations agreed by Council can be delivered within existing budgets such as: making better use of new technology, making the content and format of council assembly meetings more relevant to residents concerns and the establishment of a Council Assembly Business Panel. The main costs associated with implementing the recommendations relate to holding council assembly meetings outside of the town hall and throughout the Borough. However, these costs need to be considered in the context of the office accommodation strategy and the future of the town hall. The Cabinet agreed on the 23 November 2010 that officers investigate the opportunities for a long lease option and the possibility of retaining access to the town hall chamber is under consideration.
19. It is difficult to produce a precise calculation of the cost of holding council assembly meetings in the town hall as no internal re-charges are made to the constitutional team for use of the council chamber. However, it is important to note that the most significant function that remains at the town hall is council assembly meetings. The annual facilities management cost for the town hall is £742,000. As more committee meetings are held at Tooley Street, the proportion of this cost attributable to council assembly meetings increases. Under the strategy already approved by cabinet, meetings using the council chamber will become the only meetings and functions hosted at the Town Hall. Ultimately it could effectively cost the council approx £106,000 per council meeting, compared to approx £7,000 per meeting (plus one off costs of £81,000) if the implementation plan is agreed.
20. Therefore, although there is a cost to holding council assembly meetings at venues other than the town hall, on the information we have this is predicted to be a more cost effective option than the current arrangements if the council chamber is no longer maintained. Officers will continue to work closely with Property as the terms of the disposal of the Town Hall are developed to consider the costs of various options.
21. The town hall chamber has been assessed against the venue specification set

out in Appendix 2, and scores 47 out of a possible 61. The town hall scores low against capacity (particularly against the public gallery requirement as it only allows 50 members of the public) and access requirements (there is no mobility access to the public gallery). If access to the town hall chamber is retained the chamber would need significant refurbishment to bring it to the required access standards. Therefore retaining access would not be cost effective as it would not only reduce the value of the receipt for the disposal of the town hall but the chamber would require refurbishment to meet the recommendations of the democracy commission.

Venues

22. The Democracy Commission recommended that council assembly meetings are held in venues throughout the borough. The implementation plan suggests that the first meeting outside of the town hall is held in July 2011. A venues specification has been developed to assess potential venues. The specification has been developed with the aim of increasing community participation and involvement in mind. Some potential venues have been visited by officers and assessed against the specification, and the results of the site visits are attached to the report at Appendix 2.
23. There are other costs associated with holding meetings outside of the town hall in addition to venue hire. None of the potential venues are designed for council assembly meetings in the way the chamber in the town hall is. Additional equipment is required to support council assembly meetings at other venues such as: a mobile office, portable PA system and portable webcasting facilities. The estimated costs have been outlined in paragraphs 30 - 32.

Security

24. Additional security requirements have not been included in the venue specification as the constitutional team are currently responsible for arranging security for council assembly meetings and this will not change if meetings are held outside the town hall. Door supervisors are used at council assembly meetings at the town hall and will be used at other venues. As is currently the case for council assembly meetings ticketing will be in place and the number of people entering a meeting venue will be controlled. The ticket system, which operates on a 'first come, first served basis', ensures that the number of public attending meetings does not exceed capacity. The venues currently being considered to host council assembly meetings have a larger capacity than the public gallery in the town hall, so although a ticket system will be in place the alternative venues allow for increased public access to the meetings.
25. The constitutional team risk assess each meeting and make additional security arrangements when necessary such as notifying the police and arranging additional door supervision, this process will continue.

Phase 2

26. The implementation plan notes the commencement of phase 2 of the Democracy Commission and Cabinet are asked to task the Democracy Commission with commencing their work on phase 2. It is suggested that terms of reference are developed by the Democracy Commission to consider the role and decision making powers of community councils and the possibilities of

contributing toward the budgetary savings required over the next three years. On the 15 June 2010 cabinet established the Democracy Commission to make the council's democratic functions more open and engaging. The Democracy Commission are required to take the recommendations agreed by Council on 15 June 2010 into account when developing their terms of reference and conducting phase 2. The implementation plan suggests that the Democracy Commission reports their progress on phase 2 to council assembly in April 2011 and makes final recommendation in December 2011.

Policy implications

27. The implementation plan outlines the processes for implementing the Democracy Commission recommendations which were agreed by Council Assembly on 20 October 2010. The themed meetings will be driven by council policies, plans and strategies. The themed meetings will provide opportunities for the council to engage in debate with residents and stakeholders and will potentially provide decision makers with new information when developing council policy.

Community impact statement

28. The work of the Democracy Commission has received significant feedback from the community which was empowered with the aim of increasing public engagement with the council and enhancing the community leadership role of the council. An Equalities and Human Rights Impact Assessment of the Democracy Commission recommendations has been completed and is attached at appendix 4. There are some cost implications from this as the impact assessment suggests targeted outreach to increase participation in council assembly as set out in paragraph 31 below.

Resource implications

29. The estimated costs identified are set out below. There are no existing budgets for these costs, but the annual costs relating to the use of other venues are in effect only making transparent costs which are currently borne by Facilities Management.
30. An annual budget of £25,000 will need to be allocated to the Constitutional Team to meet the costs of holding meetings outside the Town Hall. This would cover: venue hire £15,000, and transport and security services £10,000. As has been set out above, this contrasts with the continuing costs of maintaining the Town Hall. No new resource would be required for this, as it would be taken from the saving from no longer maintaining the Town Hall. It should be noted that it would be impossible to take that saving if alternative arrangements were not made for council assembly meetings.
31. It is also proposed that a budget of £25,000 is allocated to community engagement for targeted promotion of themed meetings and meeting the requirements of the Equalities and Human Rights Impact Assessment. The £25,000 is split: £10,000 for equality impact and £15,000 for community outreach. This equates to approx £2,000 per themed meeting for outreach and meeting publicity. The community engagement activities will include targeted promotion of themed meetings through established forums, community councils and voluntary sector organisations and engagement activities for themed meetings including consultation exercises and promotion of council assembly

meetings including posters and flyers. The equality access allocation will cover translation services, transport requests, carers' allowance requests and signing services.

32. A further £81,000 needs to be allocated on a one off basis to make the purchases necessary to support council assembly meetings (PA system £78,000, signage £500 and mobile office £2,500). It is suggested that the costs are met by savings created by the office accommodation strategy and the revised use of the town hall and that the budget required is transferred from Facilities Management to Communities, Law and Governance. The implementation plan does not require new funding but does require this transfer of budgets.
33. Additional resource implications relate to staff resources. Implementation of the recommendations does not require additional posts but will impact on staff work prioritisation. The costs identified in this report are estimated and officers will continue to work to reduce the costs associated with the recommendation and seek the most cost effective solutions.

Consultation

34. The work of the commission has included public consultation and involvement: public meetings and conferences, questionnaires, focus group and recording vox pops

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Strategic Director of Communities, Law & Governance

35. Pursuant to para 4 Sch.12 Local Government Act 1972 ('the 1972 Act') meetings of a principal council must be held 'at such place, either within or without their areas as they may direct'. In the circumstances the Democracy Commission recommendation that council assembly meetings are alternated between suitable venues throughout Southwark accords with this legislative provision. The time of meeting is not specifically prescribed by statute. In the case of a principal council however the 'annual meeting...shall be held at such hour as the council may fix, or if no hour is so fixed at 12 noon' as specified in para 1 (4) Sch. 12 of the 1972 Act. This would enable a degree of flexibility to accommodate the Democracy Commission recommendation on the timing for meetings although there may be both practical and other reasons why certain days and times should be regarded as undesirable.
36. Publicity produced or funded by the council is restricted at all times by the Local Government Act 1986, the Code of Recommended Practice and the general powers of the council. Section 2 of the Local Government Act 1986 prohibits any publicity, which appears to be designed to affect public support for a political party. This may need to be borne in mind in implementation of the Democracy Commission recommendation to improve how the outcomes of debates and decisions at council assembly are communicated to residents and other stakeholders. A Government consultation on a new 'Code of Recommended Practice on Local Authority Publicity' ended on 25 November 2010. The proposed new code will be underpinned by seven guiding principles. In addition to give effect to the Government's commitment to stop unfair competition by local authority newspapers, the proposed new Code now contains specific guidance on the

frequency, content and appearance of local authority newspapers or magazines. It also proposes to prohibit the use of lobbyists where the expenditure is intended to influence local people on political issues. However the full implications of this consultation are not yet known. The legal implications of relaxing the recording/broadcasting of council assembly meetings are addressed separately in Appendix 3 to this Report.

Finance Director

- 37 The report outlines several direct costs related to the proposal of varying the location of council assembly and introducing changes to the content and format of the meeting. The current budget for operating the town hall is approximately £660,000 and is maintained by Corporate Facilities Management (CFM). The budget transfer from CFM to Communities, Law and Governance of the continuing costs, estimated at £50,000, has been agreed in principle.
- 38 The identification of the funding stream for the one-off start up costs, estimated at £81,000, is crucial to the viability of the proposal. The office accommodation strategy will deliver savings when buildings earmarked for closure are vacated. Recycling an element of the efficiencies achieved to deliver a more sustainable approach to hosting council assembly meetings is a logical approach. Finance are also exploring the opportunity of using the capital programme to fund the majority of the estimated cost.
- 39 The report makes clear there are unquantified impacts on existing staffing resources and prioritisations. Effective management of the new operations and processes is required to prevent other work areas being negatively impacted and incurring additional associated costs.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Democracy Commission reports and agenda	Tooley Street, London SE1 2TZ	Julie Timbrell 020 7525 0514
Council assembly reports, agenda and minutes	Tooley Street, London SE1 2TZ	Ian Millichap
Cabinet report, agenda and minutes	Tooley Street, London SE1 2TZ	Paula Thornton

APPENDICES

No.	Title
Appendix 1	Implementation Plan
Appendix 2	Venue Specification and venue assessment results
Appendix 3	Briefing note on broadcasting meetings
Appendix 4	Democracy Commission – Equalities and Human Rights Impact Assessment

AUDIT TRAIL

Cabinet Member	Councillor Abdul Mohamed, Cabinet Member for Equalities and Community Engagement	
Lead Officer	Deborah Collins, Strategic Director of Communities, Law & Governance	
Report Author	Stephen Douglass, Head of Community Engagement	
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CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Strategic Director of Communities, Law & Governance	Yes	Yes
Finance Director	Yes	Yes
Cabinet Member	Yes	Yes
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