

COUNCIL ASSEMBLY
(ANNUAL MEETING)
WEDNESDAY 23 MAY 2012
QUESTIONS ON REPORTS

ITEM 3.1: EXECUTIVE FUNCTIONS 2012/13

1. QUESTION TO THE LEADER FROM COUNCILLOR ANOOD AL-SAMERAI

Has the leader considered returning to the committee system?

RESPONSE

Yes, I have considered it, but don't believe it is right for Southwark for the following reasons:

- **Cost** – at a time when we are making considerable savings by cutting the cost of councillors and meetings, any increase in council meetings would come with as yet unidentified costs. Any increase in costs would have to be funded by cuts to services that people value.
- **Transparency** – in the already hugely complex world of local government, the leader and cabinet model is easier to understand for residents, businesses and partners, and political accountabilities are clear. In contrast, the committee system adds a further layer of complexity and blurs accountability, making it less transparent.
- **Efficiency** – since the introduction of the leader and cabinet model, the council has been working to break down internal silos and to respond to problems more cohesively and holistically. The leader and cabinet model facilitates this by focusing team-working at the top level of political leadership in the council, cutting across all portfolios and policy areas. In contrast, the committee system focuses team-working at a second-tier committee level, promoting a less joined-up approach with more duplication of effort across the organisation.

I wish good luck to those councils, such as Liberal Democrat Kingston, that are choosing to focus their resources, efforts and attention on changing their administrative and governance structures at the time of the biggest ever cuts for local government. In Southwark, we will be using all of our ingenuity and effort to try to protect our residents' valued front line services.

ITEM 3.2 - ESTABLISHMENT OF COMMITTEES, COMMUNITY COUNCILS AND OTHER CONSTITUTIONAL ISSUES 2012/13

1. QUESTION FROM COUNCILLOR NICK STANTON

In section 5, the report highlights five community council areas to be established as set out below:

- Bermondsey and Rotherhithe
- Borough, Bankside and Walworth
- Camberwell
- Dulwich
- Peckham and Nunhead

Please can the relevant cabinet member set out a) the population and b) the size of each geographical area for each community council?

RESPONSE

Community Council	Area in Hectares	Area %	Population	Population %
Bermondsey & Rotherhithe	761	25	74,136	26
Bermondsey				
Riverside	133	4	13,548	5
Grange	120	4	14,855	5
South Bermondsey	97	3	12,906	5
	350	12	41,309	15
Rotherhite				
Rotherhithe	149	5	13,069	4
Surrey Docks	190	6	12,883	4
Livesey (50%)	72	2	6,875	3
	411	14	32,827	11
Dulwich	704	24	34,403	12
Dulwich				
College	323	11	11,314	4
Village	279	9	11,101	4
East Dulwich	102	3	11,988	4
Peckham & Nunhead	655	22	58,636	21
Peckham				
Peckham	87	3	12,082	4
Livesey (50%)	72	2	6,875	3
	159	5	18,957	7
Nunhead & Peckham Rye				
Nunhead	132	4	12,104	4
The Lane	139	5	14,587	5
Peckham Rye	225	8	12,988	5
	496	17	39,679	14
Borough, Bankside & Walworth	543	18	73,480	26
Borough & Bankside				
Cathedrals	176	6	15,988	6
Chaucer	82	3	16,221	6
	258	9	32,209	12
Walworth				
Faraday	88	3	13,586	5

Community Council	Area in Hectares	Area %	Population	Population %
Newington	83	3	14,495	5
Community Council	Area in Hectares	Area %	Population	Population %
East Walworth	114	4	13,190	4
	285	10	41,271	15
Camberwell	323	11	38,678	15
Camberwell				
South Camberwell	133	4	12,337	5
Brunswick Park	93	3	12,363	5
Camberwell Green	97	3	13,978	5
Borough Total	2,986	100	279,333	100

*Source GLA 2009

2. QUESTION FROM COUNCILLOR JEFF HOOK

Who proposed the themes for council assembly as set out in paragraph 16? Will the relevant cabinet member consider allowing community councils to propose themes for council assembly?

RESPONSE

Following the democracy commission review of council assembly a council assembly business panel was established to review the work of council assembly. The panel consists of the Mayor and the three group whips. Amongst other things the panel has the function of choosing the themes for meetings of council assembly for the municipal year ahead.

The council assembly business panel met to set the 2012/13 themes on 23 April 2012 as set out in item 3.2, pages 10-11. Community councils are able to make suggestions for themes through the group whips.

3. QUESTION FROM COUNCILLOR GRAHAM NEALE

Are community councils allowed to meet more than five times a year on requests of local residents, as set out in paragraph 41, if they can find the resources to do so?

RESPONSE

Following the decisions of council assembly in February 2012, the community councils will meet five times a year in 2012/13. Due to the reductions in council budgets no additional meetings can be supported. There is nothing to stop local residents holding public meetings if they have the resources to do so. However, they would not be community council meetings as these are formal council meetings and require the appropriate officer support.

4. QUESTION FROM COUNCILLOR DAVID HUBBER

Has the cabinet member considered devolving licensing powers to community councils?

RESPONSE

The democracy commission were tasked with investigating the roles and functions of community councils in the context of budgetary savings. Devolving licensing powers to community councils would result in additional meetings at a higher cost than licensing sub-committee meetings. Taking regulatory decisions at community councils can also make it difficult for ward members to represent their constituents – as highlighted by the democracy commission. This was a consideration in their recommendation to introduce planning sub-committees

ITEM 3.4 - CONSTITUTIONAL REVIEW 2012/13

1. QUESTION FROM COUNCILLOR JAMES BARBER

What will be the cost of forming two planning sub committees? How many planning applications that have previously gone to members will now be decided by officers?

RESPONSE

Introducing two planning sub-committees as an alternative to planning at community councils resulted in a saving of £92,238. Deleting planning from community councils and delegating all decisions currently taken by community councils to officers would have saved £186,435.

It is likely that around 100 applications will be considered by the planning sub committees compared with 119 applications considered by community councils in 2011.

It is important to note that between June 2010 and May 2011 approximately 76% of applications which went to community councils were considered after the application expiry date, and could have been subject to legal challenge for non-determination.

2. QUESTION TO THE CABINET MEMBER FOR FINANCE RESOURCES AND COMMUNITY SAFETY FROM COUNCILLOR MARK GETTLESON

At the budget meeting in February 2012, the cabinet member for finance, resources and community safety said he would investigate whether there is a requirement to have five community council areas as he outlined at the meeting of Bermondsey community council as the reason behind not merging Camberwell community council in with one of its neighbours. Please can he confirm whether he has done this?

RESPONSE

The democracy commission recommended the new five community council areas identifying that:

- there were overlaps in items being considered in Borough and Bankside and Walworth community councils on issues such as the regeneration of Elephant and Castle
- there was an overlap of attendance between Bermondsey and Rotherhithe (20 people on average) and to a lesser extent between Peckham and Nunhead and Peckham Rye (three people on average)
- there was no overlap at Camberwell community council in terms of either issues or attendees.

The commission therefore did not recommend merging it with another community council area.

On the specific matter of my undertaking to investigate the matter further, I can confirm that I did ask the strategic director of communities, law & governance for further advice after the meeting. I have set out below the reply I received in full:

“The constraint is set out below, in bold.

Although two-fifths is greater than a quarter, the issue for us is that complying with the two-fifths rule while keeping some form of sensible boundary was getting very difficult.

I hope this helps.

Deborah Collins

Section 18 Local Government Act 2000

18 Discharge of functions by area committees. E+W

This section has no associated Explanatory Notes

(1)The Secretary of State may by regulations make provision for or in connection with enabling an executive of a local authority, or a committee or specified member of such an executive, to arrange for the discharge of any functions which, under executive arrangements, are the responsibility of the executive by an area committee of that authority.

(2)Regulations under this section may impose limitations or restrictions on the arrangements which may be made by virtue of the regulations (including limitations or restrictions on the functions which may be the subject of such arrangements).

(3)In this section—
"area committee", in relation to a local authority, means a committee or sub-committee of the authority which satisfies the conditions in subsection (4),
"specified" means specified in regulations under this section.

(4)A committee or sub-committee of a local authority satisfies the conditions in this subsection if—

(a)the committee or sub-committee is established to discharge functions in respect of part of the area of the authority,

(b)the members of the committee or sub-committee who are members of the authority are elected for electoral divisions or wards which fall wholly or partly within that part, and

(c)either or both of the conditions in subsection (5) are satisfied in relation to that part.

(5)Those conditions are—

(a)that the area of that part does not exceed two-fifths of the total area of the authority,

(b)that the population of that part, as estimated by the authority, does not exceed two-fifths of the total population of the area of the authority as so estimated.”

3. QUESTION FROM COUNCILLOR PAUL NOBLET

The report clarifies the process for community council questions being asked to cabinet members. Does the cabinet member believe community councils should get to ask cabinet members supplemental questions?

RESPONSE

Yes, the councillor asking the question on the community council’s behalf can ask a supplemental question.