

**THE ROYAL BOROUGH OF KENSINGTON AND CHELSEA
BOROUGH AND AREA GOVERNANCE REVIEW PANEL**

**NOTES OF THE THIRD MEETING OF THE PANEL HELD IN COMMITTEE
ROOM 1 AT KENSINGTON TOWN HALL, LONDON W8 7NX AT 6.30PM
ON TUESDAY 11 DECEMBER 2018**

Panel Members present:

Cllr. Robert Atkinson (Co-Chair)
Cllr. Elizabeth Campbell (Co-Chair)
Cllr. Gerard Hargreaves
Cllr. Walaa Idris
Cllr. Johnny Thalassites

Others in attendance:

The meeting was attended by some 10 members of the press and public and by several other Councillors and Council officers.

A G E N D A

I. Introductions and Housekeeping

Cllr. Elizabeth Campbell welcomed everyone to the meeting and introduced the Panel Members. It was noted that Cllr. Monica Press was unable to attend due to a meetings clash.

Cllr Campbell reported that the notes of the previous meeting had been placed on the website and summarised that meeting as follows:

- Helpful feedback was received about how people want to be involved in what the Council does.
- The Council had more to do to involve local people in the decisions and services that affect their lives.
- Examples were presented of best practice elsewhere – for example, councils involving people in decisions about spending local pots of money (participatory budgeting).
- The Council needed better to explain how the Council takes decisions and give more notice of decisions so local people have more opportunity to influence them – and the Council is thinking at the moment about the ways we can do this.
- The Council website needed to be easier to use and work was already underway on this. Anyone who wanted to contribute ideas should speak with Heather Wills, Director of Governance at RBKC.

Cllr. Campbell then outlined the programme and introduced the speakers. She requested that any ward issues be raised with the Member Panel afterwards to allow the meeting to focus on the wider aspects of governance.

2. Presentation on different models of Governance

Ed Hammond, Director at the Centre for Public Scrutiny, gave a presentation on the different possible models for borough-wide governance for councils. A copy of his slides has been uploaded to the Council website alongside the Panel papers.

3. Presentation on the different kinds of decisions that councillors have to make in the public interest?

Barry Quirk, RBKC's Chief Executive, gave a presentation on the different kinds of decisions councillors have to make. A copy of the slides has been uploaded to the Council website alongside the Panel papers.

Barry concluded his presentation by posing the question of when a seemingly private issue (he gave the example of the suicide rate at the Golden Gate Bridge in San Francisco) became a public problem requiring government intervention. Elected representatives had to make difficult decisions on such matters in the public interest, balancing different demands.

4. Insight from councils with different governance systems

Heather Wills, Director of Governance at RBKC, gave a presentation on the experience of different governance models at the London Borough of Hackney, London Borough of Sutton and South Gloucestershire. A copy of her slides has been uploaded to the Council website alongside the Panel papers.

5. Opportunity for the public and panel to ask questions of clarification to Ed, Barry and Heather

The public and Panel were invited to ask questions of clarification. The following main points were noted:

- In response to a question on devolution as a model, Ed clarified that there were only three executive models available under the law but, within those, councils could devolve as much power as they wished. Heather Wills flagged that the 15 January meeting will consider what might be done at an area level, while the focus at the current meeting was on borough-wide governance structures.
- Michael Bach said he liked the quote "if you are transparent, it doesn't make a difference what model you have." He said the features of a good model were openness, transparency and accessibility, allowing residents to become involved early enough in decision-making. He believed the existing model could be adapted to deliver these benefits.
- Reflecting on Michael Bach's comments, Chris Davis said the focus should be on process and culture rather than structure.
- When considering the 'greatest happiness' of the population, it was essential to ensure that the needs of the minority were not swamped by the majority: could weighting be given to specific areas?

- In response to a question on ‘prescribed arrangements’, Ed Hammond said that to his knowledge no English local authority had gone down this route. But a local authority could apply to the Secretary of State to agree a bespoke governance structure.
- Ed Hammond highlighted the equally important elements of formal and informal elements to governance systems.
- In response to a question from Henry Peterson on the 5-year ‘lock-in’, Ed explained that hybrid systems were an option, where legally you have a leader/cabinet model but incorporate features of a committee systems, i.e. with committees of councillors advising lead members and being involved in decision making

6. Table discussion for the public to debate what they’ve heard

Ed then invited the public to discuss the below three questions in smaller groups. The Panel joined the groups to hear the discussions.

1. What do you think are the pros and cons of the various governance options you’ve heard about?
2. Whatever system was chosen, what would a “good” governance system look and feel like?
3. What would it mean for the role of the public – as individuals, or collectively through amenity groups, residents’ associations etc?

Table discussions took place for 20 minutes.

7. Plenary section

The groups were invited to give feedback on their discussions. The following main points were noted:

- Some felt the existing system was fine as it could be explained easily to people if more was done to engaging meaningfully with the public. Any systems would work if there was a will to undertake good public engagement.
- The Borough’s governance structure needs to support local decision-making by putting genuine power back into the hands of the community and looking at the potential for community-based budgeting.
- The Council should develop a social contract, similar to the Voluntary Sector Compact, which clearly sets out the relationship, roles, rights and responsibilities between the citizen and Council and how the community will be treated, engaged and consulted on decisions. This should be incorporated into the Constitution.
- A culture change on engagement and consultation was required and moving towards a social contract would help embed this.
- There was a suggestion that the Council could not embark on a programme of culture change without, first, an audit of what was wrong with the previous culture and why it needed to change. Barry Quirk explained that the CfPS Governance Review report had addressed these issues and made recommendations and a change programme was underway: the ‘Twelve Principles of Good Governance’ had been adopted for example. He added that culture was made by all of us and started

with how the Leader and Chief Executive conduct themselves. It might be possible to conduct an annual audit of progress made in changing culture. Cllr. Campbell added that it takes time to change an organisation's culture but we were heading in the right direction.

- Henry Peterson noted that at a national level Cabinet met in private and similarly, in local government, there needed to be the opportunity for decision-makers to have private deliberations with professional advisers. It was important for this to be explained to the public. But, that said, there needed also to be a process to enable the public to comment on important propositions.
- It's important to create a space where residents do not feel intimidated and are able instead freely to express and give their views.
- Communication channels have lapsed in the post-Grenfell period and needed to be revived, e.g. creating mailing lists and actively communicating with residents rather than relying on residents to look up information on the website (passive communication). Ed Hammond added that communication was a two-way process of broadcasting and also listening back and informing the community on what is has done.
- The Council's community engagement approach needs to change. The Council often just contacts the same community/voluntary organisations during consultation, which may not be not representative of everyone.
- Cllr. Judith Blakeman said the Council will not engage with many Residents' Associations in the Notting Dale ward unless they can prove how representative they are. She felt this resulted in some voices being excluded.
- There seems to be an element of 'institutional deafness'. If you don't listen and act, you are undermining the trust you are trying to build. Some residents felt that existing consultation mechanisms were insufficient and stated that the more people felt listened to, the more they would want to engage.
- The Council needed to link the process of listening to the underlying process of policy development and decision-making so that people can see that their input has a purpose.
- People would feel more connection with the Council if more local people were employed by the Council, people who had a better understanding of the local context.

8. Summary of discussion

Ed Hammond summarised the following main themes of the feedback:

- Meaningful community involvement
- Having a social contract with the community
- Creating culture change i.e. mind set of officers
- Improving communications
- Hearing all voices

9. Panel reflections

Ed Hammond invited Panel Members for their thoughts on what they'd heard. The following main points were noted:

- Cllr. Elizabeth Campbell said she was not hearing any great wish for a change from the current 'Leader and Cabinet' model but that people wanted to make the existing governance arrangements work better. Fundamental to this were relationships with local people and establishing trust. The work that Barry Quirk and officers were currently doing, e.g. making decisions more transparent, involving people in decision making and making decisions easier to track, will be the foundation of this.
- Cllr. Robert Atkinson said it was clear that the Council needed to look at its public engagement process, as there has clearly been a tendency to co-operate with, and speak to, the same already organised groups, e.g. the Kensington Society, and keep going back to them with the same vocabulary. Work needed to be done to go out and look for other groups who are not as well established or organised, but it was equally important to check how representative they are. The timetabling of communications was also important.
- Cllr. Gerard Hargreaves said he was hearing that it all comes back to communicating effectively to a cross-selection of the Borough's residents. It's about looking at the language used and who is doing it and not just about the methodology. One way of improving communication might be to devolve power to those who have an interest in the area they live in, which in turn will improve engagement and two-way communication.
- Cllr. Johnny Thalassites said he was hearing that good governance was much more about relationships and trust than systems. The way we communicate and engage needs to improve. Many people feel they do not have access to decisions. We need to use the appropriate language and go to residents to hear their views, e.g. "to have tea with them and chat".
- Cllr. Walaa Idris said she too was hearing that effective and timely communication was key. Sometimes we think we are communicating but it hits a wall and doesn't get to the people we intend it for. We need to see that communications penetrate and get to the right audience.

10. Look ahead to next meeting

Cllr. Elizabeth Campbell thanked everyone for their contributions and said that at its next meeting, the Panel would be looking at the potential for area-based governance and devolved decision-making.

The meeting ended at 8.00pm