

STRONG AND PROSPEROUS COMMUNITIES – THE LOCAL GOVERNMENT WHITE PAPER

1 SUMMARY

- 1.1 This report outlines the main content of the Local Government White Paper, for Members' information, and attempts to draw out the main implications and areas of interest for this Authority.

2 INTRODUCTION

- 2.1 The Local Government White Paper was published at the end of October and has since been followed up by the announcement in the Queen's speech of a Local Government Bill covering some aspects of the White Paper although exact details on this await the publication of the draft Bill, which is scheduled to be published prior to Christmas. Appendix 1 outlines the main contents of the White Paper, whilst Appendix 2 gives known details of the content of the Bill. At the time of drafting this report, the conclusions of Sir Michael Lyons Review of Local Government and, specifically, local government finance, scheduled be reported in December, have not yet been published.

3 IMPLICATIONS FOR ROCHFORD DISTRICT COUNCIL

- 3.1 The response to the White Paper from the local government community has been mixed. Many feel that its length is not matched by its quality and that it represents a missed opportunity. Certainly, in the absence of Sir Michael Lyons views on local government finance and the Government's response to those, an important element regarding the future of local government is missing. Nonetheless, there are important messages in the White Paper which, together with the impending legislation, will impact on this Council.
- 3.2 The White Paper develops the role of the local Councillor as community champion and there is reference to neighbourhood charters, stronger community involvement in the managing of local assets, the presentation of petitions and a new Community Call for Action.
- 3.3 Several of these initiatives are referred to in the promised legislation. Although the Council and Members already engage with communities in a variety of ways and through a variety of mechanisms, and have passed the development and management of assets down to Parishes (e.g. open spaces), and groups (e.g. community halls), it is apparent that the proposals coming forward will need to be examined in the context of our political decision making process and asset management policies. Also, if we do need to develop community or

neighbourhood funding regimes, that will impact on the budget making process.

- 3.4 Both the White Paper and the legislation promotes 3 particular models of executive leadership. The White Paper says that fourth option authorities will be able to opt out in connection with these 3 models. It will be interesting to see whether that promise of "opt out" is carried forward into the legislation. Whatever, if the "opt out" is included, it is likely that it will become increasingly difficult to carry on as a fourth option authority, as more of the legislation, the inspection regimes and the funding arrangements, assume that Councils are one of the 3 proposed models.
- 3.5 The White Paper and the new legislation promise stronger powers to Overview and Scrutiny Committee and that is welcomed. Certainly, it could help the Review Committee particularly when it looks at third party issues or where the work of other public sector providers is key. The changes proposed to the Member Code in respect of licensing and planning are also to be welcomed, and should help overcome some of the issues Members currently face if they wish to represent the opinions of their constituents. Both the White Paper and the legislation signal a move towards more local investigation and decision making in respect of standards. Whilst the approach is to be welcomed, there is concern as to whether the potential resource impacts associated with that area of work are fully recognised.
- 3.6 Both the White Paper and the legislation invite bids from authorities in two tier areas for unitary status and also new approaches to two tier working. Several authorities, including a number of counties, have already expressed an interest in the unitary option. Essex, as a whole, has yet to determine whether it wishes to prepare a bid submission around enhanced two tier working. The Essex Association of Local Government at its last meeting agreed to await details of the new Local Government Bill before discussing it further. Attempts are now being made between the Essex Districts to discuss the matter further. Whether Essex in total or Rochford in particular decide to participate in any submission, it is clear from the White Paper Guidance that in two tier areas, whether a Council submits a bid or not, the Government expects that all Councils in continuing two tier areas will pursue new arrangements to achieve the same level of improvement and efficiency gains as the new unitaries, and the new two tier arrangements, will be achieving. Clearly then, no change is not an option.
- 3.7 Much of the White Paper and the proposed new legislation focuses on Partnership working and the Local Area Agreement process. The Council is already well embedded in these areas and, in many ways, is well placed to take up any new initiatives and opportunities in these areas.

- 3.8 The White Paper covers the role and responsibilities of the Local Authority as “place shaper”. Again, the mechanisms being developed around the Local Development Framework, the Local Strategic Partnership and the preparation of a new Sustainable Community Strategy should help us in these tasks.
- 3.9 The promise of fewer targets and a more streamlined inspection regime are to be welcomed, although some caution needs to be exercised until the details become apparent. Certainly, there are some concerns that, whilst the number of “headline” targets reduces, the number of “sub-set” targets increases, so that the net effect will be no real reduction.
- 3.10 In conclusion, therefore, there are a number of elements in both the White Paper and proposed new legislation which will impact on the Council, some positively, and others potentially negatively. What it does mean however is that the Council will have to continue to change, both of its own accord and in response to the evolving environment. Partnership, engaging with the local communities, and continuing to drive down costs and improve services where appropriate will be key. Looking at political decision making structures to ensure that they are seen to respond to the emerging agenda will also be important.

4 RECOMMENDATION

- 4.1 It is proposed that the Committee note the content of this report and that officers arrange a Member seminar early in the new year once details of the Local Government Bill become apparent so that Members can consider in depth how the agenda needs to be taken forward in the context of Rochford District Council.

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Background Papers:-

None

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Responsive Services and Empowered Communities

- Councils to develop neighbourhood charters setting out local standards and priorities to manage services at the level of the neighbourhood; to work more closely with neighbourhood policing teams; and to give Councillors small budgets to tackle local issues
- The process for setting up tenant management organisations will be simplified
- A review will examine how communities can play a bigger part by managing or owning community assets
- A stronger legal framework will be introduced to require local authorities and other best value authorities to secure the participation of local citizens and communities.
- Local people will receive more information about service standards and be able to turn to their local Councillor to demand an answer to their questions through a new Community Call for Action
- Local authorities will be encouraged to put in place standard procedures for dealing with petitions
- The role of the Local Government Ombudsman in tackling complaints will be updated
- The process for creating parishes will be developed to Councils; and the power of well-being will also be extended to Quality Parish Councils

Effective, Accountable and Responsive Local Government

- In future there will be three choices of leadership model: a directly elected mayor with a four year term; a directly elected executive of Councillors with a four year term; or a leader elected by his/her fellow Councillors with a clear four year mandate
- Small authorities will be able to “opt out” and continue to operate modified Committee systems
- Local authorities will be able to move to the model of a directly elected mayor by resolution of the Council and in consultation with local people
- Where they want to authorities will also be able to move to whole-Council elections and single member wards
- Councils in shire areas will be able to seek unitary status, and in remaining two-tier areas there will be new opportunities to bring local government closer to the people and deliver better value for money. Bids for unitary status, or to act as pathfinder new two tier models are invited by 25th January 2007
- An independent review will look at incentives and barriers to serving on councils
- New training opportunities will be provided for Councillors
- The code of conduct will be amended to allow Councillors to speak out on licensing and planning issues that matter to their local neighbourhoods
- The making of byelaws will be full devolved to local authorities and in future they will be more effectively enforced by using fixed penalty notices

- Overview and Scrutiny Committees will be strengthened to allow them to call on local public service providers for evidence and demand a response to reports from the Council
- Most aspects of the conduct regime will be devolved to local authorities with a streamlined Standards Board refocused as a light touch regulator

Strong Cities, Strategic Regions

- Multi-Area Agreements which cross local authority boundaries will be developed
- The concept of city development companies will be promoted and Employment and Skills Boards encouraged to be formed in core cities
- The Department for Communities and Local Government, HM Treasury and the Department of Trade and Industry will jointly report for the Comprehensive Spending Review on how the Government can best devolve powers and resources to regions and local authorities in cities and elsewhere to ensure there is clear accountability for decisions, stronger leadership, incentives to enable and support growth, reduce inequalities and promote effective governance arrangements
- The Department for Transport will propose a package of reforms for Passenger Transport Authorities and Executives to strengthen leadership and enable a more coherent approach to transport in the biggest cities. It will also devolve powers to local authorities to ensure that the bus services their communities need are delivered

Local Government as a Strategic Leader and Place-Shaper

- A new framework will be introduced for strategic leadership in local areas, bringing together local partners to focus on the needs of citizens and communities
- The Local Strategic Partnership will be confirmed as the overarching strategic partnership for an area.
- County and unitary authorities, in consultation with local partners, will be required to prepare a delivery plan for the Sustainable Community Strategy – known as a Local Area Agreement
- The Local Area Agreement will set out a single set of priorities for local partners and there will be a duty for local authorities and local partners to work together to agree their priorities
- Procedures will be simplified to enable coordination of consultation on Sustainable Community Strategies, Local Area Agreements and Local Development Frameworks

A new Performance Framework

- There will be a simplification of the performance framework
- There will be around 35 priorities for each area, tailored to local needs through the Local Area Agreement

- There will be a single set of about 200 outcome based indicators covering all important national priorities like climate change, social exclusion and anti-social behaviour
- This indicator set will include citizen satisfaction and perception measures; and citizens and communities will be able to examine performance against the indicators to know how well their local area is doing
- There will be a new regime for dealing with monitoring, support, assessment and intervention. The new regime – Comprehensive Area Assessment – will be a more proportionate risk-based regime which will cut bureaucracy and allow more targeted support or intervention when things go wrong

Efficiency – Transforming Local Services

- Ambitious efficiency gains will be required as part of the 2007 Comprehensive Spending Review
- There will be greater service collaboration between councils and across all public bodies
- Greater use of business process improvement techniques will be encouraged
- Greater contestability will be encouraged through the use of fair and open competition
- There will be three year funding settlements for local authorities to provide greater stability

Community Cohesion

- The Government will work with local authorities facing particular community cohesion challenges
- It will provide support for areas facing difficulties; help share best practice between authorities; and support the establishment of forums on extremism in parts of the country where they are necessary
- The Commission on Integration and Cohesion will produce more detailed plans on how to deliver a step change in promoting cohesion.

Volume 2 of the White Paper comprises a series of annexes describing how issues should be tackled and are intended to promote debate among service providers. The areas covered are:

- Community Safety
- Health and Well-being
- Vulnerable People
- Children, Young People and Families
- Economic Development, Housing and Planning
- Climate change
- The Third Sector (the voluntary sector)

The White Paper does not address local government finance specifically, which Members will recall is subject to the view by Sir Michael Lyons. The outcome of that review is to be reported in December.

In a further technical appendix outlining the bidding process for unitary or revised two tier working, the Government advises that it expects all Councils in continuing two tier areas, even if they do not submit proposals or have those proposals accepted, to pursue new arrangements to achieve the same level of improvement and efficiency gains as the new unitaries and two tier models will be achieving.

Local Government Bill

This will include:

- Empowering frontline Councillors and strengthening political leadership with:
 - a “community call for action” to resolve issues of local concern
 - devolved powers for district and unitary councils and London Boroughs to create new parishes;
 - an end to the Secretary of State’s role in confirming byelaws and making it possible for councils to enforce them through fixed penalty notices;
 - Councils choosing one of three executive leadership models; and
 - Strengthened overview and scrutiny committees
- Restructuring including giving councils in two tier areas the opportunity to seek unitary status
- Revising the Council Code of Conduct, including:
 - establishing a more locally based conduct regime for Councillors, with a streamlined Standards Board
 - revising the code of conduct to allow Councillors to speak out on licensing and planning issues in their ward
- Strengthening local partnership working, including:
 - placing a duty on upper tier councils to prepare LAAs in consultation with named partners
 - requiring the lead Councils and named partners to cooperate in agreeing relevant targets and to have regard to them; and
 - placing more area-based funding in the LAA pot.