

Local Government White Paper

Background

The attached is a brief summary of the main provisions of the White Paper, with an emphasis on those chapters which are particularly relevant to two tier local government areas such as Devon, and those which discuss the role of LSPs.

Key Points for LSP to consider

The main points are to be found in Chapter 5 of the White Paper.

The role of the local authority in the LSP is strengthened, particularly that of the District Council. The DC must agree to the appointment of a chair, although does not need to take the chair. Senior elected members are expected also to take a leading role.

County LSPs must 'take full account' of the priorities of District based Sustainable Community Strategies in preparing their own strategies and, by implication, their Local Area Agreements. District LSPs must, in turn, consider the needs of the whole county in drawing up their specific priorities.

There will be a statutory 'duty to co-operate' placed upon key statutory partners involved in LAAs, including local authorities, PCT, Police, Probation, Learning and Skills Council and others. By implication this will extend to LSPs, because the LSP at county level will have responsibility for agreeing the LAA.

The White Paper places a great deal of emphasis on citizen engagement and 'empowerment' of neighbourhoods. This crops up in several different contexts. The following elements are most relevant to the LSP:

- The LSP should be more transparent in their operation, and should be able to demonstrate real accountability to local people. It is not entirely clear how this will be achieved, but the points below will cover some aspects.
- The LSP should have a co-ordinated engagement and consultation strategy which includes as many of the partners as possible. This is intended not only to reduce duplication and confusion amongst the public, but also to demonstrate that local people and groups can help to shape services in their areas.
- The LSP will have a duty to consult and involve parish and town councils, voluntary sector and other interested groups in developing and implementing community plans.
- Where local people are concerned about particular issues or services they can, through their local councillor, use the power for a 'community call for action'. Although this will be dealt with through the council's scrutiny processes, the particular issue may involve services provided by other partners, and may require action through the LSP.

District Councils and their local partners, through the LSP, are seen as key bodies in 'place shaping'. This is perhaps another way of expressing the language of the last local government act which talked about the duty to improve the 'social, economic and environmental well being of the area'. It also implies the role of advocacy on behalf of the area and stresses the need for the LSP to respond to locally expressed wishes and needs.

White Paper Provisions

Heading	Proposal
Chapter 2	Responsive Services and Empowered Communities
	Proposals in this section are aimed at supporting local government to deliver more responsive services, extend choice and control, give individuals and community groups a real say over services and strengthen the role citizens and communities play in shaping the places they live.
Extending choice in local services	Where practical individual users should be offered a choice over what is provided and how it is provided including considering the scope for extending choice in social care
Giving People more say in running local services	Extending the principle of choice and control into services provided for the whole community e.g. neighbourhood based participatory budgeting. Looking at ways of empowering communities.
Listening to and acting on local concerns	<p>Petitions All councils to consider systematically how they deal with petitions as part of their wider policy for engaging with communities.</p> <p>Community call for action Citizens able to seek action through their local councillor on persistent or serious problems with local services. Councils encouraged to delegate powers and budgets to tackle minor problems</p>
Empowering local people to manage neighbourhoods and their own community facilities	<p>Neighbourhoods Empower local people to manage their neighbourhoods and own and manage community facilities:</p> <ul style="list-style-type: none"> • Encouraging extension of neighbourhood management. • Encouraging community ownership and management of assets. • Encouraging councils to adopt neighbourhood charters – voluntary agreements between a local authority and a local community. <p>Legislate to reform parish councils:</p> <ul style="list-style-type: none"> • Extend the power of well-being to quality parish councils • Devolve power to district and unitary councils to create parish councils with a presumption in favour of establishment on request of the community • Enable/allow councils to decide upon other forms of community governance beyond parish councils • Allow parish and town councils to be named village, community or neighbourhood councils

Heading	Proposal
Chapter 3	Effective, accountable and responsive local government
	Proposals in this section are aimed at ensuring prosperous and cohesive communities able to respond successfully to the demands of the modern world and meet the rising expectations of citizens. Localities need effective democratic governance with strong, accountable and responsive leadership
More diverse and representative councillors	<p>Councillor recruitment An independent review of the incentives and barriers to serving as councillors to:</p> <ul style="list-style-type: none"> • consider the time needed to be an effective councillor, time-off arrangements and councillors’ remuneration • encourage LGA and political parties to work together to promote the recruitment of candidates from more diverse backgrounds.
Councillors as democratic champions	<p>Building capacity Work with LGA, IDeA and Leadership Centre for local government, and through the Regional Improvement Partnerships to promote;</p> <ul style="list-style-type: none"> • a clearly defined role for local councillors in championing the interests of their communities • greater diversity of councillors so they are more representative of their communities
Enacting community rules and byelaws	<p>Bye-laws and fixed penalty notices Removes the requirement for councils to get government consent to bye-laws and give councils powers to enforce bye-laws through fixed-penalty notices.</p>
Stronger leadership	<ul style="list-style-type: none"> • Legislation to require councils to adopt one of three political management arrangements (directly-elected mayor, directly-elected executive or indirectly-elected leader all for a fixed 4-year term). • Councils to opt for a directly-elected mayor or executive without a referendum. All executive powers will be invested in a mayor (or leader), including appointing the cabinet and deciding portfolios. • Councils free to decide how a leader may be removed in their constitutions (reformed committee system councils will be unaffected).
Improving participation and electoral arrangements	<p>Electoral arrangements - Legislate to:</p> <ul style="list-style-type: none"> • remove requirement for councils to get Secretary of State approval to adopt whole-council elections • enable councils with whole-council elections to request the Electoral Commission to review creating single member wards
Localise and simplify the conduct regime	<p>Standards and conduct - Legislate to:</p> <ul style="list-style-type: none"> • implement the Graham Committee recommendations to create a more locally based conduct regime with a revised role for the Standards Board • revise the code of conduct to allow members to speak and vote on planning and licensing matters unless their interest is “greater than most other people in the ward”

Chapter 4	Strong cities, strategic regions
	Proposals in this section are aimed at supporting towns, cities and other places to drive regional and national economic growth
	<p>Sub-national review A Treasury-led review of sub-national economic development and regeneration (feeding into the Comprehensive Spending Review) will identify the most appropriate level to locate responsibility for interventions for the different policy areas which impact on economic development, regeneration and neighbourhood renewal.</p>
	<p>Detailed comments in relation to:</p> <ul style="list-style-type: none"> • spatial planning • economic development • employment and skills • managing housing supply and demand • environment and climate change • culture • deprivation and poverty

Chapter 5	Local government as strategic leader and place-shaper
	Proposals in this section are aimed at creating the conditions in which partnership working is more likely to succeed
Strengthening the local strategic partnership	<ul style="list-style-type: none"> • Strengthen the involvement of elected members in executive and scrutiny roles to ensure that the LSP is accountable to local people • Local authority leaders to agree the appointment of the LSP chair and to be key members of the LSP • Executive portfolio holders should play key roles in thematic partnerships • The duty to consult and seek participation in preparing the sustainable community strategy will be extended to the preparation of the LAA. Local authorities will be expected to involve the voluntary, community and business sectors, parish councils and other local public services providers in both the design and delivery of sustainable community strategies and LAAs.
Thematic Partnerships	Thematic Partnerships include CDRPs and Children’s Trusts. New legislation will require new statutory partnerships for health and well-being under the LSP.
A framework for effective and co-ordinated local service delivery	<p>New duty for upper tier councils to prepare Local Area Agreements in consultation with other partners (see below), forming part of a new statutory framework.</p> <p>New model of LAAs – to strengthen partnership working and council leadership of the LAA, and to streamline and simplify funding and consultation. The LAAs will encompass more area-based funding, and the four blocks of funding will be replaced by four themes, to form a ‘single pot’. The themes will be children and young people, healthier communities and older people, Safer and Stronger Communities and Economic development and the Environment.</p>
Duty to co-operate	<p>Duty to cooperate and duty to have regard to LAA targets</p> <ul style="list-style-type: none"> • There will be a duty to cooperate between councils and named partners to agree LAA targets • Duty for partners to have regard to LAA targets • Councils will also be subject to a duty to prepare the LAA in consultation with others. • Councils will also have to ensure involvement of the voluntary and community sector • The named partners are upper tier or unitary councils, districts, chief police officers, Police Authorities, Local Probation Boards, Youth Offending Teams, PCT, NHS Foundation Trusts, NHS Health Trusts, Learning and Skills Council in England, Job Centre Plus, Health and Safety Executive, Fire and Rescue Authorities, Metropolitan Passenger Transport Authorities, Highways Agency, Environment Agency, Natural England, Regional Development Agencies, National Parks Authorities, Broads Authority, Joint Waste Disposal Authorities. • Clarification of the statutory position and model protocols to encourage the sharing of data.

Duty to co-operate	<p>Strengthening the political leadership of Local Strategic Partnerships (LSPs) An expectation that council leaders will play a leading role and agree the appointment of the chair of the LSP, with council executive members chairing or leading thematic sub-groups.</p>
	<p>Sustainable Community Strategy (SCS) Reiterates the existing duty for SCS and proposes new statutory guidance will strengthen the relationship between Sustainable Community Strategy and other local and regional plans, requiring them to “have regard” to each other.</p>
Simplifying community consultation	<p>A recognition that the current regulatory framework for local consultation and engagement can be complex, overlapping and confusing. The aim will be to secure co-ordinated consultation and engagement across the LAA, the sustainable community strategy and the local development framework. Local partners will be expected to draw up a much more comprehensive engagement strategy which captures the planned community engagement requirements of the individual partners and where possible combines requirements.</p>
Clarifying the role of district councils	<p>This section talks about the essential role of district councils in place shaping and their lead on housing, planning, some leisure services and their role in building strong links with local people. District Councils will still be required to produce a sustainable community strategy “through their LSP”.</p> <p>The relationship between districts and counties and their LSPs should “be determined locally”. At a minimum the expectation will be that counties will need to demonstrate that they have taken full account of the district level strategies in preparing the overarching sustainable community strategy and districts will need to consider the needs of the whole county in drawing up their specific priorities.</p>
The role of commissioning in strategic service delivery	<p>Emphasis on local authorities continuing to move away from a service delivery role towards a “commissioning role” – using the best possible ways of securing service outcomes. “The LSP needs to ensure that this approach is applied at a strategic and operational level both in relation to its own activities and to those of the thematic partnerships”.</p>

<p>Chapter 6</p>	<p>A new performance framework Which will:</p> <ul style="list-style-type: none"> • Strengthen accountability to citizens and communities • Give greater responsibility to local authorities and their partners for securing improvements in services • Provide a better balance between national and local priorities • Improve the arrangements for external assessment and inspection • Streamlining improvement support and intervention processes
	<p>Customers and citizens driving improvement Strengthen customers' and citizen's role in driving improvement, monitoring performance and inspection.</p>
	<p>National outcomes to reflect priorities</p> <ul style="list-style-type: none"> • Use CSR 2007 process to develop a single set of national outcomes reflecting Government priorities against which all relevant partners will report. • Progress on delivering national outcomes to be measured against a core set of 200 national indicators. • A maximum of 35 targets to be set and delivered for each locality through the LAA.
	<p>Annual Comprehensive Area Assessment</p> <ul style="list-style-type: none"> • A new annual Comprehensive Area Assessment, replacing Comprehensive Performance Assessment, Joint Area Reviews, Annual Performance Assessment and Social Services star rating by March 2009. • Additional inspection activity would be identified by the risk assessment, but with the Audit Commission acting as "gatekeeper" in respect of the overall burden of inspection on a council.
	<p>Reforming best value Improve the focus on citizens and competition by legislating to:</p> <ul style="list-style-type: none"> • Remove requirements for best value authorities to prepare Annual Best Value Performance Plans and conduct reviews • Exempt all parish councils from best value

Chapter 7	Efficiency - transforming local services
Competition and market development	<p>Efficiency gains Ambitious efficiency gains to be achieved over the next few years as part of CSR 07.</p> <p>Collaboration across the public sector Collaboration between councils and across all public bodies, where this improves effectiveness and efficiency. The introduction of greater competition and the availability of a diverse supply base.</p> <p>Asset management LA's should work harder to improve asset management.</p> <p>Service transformation Will look at opportunities for local and central government and other providers to work more closely together on customer centred services.</p> <p>Three year budgets As local government moves to three year formula grant settlement for 2008-2011, local government will have the opportunity to publish three year council tax figures.</p> <p>Third sector funding Greater stability for funding to the third sector through three year grant funding, except where this does not represent best value in individual cases.</p> <p>Alignment with Local Area Agreement framework Examine scope to align efficiency into the broader LAA framework</p>

Chapter 8	Community Cohesion
	<ul style="list-style-type: none"> • Performance and LAAs - puts community cohesion firmly into the new performance framework, and all LAAs should reflect community cohesion • LSPs - emphasises the importance of community cohesion in LSPs and sharing best practice • Extremism - makes tackling extremism core business