

Shadow Executive

28 November 2007

Report of the Director of Neighbourhood Services

The Local Government White Paper 'Strong & Prosperous Communities' and The Local Government and Public Involvement in Health Act 2007

Purpose of report

- 1. To provide a briefing on the Local Government White paper in relation to:
 - o The possibilities for increasing localisation and development of services into communities at a local ward level with appropriate monitoring and reporting to local communities.
 - o Draft Neighbourhood Charters and action plans.
 - o Citywide consultation and engagement provisions needed to ensure delivery meets local expectations.

Background

- 2. The Local Government White Paper 'Strong and Prosperous Communities' was published on 26th October 2006 and was followed by the Local Government and Public Involvement in Health Bill, which received Royal Assent on 30th October 2007. The Local Government and Public Involvement in Health Act (LGPIH Act 2007) provides a legislative framework on which a number of proposals in the White Paper are based. This includes the establishment of unitary authorities, stronger leadership models, community governance, Local Area Agreements (LAA), involvement of local people in local services and policies and Councillor Call for Action. The Act was less proactive than the White Paper; several proposals in the White Paper were not specifically mentioned in the Act. In addition there is still range of Government guidance on individual elements to be produced and some secondary legislation.
- 3. On the 19th October 2007 the government also published an 'Action Plan for Community Empowerment: Building on Success', in conjunction with the Local Government Association (LGA). This document highlights the progress on key commitments in the White Paper and Governance in

Britain Green Paper. It also includes an action plan around greater devolution and empowerment of communities.

The possibilities for increasing localisation and development of services into communities at local ward level with appropriate monitoring and reporting to local communities

- 4. The White Paper included a number of proposals that relate to developments at a local level.
- 5. Councillor Call for Action This initiative termed 'Community Call for Action' (CCfA) in the White Paper. The focus is on the frontline councillor raising local issues affecting constituents within their ward, for referral to overview and scrutiny committee. The objective is to enhance the role of the local councillor as a local champion. This requires secondary legislation and needs to have regard to the current review of the police service due in early 2008 in order to ensure that crime and disorder matters are covered. Some matters will be excluded (such as planning, licensing, council tax and non-domestic rates). It is expected that a councillor raising a Call for Action has taken all reasonable steps to resolve the issue before it is proposed as a Call for Action. CCfA should apply to issues which are a genuine local community concern (based on local councillor judgements) and a persistent problem which the local councillor has been unable to resolve through local action and discussion with the Council Executive or relevant services and agencies. The expectation is that most issues will not get to CCfA stage. The Overview and Scrutiny Committee will not have to take up every CCfA but must consider them at committee and decide whether to take them forward.
- 6. The White Paper stated that <u>Overview and Scrutiny</u> should be enhanced to review the actions of key local service providers operating in their area and call for evidence in person or in writing. Implementation is anticipated from April 2008. The White Paper also encouraged councils to consider area and neighbourhood scrutiny, linking to the CCfA function.
- 7. On the 9th October 2007 the government announced, as part of the Comprehensive Spending Review (CSR07), the introduction of a <u>single</u> set of national priorities for local government and partners, to be measured through a single set of <u>198 National Performance Indicators</u>. From this <u>new performance regime</u> up to 35 targets plus statutory Dept of Children, Schools and Families targets are to be negotiated as part of each area's LAA.
- 8. The White Paper proposed the <u>transfer of assets</u> to community to increase community management and ownership of assets. The Quirk review of

Community Management and Ownership of local assets was published in March 2007 and government response endorsed full implementation of it in May 2007. Guidance is still required on asset management and transfer, a toolkit on risk assessment and risk management and promotion of 'bottom up' mechanisms. To facilitate the transfer the government has made £30m available via the 'Community Asset Fund' for schemes to come forward to bring assets to a position where they are considered 'fit for purpose'.

- 9. The LGPIH Act 2007 improved community governance by extending the <u>powers of well-being to Parish Councils</u> who meet the Quality Parish Scheme, (the promotion or improvement of economic, social or environmental well-being). In addition there should be a simplified process for the formation of parish councils.
- 10. <u>Byelaws</u> the White Paper stated that the process of byelaw making would be revised to enable local authorities to make byelaws and enforce them by means of fixed penalty notices, without the need for confirmation via the Secretary of State (SoS). The LGPIH Act 2007 when introduced will implement this provision.

Draft Neighbourhood charter or action plans

11. The White Paper introduced the concept of <u>Neighbourhood Charters</u>, seen as a voluntary agreement between the local authority and the local community. These are not required by statute at the current time. However, the government are 'encouraging' their development. Guidance and a 'toolkit' are due to be published later in 2007 from the Department for Communities and Local Government (DCLG) and the Young Foundation. A trial programme is also being run in 12 areas of the country until the end of March 2008 to test the guidance in practice. Information and learning is due to be shared through the National Neighbourhood Management Network (NNMN).

Citywide consultation and engagement provisions needed to ensure delivery meets local expectations

- 12. In addition to Neighbourhood Charters the government have also introduced other policy areas concerning consultation and engagement.
- 13. <u>Local Area Agreements</u> the White Paper proposed these become statutory which has happened via the LGPIH Act 2007. There is a duty on named partners to co-operate in the agreements of targets and have regard to those targets once agreed. Contained within these will be a selection of the new national Indicators.

14. In the White Paper and the Act is a <u>duty to involve</u> local people to be introduced from April 2009. The White Paper proposed that citizens and users be at the heart of services. It is for local authorities and partners to determine how to inform, consult, involve and devolve. Local authorities are encouraged to provide local people with prompt information on quality and performance of local services to enable them to judge effectiveness. Citizens could be directly involved in designing, delivering or assessing services taking into account the needs and requirements across the community. The duty introduced from April 2009 by the LGPIH Act 2007, under it's Best Value section, is to:

'inform, consult and involve local people in local decisions , services and policies.'

- 15. <u>Local Involvement Networks (LINks)</u> to replace Patient Forums and ensure local people have a voice in the process of commissioning health and social care and can influence key decisions about the services they use.
- 16. The White Paper identified <u>petitions</u> are a popular form of civic engagement and encouraged councils to develop a more systematic approach to how petitions are dealt with as part of the engagement strategy. There is likely to be some legislation around petitions in the future.

Options and Analysis

- 17. This report is for information only. It does not include any options or analysis for members consideration.
- 18. A report entitled 'Neighbourhood Management Review' is scheduled to be discussed by Executive on the 29th January 2008. This report considers future options for enhanced neighbourhood management in York.

Corporate Priorities

- 19. The information contained within this report relates to the following priorities:
 - Delivering what our customers want
 - Providing strong leadership
 - Encourages improvements in everything we do
 - Supporting and developing people within the community

Implications

20. There are no financial, legal, IT, HR, equalities, crime and disorder, property or other implications associated with the content of this report.

Risk Management

21. This report is for information only and does not include any risk management issues for members consideration.

Recommendations

22. Members are requested to note the content of this report.

Contact Details

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Sandra Forbes (Policy Development Officer)	Report Approved 🗸 Date	19 November 2007
Specialist Implications Officer(s) None	
Wards Affected: List wards or tick box	to indicate all	All 🗸

For further information please contact the author of the report

Annexes: None