



Briefing 08/34 July 2008

Communities in Control

Real people, real power

The Department for Communities and Local Government has recently published their much awaited White Paper, '*Communities in Control, real people, real power*'. This briefing details the key points of the white paper and provides initial comment on the proposals.

1. Introduction

The white paper represents a further attempt to explore some of the main issues facing local democracy and the greater involvement of both elected members and the public in matters affecting their community. The paper is necessarily wide ranging, touching on many aspects of empowerment, volunteering, redress, standing for office and ownership and control. Only a few of these issues are set to make legislation in the 2008/09 session however within the *Community Empowerment, Housing and Economic Regeneration Bill (CEHER Bill)* including:

- Duty to promote democracy
- Extension of duty to involve
- Duty for Councils to respond to petitions
- Voting incentives
- Right to appeal decisions on establishing local (parish) councils
- Scrutiny of public officials
- Higher visibility of overview and scrutiny
- Easier paths to directly elected mayors
- Extension of the role of the local government ombudsmen
- Remote voting for councillors with caring responsibilities
- Amendment of Widdicombe rules on political restriction

The majority of the paper seeks to break down barriers to participation with schemes such as a £7.5 million empowerment fund and the offer of limited funding to boost the role of the community organisations and the voluntary sector.

2. The White Paper

The paper covers 8 chapters with the first making a case for the need for further empowerment and highlighting the Government's progress to date. Heralding a renaissance in civic society local authorities will be subject to:

- Duty to promote democracy
- Extension of the duty to involve for April 2009 to include RDAs Police Authorities, Sport England and the Health and Safety Executive.

Recognising the important role of public sector employees in empowering citizens and communities the paper also proposes:

- A new Empowering the Frontline Taskforce to run until 2010
- £7.5 m empowerment fund for the third sector partners

The remaining chapters address the potential solutions written from a citizens viewpoint:

- Active citizens and the value of volunteering
- Access to information
- Having an influence
- Challenge
- Redress
- Standing for office
- Ownership and control

A brief outline of each chapter follows showing the key points:

Active citizens

The paper seeks to support citizens in taking an active role in their community with measures to remove barriers to voluntary work, including:

- Community Allowance – paying volunteers without affecting benefits
- £2 m to assist the disabled in taking up voluntary roles
- £70 m Communitybuilders fund to boost community organisations
- £80 m Grassroots fund to match fund smaller voluntary groups
- Remove barriers to faith based provision of services

Other proposals include community leadership programmes, mentoring and pilot training schemes for those interested in becoming active

Access to information

It is stated that 'information is power' and that access to information is a pre-requisite of community empowerment. Various initiatives to place local government information on-line are then briefly described with monthly **crime** information promised from July 2008 and an extension of public access to the **places database** from the Autumn. It is recognised that older people are less likely to be internet users and therefore support will be required for other forms of media to allow participation.

Having an influence

The paper places much faith in the tradition of petitions and sees them as assisting elected members in doing their job better. It is suggested that a 5% threshold of the

local population is required to force a council debate with councils able to set a lower level if they wish. The main proposals are as follows:

- Duty on local councils to respond to petitions
- Councils to act as community advocates for petitions related to PCTs
- Participatory budgeting for all local authorities by 2012
- Incentives for voting in local government elections
- Right of appeal to Secretary of State if proposals for new local councils denied
- Right to make certain (unspecified) by-laws
- Residents say on developing and commissioning local services
- Proposed Community Infrastructure Levy (CIL) to complement section 106

Most of the ideas are light on substantive detail at this point in time

Challenge

Government wishes to raise the profile of the scrutiny function and ensure the public is more aware of how to use the tool. Hints are also made on enhance powers for scrutiny committees to require information from partners across a broader range of issues. The main proposals however directed towards officers and include:

- Increased visibility and accountability of local officers
- Regular public hearings for Chief Executives
- Encouragement for directly elected mayors

It is proposed to allow a lower threshold for a petition for a mayoral referendum, reduce the time between referendums to 4 years and allow petitions to be held on-line

Redress

It is stated that many people who complain feel that their complaint is poorly handled and only a third of those contacting their local council to complain were satisfied by the result. The aim is therefore to clarify the procedures to complain and systems of redress. Proposals include:

- Review of Local Ombudsman's jurisdiction
- Promotion of community contracts between the council, police and NHS and the community detailing obligations on service delivery
- Community pledgebanks for individuals to register their offers to assist
- Review into redress in 2009.

Standing for office

The report builds on some of the recommendations from the Councillors Commission to empower councillors and continues the theme of ensuring that councillors as a whole are more representative of their community. Consultation will include:

- Amendment of the Widdicombe rules to allow political activity by all but the most senior officers
- Positive promotion of councillors through changes to the publicity code
- Discretionary localised budgets for councillors
- Aldermen/Alderwomen to encourage retiring councillors to continue to contribute
- Remote participation and voting in meetings
- Extension of the right to time off for public duties to other statutory bodies
- Information packs for employers of those holding civic roles
- Formal optional accreditation of councillors

Ownership and control

The paper looks to a future where people are actively engaged in the running and ownership of local services and assets. To further this aim an **Asset Transfer Unit** will be established to promote community ownership and a **Social Enterprise Unit** to champion that sector. To assist the process the Government will encourage:

- Community Land Trusts
- Social enterprises to have fair access to local authority contracts.

APSE Comment

APSE welcomes the White Paper and supports the aim of enhancing the role of local councillors and the scrutiny function to ensure local services remain democratically accountable. Amendment of the Widdicombe rules in particular may release significant talent to the benefit of local authorities.

The opportunity for the community to shape the provision of local services is also welcomed although the proposals are regrettably confused on the implementation. The paper describes direct payment and individual budgets for service users which potentially conflicts with the notion of community determined services. It also promotes the delivery and ownership of services to people through social enterprises and cooperatives, suggesting community involvement will improve value for money. Experience would suggest that this new freedom will have to be balanced against the risk of fragmentation and loss of economies of scale in many circumstances.

Many local authorities already provide services crafted to the varying needs of a neighbourhood based delivery structure and are advanced in engaging with their communities. Conversely many social services are by their nature individualised and unlikely to be appropriate for direct community involvement. It is hoped that the White Paper will build on the existing skills of local authorities rather than seek to create a parallel system of service delivery.

Whilst there is some limited scope for the transfer of assets to community based groups, the paper is silent on the funding arrangements save for a few announcements on short term financial assistance by way of grants and matched funding. This may be a way of encouraging the formation of local (parish) councils with the ability to precept although maintaining assets such as swimming pools, as the paper suggests, is likely to be beyond the means of most.

Community bodies often prove difficult to sustain once the initial founders move on and the paper recognises the requirement to promote volunteering and involvement in community groups through training and mentoring. A question mark however remains over who takes responsibility for the assets and the ongoing costs should the managing body fail.

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