

STRENGTHENING LOCAL DEMOCRACY CONSULTATION

To: **Cabinet**

Date: **29 September 2009**

From: **Corporate Director: People, Policy and Law**

Electoral division(s): **N/A**

Forward Plan ref: **N/A** *Key decision:* **No**

Purpose: **To provide an overview of the Strengthening Local Democracy consultation and to seek Cabinet endorsement of the proposed response.**

Recommendation: **It is recommended that Cabinet discuss and comment upon the current draft response to the consultation, and agree that approval of the final response be delegated to the Portfolio Holder for Resources and Performance in consultation with the Corporate Director: People, Policy and Law**

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1. BACKGROUND

- 1.1 Strengthening Local Democracy is a consultation document published by the Department for Communities and Local Government on 21 July 2009. It follows *Building Britain's Future*, which was published in early July and set out the Government's priorities for the rest of this Parliamentary term and beyond. The full consultation document is available from:
<http://www.communities.gov.uk/publications/localgovernment/localdemocracy/consultation>.
- 1.2 This latest document is a wide-ranging consultation that all public sector organisations in Cambridgeshire will be considering. The issues and proposals raised in the document may have significant implications for the county and local government in general.

2. CONSULTATION SCOPE

- 2.1 The consultation sets out a range of measures aimed to promote democratic renewal, and strengthen the power and responsibility of local government. Its scope includes:
- **Local government at the centre of decision making:** giving local authorities the power to scrutinise other public services, to make councillors a 'local point of accountability';
 - **Strong local government operating in the local interest:** ensuring councils have the right powers to address challenges in their areas and questioning whether there are barriers to exercising existing powers; it also asks whether there is scope to further reduce the burden of inspection on local authorities;
 - **Local authorities tackling climate change:** the report asks how CLG can assist councils in contributing to meeting national emissions targets, including local carbon budgets;
 - **Sub-regional working:** how CLG can ensure councillors have the powers and responsibilities necessary to tackle problems that cross local authority boundaries, and ensure these powers are matched by clear, democratic and accountable leadership;
 - **Clear relationships with local government:** ensuring that the roles and relationships between central and local government are clearer to citizens.
- 2.2 The scope specifically excludes consultation on the local government finance system – in order to avoid repeating debates held in the context of the Lyons Inquiry into the role, function and funding of local government.

3. CONSULTATION DETAILS

- 3.1 Local government at the centre of decision-making
- 3.1.1 Councils are directly responsible for a broad range of services, and Councillors are recognised and respected as community leaders. They are also a major party to local area agreements, local strategic partnerships and other groupings, which bring service providers together.

3.1.2 The document proposes to strengthen council capacity to do this, by increasing councils' scrutiny powers over other public services. This builds on the emphasis set out in the Local Government and Public Involvement in Health Act (2007). The document's aspiration is for councillors to become a local point of accountability for all public services. Councils would take greater responsibility for co-ordinating service delivery, making sure that services are properly joined up and respond to local need; and councillors would be able to scrutinise and hold other services to account. The document links this with the Government's 'Total Place' initiatives in terms of providing joined up, effective and efficient public services.

3.2 Strong local government operating in the local interest

3.2.1 The Government aims to ensure that local authorities have more autonomy and greater freedom to innovate. The consultation asks whether councils have the right powers to address the challenges their areas face and deliver improved and more efficient services for citizens. It also asks whether there is scope to further reduce the burden of inspection on local authorities.

3.2.2 The consultation also comments on the general decline in public satisfaction with local authorities shown in recent surveys, despite increasing performance – and asks whether granting further powers to local councils should depend on rising public confidence in the local council.

3.2.3 The report specifically references the recent court case on London Authorities mutual insurance, that has “dented confidence in the ability of councils to use [the wellbeing power] to take forward complex arrangements”. Proposals are made to change legislation to specifically enable councils to engage in mutual insurance arrangements.

3.3 Local authorities tackling climate change

3.3.1 The consultation asks how government can support councils to be at the forefront of action to tackle climate change, and contribute to meeting national carbon emissions targets, for example by developing local carbon budgets.

3.4 Sub-regional working

3.4.1 Partnership working is vital for tackling problems that cross local authority boundaries. The consultation discusses Multi-Area Agreements (MAAs) and the two city-region pilots, and asks how the powers of city- and sub-regions could be strengthened. It also asks how to ensure that greater powers and responsibilities are matched by clear, democratic and accountable leadership, so that citizens are aware of, and can influence, their decision-making.

3.5 Clear relationships with local government

3.5.1 The consultation also considers the nature of the relationship between central and local government. It asks how government should articulate that relationship to make these respective roles and responsibilities clearer to citizens and suggests a series of principles on which central-local relations should operate in the future.

- 3.5.2 Proposals to make this relationship work include consideration of how to monitor that both central and local government are fulfilling their responsibilities without overstepping the boundary. This could include scrutiny from a joint Parliamentary select committee, and/or an ombudsman style body.

4. RESPONDING TO THE CONSULTATION

- 4.1 The consultation has been circulated to a range of Members and officers across the Council, including the Corporate Policy Development Group (PDG) and the Corporate Leadership Team, for comments. **Appendix A** to this report sets out the consultation questions in full, along with the proposed responses.
- 4.2 The PDG confirmed a previous suggestion that each local authority in Cambridgeshire should submit a response if they choose to do so. However, a joint submission should go from those councils in Cambridgeshire who wish to contribute. The draft response at Appendix A is the joint submission, which has been considered by partners. It also represents this council's view and will be submitted as our individual response.
- 4.3 The consultation will clearly have significant implications for the Council. As well as this report, the consultation has been circulated for consideration to members of the County Council's Scrutiny Management Group, and their views have been incorporated into the proposed responses in Appendix A.

5. SIGNIFICANT IMPLICATIONS

5.1 Resources and Performance

There may be significant implications in this category, depending upon the results of this consultation. Set within the constraints of public sector funding, the additional duties proposed may create resource implications.

5.2 Statutory Requirements and Partnership Working

The following bullet points set out details of significant implications identified by officers:

- The ideas proposed in the consultation could significantly impact upon statutory requirements regarding Scrutiny.
- Proposals in the consultation could also significantly affect our working relationships with partner organisations, given that they may lead to local authorities having increased scrutiny powers over other public organisations and those we commission services from.

5.3 Climate Change *(Includes any climate change, greenhouse gas emissions and environment implications and where significant, they are set out below)*

The following bullet points set out details of significant implications identified by officers:

- The report proposes a number of options for supporting local authorities in tackling climate change, as detailed in the consultation questions in Appendix A.
- Some of the options may have a significant impact on the way in which the Council works towards its own strategic objective ‘Meeting the challenges of climate change and enhancing the natural environment’.

5.4 Access and Inclusion (*includes inclusion, crime and disorder, the voluntary Sector, equality and diversity and transport implication and where significant, they are set out below*)

There are no immediate significant implications for any of the headings within this category; however depending upon the results of this consultation there may be significant impacts on the Council’s engagement with partners and the community, as set out in 3.5 below.

5.5 Engagement and Consultation (*includes community engagement and public consultation and where significant, they are set out below*)

The following bullet point sets out details of significant implications identified by officers:

- The proposals for Scrutiny could have a significant impact on the Council’s engagement with the community, with its aim to strengthen local democracy by making public services more accountable. Making councils a central point of accountability as the central scrutiny organisation for public services would increase the Council’s duties in engaging with and consulting the County’s communities.

Source Documents	Location
Full consultation document, ‘Strengthening Local Democracy Consultation’, held by Corporate Development Service	Room 219, Shire Hall