



To: Strategy & Resources Scrutiny Committee
Report by: The Leader of the Council
Relevant scrutiny committee: As above 17/11/2008
Wards affected: All

EMPOWERMENT – IMPLICATIONS FOR THE CITY COUNCIL OF NEW LEGISLATION

Key Decision

1. Executive summary

- 1.1 This report recognizes the huge amount of work that the Council has already done to strengthen local democracy and the processes we have put in place to ensure that Cambridge residents are at the heart of everything we do. In this context, it sets out my recommendations as Leader of the Council as to how the Council should respond to elements of the Local Government and Public Involvement in Health Act 2007 and the recent White Paper, 'Communities in Control, Real people, real power'.
- 1.2 The report also summarises the purpose and scope of the Sustainable Communities Act 2007 and recommends a way for the Council to investigate how the Act might present opportunities for Cambridge.
- 1.3 Before I make final decisions I seek comments from Strategy and Resources Scrutiny Committee Members on the recommendations on how the Council should respond to this legislation.

2. Recommendations

- 2.1 The recommendations I would like the Strategy and Resources Scrutiny Committee to support in relation to the Local Government and Public Involvement in Health Act 2007 and the Empowerment White Paper are set out in the table in Appendix 1

- 2.2 The recommendation I would like the Strategy and Resources Scrutiny Committee to support in relation to the Sustainable Communities Act 2007 is that officers explore, in consultation with Members, whether there are any potential proposals that the Council would like to work up in detail. The outcome of this consultation to be reported back to Strategy and Resources Scrutiny Committee in March 2009.

3. Background

- 3.1 The government has been talking for some time about the need to give more power to citizens and to strengthen the role of local government. The White Paper 'Strong and Prosperous Communities' which was published in October 2006 by the then Secretary of State for Communities and Local Government, Ruth Kelly stated that the government aimed to: *"...give local people and local communities more influence and power to improve their lives. It is about creating strong, prosperous communities and delivering better public services through a rebalancing of the relationship between central government, local government and local people"*
- 3.2 The Local Government and Public Involvement in Health (LGPIH) Act 2007 seeks to enact some of the issues in the 2006 White Paper, particularly around the structure and governance of local government and the way we work in partnership with others to deliver local (and national government) priorities.
- 3.3 The recent Empowerment White Paper, 'Communities in Control, Real people, real power', published in July 2008 by the current Secretary of State for Communities and Local Government, Hazel Blears, takes things further and talks about *"greater democracy, devolution and control for communities"*. Many of the issues in the 2008 White Paper are likely to appear in a "Community Empowerment, Housing and Economic Regeneration Bill" which is due to be published before the end of the year.
- 3.4 The purpose of this report is to consider how the Council should respond to the different elements of the LGPIH Act and the Empowerment White Paper. Some elements place duties upon the Council and other elements present us with choices. Other elements may become clearer when the Community Empowerment, Housing and Economic Regeneration Bill is published.

3.5 The Empowerment White Paper, in particular, contains a hotchpotch of ideas ranging from qualifications and accreditation for councillors to prize draws to encourage voting at elections. However, the stated aims from central government of stronger local government and community empowerment should be welcomed and there are some sensible elements within the documents.

3.6 First, we need to recognise that, as a council, we have already done a huge amount to strengthen local democracy and put Cambridge residents at the heart of everything we do. Just a few examples include:

- Ensuring all our formal council meetings are open to the public and giving residents the right to speak and ask questions
- Introducing area committees with 'open forum' sessions and working with the police to introduce neighbourhood policing
- Involving elected tenants on our Housing Management Board where they can scrutinise Council decisions before they are made
- Funding and supporting Cambridge Federation of Tenants, Leaseholders and Residents to involve them in the management of our Council housing
- Having regular consultative meetings with residents' associations and planning agents to discuss how the development control service can be improved.
- Grant aiding community groups and working with them to help build their capacity and resolve their issues
- Employing City Rangers who work with Police Community Support Officers and interact with local residents and businesses in their neighbourhood and respond quickly to local issues such as litter and graffiti removal.
- Running initiatives during Local Democracy Week such as 'Political Speed Dating' where young people find out about the role of their local councillors, and 'I'm a Councillor Get Me Out of Here' where councillors go into schools to talk about their role and young people get the chance to question them and vote for their favourite councillor.

3.7 With this in mind, I have set out my recommended response to the elements within the LGPIH Act and the Empowerment White Paper at Appendix 1 and I invite the scrutiny committee to comment.

4. Sustainable Communities Act 2007

- 4.1 In addition to the above, the Sustainable Communities Act 2007 also seeks to strengthen local communities. The Act places a duty on the Secretary of State to invite local authorities to make proposals which they consider would contribute to promoting the sustainability of local communities. The Secretary of State issued the first invitation on 14th October 2008. Now she must produce “Local Spending Reports”, which will detail how public money is spent in the local area and assist local authorities in drawing up proposals for submission. We can expect the first Local Spending Reports by April 2009.
- 4.2 Before making a proposal, Local authorities must have regard to ‘the schedule’. The schedule effectively contains a list of measures from which a local authority may wish to develop a proposal or proposals. The list is not exhaustive but examples include:
- Measures to increase the number of local jobs
 - Measures to decrease emissions of greenhouse gases
 - Measures to increase community health and well being
 - Measures to increase the use of local waste materials for the benefit of the community
 - Measures to increase social inclusion, including an increase in involvement in democracy
- 4.3 Local authorities must “*establish or recognise*” a panel of “*representatives of local persons*”, consult the panel about the proposals and try and reach agreement with it on the proposal(s) to be submitted. Guidance says that panels must include under represented groups and local authorities must also work with 3rd sector organisations and other agencies to determine who these under represented groups are.
- 4.4 Proposals may include a request for a transfer of functions from one person (or organisation) to another but both parties must be consulted first. Assuming we wanted to submit a proposal(s), we would have until 31st July 2009.
- 4.5 All proposals submitted will be considered and short listed by the Local Government Association before it consults the Secretary of State who will agree which proposals have been successful and can be implemented.

- 4.6 I am mindful that local community and voluntary groups will be facing renewed pressures in the current economic climate and that these pressures may persist for some time. Whilst the Sustainable Communities Act is unlikely to offer an alternative funding source for such groups, it may present opportunities for us to work together in different ways to deliver similar outcomes.
- 4.7 My recommendation, as Leader, is that officers explore, in consultation with Members, whether there are any potential proposals that we may wish to work up in detail. The outcome of this work, together with any proposals coming forward from community groups, to be reported back to Strategy and Resources Scrutiny Committee on 16th March 2009.
- 4.8 If, having considered the outcome of this initial work, there are any practical proposals that would benefit Cambridge residents and that could be implemented at little or no additional cost to the Council, I will need to consider whether to allocate resources to work them up, in consultation with a panel (see paragraph 4.3 above), into a detailed proposal for submission before 31st July 2009.

5. Implications

- 5.1 The initial work to explore potential proposals can be carried out within existing staff resources.
- 5.2 The Strategy and Partnerships Service Plan for 2009/10 will need to make provision to work up detailed proposals during the early part of 2009/10. However, it may be more appropriate for other service areas to take the lead depending upon the nature of the proposal. For example, Community Development if a proposal relates to young people or Sustainable City if it relates to reducing the carbon footprint of a local area.
- 5.3 Limited financial resources could be taken from the corporate consultation budget.
- 5.4 Other implications will depend upon the nature of any proposals that are taken forward.

6. Background papers

These background papers were used in the preparation of this report:

The Local Government and Public Involvement in Health Act 2007

The Sustainable Communities Act 2007

Communities in Control, Real people real power: published by DCLG in July 2008.

7. Appendices

7.1 Appendix 1 – Details and recommendations for elements of the Local Government Public Involvement in Health Act 2007 and the Empowerment White Paper July 2008

7. Inspection of papers

To inspect the background papers or if you have a query on the report please contact:

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