

**NORTH LINCOLNSHIRE COUNCIL**

**CABINET**

**LOCAL GOVERNMENT WHITE PAPER  
LOCAL GOVERNMENT AND PUBLIC INVOLVEMENT IN HEALTH ACT 2007  
'COMMUNITIES IN CONTROL: REAL PEOPLE, REAL POWER'**

**1. OBJECT AND KEY POINTS IN THIS REPORT**

- 1.1 To provide an update on the key developments arising from the Local Government White Paper, Strong and Prosperous Communities, the Local Government and Public Involvement in Health Act 2007 and summarise the recently published Communities in Control: Real People, Real Power.
- 1.2 These publications represent a significant change for the role of local councils to develop the areas economic prosperity and create better places for our communities. It sets out the Government's commitment to communities and individuals, devolving power to localities, giving more influence, choice and greater opportunity to own and run local services. Community Empowerment is at the heart of the new agenda
- 1.3 This report follows on from the Cabinet Reports on 23 November 2007 and 2 April 2008 and summarises the most recent guidance notes that have been published.

**2 BACKGROUND INFORMATION**

- 2.1 The Government published the white paper "Strong and Prosperous Communities in Oct 2006. It contained the government's proposals on the role of local government.
- 2.2 In December 2006 Cabinet considered the implications of the White Paper and resolved to incorporate the additional actions into the council's strategic plan.
- 2.3 The Local Government and Public Involvement in Health Act received Royal Assent in October 2007. Cabinet considered the main aspects of the Act in November 2007 and April 2008.
- 2.4 This paper is a continuation of these reports and outlines the guidance and implementation information that has been published since April 2008.

A number of areas need to be progressed quickly as the time between the government publishing the guidance and the date they require for implementation is relatively short.

- 2.5 There is still a considerable amount of guidance to be produced. These will need to be considered when they are produced and will be the subject of further decision reports.
- A summary of guidance published since April 2008 and recommendations for taking forward is detailed in Appendix 1.

### **3. OPTIONS FOR CONSIDERATION**

- 3.1 The council is required to implement the Local Government and Public Involvement in Health Act 2007. Detailed guidance on implementation of this, and wider aspects of the Local Government White Paper, will indicate the extent to which councils have any options for implementation. These will need to be considered as each set of guidance is produced and be the subject of further decision reports.
- 3.2 Cabinet to receive a presentation by Jo McDonaugh from the Audit Commission on the requirements of Comprehensive Area Assessment [CAA].

### **4 RESOURCE IMPLICATIONS (FINANCIAL, STAFFING, PROPERTY, IT)**

- 4.1 This new direction involves a greater emphasis on place making, a more enabling role, less direct service delivery and a sharing of assets, systems and skills. As such it will inevitably have a longer-term impact on the nature and size of our staff, property and IT.
- 4.2 This marks a new direction for public sector reform and has major implications for the future role of councils. The Comprehensive Spending Review 2007 has been designed to support this change and the council will need to ensure that its budgets are in line with this new agenda.

### **5. OTHER IMPLICATIONS (STATUTORY, ENVIRONMENTAL, DIVERSITY, SECTION 17 - CRIME AND DISORDER, RISK AND OTHER)**

- 5.1 The Local Government and Public Involvement in Health Act 2007 is a statutory requirement and the council will need to ensure that it meets the timetable for implementation.
- 5.2 There will be significant diversity implications arising from the new direction. There will be a much greater emphasis on diversity particularly in relation to personalisation of services, choice, cohesion; ensuring people are not disadvantaged and taking action where they are.
- 5.3 A full diversity impact assessment on Strong and Prosperous Communities: The Local Government White Paper was published in October 2006. Any identified adverse impact have been mitigated against.

- 5.4 Diversity Impact Assessment Screening will be undertaken for all new and existing policies changes as a result of any new requirements.

## **6. OUTCOMES OF CONSULTATION**

- 6.1 Member and officer briefings have been undertaken. Further sessions are planned to ensure that we keep up to date with guidance as it is published.
- 6.2 The Act contains a new duty to involve, which will have implications on the way we engage with and involve local people.

## **7. RECOMMENDATIONS**

It is recommended that:

- 7.1 The recommendations in Appendix 1 be approved
- 7.2 Further briefings be given to all elected members and senior officers as guidance documents are published
- 7.3 The council's strategic action plan be refreshed in line with future national and local requirements
- 7.4 Further reports are submitted to cabinet on key areas of implementation.
- 7.5 The offer made by Jo Mcdonough to give a CAA presentation be approved and arranged for the October Cabinet meeting.

CHIEF EXECUTIVE

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### **Background Papers used in the preparation of this report**

Audit Commission news release – published July 2008  
Comprehensive Area Assessment – LGA on the day briefing – published July 2008  
Comprehensive Area Assessment – consultation LGIU briefing summer 2008  
Comprehensive Area Assessment Joint Inspectorate Proposals for Consultation – Summer 2008  
Local Petitions and Calls for Action –the government response LGIU briefing August 2008  
Roles and responsibilities in the local performance framework LGIU briefing August 2008

## Summary of guidance published

Published Reports	Recommendations
<p><b>'Communities in control: real power, real power'</b></p>	
<p>This White Paper seeks to pass power into the hands of local communities by giving them control over local decisions and services. The government want to make more use of the third sector through charities, voluntary organisations and social enterprises. 7 key issues are addressed in the Empowerment White Paper from the perspective of individual citizens: being active in the community; access to information; having an influence; challenge; redress; standing for office; ownership and control.</p> <p>Empowerment states its aim as 'to pass more and more political power to more and more people through every practical means,' as part of a broader drive to revive civic society. The role of the citizen and community is the focus of this Paper, shifting power, influence and responsibility away from existing centres of power.</p> <p>Councils will have a new 'duty to promote democracy' to help councils promote involvement through clearer information, better training and more visible councillors. The existing 'duty to involve' will be extended.</p> <p>An Empowerment Fund of at least £7.5m will support third sector organisations and promote innovative community leadership programmes. Volunteering will be actively promoted including by those on benefits and £2m will be invested in opportunities for people with disabilities to become volunteers and volunteer managers.</p> <p>A Pathfinder programme (Take Part) for adults will provide training and information on how to be an active citizen. Programmes aimed at helping young people from diverse backgrounds to become effective leaders will be supported. Internships for young people with councillors will be developed.</p> <p>A £70 million Communitybuilders scheme will help community organisations to become more sustainable as part of the agenda of empowering local people. Local communities will be supported to provide local events such as litter picks, painting community centres, street parties or local fairs. Faith-based groups will be encouraged in their provision of local services, through a new national survey of third sector organisations and removal of barriers to commissioning services from faith-based groups.</p>	<p>Proposals be considered and appropriate response to paper given</p>

The Government state that they are improving the information available to local citizens and promoting digital inclusion, as access to information is a prerequisite to community empowerment.

People will have a greater say in how local budgets are spent, through increasing the number of local authorities operating participatory budgeting. This is where citizens help to set local priorities for spending.

Local authorities should promote voting in elections, including through citizenship lessons working with schools. Councils will be permitted to introduce modest incentives to vote such as entry into a prize draw.

More neighbourhood councils will be encouraged at the sub-parish, community level, with a right of appeal to the Secretary of State where a community's proposal for a local council is refused.

'Community justice' will be promoted, giving local people a chance to decide on measures for offenders. Pilot projects will be agreed for citizens to discuss 'community payback' and local community safety priorities.

Through the new 'duty to involve' placed on local authorities, councils should include people in developing and commissioning local goods and services.

Pilot Community Contracts will be extended which agree priorities between councils, police or the NHS with local residents. There will be commissioned a review into extending redress for citizens, which will report in early 2009.

The Government want a wider range of people standing for election to their local council. Backbench councillors will be given more powers to make changes in their ward with discretionary localised budgets to target on ward priorities. Councillors with caring responsibilities will be able to vote remotely.

The Paper encourages people to own or run local assets and services. A new Asset Transfer Unit will provide information, research and good practice. Local authorities will be encouraged to ensure social enterprises are able to compete fairly for contracts. Procurement processes should not unfairly disadvantage social enterprises.

Petitions and the councillor call for action	
<p>There will be a new duty for councils to respond to local petitions; those with significant local support will be properly debated. The response must be proportionate to the seriousness of the issue or the level of support the petition has received. Response will usually be in the form of a letter. If people are unsatisfied with a response to a petition they could ask for it to be debated in full council. If 5% of the local population sign a petition, there will have to be a full council debate. Petitions will be considered as evidence to determine when inspections should be triggered. It is expected that this new duty to respond to local petitions will be included in the Community Empowerment, Housing and Economic Regeneration Bill.</p> <p>The Local Government and Public Improvement in Health Act 2007 strengthens the powers of councillors to deal with local problems raised by their constituents. This empowers councillors to require overview and scrutiny committees to consider issues of local concern. They can refer any local government matter to the relevant committee. A local government matter is defined in the Act as anything related to the functions of the authority and which affects the member's ward. The CCFA replaces the community CFA for crime and justice issues in the Police and Justice Act 2006.</p>	<p>Democratic services to consider requirements and submit further report detailing implementation plans.</p>
Comprehensive Area Assessment	
<p>A new independent method of assessment will be introduced from April 2009. Reports will be annual and the first CAA reports should be published in November 2009. The Comprehensive Area assessment will consist of an area assessment and an organisational assessment.</p> <p>The area assessment is a qualitative assessment of prospects for improvement, focussing primarily on the LAA. Flags will be used to draw attention to performance issues and innovative practice. Three questions will be asked for the area assessment:</p> <ol style="list-style-type: none"> <li>1. How well do local priorities express community needs and aspirations?</li> <li>2. How well are the outcomes and improvements needed being delivered?</li> <li>3. What are the prospects for improvement?</li> </ol> <p>A scored organisational assessment for all councils. This is the existing Use of Resources Key Lines of Enquiry (KLOE) plus a further assessment of 'Managing Performance'. It will use KLOE, reduced from 13. Not all elements will be reviewed each year.</p> <p>Councils will also have their performance against the 198 national indicators reported, but this will be part of a detailed public reporting</p>	<p>The councils performance arrangements be amended in line with new CAA and resource implications be considered</p> <p>Jo McDonaugh to give presentation on the new CAA assessment.</p> <p>Recommend that the Performance Manager respond to the consultation on CAA by Monday 20<sup>th</sup> October 2008.</p>

tool and not a separate or scored assessment.

CAA will change the way inspectorates engage locally by moving from rolling programmes of on-site inspection to an on-going relationship with local areas. Inspectorates will look for high quality local performance management data, take account of any locality self-assessments and only undertaken inspection activity where necessary.

The level and quality of public engagement and empowerment will be tested and evaluated as part of the CAA process, including how well vulnerable and marginalised groups have been involved.

CAA will be less mechanistic than CPA. The new approach is much looser. The direction of travel will no longer be used, though at the cost of the added performance section in the organisational assessment. There is an explicit commitment to tailoring the area assessment to local priorities and local political decisions.

The LGA state that CAA will require councils to seize the opportunity and become a confident, self-determining sector that drives its own improvement through increased self-awareness, self-assessment and robust performance management .