

## **Mapping governance at the local level**

*Kirsten Bound, Michael Carley, Julie Harrison, Paul Skidmore and Victoria Winckler*

A collection of papers reviewing governance in Scotland, England, Wales and Northern Ireland.

The papers in this volume produce an indicative picture of the range and type of governance and public decision-making structures at the local authority level. They are preceded by a summary paper that compares approaches in the four countries, summarises key issues on participation that cut across borders, and notes research issues that arise as a result of the analyses.



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# 1 Summary

*Michael Carley*

## Introduction

The Joseph Rowntree Foundation (JRF) is informing its future work on governance by commissioning reviews of developments in Scotland, England, Wales and Northern Ireland. The aim is to produce an indicative picture of the range and type of governance and public decision-making structures at the local authority level. This summary report compares approaches in the four countries, summarises key issues on participation that cut across borders and notes research issues that arise as a result of the analyses.

## Comparison of approaches

- *Different approaches, common problems:* devolution in Scotland, Wales and Northern Ireland is leading to a gradual differentiation of approaches to participation, and in the terminology used to describe governance structures. Despite this, there are common concerns about processes of governance and participation. Because of the differences in approach, this comparison across countries is instructive.
- *Strategic partnerships:* all countries have some duty or requirement for the establishment of partnership at the local authority level. These are called variously local strategy partnerships (Northern Ireland), community strategy partnerships (Wales), local strategic partnerships (England) and community planning partnerships (Scotland). For example, Scotland's strategic partnerships represent a statutory duty established by legislation. Partnerships are required in every local authority area as an overarching structure, integrating other partnerships and strategies, and with a statutory duty to engage with community organisations for a range of institutional stakeholders. In England, Wales and Northern Ireland, strategic partnerships are not yet as clearly identified as at the apex of a hierarchy of partnership and strategy, giving rise to tensions between partnerships. A key issue therefore is whether an overarching strategic partnership and strategy are required to provide a coherent framework for all other strategies, partnerships and participation mechanisms within the local authority area.

- *Other partnerships/initiatives*: all countries have an almost bewildering variety of partnership and governance initiatives for various policy sectors such as health, public safety, education, area regeneration, children's services, local housing strategies, Agenda 21 and others. Across countries, these are more similar than dissimilar in their aims and methods of operation. New mechanisms for devolving power to front-line users and providers, such as foundation hospitals, contribute to this organisational complexity, as do a plethora of older statutory structures. Many of these initiatives are described in the reports.
  
- *Proliferation of partnerships*: an overriding issue common to the four countries is the effect of the proliferation of partnerships and governance structures. In Wales, for example, this is creating 'a heavy burden' on local human resources. Other reports speak of 'initiative fatigue', 'fragmentation', 'confusion' and 'too many talking shops'. Although genuine partnership is recognised as a positive way of linking government to partners and communities, partnership proliferation creates four problems.
  - 1 It strains human resources in institutional, voluntary and community sectors, with the same people trying to wear 'too many hats'.
  - 2 It leads to too many local strategies that are not joined up.
  - 3 It contributes to confusion as to the appropriate role for local government in terms of leadership and formal, representative or electoral democracy, compared to the plethora of initiatives in the sector of 'participatory democracy'.
  - 4 It makes the local governance structure opaque and confusing, at a time when public trust in governing institutions is at a low ebb.
  
- *'Policy silos'*: the reports suggest that partnership proliferation derives mainly from parallel initiatives from various central government 'policy silos'. This reflects a long-standing inability of central government to establish a joined-up policy framework.<sup>1</sup> The English report notes that current governance initiatives look 'more like a post-hoc rationalisation of ... disparate policy strands than a deliberate, co-ordinated strategy across government'. The Scottish report warns that joined-up partnership locally must be supported by joined-up policy nationally, or the benefits will be undermined.
  
- *Structures not enough*: all of the reports warn that formal partnership structures do not guarantee that local authorities or other institutional players will listen to, and value, the input of community representatives. For this to happen requires changes in organisational culture, attitudes and working practices – a task that is challenging for 'old-style' centralist local authorities. It is recognised as important for the empowerment of citizens that local government modernisation continues.

- *Community representatives and councillors:* the role of community representatives in governance, the extent to which they represent a wider constituency (or ought to) and the need for a positive relationship between activists and local councillors are matters of concern.
- *Reform of governance:* in Northern Ireland, the Review of Public Administration will lead to a major restructuring of the delivery of public services. Recent ministerial statements suggest a new model of two-tier local governance including strengthened district councils and the establishment of regional authorities integrating some central government functions with those of existing health and social services boards, and education and library boards. The regional tier will be responsible for policy development, planning and setting standards for service delivery, although whether they are to be directly elected is a matter of current debate.
- *Extending statutory reform:* the Local Government Act (2000) establishes a duty for consultation over a strategic plan in England and Wales, although the partnership requirement is described as non-statutory for England by the Neighbourhood Renewal Unit. In Wales, partnerships are recommended in Guidance provided by the Welsh Assembly. Scotland has gone further in three ways. First, the Local Government in Scotland Act (2003) extends the statutory duty to engage with citizens to improve service delivery from local authorities to chief constables and police boards, NHS boards, enterprise agencies, the fire service and transport authorities. Second, there is a duty to engage at a sub-local-authority level – linking strategic partnership with local partnerships in the neighbourhood, urban district or rural village. This is triggering renewed interest in local government decentralisation. Finally, all funded area regeneration initiatives are being wound up and integrated into community planning during the period 2005–06, recognising that the quality of governance and partnership is a key factor in achievement of social inclusion. Audit Scotland and Communities Scotland have monitoring duties with regard to these partnerships.
- *Attention to equalities:* all four countries pay close attention to promotion of equalities. Wales and Northern Ireland require similar ‘equality impact assessments’ of policy initiatives. In Northern Ireland, there is a statutory duty placed on all public bodies to consult on policies with equality implications.

### Key issues and research areas

#### *Need for clarity in partnership and governance structures*

Although 'localism' is recognised as positive in principle, every country reported negative effects of the proliferation of partnerships and new governance structures. The English report refers to proliferation in its first sentence, noting 'initiative fatigue' and 'fragmentation' – described as 'a proliferation of institutions, processes and structures whose roles and responsibilities are only partially understood and which both local people and policy makers struggle to hold to account'.

In Wales, there are said to be more than 2,000 partnerships with an average of 92 per local authority. The human resource costs are highlighted: 'participants are heavily burdened from participating in a merry-go-round of partnership'. Poor linkage between partnerships is said to cause 'confusion and difficulty'. Northern Ireland reports participation that is 'inconsistent ... with each agency developing its own approach'. The Scottish report suggests that participation linked to regeneration funding may do more to 'ghettoise' deprived neighbourhoods than to contribute to their social inclusion.

In addition to human resource costs, a consequent proliferation of strategies gives rise to a 'muddy picture' in Northern Ireland. The English report is concerned that the complexity of local structures is a source of 'confusion, misunderstanding and distrust' at a time when public trust in governing institutions is 'at a low ebb'. Even mapping this complexity is said to be 'difficult, time-consuming and frustrating – an experience likely to be even more acute for the average citizen wanting to find out more about how services are run'.

Here, as noted, Scotland and Northern Ireland are beginning to grapple with the need for simplified, rationalised structures. In Scotland, for example, draft National Planning Guidance proposes that the overarching community planning partnerships be the main vehicle for participation in statutory land use and transport planning.

An overview of the implications of a multiplication of new partnership structures for effective local governance could shed light on this pressing issue. The concept and future of the 'overarching' partnership should be examined. It would be informative to compare the approach to strategic partnership in the four countries.

### ***Role of local authorities in new models of governance***

Partnership proliferation arises in part because the old model, which saw local authorities trying to go it alone in the face of daunting challenges, was no longer appropriate. However, there is now confusion over the appropriate relationship between what might be the *participatory governance* model (also called ‘the new localism’) compared with formal, *representative government*.

The English report warns that the democratic mandate of local councils may be undermined by the existence of a plethora of semi-autonomous appointed bodies. This multiplication of structures is also said to leave citizens ever more confused about the role of local government. For example:

What we are seeing at present seems to be ... a gamble about how public legitimacy can be restored. On the one hand, it is possible that new structures will give people a growing range of opportunities to shape service delivery, clarify understanding of the issues and trade-offs involved and result in decisions backed by a broader base of public support. On the other hand, there is a real danger that the gap between the simple mental models ... that ordinary citizens use in thinking about local governance and the increasing complexity of the situation on the ground becomes ever wider.

This suggests that local authorities themselves need to evolve new, sophisticated roles. For example, the new Scottish partnerships require that local authorities exert a ‘delicate hand’ – leading and facilitating but not dominating partnership, a real challenge to old-style local authorities. The report identifies leadership and visioning as a key role for local government, with strong leadership and good participation two sides of the same coin.

With increased citizen and stakeholder participation, an evolving role for local government is important. One aspect is the leadership role of local government in strategic partnership and strategy development; a second is in new models of service delivery; and a third is about developing a productive relationship between elected members, officers and community representatives at both local authority and neighbourhood levels.

A review of the changing role of local government could tap into the learning of ‘leading-edge’ local authorities in two or three countries, with the views of other local partners and community representatives an important part of the analysis.

### ***Need for national policy to support local initiative***

All of the reports suggested that a poor record in joined-up national policy could undermine new governance initiatives. This structural problem of national government is so chronic that little more needs to be said.<sup>2</sup> However, it is also so deep-rooted in the reward structure of central government that something more than a simple research project may be required.

Realising joined-up policy in central government to support local initiatives is a long-standing challenge to good governance in Britain. A hard-hitting, multidisciplinary review is needed to shed light on this issue.

### ***Generating effective and efficient citizen participation***

New governance structures have produced opportunities for *more* participation but not necessarily better participation. Both community representatives and institutional partners are reported to be tired of 'talking shops' and looking for more effective, efficient and broad-based participation. The Welsh report notes that:

It is clear that, perhaps in its haste to achieve outputs, the Assembly has largely initiated new structures, with an emphasis on mechanical matters such as membership. It has looked less at the deeper question of how to ensure effective participation of the wider community, especially marginalised groups, in local governance.

*Effectiveness* means that participation achieves steady improvement in quality of life with tangible outcomes. *Efficiency* maximises benefits while minimising time input of participants in governance. *Broad-based participation* draws in marginalised groups with innovative participation mechanisms.

Whatever structures are developed, the Scottish legislation warns that participation needs to move away from a 'consultation model', in which decisions are made by institutional partners and then residents 'consulted', to one where community representatives have early involvement in shaping the local policy agenda. Early involvement could build consensus around difficult decisions, and allow politicians and professionals to do their jobs with more confidence that they are meeting citizens' aspirations.

New governance structures also need to create opportunities for citizens to participate as individuals as well as organised into groups, and at times that are

convenient to the citizen rather than the paid bureaucracy. The Northern Ireland report stresses the importance of community development skills in fostering participation, with 'poor community infrastructure' a limiting factor in participation.

Efficient participation means moving away from the 'meeting culture', which mainly suits professionals, towards innovative means of participation such as neighbourhood planning days, citizens' panels and young persons' web sites, and use of information technology, video and digital imagery.

Examining the quality of community and individual citizen participation in localised governance could identify principles and innovation that could underpin more widespread effectiveness and efficiency.

A perennial issue is the degree of legitimacy (or 'representativeness') that ought to be required of community representatives. A full assessment should be made, not excluding the option that all community participation is a valuable resource and that 'representativeness criteria' should be confined to statutory election processes. This analysis should include attention to a heightened role for statutory parish, town and community councils.

Attention is required to assess participation for social groups that don't relate well to traditional participation processes. A database of good practice might be one outcome.

### ***Changing organisational culture to value participation***

Both the Welsh and Scottish reports stress that creating new governance structures is not enough; changes in 'behaviours and attitudes' are of equal importance. Motivating change is a challenge but essential to quality partnership characterised by a trusting, mutually supportive atmosphere in deliberation and in delivering joined-up services. Leadership is vital to developing an organisational culture of officers and councillors who genuinely value partnership and participation. However, it is an open question whether organisational restructuring in the local authority or NHS is a prerequisite for changing organisational culture.

An in-depth understanding of the processes of changing organisational culture in traditional bureaucracies to value citizen participation could make a major contribution to better governance. The role of 'leading-edge' councils' decentralisation strategies and training programmes in fostering new attitudes and working practices could be useful to the assessment.

### ***Funding within new governance structures***

All reports note increasing use of new governance structures to channel central funds into policy implementation. On the one hand, this makes sense – if a partnership with local knowledge genuinely engages stakeholders and communities, then it will be a better vehicle for deciding funding priorities than a single institution or a remote, central government agency. However, as the Welsh report suggests, if funding is devolved to a poor-quality partnership, say one manipulated by its lead local authority, then the very intention of shared decision making is subverted, whatever the appearance the structure gives.

In some Scottish local authorities, this is a concern of the voluntary and community sectors, which feel that direct funding from the Scottish Executive, as in the past, may be preferable to relying on new partnerships set up and run by local authorities that they mistrust. In this case, the role of Audit Scotland in assessing the quality of partnership may be a key to overcoming barriers.

Devolving decisions on funding priorities may be essential to achieving the benefits of localised governance. But there are risks where the quality of partnership is poor or not inclusive of key sectors of society. Research could determine the conditions under which the benefits of devolved funding can be achieved.

### **Notes**

- 1 For example, the problem was discussed in 1990 in a JRF report: Carley, M., *Housing and Neighbourhood Renewal: Britain's New Urban Challenge*.
- 2 A recent issue of the weekly *Regeneration and Renewal* (30 July 2004) reports three separate instances of central departments working at cross-purposes, not least the Office of the Deputy Prime Minister (ODPM) arguing that a Department for Transport (DfT) decision on the Manchester tram undermined both regeneration and the Housing Market Pathfinder.

## 2 Mapping governance at the local level in England

*Kirsten Bound and Paul Skidmore*

### Summary of key points

- 1 Evidence of a 'new localism' abounds in a proliferation of new local governance arrangements at the unitary authority level.
- 2 Several significant new structures have emerged, such as the following.
  - The local strategic partnership (LSP), which joins the local authority as a key body in neighbourhood renewal and overall priority setting. In this authority, the LSP sits at the apex of an innovative but complex planning process operating at multiple levels in the district, and resulting in an iterative process for developing and refreshing the area's community strategy.
  - In education, traditional arrangements for governing individual schools have been complemented by a growing range of structures for co-ordinating decisions across the local areas, such as Excellence in Cities, Education Action Zones and a strategic education partnership. One feature of these new arrangements is partnership with private sector organisations in the provision of public educational services.
  - The establishment of 'foundation hospitals' devolves freedoms and powers to high-performing hospitals, and opens up the possibility for local people, patients and other stakeholders to play a more direct role in governing local hospitals and health care. It is too early to say what the impact of these developments have been.
  - The Safer Communities Partnership is an important component in the governance of public safety. Drawing in a network of relevant local institutions and working through a set of community-driven anti-crime partnerships, its work is part of a shift towards a more strategic and preventative approach to promoting neighbourhood safety.
- 3 Our analysis leads us to the following tentative conclusions.
  - The local governance landscape is greatly more complex, multilayered and interconnected than would have been the case, say, 20 years ago.

*(Continued)*

- This innovation carries the potential for more democratic, legitimate and effective governance at the local level. The range of methods and gateways through which citizens can influence local services has greatly increased.

4 However a number of concerns remain.

- As well as being more distributed, local governance is arguably now more opaque. The web of organisations that have emerged in Bradford is enormous, and the exact structures and relationships between them are highly fluid. A synoptic overview is difficult to achieve, even for people within local institutions. With public trust and legitimacy in governing institutions of most kinds at a low ebb, there is a risk that the complexity of the new local governance landscape simply becomes a source of confusion, misunderstanding and distrust.
- Some people report suffering from ‘initiative fatigue’ because of the sheer range and velocity of new initiatives and structures. The number of board and committee structures creates heavy demand for volunteers to give their time and energy to sit on them. This MDC has estimated that around 3,300 local people are required to fill all these posts. Local institutions are also working hard so that such bodies are representative of and give effective voice to the local community.
- There is evidence of ‘institutional tunnel vision’, with an over-reliance on committee-like structures of accountability as the best means of promoting participation and legitimacy, at the expense of more innovative structures or processes.

## 1 Introduction to local governance structures

Towns are like great meeting houses with all the inhabitants as members. In them the people wield immense influence ... and often carry their desires into execution without intermediaries.

(Alexis de Tocqueville)

A committee is a group that keeps minutes and loses hours.

(Milton Berle)

Up and down the country, from Whitehall to Walsall, a new mantra reverberates in the corridors of power. Policy makers are falling over themselves to proclaim a 'new localism' as the best way to make public services both more legitimate and more responsive to the needs of local communities.

Alan Milburn, former Cabinet minister, told a Demos seminar earlier this year that 'the new battleground is around the politics of localism', and called for the Government 'to forge a new settlement between central government, local government and new forms of local governance.'<sup>1</sup>

A proliferation of new structures, partnerships and governing arrangements at the local level would seem to underline the sincerity of the Government's decentralising mood.

Yet the new localism in many ways looks more like a post-hoc rationalisation of a range of disparate policy strands than a deliberate, co-ordinated strategy across government. Many initiatives appear only partially integrated across sectors and policy areas, and the degree to which they imply real shifts in the locus of power is debatable.<sup>2</sup>

In fact, the new localism arguably embodies three different strands of thinking to have emerged at distinct points and with varying motivations in the course of the last decade.

- 1 *The joining-up agenda:* the Labour Government entered office in 1997 armed with a critique of the disjointed and fragmented nature of policy formation, design and implementation under the Conservatives, particularly in tackling the so-called 'wicked issues' of poverty, unemployment, crime and ill-health. In his first speech as Prime Minister, Tony Blair claimed that 'joined-up problems need joined-up solutions'. Along with innovations at central government level, such as the creation of the Social Exclusion Unit, this heralded the arrival of the local 'multiagency partnership' as the key delivery mechanism for tackling problems in an inclusive and strategic way.
- 2 *The rediscovery of community:* inspired by communitarian thinkers like Michael Sandel and Amitai Etzioni, and latterly by social capital theorists like Robert Putnam, the Government has sought to understand and enrol the informal capacity for local problem solving embodied in communities themselves. This has included: initiatives to promote volunteering, participation in the governance of local schools, hospitals and other institutions, and other forms of active citizenship; support and new funding streams for community and voluntary

organisations; new obligations on local public institutions to work in partnership with the local community. Particular impetus has been given to this strand since the disturbances in Bradford, Oldham and Burnley in 2001.

- 3 *The turn against centralism:* in the last few years, there has been a recognition that the centralised inspection and performance management regimes developed during the 1990s and extended by Labour in government after 1997 had run their course as far as significant improvements in public service quality were concerned, and were beginning to attract significant criticism for distorting service priorities, diverting resources and damaging staff morale. The next phase of improvement has been seen to depend on greater discretion for front-line service providers and users in the design and provision of services.

The structures of local government itself betray an incremental, coral-reef-like evolution, as successive waves of reform have brought new administrative technologies, disciplines and traditions to bear without sweeping away existing arrangements.

As a result, new institutional forms created by partnership initiatives (e.g. New Deal for Communities, Sure Start, Health Action Zones and Excellence in Cities) and measures to devolve power to front-line users and providers (primary care trusts, foundation hospitals) join a plethora of older statutory structures (school governing bodies, elected councils, housing associations) and diverse community engagement projects (citizens' juries, youth forums, resident networks) to form the complex, multilayered local governance map we see today.

Indeed, the use of the word 'governance' is itself significant, reflecting the view that 'government' in the sense of the formal institutions of the State no longer reflects the reality of more complex, fluid patterns of governing. These increasingly display the following characteristics:<sup>3</sup>

- the involvement of actors and institutions drawn from but also beyond government
- the arrangements of these actors and institutions in self-governing networks
- the blurring of institutional boundaries and responsibilities, including between public, private and 'third' (community and voluntary) sectors for tackling shared problems<sup>4</sup>

- the interdependence between actors involved in collective action
- a shift in the State's role from 'rowing' (trying to solve problems directly) to 'steering' (enabling and encouraging solutions driven by other actors).

In principle, this flourishing of institutional innovation ought to be good news, increasing trust and transparency, enriching accountability and legitimacy, and making services more responsive and more tailored to the needs of local communities.

There are a number of potential reasons to be sceptical about this rosy picture, however, and this paper concludes by outlining some of the most important:

- opacity and confusion
- fragmentation
- 'initiativitis', overload and local capacity
- institutional tunnel vision.

Our analysis is based on an initial mapping of local governance arrangements in Bradford as a case study of an English unitary local authority.

We wish to emphasise that, under the terms of the project brief, the analysis that follows is inevitably tentative and should be read as an indicative picture of the kinds of arrangements in place in unitary authorities in England, rather than a comprehensive catalogue of all local governance structures.

The disturbances in the North of England in 2001 were a key influence on the Government's community cohesion agenda. The subsequent Cattle Review emphasised that:

Separate educational arrangements, community and voluntary bodies, employment, places of worship, language, social and cultural networks, means that many communities operate on the basis of a series of parallel lives. These lives often do not seem to touch at any point, let alone overlap and promote any meaningful interchanges.<sup>5</sup>

Effective and inclusive local governance arrangements were necessary to overcome the growing disconnect and hostility between different parts of the local population.

On a visit to Bradford, Home Secretary David Blunkett said:

When I visited Bradford in 2001, shortly after the disturbances, it was clear to me that, if it was to succeed, community rebuilding had to be locally led. Top-down 'made in Whitehall' solutions do not work – community cohesion relies on local people coming together to deal with local problems.

The analysis that follows inevitably presents only a preliminary view and the sheer complexity of governance arrangements precludes us from painting a fully comprehensive picture. Nevertheless, we hope it satisfies the aim of generating an indicative sense of the range and type of governance and public decision-making structures that exist at this level.

The next sections deal in turn with local government,<sup>6</sup> health, education, public safety and other areas, notably housing and regeneration. We conclude with some reasons for optimism and for concern that have emerged in the course of our research.

## Participation in local government

The Local Government Act 2000 was presented as the most significant reform of local authority powers and structures since the 1974 settlement that established the two-tier architecture of district and county councils. Changes to the organisation of executive power, notably the introduction of elected mayors and cabinets, dominated the headlines. But arguably the most significant reform was the duty on local authorities to improve the economic, social and environmental well-being of their areas through the preparation of 'community strategies'.

### ***Community strategies and local strategic partnerships***

Community strategies are intended to meet four objectives:<sup>7</sup>

- 1 to allow local communities (based on geography and/or interest) to articulate their aspirations, needs and priorities
- 2 to co-ordinate the actions of the council, and of the public, private, voluntary and community organisations that operate locally

- 3 to focus and shape existing and future activity of those organisations so that they effectively meet community needs and aspirations
- 4 to contribute to the achievement of sustainable development both locally and more widely, with local goals and priorities relating, where appropriate, to regional, national and even global aims.

Guidance<sup>8</sup> from the Office of the Deputy Prime Minister suggests that the following principles should underpin all community strategies.

- They will engage and involve local communities.
- They will involve active participation of councillors within and outside the executive.
- They will be based on a proper assessment of needs and the availability of resources.
- They will be prepared and implemented by a broad 'local strategic partnership' (LSP) through which the local authority can work with other local bodies.

Although local strategic partnerships are non-statutory and responsibility for preparing community strategies rests with the local authority, LSPs are the key institutional vehicle to emerge from the Act and the most significant addition to the local governance landscape as far as cross-cutting, strategic decision making is concerned.

LSPs have been established across England, with boundaries corresponding to local authority areas. But special arrangements are in place in the 88 most deprived local authority areas identified by the Indices of Deprivation. This reflects the importance of LSPs to the Government's vision for neighbourhood renewal.<sup>9</sup> *A New Commitment to Neighbourhood Renewal: the National Strategy Action Plan* states that:

National programmes are part of the answer but not the whole of it. Action needs to be joined up locally, in a way that is accountable to communities and encourages them to take the lead ... LSPs will be the key to developing and implementing local strategies.

LSPs in these areas are expected to produce a local neighbourhood renewal strategy and access to additional resources through the Neighbourhood Renewal Fund is conditional on having an LSP in place.

## Mapping governance at the local level

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Our case study authority has a partnership involving public, private and voluntary sector organisations from the Bradford District.

*Legal status:* a company limited by guarantee, so that its corporate governance responsibilities are enshrined in the Companies Act. According to the local neighbourhood renewal strategy, *Starting with People*.<sup>10</sup>

The decision to create a company with Directors reflects the intention that members have the interests of the Company as primary rather than the representation of particular interests.

*Formed:* April 2001 and incorporated 26 September 2001.

*Board:* 37 members, drawn from the senior ranks of a cross-section of local organisations, which joined together to form the partnership (e.g. from Bradford Vision's constituent partnerships, the police and fire service, youth parliament, primary care trusts, faith groups, educational institutions, the local council, the local business community, regional regeneration agencies). A number of these organisations also provide financial support.

Community representatives are also recruited and given training and mentoring to help them fulfil their role.

Fifteen members including the chief executives of key institutions are represented on the board, plus other directly appointed representatives, composing an executive that supports the work of the board and has responsibility for implementing its decisions.

*Starting with People*<sup>11</sup> suggests that:

There are proposals to structure the 'voices' of all constituencies within the District into the work of Vision through the concept of an Assembly, which may take place within geographical communities, communities of interest and within organisations. Assembly, Board, and Executive are interlinked rather than hierarchical and there is intended to be continual feedback between them.

*Functions:* the LSP brings together the District's key organisations and agencies in formal partnerships. These include the:

- Building Communities Partnership
- Cultural Consortium
- Safer Communities Partnership
- Strategic Health Improvement Partnership
- Strategic Learning Partnership
- District Housing Partnership
- Economic Development Partnership
- Environment Partnership
- Children and Young People's Partnership
- Area-based Strategic Regeneration Partnership.

The LSP also co-ordinates a process of neighbourhood action planning. This reflects a shift in emphasis at the national policy level towards neighbourhood management, or the devolution of decision-making power and resources to neighbourhood level.<sup>12</sup>

As of May 2004, there were 65 neighbourhood action plans (NAPs) in progress across the District. In addition to enabling communities to become directly involved in improving quality of life where they live, the plans can be used by communities to negotiate with the District's key partners from both the public and the private sector. Funding drawn down from the Neighbourhood Renewal Fund is made available for neighbourhoods to formulate a plan (up to £5,000) and put it into effect (an additional £20,000). These plans, together with annual area conferences organised in each of the five parliamentary constituencies in the District and representation through neighbourhood forums based on natural local communities, then feed into area action plans developed by an area committee.

As well as neighbourhood and area action plans, there are structures and processes in place for the formulation of urban village plans, parish and town council plans, and communities of interest plans. The underlying principle is that the community strategy should represent an ongoing process of locality planning at every level.

### Participation in health

The institutional landscape of health care has been in a considerable state of flux in recent years.

#### *Primary care trusts*

The Health Act 1999 introduced new arrangements for the commissioning and provision of health and social care with the development of primary care trusts (PCTs). PCTs are independent statutory organisations responsible for improving the health care of a local population. They have three main functions:

- 1 assessing the health needs of their local community and preparing plans for health improvement
- 2 securing the provision of services
- 3 integrating health and social care.

PCTs are expected to work through networks of local organisations, including local strategic partnerships, in achieving these aims. PCTs are accountable to the public through their trust board, which has a majority of non-executives who are members of the local public (including the chairman). Executive members include key local clinicians, such as GPs and directors of public health. Non-executive members are appointed through the NHS Appointments Commission, a Special Health Authority which makes all chair and non-executive appointments to NHS trusts, PCTs and health authorities.

The establishment of PCTs reflected a view that:

The existing structures within the NHS are not conducive to devolving power to frontline staff and local communities. Too many decisions are taken too far from the frontline.<sup>13</sup>

PCTs were preceded by primary care groups (PCGs), which were set up in anticipation of the new arrangements but before the necessary legal provisions were in place. Under the NHS Reforms and Health Care Professions Act 2001, they also acquired a number of functions from health authorities, which were abolished and replaced by a smaller number of strategic health authorities with a tighter focus on performance management and capacity building.

There are four PCTs within the authority's boundaries.

### ***NHS trusts***

NHS trusts were created by the NHS and Community Care Act 1990 and the first wave came into being the following year. Trusts brought together providers of health care such as acute hospitals and ambulance services in independent organisations with their own managements, and in quasi-competition with one another for resources held by 'purchasers' (principally health authorities).

A teaching hospitals NHS trust was established in the first wave of trusts in 1991 and is responsible for the management of two hospitals.

This is also one of the first trusts to be awarded 'foundation' status. Under the Health and Social Care (Community Health and Standards) Act 2003, high-performing trusts were entitled to apply for foundation status, which would give them substantial freedoms in areas like budgets, human resources and priority setting, which other trusts did not have.

Foundation status also brings with it a new legal personality – the Public Benefit Corporation – and new governance arrangements with a focus on strengthening local ownership. Patients and residents in areas served by foundation trusts can register as members. This entitles them to receive information and to be consulted on important decisions, as well as giving them the right to vote and stand in elections to a board of governors. The board of governors is responsible for voicing community interests in the management of the trust, and for appointing the chair and non-executive directors of the board of directors, the body responsible for day-to-day management of the trust. The board of governors and the board of directors work together to set the strategic direction of the trust.

In this case, the board of governors includes:

- 15 public governors, one for each 'constituency' or area
- two patient governors, members who are patients and not eligible in other categories
- five staff governors, one elected by medical and dental practitioners, two by nurses and midwives, one by allied health professionals and scientists, and one by other staff

## Mapping governance at the local level

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- four PCT governors, one appointed by each of the four PCTs
- two local authority governors (one of whom must be an officer from the social services department), appointed by the Council
- two university governors
- three other partnership governors, one appointed each by the Care Trust, the Trust Patients' Forum and the Regional Workforce Confederation.

Where an election is contested, the governor will be chosen by secret ballot. Appointments are for three years, with the option of reappointment/re-election at the end of that period subject to a limit of nine consecutive years in office.

### ***Patient involvement***

Patient and public involvement (PPI) forums have been established for every PCT and NHS trust. They provide a sounding board for local community concerns and a channel through which these can be communicated to trusts. They also carry out visits and produce independent reports on the quality of health services. Members of PPI forums are volunteers selected through an application process to represent a broad cross-section of the community.

PPI forums were provided for in the National Health Service Reform and Health Care Professions Act 2002 and section 11 of the Health and Social Care Act 2001, and replaced community health councils as the primary means for local people to voice their opinions about the stewardship of health services.

There are five PPI forums, one for each PCT and one for the Teaching Hospitals Foundation Trust.

### ***Health Action Zones***

Between 1997 and 1999, the Department of Health set up 26 Health Action Zones (HAZs) as flagship pilots to reduce health inequalities, improve services and secure better value. HAZs are partnerships between the NHS, local authorities, the voluntary and private sectors and local communities.

The local HAZ came into effect in April 1998. Its partners include the Council, NHS trust and PCTs, voluntary organisations, the police, probation service, university and chambers of commerce.

Dozens of cross-cutting initiatives have been introduced aimed at tackling a range of pressing local problems, including diabetes, domestic violence, sexual health, accident prevention and coronary heart disease.

Engaging and involving communities in decision making and strategic planning was one of the central underpinning principles of the HAZs. One approach taken was the establishment of the HAZ Community Involvement Team in 1999, initially for two years. The overall aims of the team were to strengthen the capacity of the primary care trusts to involve communities in health and health-care planning, decision making and delivery, and to strengthen the capacity of the communities to participate in health and health-care planning, decision making and delivery.

## Participation in education

### *School governance*

Participation in the governance of schools is one of the oldest forms of citizen involvement, with boards of governors or managers a requirement for all schools since the Education Act 1902. Over time, and through successive waves of legislation, the roles and functions of governors have been clarified and expanded, the number of governing bodies has grown as the method of grouping several schools under one body has been discontinued, and the profile of governors has shifted from the local 'great and the good' towards parental involvement.

The 1998 Schools Standards and Framework Act increased parent governor representation in almost all schools, and required each local education authority (LEA) to have parent governor representatives on its education committee. It also delegated to most school-governing bodies the powers formerly reserved for independent grant maintained schools.

There are 210 schools within the authority and currently 2,700 school governors. In each school, there are between nine and 20 governors depending on the school's size. These are divided into four types: parent governors, staff governors and community governors elected by their peers, and LEA representatives. All governors are voluntary.

## Mapping governance at the local level

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A governors' advisory group (GAG) has been established, comprising the chair and vice chair of local governors' forums, the chair of the local black and Asian governors' forum, and further members to represent other perspectives if necessary (a special school representative, for example). There are five governors' forums linking to the parliamentary constituency areas, with each school-governing body in an area sending governors to that forum.

The remit of the GAG is to:

- raise standards of educational achievement among young people
- promote the role of governance to the local education authority and the wider community
- consult and negotiate with the Department for Education and Skills, the local education authority, Education Bradford and other bodies on behalf of schools and their governing bodies.

### ***The strategic education partnership***

The strategic education partnership (SEP) consists of:

- the Council
- the education-provider body, part of Serco Learning plc
- the education policy partnership, comprising key partners in different educational institutions
- schools.

Most striking in this context is the decision by the authority to sign a ten-year, £360 million contract for the provision of educational services with Serco Learning, a move which also involved transferring more than 1,000 staff to private sector control.

### ***Education Action Zones***

Statutory EAZs were established in the School Standards and Framework Act 1998 with the objective of raising standards in schools within zones. EAZs received significant extra funding from central government, with a baseline grant of £500,000 and a potential additional £250,000 in matched funding for money raised from the private sector.

The Education Action Zone in South Bradford was established on 1 April 2000 with the purpose of improving the quality of educational provision and raising standards in the Zone's 20 schools. It has charitable status and is managed through an Action Forum, known as the South Bradford Community Learning Partnership, which contains representatives of education, community and business partner organisations. The Zone has five main programmes and over 20 projects. The main aims of the Education Action Zone are to:

- effect school improvement by raising standards and the quality of provision
- engage parents and carers as co-educators of their own children
- promote additional opportunities for learning outside school hours
- support vulnerable children and young people in our communities
- promote very early child development and learning.

Statutory EAZs are being phased out and will become either Excellence in Cities Action Zones or Excellence Clusters from 2005.

### ***Excellence in Cities***

Excellence in Cities (EiC) was launched in 1999 as the Government's key policy initiative for overcoming disadvantage and underperformance in schools in deprived urban areas. Originally covering 25 LEAs, it has now been extended to 57. Funding is tied to specific policy strands and interventions such as city learning centres, learning mentors and provision for gifted and talented pupils.

This authority was in the first wave of LEAs to join the programme. The EiC programme is governed by a primary school partnership and a secondary school

partnership, made up of the head teachers of each school and an independent chair. These partnerships make decisions regarding the targeting, funding and monitoring of EiC programmes in the area.

### **Participation in public safety**

The Crime and Disorder Act 1998, as amended by the Police Reform Act 2002, sets out statutory requirements for responsible authorities to work with other local agencies and organisations to develop and implement strategies to tackle crime and disorder and misuse of drugs in their area. These statutory partnerships are known as crime and disorder reduction partnerships (CDRPs), of which there are 354 in England. They encourage partners to assess the root cause of crime and disorder problems, rather than simply leaving the consequences as a matter for the police to deal with. 'Problem-oriented policing' can be greatly helped by the full support of all other agencies who may be able to contribute.<sup>14</sup>

#### ***The Safer Communities Partnership***

The CDRP is locally branded as the Safer Communities Partnership. It aims to reduce crime and disorder, combat the fear of crime and reduce alcohol and drugs misuse. Its key priorities are burglary, commercial crime, vehicle crime, tackling offenders and supporting victims. It targets high-crime locations and drug and alcohol-related crime.

The Partnership's structure comprises an eight-member executive of council and regional government representatives and police, probation and health officials. This executive is part of a much larger partnership council including representatives from bodies such as the PCTs, the Crown Prosecution Service, education establishments, the fire service, the probation service and youth offenders team, and the Chamber of Commerce.

Important small-scale initiatives created by the Partnership are five local anti-crime partnerships. These bodies work very closely with local communities by bringing together local police officers, local residents' and tenants' associations, GPs and community groups.

## **Other areas of participation**

For reasons of time and space, the structures outlined above do not represent the entire universe of local governance arrangements within this local authority area. Important structures we have not covered so far in this report include the following.

### ***Sport Action Zones***

Sport Action Zones (SAZ), a Sport England initiative introduced in 2000 to help use sport to regenerate local communities and address inequalities in access to sport. An SAZ has been established in two wards.

### ***Sure Start***

Sure Start, a government programme that aims to achieve better outcomes for children, parents and communities through childcare, child development and support for parents. There are nine Sure Start programmes in local authority areas, supported by the early years and childcare service and driven by the local community.

### ***Single Regeneration Budget***

Single Regeneration Budget (SRB), which began in 1994, brought together a number of programmes from several government departments with the aim of simplifying and streamlining the assistance available for regeneration. SRB provides resources to support regeneration initiatives in England carried out by local regeneration partnerships. SRB partnerships are expected to involve a diverse range of local organisations in the management of their scheme.

### ***The Housing Partnership***

The Housing Partnership, formerly the Housing Forum, has responsibility for taking forward neighbourhood renewal within its remit, characterised by its mission to achieve for all 'A suitable home in a thriving neighbourhood with excellent services'. The Partnership has developed the Joint Housing Strategy 2003–10: 'a decent home

in a decent neighbourhood'. As an integral part of the LSP, it has direct representation on the board through the chair of the Partnership.

The Housing Partnership now has a three-tier structure. The *board* is the main decision-making body with director-level representation from eight council departments and the Health Action Zone, primary care trust chiefs, the Housing Association Liaison Group, the Non-statutory Housing Group, police, probation, urban regeneration company, SRB and New Deal chief executives, tenants, private landlords, house builders, black and minority ethnic (BME) umbrella bodies, the Government Office and the Housing Corporation. Its role is to review policy and strategic direction, consider the impact of government policies and provide policy input to the LSP. The *Housing Strategy Implementation Group* implements, monitors and conducts annual reviews of the action plans and makes policy recommendations to the board. Topic-oriented *working groups* have also been established consisting of agencies with a role or interest in the delivery of the policies each group is addressing, e.g. homelessness, health, housing and social care, sustainable development and so on.

### ***The Community Housing Trust***

The recently completed transfer of all local authority housing stock to community ownership through the Community Housing Trust is another interesting innovation, though slightly beyond the scope of this study. A District Tenant Federation is an active member of the Housing Partnership and local boards for each area trust involving tenants as a majority of members are designed to give tenants a clear voice in decision making.

### ***The Building Communities Partnership***

The Building Communities Partnership is a multisector body with a membership forum of over 160 voluntary, community and public sector organisations. They focus on the development of the community and voluntary sectors through joint working, in particular, with a range of public sector organisations, partnerships and networks. The executive includes representatives from the:

- LSP; Neighbourhood Renewal and Community Cohesion
- Council

- police service
- voluntary and community sector members of the Building Communities Forum
- Community Network
- Strategic Health Improvement Partnership
- voluntary and community sector.

The majority of places on the Building Communities executive are representatives from the voluntary and community sector, elected from the Building Communities forum. The executive meets at least eight times a year and is supported by active working groups, holding large events each year open to all forum members and interested parties. The Building Communities Partnership has a place on the board of the LSP.

### ***New Deal for Communities***

The New Deal for Communities (NDC), running since 1998, is a key programme in the Government's strategy to tackle multiple deprivation in the most deprived neighbourhoods in the country. It aims to give some of our poorest communities the resources to tackle their problems in an intensive and co-ordinated way. The aspiration is to bridge the gap between these neighbourhoods and the rest of England.

The problems of each NDC neighbourhood are unique, but all the NDC partnerships are tackling five key themes of: poor job prospects; high levels of crime; educational underachievement; poor health; and problems with housing and the physical environment.

A community-led company runs the £50-million, ten-year regeneration scheme in three areas of the authority, using funding provided by the Government's New Deal for Communities fund. Its board of approximately 30 directors includes councillors, members of local religious associations, local businessmen and representatives from the police and PCTs. Some directors are elected directly by residents in each community area, making 12 in total. These are known as community directors. Some directors are appointed by their organisations. These are known as agency directors. In addition, the board is supported by a small group of advisers. A management and administrative staff accountable to the executive runs the company on a daily basis.

## Mapping governance at the local level

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The crucial element of community participation is undertaken by numerous forums and working groups dealing with more specific issues. Funded by the DTLR (Department of Transport, Local Government and the Regions), accountability of the company is to the Council and the Regional Government Office.

The company has a policy of full involvement on every aspect of its work to ensure the scheme brings lasting benefits to the whole community. Partnership with local groups, youth forums, newsletters and questionnaires are some of the ways it strengthens its community network. Last year it was given the top 'grade one' rating by central government for the running of its ten-year programme.

## Reflections and key issues for the future

The picture that emerges from our mapping exercise is of a local governance landscape that is greatly more complex, multilayered and interconnected than would have been the case, say, 20 years ago. The key features of this landscape are as follows.

- A focus on individual institutions has given way to a focus on networks of various kinds, most notably the formal multiagency partnership.
- Institutional and sectoral signposts have become less useful as public, private and community and voluntary sectors have all been enrolled in collective problem solving at the local level.
- There is growing emphasis on building accountability and responsiveness to citizens into the governance frameworks of all institutions, and an accompanying dilution of the significance of formal accountability exercised through local representative government.
- The role of public authorities has shifted towards the tasks of organising, brokering and facilitating local networks rather than providing services directly.
- The range of methods and gateways through which citizens can influence local services has greatly increased.
- There has been a considerable degree of innovation in new governance models, including experiments with more direct democracy through neighbourhood management, and creative approaches to consulting and engaging with local

people – our favourite being ‘The City Musical’, a linked series of events organised by one of the neighbourhood forums, which used drama to tell a story about the city’s past and engage people in thinking about the future.

There is much to celebrate in this, and the area is arguably positioned at the leading edge of a wave of reforms that carry the potential for more democratic, legitimate and effective governance at the local level.

Yet the research we have undertaken during this exercise, alongside earlier Demos work, points to a number of actual or potential problems that should be cause for concern. We conclude by outlining four:

- 1 opacity and confusion
- 2 fragmentation
- 3 ‘initiativitis’, overload and local capacity
- 4 institutional tunnel vision.

### ***Opacity and confusion***

The first problem is simply how opaque the local governance landscape can look and feel, particularly to the citizens trying to navigate their way around it. We are quite certain that the picture we have presented here is by no means comprehensive, and that there are significant omissions that could be rectified only by a much more in-depth mapping exercise than the one we were commissioned to undertake, and this in itself is surely indicative of an underlying cause for concern. Gathering the sort of information we have presented here often proved difficult, time-consuming and frustrating, an experience likely to be even more acute for the average citizen wanting to find out more about how services are run.

The web of organisations that have emerged in Bradford is enormous, and the exact structures and relationships between them are highly fluid. With public trust and legitimacy in governing institutions of most kinds at a low ebb at both national and local level – only 48 per cent of British people trust their local council and only 43 per cent the British Government<sup>15</sup> – there is a risk that the complexity of the new local governance landscape simply becomes a source of confusion, misunderstanding and distrust. As Gerry Stoker has argued:

The divorce between the normative codes used to explain and justify government and the reality of the decision-making in the system creates tensions.<sup>16</sup>

It was striking that many of the people we spoke to within local institutions themselves acknowledged the difficulty of obtaining any kind of synoptic overview: 'I couldn't possibly give you the answers myself, I don't know about that' was a line we heard repeated surprisingly often.

Other public interfaces, such as web sites and official documentation, also varied greatly in the clarity they helped to bring. Information was often out of date even if it was only a year old, and some of the people we spoke to were reluctant to impart specific details about governance arrangements because they were constantly changing.

The anticipated introduction of regional assemblies in parts of England could aggravate uncertainty about the division of labour between different tiers of governance.

What we are seeing at present seems to be something of a gamble about how public legitimacy can be restored. On the one hand, it is possible that new distributed structures will give people a growing range of opportunities to shape service delivery, clarify understanding of the issues and trade-offs involved, and result in decisions backed by a broader base of public support. On the other hand, there is a real danger that the gap between the simple mental models and heuristics that ordinary citizens use in thinking about local governance and the increasing complexity of the situation on the ground becomes ever wider.

### ***Fragmentation***

In a similar vein, the corollary of 'everyone being responsible for everything' is that 'no one is responsible for anything'. The downside of a more distributed model of local governance is fragmentation, with a proliferation of institutions, processes and structures whose roles and responsibilities are only partially understood and which both local people and policy makers struggle to hold to account.

For example, sources within the local council have raised concern that the democratic mandate of the local council is somewhat undermined by the existence of so many semi-autonomous appointed bodies. While various local institutions and

partnerships are formally accountable to the local authority, it is often difficult in practice or as a result of formal limitations to hold appointed boards properly to account.

### ***'Initiativitis', overload and local capacity***

The third problem is the sheer range and velocity of new initiatives and structures. Many of the people we spoke to admitted suffering a degree of 'initiative fatigue'. One spoke of 'wave, after wave, after wave' of government initiatives, suggesting that, whatever the aspirations for a new localism, many front-line practitioners are still experiencing policy as something that is done *to* them by central government rather than self-authored.

At a basic level, the number of board and committee structures creates heavy demand for volunteers to give their time and energy to sit on them. The authority has estimated that around 3,300 local people are required to fill all these posts.

There are crucial challenges in ensuring the following.

- Boards are not just dominated by 'the usual suspects', and board members are given the support and training they need to function effectively. Bradford Vision is actively investigating the processes by which different local organisations recruit, retain and train active citizens in governance positions.
- Traditionally under-represented groups are having their voice heard. The Foundation Trust managed to achieve an ethnic balance among its board of governors proportionate to the population as a whole, although there is a feeling that this was more by accident than design.
- Precious local resources and capacity – notably the energy, time, commitment and morale of local people – are not squandered by processes that tick boxes under central government requirements but do little to boost community capacity.

### ***Institutional tunnel vision***

The fourth problem is that, in searching for ways to involve and engage citizens, many institutions have mimicked (or have been required to mimic) the familiar,

committee-like structures of traditional accountability models and representative government itself. As Paul Brickell has argued, the heavy reliance on ‘communities in committee’ betrays a degree of institutional tunnel vision about how participation and public legitimacy are best promoted.<sup>17</sup> Yet there are real questions about the effectiveness of these kinds of structures, and the depth of trust and support they actually engender.

One clear example is the disappointing public response to the new arrangements for electing Foundation Trust boards. The Foundation Trust signed up only 1,802 members (the population of the district is around 490,000) and only 804 of these actually voted.<sup>18</sup>

Important questions need to be asked about whether new initiatives, particularly those that originate at central government level, provide sufficient latitude for creating structures and processes that are configured to local needs, expectations and circumstances.

### **Appendix 1: background information on the authority area**

The population is 490,000. Over 80 per cent of residents are white; 78,220 are of Pakistani, Bangladeshi or Indian origin and about 6,000 are of Afro-Caribbean origin.

The Index of Deprivation ranked this authority as one of the poorest in the country. It was the fifth most deprived in terms of income and sixth most deprived for employment. It has the seventh largest population of the poorest people. Over 162,000 people – or one in three of the population – in the District live in wards that fall in the 10 per cent poorest wards in England. Of the children, 44.4 per cent live in low-income households.

### **Appendix 2: about Demos**

Demos is a greenhouse for new ideas that can improve the quality of our lives. As an independent research organisation, our aim is to create an open resource of knowledge and learning that operates beyond traditional parties, identities and disciplines.

Demos connects researchers, thinkers and practitioners to an international network of people changing politics. Our ideas regularly influence government policy, but we also work with companies, NGOs, colleges and professional bodies – any organisation that can make change happen. Our partners share a desire to understand a complex, globalising world, and to play an active role in shaping its future.

Demos knowledge is organised around five themes, which combine to create new perspectives. The themes are democracy, learning, enterprise, quality of life and global change.

But we also understand that thinking by itself is not enough. Good ideas grow out of practice. Demos has helped to initiate a number of practical projects that are delivering real social benefit through the redesign of public services.

Like a greenhouse, Demos is open and transparent. We share our ideas as widely as possible, through books, seminars, conferences and the internet. As a registered charity, all our research is carried out in the public interest.

For Demos, the process is as important as the final product. We bring together people from a wide range of backgrounds to cross-fertilise ideas and experience. By working with Demos, we expect *all* our partners to develop sharper insight into the way ideas shape society.

## Acknowledgements

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We could not have written this without their help, but responsibility for mistakes, errors or omissions remains our own.

### Notes

- 1 A. Milburn, speech to Demos seminar on the new localism, January 2004.
- 2 T. Bentley and J. Wilsdon, *The Adaptive State* (London: Demos, 2003).
- 3 G. Stoker, 'Governance as theory: five propositions', *International Social Science Journal*, Vol. 155, pp. 17–28.
- 4 JRF's definition of local governance structures is compatible with, but more narrowly specified than, this: 'any body or structure which exists within a local authority area and has a remit to affect public service planning and/or delivery. This definition therefore excludes charitable and private sector organisations but includes partnership bodies in which such organisations may participate.'
- 5 Cante Review, *Community Cohesion: A Report of the Independent Review Team*, 2001.
- 6 Given the definition of governance suggested above, 'local government' is a somewhat problematic category but we use it to signify structures whose primary focus is cross-cutting and strategic, as opposed to functional.
- 7 [http://www.odpm.gov.uk/stellent/groups/odpm\\_localgov/documents/page/odpm\\_locgov\\_605670-01.hcsp](http://www.odpm.gov.uk/stellent/groups/odpm_localgov/documents/page/odpm_locgov_605670-01.hcsp)
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- 15 MORI, cited in IPPR, *Lonely Citizens: Report of the Working Party on Active Citizenship* (London: IPPR, 2004).
- 16 G. Stoker, 'Governance as theory: five propositions', *International Social Science Journal*, Vol. 155, pp. 17–28.
- 17 P. Brickell, *People before Structures* (London: Demos, 2000).
- 18 *The Guardian*, <http://society.guardian.co.uk/nhsplan/story/0,7991,1186956,00.html>

# 3 Mapping governance at the local level in Northern Ireland

*Julie Harrison*

## Summary of key points

- The Northern Ireland Assembly has now been in suspension for almost three years. Until there is some resolution, departments operate under 'direct rule'. Since suspension, there has been a degree of drift in relation to some key initiatives, as Government waits to see whether a political resolution can be found and devolution reinstated.
- Two main factors frame community participation in the current context. These are (1) the Review of Public Administration, which will lead to a major restructuring of the way in which public services are delivered and (2) a legal duty placed on all public bodies to consult on policies with potential equality implications.
- The Review of Public Administration is potentially the most significant change programme undertaken in the last 30 years. It seeks to streamline and redesign service delivery which is currently spread across more than 150 public bodies and executive agencies.
- One of the constants in a changing political context is that the community/voluntary sector in Northern Ireland is very active, partly filling the political vacuum that has existed. Party politics, seen by some as 'a hiding to nothing', has not necessarily been thought of as a route for securing change or progressing social agendas. The role of the sector as advocate for communities, both of geography and of interest, has therefore been significant. A task force on resourcing the sector reported in October 2004, recommending a £25 million fund for community development, a longer term approach to funding and mechanisms for greater accountability.
- There has been a proliferation of partnership structures in recent years, many of which have mechanisms for community involvement. Local strategy partnerships (LSPs), funded through the EU Special Support Programme in all council areas, have both a funding role and responsibility for developing integrated strategies. There are also partnership structures relating to specific programmes, including health, regeneration and community safety. At a neighbourhood level, a variety of formal and informal partnerships are also in operation, although these vary in structure, focus and level of community involvement.

## Introduction to local governance structures

Policy development and service delivery in Northern Ireland can be a convoluted process, exacerbated by a political context in which the decision to implement particular programmes rests either with British ministers or a local Executive, according to the status of devolution at a given time. The rate of change for the public sector has been unparalleled in recent years and there have inevitably been gaps and blockages as institutions were established.

The Assembly itself has now been in suspension for almost three years. Until there is some resolution, departments operate under 'direct rule' by the Secretary of State and four British ministers, with their work 'set in the context of the priorities of the former Executive'.<sup>1</sup>

There are two key factors that need to be taken into account when appraising community involvement in local governance in Northern Ireland. First is a statutory duty placed on all public bodies to consult on policies with equality implications. Second is the ongoing Review of Public Administration, which is due to present final proposals this autumn. The Review in particular, is likely to have a substantial impact on the way that local governance is structured and services delivered.

### ***Duty to consult***

Section 75 and Schedule 9 to the Northern Ireland Act (1998) came into force on 1 January 2000.<sup>2</sup> These place a statutory obligation on public authorities (Northern Ireland departments, most non-departmental public bodies, district councils and other bodies including UK departments designated by the Secretary of State) to carry out their functions with due regard to the need to promote equality of opportunity between:

- persons of different religious belief, political opinion, racial group, age, marital status or sexual orientation
- men and women generally
- persons with a disability and persons without
- persons with dependants and persons without.

In practice, this requires consultation among affected interests at the early stages of policy making.

Due to Section 75, consultation requirements are now significantly different in Northern Ireland than in other parts of the United Kingdom, although the Cabinet Office's (2001) Code of Practice on written consultation forms the basis of advice given to departments and public bodies on good practice. Detailed guidance is provided by the Equality Commission. Equality impact assessments that are required are very similar, although more wide-ranging, than the race equality impact assessments that have been introduced in Wales.<sup>3</sup>

### ***Review of Public Administration***

One of the key commitments made in the programme for Government was to reform and modernise public services. This is being progressed through a Review of Public Administration, which is arguably the most significant change programme to be undertaken in Northern Ireland in the last 30 years. The 1998 Belfast Agreement resulted in a shift from six government departments under direct rule to ten departments under the control of local ministers and a cross-party/cross-community Executive. Recent years have also seen a proliferation of partnership structures and non-departmental public bodies, all of which have some role to play in shaping or delivering policy initiatives at either a regional or local level. There are currently more than 150 public bodies in Northern Ireland, including 26 councils, four health bodies, 19 health trusts, five education and library boards and almost 100 other executive agencies and public bodies. The Review will almost certainly lead to a radical remaking of many of these institutions and substantial change to the way that policy is developed and implemented.

Current predictions are that, by 2007, health and social services boards, health and social services trusts, education and library boards, and district councils will be reconfigured to create between five and seven new regional authorities with the boundaries of all service delivery organisations fully aligned. A set of proposals is being consulted on with the consultation to be completed by September 2005. The proposals cover all devolved responsibilities including local government, the health sector and education. A two-tier model of administration is emerging, based on devolved government with departments and regional services responsible for policy development, planning and setting standards for service delivery. A sub-regional tier would then underpin this, with larger, stronger councils and new administrative structures around health and education. Clearly, an important aspect of any proposed model will be the type of provision for local representation and mechanisms for ensuring effective community participation.

## Participation in local government

Northern Ireland currently has 26 district councils, far more than might be expected for the area and population covered. These range in size from Moyle, with a resident population of 15,400, to Belfast, with 281,700 inhabitants. When compared to the rest of the UK, councils are currently an 'emasculated form of local government',<sup>4</sup> with key functions such as education, housing and social services carried out by appointed area boards. Council roles are threefold.

- 1 Direct functions – include the provision and management of recreational, social, community and cultural facilities; environmental health; refuse collection and disposal; street cleansing; tourism facilities; economic development; consumer protection; the enforcement of building regulations; litter prevention; management of cemeteries and crematoria; miscellaneous licensing registration provisions; and dog control.
- 2 Representative functions – permit councils to nominate representatives to sit as members of various statutory bodies established to administer regional functions such as education and library services or health and social services.
- 3 Consultative functions – allow each council to represent the view of its population on the way in which regional functions are operated in its district. This role covers functions such as planning, roads, water and conservation, which are centrally administered and where there is an obligation, either by statute or by voluntary agreement, to consult district councils about proposals affecting their districts.

Since the introduction of Section 75, councils report to the Equality Commission, which requires evidence of progress made in developing equality and good relations objectives. Associated performance indicators and targets are included in council corporate and operational plans.

In addition to duties under Section 75, all councils have also endorsed the 'Best Value' initiative. The main theme throughout Best Value is the involvement of local people in determining the needs of their areas and ensuring that services comply with local wishes in terms of availability, standard of provision and cost. Councils are also required, as a condition of funding from the Department of Social Development, to develop community support plans, which reflect common outcomes:

## Mapping governance at the local level

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- shaping policy development
- building communities
- promoting active citizenship
- tackling disadvantage
- building an active and organised community
- building an influential community
- building an informed community
- building a sustainable community.

Councils are also central to local strategy partnerships (LSPs), which were established following a restructuring of area partnership boards established under 'Peace I'.<sup>5</sup> LSPs include elected representatives as board members, alongside statutory and social partner nominees (drawn from trade unions, business, the community/voluntary sector and agriculture).

## Participation in health

The Department of Health, Social Services and Public Safety (DHSSPS) administers the business of:

- public health, which covers responsibility for policy and legislation to promote and protect the health and well-being of the population
- health and personal social services, which includes policy and legislation for hospitals, family practitioner services, community health and personal social services
- public safety, which encompasses responsibility for the policy and legislation for the Fire Authority, food safety and emergency planning.

Currently, four health and social services boards (Eastern, Northern, Southern and Western) plan, commission and purchase services for the residents in their areas.

Nineteen health and social services (HSS) trusts provide health and social services. Some trusts have dedicated community development units with staff who work with local community/voluntary sector agencies and local partnerships on health issues.

### ***Investing for health (IFH) partnerships***

Following publication in 2002 of *Investing for Health*,<sup>6</sup> the public health strategy for Northern Ireland, investing for health (IFH) partnerships were established in each of the four HSS board areas. Their purpose is to identify opportunities for health improvement by addressing the social, cultural, economic and environmental determinants of health in annual health improvement plans, which are approved by the Minister. IFH partnerships have developed differently in the four board areas and include one 'virtual' partnership in the Eastern Board.<sup>7</sup> The rest are 'actual' partnerships with 30–40 members, of which roughly half are drawn from the statutory sector with the remainder representing the community/voluntary sector, user involvement, local partnership organisations and the private sector.<sup>8</sup>

### ***Health and social services councils***

Health and social service councils (HSSCs) in each board area are tasked with monitoring health and personal social services delivery. HSSCs are intended to advise the public about services and advise health boards on how they might be improved. As independent consumer panels, they have the following legal rights:

- to be consulted by the health and social services board on any major developments or changes in services
- to have formal meetings with health and social services boards
- to enter and inspect health and social services facilities
- to receive any information that they need to do their job.

Members are drawn from city, district and borough councils, voluntary and community organisations and other interested groups, and are supported by full-time staff. However, their future is unclear and some commentators suggest that they have not been an effective mechanism for involving people in debate about service delivery.

### ***Local health and social care groups***

Local health and social care groups (LHSCGs) are a more recent initiative and could be key actors in future. These are committees of the four health and social services (HSS) boards, which bring together providers of local primary and community services under a management board whose membership is drawn from representatives of primary care professionals, the community and service users, as well as health and social services boards and trusts. There are 15 LHSCGs based around GP practices and representing 'natural communities'.<sup>9</sup> Each covers populations ranging between 60,000 and 200,000 people.<sup>10</sup> Key tasks for LHSCGs include:

- identifying local health and social care needs, and setting objectives to meet them
- contributing to health and well-being investment plans
- taking steps to promote equality of opportunity and reduce inequalities in health and social care and in access to services
- looking for ways to improve and develop primary care services at local level while taking account of local and national priorities
- contributing to efforts to reduce waiting lists and waiting times for treatment
- working across health and social services boundaries, and in partnership with other organisations to meet their communities' needs.

### **Participation in education**

The Department of Education in Northern Ireland oversees the central administration of education in Northern Ireland. It is responsible for:

- strategic planning and management of education
- curriculum content and delivery
- allocation of funding to the education and library boards
- covering capital costs for most schools.

### ***Education and library boards***

There are currently five regional education and library boards (ELBs). Unlike local education authorities in Britain. ELBs have few powers to raise revenue and are funded through the Department. However, within general policy guidelines, the boards have some autonomy in the organisation of education in their area. Each board is made up of representatives of school authorities and other persons appointed by the Education Minister, along with district/borough councillors.

### ***Boards of governors***

Under the terms of the Education Reforms (NI) Order 1989, ELBs delegate budgets to the board of governors of schools; these budgets include most major elements of expenditure, including teacher salaries. The governors are then responsible for the main policy decisions within schools including:

- ensuring the education provided meets legal requirements
- academic matters
- school discipline
- production of an annual report highlighting school achievements.

In practice, governing bodies take a strategic role, with most of the operational work undertaken by the headteacher. The board will, however, set the aims and objectives for a school and monitor progress. Each school has different types of governors intended to reflect representing different sectors of the community. Typical governing boards have between eight and 16 members, and include:

- parent representatives: elected from parents with a child at that school, by other parents
- church representatives (for Protestant controlled and integrated schools): known as 'transferors', these are ministers or people active in the church appointed by the church associated with the school
- representatives from the board of trustees (for Catholic maintained and integrated schools): appointed by the board of trustees

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- teacher representatives: schoolteachers elected by other schoolteachers
- education and library board representatives: appointed by the boards from among the general public
- Department of Education representatives: appointed by the Department of Education from among the general public
- school principal.

### ***Council for Catholic Maintained Schools***

The Council for Catholic Maintained Schools promotes and co-ordinates Catholic education in Northern Ireland. It is responsible for the employment of teachers in Catholic maintained schools and for a number of other, mainly advisory, functions.

### ***Northern Ireland Council for Integrated Education***

This body promotes integrated education and facilitates the establishment of integrated schools. These bring together, in one school, children, parents, teachers and governors from Catholic, Protestant and other traditions. The Council negotiates with the Education Department to facilitate the creation of new schools and to assist existing schools that wish to transform to integrated status.

## **Participation in public safety**

Public safety falls within the remit of the Department of Health, Social Services and Public Safety; the remit covers the provision of ambulance and fire services, and the preparedness to deal effectively with major incidents. Through the Belfast Agreement, the Department is also committed to work with its counterpart in the Republic of Ireland on the enhancement of co-operation and joint working between ambulance, fire and hospital services in border areas. The Department also consults in accordance with the Equality Commission's guiding principles and works with representative groups and individuals from the Section 75 categories.

While the public safety agenda is largely determined by the Department, there are more specific mechanisms for community involvement under the umbrella of 'community safety' which includes a range of organisations and partnership structures.

### ***Community safety***

The Office of the First Minister and Deputy First Minister's (OFMDFM's) Community Safety Unit (CSU) is responsible for the 2003 Community Safety Strategy. The strategy indicates that criminal justice agencies cannot work effectively to tackle crime or the fear of crime without coherent thinking and action from a range of agencies in the public, private, voluntary and community sectors. CSU works with a range of partner organisations according to the specific issues being addressed. These include: Age Concern, Women's Aid, Belfast Education and Library Board, Help the Aged, the Housing Executive, Probation Board and Victim Support.<sup>11</sup>

The Police Service (PSNI) is also a key partner and has developed a specific 'working in partnership' policy, which identifies the linkages between community safety, district policing partnerships and community forums. PSNI is developing mechanisms for consultation with specific sectors of the community. In the last year, three independent advisory groups relating to ethnicity, disability and older people have been established, and there are a number of programmes related to consultation with young people.<sup>12</sup> Community Safety Branch of PSNI oversees this work and is split into two sections relating specifically to young people and 'vulnerable persons'.

### ***Community safety partnerships***

Community safety partnerships (CSPs) are based in council areas. These are inter-agency partnerships, which tend to include a range of statutory bodies such as the Housing Executive, PSNI, district and borough councils, ELBs, HSS boards and trusts, along with larger voluntary organisations and the Probation Board. The structure of each of the 26 CSPs is different, but all are now operational. Local arrangements were made for the nomination of community representatives in each case.

### ***District policing partnerships***

In addition to the community safety partnerships, there are also 26 district policing partnerships (DPP) in Northern Ireland, which are coterminous with the boundaries of district/borough council areas and PSNI district command units.<sup>13</sup> The role of DPPs is to consult with the community, establish policing priorities in conjunction with the PSNI District Commander and monitor police performance against local policing plans.

### ***Northern Ireland Housing Executive***

The Northern Ireland Housing Executive's (NIHE's) remit includes the promotion of social inclusion by tackling environmental, social and economic problems. Its strategies are underpinned by a commitment to work with communities and with other agencies in a co-ordinated programme of urban and rural regeneration using a community development approach. NIHE is therefore a visible partner in a range of local partnerships relating to health, regeneration and environmental issues, and broader issues affecting social inclusion including community safety and community engagement.

## **Other areas of participation**

### ***Community/voluntary sector***

The role of the community/voluntary sector is central to the development of mechanisms for community participation in local governance structures. Two initiatives, the Joint Forum and the task force on resourcing the sector, have provided mechanisms for cross-sectoral working.

#### *Joint Government/Voluntary and Community Sector Forum*

The Joint Forum was established in 1998. It is made up of 15 representatives from the voluntary and community sector who meet with membership from government departments three times per year. Issues covered are those of 'general' concern to the sector and have included the Programme for Government, the task force on resourcing the sector and major policies such as A Shared Future, the consultation on community relations in Northern Ireland.

### *The task force on resourcing the community and voluntary sector*

The task force was established in 2003 to consider:<sup>14</sup>

- the existing level of voluntary and community sector infrastructure
- options for the support and development of the voluntary and community sector at regional and local level, in particular, the role of active citizenship and the social economy
- the effectiveness of existing policy instruments and mechanisms for government support of the voluntary and community sector, including a review of accessibility to government support
- consultation with statutory and non-statutory funders to identify opportunities for increased support for the voluntary and community sector with consideration of options for diversifying the funding base
- review of the legislative base for support of the voluntary and community sector, and identification of any necessary changes to implement recommendations of the task force to reflect the evolving role of the sector
- short-, medium- and long-term directions, roles, structures and functions of the sector and its role in systems of governance.

The task force recommendations<sup>15</sup> were published in October 2004 and are a significant factor informing any future arrangements for relationships between the sector and governance systems. *Positive Steps*, the Government's response to the task force report, was published in March 2005.

### **Partnerships**

Partnerships are an important tool for community involvement as well, although there has been a proliferation of partnership structures in recent years, which can complicate things in some areas. In addition to regeneration partnerships, which have existed in large urban areas such as Belfast and Derry/Londonderry since the mid-1990s, 26 new local strategic partnerships (LSPs) were supported under 'Peace 2',<sup>16</sup> with both a funding role and responsibility for developing integrated strategies. At a neighbourhood level, a variety of formal and informal partnerships are also in operation, ranging from action teams on specific issues or areas, to local

neighbourhood partnerships that were formed under the EU Urban Programme. The Neighbourhood Renewal Initiative, which sets out a ten-year strategy by the Department of Social Development, proposes new neighbourhood partnerships in 32 areas, including 13 in Belfast four in Derry/Londonderry and 15 in other towns and cities across Northern Ireland.

### ***Civic Forum***

The Civic Forum was set up under the Belfast Agreement to advise the Northern Ireland Executive on social, economic and cultural issues. There are 60 members who are drawn from the voluntary and community sector, business, agriculture, arts, churches and trade unions. The role of the Forum is to support the democratic process in Northern Ireland by liaising between civil society and the Assembly. Under direct rule the Forum is in suspension.

## **Key issues for the future**

### ***The role of the community/voluntary sector***

The community/voluntary sector in Northern Ireland has been very active since the beginning of 'the troubles', partly filling the political vacuum. The role of the sector as an advocate for communities, both of geography and of interest, has been significant in an environment where party politics was seen by some as 'a hiding to nothing' and not necessarily as a route for securing change or progressing social agendas. In the 1990s, a number of developments contributed to an improved position for voluntary and community organisations in Northern Ireland. These included a government strategy on the voluntary sector and community development in 1993, increasing support under mainstream EU structural funds, the EU Special Support Programme for Peace and Reconciliation and increased dialogue around social inclusion and partnership. Building on a history of activism in some communities dating from the 1970s, this led to Northern Ireland being seen in some quarters as a model of active citizenship.

The Programme for Government is very clear about the need for effective cross-sectoral relationships and acknowledges the importance of the community and voluntary sector across a range of policy priorities. In 2003, the task force on resourcing the sector was established to look at the role of the sector in relation to

both advocacy and service delivery. Given the relative 'boom' of the 1990s, there is concern about the sustainability of the sector in a tight public spending environment and with reduced funds from the EU expected after 2006. Government's response to the task force report included commitment to the development of a £25 million community development fund; a longer term approach to funding and mechanisms for greater accountability. This is, however, set against commitments to efficiency savings in departments and a fear that cuts are being passed to community and voluntary organisations that now face substantial cuts and potential closure.

### ***A developing 'voice' for communities of interest***

One of the interesting and perhaps unexpected spin-offs from the statutory duty to consult established by Section 75 has been the emergence of new entities for discussion and input to consultations. The Coalition on Sexual Orientation (CoSO), for example, was originally organised after the implementation of Section 75. As an umbrella group comprising 16 voluntary and community groups working with the lesbian, gay, bisexual and transgender community, its emergence demonstrates that what is effectively a legal tool has resulted in new links to socially excluded communities.

While some of these developments have come directly from the community/voluntary sector, Government has also had to be more creative in its attempts to find mechanisms for consultation that allow for participation across a range of policy areas.

### ***Engaging people in areas with weak community infrastructure***

Another key issue for the development of community participation is that of areas with lower or weak community infrastructure. Specific commitments were made in the Programme for Government in relation to building community participation in the most disadvantaged urban and rural neighbourhoods, but progress against these plans is unclear and is, at best, inconsistent in application across geographical areas. An overlap between plans, policy initiatives and delivery mechanisms has meant that targeted programmes such as the Local Community Fund,<sup>17</sup> Measure 2.11a of the Peace Programme (targeted at 'interface' communities) and spending through local strategic partnerships and other initiatives can create a muddy picture, with each agency developing its own approach to involving communities in decision making or policy development.<sup>18</sup>

This situation is made worse in areas with weak community infrastructure, as community/voluntary sector attempts to build participation tend to miss out on funding opportunities because their applications are inadequate. Thus a downward spiral is created of failure, poor funding and more failure, which can be broken only with effective outside intervention. In '*A Call for Change*',<sup>19</sup> the Northern Ireland Council for Voluntary Action (NICVA) stated that, while support for community development in Northern Ireland has increased, it still requires a proper framework for its full potential to be realised. Much of the patchy community infrastructure has been under threat from continuous funding crises and cannot thrive in an atmosphere of continued financial instability. Armstrong and Mack's (2003) analysis further stressed the importance of the issue:

However, there remains a need not simply to convince public sector fund managers and evaluators that weak community infrastructure is a fundamental weakness in the region's asset base (equivalent in strategic terms to bottlenecks or deficiencies in the road network), but also in what way.<sup>20</sup>

While community infrastructure remains a key theme and limiting factor to community involvement in some of the areas that have been most affected by the troubles, there are a range of initiatives to address this problem, including the Rural Community Network's Rural Estates Programme,<sup>21</sup> the Community Foundation's Communities in Transition programme<sup>22</sup> and a pilot project on Participation and Rights organised jointly between the Irish Congress of Trade Unions, Combat Poverty Agency, Committee on the Administration of Justice, Irish Council for Civil Liberties and the Community Foundation NI.

### ***Section 75 and the Review of Public Administration***

As indicated in the introduction, two factors are most likely to impact on community involvement in local governance in the short to medium term. These are the legal duties to consult, as set out in Section 75, and the outcome of the Review of Public Administration. Between now and 2007, when the outcome of the review is expected to be delivered, there will be a major restructuring of key sectors including health and education, with mechanisms for community involvement part of the mix. The response to the task force on resourcing the community/voluntary sector will be important too and cannot be considered in isolation of a very tight public sector spending environment.

### The future

Local governance in Northern Ireland is currently in a state of change and there is continued uncertainty with regard to the potential restoration of devolution. Despite this context, the Review of Public Administration seems likely to result in a major rearrangement and reform of local governance structures, in recognition that the current approach, which involves more than 150 public bodies and executive agencies for a population of 1.7 million people, is untenable.

The proliferation of partnerships, most recently through the Neighbourhood Renewal Initiative, reflects a commitment in policy terms to the development of structures that ensure community participation, but this is set against the risk that disparate policies and programmes actually reduce the potential benefit to local communities.

Inconsistent community organisation remains a key problem in Northern Ireland – it is widely accepted that areas with low or weak community infrastructure are often places where ‘social need and disadvantage sit alongside the absence of locally organised, locally managed, accountable and participative community development activity’.<sup>23</sup> While there has been work in recent years to try to understand the characteristics of low or weak community infrastructure and its relationship to community cohesion, social capital and social inclusion,<sup>24</sup> it remains a key theme and limited factor to community participation and a development agenda in some of the areas that have been most affected by ‘the troubles’.

### Notes

- 1 Secretary of State, Paul Murphy, in the introduction to the NI Priorities and Budget 2004–06.
- 2 Source: Equality Commission.
- 3 Source: Office of the First Minister and Deputy First Minister. See [www.consultationni.gov.uk](http://www.consultationni.gov.uk) for a list of current and past consultations undertaken since the implementation of Section 75.
- 4 Professor Colin Knox in a briefing paper on *Local Government Representation*, NI Executive (2001).

## Mapping governance at the local level

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- 5 The first EU Special Support Programme for Peace and Reconciliation, which ran from 1995–98.
- 6 *Investing for Health*, DHSSPS, March 2002.
- 7 See [www.wellnet-ni.com](http://www.wellnet-ni.com) for details.
- 8 The Western Investing for Health Partnership, for example, is made up of 14 statutory representatives, nine community representatives, five representatives of user involvement and partnerships, and two private sector representatives.
- 9 Local health and social care groups as described on [www.ni-nhs.uk](http://www.ni-nhs.uk)
- 10 The core membership of local health and social care groups comprises the following:

Local community trusts and HSS boards	5*
Local acute trusts	1
GPs	5*
Nurses	1
Community/service users	2
Social workers	1
Community pharmacists	1
Allied health professionals	1
LHSCG manager	1

\*In the first round of appointments, community/service user posts were filled through open competition, i.e. people applying as individuals in response to advertisements. In practice, those appointed have strong community/voluntary sector backgrounds and awareness of local community health issues at neighbourhood level.
- 11 See [www.communitysafetyni.gov.uk](http://www.communitysafetyni.gov.uk)
- 12 Further information can be found at [www.psni.police.uk](http://www.psni.police.uk)
- 13 Belfast District Policing Partnership has four sub-groups covering the district command units.
- 14 Edited version of the terms of reference for the task force.

- 15 *Investing Together*, a report of the task force for resourcing the community and voluntary sector.
- 16 The second Special Support Programme for Peace and Reconciliation.
- 17 The Local Community Fund of £3 million per annum was announced in February 2003. This was to be used to 'empower people in disadvantaged communities where community infrastructure is weak to develop community capacity and leadership'. The initiative is part of a wider approach being taken to support the peace process and was brought about through the recognition that some communities have failed to benefit from the political and social progress evident in many parts of the province. Source: [www.dsdni.gov.uk](http://www.dsdni.gov.uk)
- 18 *Where Have all the Workers Gone?* A study of recruitment and employment issues relating to community development workers in areas with weak community infrastructure. Policy Reference Group on Weak Community Infrastructure. Prepared by Paul McGill and Julie Harrison (2003).
- 19 '*A Call for Change*' – *A Policy Manifesto from the Voluntary and Community Sector in Northern Ireland* (NICVA, 2002).
- 20 Scoping Study on Weak Community Infrastructure Programme, commissioned by Community Infrastructure Policy Reference Group, Jimmy Armstrong and Nicholas Mack (final report), May 2003, p. 5.
- 21 See [www.ruralcommunitynetwork.org](http://www.ruralcommunitynetwork.org)
- 22 See [www.communityfoundationni.org.uk](http://www.communityfoundationni.org.uk)
- 23 *Weak Community Infrastructure, A Support Priority*. NIVT (May 2001).
- 24 Including: Ceni's report for CFNI on identifying social capital in areas of weak community infrastructure; McGill and Harrison's report on issues of recruitment of community workers in AWC1; Community Cohesion Unit publications; Hillard's (2004) report on poverty and social exclusion in Northern Ireland.

## 4 Mapping governance at the local level in Scotland

*Michael Carley*

### Summary of key points

- For Scotland, the Local Government in Scotland Act (2003) now influences all aspects of participation in local governance. It establishes a statutory framework of duties for institutional stakeholders to engage with citizens in 'community planning' – to improve delivery of services and to meet the aspirations of communities. The Act warns against mere 'consultation' of citizens, insisting on participation as integral to its approach.
- Community planning partnerships are required. Although partnership at the local authority level is not new, there are three significant aspects of the legislation. First, for the development of integrated partnership and strategy, the duties under the Act apply, not only to local authorities, but also to NHS boards, Scottish Enterprise, Highlands and Islands Enterprise, chief constables and the joint police boards, joint fire boards and the Strathclyde Passenger Transport Authority.
- A second distinction is a formal duty to engage at a sub-local-authority or 'local' level. Community planning therefore involves a framework of participation and decision making that links partnership at a local authority level with community participation in the neighbourhood, urban district or rural village. However, what constitutes a local level is not specified and is left to local discretion.
- A third distinction is community planning's potential coverage of all local authorities and all neighbourhoods in Scotland, making it a national initiative for all Scots.
- Social inclusion partnerships, Scotland's main means of area and thematic regeneration, are to be fully integrated into community planning partnerships by 2006 or they will lose all funding. Partnerships will agree regeneration outcome agreements with Communities Scotland.

*(Continued)*

- Partnership initiatives in health, education and public safety are now being integrated into community planning initiatives (with their strategies often becoming part of community plans). Joined-up working is required and the intention is to reduce 'partnership proliferation'.
- Recent research suggests that local authorities that are advanced in local government modernisation move quickly to implement community planning. In these local authorities, council decentralisation strategies are vital to systematic empowerment for community participation.
- There is already evidence of innovation. Some areas are setting up local-authority-wide citizens' assemblies, run by and for community representatives, meeting regularly with 100 to 125 delegates. Locally, neighbourhood action planning is taking place in 'natural' neighbourhoods whose boundaries are drawn in dialogue between citizens and service providers. Coterminal service boundaries are emerging, for example between local authority departments and the police. In some areas community councils (similar to parish councils) are being reinvigorated.
- Community planning creates a new opportunity to empower citizens within local governance structures, but it does not guarantee it. A major concern is whether the 'organisational culture' of local authorities can adjust to valuing citizen participation and including citizens in partnership working. Despite guarded optimism on the part of community representatives for community planning, a major concern is whether 'old-style' centralist local authorities will genuinely engage with communities.
- A second major challenge is in devising participation arrangements that work at both local authority and neighbourhood levels, and that provide a mutually reinforcing role for officers, elected members and community representatives.
- Both Audit Scotland and Communities Scotland will be monitoring the implementation of community planning. This could foster innovation and further local government modernisation. A shift to proportional representation in Scottish local government elections from 2007 could be an additional motivator for local empowerment.
- There is growing recognition that there is no easy or 'right' answer to citizen empowerment in local governance and that learning by doing is therefore important, including learning from failed initiatives. In this sense, Scotland is a laboratory of stimulating experimentation in citizen participation and local governance processes.

### Introduction

The Joseph Rowntree Foundation wishes to inform its future work on governance by preparation of a review of developments in governance in Scotland, England, Wales and Northern Ireland. The aim is to produce an indicative picture of the range and type of governance and public decision-making structures that exist at the local authority level.

This is the review paper for Scotland. At a time of new local governance structures enacted by the Scottish Parliament, this mapping exercise will help people in Scotland to understand the nature and potential of recent legislation, as well as being valuable to JRF.

For Scotland, a key piece of legislation is the Local Government in Scotland Act (2003), which has established a new, statutory framework and set of duties for institutional stakeholders to engage with communities in 'community planning'. The primary aim of community planning, set out in the Guidance of the Act, is to improve the planning and delivery of services by making them more responsive to the needs and aspirations of communities.

The statutory duty to work with communities and partner agencies applies not only to local authorities but also to the police, fire service, enterprise network, the health service and Scotland's one passenger transport executive. It requires partnership at both the local authority level and an unspecified 'local' level, which could be an urban district, a neighbourhood or a rural village. The Act also includes a significant proposal for local authorities to foster innovation in governance by taking advantage of new 'powers to advance well-being'.

Although other mechanisms of local participation are being pursued in parallel, such as community health partnerships, there is an increasing move for all forms of local participation to be carried out explicitly within the context of the emerging community planning agenda and to be integrated within it, to reduce 'partnership proliferation' and deliver not only 'joined-up' services but also more rational participation for the citizen. Given this, the community planning legislation appears to offer real potential for genuine integration of local participation mechanisms in Scotland.

## Participation in local government

### *Introduction to community planning in Scotland*

The Local Government in Scotland Act (2003) (LGSA) is a result of the two-year work of a Community Planning Task Force.<sup>1</sup> A good definition of community planning from Communities Scotland is:

... the structures, processes and behaviours necessary to ensure that organisations work together with communities to improve the quality of people's lives, through more effective, joined-up and appropriate delivery of services.<sup>2</sup>

The effective engagement of communities is at the heart of community planning. The Act recognises a wide range of 'communities', some defined by geography (such as a neighbourhood or town), some by common or shared interests (such as young people or carers). The definition of 'community body' in the Act is deliberately broad in order to avoid excluding any particular communities.<sup>3</sup> The published Guidance sets out the framework and parameters for community engagement in the process, stressing that 'consultation alone is not sufficient to ensure effective community engagement', which must also involve 'co-operation and participation'.

It is the responsibility of the local authority, as statutory 'facilitator' of the process, to devise participation arrangements to suit local circumstances, assisted by all the organisations with a duty to participate. Citizens must have the opportunity for effective engagement in a mandatory community planning partnership (CPP) at the level of whole local authority – either as locality representatives or as representatives of thematic interest groups sitting on the partnership. At the neighbourhood, district or village level, citizens will join councillors and officers on local community planning partnerships (LCPPs). It is important to note that, beyond these explicit duties, the Act does not identify any specific mechanisms of participation, particularly at the neighbourhood or village level, recognising that a sounder basis for participation will arise from local initiative rather than from top-down specification.

Under the community planning framework, leading-edge CPPs are introducing exciting mechanisms for participation, including citizen assemblies at the local authority level<sup>4</sup> and action planning locally, in some cases in what have been described as 'natural or logical neighbourhoods' – defined by residents in a dialogue with service providers. In other cases, statutory community councils (discussed below) are being strengthened and extended across the local authority, sometimes

with parallel community development trusts to enable local residents to carry out social business functions. Other partners, such as the police, are supportive of community planning and neighbourhood approaches, often playing a leadership role. This has given rise to interesting developments such as a new neighbourhood service office in Aberdeen developed jointly by the local authority, the police and local community organisations.

Although attention to social inclusion and the needs of disadvantaged areas is explicit in the Act's Guidance, it sets a participation framework that is available equally for all citizens and all neighbourhoods in Scotland. As such, it may overcome past problems of participation mechanisms, which, although well meaning, tended to 'ghettoise' deprived neighbourhoods by demanding intensive participation while at the same time undermining the political impact of that participation because it was not integrated into mainstream local governance.

In addition to new ways of participating, community planning is also intended to reduce 'partnership fatigue' and 'policy silos' by integrating overlapping policy agendas relevant to local government modernisation and social inclusion. Emerging features include:

- drawing social inclusion and regeneration initiatives into mainstream decision-making structures, by mandatory integration of social inclusion partnerships (SIPs) into community planning partnerships<sup>5</sup>
- localisation of service priorities and delivery, for more effective service delivery through citizen feedback and interaction with delivery agencies, for example, through neighbourhood management
- reinforcement of local government modernisation and the need for decentralisation strategies, including reorganisation of decision-making structures within local authorities.

The national policy framework is also responding to the need to support community planning, for example, by:

- the development by the Scottish Executive of a system of internet-based, postal-coded Scottish Neighbourhood Statistics as a means of supporting improvement of local services and local partnerships
- proposals within a draft *National Planning Framework for Scotland* for community planning to become the vehicle for improved citizen participation in statutory development planning.

Overall, recent research on the implementation of community planning finds many people active in local governance, including community representatives, of the view that community planning offers a real opportunity for local government and other partners to put the citizen more at the centre of local governance than on the periphery. An optimistic view suggests a contribution to revitalisation of local democracy, including overcoming political apathy and low voter turnout, by providing new means of participation relevant to citizens' aspirations.<sup>6</sup>

### ***Statutory duties under the Local Government in Scotland Act (2003)***

The primary aim of the LGSA (2003) is to provide a framework to enable the delivery of more responsive services through partnership and participation.<sup>7</sup> There are three components of this framework, of which community planning is one.

- 1 Statutory community planning to ensure long-term commitment to effective partnership working with communities and between local authorities and other organisations. Under the Act, CPPs must be established and *must* involve communities in decision-making processes; Guidance is statutory.<sup>8</sup>
- 2 A 'power to advance well-being' enables local authorities to propose new, innovative means to respond to the needs of communities. The power has been drafted such that local authorities have considerable discretion in how they exercise it. They may use it to support arrangements to help secure the objectives of community planning partnerships or Best Value, or for other purposes.
- 3 A duty to secure best value in local government service provision, replacing compulsory competitive tendering with the pursuit of 'continuous improvement' in all aspects of local authority functions.

Within the Act, local authorities act as 'facilitators' and encourage community bodies to participate. Other public sector bodies have a duty to both participate and assist the local authority in its role. The following have a specific duty to participate: NHS boards, Scottish Enterprise, Highlands and Islands Enterprise, the joint police boards and chief constables, joint fire boards and the Strathclyde Passenger Transport Authority. In addition, the Guidance suggests other organisations should participate at whatever spatial level seems appropriate. It mentions, by way of example, tourist boards, the Forestry Commission and the Crofters' Commission.

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Each CPP will, according to the Guidance:

- develop and publish a joint vision with agreed objectives for the area, normally called the community plan
- set challenging outcomes of performance for the CPP as a whole along with the contribution expected from individual participants in delivering key outcomes; these outcomes are to reflect both performance in the *process* of partnership working and outcomes related to *service improvements*
- identify and allocate resources necessary to achieve outcomes
- monitor progress with regard to outcomes and execute regular evaluation of progress
- streamline arrangements for the planning and delivery of services to ensure a connection between strategies and with other partnerships, removal of wasteful overlaps and improved efficiency.

What the Guidance calls ‘mainstreaming of community planning principles’ within each partner organisation is required, including training and development for staff, board and elected members.<sup>9</sup> The LGSA also requires local authorities to produce reports on the implementation of community planning, including specific attention to social inclusion.<sup>10</sup> The local authority decides the contents of the report and the frequency of reporting. However, a performance framework to measure effectiveness in community planning is under development, with reviews to be conducted jointly by Audit Scotland, which is establishing key indicators of performance, and Communities Scotland, which is particularly concerned with targets set by CPPs to achieve social inclusion.

### ***Integrating social inclusion***

A ministerial announcement in July 2004 declared that funding to CPPs for social inclusion and regeneration activity will be allocated from a new Community Regeneration Fund.<sup>11</sup> CPPs that wish to qualify will be expected to produce first a ‘statement of readiness’ and then a ‘regeneration outcome agreement’ (ROA) to qualify for funding. The statement of readiness requires that all community planning partners, specifically including ‘the community’, must work together to show tangible progress in four areas: community engagement, partnership working, focus on

disadvantage and performance, and outcome monitoring. The three-year ROA in turn requires clear strategic regeneration objectives, commitment of mainstream services, 'bending the spend' by statutory CPP partners, baseline information and targets, and a monitoring programme.<sup>12</sup>

Finally, it should also be noted that the Act allows CPPs to apply to ministers to establish their CPP as a legally distinct, accountable body, such as a company limited by guarantee, which could act 'as a conduit to receive cross-cutting funding from the Scottish Executive'.<sup>13</sup> No local partnership has yet applied to do so. Once again, the Act devolves decisions to the local level.

### ***Ministerial responsibilities***

Finally, it is not only local organisations that have statutory duties under the Act. It also requires Scottish ministers, when discharging any function, to promote community planning and to encourage non-departmental public bodies to do likewise. Scottish ministers, through the Scottish Executive and its agencies, will be expected to:

- promote community planning as the overarching framework to improve services
- take into account the views of the collective community planning partnerships in setting policy priorities, particularly on issues requiring a joined-up approach between bodies
- develop mechanisms within the Executive and its agencies to ensure that they are joined up in developing policies and performance frameworks; and that they are joined up in communicating to agencies and/or CPPs the means of delivering these policies, whether this is through strategies and plans, or specific projects, funds and initiatives.

### ***Duties on council decentralisation strategies***

The previous Local Government in Scotland Act (1994) required local authorities to prepare and give public notice of draft 'decentralisation schemes'. This has not been revoked by the new Act.

A few local authorities took this duty seriously and, in keeping with the local government modernisation agenda, embarked on major reorganisations of their council's structure. These decentralisation initiatives now fit in well with the emerging community planning agenda in which local community participation is empowered within the decentralised structure. Research shows that councils that took decentralisation seriously in the past are now at the leading edge of community planning initiatives.<sup>14</sup>

However, many other local authorities published decentralisation strategies and established a few lacklustre 'area forums' in which attendance rapidly dwindled when it became apparent no real devolution of authority had occurred. It is possible (although too early to say) that a new round of decentralisation strategies will be triggered by the requirements for citizen participation with the new Act.

### ***The 'power to advance well-being'***

The Act specifically recognises that local authorities need to have:

... necessary statutory powers to enable them to be more responsive to the needs of the people they serve'.<sup>15</sup>

Before the new Act came into force, local authorities could do only those things that they were empowered to do by specific statutory powers, duties and functions. This created uncertainty over the extent of the 'enabling' powers that local authorities had. While this legal framework was sufficient to allow local authorities to deliver a range of services, it constrained them from developing a broader, more innovative role. Local authorities had to check whether legislation explicitly enabled them to engage in a particular activity.

Now the Act gives a local authority 'the power to do anything that it considers is likely to promote or improve the well-being of its area and persons within that area, or either of those', including expending revenue in new ways.<sup>16</sup> It is 'for the local authority to decide' whether any particular action would be likely to promote or improve the well-being of its area and/or persons in it. The Act states that the new power has been provided to encourage innovation and closer partnership working. The breadth of the power is such that local authorities are instructed to regard it as a *power of first resort* when they are in any doubt about whether existing powers would enable them to take a particular course of action or deliver a particular service.

To date, most local authorities are grappling with their statutory community planning duties and there have been no attempts to explore the intentions of the Act in terms of devising new powers. However, it appears that a major opportunity is on offer to Scotland's local authorities. It is possible that input from CPP stakeholders and community organisations could trigger a round of good suggestions for new ways of working, which will put the intentions of the Act to the test.

### ***Role of community councils***

Scotland has statutory provision to enable the establishment of a formal mechanism of citizen participation called community councils, similar to parish councils in England. Although in existence for 30 years, the advent of community planning has resulted in a renewed interest in their applicability as a uniform vehicle for citizen participation across the local authority.

The system of community councils was introduced at the 1973 reorganisation of local government following recommendations of the Royal Commission on Local Government in Scotland (Wheatley Commission), which suggested that they should have an official standing but not be a tier of local government. They have no powers to provide services or levy taxes, but have rights in relation to planning applications and liquor licensing. There are 1,169 community councils, 238 less than provided for in local authorities' schemes.<sup>17</sup> Over 83 per cent of the population lives in areas with community councils.

Community councillors are elected locally. The exact number of community councillors exceeds 16,000. However, a large minority of community councils have unfilled places. Community council elections are infrequent and turnouts low. Direct elections are supplemented in a significant minority of areas with representation by organisations with a presence in the area. This form of representation is achieved by co-option or simply by attendance at meetings. Two local authorities have extended the franchise for community council elections to young people under 18.

The environment in which community councils operate has changed considerably since then and recent years have seen increased interest in community consultation in general. Community councils are set up through a combination of local authority and resident effort. Local authorities routinely send a variety of information to community councils. Their statutory base provides scope for variety in their roles, composition and resource levels. Six roles have been identified in the work of community councils:

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- liaising with community and voluntary organisations in their area
- identifying and taking action on issues of concern
- providing a sounding board in the framing of public policy
- providing a sounding board in relation to specific public services
- providing services
- organising social events.

Over four in five local authorities (83 per cent) involve community councils in structures such as working parties, area forums and regeneration partnerships. The majority of local authorities see community councils as, in principle, having no different a role in community consultation than voluntary and community groups. However, in practice, many find community councils a convenient means of securing community involvement. The absence of explicit political party involvement in community councils is highly valued but the legitimacy of community councils is perceived by local government officers and councillors as diminished by a poor electoral mandate.

The advent of community planning suggests a potential revitalised role for community councils. This is indicated in the small number of authorities, perhaps four or five, which have given community councils a distinctive role in their decentralisation schemes. At least two local authorities have now invested substantial community development resources in redrawing the boundaries of community councils and reinvigorating their role in local democracy. Stirling, for example, now has universal coverage of community councils, which take forward local action planning and send representatives to the Stirling Assembly, which, in turn has seats on the CPP. Stirling has used postal ballots distributed to every home to get voter turnout rates of up to 60 per cent in community council elections. This type of initiative is causing other local authorities to re-examine the potential of community councils in their area.

### ***Local Government Bill (2004)***

The pace of change in Scotland is indicated by proposals in the new Local Government Bill (2004), passed by the Scottish Parliament, to establish a system of proportional representation for local government elections from 2007. One

implication appears to be that political parties that have governed local authorities almost continuously for decades are coming to realise that they may need to bolster their electoral appeal with new initiatives, including those that value citizen participation.

### ***National statistical support for local action***

Scottish Neighbourhood Statistics is the Scottish Executive's ongoing programme to improve the availability, consistency and accessibility of small-area statistics. This information is used to inform the Scottish Executive's approach to improving quality of life, especially in the most disadvantaged areas. The information is intended to support a number of the Executive's targets and commitments aimed at closing the gap between disadvantaged areas and the rest of Scotland. Available to anyone over the internet, the programme will be valuable to community planning partnerships, and will help local people and community groups bring together information to support funding and grant applications. It provides statistics on health, education, poverty, unemployment, housing, population, crime and social and community issues.

## **Participation in health**

Citizen participation in devolved responsibility for local health services is through new community health partnerships (CHPs) introduced as part of the NHS Reform (Scotland) Act 2004 to link health service planning to local governance. The Act specifically establishes a duty on Scotland's 15 NHS boards to foster public involvement through CHPs designed to give residents, patients and staff a greater say in how their health services are delivered. Given ministerial approval, CHPs came into formal existence in April 2005 to foster community health improvements, better service delivery and improved public access to health decision making. CHPs are evolving from local healthcare co-operatives (LHCCs), which were established in 1997 as voluntary groupings of GP practices working with citizens and patients at the local level.

The purpose of the CHP is to:

- work as a key health partner in relation to community planning to tackle primary health care issues

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- influence NHS strategic planning and resource allocation
- plan primary and community based health services for local people
- create local networks to deliver integrated health services.

Within the Act, NHS boards are required to work with local authorities and community planning partners to co-ordinate services and work out appropriate boundaries for service delivery, a key issue for CPPs. Most CHPs will be coterminous with local authority boundaries. However, in areas of large population, such as Edinburgh and Glasgow, there can be more than one CHP to keep deliberations closer to the citizen. Glasgow has chosen to have five CHPs – the decision is with the NHS board and its community planning partners. Each NHS board is also advised by a local health council (LHC), intended to be ‘the voice of the public’. One task of LHCs is to monitor the effectiveness of public participation in CHPs.

CHPs are only now in a formative stage but, on approval, will have control of budgets, devolved from health boards, as well as representation from key stakeholders as an integral part of their management structure. They will be responsible for the delivery of a wide range of community health provision, such as GP services, pharmacy and community nursing. The Guidance proposes that the management of CHPs should be drawn from a range of backgrounds including primary health-care professionals, secondary health-care professionals, local authorities, patients and carers, and voluntary and community organisations, including community planning partners.<sup>18</sup> CHPs will not be independent statutory bodies but will operate within the NHS boards, which themselves, as we have seen, have a statutory responsibility to engage in community planning processes.

## Participation in education

Since 1999, community learning partnerships (CLPs), including community planning and parent representatives, have been expected to contribute to community regeneration, lifelong learning, local skills development and local achievement of national priorities for education. CLPs foster the development of community learning strategies at the local level and community learning plans at a sub-local authority level.

These strategies and plans cover action around adult learning and community capacity building, youth work and more general tasks around getting communities involved in community planning and service delivery.<sup>19</sup> The community learning agenda then ties in with an emerging Integrated Community Schools Programme (formerly New Community Schools). This links the educational objectives of management and governance of primary and secondary schools to community resources, such as from youth work, social work and health services.

Citizens may also participate in educational decision making by becoming parent governors in schools that have a school board of parents, staff and local authority representatives. The establishment of these boards is not mandatory or universal with other schools (particularly primary schools) preferring an active parent teacher association (PTA).

At the local authority level, the community learning strategy is a jointly agreed statement covering a period of three years, which all community planning partners should contribute and be committed to. Whether as stand-alone documents or as part of a wider community plan document, they should:

- influence and reflect the community plan and related strategies
- highlight how and where they link with other strategic development plans
- be shaped by all the partners
- show major community involvement in the planning process.

Within the context of the strategy, a community learning and development plan is a joint three-year work plan for a specific local geographic area (usually 4–10 per local authority) or community of interest agreed by the community learning and development partners. In terms of content, it should:

- highlight how it will tackle national priorities for education, with overall outcome targets for these and for local priorities agreed by the CPP
- detail the partners involved and the operating principles they will follow
- detail the areas and themes to be covered by the community learning and development plan

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- identify, as far as possible, overall levels of investment and resources to be committed and staff to be provided by partner agencies
- detail measures for supporting the skills development of paid and unpaid staff in relation to community learning and development, and joint working
- clearly identify how the partnership will monitor progress and how quality will be evaluated.

Community learning and development strategies cover a three-year period starting in September, 2004. The community learning and development partnership must decide how many plans are needed. There are to be clear links with local and thematic community plans. As at strategic level, these plans may be included in the wider community plan.

As can be seen, there is already substantial initiative to integrate citizen participation in educational planning with the community planning agenda. CLPs, for example, can lead on educational strategy for the community plan, or they can be an implementation sub-group in CPPs that already have an education strategy working group.

Leading-edge local authorities have also taken the opportunities offered by integration of community planning and community learning to raise the profile of community development work within the council, applying community development skills to fostering local participation not only in the neighbourhood but also at the city-wide level. In one local authority, for example, community development functions have been shifted from education to the Chief Executive's office. This approach is particularly fruitful where citizen representatives have a city-wide citizens' assembly and play a formal, significant role on the community planning partnership.

## Participation in public safety

In Scotland, tackling crime and the fear of crime is a key strategic theme for many areas. Here, chief constables, working with local authorities, are designated to lead local community safety partnerships (CSPs) with the support of, for example, local authority colleagues in housing and social work, and the voluntary and community sectors. The Scottish Executive has provided comprehensive guidance to assist community safety partnerships to create the framework necessary to develop

strategies and action plans.<sup>20</sup> The Guidance recommends that, as a minimum, partnerships should involve, at a senior level, the local authority, police, health board and/or trust and the fire service. It also stresses that partnerships should consider the role of the private and voluntary sectors, housing associations and racial equality councils, either as members of the core partnership groups, or by being involved in specific working groups. There is a fund of about £12 million over three years for evidence-based community safety initiatives, based on a community safety audit. This is in the final year but may be extended at the discretion of the Minister.

As with education and health, community safety partnerships are evolving to become fully integrated within community planning. Either the CSP itself becomes a expert sub-group of the CPP, or the CPP devises a strategic forum to take over the setting of objectives for public safety.

## Other areas of participation

### *Local economic forums*

There are 22 local economic forums (LEFs) in Scotland, based on local enterprise company boundaries, with membership comprising key public and private sector players. Forums are about resolving overlap and duplication in, and improving, local economic development activity by better co-ordination of effort and engaging customers in service design. Local forum action plans are in place to reduce overlap, foster access to business support services, and encourage agencies and business to work together towards helping businesses develop.

LEFs tend to overlap CPP areas with as many as three CPPs all or in part within an LEF boundary. Although LEF partnership members may also sit on CPP boards, there are unresolved stresses over whether more coherent boundaries are required.

### **Key issues for the future of citizen participation in Scotland**

#### ***Genuine versus token participation***

Although legislation establishing community planning creates a new opportunity to involve citizens genuinely and systematically in local governance processes, it doesn't guarantee that it will happen. Local authorities at the leading edge of implementation of community planning are, not surprisingly, the same local authorities that have been at the leading edge of local government modernisation for a number of years. In those local authorities, citizen participation is valued and supported by institutional stakeholders, there are tangible improvements in formal opportunities for participation and a mood of optimism among community representatives.

In other local authorities, however, there are concerns on the part of community 'reps' that community planning could prove to be no more than yet another short-term participation process dominated, behind the scenes, by top-down party political interests. However, the situation in even the most recalcitrant councils could change if the monitoring and review mechanisms of community planning put in place by Audit Scotland and Communities Scotland are based on sound criteria for judging the quality of participation processes, including taking account of the viewpoints of community activists and other residents.

#### ***Local government modernisation and community planning***

There is widespread consensus among key informants that local government modernisation is a key factor in the successful implementation of community planning, both internally in terms of what the local authority might achieve and externally in terms of its having productive relationships with other partners and communities.<sup>21</sup> Key informants, especially from outside local government, identified modernisation as having a significant effect on progress in establishing effective, high-quality CPPs characterised by a trusting, mutually supportive atmosphere in partnership deliberation and a 'joined-up' approach to services, especially within the local authority. Community representatives particularly note that the emergence of a *systematic* (as opposed to one that starts and stops) citizen participation process, at the local authority and neighbourhood levels, benefited from being taken forward with the context of an overt local democracy strategy on the part of the local authority.

### ***Supporting participation by leadership***

There is evidence of the benefits to community planning of strong leadership on a city-wide democracy strategy to support partnership working, citizen participation and community leadership at local authority, area and neighbourhood levels. This leadership role begins with close working between the Leader and Chief Executive of the local authority, which then draws into partnership processes leaders from other agencies and community organisations.

Effective mainstreaming of community planning principles within an organisation will also require effective leadership from local authorities in their role as facilitators and from leaders within other participating organisations. Leadership is also vital to developing an organisational culture of officers and councillors who genuinely value partnership and community participation.<sup>22</sup> It is an open question whether substantial organisational restructuring in the local authority is a prerequisite for changing organisational culture, such as replacing line departments with thematic management groups, as in Stirling and Aberdeen, or whether there are other strategies for changing the organisational culture in bureaucracies.

### ***Balance between service decentralisation and political devolution***

Although there is enthusiasm for community planning there is also confusion. A clear perspective needs to be developed over whether local community planning is about:

- service management and co-ordination, as in neighbourhood management, *or*
- forward planning by a partnership of citizens, councillors and officers, as in neighbourhood action planning, *or*
- formal decision making or locality budgeting, for example in a council sub-committee, *or*
- some combination of all three.

For local authorities to empower community planning, some balance needs to be drawn between service decentralisation and political devolution. Service decentralisation implies a joined-up response to local aspirations and innovations such as neighbourhood management. Political devolution on the other hand, such as LCPPs as local council sub-committees, potentially offers better linkage between

communities and local councillors, that is access to decision-making processes. But there is a real issue whether LCPPs can be both council committees and egalitarian partnerships at the same time. Early evidence suggests trying to marry partnership working and a council committee structure produces substantial tensions.

### ***Working towards social inclusion***

The review indicates a logical move in Scottish local authorities to incorporate fully regeneration partnership activities into the CPP deliberation process and for local social inclusion partnerships everywhere to join LCPPs, which cover a wider local area – if only to secure continued funding. There are potential benefits in that social inclusion objectives can be integrated into the broader development programme covering not only area regeneration but also education, training, health and equality issues.

Early indications are that residents of regeneration areas, tired of being labelled as ‘deprived’ (and then stigmatised by their postal code), appreciate that the community planning approach, rolled across the whole local authority, includes them in political processes applicable to all citizens. But there is also a concern that social inclusion issues be kept to the fore in debate at the level of the CPP and not obscured by issues more important to articulate, middle-class residents well versed at speaking out at meetings.

### ***Efficient and effective participation***

There is recognition that community planning shouldn’t give rise to a proliferation of meetings but rather needs to be both effective *and efficient*. Efficient participation means securing maximum benefit in better services for minimum costs and citizen time input. This is important when citizens see too much participation as time-wasting ‘talking shops’, and officers and politicians worry about ‘partnership fatigue’. An underlying purpose of the community planning agenda is to rationalise partnerships.

Efficient participation may also mean moving away from a ‘meetings culture’, which mainly suits professionals, towards innovative means of participation. Examples include: neighbourhood planning days; citizens’ panels and young persons’ web sites; and use of information technology, video and digital imagery.

Many community representatives are also looking to community planning for *more effective* participation. Effectiveness means that participation achieves steady improvement in local quality of life with tangible outcomes for all to see. Residents aren't expecting 'pie in the sky tomorrow' but they want to move from almost random participation linked to 'silos' of temporary funding towards a sustainable (steady) participation process in which they could assess and consolidate achievements over the long haul.

A fundamental point is that participation needs to move away from the 'consultation model' in which decisions are made by institutional partners and then residents 'consulted' about the decisions. Fortunately the Guidance of the LGSA specifically warns against mere consultation. What community activists prefer is early involvement before decisions are made and while the agenda for discussion is being shaped. Then they could reasonably expect that some (but not all) of their aspirations would be built into decisions. Early involvement of citizens through community planning has potential to build consensus around difficult decisions and to allow both politicians and professionals to do their jobs with more confidence that they are meeting citizen aspirations.

### ***The value of the citizens' assembly***

A few community planning areas are already setting up large, local-authority-wide citizens' assemblies, run by, and for, community representatives. Usually attracting 100 to 125 delegates, these offer a positive route to empowerment of citizens at the CPP level, by giving rise to a public forum for discussion of issues and a number of designated seats on the CPP board. Assembly representatives come either from local areas, representing community councils, local partnerships or regeneration organisations, or from thematic groups. The assembly, if selected in a transparent manner, can nominate representatives to the CPP and its strategic sub-groups and give legitimacy to community participation at this level. The assembly can also host events for all citizens in the local authority. It generally has an executive, can secure resources from public and private sources, and can organise working groups on key concerns. Assemblies meet four to six times per year, with their executives meeting more often.

Assemblies require commitment and support, not just of political will but also of resources, of institutional players to get them up and running. But there is early evidence to show that, if they have that, they are making a real contribution to community planning processes, including the development of the strategic agenda. One citizens' assembly, in Aberdeen, has attracted private financial support from a multinational company.

### ***Defining 'local' in local participation***

A distinctive aspect of community planning is the duty to engage at a 'local' level. Indeed, many people feel the term *community* planning cannot be justified without local action. The task therefore involves a framework of participation, partnership and decision making that links the local authority level with the local, be it the neighbourhood, urban district or rural village. The local level is important because most citizens relate strongly to local quality of life issues. And, of course, many services benefit from feedback from local residents to improve the quality of service delivery.

However, there is little consensus over what ought to constitute 'local', whether 'natural' neighbourhoods of 3,000 or 4,000 people, or an urban district of 30,000.<sup>23</sup> In rural areas, the situation can be more straightforward, with discrete villages of as few as 150 people constituting a community planning unit. Many residents prefer a smaller governance unit, such as a neighbourhood that they know, although some activists like working across clusters of neighbourhoods, giving a broader perspective on local issues and more 'muscle' in negotiations with service providers.

Service providers are concerned over having to relate in some systematic way to dozens of neighbourhood partnerships meeting many times a year, viewing this as partnership proliferation. The situation is more complex for health authorities, police and enterprise agencies whose remit may span local authorities and thus multiple community planning partnerships.<sup>24</sup>

There is as yet insufficient experience to suggest what participation mechanisms are appropriate at what spatial level, and how to marry the legitimate participation aspirations of citizens with the efficiency concerns of service providers. Implementation of community planning suggests that decentralised local governance can occur at one, two or all three levels:

- constituency level (say 70,000–100,000 persons)
- urban district level (25,000–40,000 persons)
- neighbourhood or rural village level (100–4,000 persons).

What ought to happen at what level is the classic debate of subsidiarity – for which there is no easy or right answer. In this matter, it is likely that Scotland will be engaged in a period of experimentation on decentralised governance over the next few years.

### ***Legitimacy of community representation***

In considering community participation on CPPs/LCPPs, a concern is whether community activists are ever really ‘representative’, that is speaking for a broad group of local citizens rather than for themselves. But, to turn the issue around, given the importance of citizen input, how do we ensure that community representatives do have legitimacy?

A related issue is whether participatory democracy (citizen action) and representative democracy (elected members) can be brought into a positive relationship. Local councillors play a vital, legitimate role, although voter turnouts can be low. But research indicates that the participatory democracy of community participation and activism is seldom ‘representative’ in any statistical sense, *nor should we expect it to be.*<sup>25</sup>

A more productive approach is to view all community participation as a valuable resource, and complementary to representative democracy. The way around ‘representativeness’ issues is to have a wide range of efficient participation mechanisms for both ordinary citizens and activists. Aberdeen, for example, complements its neighbourhood action planning process with a representative, statistically stratified citizens’ panel, a virtual citizens’ panel available to any citizen and a young persons’ web site.

### ***Linking levels of governance***

Community planning is ostensibly about local participation, but there is growing recognition of its potential to integrate spatial levels of participation. This is important particularly for planning, transport and economic development issues. For example, strategic decisions on superstore location can undermine local high streets, to the disadvantage of households without a car.<sup>26</sup> Similarly, good public transport, to take people to jobs, is an issue that often transcends local authority boundaries. Key decisions on the location and density of new housing and schools are also of concern. At the same time, Britain’s record of community participation in planning decisions is poor and plagued with ‘Nimbyism’ due to the fact that most of the strategic planning is done by professionals two or three years in advance of participation. This brings the planning profession into disrepute.

To make progress in this area, the draft *National Planning Framework for Scotland* (NPF) links participation in statutory planning to community planning. This would

streamline participation processes, so that deliberation in the LCPP would feed into the CPP strategy and thus inform statutory planning. The NPF also affirms its view that: ‘Good governance and community empowerment are essential elements of good place-making’, thus firmly integrating the objectives of statutory and community planning.<sup>27</sup> The NPF is out for consultation as of this writing.

The opportunity for integration is suggested in a report by Stirling Council:

On the face of it, community planning appears to be a simple concept. It seeks to integrate the delivery of services within local government areas from a variety of bodies. At another level, it seeks to empower communities, neighbourhoods and individuals by making the delivery of such services more transparent and understandable ... At yet another level, community planning regional groupings have the potential to fulfil a strategic role in modern Scotland, in terms of contributing to a sub-national agenda of governance.<sup>28</sup>

The community planning process can operate through collaboration between neighbouring CPPs where an issue warrants a more strategic consideration, with the Act providing for partnerships to work together. The associated ‘power of well-being’ also allows local authorities to invest outside their areas as long as it is to the benefit of their communities. It will be important for each community plan to identify where issues have a clear resonance beyond the local authority boundary.

## Conclusion

Community planning’s potential benefits are supported by its statutory, rather than advisory, status. This is causing the principles that underpin the Act to influence many aspects of local participation in governance. The fact that community planning is a long-term initiative, and recognises the need for learning by doing in governance, *potentially* gives Scotland a sound foundation for tackling major governance challenges in the twenty-first century.

In an optimistic view, community planning sets a ‘top-down’ challenge for innovation and empowers a ‘bottom-up’ approach to that challenge. This empowerment includes new, systematic mechanisms for citizens to participate in a more effective manner. Certainly, many Scots active in local governance view community planning not as another short-term, ‘silo’-driven initiative, but as a fundamental redirection of local governance, which will unfold only over a long period of time, even across

generations. It also provides a framework for addressing both strategic and local issues in a partnership framework at city-wide and neighbourhood or village level. At both levels, formal citizen participation is required by the Guidance pursuant to the Act explicitly warning against mere ‘consultation’.

By integrating social inclusion and local governance initiatives from the outset, community planning may also begin to resolve a fundamental concern that has bedevilled area regeneration for 30 years. That is that a host of initiatives never triggered fundamental improvements in mainstream service delivery and participation but were always a separate ‘silo’ of action for ‘deprived’ neighbourhoods – which never achieved as much as they set out to do.<sup>29</sup> The integration of Scotland’s social inclusion programme into community planning is (again potentially) a step towards *inclusive* participation processes.

Given the complexity of the agendas being tackled by community planning, it is recognised that there is no easy or ‘right’ answer as to how to implement it. Also, the Act recognises that it can’t be imposed in any detail but needs to evolve through interaction of community interests and the broader requirements for good management by local authorities and other stakeholders, such as the police, the health service and the enterprise network. What makes community planning interesting is that, while its potential benefits are substantial, there are many creative ways to achieve them – which can vary from local authority to local authority.

Of course there are risks in community planning, for example that a change in party political control in the Scottish Parliament might cause the Scottish Executive to lose interest, or that ‘old-style’ centralist local authorities might yet subvert the empowering intentions of the legislation. However, just now, there is a mood of optimism in Scotland, which is currently a laboratory of stimulating experimentation in citizen participation and local governance processes.

### List of abbreviations

CHP	Community health partnership
CLP	Community learning partnership
CPP	Community planning partnership
CRF	Community Regeneration Fund
CSP	Community safety partnership

LCPP	Local community planning partnership
LEF	Local economic forum
LGSA	Local Government in Scotland Act (2003)
LHCC	Local health care co-operative
NPF	National Planning Framework for Scotland (in draft)
PTA	Parent teacher association
ROA	Regeneration outcome agreement
SIP	Social inclusion partnership

### Notes

- 1 The Community Planning Task Force was established in March 2001. A key role was to assist ministers and parliament in developing new legislation and accompanying guidelines for community planning. This was followed by the Community Planning Implementation Group established in April, 2003.
- 2 Communities Scotland, *Integrating Social Inclusion Partnerships and Community Planning Partnerships*. Edinburgh: Scottish Executive, 2003.
- 3 Section 15(4).
- 4 Such as the Stirling Assembly and the Aberdeen Civic Forum.
- 5 Scotland's 48 social inclusion partnerships are multiagency regeneration partnerships that have been the main mechanism for funding Scottish regeneration since 1999. There are both area-based and thematic SIPs. No further funding is available for SIPs unless they are fully integrated into community planning partnerships by 2005. Future funding will go to CPPs on agreement of a formal regeneration outcome agreement (ROA).
- 6 For a discussion of these views, see Carley, M., *Implementing Community Planning – Building for the Future of Governance*. Edinburgh: Communities Scotland, in press.
- 7 Stirling Council, 'Community Governance', internal paper, 2003.

- 8 Section 16.
- 9 A series of advice notes provide further detailed guidance, for example *Community Planning Advice Note 6: Building Organisational Capacity*, 2001.
- 10 Section 17.
- 11 According to their standing in the 2004 Scottish Index of Multiple Deprivation.
- 12 Communities Scotland, *Community Regeneration Fund: Guidance on Regeneration*. Edinburgh: 2004.
- 13 *Community Planning Advice Note 2: 'Partnership Models and Structures'*, Community Planning Task Force, 2003.
- 14 Carley, M., *Implementing Community Planning – Building for the Future of Governance*. Edinburgh: Communities Scotland, Research Report 44, 2004.
- 15 Section 20.
- 16 Section 20(1).
- 17 *The Role and Effectiveness of Community Councils with regard to Community Consultation*, Central Research Unit, Scottish Executive, no date.
- 18 National Health Service Reform Bill (Scotland) 2003; *Community Health Partnerships, Guidance*, 2004.
- 19 The need for integration between community learning and development and community planning was considered by HM Inspectorate of Education in *How good is Community Learning and Development*. London: HMIE, 2002.
- 20 Scottish Executive, *Safer Communities in Scotland*, 1999.
- 21 Carley, M., *Implementing Community Planning – Building for the Future of Governance*. Edinburgh: Communities Scotland, Research Report 44, 2004.
- 22 Carley, M., *Key Lessons in Citizen Participation in Urban Governance*, Demos Interim Findings, December 2003 on [www.demosproject.org](http://www.demosproject.org)

- 23 The Demos Project finds this confusion over what to do at what level mirrored across European local authorities, with the issue more contentious the larger the population of the local authority.
- 24 In the Forth Valley, the health authority, the police and the enterprise agency all participate in three CPPs. A similar situation holds in many localities.
- 25 see [www.demosproject.org](http://www.demosproject.org)
- 26 For discussion of this issue, see Carley, M., Kirk, K. and McIntosh, S., *Retailing, Sustainability and Neighbourhood Regeneration*. York: YPS in association with Joseph Rowntree Foundation, 2001.
- 27 *National Planning Framework for Scotland*. Edinburgh: Scottish Executive, 2004.
- 28 Stirling Council, *Community Governance*. Stirling: Stirling Council, 2003.
- 29 Carley, M., *Community Regeneration and Neighbourhood Renewal: A Review of the Evidence*. Edinburgh: Communities Scotland, 2002; Dabinett, G., Lawless, P. and Tyler, P., *A Review of the Evidence Base for Regeneration Policy and Practice*. London: DETR, 2001.

# 5 Mapping governance at the local level in Wales

*Victoria Winckler*

## Summary of key points

- There is a rich mixture of local governance structures in Wales. This chapter focuses on the main statutory and quasi-statutory structures.
- The National Assembly for Wales has been responsible for the creation of the vast majority of current local governance structures, most of which overshadow longer-established bodies, even though some have considerably fewer powers.
- Most new local structures originate from national 'policy silos'. Horizontal relationships between structures are not well defined and cause confusion and difficulty.
- Vertical relationships between local structures and other levels are relatively easy, although there are concerns about local authorities failing to take full account of other parties' views and concerns that the National Assembly for Wales is slow to respond and does not understand realities on the ground.
- So far, community participation is through structures, which raises issues about capacity and the representative role of community and voluntary groups.
- More remains to be done to enable more meaningful participation by a wider range of people, and to ensure that institutions are responsive to input.
- A 'second phase' of local governance appears to be emerging, which could rationalise the number of local structures and support more effective participation.

## Introduction to local governance structures

Mapping local governance structures in Wales has not been an easy task. The sheer number of new local structures that has been established since devolution is astounding. Simply identifying these 'new-wave' bodies has been challenging, not

least because information about them rests in various ‘policy silos’. The new structures overlay and indeed overshadow longer-established bodies, such as school governors. Ironically, some of these longer-established bodies seem to have more real powers than many of the newcomers.

In this paper, I have focused on the structures that are new and distinctive to Wales. I have identified 17 separate structures – partnerships, committees, forums, boards or bodies – which meet the definition of ‘local governance structures’ given in the project brief. They are all statutory or quasi-statutory bodies, which are either required by legislation or strongly advocated by the National Assembly for Wales. There may be other, relatively minor, statutory structures that are not included here, and there are undoubtedly many other non-statutory structures at local level that exert an influence over public policy – local agenda 21 forums for example, or local business partnerships – but these are not included. As an indicator of the breadth and number of such groups, the Appendix provides a list of all the partnerships and bodies that one county voluntary council identified.

### **National Assembly for Wales**

The National Assembly for Wales has been the key driver in developing new local governance structures. Established in 1999, it has 60 members and powers of secondary legislation and policy making for devolved functions (essentially local government, health, education, road transport, land-use planning and countryside, and regeneration.) Its budget in 2004–05 is £12 billion.

From its inception, the National Assembly for Wales has been committed both legally and politically to a distinctive way of working that has shaped, among many other features, the pattern of local governance in Wales.<sup>1</sup>

Some of the Assembly’s distinctive approach is enshrined in the Government of Wales Act 1998,<sup>2</sup> which requires the Assembly to exercise its functions with ‘due regard to the principle that there should be equality of opportunity for all people’ (s.120) and ‘to promote sustainable development’ (s.121). In addition, the Act requires the Assembly to prepare ‘schemes’ and establish bodies (known as ‘partnership councils’) setting out how it will sustain and promote local government in Wales (s.113) and promote the interests of voluntary organisations (s.114).

Over and above these legal obligations, successive Assembly Governments have pursued commitments to inclusiveness, openness, community involvement and collaboration in almost all policy areas, in a number of different ways.

A key expression of the Assembly's commitments has been through the formation of 'partnerships'. The term 'partnership' is applied to many different types of arrangement and structure, ranging from groups established to develop local action plans and strategies to bodies jointly delivering services.<sup>3</sup> In so far as they 'have a remit to affect public service planning and/or delivery' they are, in the terms of this project, 'local governance bodies'.

Partnerships have burgeoned in post-devolution Wales, at all-Wales, regional and local levels. Recent research<sup>4</sup> found that there could be as many as 2,000 loosely defined local partnerships across Wales, with an average of 92 partnerships per authority being identified by local authorities, 12 of which could be defined as 'statutory partnerships'.

The Assembly has also pursued its commitment to inclusiveness and participation through structural reforms in a number of policy areas, a key feature of which has been the formation or retention of bodies whose boundaries are coterminous with local authority boundaries. And, while not having a direct or immediate impact on local governance arrangements, the Welsh Assembly Government's recent decision to absorb into the Assembly's administration the three major Assembly-sponsored public bodies (quangos) – the Welsh Development Agency, Wales Tourist Board and ELWa (the Learning and Skills Council for Wales) – can be seen as further reinforcing the primacy of local authority areas as the main sub-regional spatial unit in Wales (as well as a centralisation of powers within the Assembly).

The third way in which the Welsh Assembly Government has pursued its agenda has been through providing support for participation by, for example, changing the arrangements for appointments to public bodies or providing financial and other support to enable people to participate in local structures and groups. All of these points are explored in more detail in the relevant sections.

What emerges is a picture of local governance that is bursting at the seams with new structures. All participants – from local authorities and NHS and, critically, the voluntary and community sector – are heavily burdened by participating in a merry-go-round of partnership and board meetings, all cross-referencing and interlinking with each other. It is less evident – at least from this quick review – that these new structures have enhanced engagement with local citizens or improved outcomes. Notwithstanding the Assembly's very laudable intentions to promote inclusion and integration, and considerable efforts to do so, for the most part their ambitions have resulted in changes to structures. The deeper changes needed to enable real participation – in terms of support for participants and changes in culture and working practices in institutions – do not seem to have occurred, at least so far.

### Participation in local government

The reorganisation of local government in 1996 abolished the eight county councils and 37 district councils<sup>5</sup> and replaced them with 22 all-purpose unitary authorities (plus three national parks). Local authorities range in size from the capital, Cardiff, with one-tenth of Wales' population, to small rural and Valleys authorities with fewer than 100,000 people. They include some relatively prosperous areas and others that are among the most disadvantaged in Europe.

#### *Policy context*

Responsibility for local government is devolved to the National Assembly for Wales and expenditure on mainstream local government functions accounts for more than a quarter of its total budget (with further expenditure on specific areas, e.g. transport).

While some had feared – and others had hoped – that devolution would enable the Welsh Assembly Government to exert influence and control over local authorities, the Government of Wales Act left local authority powers unchanged. Indeed, the Act requires the Assembly to 'sustain and promote local government' and establishes a forum for dialogue between the Assembly Government and local government – the Partnership Council. Research has found that Assembly ministers are reliant on local authorities for their expertise as well as for the achievement of many of the Assembly Government's ambitions on the ground, and are more favourably disposed to local government than their Westminster counterparts (not least because of shared political interests). The researchers concluded that, as a result, the erosion of local autonomy found elsewhere in the UK has at least slowed in Wales.<sup>6</sup>

This is not to say that local government has been left untouched by the Assembly – far from it. Four key developments have shaped local authority activity.

First, the agenda of public service improvement has continued to evolve, although in a different form to England's. A Wales Programme for Improvement has replaced Best Value, with a greater emphasis on community consultation and self-improvement than on external inspection. Second, the Assembly Government and local authorities have established 'policy agreements', a similar concept to public service agreements in England, although with more flexibility and without hypothecation of funding. Third, local authorities have been deluged by requirements to produce plans and strategies in virtually every policy area, sometimes to a tight specification of requirements. And, last, local authorities have been at the centre of an exponential growth in local governance structures in the form of local

partnerships. All partnerships involve a degree of shared planning, policy development and delivery of services. They are a doubled-edged sword – on the one hand, reflecting local authorities' role as leaders of their communities and, on the other hand, forcing them to engage more widely with other local institutions and local citizens.

### *Community strategy partnerships*

The most significant local plan and associated partnership is the community strategy and the community strategy partnership (similar to England's local strategic plans). The Assembly's guidance on community strategy partnerships (CSPs) has been refreshingly flexible: nevertheless it recommends that there should be 'balance' and diversity, and that steps should be taken to ensure its members are representative of community interests.<sup>7</sup>

Authorities are advised to ensure genuine community involvement in the community planning process, and that 'it is not sufficient simply to consult on [preferred] options'.<sup>8</sup> They are then reminded that they must ensure that they do not discriminate against particular groups and must make specific attempts to engage young people.<sup>9</sup>

Inevitably, experiences of participation in CSPs have varied on the ground.<sup>10</sup> While some authorities have an approach that is well thought through, building on long experience of working with the community and especially with marginalised groups, others have taken a more traditional approach, and cultural, professional and political barriers to wider collaboration remain.

An ongoing issue has been the relationship between the CSP and the numerous other local plans, strategies and partnerships that local authorities are required to produce and engage in. It has also proved difficult to secure the involvement of Assembly-sponsored public bodies (ASPBs) in the process.

### *Town and community councils*

There are 7,373 town and community councils in Wales, all at sub-authority level, covering populations from as small as 155 people to over 45,000 people. There are no councils in 115 defined areas of Wales and more than half the population in five local authorities do not have councils. Together, town and community councils in Wales have some 8,000 councillors and an annual budget of £25 million.

A recent research study<sup>11</sup> concluded that town and community councils enhance local governance and community well-being, as they are locally responsive, can mobilise community activity and can add value to local services provided by others. In addition, compared with other grass-roots bodies, they are statutory bodies that are locally accountable. The researchers made more than 76 recommendations to enhance the role of the councils, including complete coverage of the population of Wales and enhanced powers and funding. The Welsh Assembly Government's response reasserted the primacy of community strategies in determining local priorities, emphasised the need for flexibility in the geographical coverage of town and community councils, and encouraged partnership between councils and local authorities to review services, although there were some more positive signals as well. Given the overall tone of response, however, there seems little prospect of a renaissance for town and community councils.

### ***Issues***

The main issue for participation in local government seems to be the sheer number of local governance bodies, which raises questions of the community's capacity to participate and the relationship between the different structures at local level, which is often unclear. The relationship between central and local government seems to be relatively good, with considerable discretion afforded to local authorities in how they take the community planning process forward. However, the relationships between local groups and the local authority are sometimes less positive, with some considering that local authorities have not sufficiently changed their culture to engage in a meaningful way with other bodies.

## **Participation in health and social care**

### ***Policy and structural context***

Health and social care provision has undergone a major transformation in Wales in the last three years. Planning and delivery structures are now substantially different to those in England at all-Wales as well as at local level.<sup>12</sup>

Joint working between organisations – in particular between the health service and local authorities – and a people-centred, participative approach are key drivers in the Welsh NHS reform agenda.<sup>13</sup> These were identified in successive policy statements,

culminating in the Welsh Wanless Review in 2003.<sup>14</sup> As a result, recent structural changes have strongly emphasised local approaches to health and social care planning and delivery, coupled with strengthened public and patient involvement. As well as the structural changes, the National Assembly for Wales has initiated several programmes to support public and patient involvement in health and social care.

The local health and social care structures operate in a context of several all-Wales specialist health-care bodies, and 13 NHS trusts, which provide secondary and acute care (plus an all-Wales ambulance trust). The geographical coverage of NHS trusts is wider than local authority boundaries and so trusts are not included here.

It is worth noting that the recent structural changes have been widely and severely criticised by a number of commentators, largely because local structures were perceived to be ‘too small’ and to lack strategic capacity. At the same time, the failure of NHS Wales to achieve certain targets, especially waiting list targets, and its poor performance compared with England on some measures, are also cited.

This section also includes local governance structures related to children and young people, as the Assembly Minister for Health was also Minister for Children, at the time of writing. The Assembly has taken a keen interest in promoting the well-being and involvement of children and, as well as establishing the UK’s first Children’s Commissioner and developing several strategies aimed at children’s issues (e.g. child poverty, childcare), it has encouraged the participation of children and young people in the governance of Wales through ‘Funky Dragon’, the Children and Young People’s Assembly for Wales. Funky Dragon is a peer-led organisation whose aim is to give nought–25 year olds the opportunity to get their voices heard on issues that affect them. Funky Dragon has encouraged the formation of local youth forums, which now exist in every local authority area in Wales. A considerable number of participation events and activities have also been held and, most recently, the Assembly has funded a children’s participation project based at Save the Children Fund Wales.

### ***Local governance structures in health and social care***

#### *Local health boards*

There are 22 local health boards (LHBs), whose boundaries are coterminous with local authorities. With a total budget of £2.5 billion, they are responsible for assessing local health needs, and then meeting those needs by commissioning primary and secondary care services, community and intermediate services. They

are statutory bodies established on 1 April 2003 by The Local Health Board Establishment (Wales) Order.<sup>15</sup>

Although the boards are intended to strengthen public involvement, they remain dominated by various health professionals. Their maximum of 26 members includes just two representatives of local voluntary groups and two lay members (one of whom must be a carer), with the remaining 22 members comprising LHB officers, health service professionals and local authority nominees. In addition, two NHS trust representatives, one community health council (CHC) representative and one Wales TUC representative may be associate board members. The chair of the board is appointed by the National Assembly of Wales in accordance with Neill and Nolan principles; the other members are elected or selected locally as appropriate.

Local health boards and local authorities have a statutory duty to work together, and with others, to prepare health and well-being strategies, which set out the arrangements in that locality to improve health and well-being. One concern has been the relationship between these broad-ranging strategies and local community strategies, which have a similar scope, and the capacity of local community groups to contribute to the preparation of strategies.

### *Community health councils*

The Health (Wales) Act<sup>16</sup> and associated regulations<sup>17</sup> retained and enhanced the role of community health councils (CHCs) in Wales, with 20 CHCs in operation (mostly one per local authority area, although some cover more than one). A discussion is ongoing about the name of CHCs and whether any changes to geographical coverage are required, not least to align them with local health boards.

CHCs are statutory bodies with a duty to review the operation of the health service in their area and make recommendations for improvement; they now have rights of inspection of all premises providing NHS services, including GP practices and nursing homes. They also have a duty to advise and support people who wish to make a complaint against the NHS.

The Welsh Assembly Government has recently determined that, in order to increase involvement by the public, especially under-represented groups, 50 per cent of CHC members should be the public, and that local authority representation should drop from 50 to 25 per cent and representation of voluntary organisations from 33 to 25 per cent. Public and voluntary sector appointments will be managed by the National Assembly for Wales in accordance with Office of the Commissioner for Public Appointments principles.

### *Local health alliances*

Local health alliances were established immediately prior to devolution in 1999 and so predate LHBs.<sup>18</sup> Local authorities were strongly advised in a joint statement by the then Secretary of State for Wales, the then Leader of the Welsh Local Government Association and Chair of Health Authorities that they should ‘urgently consider the case for establishing a local health alliance’ and, needless to say, all have done so. The alliances are charged with working to promote local public health, through improved understanding of the determinants of health, improved co-ordination, sharing information and local action. A small amount of funding (£15,000 per alliance in 2004–05) is provided to support their work.

The Assembly advises that key partners, including voluntary and community groups, and education and training services, as well as health interests, should be partners in the alliance but there is no provision for public involvement. In 2004–05, alliances are expected to develop an action plan showing how they will contribute to other local well-being strategies, how health is to be mainstreamed into other policy areas, and how communities are to be engaged in delivering the health and well-being agenda.

### ***Local governance structures for children and young people***

#### *Children and young people’s framework partnerships*

Each local authority area is required to establish a partnership to draw up a children and young people’s framework, which will set out a strategic statement of how the well-being of children and young people will be improved across all areas of their lives.<sup>19</sup> Two sub-groups of the partnership will draw up more detailed plans for different age groups – the children’s partnership will draw up plans for early entitlement (nought to ten years old), building on the work of early years partnerships, and the young people’s partnership will do likewise for those aged 11–25 (see the section on education for further details about the latter). The rationale for establishing the partnerships is to integrate services provided to children and young people.

The Assembly has expected local authorities to take the lead in the partnerships, working with the local NHS, and its Guidance also listed the statutory and other bodies expected to be members of the partnership, which includes education and training, childcare and pre-school services, health services and social services, youth services, housing, criminal justice, transport, environment, and economic development. The Assembly’s Guidance also indicates that service users – defined

as children, young people and families – should be represented ‘to ensure effective delivery’.<sup>20</sup> The Guidance suggests that various mechanisms might be employed to ensure the input of service users, and emphasises that a range of children and young people’s interests should be covered, including people from black and minority ethnic communities, looked-after children, carers and people with disabilities.

The Children Act 2004 will put the children and young people’s framework partnerships and the children’s partnerships on a statutory footing.

### *Area child protection committees*

The area child protection committees (ACPCs) are long-established structures that are inter-agency forums to bring together each of the main agencies responsible for helping to protect children from abuse and neglect. They aim to ensure that arrangements work effectively and in the interests of children. Their members include different services within local authorities (e.g. social services, education, legal), local health board and NHS trust, police and probation, children’s advisory services and children’s charities.

### **Key issues**

Key issues arising from these changes are as follows.

#### *Capacity*

It is clear that, in the health and social care field alone, there is a considerable number of local structures that seek the involvement of the local community. The ability of ‘umbrella’ organisations, such as local county voluntary councils, to participate in this range of different structures can be severely stretched. Where specialist input that is the remit of one small voluntary group is required – for example, on BME children – the burden can be almost impossible. While there have been some efforts to increase the capacity of the voluntary sector,<sup>21</sup> for example, through Assembly funding for a health and social care co-ordinator in each county voluntary council (CVC) to contribute to local health and well-being strategies, this does not apply to all policy areas. For example, funding to support capacity in CVCs for young people’s partnerships lasted for only a year.

### *Effective participation and engagement*

Although not unique to health and social care, the extent of efforts to engage the wider community in health and social care planning and delivery has highlighted tensions around effective participation. Individuals from a single voluntary or community group are somehow expected to represent the whole of community opinion or deliver community support. Not only do these individuals rarely have the capacity to consult and liaise with their wider 'constituency' (if indeed they have one), it is also no small feat for an individual to achieve.

It also remains to be seen whether the changes in structure and drive to inclusion are really enabling marginalised groups to participate. Anecdotal evidence suggests that groups such as BME communities and people with disabilities are no more evident in local governance structures than they were before.

### *Outcomes*

There are issues about the extent to which participation on local structures actually makes any difference to outcomes. There is sometimes ambiguity about the roles of groups and individual organisations within them, so that some participants feel that their views are not reflected in the group's work or that 'the real decisions' are taken elsewhere. Some have also questioned whether the plethora of different groups and structures really is making a difference to outcomes for the people who are the intended users or beneficiaries.

## **Participation in education**

### ***Policy and structural context***

Education policy, like health, has increasingly diverged from that in England and much is made of the distinctive 'made in Wales' education agenda. However, unlike health, education policy in Wales has had much less emphasis on governance issues, within that, very little focus on participation in governance structures. Instead, the focus has been more on changes in policy, such as abolishing league tables, pupil attainment (abolition of testing at key stages 1 and 2) and developing the curriculum, and on encouraging participation in learning itself rather than structures.

The Welsh Assembly Government itself provides a policy context, guidance and of course funding for local education authorities, and guidance and support to school governors. The National Assembly for Wales also set up the National Council for Education and Training for Wales, known as ELWa, which is an Assembly-sponsored public body established under the Learning and Skills Act 2000. ELWa took over the majority of the functions of the four Training and Enterprise Councils and the Further Education Funding Council for Wales in 2001. It also now has responsibility for funding, planning and promoting all post-16 education and training in Wales (except higher education). This includes further education, private and voluntary sector training provision, adult continuing education and sixth forms. As well as a national council, ELWa has conducted much of its business through four regional committees covering each of the standard sub-regions of Wales. After protracted, high-profile controversy about the management and performance of ELWa, the National Assembly for Wales announced, in July 2004, that its functions would be taken within the Assembly.

### **Local governance structures**

#### *Community consortia for education and training (CCETs)*

The formation of CCETs was recommended by a working group on education and training established by the then Secretary of State for Wales in 1999,<sup>22</sup> and they were established shortly afterwards. Essentially, they were to provide a bottom-up approach to balance the top-down work of the proposed National Skills Council, by developing partnership, promoting the integration of provision and responding to local needs.

Membership of CCETs is highly variable, both in numbers and the organisations represented. A review of CCETs undertaken in 2003<sup>23</sup> found that voluntary and community sector representation was 11 per cent of the total CCET membership, with the other principal members being local authorities, schools, further education and the private sector. The review concluded that a greater balance and transparency in power and influence within CCETs was required. It recommended that membership should include two representatives from various interest groups, making a total membership of 18, including two representatives from the voluntary and community sector. It also recommended that members should be selected/elected by their sector and this has been accepted by the Assembly's Minister for Education and Lifelong Learning. It is neither current nor proposed practice to include representatives of the public or learners.

There have undoubtedly been difficulties within some CCETs, not least because it is difficult for representatives of independent bodies with their own decision-making structures to commit their organisations to a course of action, and statutory requirements limit organisations' flexibility. The CCET review also found that many CCETs do not appear to have developed strong links with other local governance structures and/or strategies, e.g. health, social care and well-being or Communities First. Tensions remain between CCETs and ELWa's regional committees, not least because of lack of clarity about their respective roles and CCETs' lack of powers and resources.

While the review of CCETs found that some had 'already added enormous value', mainly by providing a forum for stakeholders to discuss shared issues and to start to collaborate and integrate learning provision, other CCETs are virtually moribund and are much less well respected. It is not clear what the future of CCETs will be following the absorption of ELWa into the Assembly.

### *School governors*

The local management of schools predates devolution and, in many ways, the function of school governors is as in England, i.e. to raise and maintain the educational standards and performance of a school by supporting the work of the head teacher and staff. Governors make decisions on how a school will be run, and their remit includes promoting high standards of achievement, planning the school's long-term future, overseeing the school's aims, values and ethos, setting performance measurement indicators and targets, and monitoring the performance of the school against those standards.

The composition of the governing body is as specified by the Education Act 1996,<sup>24</sup> with community participation via parent governors and co-opted governors. Support for Wales' 24,000 school governors is provided by Governors Wales, a unit funded by the Welsh Assembly Government. The powers and conduct of school governors are tightly prescribed in various Welsh Statutory Instruments that have followed on from the Education Act 1996.<sup>25</sup> School governing bodies have fewer powers in Wales than in England, with local education authorities retaining a significant role – e.g. over access to staff training, the allocation of school budgets and education advisory services – although it has not been possible to identify in detail the extent to which the powers of school governing bodies in Wales differ from those in England.

The key local relationship is between school governing bodies and the local education authority. While many bodies report relatively good relationships, tensions

remain, in particular about the allocation of school budgets, over which local authorities in Wales have control, unlike England. Following representations by head teachers and others that local authorities were failing to pass on funding to schools, the Assembly Minister has required local authorities to establish a *schools forum* (see below).

### *Local schools forums*

These were established by the Schools Forums Wales Regulations 2003,<sup>26</sup> and required all education authorities to establish a school forum for their area by December 2003. They must have at least 15 members, no more than a quarter of whom can be from bodies other than schools. The schools' representatives should reflect the composition of schools in the area and should include at least one parent governor.

The education authority is required to consult the forum on its arrangements for funding schools, including proposed contracts, and the forum is intended to provide a platform for a structured and informed dialogue between the parties. Although perhaps not a 'local governance structure', as defined for this project, it is included here because of its statutory basis and potential influence on a significant area of local government expenditure.

### *Early years development partnerships*

The School Standards and Framework Act<sup>27</sup> required all local authorities to establish early years development partnerships to contribute to the preparation of early years development plans, to ensure that there is sufficient provision of nursery education for children who have not yet reached statutory school age. The early years partnerships have now been subsumed into children's partnerships (see health section).

### *Young people's partnerships*

The Learning and Skills Act 2000<sup>28</sup> established young people's partnerships to provide a statutory basis for support to young people. It requires the formation of a partnership, which should include local authorities, the voluntary sector, careers

service, companies, schools, colleges and other training providers, the police, employment service and health service, youth offending team and others, to review and develop services for young people. The Act includes a requirement that a local authority should also provide appropriate opportunities for young people to express their views. These partnerships are now sub-groups of the children and young people's framework partnerships (see health section).

### ***Key issues***

In contrast with health and social care, there is a striking *absence* of local governance structures in education and learning, other than those related to children. There has also been relatively little emphasis on promoting inclusion within the structures that do exist, other than those for children and young people. What is perhaps even more surprising is that there seems to be little concern about the lack of public input into education at local level, perhaps because there is little appetite for yet more structures.

### **Participation in public safety**

Most public safety, crime and disorder functions are not delegated and remain the responsibility of the Home Office. As a result, local governance policies and structures in Wales are essentially the same as in England, and are therefore covered in less detail in this chapter.

### ***Community safety partnerships***

Community safety partnerships were set up as crime and disorder partnerships by the Crime and Disorder Act 1998.<sup>29</sup> The National Assembly for Wales is designated in the Act as one of the bodies that works in co-operation with the partnerships, as it has direct responsibility for many of the bodies that constitute the partnerships.

There are 22 partnerships in Wales, one per local authority area, and each has a community safety co-ordinator. The Welsh Assembly Government has allocated, in addition to funding allocated by the Home Office, over £11 million to a community safety fund to support the partnerships' work.

## Mapping governance at the local level

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The community safety partnerships have recently taken over responsibility for the work of the local drug and alcohol action teams in Wales (the sub-regional teams were abolished altogether).

### ***Youth offending teams***

As in England, each local authority area has a youth offending team, made up of representatives of the police and probation service, local authorities, and from health, education, drugs and alcohol, and housing services.

### ***Key issues***

While integration between structures is a wider concern, it is made all the more difficult because public protection functions are not devolved and sometimes Home Office and Assembly requirements are felt to pull in different directions.

## **Other areas of participation**

Local governance structures are just as well developed in other policy areas as in those reviewed so far. They cover three Assembly ministerial portfolios – regeneration, economic development and transport, and environment and countryside. Indeed, two structures – structural fund partnerships and Communities First groups – were among the first of the new wave of structures, and remain some of the most high-profile and controversial of local governance arrangements.

### ***Policy context***

These policy areas, perhaps more than most, seemed driven by a sub-regional rather than a local agenda in the early days of the Assembly. The Welsh Assembly Government pushed forward policy initiatives and a number of collaborative arrangements around a sub-regional structure (e.g. in waste planning, transport, land use planning and agriculture support), while the main ASPBs – Welsh Development Agency (WDA) and Wales Tourist Board (WTB), Environment Agency and Countryside Council for Wales – themselves established sub-regional structures and sought to engage with local authorities, and others, on this basis through various

regional forums and committees. This tendency appears to have waned, not least because of impending changes to the WDA and WTB. Moreover, within the small number of local governance structures in the economic development and environment portfolios, the emphasis is much more on collaborative working between institutions rather than on citizen involvement.

The exception is regeneration and housing, which, in 1999–2003, were also the responsibility of the Minister for Local Government, who had a much more localist agenda.

### *Structural Fund partnerships – Objectives 1 and 2*

These were the first formal local partnerships to be established by the National Assembly for Wales following devolution. They emerged from work undertaken by a working group<sup>30</sup> set up to establish arrangements to administer the 2000–06 round of European Structural Fund monies, especially the anticipated Objective 1 funding for West Wales and the Valleys. The thinking behind the local partnerships was to allow local needs and priorities to determine how the funds were used (and a linkage with community strategies), and to build consensus about and improve co-ordination of projects to be grant-aided. There was also a wish to ensure a balance between locally led development and that led by all-Wales bodies, notably the ASPBs such as WDA, WTB and ELWa.

The working group also developed proposals to ensure representation from a wider range of organisations than had previously been the case in committees overseeing EU funding. This rapidly became codified into what is known as the ‘thirds’ principle, in which committee membership was divided into one-third public sector, one-third private sector and one-third voluntary and community sector. This was overlain by the EU’s commitment to equality of opportunity evident in the regulations governing the use of the structural funds, which was then taken by the Assembly to apply to membership of each individual partnership and in practice required that at least 40 per cent of members be women.<sup>31</sup> These membership requirements have been strictly applied (it has to be said with sometimes bizarre outcomes).

Nevertheless, the membership of local Objective 1 and partnerships is still mainly the ‘usual suspects’ – local authorities, ASPB representatives, business and union interests, and the voluntary and community sector.

The Welsh Assembly Government has recognised the lack of capacity of some participants in the various partnerships, and has enabled the voluntary sector and

social partners to access EU funding (and has itself provided match funding) to provide advice and support, for example through the Wales Social Partners' unit and WCVA's European Unit. That said, the sheer bureaucracy of the Structural Fund arrangements and the lack of power at local level to allocate funding to projects has placed a heavy burden on participants for questionable return.

### *Communities First*

Communities First is the Welsh Assembly Government's flagship community regeneration programme, which provides ten-year funding to the 100 most disadvantaged local communities in Wales (on a ward or sub-ward basis). The fundamental ethos of Communities First is that it is a 'community partnership to develop and manage the process of community renewal', which develops and delivers a long-term vision for the community. The Assembly's Guidance says that 'it is essential that ... local people are involved in the Communities First process, and evidence of the extent of their involvement is provided'.<sup>32</sup>

Each Communities First area is required to establish a partnership 'board', which is constituted on the 'thirds' principle – in this case one-third public bodies and the remaining two-thirds representatives of the voluntary and business sectors – i.e they are sub-local in coverage. How the members are chosen is for local partners to decide – normally selection or election. The Assembly advises that the community should be represented by 'local people who have the respect and confidence of those living in the area' or by community groups.<sup>33</sup> In addition, all partnerships are required to make every effort to 'apply and promote equality throughout their work by involving people of all ages and from ethnic, gender, sexual orientation, faith, disability and disadvantaged groups'.<sup>34</sup> Support to local partnerships has been provided by a Communities First Support Network.

Communities First is still at a relatively early stage. Hardly surprisingly, progress and experiences have varied. A key barrier identified in a recent review undertaken by the Assembly's Deputy Social Justice Minister, Huw Lewis AM, is lack of community capacity along with over-complex relationships with other strategies and partnerships, especially the local community strategy, and sometimes uneasy relationships with the relevant local authority.<sup>35</sup> Others have cited the lack of engagement of ASPBs in Communities First and expressed concern about perceived slow responses by the Welsh Assembly Government. The review also noted that, although considerable work had been invested to seek to ensure the involvement of children and young people, minority ethnic groups and people with disabilities, less work had been done with the aged and issues of gender were not addressed. It

recommended that children and young people have an automatic right to participate in Communities First partnerships and that steps be taken to involve older people and to provide a gender perspective.<sup>36</sup>

### *Local housing strategy partnership forums*

The Welsh Assembly Government requires local authorities to prepare local housing strategies. It envisages that the process of formulating the strategy will, in some cases, 'require the establishment of new forums and vehicles to support effective partnership working'.<sup>37</sup> The bodies to be involved in preparing the strategies, and hence in any forum established, are private sector housing organisations, local registered social landlords, local voluntary organisations, tenant and resident groups, neighbouring local authorities, NHS, and other organisations including Communities First partnerships and community councils. Perhaps surprisingly, the local voluntary and community sector is not specified.

### *Local access forums*

Local access forums were established under the Countryside and Rights of Way Act 2000, covering each local authority and national park area. Subsequent Regulations<sup>38</sup> have set out the arrangements for the forums' membership and operation. The main function of the forums is to advise on the improvement of public access to the area in question for open-area recreation and enjoyment, and includes issues such as maps of designated open countryside and proposals to improve rights of way. Membership should consist of a chair and deputy plus ten to 20 other members, and should be balanced between user and land management interests. The Assembly's Guidance specifies that, as well as having good knowledge of and having been drawn from the area covered, they should reflect a gender balance and the age and ethnic composition of the local population, and should include people who can advise on the needs of those who are socially or economically disadvantaged. The Assembly has not specified how forum membership should be determined but recommends that, as well as the usual method of nomination, co-option or local advertisement should be considered. The Assembly specifies that the forum's chairperson is elected from the membership.

### *Issues*

Among the local structures that have been established, the issues are as in other fields, namely capacity of organisations and individuals to participate, the continued under-participation of minority groups despite efforts to include them and integration between different local structures. Although not wholly unproblematic, relationships between different levels of governance have been relatively good.

It remains to be seen whether the abolition of some ASPBs in 2006 – and the next round of Structural Fund programmes, which is due to start in 2007 – will bring a change in emphasis.

### **The future**

Local governance in Wales is now a rich environment, with a wide range of structures, partners, groups and bodies established to encourage collaboration, the development of shared visions, integration of service delivery and engagement with the wider community. Indeed, local governance is now so rich that it is almost indigestible – the sheer number and complexity of structures now makes understanding how they fit together and participation in them difficult even for established institutions, let alone the voluntary and community sector or individual citizens. Hardly surprisingly, issues about capacity and horizontal relationships between structures are at the forefront of concerns.

It is also clear that the Welsh Assembly Government, perhaps in its haste to achieve outputs, has focused on developing new structures, with an emphasis on relatively mechanical matters such as membership. It has looked less at the deeper question of how to ensure effective participation of the wider community, especially marginalised groups, in local governance.

It may be that this is simply the ‘first phase’ of a new institution seeking to transform governance in Wales. Certainly, the beginnings of a ‘second phase’ are evident: there is a recognition that there is scope to reduce the number of local plans and strategies – and their associated partnerships – in work being undertaken by the Assembly and Welsh Local Government Association on ‘plan reduction’. And there are a number of initiatives to support participation in some of the structures that will undoubtedly help to encourage involvement and reduce barriers to participation in, most notably, Communities First and health and social care.

It also remains to be seen whether the changes to the three largest quangos in Wales (and the possibility that more may follow) is the assertion of a new 'localism' in Wales, or whether Welsh people's alleged liking for establishing committees will continue to be a hallmark of our governance in the twenty-first century.

### **Appendix 1: list of local partnerships and groups identified for the County Voluntary Council area of Caerphilly**

Aber Valley Community Forum  
Aber Valley Regeneration Group  
Aber Valley Strategy  
Abertysswg Village Partnership  
ACE Ecopark Partnership Board  
Bargoed/Rhymney Forum  
Bitra Partnership (Environmental)  
Blackwood Town Centre Partnership  
Caerphilly Basin Community Forum  
Caerphilly Basin Forum  
Caerphilly Groundwork Trust  
Caerphilly Health and Social Care Forum  
Caerphilly Local Authority Partnerships  
Caerphilly Sub Panel Compact  
Caerphilly Twinning Association Partnership  
Child and Youth Partnership  
Children and Families Network  
Community Legal Services Partnerships  
Community Regeneration Fund Panel  
Crime Prevention Panel  
Early Years and Childcare Partnership

## Mapping governance at the local level

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Greater Bargoed Community Forum  
Health Authority/Social Services Partnership  
Healthy Living Centres Partnership  
Islwyn Voluntary Sector Forum  
Local Action Team Drugs/Alcohol  
Local Transport Action Partnership  
Lottery Funding Strategy Partnership  
Lower Islwyn Community Forum  
Markham Partnership  
Mid Valley East Community Forum  
Mid Valley West Community Forum  
New Deal Consortium  
Objective 1 Partnership  
Policy Unit (Planning, Public Relations, Social Services)  
Pwll-y-Pant, Llanbradach Revival Partnership  
Racial Awareness Partnership Group  
Sportslot Community Chest  
Surestart Partnership  
Trinant Community Partnership Five-year Strategy  
Trinant Community Revival  
Upper Rhymney Partnership Board  
Upper Rhymney Valley Community Forum  
Upper Rhymney Valley Management  
Upper Rhymney Valley Partnership Small Grant Schemes  
Upper Rhymney Valley Task Force  
User/Carers Network  
Voluntary Sector Achievement Awards Panel  
Voluntary Sector Representatives Committee

Voluntary Sector Sub-liaison Committee

Young Carers Task Force

Youth County Forum

Youth Offenders Team

Youth Summer Play Schemes Partnership

Youth Workers Forum – multiagency

*Source:* Wales Council for Voluntary Action

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## Notes

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- 2 The Government of Wales Act 1998.
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- 26 *The Schools Forums (Wales) Regulations* (2003) SI No. 2909 (W.275).
- 27 School Standards and Framework Act 1998.
- 28 Learning and Skills Act 2000.
- 29 Crime and Disorder Act 1998.
- 30 Of which the author was a member.
- 31 Gillian Bristow, Tom Entwistle, Frances Hines and Steve Martin with Kevin Morgan and Andy Pithouse (2003) *Partnerships between the Public, Private and Voluntary Sectors in Wales – Final Report to the Welsh Assembly Government Steering Group*.
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- 33 Welsh Assembly Government (2002) *Communities First Guidance*.
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