URBAN
FORUM

Local Democracy Revisited

The changing role of local councillors

By Caitlin McMullin

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> *"The Big Society is about a huge culture change where people, in their everyday lives, in their homes, in their neighbourhoods, in their workplace don't always turn to officials, local authorities or central government for answers to the problems they face … but instead feel both free and powerful enough to help themselves and their own communities"*
> - David Cameron, July 2010

> *"This[empowerment] is not about making people sit in meetings on wet Tuesday nights, it is about helping citizens to get involved when they want to on their own terms – paving the way for a new style of active politics that not only gives people a greater say but ensures that their voices are heard and that their views will make a difference."*
> - Gordon Brown, Communities in control: real people, real power, July 2008

Successive governments have talked about giving people more power, and have sought to increase the levels of empowerment, involvement and engagement of local people in their neighbourhoods. With the Big Society and localism agendas we're seeing this becoming a major cornerstone for policy for the coalition government. Councillors have a key – but often overlooked – role in this process. As elected representatives of all local people (and not just the most vocal), councillors remain the local leaders who can help communities take advantage of new community rights, empower local people and truly realise aspirations to devolve power to local communities.

The Localism Bill, introduced in December 2010, contains many measures which can potentially change the way that local government functions and the way in which local people and institutions interact. In an effort to decentralise power from central to local government and from local government to local people, Government has committed itself to reforming the planning system, housing, local services and local democracy; giving more rights to citizens to influence decisions and activity in their communities.

Councillors can play a key role in interpreting these changes for local people, enabling them to take up new powers and in coming up with innovative ways to run local councils with less money. Localism and Big Society have the potential to change the meaning of 'empowerment' from being council-led to being driven by local communities' needs. However, they also contain some risks to communities and service users – particularly around issues of accountability and equality – that elected councillors have a key role to play in mitigating against.

Leading Lights programme

Leading Lights was a part of the East Midlands Empowerment Partnership's (EMEP) Targeted Support Programme, which was a group of projects that aimed to provide support to East Midlands local authorities to empower local people and achieve the objectives of localism in their area.

The Leading Lights programme aimed to develop councillors' capacity to help local communities have a greater influence within their locality. Throughout autumn 2010, Urban Forum ran a series of workshops covering key themes in community empowerment for councillors in Edwinstowe, Leicester and Northampton. Three workshops were run in each location:

- *Communication and networking with communities (October 2010)*: exploring the communication/ networking role of a councillor; developing communication styles; finding communication techniques.
- *Getting people involved (November 2010)*: exploring what motivates and de-motivates people to get involved; finding community engagement techniques to reach all sections of the community; building effective working relationships with community organisations.
- *Using community engagement skills in the new policy world (December 2010)*: how the new policy landscape may affect a community; supporting community influence and community resilience; assessing impact.

A total of 81 councillors attended at least one of the workshops (with many attending two or all three of the sessions), 60 percent of whom are parish councillors and the remaining 40 percent from district, borough or county councils. Workshops consisted of a mixture of presentations, group sessions and facilitated discussions.

Methodology

In addition to training the councillors on empowerment topics, the workshops were used to investigate councillors' attitudes and opinions about their changing roles and the new policy

environment. We conducted five full-length interviews on specific involvement techniques that councillors have used, in addition to recording discussions that took place throughout the course of the workshop sessions in order to capture the scope and tone of councillors' views on empowerment and how this is changing.

We were interested in exploring how councillors defined community empowerment, where they felt they had gaps in terms of skills or understanding, and how they planned to change their activities in moving forward. These interviews and discussions form the basis of the analysis presented here of the role of councillors in the Big Society.

Through the group discussions and interviews we conducted with councillors at our Leading Lights events, in addition to a review of current publications (see references) on Big Society and community empowerment, we look at the way in which councillors should be included in the localism agenda particularly as it relates to:

- *Working with communities*
- *Local democracy*
- *Community Rights*
- *Planning*

The role of local councillors in devolution to local communities has often been overlooked in Government rhetoric and public discourse about the Big Society and localism. In this report, we show that local councillors have a vital role to play in shaping and implementing policies on devolution to communities in whatever form is appropriate for their local community. We make the case that whilst the devolution of power to local communities is to be welcomed, if it is at the expense of locally elected representatives, it risks undermining the goals of Big Society to make decision-making and services closer and more accountable to local people.

Whilst there is certainly an important role that councillors can and should play in these areas, the numerous new programmes and reforms being made also do raise some concerns for the state of local representative democracy. Many of the councillors attending the workshops voiced apprehension about the general challenges to local representative

democracy and accountability posed by current reforms and initiatives. They also raised practical concerns relating to the impact of current funding constraints on the capacity of being able to properly engage with communities.

The changing face of 'community empowerment'

As we know, empowerment has been a key theme of both this government and the last. Indeed, the Leading Lights training programme was developed as part of the last government's drive to devolve power to local communities. There is a considerable continuation of policy in this area from the last government to the current coalition, but there are also some important differences which are significant when considering what empowerment means for local councillors.

The former Labour Government defined empowerment as passing power 'into the hands of local communities so as to generate vibrant local democracy in every part of the country and give real control over local decisions and services to a wider pool of active citizens'[1], a vision which has remained much the same under the Conservative- Liberal Democrat coalition. However, the way this vision was implemented under Labour was quite different.

A key theme of Labour's empowerment agenda was the promotion of a local government culture of involvement and empowerment of local communities by introducing statutory requirements – such as the Duty to Involve[2] and Duty to Promote Democracy (the latter was scrapped before enactment). The Duty to Involve placed a legal requirement upon local authorities to 'take appropriate steps to involve people in decisions, policies and services that may affect them or be of interest to them'. Furthermore, it made community empowerment a feature of performance management – with local authorities who chose to prioritise empowerment policies reporting to central government on their performance in the Place Survey (National Indicator 4)[3].

Research carried out by Urban Forum showed that knowledge and understanding of the

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[1] Communities in Control White Paper; Department for Communities and Local Government; July 2008.
[2] Introduced in the Local Government and Public Involvement in Health Act 2007 and extended to cover local authorities and other public bodies in April 2009.
[3] Both the Place Survey and National Indicator 4 have now been abolished.

Duty to Involve was poor among community groups and they felt that it was ineffective in increasing people's influence in local decision-making[4]. Many concluded that making empowerment part of local authority performance targets arguably had made empowerment something driven primarily by local government, and therefore contributing to a perception of empowerment as a process 'done' by local councils to local people rather than being citizen-led.

Evidence from the Citizenship Survey showed that overall most individual residents (56% in 2008) did not feel they had influence over their local area, and the numbers who did had even fallen slightly (from 61% in 2001[5]), in spite of the initiatives and legal changes introduced to increase empowerment. National Indicator 4 showed little variation whatever local authorities did. Whilst they helped make public engagement a priority, and could (over time) have resulted in embedding this, both the Duty to Involve and National Indicator 4 are illustrative of the former government's top-down approach to community involvement and empowerment. It is by changing from this focus towards one with more emphasis on a rights-based approach that the current government hopes will help to promote long-term, meaningful community empowerment.

The previous government also encouraged local authorities to introduce new mechanisms to involve and empower, such as setting up neighbourhood forums and participatory budgeting projects. Promoting different forms of neighbourhood governance, such as parish councils, were also high on the agenda. These initiatives continue to feature high in coalition policies (particularly neighbourhood forums, upon which neighbourhood planning is dependent). The Conservatives and Liberal Democrats are putting a new emphasis on the idea of co-production and ownership of services (through co-operatives and mutuals) as a way for people to determine what they want in their area.

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[4] Involving Communities: A Legal Duty?; McMullin; Urban Forum, 2010.
[5] Citizens and local decision making: What drives feelings of influence?; Newton, Pierce, Richardson and Williams; Urban Forum, 2010.

The Big Society

The approach to community empowerment by the new government has evolved away from statutory requirements to involve local people, and then measuring involvement by national indicators. Instead, Government aims to move towards achieving empowerment through co-design, co-production and ownership of services by local people, service users and council employees.
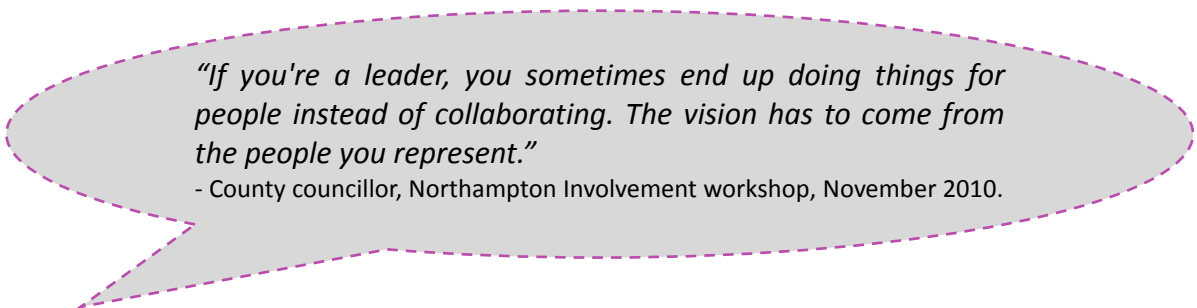
The coalition government's Big Society and localism plans have received some criticism from many quarters for being vague and undefined, and that they are a cover for the cuts to public spending. While we still don't know the full effects of proposed or planned government reforms, the Big Society as the Government's vision for how society could be is becoming slightly clearer. Government hopes the Big Society will be realised when most citizens are members of neighbourhood groups, when volunteering is widespread, and when people feel that their voices are heard in their local area. There has not, however, been much analysis about how marginalised groups will be supported to take this up, and perhaps this is where councillors' role will be most important.

A feature of Big Society is that it relies on action at the grassroots, as opposed to actions dictated by the state. The government has however initiated several programmes and proposals in order to facilitate this transformation of citizen-local government-central government power dynamics.

- *Community organisers*: a training programme to produce a 'neighbourhood army' of 5,000 community organisers.
- *Change to local governance*: including the right to conduct a referendum on any local issue, and the right for local councils to return to a committee system as well as elect mayors for larger cities.
- *Community Rights*: powers to local communities to bid to take over services and assets.
- *Reforms to the planning system*: including a Community Right to Build, support for neighbourhood planning and the abolishment of regional planning strategies in a move to redirect the power over planning to local communities.

Representatives, Leaders, Enablers: What is the role for councillors?

Missing from much of the current policy discussion on localism and Big Society is any talk of local councillors. With government focussing on promoting the power of local citizens to influence planning and local decisions directly, councillors sometimes seem to be forgotten. What is the role for local councillors if citizens are being encouraged to take over services and local buildings to run themselves? How do councillors fit into the picture if community organisers are meant to act as community leaders? And what does this all mean for the role of councillors as representatives, leaders or enablers?

> *"If you're a leader, you sometimes end up doing things for people instead of collaborating. The vision has to come from the people you represent."*
> - County councillor, Northampton Involvement workshop, November 2010.

Changes to local governance structures prior to the current government took office began a shift away from the traditional role that councillors had taken. The 2000 Local Government Act required councils to move from a committee system of governance to a cabinet model, with frontline (or backbench) councillors providing an overview and scrutiny rule. Frontline councillors are thus expected to focus on their ward, and making sure that their constituents' voices are being heard.

Whilst the Localism Bill will allow councils to return to the committee system, it is likely that most will choose to stick with the cabinet model of local governance which has meant councillors have been taking more of a community leader role than simply making decisions in town hall meetings. The move towards localism signifies more of a move towards an enabling role – helping local people to effect the changes they want by themselves, rather than representing their views and taking decisions for them. However, while there seems to be a move towards more direct democracy (via referenda and community rights), representative democracy is necessary to ensure that accountability and representation of deprived communities are respected.

In order for the Big Society to be realised, the importance of local elected representatives needs to be recognised. Indeed, many councillors already, and have for many years, championed the values of Big Society and localism, whether or not they subscribe to present government terminology. Big Society will only be a success if the skills, expertise and particularly the community knowledge of councillors is utilised to its full potential.

As Chair of the LGA Baroness Margaret Eaten contends, "Of course we have got a foot (or at least part of one) in government and the machinery of service delivery and local regulation – but our main focus as politicians is on our constituents. We are in a better position than anyone else, given our democratic mandate and local knowledge, to facilitate community action and mobilise communities."[6] This sentiment is shared by many across the public and third sectors – many urge that councillors can lead in helping to realise the Big Society vision because they provide the democratic accountability as well as a leadership role in their communities[7].

Many of the councillors we spoke to during our Leading Lights workshops expressed concern that the importance of their roles as elected representatives might be overtaken by those in the community who are the most vocal and able to take up new opportunities that arise from the shifts suggested by Big Society. However, many councillors also recognise that changing circumstances will mean that they must adapt and change the way they work and be sure that they are best positioned to help their constituents to take advantage of the opportunities that the Big Society might offer.

[6] The 'big society': next practice and public service futures; ed. Tuddenhan; Solace, December 2010.
[7] Local Society: The role of councillors and councils in strong local communities; www.localsociety.org.uk; 2011.

SECTION 2: Communication and involvement

Over the course of October and November 2010, Urban Forum conducted several workshops on the themes of 'Communication and networking with communities' and 'Getting people involved'. These workshops focussed on the importance of councillors knowing their communities and finding the ways to best communicate with them, in order to help local people to most effectively influence local decision-making.

Communicating with all the community groups in an area can be a challenge for councillors, considering the time commitment that their duties as a councillor already require. Given the changes that Government is expecting to take place, effective communication with communities will be essential. This is something that many – but not all – councillors have already been doing for years. The fact that community groups will be expected to assert their voices and take over more services means that councillors' support will be more useful than ever, and councillors must be sure that they are communicating with the groups and individuals who might need their expertise.

> *"My biggest problem is with a councillor who said he didn't want to do surgeries. He also didn't want to go forward with the survey [for the parish plan]. He's one of these councillors who thinks two hours a month is quite sufficient to be a councillor. Well, things change. Things might have been like that 20 years ago. But it sure ain't now."*
>
> – Parish councillor, Edwinstowe Communications event, October 2010

The routes that councillors use to communicate with their constituents are changing, and changing quickly. As the function and remit of councils evolve, councillors are beginning to adapt. Whilst local councillors reacted to the previous government's empowerment agenda by setting up area forums and conducting consultations on a wide range of issues in order to meet the requirements of the Duty to Involve, the responsibilities placed on councils in the Big Society are less well defined. Councillors have a role in providing a bridge between the old way of doing things and the new, citizen-led vision of community involvement.

Traditionally, councillors have engaged and communicated with local people by sending out newsletters, running surgeries, and taking part in local forums. Councils have taken an approach to communication along the lines of "we asked, you said, we did". However, the shift encouraged by Government could mean that this approach becomes a thing of the past, with local people playing a stronger role in setting the terms of the conversation. The channels and tools councillors use to talk to their constituents will therefore need to adjust to this shift.

We asked the councillors at our workshops which involvement techniques had worked well for them in the past, and which had not worked so well. Overwhelmingly, the responses showed that the most effective tactics were ones in which the community themselves rather than the local authority helped to determine the process and outcome, such as the creation of a neighbourhood watch scheme or involving local schools in creating a local vegetable patch.

Case study: Empowering local people to do things themselves
"Here we do have the power of money – at the county we have £10,000 each a year. It doesn't go to do the big projects, but it does enable some smaller projects.

There's a project I've been part of in our area. There was a derelict square where we had graffiti, vandalism, drugs dealing. The way we've done it, we've had people deciding what they want, particularly the schools. We've gone to the schools – "You design what you want," and we helped them to get started to make it a nicer area. And now people have seen things happening, gradually, slowly, bit by bit. They've taken pride in what's happened. I always say, if you give somebody a nice area, they will behave better in it.

They have a bit of pride when improvements are made, and then because they've been part of it, they have ownership of it. And now, if anybody comes along and puts any graffiti in that underpass, which has had a lot of work on it, instantly they are told to take it off. They go to the police and tell them who did it, which would never have happened before. In about a year, there's only been about once piece of graffiti in the whole area, which is quite amazing.

It's ownership – they're staying involved in it."

- Councillor, Northampton Involvement event, November 2010.

On the other hand, councillors noted that many tools or techniques that their local authorities have traditionally used to reach out to local people have a history of being

ineffective. This is backed up by evidence from our previous research, which found that poor consultation processes generally (where the results of the consultation or the reasons behind a decision taken were not published, or where people believed decisions had already been taken and didn't believe in the consultation process itself) were one of the main drivers of local people having low feelings of influence[8].

Community notice boards were also mentioned by several councillors as often being ineffective for disseminating information. The changing relationship between councils and local people has meant that village or community halls don't receive as much traffic as they used to so notice boards simply aren't seen. In many ways the community notice board has become obsolete, mainly because the ubiquity of online notice boards, blogs and social media means that the internet is where people tend to go to find local information.

Some of the councillors we spoke to are beginning to use social media tools, such as Facebook and Twitter, primarily to publicise their work with the council. Social media can also be used as a way to gain insight and feedback from constituents and find out what they really want in their local area, and the councillors at our workshops recognised that they had room to improve in this area. Social media is vast becoming a supported means of interacting with constituents, because it breaks down boundaries that may have previously existed between councils and local people.

More and more community groups are beginning to make a presence on Facebook and Twitter (72% of respondents to an Urban Forum survey currently use at least one social media platform), and the vast majority of them (83%) believe that social media is an outlet which will become increasingly important for them over the coming year[9]. This is an arena where councillors can quickly, cheaply and easily communicate and engage with groups and individuals in their area, but it is only one tool in their empowerment toolbox and certainly should not replace traditional forms of communication.

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[8] Citizens and local decision making: What drives feelings of influence?
[9] Community 2.0: The use of computers, the internet and social media in the voluntary and community sector; McMullin and Pritchard; Urban Forum, 2011.

Many councillors at the Leading Lights workshops suggested that a main barrier to involvement for local people was their lack of time or the inconvenience of consultation events that councils held. If the Big Society means that everyone will be able to have influence over the decisions that affect them, then this means it will be important for councillors to engage with people in the space in which they are most comfortable. And, increasingly, for many constituencies, these conversations are happening online. Whilst it is certainly important to remember that large percentages of some communities do not have internet access, or do not use social media, it is equally important for councillors not to miss out on the groups of younger people with whom online interaction is the most effective medium.

> *"At some point, we're going to have to draw a line on communications for the council. It's going to have to be electronic, full stop."*
>
> – Councillor, Edwinstowe Communications event. October 2010

Another concern raised was the fact that many consultation or engagement exercises are costly, and there simply isn't the budget for these activities because of cuts to public spending. Given the difficulty of continuing to engage with local people whilst managing all activities under strained budgets, free platforms such as blogs, Twitter and Facebook are increasingly proving their worth. Whilst many councillors recognise and embrace the idea of going online, there is still some way to go in increasing councillors' internet and social media proficiency. Many of the workshop attendees indicated that they would like to create a blog or Facebook page, but that they would find it useful to attend some training in order to do this most effectively.
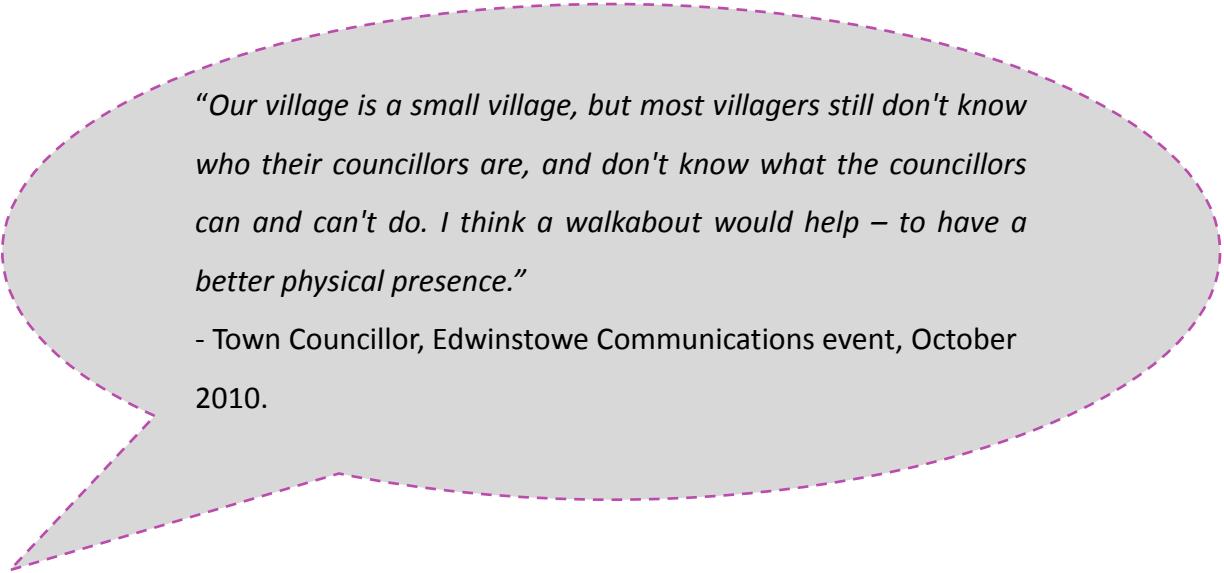
> *"I think you've got to really analyse who the community is and what's the best way of communicating with them so that you don't waste your limited resources."*
>
> – Councillor, Edwinstowe Communications event, October 2010.

Social media is, however, by no means a substitute for old-fashioned, face to face communication. Often, it is easy for councillors to assume they know who lives in their community, but a simple mapping exercise – bringing together councillors and drawing a map or web of different groups in the area, and who is connected to whom – can make it clear where some links are missing.

But perhaps the most important and effective communication technique that councillors should take into consideration is simply being present and available for constituents – getting out there, and being around so that local people know that they can go to councillors as a source of information, support and guidance if they wish to change something in their local area. Often, councillors' skills and influence are underutilised simply because local people don't realise that a councillor could help them with a specific issue, or signpost them to the person who can. Many councillors at the workshops do regular walkabouts, and note that this is an effective and easy way for them to get to know their community, as well as gain the community's trust.

"Our village is a small village, but most villagers still don't know who their councillors are, and don't know what the councillors can and can't do. I think a walkabout would help – to have a better physical presence."

- Town Councillor, Edwinstowe Communications event, October 2010.

When it was first introduced before the election in 2010, the concept of the Big Society seemed to many to be ill-defined. Slowly, over the course of the following months, David Cameron's vision is beginning to fill out through various initiatives, notably by the Localism Bill which was introduced in December 2010. There is still, however, much scope for local people to determine what localism means for them and councillors can take part and drive this discussion in a number of ways.

Working with communities

One of the primary objectives of the Big Society agenda is to encourage local people to join neighbourhood groups and to empower those groups to be able to make the changes they wish to see in their areas. Local councillors have a crucial role in this agenda, given that they can and should be involved in empowering and enabling communities and acting as an intermediary between groups and the local council.

Community organisers

Prior to the May 2010 election, David Cameron announced the intention to build a 'neighbourhood army' of 5,000 community organisers, based on the philosophies of Saul Alinsky and Paulo Friere. The organisers will be trained to mobilise communities,

"We already have hundreds of community organisers. They're called councillors."

- Councillor, Northampton Policy event, December 2010

help people to start local groups and secure funding, and engage with the community. Their placement will be targeted primarily at areas with low levels of multiple deprivation.

This initiative was one which elicited the most debate from councillors at our Leading Lights workshops, as many of them felt that installing professional community organisers was meant to effectively replace the role of elected representatives. They also noted the fact that there are already thousands of people working at the grassroots who meet the definition of 'community organiser' as the government interprets it, and that the

programme risks duplicating good work that grassroots organisers are already doing. Councillors were also concerned about the lack of accountability of community organisers.

> *"We've got plenty of resources at the grassroots. Many people are already doers who can organise these things themselves. We don't need to be patronised by central government."*
>
> - Councillor, Northampton Policy event, December 2010.

While this hesitation and scepticism is understandable, there is much to be welcomed by councillors with regard to the community organisers programme. In fact, several of the councillors in the workshops did express that they would be thrilled to have a community organiser put into their community to help them do their job. The community organisers programme reflects a shift in the way government approaches community working, and this could provide huge benefits for councillors seeking to engage more effectively with local people.

Community organisers may become valued allies for councillors, who are able to be both in the community and independent, thus not limited by the workings and bureaucracy of local government. Rather than seeing community organisers as a threat to their role, some councillors suggested that they should be seen as an opportunity – a new face and way of working that may provide enormous benefits for their community.

Supporting community groups

Prime Minister David Cameron has on numerous occasions expressed the desire that every adult in Britain be a member of a community group. Whilst we are still a long way away from this vision, community groups certainly play a vital role in society and are being increasingly drawn upon to deliver services as public sector finances are stretched.

In spring 2010, Urban Forum conducted a piece of research looking deeper into the relationship between communities and councillors, and specifically how community groups could add value to their project or campaign by having a councillor involved[10]. We found that from a community group's perspective, councillors can add value as community

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[10] Local Action: a handy guide for communities working with councillors; Newton, McMullin and Jatana; Urban Forum, 2010.

advocates, in helping communities to 'do things for themselves', and in promoting volunteering and active citizenship.

From the councillor's perspective, establishing effective working relationships with community groups can make their jobs as councillors easier and more fruitful. The councillors that we spoke to said that working in partnership with community groups on projects and campaigns helped them to understand problems in their area as well as be more in-tuned with the possible solutions that local people would like. We found that there are often negative perceptions from both quarters (councillors talking about 'the usual suspects'; community groups complaining that councillors aren't representative or don't engage effectively[11]) but that these stereotypes are often unfair and untrue. Councillors and community groups have the same priority – to make their local area a better place to live – and working in partnership can help achieve this.

Local Democracy

> *"As councillors, we should be doing what our village, our people want us to do. We are their representatives and therefore we don't need anybody else to tell us – we want our local people to tell us what they would like from us."*
>
> - Councillor, Northampton Policy event, December 2010

A key focus of the Localism Bill is reforming local governance through introducing referenda, changes to local authority structures, ending predetermination rules, and introducing a general power of competence. These reforms potentially empower local councillors, opening the door for them to be more entrepreneurial and innovative as opposed to being frustrated by central government control and targets which constrained their actions.

Local referenda

The Localism Bill provides a measure which allows local residents to initiate a referendum on any issue, and abolishes the current policy which places a duty on councils to have a petitions scheme. Government contends that petition schemes are currently overly

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[11] Leading Lights: Research into the role of councillors and third sector representatives in community leadership; Gudnadottir; Urban Forum, 2009.

bureaucratic and expensive, and they hope to remove these burdens whilst maintaining local people's democratic voice through referenda. In short, the duty to respond to petitions will be abolished, aside from petitions which call for a referendum on a local issue.

A referendum under the new scheme will be non-binding, partly in an effort not to override the role of local elected representatives. According to CLG, "A scheme of binding local referenda would run counter to the principle of representative democracy in that it would in effect replace the role of local representatives who are elected to take decisions in the round that balance various and competing local needs and interests[12]." Currently, a local referendum can be held if a local authority decides to do so, but the Localism Bill transfers this power directly to local people.

The councillors who attended our workshops certainly were receptive to the prospect of allowing local people to assert their voice in local decisions, and running referenda can serve this purpose. A referendum could provide much needed public opinion information for councillors to make decisions that best reflect their electorate. However, many councillors, especially those who had previous experience in running referenda or parish polls, expressed concern about meeting the costs associated with running referenda as well as making sure there would be limits that would be imposed upon the right to run a referendum in order to prevent abuse.

"That's a positive if we are seriously saying that local communities are going to have much more power to instigate local referenda; that's fine. But then we come to the issue about how it is funded. The reality is that you're always going to need money from somewhere... Where's the finance going to be to make those things happen?"

– Town Councillor, Leicester Policy Event, December 2010.

"Giving people powers, we need to give them responsibility as well. And we will need a framework. We can't just say, 'Right, you can have a referendum every week.' That is obviously going to run away with all the money and we won't provide any services."

- Town Councillor, Northampton Policy Event, December 2010.

[12] Localism Bill: local referenda impact assessment; Department for Communities and Local Government, January 2011.

Additionally, the Localism Bill requires local authorities to hold a referendum if they are to increase council tax about a certain level. The government hopes that this will push local authorities to be more accountable and reduce waste. The Secretary of State will agree a council tax ceiling, and any local authority wishing to raise council tax about this threshold must have it approved by local people via a referendum. Several councillors at our workshops expressed particular concern with this measure and its effect on their ability to fulfil their roles as elected representatives given how stretched local finances already are.

> *"If you need that council tax to pay the bills, what are you going to do? Are you going to put that council in deficit? Then all the council would have to either stand down or be stripped of the right to stand. At the end of the day, as councillors, you've got a legal duty to make sure that you've set a legal budget. And you don't set high budgets because you want to, it's because of the services you're having to offer."*
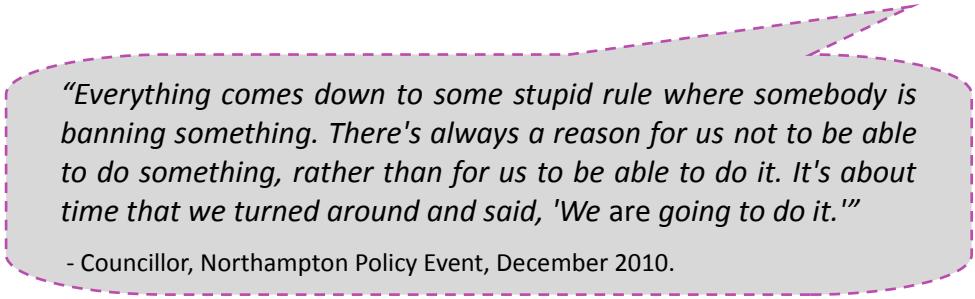> - Councillor, Edwinstowe Policy Event, December 2010.

Changes to local governance

Whilst many of the changes introduced by the Localism Bill will affect councillors indirectly and will provide opportunities and challenges for them, there are some policies which could directly influence the way they conduct their business – namely allowing councils to return to a committee system, as well as the introduction of directly elected mayors in some major cities.

Reverting to the committee system of governance is, as with the overall localism theme, an attempt for government to refrain from dictating how local councils should be structured and run. Changing back to a committee system could potentially affect the way councillors have worked over the last 10 years, but it is likely that most will not decide to make the switch. Additionally, 12 cities in England will have to hold a referendum (probably in May 2012) about whether or not local people would like to create a directly elected mayor. If supported by the public, have a mayor may fundamentally change the way councils function, particularly if the mayor is given more executive powers than the current council leader enjoys.

There was some disagreement between Downing Street and DCLG about this measure, but the referenda to be held will determine whether or not local people see the value of electing a mayor. The argument for mayors is that they add greater visibility and lead improvement in a local authority, but there is little evidence to suggest that the public sees mayors as an improvement over the cabinet system of governance with a leader, or that it strengthens local democracy or accountability. Indeed, a MORI poll suggested that 42 percent of people would find a mayoral system to be about the same as their current system[13]. Of the 37 referenda that have been held over the introduction of directly elected mayors, only 13 have passed with public support[14]. Thus while both of these measure could have a profound effect on the workings of local councils if councils make these reforms, it remains to be seen whether or not they will be taken up.

General Power of Competence

> *"Everything comes down to some stupid rule where somebody is banning something. There's always a reason for us not to be able to do something, rather than for us to be able to do it. It's about time that we turned around and said, 'We are going to do it.'"*
>
> - Councillor, Northampton Policy Event, December 2010.

The General Power of Competence allows local authorities to act in the best interest of their constituents, by giving them the power to take any action aside from those which are specifically prohibited by legislation. This power intends to turn the relationship between central and local government upside down – as it currently stands, local authorities may only take such actions as are permitted by central government.

This power is one which illustrates the localism agenda directly and it should allow local councils to be more innovative, proactive and creative in the way they deliver services. For councillors, in many ways this frees them from focussing on meeting centrally prescribed targets and allows them to make decisions more freely about what will be best for their local area. Councillors at our workshops welcomed this reform, and whilst they were sceptical

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[13] Ipsos MORI Public Services Survey 2007.

[14] Directly Elected Mayors Factsheet; The Electoral Commission, October 2010.
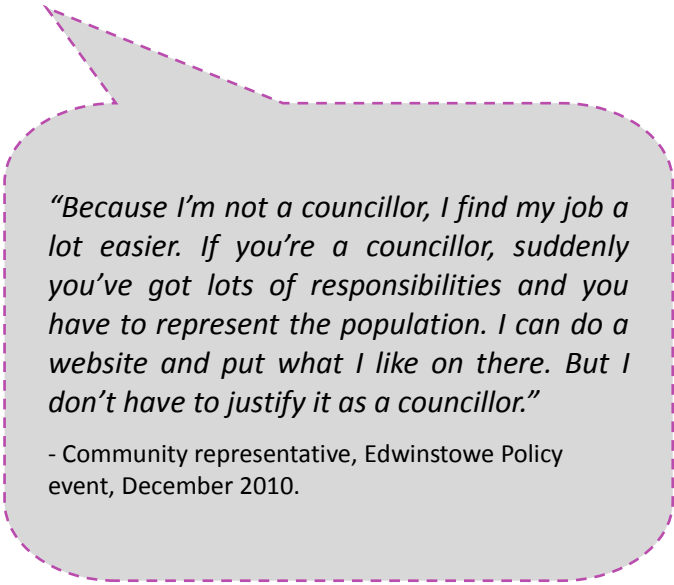
about the Red Tape Task Force which has been set up to find and eliminate unnecessary bureaucracy, they did acknowledge that councils are often overburdened by red tape and regulations and were relieved that this might become a thing of the past.

<u>Predetermination rules</u>

Prior to the Localism Bill, local councillors were limited in their ability to advocate for groups or raise concerns in their area if it was something that they would have to vote on in the council, and there was confusion about what councillors could and could not do. The Localism Bill removes this restriction, which makes it clear that councillors are able to campaign or express a viewpoint on an issue without being barred from taking part in a decision on it.

Some councillors mentioned cases where they had to choose between either campaigning for a ward issue or voting on the matter in the council, and the removal of this rule may help to prevent this situation. Now councillors will potentially have the freedom to advocate for local causes without it affecting their eligibility to decide on the issue. In addition, the Localism Bill abolishes the Standards Board regime, which currently imposes a central code of conduct model for councillors.

This opens up doors for councillors to use blogs, Twitter and Facebook without fearing that expressing their viewpoints might compromise their position as a councillor. Several of the councillors who attended our Leading Lights workshops on communications and involvement expressed trepidation about using social media because of the possible repercussions of posting opinions on ward issues.

> *"Because I'm not a councillor, I find my job a lot easier. If you're a councillor, suddenly you've got lots of responsibilities and you have to represent the population. I can do a website and put what I like on there. But I don't have to justify it as a councillor."*
>
> - Community representative, Edwinstowe Policy event, December 2010.

Of course, removing predetermination rules and the Standards Board does not allow councillors to say absolutely anything they like without cost. But it does allow them the freedom to express their opinions (within reason) and campaign on behalf of local groups and causes without fear of consequences.

Community Rights

What are community rights?

Community Right to Buy: Communities are given the power to take over land and buildings and save facilities that are threatened with closure. The right to buy extends the existing legislation which allows local authorities to transfer assets to community ownership at less than market value by extending the scope to privately owned assets, requiring the local authority to identify assets of community value, and allowing communities time to preparing to buy assets at market value.

Community Right to Challenge: Communities who are unhappy with how a public service is being run will be given the power to submit an expression of interest to trigger a procurement process, for which they can then bid. The right can be taken up by voluntary and community groups, social enterprises, charities, parish councils and relevant local authority staff via the Right to Provide.

Community Right to Build: Communities are given the power to develop and approve the building of homes in their local area without planning permission, as long as it receives 90% support in a local referendum.

"I think there are different ways of doing things, and I think this is a real opportunity in many ways for local people to put their money where their mouths are. Everybody says, 'We could do it better.' Well, I suppose this is the opportunity to prove you actually can do it better."

- Parish councillor, Leicester Policy event, December 2010

Community rights offer new opportunities for councillors to be advocates for and enable local people. As the rights apply to community groups as well as parish councils, parish councillors in particular have a lot to gain by taking full advantage. As noted in the case study (next page), some groups and parish councils have come up against resistance when wanting to take over ownership of public assets, and the same has sometimes been true about services. By fully understanding what the Community Right to Buy and the Right to

Challenge entail and how to take it up, parish councillors may be able to add much needed assets to their parish council portfolio.

For district and county councillors, community rights are one way in which they can and should draw upon their role as an enabler. Whilst community rights give power to local people, the process may be complicated, take a long time, and involve legal details which local people who aren't specifically in tune with government regulations may have difficulty understanding. This may be particularly true for marginalised groups.

Councillors can help empower local people by taking it upon themselves to fully understand the route that must be followed if a group should like to challenge a service or buy a community asset, and act as an enabler to let these groups do this for themselves. Some translation of government jargon from a councillor could be the thing that empowers a group to be able to take up a community right.

Case study: Community Right to Buy
The Community Right to Buy is one of the measures introduced in the Localism Bill, which may provide much needed legal basis for activities that some councillors have been trying to help their constituents undertake for years unsuccessfully. We spoke to one parish councillor at our Edwinstowe workshop whose parish might well benefit from this community right.

"We were told that you can ask any public body now if you can take over their assets. So there's a disused police station next to our playing field that they purchased from the playing field, and I wanted to ask the police if we can have the building for nothing because we want to run it as a parish office. It's a building with an office and a garage that the police converted and then realised they couldn't afford it. It could be converted for some sort of community use, but it would need £20,000 to bring it into a sort of community facility.

The building has got a right to pre-emption on it, so when the police offer it for sale they've got to offer it back first to the vendors, which are the parish council and we would have one opportunity to buy it. They're going to argue the building is worth probably £100,000 and we shall have to argue that it's worth what they paid for it as a site value.

So if we ask as a parish council, they're just going to look at you and say, 'Well, get lost, take us to review. You can't afford it, what are you going to do about it?' All they did was to tell me that they were now considering whether they would need it operationally, to which we've said, 'If you need it operationally, we support you, but if not, we'd like to talk about partnership.' They said, 'Well if we don't want it, we shall sell it. That's it.' The borough council says, 'Sue us. Take us to review.'
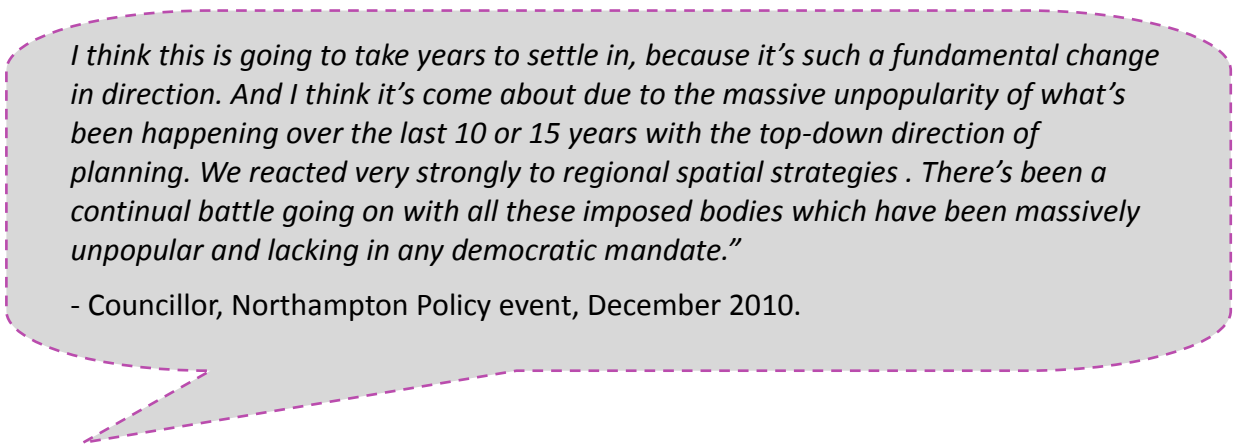
The parish council is completely up for this, but we won't be able to afford it. To get the valuation done, possibly to go to court, it's going to take an awful lot of money. This is why I was interested in the Community Right to Buy assets."

Planning

The Localism Bill has initiated a total shake-up of the planning system. With the overall goal of moving planning decisions to the most local level possible, several measures will be put in place including the abolishment of regional strategies, reform of the planning system, and the introduction of measures to encourage neighbourhood planning. These are important particularly for councillors who are involved in the planning process, and for parish councillors, who may have already conducted some form of neighbourhood plan and can take advantage of the new ways that this is encouraged.

Planning system reforms

Broadly speaking, the localism agenda aims to push decision-making down to the most local level possible. This is particularly true in the case of planning, where Government feels that regional planning structures have had too much power and don't necessarily meet local people's needs or hopes for their local area.

I think this is going to take years to settle in, because it's such a fundamental change in direction. And I think it's come about due to the massive unpopularity of what's been happening over the last 10 or 15 years with the top-down direction of planning. We reacted very strongly to regional spatial strategies . There's been a continual battle going on with all these imposed bodies which have been massively unpopular and lacking in any democratic mandate."

- Councillor, Northampton Policy event, December 2010.

The Localism Bill makes several reforms. First of all, regional strategies and targets are abolished, reflecting a general move away from powers at the regional level. The planning system is further reformed by allowing inspectors to re-write local plans only when suggested by the local authority. Additionally, a Community Infrastructure Levy will be introduced, allowing local authorities to reallocate some money where development is taking place back into the neighbourhood.

Neighbourhood Plans and the Community Right to Build

The Community Right to Build, as previously mentioned, gives communities the right to decide what is built in their area, by being able to forgo planning permission if 90 percent of the population agrees to the building of new homes. Giving people this right is intended to further empower them to control what happens in their area, which the government argues is lacking with the current planning system. The government is making multiple reforms which aim to make the system more democratic, effective and responsive to local needs.

> *"The value is, having got a parish plan, it gives legitimacy for funding."*
>
> - Parish councillor, Edwinstowe Policy event, December 2010.

> *"Parish plans – that's easy. It's when it's the urban plan… who is the neighbourhood and how do you break it up? To me, this is the big issue. Otherwise it's the activists who take over completely because they don't want something or they do want something. Neighbourhood is amorphous, isn't it?"*
>
> - Councillor, Northampton Policy event, December 2010

As part of this, Government is allowing local communities – through a parish council or neighbourhood forum – to develop neighbourhood plans which allow local people to voice their opinions on where new businesses and homes should go. The plan must be in line with wider strategic policies set nationally and at the local authority level. Provided this is the case and the plan is approved in a referendum, the local authority will bring it into force.

Neighbourhood planning offers huge opportunities for councillors, but this is not something entirely new to them. Indeed, a large percentage of the councillors who attended our Leading Lights workshops were from parish councils and many had conducted parish polls to inform a parish plan. The government's intent to encourage neighbourhood planning does give legitimacy to the work that parish councils have been doing for years, and will hopefully extend this work further.

SECTION 4: Councillors' concerns about Big Society and Localism

The role of councillors must be recognised and appreciated for Big Society to be realised. Councillors have many years experience as democratically elected representatives of local people – they know their areas, their local groups and the channels that must be followed in order to affect change. Councillors provide the vital link between neighbourhoods – who are championed under the Big Society values – and local councils who still hold the key to many local decisions. This crucial role should not be undermined. The councillors we spoke to at our Leading Lights workshops generally seemed up to the challenge of changing their ways of working and involving local people in order to evolve with government priorities, but there were several concerns that councillors raised in relation to the Big Society reforms.

First of all, the issue of accountability came up on numerous occasions. The councillors who attended our workshops felt that they, because they are elected and responsive to local people's needs, are thus democratically accountable to their electorate. Many of the localism initiatives, however, seem to lack this sense of accountability and there is a fear amongst councillors that vocal minorities may be able to take up community rights, in particular, at the expense of the majority, or at the expense of minorities less able to make their voices heard. In addition, the issue of how to hold a service provider to account, when that provider is a community group, social enterprise or from the private sector, does not seem to have been addressed yet by the government.

"I suppose the devil is in the details. Where's the accountability? It sounds like an ideal opportunity for local people to start taking charge of services and delivering them in a way that they see as representative of what local people need. But what happens if it goes wrong?"

- Parish councillor, Leicester Policy event, December 2010

The issue of accountability was raised particularly often in regards to community organisers, as councillors worried that they would be empowered to make decisions locally, but would not have to respond necessarily to the will of the local electorate. Councillors felt that their role as democratic representatives needed to be preserved in light of these new initiatives.

Finally, whilst many of these programmes and initiatives were supported by councillors, at least in theory, the issue of paying for them came up time and time again. Obviously the state of public finances makes this a difficult arena in all areas of public policy. But councillors were particularly concerned that while councils are being squeezed, they are concurrently being required to take on new roles which do not come free. Running local referenda, for instance, is expensive and could potentially happen more often if local people decide to take it up, something which councils simply don't have the budget for.

Conclusion

The Big Society and localism represent a real shift in the way central government intends to approach and control local government, and the way that local citizens can control local decisions. New powers in planning, local democracy and the running of public services have been given to local communities, but local people, particularly those that traditionally have the least power, may need help in order to take advantage of these rights and powers. Local councillors, who have been largely absent from debate on localism, can actually play a more important role than ever in empowering their constituencies and helping to build and support the Big Society. Given these extensive changes, marginalised groups will need councillors' support so that new rights and powers do not exacerbate existing inequalities.

The councillors we worked with throughout the Leading Lights programme recognised that changes in central government policy will require them to adapt and change the way they work as elected representatives. New methods of communication – particularly online – can make their jobs easier and make them more effective at communicating with the community groups who will increasingly be expected to drive the discussion about local priorities and decisions. Localism and Big Society will change in the way local councils are expected to work, but by drawing upon councillors' vast experience and skills the transition will be much smoother.

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