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COMMUNITY GOVERNANCE IN BIRMINGHAM: THE NEXT DECADE

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We are keen to learn from how other cities are run and you will find some references to approaches used elsewhere in this paper. We have paid particular attention to Leeds as it was studied closely by the Kerslake Review (see Paper 1) and is a similar size metropolitan council which has looked at similar issues to Birmingham (see below and Appendix 1).

We would welcome any other useful examples of good practice from the UK or abroad.

Leeds

Leeds is the next biggest city council in England after Birmingham, with a population of around 750,000 people. Leeds City Council has developed several innovations in community governance which relate closely to the issues we are consulting on and the city therefore provides an important case study. One major difference is that the boundary extends into the surrounding rural area. Appendix 1 gives more details, but in summary they have:

- Area Committees, now renamed Community Committees
- A number of parish councils, outside of the urban centre of the borough. A Charter regulates relationships between the City Council and the parishes
- A petition for a Town Council, 1996
- A number of Community Committees

Change for the better

The proposals in this paper are intended to support:

- The engagement of people from all backgrounds in local democracy
- Increased influence for residents on local decisions and localised services
- Communities and individuals making their contribution to the life of the city
- Governance based on openness and transparency
- The creation of a shared sense of purpose through closer joint working between businesses, communities and the public sector
- A more affordable and efficient framework for community governance given the current resource constraints, without impacting negatively on the above objectives.

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We want community organisations and social enterprises to be able to engage with that process. One option is the idea of a **Community Board** – made up of councillors and representatives from community organisations, as adopted by Leeds (see Appendix 1). The Board would oversee the implementation of the local level changes in this paper and make proposals for further change in the future. The members of the Board would be able to link in wider networks of active citizens and organisations.

A programme of training, development and community engagement will be designed during 2015 and implemented from 2016, to strengthen our role in providing positive, enabling **community leadership** at both a local and a strategic level.

Consultation questions:

How many councillors do you think the City Council should have in total? You may wish to take into account how easy it will be for you to contact councillors and get a response, as well as the cost.

Do you think the idea of a Community Board would strengthen partnership arrangements? Do you have any other ideas for this?

The district level

We will maintain governance arrangements in the ten districts. However, the remit of districts will shift from the current limited control of localised services and budgets (a role that was always problematic and can no longer be supported due to spending cuts) to a wider and more influential role of community leadership, partnership building and assessing local need and delivery of all public services in their area as part of a “**Whole Place**” approach (a concept explained in Paper 1).

To make this role effective it will be important for districts to interact directly with the four new Local Service Hubs we plan to establish (to be detailed in Paper 5) and to ensure that local service managers are held accountable for performance. Equally, officers in the strategic centre of the council will need to work closely with districts and wards to ensure strategic leadership takes account of local issues and needs.

A renewed focus on councillors’ **community leadership** role (see box on page 13) will help shape an approach to “co-production” of services, engaging citizens, the voluntary and community sector, partner agencies and businesses to contribute to quality of life in the local place. There will

be a **programme of training and development**, jointly with officers and community organisations to build on the skills that councillors already have in this area.

There will be a **transition period** between 2015 and 2016 for districts. During this period they will have new delegations and new operating guidance. They will focus on developing the capacity to perform this new role, as new officer support arrangements are put in place. It is anticipated that we will have implemented agreed changes to the central **Overview and Scrutiny** arrangements.

Districts will oversee a **Local Innovation Fund** – to support innovation in service delivery and to commission smaller services as appropriate. The size of this fund and the conditions for its use are under consideration and will be agreed during the transition period for implementation in April 2016.

We want to give each area the freedom to develop their district level arrangements in different ways, to reflect this new role. This would include the option of creating partnerships instead of committees. One approach would be to change the composition of District Committees to include more non-decision-making members or reducing the number of formal decision-making meetings in favour of community engagement sessions where non-councillors can play a bigger role.

Whatever they decide, districts may wish to develop **Local Strategic Partnerships** and will want to ensure that these link effectively to the city-wide partnership arrangements being created over the next year – engaging local businesses and community organisations in planning for the needs of the area. Some districts have already experimented successfully with such arrangements.

Another option is the “**lead area councillor**” role for key service areas established in Leeds (see Appendix 1). Districts will also be responsible for overseeing the development of more local democratic arrangements at the ward and neighbourhood level (see below).

We are considering following the example of Leeds City Council (see Appendix 1) and renaming them Community Committees or **Area Community Committees** to better reflect how we see their role developing.

Consultation questions:

Do you think that changing the role of districts in holding to account local public services and monitoring what they deliver will improve local democracy and services?

What type of service improvements do you think the Local Innovation Fund should be spent on?

Should districts continue mainly as committees of councillors or change to partnerships?

Do you have any other ideas for strengthening this level of governance?

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A **Boundary Review** for Birmingham is also taking place over the next year (see box) and this is likely to have important implications for governance at the ward and neighbourhood level. The Local Government Boundary Commission will consult shortly and make recommendations to the Secretary of State - these are not matters for the City Council to ultimately decide. However, we would welcome your comments on these issues in response to this report and would urge you to participate directly in the Commission's consultation.

The issues being considered by the Boundary Commission

The number of councillors elected to Birmingham City Council. In the UK, there is no fixed formula for the number of councillors relative to the population. Amongst West Midlands councils,

Consultation questions

How many councillors do you think should be elected in each ward?

Would one member wards improve accountability or service delivery?

Would they make it easier to contact your councillor?

Would smaller wards help to improve local democracy or services?

We want to see local people choosing a diversity of arrangements for local decision-making, community action and services in each local area of the city. Our aim is to create a flexible framework so that different areas can innovate according to their needs and the wishes of local people. However there will be some constraints to that process, not least the decisions of the Boundary Commission discussed above and the move to all-out elections in 2017.

Alternatives to Ward Committees

If wards elect just one councillor (see above) then it would not be possible to continue with **Ward Committees**, so local areas will need to give consideration to the alternative arrangements they would prefer. One-member wards would be smaller, probably closer to the size of the

Community leadership: the role of the ward councillor

Alongside citizens and communities, the ward councillor is at the heart of our vision for the future governance of the city. We want to encourage a debate about the wider role of local councillors, beyond influencing service provision and budget decisions at the strategic level and the skills and support they will need in the future.

Councillors will be accountable for the development and effective operation of the local democratic arrangements being discussed in this chapter. Their effectiveness will be judged by residents in terms of how well they engage with the local community⁹how wellnessed in

Neighbourhood Forums

A Neighbourhood Forum is a community-led organisation formed to discuss issues of concern in the local area and to engage with public services and elected representatives to address them. Some forums may also develop a range of voluntary activities or even deliver supplementary services in the neighbourhood, such as the removal of fly-tipping, the provision of flowers or other environmental improvements.

A forum is usually run by volunteers who may elect officers at an Annual General Meeting (AGM), open to all residents in the neighbourhood, but they do not usually consist of representatives elected by the community as a whole.

Under the Localism Act, 2011, central government gave forums similar powers to Parish Councils to initiate a **Neighbourhood Planning** process, enabling the community to set out its own plans for the future development of the area, within the Planning policies of the local authority as a whole.

According to the Act, forums must endeavour to include business representatives and elected councillors as well as residents and they must have a minimum of 21 members drawn from across the area.

Since Birmingham already had a number of forums and an existing set of standards, we refer to forums that meet the above requirements as "Neighbourhood Planning Forums". Existing forums may apply to become NPFs if they wish to pursue the Planning process. City Council guidance on this, set out in 2013 can be read at <http://www.birmingham.gov.uk/0rming0Bx0wwd1am/1k0Z1110/n0B100ABK01/>

Neighbourhood Councils

In addition to forums and associations, local communities can opt to have a separately elected neighbourhood (or parish) council for their area (see box).

Neighbourhood (or Parish) Councils

Parish Councils are the lowest tier of local government in this country. They are familiar in rural areas but less common in cities. They are sometimes confused with the parochial church councils that govern the parishes of the Church of England (and sometimes have the same boundaries) and this led to a change in the law in 2007 so that they can now be called community or neighbourhood councils.

The law sets out the functions that a neighbourhood council may perform (see the appendix to Paper 3). These include public conveniences, village halls, the control of litter and rights of way. These are usually funded by a small additional precept which these days is added to the Council Tax.

They may also take on a small number of functions by agreement with the principal council (in our case Birmingham City Council), such as footpath lighting, off-street parking or the maintenance of verges.

They must be consulted on local planning applications in the area, but have no rights to make planning decisions. They would be elected as part of the elections to the City Council and there is no fixed number of parish councillors.

Since the Localism Act in 2011 parish councils also have similar powers to neighbourhood forums to instigate neighbourhood plans.

At present, the City Council does not adopt a particular view on the establishment of **neighbourhood (or parish) councils**. Frankley in Birmingham Parish Council came into the city as part of a boundary change, from North Worcestershire. A proposal for a neighbourhood council in Castle Vale was not taken forward.

Neighbourhood councils could play a valuable role as part of the flexible local arrangements outlined in this paper, where the local community wishes to have one. We would therefore like to hear your views on what our new policy on neighbourhood councils should be. There are three broad options:

- a) the status quo (await any petitions for parishes before reviewing them thoroughly – but not encouraging them)
- b) adopt a policy of encouraging proposals for neighbourhood councils with only a light touch Community Governance Review to ensure local residents are happy with the proposed boundaries and costs of the council, or
- c) undertaking a parishing exercise for the whole city and consulting local residents on boundaries. This would be done through a further Community Governance Review.

Neighbourhood Management

If we can establish a strong new role for the ward councillor and strong community organisations in every neighbourhood, there will be the basis for an effective partnership at ward level to provide for **neighbourhood management** and budgeting and Neighbourhood Planning. Clusters of smaller wards could link into the existing **Neighbourhood Tasking** process with the police (see glossary in Paper 1).

Neighbourhood Management and Neighbourhood Budgeting

Neighbourhood Management is an approach to improving local services and places first developed in the previous government's Neighbourhood Renewal Strategy of 1999. It simply means that all local service providers come together with residents to identify priorities and to plan their different contributions to addressing them. In some areas a neighbourhood manager has been appointed as a full time role to ensure there is communication between the community and different agencies. A Neighbourhood Plan or Charter may also be drawn up.

Neighbourhood Budgeting, known as Our Place, has been promoted by the current government. This focuses on identifying the resources (service budgets, assets and community groups) in a neighbourhood and managing them in a more joined-up way.

A Neighbourhood Charter

Will also intend to create a Neighbourhood Charter setting out how the council will work together with Neighbourhood Councils, forums and other bodies and the rights and responsibilities of all organisations.

Consultation questions

Do you think that Ward Committees improve local democracy or services?

What do you think councillors should do to improve “community leadership”? What do you think your councillors should do more of (e.g. meetings with local people and groups, dealing with residents’ problems by meeting service providers)

And what should they do less of?

Do you think that Neighbourhood Forums are helpful in improving local democracy and the local area? If so what should be done to strengthen them further?

Which of the three policy options on neighbourhood councils would you like us to adopt?

Would you like a neighbourhood (or parish) council in your local area?

Do you have any views on other arrangements at this level such as “Community Forums”?

How governance might change more radically over the decade

In the longer term, there may be the opportunity to take this model even further, through looking at more diverse governance models including some that may require changes to current legislation. For example we have studied the arrangements in Lyon, Berlin and Rotterdam (see Appendix 2). Many aspects of these arrangements would require the government to introduce primary legislation to change the system of local government in the city, but we present them for information to encourage more radical thinking about how things might change if we could persuade a future government of the benefits.

Lyon is one of three French cities that were given a distinct model of local governance through legislation passed in 1983. This provides for elected councillors focused on their local community and a smaller strategic council for the city as a whole. Strong accountability at the city region level has now also been added to this model.

We want to consult on the idea of a more bottom-up approach to community governance – allowing a streamlined centre to provide stronger strategic leadership at the same time as it becomes more responsive to communities and service users and enables community contribution.

However such changes will require central government support and legislative change and have been rejected to date, through the Kerslake

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Background

Leeds has 32 Parish and Town Councils within its boundaries. The large urban area surrounding the city centre remains largely without parishes.

In February 2013 Leeds City Council launched a 'Joint Review of all Polling Districts, Places and Stations and Community Governance Review of all Parish and Town Council Arrangements'. This resulted in a revision of the boundaries of existing Polling Districts and Parish and Town Councils.

Leeds has a Charter between the City Council and Parish and Town Councils in the administrative area. This was last reviewed and revised in 2014.

In August 2014 Leeds received a petition to form a Town Council for Guiseley and the full council was due to vote on a final proposal in response in February 2015. As the council had already conducted a Community Governance Review within the last two years, there was no legal duty to conduct a further review.

Separately Leeds City Council launched the 'Citizens@Leeds' initiative in October 2013 that is part of its 'whole-system approach to tackling poverty'. It is based on four propositions:

- 1 Provide integrated and accessible services

City Level

Leeds has established a **Communities Partnership Board** as one of the council's five partnership boards. The Board is chaired by the Executive Board Member for Neighbourhoods, Planning and Support Services with two Vice-Chairs from the third sector. The Board has an agreed work programme and action plan as part of ensuring the Citizens@Leeds agenda is delivered. They seek to influence the commissioning processes of the council and its partners and to review the impact of different services

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Community Committees are encouraged to include **non-voting representatives** and support them to become involved and contribute to local decision-making. They are provided with a **dedicated communications resource** to support their activities and communicate their decisions. They are given a '**Quality Assurance**' role when it comes to holding local services delivered in their area to account.

Community Committees are responsible for developing stronger links between existing **Neighbourhood Forums** and other representative bodies, including Parish and Town Councils. The aim is that the whole city will be covered by Neighbourhood Forums or their equivalent, with the development of new forums supported as necessary.

Three Community Hubs

District governance

The Arrondissement Municipal Assembly cannot raise taxes and it is granted a delegated budget by the Ville de Lyon. Each arrondissement has a Mairie (Town Hall) that provides a visible physical presence in the area. It provides the venue for municipal meetings and is the first point of contact for many people's enquiries about public services. It provides a very clear representation of state administration with formal responsibility for the issue of new passports and the registration of births, deaths and marriages.

Arrondissements have a role in the following service areas: childcare and nurseries, sports centres and local parks, employment and training advice, social care provision, public health and public safety, allocation of social housing, planning for capital projects and development, and state administration in relation to passports and registrar duties.

Arrondissements have responsibility for supporting neighbourhood groups which can be both formally and informally constituted (e.g. 'Comites d'interets locaux' and 'Conseils de Quartiers'). The city has a Charter setting out the status of these groups and partnership arrangements with municipal bodies.

For each arrondissement there are typically between three to six Conseils de Quartiers. It is considered good practice for an elected member to be nominated to attend the meetings of these groups and relay their views back to the Arrondissement Municipal Assembly. However, elected members specifically do not chair the meetings of neighbourhood groups. This is left to a local resident, who receives specific training for this role. The Conseils de Quartiers have no budget, but are provided with a venue for their meetings. The Ville de Lyon operates a small grant scheme (€30,000) that the Conseils de Quartiers can use to bid for community projects (up to a maximum of €5,000 per project).

Ville de Lyon has set up a training programme, called the 'Citizen University' for residents who are members of their local Conseil de Quartier. The aim is to support and develop the capacity of members to better understand how the city functions, the key developments taking place, and to meet some of the main city stakeholders, as well as to network with members of Conseils de Quartiers in other parts of the city.

Key questions for Birmingham

Electoral and financial accountability – How can districts hold those responsible for governance at the city level to account? How are councillors at the district level in turn held to account for their performance? What is the impact of commissioning, shared arrangements/partnership working and council in-house service redesign on local electoral accountability?

Visible community leadership – what options does Birmingham have to ensure that councillors are able to exercise visible leadership at the district level and to ensure that enough status and weight is given to this role? What role does service design play in creating a visible presence for local government at district level?

Strong working relationships with neighbourhood bodies – what arrangements make for a strong partnership between district elected bodies and neighbourhood bodies? What resources are required for neighbourhood bodies to be effective in terms of revenue, community assets and training support?

Key facts

Size: the city has a population of approximately 620,000 people.

Number of districts: the city is made up of 14 Boroughs (Gebieden) with a population varying from 80,000 to 140,000.

City-wide electoral and governance arrangements:

The City of Rotterdam is governed by a Municipal Council with 45 councillors. These councillors will then elect an Executive Board.

The Mayor or Burgemeester is Chairman of the Executive Board and the chairman of the Municipal Council. The mayor is nominated for the position by the Municipal Council and the nomination is then approved by the Monarchy. The 14 Boroughs (Gebieden) are represented by a committee that is directly elected by residents of that district.

District governance

Previously the Boroughs of Rotterdam had official status as sub-municipalities (Deelgemeenten), but following legislative changes in 2013 these were dissolved. They have been replaced now by District Committees, whose jurisdiction is determined by the city's Municipal Council, which delegates executive and regulatory powers to them as appropriate. Advocates for this reform argued that the sub-municipalities essentially represented an unnecessary additional administrative layer and with the new arrangements efficiencies and economies of scale could be found.

The new District Committees' current service responsibilities include the processing of application for a public service number, driving licenses and changes of address, public registrar, management of public spaces, refuse collection, road maintenance and street cleanliness, maintenance of parks, playing fields and cemeteries. Previously the sub-municipalities had their own staff resources and budgets for local services which they 'contracted' from city departments. The budget and staff have now been transferred back to the central administration. Some staff are now seconded across to the districts from central departments to support them in their new role.

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The creation of the new District Committees was based on surveys,

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The merger of districts was a painful and complicated process involving changes both to infrastructure (staff and fixed assets) and working culture. More recently there have been substantial reductions in budgets to address the city administration's deficit and these are considered by some to have gone too far and adversely affected the quality of local services. It is emphasised that reorganisations cannot mask the underfunding of services or weaknesses in service design. It is important to be clear how each service can be most effectively delivered and the resources required to do this.

The mayors of the 12 district councils regularly meet, at least once a month, chaired by the Mayor of Berlin. Members of the Senate may also take part in these meetings. The Council of the Mayors (Rat der Buergermeister) can comment on administrative and legal issues before the Senate makes a definite decision. They can also propose certain actions to the Senate and make proposals for laws or provisions.

At district level, the district councils enjoy some limited autonomy. District governments' powers are limited and they are supervised by the Senate. The districts have no tax-raising powers and operate within a budget that is delegated from the City Parliament. The City Parliament is also responsible for approving the district's budget.

The services overseen by districts, often in conjunction with the City Senate, include the following: schools and further education; health (public health, mental health, dentistry and social care); regulatory services (food safety, traffic, trade, general public regulation), environmental services (street cleansing, parks, graveyards, civil

