

The background of the slide features a large, light blue coat of arms of the City of Edinburgh. The coat of arms consists of a shield divided into four quarters. The top-left quarter shows a castle tower, the top-right shows a stag's head, the bottom-left shows a sailing ship, and the bottom-right shows a lion. Above the shield is a crown with four fleurs-de-lis. Below the shield is a ribbon with the motto 'ANE FOR A'.

Agenda Item 8

Local Governance Review – Policy Development Panel

Falkirk Council

Title: Local Governance Review – Policy Development Panel
Meeting: Executive
Date: 14 August 2018
Submitted by: Director of Corporate & Housing Services

1. Purpose of Report

- 1.1. The purpose of this report is to propose that a policy development panel is established to consider the implications of the Local Governance Review, make recommendations and to prepare a response to the review.

2. Recommendations

- 2.1 The Executive is invited to establish a policy development panel to be chaired by the Leader of the Council, to consider the implications of the Local Governance Review, to develop a response to the consultation for Executive approval, and to make recommendations.**

3. Background

- 3.1. At the meeting of Council in December 2017 the Leader of the Council noted, in response to a question in regard to whether the current Scheme for the Establishment of Community Councils should be reviewed in light of the quadrennial community council elections, that a policy development panel had carried out a review in 2014 and that the work was unfinished. The Leader of the Council suggested that a policy development panel could be set up to review the work undertaken so far. She also suggested that the panel should take cognisance of the Local Governance Review.
- 3.2. In June 2018 Council considered a motion, by Councillor Reid, asking that officers investigate the possibility of establishing Area Committees and a Petitions Committee. Council agreed that a way of exploring the options would be through a policy development panel and agreed that they should be considered by the panel considering Community Councils and that a report should be prepared for this meeting to expand the remit of the existing policy development panel on Community Councils to include consideration of a Petitions Committee and Area Committees within the context of the Local Governance Review.
- 3.3. The Local Governance Review, which was launched by the Scottish Government and COSLA in December 2017, invites public sector bodies to consider and identify reforms and powers which can be implemented to strengthen local democracy and decision making. Councils and public sector bodies are invited to share proposals - which could be new arrangements, a strengthening of current practices, or identifying new powers (such as

fiscal) or other changes that are needed to support reforms, or broader ideas about changing the local governance landscape overall. A Local Democracy Bill, informed to some extent by the Review, may be introduced at a later stage. The aim of the review is that proposals should reflect the Government and Local Authorities' shared aspirations to tackle inequalities and drive inclusive growth, be consistent with the findings of the Christie Commission and, crucially, strengthen local decision-making.

- 3.4. Clearly, the outcomes of the Review could have far reaching implications for local democracy in Falkirk and across Scotland. However it is also an opportunity for Council to consider how it wishes to align its decision making, services and resources with the community. Some of this work has already begun; the introduction of the Community Empowerment (Scotland) Act 2015 required Councils to consider its local arrangements and relationships. This report will provide an introduction to the Review and highlight, areas of crossover with the Community Empowerment Act workstreams.

Local Governance Review

- 3.5. The engagement phase of the review began in June 2018. This is in two strands. The first is a highly inclusive conversation with communities. This seeks views on how decision making can both work for towns, villages and neighbourhoods and reflects the Government's and Local Authorities' commitment to community empowerment and will build on work already underway, for example in regard to locality planning, participation requests, and participatory budgeting.
- 3.6. The second strand is a dialogue with the public sector about changes to how Scotland is governed can make the lives of Scotland's people better. Public sector bodies, such as Local Authorities, are invited to bring forward proposals to feed into the review. An outcome will be an increase in the variation in decision making arrangements across the country. What is right for one place will not necessarily be right for another. Authorities are encouraged to be innovative. A review by the Commission for Strengthening Local Democracy, published in 2015, which informed the Government's thinking on local democracy concluded that where local democracy is strong communities have consistently experienced better outcomes – the opportunities and challenges in different places are different and getting them right requires local choices and local accountability. The challenge is to find and create structures to embed a community up approach. This, the Commission suggest, requires radical thinking and a break from the traditional democratic model has led to big and expensive inequalities and disillusioned communities. The proposals will be reviewed by the Scottish Government and COSLA to identify good practice which can be shared, identify links and patterns and consider whether new powers or changes to existing powers could support the proposals.
- 3.7. Both strands of the review will run in parallel for approximately 6 months and will inform a programme of changes to governance arrangements in different places where these can increase the pace and scale of public service reform, focus on shared outcomes, and strengthen local decision making. The first strand is underway. The Scottish Government and COSLA are keen that second strand process is interactive. The deadline for public bodies to

submit written proposals (with evidence) is 14 December 2018. However both are looking to engage earlier in order to understand public bodies' proposals, to help them take shape and identify where other evidence or assurances might be required to deliver change and to consider how they might work with other ideas. At the same time COSLA is looking to develop a national approach to the review to bring together key themes that would enable progress to be made on local 'asks' for example on fiscal empowerment or devolution of powers.

4. Considerations

- 4.1 The Local Governance review presents an opportunity for public services to consider how best to deliver services shaped by and for the communities they serve and to construct decision making structures to support these aspirations. The Review recognises that work is already underway across Scotland to review and design services at the local level in response to the Community Empowerment Act but the review offers bodies such as Local Authorities the opportunity to review and reconsider local decision making from a broader perspective:- for example would Area Committees enhance the locality arrangements which Councils are currently developing or would they simply add an additional layer of bureaucracy to the land scape.
- 4.2 The Community Empowerment Act seeks to empower communities by for example strengthening their voices in decisions about public services.
- 4.3 Progress reports on the work to meet the requirements of the Act have been submitted to the Executive on a regular basis, highlighting in particular projects in regard to locality planning, participation requests and participatory budgeting.

Locality Planning

Previously Local Authorities led and co-ordinated on community planning. There is now an expectation that community planning is a joint venture with all partners expected to participate as equal partners and provide resources to deliver local outcomes. The Community Planning Partnership (CPP) has the responsibility for establishing local outcomes and priorities in the Council area and to develop locality plans which set out how the higher level outcomes in the Strategic Outcomes and Local Delivery Plan (SOLD) are delivered at the locality level.

Three locality areas have been established – in the East (Bo'ness Grangemouth and Polmont); West (Bonnybridge, Denny, Larbert and Stenhousemuir) and Central (Falkirk, including Hallglen). The CPP has agreed a framework for delivering locality planning that links the need to deliver on strategic priorities while meeting the needs of local communities. This was reported to the Executive on 12 June. Within each locality Community Action Plans will be developed to deliver the outcomes of the Locality Plans.

In the East locality planning work is underway, led by the Locality Planning Group (East). This group is made up of officers from key Services (such as the Council, Police Scotland, and NHS Forth Valley). The work of the Group will be reported to the CPP.

The CPP has also agreed to roll out all locality planning to the West in September 2018 and to the Central area in April 2019.

While the Act has driven a shift towards consideration of the needs of communities at a level smaller than the council area within the structures of the CPP, there has been no similar shift in the formal governance structures of the Council. The PDP would offer an opportunity to consider whether such change is required particularly by way of area committees.

Participation Requests

The Act sets out a mechanism for community bodies to put forward their ideas for how services could be aligned to improve outcomes for their community..

To date no requests have been made. It is likely that once effective and meaningful engagement processes are put in place community groups would not feel it necessary to make formal participation requests.

There are other options for this beyond the processes set out in the Act; one could be the formation of a Petitions Committee. The PDP will have the opportunity to consider the advantages and disadvantages of this.

Participatory Budgeting

Participatory budgeting (PB) is the process by which the community decides how to spend part of the public budget. Guidance from the Scottish Government indicates that at least 1% of the budget must be allocated to PB by 2020. Traditionally funding for services is managed and allocated centrally with a small grants budget allocated to support community projects. PB requires authorities including Councils to rethink its funding models. Work to date in this regard has looked at looking at services can be redesigned so that they reflect community needs and aspirations and to identify budgets which communities can influence. As part of the review of service design and budget allocations a review of arrangements elsewhere across Scotland will be undertaken.

- 4.4 Clearly the deliberations in regard to the Local Governance Review will overlap with workstreams in place relating to Community Empowerment. A further workstream which will feature both the Council's review of its Scheme for the Establishment of Community Councils. Community Councils are the most local tier of elected government. The Scheme is the means by which the Council determines its arrangements for establishing community councils in its area. A PDP considered the current scheme in 2014 and made recommendations on a revised scheme in 2015. The work was unfinished with the draft scheme not fully developed. It is timely to consider the Scheme again in light of the Local Governance Review. The current Scheme identifies the number of community councils within the area and how they

will be established. The number of community councils in the area has not been reviewed since 2001. Since then, there has been significant change in the local demography and a review of the size and location of community council areas in light of locality arrangements may be useful. Similarly the Scheme does not describe the relationship between the council and its community councils and does not contemplate a decision making role for community councils.

- 4.5 Both Local Governance Review and Community Empowerment focus on local decision making. Area Committees and Petition Committees are examples of bodies which could be established to introduce decision making at the locality level. However the introduction of one or either of these bodies should be considered within the overall context of Council's governance arrangements and the broader work on locality planning carried out within the context of the CPP.
- 4.6 It is therefore proposed that the remit of the PDP includes the following:-
- Consider the implications of the Local Governance Review
 - Prepare a draft response to the Local Governance Review for approval by the Executive
 - Consider the role of community councils in local decision making and the current arrangements for establishing community councils in light of the trust of the Local Governance Review and having regard to the Community Empowerment (Scotland) Act 2015
 - Consider the advantages and disadvantages and any other issues in connection with forming a Petitions Committee and/or Area Committees
 - Consider any other changes that would enhance participation and engagement and improve local governance.
- 4.7 Subject to Executive approval, the panel will meet in the week beginning 27 August. Its workplan will be determined at this first meeting. It is expected that the panel will consider evidence from a range of sources including, but not restricted to, officers and/or elected members from other local authorities, community representatives (for example community councillors) and other key stakeholders. The panel will be expected to report its findings and initial recommendations to the Executive on 27 November 2018 in order that the Council's response to the Local Governance Review can be submitted ahead of the closing date of 14 December 2018.

5. Conclusion

- 5.1 The Local Governance Review provides an opportunity for the Council to consider its relationship with and to shape the governance framework which supports this. The Executive is invited to establish a policy development panel to take this work forward in addition to the work which was sent from Council in regard to community councils, petition committees and area committees which fall within the scope of the Local Governance Review.

Director of Corporate & Housing Services

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Appendices:

None

List of Background Papers:

No papers were relied on in the preparation of this report in terms of the Local Governance (Scotland) Act 1973.