

BRIGHTON & HOVE CITY COUNCIL

GOVERNANCE COMMITTEE

4.00PM 22 SEPTEMBER 2009

COUNCIL CHAMBER, HOVE TOWN HALL

MINUTES

Present: Councillors Oxley (Chairman), Simpson (Deputy Chairman), Brown, Elgood, Fallon-Khan, Mears, Mitchell, Randall, Simson and Taylor

PART ONE

17. PROCEDURAL BUSINESS

17a Declaration of Substitutes

17a.1 There were no declarations of substitutes.

17b Declarations of Interest

1b.1 There were none.

17c Exclusion of Press and Public

17c.1 In accordance with Section 100A of the Local Government Act 1972 ('the Act'), the Committee considered whether the press and public should be excluded from the meeting during an item of business on the grounds that it was likely, in view of the nature of business to be transacted or the nature of the proceedings, that if members of the press and public were present during that item, there would be disclosure to them of confidential or exempt information (as detailed in Section 100A(3) of the Act).

17c.2 **RESOLVED** – That the press and public be excluded from the meeting during consideration of items 34 onwards.

18. MINUTES OF THE PREVIOUS MEETING

18.1 **RESOLVED** - That the minutes of the meeting held on 7 July 2009 be approved as a correct record.

19. CHAIRMAN'S COMMUNICATIONS

19.1 The Chairman updated Members on the renamed Civic Awareness Project (formerly known as 'Improving the Civic Offer'):

- Adam Trimmingham had been asked to chair a ‘task and finish’ commission focussing on how to take the project forward; Groups had been asked to nominate Members and former councillor Andy Durr and Jim Buttimer would be participating.
- A seminar for Members on how best to make use of the Council’s Constitution was planned 9 October with the aim of enhancing understanding of the opportunities within the Constitution for Members and residents to interface with the Council’s decision-making process.
- Three-cornered working through Scrutiny was progressing and proposals in relation to Cabinet Member Meetings were also moving forward.
- The review of the Council’s Constitution had begun and Members would be asked to provide comments.

19.2 The Chairman thanked all colleagues who had worked collaboratively on the project.

20. CALLOVER

20.1 **RESOLVED** - That all the items be reserved for discussion.

21. PETITIONS

21.1 There were none.

22. PUBLIC QUESTIONS

22.1 There were none.

23. DEPUTATIONS

23.1 The Committee considered a deputation presented by Mr Lawrence O’Connor. Mr O’Connor spoke on behalf of Saltdean Residents’ Association who were campaigning for the unification of the Saltdean area under one local authority. Saltdean was currently split between Brighton & Hove City Council and Lewes District Council and this has resulted in confusion and unnecessary bureaucracy therefore the deputation requested that the Council to undertake a coordinated survey to determine the will of residents in Saltdean.

23.2 Councillor Mears stated that as ward councillors, she and Councillor Smith understood the practical problems encountered by residents and supported a report coming forward on the issue.

23.3 Opposition councillors spoke in support of a report being prepared to consider the matter of unification and consulting the residents of Saltdean on the matter, and were sympathetic to the issues raised by the current situation.

23.4 In response to queries from opposition councillors regarding the need for full Council involvement in the issue, the Head of Law confirmed that, following consultation, the Council’s view would be determined by the Cabinet as it was an executive function and

was not a local choice function that could be reserved for full Council; ultimately the decision would be taken by the Boundary Commission. He added that a report could go to the full Council for information.

23.5 The Chairman confirmed that the deputees would be notified when a report was forthcoming.

23.6 **RESOLVED –**

(1) That the deputation be noted.

(2) That a report be prepared.

24. WRITTEN QUESTIONS, LETTERS AND NOTICES OF MOTION FROM COUNCILLORS

24.1 There were none.

25. PATCHAM WARD AND STANFORD WARD - CHANGE OF NAME

25.1 The Committee considered a report of the Acting Chief Executive concerning a proposed consultation exercise for changing the name of two Council Wards (for copy see minute book).

25.2 The Electoral Services Manager explained that the proposal to change the name of Patcham Ward arose following the change of name in the Hollingdean and Stanmer Ward in November 2008 and that the proposal to change the name of Stanford Ward arose resulted from a petition signed by 21 residents, which was presented to Council on 4 December 2008.

25.3 The Chairman confirmed that following the consultation a Special Meeting of the Council would be called on 10 December 2009 and held prior to the scheduled meeting of the Council.

25.4 Councillor Simpson stated that she supported the proposal to consult, but hoped that any changes that resulted were properly publicised to ensure that council publications used the correct Ward names.

25.5 Councillor Brown, councillor for Stanford Ward, stated that while she understood the need to consider changes to Ward names for reasons of geographical clarity, this was not the case with the proposal for her Ward; she was concerned that an important historical reference to the Stanford Estate could be lost on the strength of a petition with a relatively small number of signatures.

25.6 The Assistant Director for Customer Services confirmed that a similar consultation process to that followed for the Hollingdean & Stanmer proposal would be used, but that feedback on that process had been incorporated into the new approach.

25.7 In response to queries by opposition councillors the Head of Law explained that changes to Ward names was a function that was reserved to the full Council by virtue of Section 59 of the Local Government and Public Involvement in Health Act 2007.

25.8 **RESOLVED** -That the consultation exercise regarding the proposed electoral area name changes to the current Patcham and Stanford Wards be agreed.

26. **RESPONSE TO CLG 'STRENGTHENING LOCAL DEMOCRACY' CONSULTATION PAPER**

26.1 The Committee considered a report of the Acting Director of Strategy & Governance which outlined the recent consultation paper, 'Strengthening Local Democracy' issued by the Department of Communities and Local Government and the Council's proposed response (for copy see minute book).

26.2 Councillor Mitchell moved an amendment to the proposed response, seconded by Councillor Simpson.

26.3 Councillor Mitchell explained that she wished to amend the proposed responses to questions 11, 14, 15, 16, 20 and 21 and made the following comments:

- Question 11: the Government should be asking Council's to demonstrate both competence and confidence in return for greater powers.
- Question 15: the response needed to be stronger and suggest greater flexibility through implementation of local policies.
- Question 16: it would be key for local authorities to set an example, but with central Government taking the lead and working closely with local authorities.
- Question 20: there was a need for clear and effective regional and sub-regional working.

26.4 The Chairman stated that while the Conservative Members supported most of the amendments, with regard to Question 20 they were confident that Councils could co-operate across borders.

26.5 The Chairman put each Labour amendment to the responses to the vote individually:

- | | |
|---------------|----------------------|
| ▪ Response 11 | The vote was carried |
| ▪ Response 14 | The vote was carried |
| ▪ Response 15 | The vote was carried |
| ▪ Response 16 | The vote was carried |
| ▪ Response 20 | The vote was lost |
| ▪ Response 21 | The vote was carried |

26.6 Councillor Randall moved a further amendment to the proposed response, seconded by Councillor Taylor.

26.7 Councillor Randall explained that he wished to amend the proposed responses to questions 15 and 16 and agreed that his proposed amendment to response 15 be taken as two separate parts.

- 26.8 Councillor Mears stated that she was sympathetic to the request to simplify the insulation grant regime, but explained that, when a similar suggestion was debated through a Notice of Motion at Council, concerns were raised about the cost to the taxpayer of insulating all homes.
- 26.9 Councillor Fallon-Khan added that the Council could not commit to increasing Council tax to provide insulation for all because of the detrimental effect on low income families.
- 26.10 Councillor Simpson echoed the comments from Councillor Fallon-Khan and was concerned that the suggestion made in relation to food consumption would restrict choice rather than raise awareness.
- 26.11 Councillor Elgood spoke in support the Green proposal for local authorities to expand insulation programmes to all homes and added that clearer intentions from the Government would be helpful.
- 26.12 The Chairman stated that the both the proposals in relation to food consumption and transport served to restrict individual choice.
- 26.13 Councillor Randall explained that the 44% of CO₂ emissions in the city came from domestic premises, which was higher than the national average, and by expanding insulation programmes the city would benefit. The proposals in relation to food consumption were needed to tackle the issue of methane produced by livestock, which contributed to air pollution.
- 26.14 The Chairman put each Green amendment to the responses to the vote individually:
- Response 15 (amendment A) The vote was lost
 - Response 15 (amendment B) The vote was lost
 - Response 16 The vote was lost
- 26.15 **RESOLVED** - That Members agree the draft response to the consultation questions as amended (see Appendix 1 to the minutes), to include the comments from Overview and Scrutiny Commission as detailed in Appendix 3 to the report.

27. 'GET INVOLVED' CAMPAIGN

- 27.1 The Committee considered a report of the Acting Director of Strategy & Governance which summarised proposals for a 9 month 'Get Involved' local democracy and citizenship campaign, beginning with a launch day on Saturday 21 November 2009 (for copy see minute book).
- 27.2 Councillor Simson explained that the campaign presented an opportunity to try out the Council's Community Engagement Framework and that partners had enthusiastically welcomed the campaign.
- 27.3 Councillor Mitchell welcomed the campaign and asked that promotion of the role of scrutiny be factored to the programme; she added that it was important that involvement of Members in events was politically balanced.

- 27.4 Councillor Fallon-Khan assured Members that the campaign was a programme of events for the city's residents and was not intended to be political. The findings of the Place Survey 2008 were a factor in the development of the campaign and the Council hoped to increase turnout at elections and participation in all aspects of local decision-making.
- 27.5 The Central Policy Development Team Manager explained that the campaign was also about encouraging residents to become involved in their local communities and that increasing awareness was part of the aim. She added that an Equalities Impact Assessment was ongoing and that this would inform the proposed activities and the groups targeted.
- 27.6 Councillor Elgood requested that consideration be given to engaging students in the campaign and to opening up the Council's civic buildings to residents.
- 27.7 The Acting Director of Strategy & Governance confirmed that all suggestions would be considered during development of the programme and that some may be picked up as part of the Civic Awareness Project.
- 27.8 In response to a query from Councillor Randall the Chairman confirmed that the initial campaign would run for 9 months, but the duties to involve and promote democracy were ongoing and so a long term strategy would be developed following the initial programme.
- 27.9 **RESOLVED -**
- (1) That the need for a 'Get Involved' campaign and the approach outlined in the report be endorsed;
 - (2) That Members consider any additional activities that could be explored that are either existing planned events or new activities.

28. E-PETITIONS

- 28.1 The Committee considered a report of the Acting Director of Strategy & Governance which set out proposals for Brighton & Hove City Council to commence an e-petitions facility (for copy see minute book).
- 28.2 Members welcomed the trial of the e-petitions facility and sought clarity on their role in the process.
- 28.3 The Head of Law explained that the intention was to carry forward the existing position followed for paper petitions as detailed in the Council's Standing Orders; Members could initiate an e-petition, but could not sign it themselves, and the guidance would be amended to reflect this clearly.
- 28.4 Councillor Elgood requested that, in addition to the petitioner, the relevant Ward Councillor also be invited to attend the meeting at which the petition is considered.

28.5 RESOLVED -

- (1) That the Committee recommends that Full Council:
 - (a) Approves the launch of an e-petitions facility with effect from 21st November 2009 for Brighton & Hove City Council for a trial period and requests a further report on the outcome of the pilot is brought to Governance Committee on 9th March 2010;
 - (b) Notes that the pilot period will be shorter if the provisions relating to e-petitions in the Local Democracy Economic Development and Construction Bill come into force prior to the review date;
 - (c) Agrees the e-petitions guidance attached at Appendix One;
 - (d) Authorises the Head of Law to take all steps necessary to implement the e-petitions facility, including making any necessary amendments to the Council's Constitution;
- (2) That the Committee notes the provisions of the Local Democracy Economic Development and Construction Bill in relation to e-petitions and requests officers to bring a further report back to Committee when the commencement date is known.

29. MEMBERS' WEB PAGES - REVIEW OF GUIDANCE

- 29.1 The Committee considered a report of the Acting Director of Strategy & Governance which set out a revised Members' Web Page Policy (for copy see minute book).
- 29.2 The Chairman apologised for the Members' Web Page Policy document being omitted from the papers for the meetings and explained that he intended to defer the consideration of the item. He suggested that, given the importance of the policy, it be circulated to all Members for comment before being considered first by the Leaders' Group and subsequently coming back to the Committee for final approval.
- 29.3 Members supported the approach outlined by the Chairman.

29.4 RESOLVED -

- (1) That the report be deferred to the next meeting of the Governance Committee.
- (2) That the Members' Web Page Policy be circulated to all Members and an opportunity to comment be provided.
- (3) That the Members' Web Page Policy be considered by the Leaders' Group before coming back to the Governance Committee.

30. MEMBERS' SECRETARIAL & IT SUPPORT

- 30.1 The Committee considered a report of the Acting Director of Strategy & Governance updating Members on the secretarial and IT support provided by and through

Democratic Services and proposals to improve the resources available to Members (for copy see minute book).

30.2 Councillor Taylor commented that Green councillors supported provision of casework software for some time and that he was pleased it was being progressed.

30.3 Councillor Simpson requested that a mixed ability group of Members be chosen to trial the software and the approach was supported by the Committee.

30.4 **RESOLVED -**

(1) That the Committee notes the information in the report;

(2) That the Committee approves the establishment of a working group of Members to take forward the development of a casework software programme to enable Members to manage their own casework more effectively; and

(3) That a report is brought back to the next meeting on the outcome of the development of the casework programme, whether it should be purchased and the funding provision.

31. ANNUAL GOVERNANCE STATEMENT 2008/2009

31.1 The Committee considered a report of the Interim Director of Finance and Resources presenting the Council's Annual Governance Statement 2008/09 for consideration and approval (for copy see minute book).

31.2 In response to concerns raised by Councillor Mitchell the following comments were made:

- The Acting Director of Strategy & Governance explained that Members had been interviewed as part of the Good Governance Review under the Audit Commission's Advice & Assistance Programme and that this was not part of the annual review. The draft report produced had been of an unsatisfactory standard and the Council had responded with comments to which a response was being awaited; it was expected that the report would be considered by the Audit Committee in December.
- Proposals for an independent whistle-blowing function could be taken forward by the Committee and a report would be required.

31.3 In response to a request from Councillor Elgood the Acting Director of Strategy & Governance stated that it was not the Council's usual practice to make evolving drafts of reports available to all Members while officer concerns around credibility remained outstanding; he agreed to ask the Acting Chief Executive to provide written confirmation of this.

31.4 Councillors Mears stated that the highest priority for any whistle-blowing process was to ensure complete confidentiality, so that whistle-blowers could come forward with confidence.

31.5 Councillors Mitchell and Randall echoed the comments made about confidentiality and both felt confident that it could be achieved through an independent process.

31.6 The Acting Director of Strategy & Governance explained that a number of independent routes were already available, such as the Local Government Ombudsman, and that all the issues would be covered in the report.

31.7 **RESOLVED –**

(1) That the Committee notes the draft extract from the proceedings of the Audit Committee.

(2) That the Committee endorses the Annual Governance Statement 2008/09 as approved by the Audit Committee.

(3) That a report on whistle blowing be brought back to the Governance Committee.

32. EFFECTIVE USE OF THE COUNCIL'S CONSTITUTION

32.1 The Head of Law gave a verbal update concerning the Council's focus on ensuring effective use of the Council's Constitution. He explained that the aim was to increase awareness of the opportunities available within the constitution for Member to influence decision-making; any comments received would also be fed into the review of the constitution.

32.2 **RESOLVED –** That the update be noted.

33. LOCAL DEMOCRACY, ECONOMIC DEVELOPMENT AND CONSTRUCTION BILL - UPDATE ON IMPLEMENTATION

33.1 The Council Lawyer gave a verbal update on the progress of the Local Democracy, Economic Development and Construction Bill. He reported that Royal Assent was expected in November 2009 with the local democracy elements proposed for implementation from April 2010.

33.2 He explained that statutory guidance was expected on the promoting local democracy element, but that as work on it was already underway it was unlikely to affect the Council's plans; a board of officers was coordinating local democracy activities across the council and tracking the Bill.

33.3 In response to a question from the Chairman the Council Lawyer confirmed that there was provision for statutory guidance, but that there was no expectation of regulations and orders.

33.4 **RESOLVED –** That the update be noted.

PART TWO SUMMARY

34A PART TWO MINUTES OF THE PREVIOUS MEETING

34A.1 RESOLVED – That the Part Two minutes of the meeting held on 7 July 2009 be approved as a correct record.

34. EQUAL PAY UPDATE - EXEMPT CATEGORIES 4 & 5

34.1 The Acting Director of Strategy and Governance gave a verbal update on the progress of equal pay negotiations accompanied by a presentation.

35. PART TWO ITEMS

35.1 The Committee considered whether or not any of the above items should remain exempt from disclosure to the press and public.

35.2 **RESOLVED** – That items 34A and 34, contained in Part Two of the agenda, remain exempt from disclosure to the press and public.

The meeting concluded at 6.25pm

Signed

Chair

Dated this

day of

**BHCC Response to:
*Strengthening Local Democracy, July 2009, CLG consultation
paper***

**CHAPTER 1: LOCAL GOVERNMENT AT THE CENTRE OF
DECISION MAKING**

1. Do you agree that we should extend scrutiny powers in relation to Local Area Agreement (LAA) partners to cover the range of their activities in an area, not just those limited to specific LAA targets?

Yes. This would prevent problems of definition and simplify matters significantly.

For scrutiny to enjoy an increased role in 'place shaping' it needs powers to look at all of the actions of agencies delivering services in a locality not just the limited number that relate to LAA targets.

Any new powers/guidance should however ensure that scrutiny focuses on specific issues rather than the running of individual agencies. Scrutiny, whilst local government based, should be seen as having a significant role within the LSP.

2. Do we need to make scrutiny powers more explicit in relation to local councils' role in scrutinising expenditure on delivery of local public services in an area? If so, what is the best way of achieving this?

Yes. There should be a power for committees to scrutinise any bodies delivering central and local government services in an area, whether directly or under contract.

It seems odd that scrutiny enjoys different powers in relation to health organisations than to other service providers. There should be standardisation across all sectors.

3. Do you agree that we should bring all or some of the local public services as set out in this chapter fully under the local authority scrutiny regime? Are there other bodies which would benefit from scrutiny from local government?

Yes. Local authority scrutiny functions should be given very broad powers to look at any organisation contributing to the wellbeing of an area. This should include local/regional offices of Government departments and agencies; privatised utilities and transport operators, governing bodies of schools, universities and colleges.

If scrutiny is to be able to really 'place-shape' then private companies e.g. transport/utilities should be under a duty to cooperate. There is also an argument for placing such a duty on large companies whose actions will have

a significant impact on local communities, for example supermarkets, large local employers, and developers, utility companies and transport operators.

4. How far do you agree that we should extend scrutiny powers to enable committees to require attendance by officers or board members of external organisations to give evidence at scrutiny hearings, similar to the powers already in existence for health and police?

Strongly agree, to be effective scrutiny powers need to include the ability to require information and attendance from senior officers. It would seem sensible to extend the requirement to attend to all senior officers in all organisations that scrutiny enjoys a remit with.

5. What more could be done to ensure that councils adequately resource and support the local government scrutiny function to carry out its role to full effect?

The precise funding arrangements for council's scrutiny functions should be left for local consideration.

However government should make clear it's expectation of the role of scrutiny; this can be done by increasing the remit and power of local authority scrutiny functions government as well as adequately recognising the cost of an effective scrutiny in local authorities annual settlement.

A scrutiny function that has the power to look in a meaningful way at the actions of other local organisations and really support a council in its partnerships is far more likely to be well resourced than if it's powers are primarily internally focused.

6. How can council leaders ensure that scrutiny is a core function of how their organisations do business and have a full and proper role in scrutinising the full range of local public services?

Most council leaders already seek to ensure scrutiny has a full and proper role in how councils do business, for example, ensuring timely information is provide to committees, offering meetings between committee chairs, relevant cabinet member and directors to ensure continued dialogue between the executive and cabinet function and providing full and considered responses to scrutiny recommendations.

Nevertheless, there is a slight paradox evident in the question in that part of scrutiny's role is to hold the council leader to account; charging the council leader therefore with ensuring the effectiveness of scrutiny is questionable. This is surely the role of Full Council, Chief Executive or Monitoring Officer.

Scrutiny can be supported by ensuring it has sufficient resources to undertake an appropriate number of detailed policy reviews that its recommendations are seen to be seriously considered and it enjoys parity of esteem with the executive function.

Regarding the specific reference to allowances for certain scrutiny chairs we would see this as a task for the IRP.

7. What more could be done to better connect and promote the important role of local government scrutiny to local communities, for example citizens as expert advisers to committees?

Greater clarity is required from Government regarding this question. Our scrutiny function already has the ability and does so regularly, to make use of local people's experiences, expert advisors and co-opted members.

Government could usefully explore direct public requests for scrutiny of a topic and area based scrutiny to support elected members ward roles.

CHAPTER 2: STRONG LOCAL GOVERNMENT OPERATING IN THE LOCAL INTEREST

8. How best should any reduction in numbers of LAA targets ensure that services are responsive to the most important local needs and priorities as well as national entitlements?

Whilst, we support the notion of reducing LAA targets and introducing new entitlements we are concerned that it may potentially generate another additional bureaucratic monitoring and reporting system. It is not clear from the consultation how this will be avoided. LAA targets are and should continue to be linked directly to the Sustainable Community Strategy. The strategy identifies and prioritises the most important local needs and this along with our corporate plan is our pledge to meet the most important priorities for local citizens. As the delivery of the sustainable community strategy is a fundamental plank of the CAA assessment it is assumed that this will be sufficient inspection/monitoring.

9. Should councils have a power to engage in mutual insurance arrangements?

Yes although the consultation document is silent about whether government intends to clarify or re-issue its 2001 guidance on the scope of the well-being powers. This is concerning in light of the recent LAML court case.

10. Are there other powers need to cover engagement in further complex arrangements of a possibly speculative nature outside of existing powers?

Yes a general power of competence based on the assumption that, unless Parliament specifically wanted a task doing by Central Government or a quango alone, local government should have the power to do it.

11. Do you agree that greater powers should be premised on demonstration of local confidence? How should this be demonstrated? How can councils best reverse the decline in confidence?

We believe that Government should be asking two questions here. These should be how to demonstrate competence and confidence? How should

councils present their 'business case' for having greater powers. We would be concerned if greater powers were premised on demonstration of local confidence that was measured by perception surveys. All too often residents' confidence in the council is affected by actions of our partners and beyond our control, or by singular incidents which overshadow other good work. Councils could best reverse the decline in confidence by having greater influence with partners, greater autonomy from central government and reduction in interference from regional quangos.

It makes sense to award greater powers to those councils that are seen to have the confidence of their residents. One way of measuring this would be to look at the participation of local people in becoming involved in council supported neighbourhood schemes and the numbers that take advantage of the opportunity to use the avenues available for contact with decision-makers via a council's constitution.

12. Are there core issues that should have greater council control which councils believe they are currently prevented from undertaking? If so what are they and what is the case for councils to take on these roles?

As noted in response to question 10 unless Parliament specifically wanted a task doing by Central Government or a quango alone, local government should have the power to do it. There should be greater clarity from Government about which functions and decisions it retains control over and those that it devolves to local government. In particular there should be far less interference from un-elected quangos on key issues such as housing and planning.

13. Do you agree that there should be a review of the structure of local partnerships with a view to identifying unhelpful overlap and duplication? Are there particular issues on which such a review should focus?

We review our partnership regularly and do not see the need for a formal national or regional review of local partnership structures. The formation and review of local partnership structures should be at the discretion of local public, private and third sector stakeholders. In addition, Government should not impose requirements for new/additional partnerships where councils can demonstrate that there is in existence and effective partnership body available to deal with the relevant issue. This would avoid duplication, unnecessary bureaucracy and cost, and ensure relevance to existing local partners, arrangements and communities.

CHAPTER 3: LOCAL AUTHORITIES TACKLING CLIMATE CHANGE

14. How is the current national indicator system working to incentives local authorities to take action on climate change? Should Government take new steps to enable local authorities to play a greater role in this agenda?

NI 188 is working well and is a good process indicator.

NI 185 whilst useful in areas where less progress has been made on reducing CO₂ emission, for councils like ours that have been proactive on the issue the indicator has generated an additional administrative burden. This is because it requires a different carbon footprint calculation from the Carbon

Trust (which we use for our Local Authority Carbon Management Programme) and different again from that for the Carbon Reduction Commitment.

NI 186 is proving problematic due in particular to the long data lag (2 years) making it difficult to demonstrate a direct correlation between target achievement and action.

In addition to requiring councils to include climate change targets in their Local Area Agreements, the Government should also take into account the recommendations of the LGA Climate Change Commission and campaigns.

The Government should regularly review all areas where local government is able to play a greater role in respect to action on climate change. It should enable greater flexibility in terms of Local Development Frameworks where local policy requirements can demonstrate their effectiveness on issues such as renewable energy and energy efficiency. Percentage requirements for renewable energy should be able to be set locally and similarly requirements for retrofitting of these and other energy efficiency measures should be able to be part of local policy making.

15. Where can local authorities add most value in meeting climate change aims, and what should Government do to help them do so, giving consideration to the proposals set out in this chapter?

Local authorities do and should continue to provide clear, consistent, practical and money saving information; and funding to local citizens and communities to take local action.

We are currently undertaking a scrutiny review into adapting to climate change and we would encourage other local authorities to consider the roles of scrutiny especially with augmented powers to call in private companies, ie utilities.

We would support the notion of localised funding including up front funding for capital initiatives such as district heating schemes. This echoes the LGA's proposals for the establishment of Local Community Energy Funds.

Local Authorities should lead by example not only in terms of reducing their own carbon footprint but via the implementation of their own local policies such as local transport plans and local waste strategies.

16. How do we ensure that national policies reinforce local efforts – for example, around transport, renewable energy, and energy efficiency?

We would strongly encourage Government to use and learn from the best practice being carried out by local authorities and their partners around the country when developing national policies which seek to reinforce local effort. In particular we urge Government to recognise, through the opportunity of flexibilities or freedoms those local authorities that are considered leaders in tackling climate change.

Ultimately it is national government that has to take the lead on this issue. It must work strongly with local councils to set the pace and provide them with the incentives, the backing and flexibilities that they need.

CHAPTER 4: SUB-REGIONAL WORKING

17. Should the activity of sub-regional partnerships be required to be subject to scrutiny arrangements?

Yes

18. Should councils' joint overview and scrutiny committees be able to require sub-regional bodies to provide them with information on the full range of their activities and to consider their recommendations on sub-regional matters?

Yes

19. Should the duty to respond to petitions be extended to sub-regional bodies?

Yes

20. Do current and planned models for joint working give people a clear enough voice in decisions that are made sub-regionally?

The possible introduction of new sub-regional authorities, sub-regional executive mayors and a directly elected sub-regional scrutiny body would only serve to add a further layer of bureaucracy causing confusion for the electorate about which decision were made where by whom. It would undoubtedly have an impact on people's confidence in local authorities as it would directly reduce councils' role and remit over key issues such as planning, transport as we have previously experienced.

21. How could we go further to make existing and planned city- and sub-regional structures more accountable, in addition to the suggestions in this document?

Sub-regional structures are already accountable through the direct election of local councillors to the various boards/committees etc. Further options will add confusion to the electorates understanding about the role and remit of sub-regional bodies' particularly in relation to local councils. It should be for the local authorities within an area to decide on the appropriate form and function for their sub-regional arrangement and for Government to provide the opportunity for reaching an agreement on the arrangement and the powers to be devolved. Currently, few powers are truly devolved from central government.

Structures can only be accountable if people can understand them and how to call them to account. Any new structure should reflect these principals and be tailored to a particular sub-regional area. Multi Area Agreements are doing this and are a good model to follow.

22. Should we give more powers and responsibilities to city- and sub-regions? If so, what powers or responsibilities should be made available?

The opportunity for devolved powers should be available to sub-regional partnership and should include power over housing and planning, employment and skills, economic growth and transport. However, we remain unconvinced about the likelihood of this being progressed having heard this many times before from Government.

23. Is there a need for direct democratic accountability at the sub-regional level? What would be the best means of achieving this, giving consideration to the options set out above?

We do not support the concept of democratically elected bodies at sub-regional or regional level. It adds unnecessary costly bureaucracy not only in terms of the administration of elections which would undoubtedly fall to local authorities but the cost of running yet another layer of government. Councils already work in sub-regional partnerships sharing responsibilities for governance, financial accountability etc. between them. Imposing a new structure is both needless and uncalled for.

CHAPTER 5: CLEAR RELATIONSHIPS WITH LOCAL GOVERNMENT

24. Should central and local government's roles be more formally established?

This would seem like a welcome move however clarity would be required between this new set of principles and the Central-Local Concordat agreed in 2007.

25. What are your views on the draft principles set out above as away of achieving this ambition?

Whilst, the draft principles would seem to help achieve this ambition we remain sceptical about the Government's commitment to the principles without evidence of greater and genuine devolution of power to local councils, which this consultation makes little head way with. The robustness of the arrangement would only be evident on the outcome of any challenges put before the ombudsman style arrangement and/or the joint select committee.

26. Do you agree that an ombudsman-style arrangement and a joint select committee of both Houses of Parliament are the correct approaches to oversee and enforce these principles, if adopted?

This would seem the most practical way of enforcing these principles.

