

Report by the Chief Executive

Government White Paper “Strong and Prosperous Communities” and the draft Local Government Involvement in Health Bill - Implications for Adur District Council

1.0 Summary

1.1 The Government White Paper “Strong and Prosperous Communities” was published in October 2006 and the Local Government and Public Involvement in Health Bill, which is proposed to implement the proposals in the White Paper was published in December 2006. They contain radical proposals for Local Government some of which now need formal consideration by Members as to the way forward for this Council.

2.0 Recommendation

2.1 Members are asked to consider their response to each of the issues outlined in the Annex attached to this report.

3.0 Background

3.1 Local government has improved over the last 10 years, but at the same time public expectations have risen fast. People expect the choice and personal service they perceive they get in the private sector to be part and parcel of how public services function.

3.2 A key theme of the White Paper and the draft Bill is the idea of reshaping public services around the citizens and communities who use them - consulting, involving and encouraging them to have a say about the sort of services they want.

3.3 The White Paper and draft Bill therefore propose radical and devolutionary reform and outline significant changes to Local Government through a new framework intended to provide greater opportunity to :

- Foster a sense of civic pride, build social and community cohesion, strengthen local democracy
- Deal with complex problems where local co-ordination is essential to tackle issues like climate change etc
- Build for the future, both in terms of providing modern infrastructure and services and also in terms of better leadership and partnership
- Re-engineer services to provide an integrated and joined up delivery
- Increased efficiency through agencies working more closely together

4.0 Proposals

- 4.1 The White Paper refers to a number of proposed changes - some of which are now included in the draft Bill and some being dealt with outside of and separate to the contents of the draft Bill.
- 4.2 A number of issues are probably more relevant to this Council and are felt to require Member consideration sooner rather than later, especially those that may influence implementation of the Partnership Strategy and the exploratory work currently being undertaken with Worthing Borough Council as well as this Council's contribution to the proposed improved two tier structure within West Sussex.
- 4.3 It is for this reason that only some of the key issues are brought before Members in this report. The remaining issues will come before Members in due course.
- 4.4 Members are asked to consider the contents of this report and provide a formal response to the issues identified on Annex A as attached in order to provide some clear direction as to how they wish this Council to take these forward.

Local Government Act 1972

Background Papers:

Local Government White Paper "Strong and Prosperous Communities" published October 2006 – Volumes 1 & 2

Draft Local Government and Public Involvement in Health Bill

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Appendix

1.0 Council Priority

1.1 The Government White Paper “Strong and Prosperous Communities” and the subsequent draft Local Government and Public Involvement in Health Bill 2006 are intended to be the overarching documents for all Councils to work towards. The contents will heavily influence the achievement and delivery of the Council’s priorities.

2.0 Specific Targets

2.1 As in 1.1 above

3.0 Sustainability Issues

3.1 The Government White Paper “Strong and Prosperous Communities” and the subsequent draft Local Government and Public Involvement in Health Bill 2006 give consideration to sustainability issues and these will be given due consideration when and where applicable.

4.0 Equality Issues

4.1 The Government White Paper “Strong and Prosperous Communities” and the subsequent draft Local Government and Public Involvement in Health Bill 2006 give consideration to equality issues and these will be given due consideration when and where applicable.

5.0 Community Safety issues (Section 17)

5.1 The Government White Paper “Strong and Prosperous Communities” and the subsequent draft Local Government and Public Involvement in Health Bill 2006 give consideration to community safety issues and these will be given due consideration when and where applicable.

6.0 Human Rights Issues

6.1 The Government White Paper “Strong and Prosperous Communities” and the subsequent Local Government and Public Involvement in Health Bill 2006 give consideration to human rights issues and these will be given due consideration when and where applicable.

7.0 Financial Implications

7.1 There are no direct costs associated with the contents of this report other than in working towards the Government’s aims and objectives. Any future costs in connection with their delivery will come before Members in the usual way.

8.0 Legal Implications

8.1 The report addresses the White Paper and Bill.

9.0 Consultations

- 9.1 A copy of this report and Annex A has been circulated to all Divisional Managers for comment.

10.0 Risk assessment

- 10.1 There is a statutory duty for all local authorities to comply with the draft Local Government and Public Involvement in Health Bill 2006 and, to have due regard to the aims and aspirations of the White Paper "Strong and Prosperous Communities".

11.0 Health & Safety Issues

- 11.1 Matters have been considered. No separate issues have been identified.

12.0 Procurement Strategy

- 12.1 The Government White Paper "Strong and Prosperous Communities" and the subsequent draft Local Government and Public Involvement in Health Bill 2006 give consideration to procurement issues and these will be given due consideration when and where applicable.

13.0 Partnership working

- 13.1 The Government White Paper "Strong and Prosperous Communities" and the subsequent draft Local Government and Public Involvement in Health Bill 2006 actively encourages councils to consider and enter into further partnership working across sectors and geographical boundaries and this will be given due consideration when and where applicable.

KEY ISSUES NOW REQUIRING MEMBER CONSIDERATION

ELECTIONS

ISSUE	DETAILS	MEMBER RESPONSE
<p>Elections</p>	<ul style="list-style-type: none"> • Opportunity for councils to move to whole council elections every four years <ul style="list-style-type: none"> - Council must take reasonable steps to consult on change and to decide who it is appropriate to consult. - First election year will be 2011 and every fourth year thereafter - Council must then prepare explanatory note for any change to existing arrangements and publicise these matters 	

EXECUTIVE ARRANGEMENTS

ISSUE	DETAILS	MEMBER RESPONSE
<p>3 choices of leadership model</p>	<ul style="list-style-type: none"> • Directly elected Mayor • Directly elected executive • An elected Leader elected by his/her fellow councillors <p>A resolution of the Council is required to make changes to governance arrangements and there is a requirement to consult with local people</p> <p>In all above cases, the directly elected mayor or executive will have a fixed 4 year term.</p> <p>An individual Council's Constitution to decide</p>	

	<p>under what circumstances the leader might be removed during the 4 year term.</p> <p>In addition, where a council elects by halves or thirds the leader would stand down if their term as a councillor ends.</p> <p>In each model, all executive powers will be invested in the mayor or leader who will have responsibility for deciding how these powers should be discharged - either by him or herself or delegated to members of cabinet individually or collectively. The mayor or Leader will either be responsible for appointing cabinet members or in the case of the directly elected executive, will have agreed that they should be on his or her slate of candidates standing for election.</p> <p>Councils who currently operate a committee system because of their small size do not have to move to one of the above if they choose not to.</p>	
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PARISHES

ISSUE	DETAILS	MEMBER RESPONSE
Powers to create new parishes	Parishes are currently created by Government and the electoral Commission. This power is to be devolved to district and unitary authorities.	

REINFORCE STRATEGIC LEADERSHIP ROLE OF LOCAL GOVERNMENT

ISSUE	DETAILS	MEMBER RESPONSE
<p>Reinforce strategic leadership role of local government.</p> <p>Strengthen local partnership working</p> <p>Put partnership working at the heart of local service delivery</p>	<p>Place a new duty for the upper tier local authority (in two tier areas) i.e. the County Council to prepare a Local Area Agreement (LAA) in consultation with others including the voluntary, community and business sectors, parish councils and other public service providers.</p> <p>Place a new duty on the local authority and named partners to co-operate with each other to agree targets in the LAA.</p> <p>In future, LAA's are to be the delivery plan for the community strategies in place and to focus upon a relatively small number of priorities for improvement.</p> <p>LAA to be outcome driven to make places a better place to live and work.</p> <p>In future the LAA will carry more weight and responsibilities for delivery of the targets by each of the partners to be made clear.</p> <p>Community Strategy and other local and regional plans to have regard to each other</p> <p>Local authority executive portfolio holders to play a key role on relevant thematic partnerships – Local Strategic Partnerships (LSP's), LAA etc.</p>	