CABINET	Agenda Item 269
	Brighton & Hove City Council

Subject:	Neighbourhood Governance
Date of Meeting:	10th May 2012
Report of:	Strategic Director, Communities
Lead Cabinet Member:	Cabinet Member for Communities, Equalities & Public Protection
Contact Officer: Name:	Sam Warren Tel: 296821
Email:	Sam.warren@brighton-hove.gov.uk
Key Decision:	Yes
Ward(s) affected:	All

FOR GENERAL RELEASE

1.   SUMMARY AND POLICY CONTEXT:

1.1   The Localism Act 2011 sets out a series of proposals that are intended to achieve a substantial and lasting shift in power away from central government and towards local people. As part of the council's response to the Act it made a commitment in December 2011 to piloting new neighbourhood governance models in the city alongside the approval of the Community Development Strategy. This will offer residents greater power to make decisions about services for their neighbourhood and influence the way budgets are used.

1.2   Specifically, the Localism Act enables the establishment of neighbourhood forums for the purpose of producing Neighbourhood Development Plans. This provision came into force in April 2012. A report went to the Planning, Employment, Economy & Regeneration Cabinet Member Meeting entitled "Government Consultation: Neighbourhood Planning Regulations". Therefore any arising designated Neighbourhood Forums will be monitored and evaluated alongside the two neighbourhood governance pilots.

1.3   City wide consultation about the possible new neighbourhood governance was carried out between October 2011 and January 2012. A range of methods were used to engage a wide cross section of people. 1300 people responded through questionnaires and a further 300 through focus groups and public meetings.

1.4   This report sets out the findings from the consultation and the next steps in developing neighbourhood governance pilots.

2.   RECOMMENDATIONS:

2.1   That Cabinet agrees to the 12-month pilot of neighbourhood governance in Brighton & Hove specified in paragraph 5 of the report,

2.2   That Cabinet authorise the Strategic Director, Communities to take all steps necessary or incidental to the implementation of the proposals in this report, including, but not limited to agreeing terms of reference and ways of working.

2.3   That Cabinet requests the Strategic Director, Communities, to bring a follow-up report to the appropriate committee at the relevant time to inform potential future decisions about future city-wide neighbourhood governance arrangements across the city.

3.   BACKGROUND:

3.1   Localism is described as an approach where individuals and communities have more power and responsibility, and use it to create better neighbourhoods and local services. Communities need to feel empowered to solve problems in their neighbourhood and have the freedom to influence and discuss topics that matter to them, with a more local approach to social action and responsibility.

3.2   In Brighton and Hove Neighbourhood Governance is just one of the approaches that we are taking to ensure localism is supported throughout the city.

3.3   There are a wide range of initiatives that enable communities to support and develop community skills, activities and enterprise. These include organisations such as the Food Partnership, Credit Union, LET schemes, volunteer centres and co-operatives all of which add to the opportunities for people to create and develop local approaches to tackle local concerns.

3.4   In addition to this the council continues to maintain a strong focus on community engagement and community development as tools for empowerment and social justice, through the Community Development Strategy.

3.5   The City Council funds a commissioned programme of community development in neighbourhoods as a key tool for community empowerment and will continue to support this in a broad range of neighbourhoods alongside the pilot Neighbourhood Governance. This will enable communities that are not part of the pilot process to use flexible and approaches to neighbourhood empowerment and will create other opportunities for local governance arrangements to evolve over time, in line with communities' changing circumstances and developing capacities.

3.6   The Communities and Equality Team offer information, support and guidance both with our internal partners and with external groups and organisations on how to use the Community Engagement Framework and carry out Equality Impact Assessments.

3.7   There is an on-going commitment for the grants programme which supports the innovation and development of the third sector within the city. Assistance is also provided to the Community and Voluntary Sector (CVS) and infrastructure organisations through a range of support packages that help access funding, information and advice.

3.8   The council's housing service has a wide range of structures to support tenant involvement in the management, influence and development of housing, policy, practice and funding.

3.9   An asset map has recently been published and the council is working with the CVS to look at community held assets and develop a further process for asset transfer.

3.10   The Partnership Community Safety Team, Adult Social Care, and Children's Services are developing new neighbourhood approaches that respond to local community issues, such as the youth service hubs, the Embrace Initiative, Community Conferencing and the Communities Against Drugs Pilot.

3.11   The Localism Act 2011 specifies changes to planning powers that allow the establishment of neighbourhood forums for the purpose of producing Neighbourhood Development Plans. Through this process these Neighbourhood (Planning) Forums could gain access to funding streams via the New Homes Bonus and Community Infrastructure Levy. In order to become a Neighbourhood Forum there is a set of clear prescribed rules that could work with our Neighbourhood Governance arrangements should the communities wish to do so. However other areas across the city, outside of the pilot, will be able to express interest in becoming a Neighbourhood (planning) Forum and officers are working very closely to ensure that the two approaches are connected and can work alongside each other.

3.12   Additionally, the We Live Here project, of which the Council is an integral part, aims to design a new way of connecting public services, individuals and community groups, blending offline and online technologies. It is testing ways of building shared online environments that allow whole-community discussions to flourish by connecting people through the online and offline places where they feel comfortable. The We Live Here project, once fully implemented, will use technology and new networking tools to give individuals and community groups' new opportunities to volunteer, participate in their community and take part in political decisions.

3.13   The current phase of the programme is working in the city centre ward of Brunswick, in Hangleton & Knoll and the BME (Black & Minority Ethnic) community cross the city. A key milestone with this work was 26 April 2012, when a business plan and other materials were submitted as a second-round bid to NESTA for ongoing support and funding. If successful, this will enable the programme to expand and develop alongside more formal neighbourhood governance approaches.

4.   **CONSULTATION RESULTS:**

       Methodology

4.1   Questionnaires were made available via the council consultation portal, sent to a random selection of 10,000 households and made available at key locations across the city, for example libraries, doctors' surgeries, and schools.   In addition, around 20 focus sessions were held with Communities of Interest and

Identity groups, at Local Action Teams and other Neighbourhood Forums or groups.

4.2   The consultation included questions about geographical boundaries, resources, methods of engagement, current structures and groups, potential governance structures, issues for marginalised and vulnerable people, legal & statutory duties, value for money and local concerns. (Appendix 1 for full survey data). The following provides a short summary of the main themes from the feedback:

Involvement

4.3   88% of respondents strongly agreed or tended to agree that they would like to have more influence over decisions and services affecting their area. If local residents had more influence, 68% of respondents said that they would become involved in local governance.

4.4   Feedback in the focus groups stressed the need for the pilot approaches to include innovative involvement methods, particularly when considering those who are excluded from current neighbourhood structures and involvement. They suggested that any new ways of working must ensure governance policies support such involvement, and include a mixture of involvement methods such as social media, community newsletters, meetings and events.

4.5   The results also showed that residents and organisations wished for a range of involvement methods to be used. However, this consultation had a much higher proportion of people wishing to use online involvement, as well as more traditional structures.

Areas: Neighbourhoods or Wards

4.6   The results showed that people are keen for boundaries to be defined by either neighbourhoods or wards but with a stronger preference for self-defined neighbourhoods.

Models

4.7   Four models were presented as part of the consultation (see appendix 1 pg 16) The preferred option, with the greatest number of respondents selecting as their preference, is '*a local group who would work in partnership with the council, police, NHS, and other public service providers to look at the best way to design and deliver local services'*. The second preference was for people to come together at '*open public events which look at the design and funding of local public services*'.

5.   Pilots

5.1   The consultation reiterated that a one size fits all approach is unlikely to work and arrangements for neighbourhood governance needs to vary from place to place, to reflect the demographic make up, diversity and varying circumstances of communities.

5.2 Therefore, based on the breadth of experience in the council and the city about neighbourhood engagement, the proposal is for two pilots to reflect the preferred options within the consultation with different methodologies and styles. However, both will engage communities in responding to local priorities, which may include designing or providing services, working with service providers to build on ideas and innovation, participatory budgeting, and influencing budget allocation and service direction.

5.3 The consultation results showed that whilst a higher number of residents   at 54.3% felt that local governance should be developed and delivered at 'neighbourhood' level, those wishing to see this within Ward boundaries was also significant at 21.5%. Therefore one of the proposed pilots will be based on a Ward and the other within a self defined 'neighbourhood'.

5.4 The ward based pilot will have a clear focus on testing out the use of new technologies in order to engage with citizens that have not previously been involved with locally based community activities.

5.5 This will start from the fact that people are already having conversations   about local issues, in interest groups, online and in pubs and there is already a network of organisations that formally or informally support public engagement at a low level. Rather than creating a continuing structure, we aim to use the structures and conversations that are already in place to network the conversations, hearing and shaping what is being talked about, and raising the quality of discussion through access to the council's data and information. This form of 'neighbourhood governance' can then create **"democratic moments",** where the most important issues from those different conversations are brought together and discussed, rather than creating a new institution with its own agenda and meeting programme.

5.6 Neighbourhood governance then becomes a democratic high-point, comprising of a supported event with online elements before and after to broaden the opportunities to participate. The agenda would be collaboratively set by local people and the council, and would cover the biggest live issues (as well as key items like budgets and devolved services).   Using online information and discussion, leading through to presentations and debates at the event, these issues could be worked through in a shared environment so compromise and consensus can inform outcomes. Votes could be taken at the meeting or online afterwards, where necessary.

5.7 This pilot area will be focused on the Hollingdean and Stanmer ward. This is   a ward that has a make up of a number of self defined neighbourhoods, Hollingdean, Coldean, Bates Estate and Saunders Park. These are diverse communities with both transient and stable populations and in some place very high levels of students.   The ward has a range of mixed tenure housing including owner occupied, council and social housing, student accommodation and private rental. There is some business population within area particularly within the industrial and commercial estates. There were a number of expressions of interest across the ward to be part of the pilot process. These factors will enable us to pilot different and broad approaches to engage and involve residents, businesses and community and voluntary organisations in new forms of Neighbourhood Governance within one particular ward area,

recognising the potential to build ward based data sets whilst also recognising the complexities within this particular area. Work will relate closely to concepts around the use of "open data", with a clear aspiration that individuals and organisations will help shape solutions by re-working available data and finding new ways of presenting information and argument that delivers better solutions.

5.8   The second pilot area will look to develop ways of working that build on   local communities' sense of self defined neighbourhoods.

5.9   This work will also use new technologies, but there will be a focus on more traditional ways to engage with communities. The pilot will focus on building   on existing groups and organisations and connect into the more formal structures and decision-making processes that are led by local   residents. It is intended that the area will develop a local plan that will   highlight   clear   local   priorities through a range of events, meetings and activities. Through locally defined mechanisms to be determined with the local community, these will be linked with service providers and other local organisation priorities to create a cohesive and inclusive set of locally developed priorities.

5.10   This second pilot area will be focused across on areas of Whitehawk and   the Bristol Estate. Organisations and projects within these areas are already working together and form cohesive approaches to the community. They have recently applied to become a national Community Budgeting pilot and whilst this application was not successful it does indicate that the local fora are quite far forward in their thinking on neighbourhood governance. The multi-disciplinary Whitehawk Hub has recently been developed providing a firm bases to build and expand the relationships between the Hub and the community and giving the opportunity for more decisions to be made at a local level. The Whitehawk and Bristol Estate areas have expressed a keen interest in being part of a neighbourhood governance pilot.

5.11   In order to a create shift in decision-making local residents, businesses and local councillors will need to work together to define local priority and need. These priorities will be linked into the Project Board in order to work with communities to look at the scope, design and allocation of resources and services within the areas. The intention is to support the communities to create local solutions for local issues and recognise that "East Brighton" comprises of a number of neighbouring but distinct communities.

5.12   Under the new system of governance expected to come into effect from Annual Council in May 2012, decisions reflecting the wishes and needs of neighbourhood councils would need to be taken by an officer or committee with the necessary delegated authority. This is covered more fully in paragraph 8 below. This arrangement will be reviewed over the course of the pilot period to consider whether it allows communities to drive genuine change.

5.13   Pilots will begin in July 2012 and run for approximately one year. The pilots will in part be supported by the Community Development Commissioning programme which also starts in July 2012 and the development of the NESTA We Live Here project.

6. OUTCOMES

6.1 National and local research from previous approaches suggests that the following outcomes are achieved from improved devolution:

- o Increased social capital & the development of local solutions

- o Improved service response to local need;

- o Strengthened role of elected Members as Community Champions;

- o Increase community cohesion;

- o Deeper democracy (including participatory governance and political/local activism)

6.2 In order to work towards these outcomes we will continue to respect and work with the large number of neighbourhood and community structures such as Tenants Associations, Friends of Parks, Neighbourhood Forums, Local Action Teams (LAT), Health Action groups, conservation groups, to ensure we build a culture of partnership across the city and not just within the pilot areas.

6.3 A key consideration for both pilots will be their linkage and relationship with existing neighbourhood and city wide engagement approaches such as housing tenant participation, the developments of patient participation, and one-off consultations that occur regularly throughout the city.

6.4 However, the consultation underlined the need for neighbourhood focused work to more adequately tackle the needs of people from communities of interest and/or identity, as a focus on place can create divisions between groups, organisations and communities supporting these agendas. Particular support and resource will be aimed at the inclusion of the vulnerable or marginalized who have not been previously involved in neighbourhood approaches to local governance.

6.5 The role of ward councillor will also be vital to the process of neighbourhood governance. As the democratically elected representatives of the area it is important to ensure they have a key role as active leaders in communities. This was strongly highlighted within the consultation with the largest number of people stating a clear preference that decision- making be led by councillors.

7. PROJECT MANAGEMENT

7.1 A Project Board has been set up to steer Neighbourhood Governance. This board is chaired by the Strategic Director Communities and is made up of members of the council's Corporate Management Team (CMT), lead officers and partners from the Police and Health to ensure that we are developing approaches that are supporting and complementing other engagement activity within the city.

7.2 The Neighbourhood Governance Working Group will also be taking forward strategic and practical approaches to develop and embed the

changes needed across the organisation and within communities. Formal feedback will be presented to the Policy and Resources Committee and linked into the Community Engagement Partnership and the Community Inclusion Partnership.

7.3   The Project Board will ensure that the Neighbourhood Governance pilots do not sit in isolation to emerging developments such as the Inequalities Commission, the development of the Clinical Commissioning Group and changes to the Neighbourhood Policing.

7.4   A key element of the work will be looking at the challenges of delegating power and releasing funding for neighbourhood based governance in order to address local priorities at a local level. Whilst there is a long history of support for neighbourhood regeneration and community engagement in Brighton and Hove evidence shows that we have not always been successful in creating 'real' opportunities for local people to influence decisions particularly when this includes determining budget allocation.

7.5   The Neighbourhood Governance pilots aim to combine the use of   community development methodology and council approaches to ensure that residents have a strong voice in decision making, including determining budget allocations within their local communities. In addition we will need to address how to effectively share available data and information which will help to address the more hidden or complex issues that evidence shows are not always raised by residents and communities.

7.6   To genuinely and successfully delegate budgets and decision making to a neighbourhood level, we will need to embed the approach right across the organisation from leadership and senior management through to frontline staff. The council's Learning & Development Team and Community and Voluntary Sector provide training and learning programmes to support council officers, councillors and residents working or living within the pilot areas. Officer time from the Communities and Equalities Team will also be dedicated to supporting the set up and oversight of the pilots.

7.7   The council's Performance and Analysis team are working alongside the Communities and Equalities Team to develop a monitoring and evaluation framework that will be informed by previous neighbourhood working and will aim to support the future arrangements for neighbourhood governance within the city. The first report on progress will be at the six month point of the pilots.

8.   FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

8.1   Development and support of the pilots will be funded as part of the £175k 2012-14 neighbourhood governance budget. The pilots may involve a limited scheme of financial delegation subject to new arrangements as described in the legal implications. Clear accountability will be sought and officer support provided for financial and other decisions. The budget allocated will be considered by Project

Board and agreed by the Strategic Director under delegated authority arrangements.

Feedback from the pilots will inform the development of future neighbourhood governance arrangements. Full consideration of financial and service implications will be assessed at this stage.

Finance Officer consulted: Anne Silley   Date : 20/03/12'

Legal Implications:

8.2   Unless and until the Council puts in place arrangements pursuant to section 236 of the Local Government and Public Involvement in Health Act 2007 for certain council functions to be discharged by individual Members at ward level, decisions giving effect to the priorities, wishes or resolutions of the neighbourhood governance approaches taking part in the two pilots would need to be taken by a Council officer or committee with the relevant delegated powers. In practice, it is expected that most if not all the decisions that a neighbourhood council would wish to make would fall within the remit of an officer's delegated powers, due to the localised and operational nature of the functions concerned.

Nonetheless, where an officer is requested to carry out a function using his delegated powers on behalf of a neighbourhood council, the officer must satisfy him/herself that:

-    His delegated powers apply to the function in question, in nature and scope
-    Any request for expenditure is within budget and he has authority (with reference to the scheme of delegation and to any applicable standing orders or financial regulations) to commit the Council to the sum concerned
-    Any decision taken under delegated powers is consistent with corporate policies and adheres to public law principles, including legality, rationality and correctness of procedure

As with the existing Scheme of Delegation to Officers, any officer may refer a decision which would otherwise fall within their remit, to the relevant committee or Full Council where the officer considers it appropriate.

Lawyer Consulted: Oliver Dixon   Date: 19/03/12

Health, Wellbeing & Inequalities Implications:

8.3   The consultation highlighted the risks around inclusion, representation and community cohesion and the need to ensure that these issues are activity managed. As part of the pilot development specific inclusion support, will be commissioned working in partnership with community of interest organisations.

8.4   As the responsible body we will need to ensure that any delegation of decision-making will follow the Corporate Equality Inclusion Policy. The pilots will be supported and assessed for Equality Impact throughout the process.

8.5   As part of the training programme offered to pilots, communities of interest groups will be commissioned to deliver equalities training, to support the development of neighbourhood councils and to encourage consideration of equality issues in planning, implementation and evaluation.

8.6   A publication will be developed in the lead up to the pilots detailing the work carried out by the council around community involvement, partnerships and governance, to be used as a tool during the pilot period.

8.7   As part of the monitoring and evaluation of the pilots equality approaches and levels of engagement by different groups will be assessed.

Sustainability Implications:

8.8   Future commissioning arrangements will take into account the need to promote sustainability considerations in all aspects of planning and delivery. The Neighbourhood Governance pilots will also link closely to the Community Development commissioning that will help to support sustainable communities, through activities such as sustainable funding, resilient individuals and self help groups. As one of the pilots will have a clear focus on new technologies this will reduce the use of paper and other resources and therefore support the city sustainability strategy.

Crime & Disorder Implications:

8.9   The council will continue to work with the Partnership Community Safety Team (PCST) in the development of the Neighbourhood Governance pilots. The PCST, Communities against Drugs and Environment Improvement Teams deliver a range of activities which engage and build cohesive communities. Some of these activities are integrated within the delivery plans of priority crime areas: facilitating the community led Racial Harassment Forum is one example of that. Other work such as supporting the network of Local Action Teams link closely with meeting the delivery requirements of Neighbourhood Policing and as such, have specific outcomes which are about identifying local policing priorities and delivering community safety solutions in partnership with local people. The PCST carries out targeted work with refugee and migrant individuals and communities and its programme of activities to "build resilience to violent extremism" is a specific programme of work with Muslim and other faith based communities. Performance on this programme is measured against locally agreed indicators, which were previously collected and analysed by the national data set contained in the Local Area Agreement process.

8.10   Through the Project Board close links to the developments in neighbourhood policing approaches to create synergy in how we work with and empower communities will be developed.

<u>Risk and Opportunity Management Implications:</u>

8.11   The Neighbourhood Governance Working Group have developed and maintain a risk register on the potential risks and opportunities associated with working with communities to provide them with power to directly influence services in their neighbourhoods. This has enabled development of mitigating controls and actions and further planned work to be developed and incorporated as part of project delivery. The risk register will be regularly reviewed as part of the ongoing project management for this initiative and accords with the council's Risk Management Strategy 2012.

8.12   This work is one part of the city council's Strategic Risk 1 (SR1) "Readiness for opportunities and impacts of Localism" which is publicly reported in the Strategic Risk Register.

<u>Corporate & City-wide Implications:</u>

8.13   The Corporate/Citywide implications for the implementation of neighbourhood governance will be complex and will in part be informed by feedback form the pilot programmes. It is proposed to report back to Policy and Resources committee within the first six month period which will set out further details of the likely scale of the broad corporate implications. This has implications for all wards and supports the corporate objectives of tackling inequality and involving communities in everything that we do.

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<u>SUPPORTING DOCUMENTATION</u>

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Appendices:

1. Neighbourhood Councils Survey: Data Report
2. Neighbourhood Governance Project Board Terms of Reference

Documents In Members' Rooms

None

Background Documents

None