



# The Role of Councillors on District Committees

## 1 Introduction

1.1 This inquiry builds on the work of the Committee's inquiry: Are Ward Committees Fit for Purpose? and began before the Kerslake review was published<sup>1</sup>. The Committee has held three evidence gathering sessions (18<sup>th</sup> November 2014, 9<sup>th</sup> December 2014 and 20<sup>th</sup> January 2015) and undertaken a visit to the Erdington District (2<sup>nd</sup> December 2014). A survey was also sent to all Councillors – 16 responses (13% response rate) which received wide ranging views.

1.2 The aim of the inquiry had been to strengthen District Committees by considering the role that their Councillors carry out and the support they might need to ensure all committees are successful. Since the publication of the Kerslake review, the Committee focused more on the line of inquiry:

“How will the future changes to devolution impact on roles?”

1.3 The Committee remains committed to the continuation of devolution of real power and resources to local Councillors and citizens in line with the Leader's Policy Statements 2012-14. The Committee's aspiration is that the council becomes an effective devolved administration and moves away from a centralised culture and centralised decision making. The Committee has concerns that key aspects of the Kerslake review risks setting back devolution in the city, rather than assisting with future progress along our intended journey towards greater devolution. In part this is because there appear to be contradictions in the report.

1.4 In short we are unsure if the review is supportive of the transition to greater devolution or if it is suggesting that power be centralised.

1.5 Recommendation 7 of the Kerslake Review proposed:

**b. the 10 District Committees should not be responsible for delivering services or managing them through Service Level Agreements. Instead, if they are to be retained, they should be refocused on shaping and leading their local areas through influence, representation and independent challenge of all public services located in the District, including those of the council;**

**c. the Districts should be provided with a modest commissioning budget to purchase additional services that help meet local priorities. Services commissioned will not necessarily need to be managed or provided by the**

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<sup>1</sup> Kerslake review published 9th December 2014



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**council. They will need to effectively manage their own finances and meetings must be open to the public and outside of the town hall.**

- 1.6 The City Council has to be absolutely unambiguous in its response: is the intention now to reverse its current policy and recentralise or to continue the direction of current policy to progressively devolve real power and resources? This paper is intended to influence the consultation that will take place from February to 19<sup>th</sup> March. It is not intended to set out the pros and cons of the current districts arrangements or to suggest alternative recommendations. However, it is worth noting that some Committee members feel that a different conclusion might have been reached by the Kerslake team had all feedback from all districts reflected the place leadership and partnership working witnessed on the Committee's visit to Erdington.
- 1.7 The Committee heard different views about districts and about Councillors' roles and this is collated in the evidence pack available on [www.birmingham.gov.uk/scrutiny](http://www.birmingham.gov.uk/scrutiny). Although much of this was received before Kerslake was published most of the views are still relevant.
- 1.8 The inquiry found that:
- Any changes to districts come alongside an on-going reduction in resources in both the City Council and partners.
  - The role of Councillors has changed and more is expected of them. In addition, the number of officers in districts has decreased so Councillors are having to do more themselves. Citizens expect more from services. They also expect to be able to engage with the council with some consideration given as to when and where meetings are held. Councillors want to be able to share information with citizens – but it is not always fit for purpose; officers need to produce information in a way that can be understood and provides some explanation of the issues that the data identifies.
  - The Executive Member for Local Services (EMLS) has an important role to play and requires a certain skills set. This includes being able to gel together the diverse views of members of the Committee who are representing the diverse views from their communities.
  - Member development is important to build capability and capacity. One issue raised was on the need to understand district budgets. As it is proposed that districts will not have a substantive (if any) budget this might be seen as not now needed. However, there had been a proposition to break down all local public spend down to district level. If this district breakdown is achieved to some extent then training on budgets will still be required.
  - Inter-agency partnerships (including with citizens) are the way forward. Erdington continued the local strategic partnerships model with subgroups and getting people round the table for a shared purpose/topics. For partnership working to work Councillors have to believe that others also have solutions and can drive change for the benefit of the community, not just the council.
  - However, political balance in districts does make a difference; both positive and negative. Political minorities can feel that they do not get to play a role, but political consensus can also



be achieved. For example, in Erdington, Conservative Councillors feel excluded from the current partnership arrangements. This both means that existing skills are underutilised and there is a danger of discontinuity if there were to be a change of political control.

- 1.9 The Committee undertook a Threats, Opportunities, Weaknesses and Strengths (TOWS also known as SWOT) analysis of the proposed changes which is attached as Appendix 1. Key threats include limited resources and democracy itself (i.e. electorate getting disenchanting and citizens not putting themselves forward to become Councillors). Key opportunities include an opportunity to re-energise districts and the electorate and partners and to create structures that work. The strength to build on is the huge expertise not just of Councillors themselves but of partners and citizens. A key weakness that would need addressing is culture, especially the weak communication and feedback between decision-makers in the centre and the districts and the default position of silo-working of both directorates and districts themselves.
- 1.10 The role of Councillors will change and adapt going forward, whatever the final response to Kerslake is, but until there is clarity in the future role of districts it is difficult to anticipate the extent of these changes. Councillors need to exercise a community leadership role and budget cuts will continue to mean that Councillors need to do more to meet local needs, not just the EMLS. All Councillors have this responsibility. In national government a number of MPs work to the Secretary of State – sharing the workload, using relevant expertise and broadening their role. It is not another committee, but MPs working as a team and playing a supportive role to the Executive Member. A similar approach could be used within Districts, giving members specific roles to play.
- 1.11 Whatever the direction of travel there is a need to get the right level and type of support for Councillors on districts and to deliver change. As one Executive Member for Local Services said:
- “whether you have a scrutiny role or a service delivery role you still need to have the support behind you.”**
- 1.12 The Kerslake review said that the strategic, executive, independent scrutiny and community roles of members needs to be clearly defined and better supported including appropriate training. The Leader in his response to Governance, Resources and Customer Services O&S Committee<sup>2</sup> suggested that districts should be a three-legged stool comprising community leadership, scrutiny and commissioning. This is considered below, including setting out some areas where there needs to be some clarity about how Councillors are going to be able to get the best for their districts.

## 2 The Three-legged Stool

### Governance (Structures)

- 2.1 Change to structures appear inevitable as do budget reductions. Councillors need to be able to adapt to the changes.

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<sup>2</sup> 9 January 2015 - [http://www.birmingham.public-i.tv/core/portal/webcast\\_interactive/160350](http://www.birmingham.public-i.tv/core/portal/webcast_interactive/160350)



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- 2.2 Devolved governance structures currently include both Ward & District Committees. Some survey feedback suggested that if budgets were cut further in districts then they would be pointless: "Abolish District Committees. Give more power to wards". Looking outside Birmingham, other Core Cities appear to have governance structures at either district or ward level, but not at both. Further lessons could be learnt from elsewhere (please see Appendix 2).

## Community Leadership

- 2.3 The Local Government Association says:

**"Community leadership is at the heart of modern local government. Councils work in partnership with local communities and other organisations – including the public, voluntary and community and private sectors – to develop a vision for their local area and to work collaboratively to improve services and quality of life for citizens. Councillors have a lead role in this process."**<sup>3</sup>

- 2.4 The role of Councillors needs to change to reflect changes to governance structures. Councillors have a key role to lead on engagement and to represent the diverse views they hear. Districts too need to be able to resolve conflicting views from the community and partners and build a consensus on issues.

- 2.5 Local partnership working is seen as important and Councillors can play a role in rebuilding local strategic partnerships.

- 2.6 The Committee's view in its 2014 Citizen Engagement report was:

**"Each ward has three Councillors, which is a tremendous resource; although we acknowledge that there is a higher ratio of citizens to Councillors compared to many areas of the country. Councillors play a role as the key local stakeholders: Leaders of Place. There is not a more important role for Councillors than engagement for action and their local knowledge needs to feed into service improvements. The Council needs to retune the role of Councillors to be advocates for localities by better listening and securing action."**

**"Especially at the level of the district, the opinions of local citizens, combined with Councillors' own knowledge of their wards and understanding of the front line impacts of services and cuts, needs to be part of the evidence base developed to help the Council develop services differently across the city."**

**"The importance of building relationships cannot be overemphasised. All Councillors and officers have a role to play. Building relationships needs to be part of the core business of the Council, not an added extra. As noted**

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<sup>3</sup> [http://www.local.gov.uk/documents/10180/5854661/L14-581+A5\\_Community+Leadership+\\_03.pdf/2593d5ac-8e2a-46dc-9ea2-aba2051117d3](http://www.local.gov.uk/documents/10180/5854661/L14-581+A5_Community+Leadership+_03.pdf/2593d5ac-8e2a-46dc-9ea2-aba2051117d3)



**previously, Councillors certainly have an important role to play in building and nurturing relationships.”**

- 2.7 It is important to recognise that in view of cuts to staffing within districts it is becoming more difficult to meet these aspirations at a district level. In addition, Committee members recognise that engagement itself is just a tool and that Councillors want engagement for action – in other words for engagement to be able to result in actions and decisions on services which meet local needs.
- 2.8 Citizens themselves play an important role:
- “key part of the plan for the ‘Future City Council’ is managing demand for services, by encouraging and supporting individuals, community groups and voluntary organisations to play a bigger role in delivering services. This will require a shift in behaviour, attitudes and culture across the city as well as within the city council”.<sup>4</sup>**
- 2.9 Therefore, Councillors will need not only leadership skills, but the skills to be able to empower citizens, this is especially important as Council services are reduced or in some cases ceased. Standing up for Birmingham (#SU4Brum – a campaign for unity), Community Asset Transfers (CATs), Friends of Groups such as Friends of Parks are all existing approaches to engage with.
- 2.10 There is a risk that the future structural changes and any recentralisation will undermine these efforts to empower citizens. Furthermore, the Committee recognises the importance of being able to have a real say on how local money is spent, rather than having to have to ask someone else to do it. Wards and Districts should have the power to decide how to use the existing resources to enable them to commission local services or strengthen council services.

## **Services: Scrutiny and Commissioning**

- 2.11 A recommendation of the Kerslake review is that districts will not deliver, manage or have financial responsibility but will scrutinise services. But the Committee does not find this convincing, as we find the experience of district level scrutiny unsatisfactory and largely ineffective. Scrutiny reports on devolution for the past decade have been critical of the way in which districts have had little or no influence on services managed through Service Level Agreements (SLAs).
- 2.12 The issue of poor performance does not go away with a change to structures and a removal of direct responsibility over that budget line. There still needs to be a solution as to how Councillors can get redress and service improvement, in the first place from council services.
- 2.13 One risk, although this was not agreed by all members of the Committee, is that giving districts a scrutiny role could lead to a partisan and adversarial approach; conflict between the central Executive of the majority party and some District Committees run by the opposition parties, following party lines rather than the best interests of devolved services.

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<sup>4</sup> <https://standingupforbirmingham.wordpress.com/about-standing-up-for-birmingham/>



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- 2.14 Scrutiny of all public services is proposed. Currently it is unclear what the willingness of partners is to be scrutinised as they currently have their own scrutiny / appeal mechanisms i.e. health, police and fire services. This will require production of understandable information by partners and have member development implications. A first step could be closer collaboration with public services, but not necessarily scrutiny, building towards scrutiny by District Committees. Leadership will have to come from the top in each organisation as Councillors at a District Committee cannot be expected to gain co-operation unilaterally.
- 2.15 A previous scrutiny inquiry<sup>5</sup> explored how commissioning could be carried out by districts with economies of scale coming by drawing on local knowledge and combining contracts at the locality level. Any move forward needs to identify how districts, and therefore local Councillors will feed into commissioning, especially third sector commissioning.
- 2.16 The Castle Vale Neighbourhood Partnership Board is talking to its local clinical commissioning group about locality commissioning. If this is successful there could be a model to follow, enabling Councillors and citizens to influence local delivery.

## 3 Moving Forward

### Place shaping

- 3.1 It is worth going back to the Lyons review and reminding ourselves what it says about “place shaping”:

“Throughout my work, I have promoted a wider, strategic role for local government, which I have termed ‘place-shaping’ – the creative use of powers and influence to promote the general well-being of a community and its citizens. It includes the following components:

- building and shaping local identity;
- representing the community;
- regulating harmful and disruptive behaviours;
- maintaining the cohesiveness of the community and supporting debate within it, ensuring smaller voices are heard;
- helping to resolve disagreements;
- working to make the local economy more successful while being sensitive to pressures on the environment;
- understanding local needs and preferences and making sure that the right services are provided to local people;

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<sup>5</sup> Devolution: Making it Real, 2013



- working with other bodies to response to complex challenges such as natural disasters and other emergencies.”<sup>6</sup>

- 3.2 To that we might add a more general health and wellbeing priority and broaden the partnership working to address all the other issues, not just disasters. Lyons sets this out as the role of local government. But is this not too the primary role of districts – to build local distinctiveness, identify the local needs and priorities and ensure that all services are meeting those?
- 3.3 All the issues above: community leadership, scrutiny and commissioning link to this. As does strong advocacy of the local needs from the district into the council as a whole. This requires that two way feedback between districts and the centre is embedded and that officers and Councillors have structures, systems and procedures that enables this to happen on an on-going not one off basis.
- 3.4 This requires Councillors to focus on outcomes – what is changing in an area, how does it feel, what do citizens feel and how does this sit against objective data?

### **Relationship with the Centre**

- 3.5 As previously noted there is a need for improved communication between the centre and districts to ensure understanding and influence.
- 3.6 Currently decisions made by the Executive have to show that an equality assessment has been undertaken. One suggestion going forward is that decision-makers also have to carry out a district impact assessment considering how districts might be affected, to demonstrate an understanding of the different needs and issues across the city.
- 3.7 It was suggested that in resolving conflicts from the centre there has to be a mechanism for districts asking for a review / a “call in” of decisions. It should be noted, however, that the statutory powers that Scrutiny Committees currently have cannot easily be transferred to District Committees as such powers can only be used when there is not an executive member sitting on a committee.

### **Councillors**

- 3.8 There is a democratic risk that if new structures are created which give less devolved power (and no meaningful impact on budgets) to backbench Councillors, this will actively discourage a new generation of Councillors to come forward, as they will see their role as having very limited influence on local affairs. It is imperative to use the expertise of all Councillors and to make it an interesting enough role that new Councillors will come forward, who are representative of the city.
- 3.9 Councillors (and therefore the council and partners) need to respond to local needs and have both the capability and capacity to develop districts and carry out place shaping.
- 3.10 Councillor development will be required. Training should cover structures (including roles and remits of District – District Strategic Housing Panels and co-regulation, budgets). It was suggested that District Committees would have been more effective in their role of managing housing if

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<sup>6</sup> Lyons Inquiry into Local Government (2007) at:  
[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/229035/9780119898552.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/229035/9780119898552.pdf)



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training had been provided and Councillors had attended. Capacity needs to be found to allow Councillors time to attend training events. There must be a robust and compulsory induction programme for new Councillors. However, the role of Councillors has changed considerably in the last ten years and continues to do so, so even long-standing Councillors should take up opportunities for development

## Challenges (Things to Resolve Now)

3.11 There are a number of issues that need to be resolved before moving forward to enable clarity about the role of Councillors on District Committees:

- The Executive needs to ensure there is a clear and absolutely unambiguous direction of travel regarding devolution; will there continue to be progress to greater devolution or a reversal of policy towards recentralisation? If there is a recommitment to progress further with devolution in line with existing policy then a number of issues need to be resolved:
- One size doesn't fit all and with limited resources, services may need to be delivered differently in different areas to best meet local needs. The structures moving forward need to be able to allow this flexibility and Councillors have a role in this.
- Budgets and resources (staffing).
- Good communication needs to ensure that citizens and partners receive a clear and consistent message as to the purpose of devolution and the remit of District Committees.
- To formalise better understanding of implications in districts when the Executive is making decisions.
- SLAs were never resolved – the services they currently cover will remain a line in the budget and with their proposed scrutiny role District Committees should have an opportunity to hold service providers to account. With SLAs Councillors have continually been frustrated about the lack of influence and being able to hold service providers to account. Getting rid of SLAs does not get rid of this issue. Councillors on District Committees need to be able to influence and hold service providers to account for devolution to have an impact.
- If District Committees are to hold all public services to account, this will require both leadership at the top and partnerships across the city.
- If services need to account to ten District Committees then Councillors may need to be aware that the capacity to do this may be limited and that other districts may be asking for additional services or doing things in a different way. Conflicts here too may need to be resolved by a city-wide partnership or leaders and chief officers.
- Moving forward with a Councillor development programme and building in an approach of Councillor mentoring.
- Every Councillor in a district needs to have a meaningful role. One way of achieving this would be to extend the District Champion roles: giving Councillors an issue or area of expertise to work with the relevant Cabinet Member (ten District Champions and a Cabinet Member can meet regularly and resolve issues and improve services for citizens).





- In order to be locally effective, Councillors want to have a delegated budget for their areas as well as being able to have a say on the local use of city-wide budgets.



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## APPENDIX 1: SWOT (TOWS) Analysis of the Role of Councillors on District Committees (or any successor arrangements)

### Moving Forward from Kerlake

| Strengths  | Weaknesses  |
|--|---|
| <ul style="list-style-type: none"> <li>• Experienced Councillors.</li> <li>• Elected and accountable to the voters.</li> <li>• There is a public mandate – the public want it to work. (We need structures that ensure citizens are listened to).</li> <li>• Providing quicker responses to issues raised by residents is appreciated by citizens. (Devolution provides the opportunity).</li> <li>• The size of the city means there is a lot of experience across it and the Council can partner other organisations. (It needs to be internally reorganised and outward looking).</li> <li>• Councillors can build expertise or play to their strengths when the role becomes more varied and they are given more responsibility. (Linked to the opportunity of appointing Members to work on topics and report to Cabinet Members).</li> </ul> | <ul style="list-style-type: none"> <li>• Time commitment especially problems with attending day time meetings for those Councillors that have another job.</li> <li>• Lack of experience in managing budgets.</li> <li>• The current constitution.</li> <li>• The public perception of the number of Councillors (it would be useful if citizens were provided with the number of Councillors per population in the wards and comparatives with other areas outside Birmingham).</li> <li>• The number of Councillors per wards needs to have cross party consensus.</li> <li>• Birmingham is too big.</li> <li>• Opaque or insubstantial 'feedback loop' between localities and the centre. E.g. how are District Leads involved in shaping new service contracts?</li> <li>• Cultural issues – can be task led rather than outcome led (processes get in the way of outcomes). Need to be able to utilise opportunities that come our way.</li> <li>• Silo working of districts and within e.g. Neighbourhood Tasking Groups do not always communicate with Ward Committees. This is reinforced by the structure of the Council.</li> <li>• Having the time and capacity to be able to access external resources such as grants and pooling budgets with other partners.</li> <li>• Not using community expertise enough.</li> <li>• Ambiguous direction of travel – are we working towards more or less devolution.</li> </ul> |



| Opportunities   | Threats  |
|---|--|
| <ul style="list-style-type: none"> <li>• Provides a chance to change the organisation of the Council to make it more representative.</li> <li>• To learn from the best practice of the Erdington model of partnerships and “think outside the box”.</li> <li>• To use resources / expertise of the community / third sector.</li> <li>• Kerslake provides the stimulus to change without losing face.</li> <li>• To use the approach used in the sports and leisure model for other service decision making.</li> <li>• To strike political consensus.</li> <li>• To communicate and engage internally and externally.</li> <li>• To re-energise the electorate.</li> <li>• Innovation.</li> <li>• To create more fluid structures and joint oversight – service and place led flexibility working. (e.g. When a service is in one area but used substantially by citizens from another District.)</li> <li>• Creates options at a local level.</li> <li>• To replicate the approach in central government of having junior ministers reporting to a Secretary of State – thus sharing the workload and using expertise.</li> </ul> | <ul style="list-style-type: none"> <li>• Effect of cuts on the Council and external partnerships (e.g. key individuals can go quickly). We need stability, but we’re not in control of the environment.</li> <li>• Inadequate resources – there may be a lack of expertise to pick up tasks and the public will lose interest if nothing gets done.</li> <li>• The centralisers think that they have won. This could disempower Councillors, leaving decision-making it to the centre and the public then loses interest.</li> <li>• Democracy is challenged: <ul style="list-style-type: none"> <li>• If District Councillors have “no teeth” then no-one will want to become a Councillor. (Whereas what we need is to attract new, younger, diverse citizens to this role.)</li> <li>• If all decisions are made at the centre.</li> </ul> </li> <li>• Single member wards – as areas are too diverse? (How can just one Councillor deal with Birmingham or Sutton town centre when another may have a leafy suburb?)</li> <li>• Developing an approach not owned by all parties. It needs stability in the long-term.</li> </ul> |



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## APPENDIX 2: District and Ward Committees (or equivalent) in the Seven Core Cities Local Authority Areas

| Local Authority                | District and Ward Committees or Equivalent  |
|--------------------------------|---|
| <b>Bristol City Council</b>    | 14 Neighbourhood Committees that sit within Neighbourhood Partnerships. The Committees/Partnerships contain 2 – 3 wards. <sup>7</sup> Each Neighbourhood Partnership has £10,000 to contribute to local projects in 2015.   |
| <b>Leeds City Council</b>      | 10 Community Committees contain 3 – 4 wards. Their role as per the City Council's constitution is: <ul style="list-style-type: none"> <li>• improve, co-ordinate and influence services at a local level</li> <li>• take locally based decisions that deal with local issues</li> <li>• provide for accountability at a local level</li> <li>• help Elected Members to listen to and represent their communities</li> <li>• help Elected Members to understand the specific needs of the communities in their area</li> <li>• lead, promote and develop community engagement</li> <li>• promote working relationships with Parish and Town Councils</li> <li>• promote the well being of their area.</li> </ul>   |
| <b>Liverpool City Council</b>  | Does not have District, Ward Committees or equivalent according to their website and the City Council's constitution.   |
| <b>Manchester City Council</b> | One Area Committee – Wythenshawe Area Committee that represents five wards. They have delegated authority to approve planning applications within the five wards.   |
| <b>Newcastle City Council</b>  | 26 Ward Committees have a ward budget and wellbeing fund. The amount of the budget differs per Ward Committee e.g. for 2015/16 Westgate Ward Committee will have £25,630 ward budget and £8,560 wellbeing fund and North Heaton Ward Committee will have £17,490 ward budget and £5,840 wellbeing fund. Responsibility for the Ward Committees according to the City Council's Constitution includes 'to regularly monitor performance, assess local needs and accordingly influence service standards and priorities for service delivery in the Ward in respect of each of the following Council functions (and such other functions as may be delegated to it from time to time): <ul style="list-style-type: none"> <li>• Local street cleansing and grounds maintenance</li> <li>• Neighbourhood parks and open spaces</li> <li>• Street lighting maintenance &amp; road and pavement work</li> <li>• Community safety; local environmental services; and street wardening</li> <li>• Local open space and equipped play provision</li> <li>• Sports / arts / health development schemes</li> <li>• Community buildings and assets; and community cohesion</li> <li>• Consultation rights on educational developments (Primary School specific)</li> <li>• Recycling initiatives; road safety and play and youth services</li> </ul> |
| <b>Nottingham City Council</b> | Eight Area Committees that contains 2 - 3 wards. 'The Committees meet to discuss issues of local concern and how to improve their local area, and are consulted on changes which could affect the area. They oversee the spending of their Area Capital Fund. Allocations from individual or joint Ward Councillor Budget allocations to support local ward initiatives are noted. This funding may be divided between funding grants to community and voluntary sector organisations or funding other local community initiatives. Area Committees usually meet 4 times a year'. <sup>8</sup>  |
| <b>Sheffield City Council</b>  | Does not have District, Ward Committees or equivalent. According to the City Council's Constitution the 'Council may from time to time establish such Area Committees as it sees fit. Any Area Committees would be set out in Part 3 of the Constitution. There are no Area Committees set up.'   |

<sup>7</sup> <http://www.bristol.gov.uk/page/council-and-democracy/neighbourhood-partnerships>

<sup>8</sup> <http://committee.nottinghamcity.gov.uk/mgCommitteeDetails.aspx?ID=138>