

### Response on behalf of Dover District Council

1. What is the strategic role of local government? Is my description sufficient, or are there more elements you would add?

- Which elements of this role should extend to services other than those for which local government is directly responsible, and how?
- How does the strategic role vary between different types of councils?

1.1 We agree with Kent County Council's response, that strategic does not mean 'big', any more than 'local' means 'small'. Therefore the variation in 'being strategic' between different councils and different types of councils e.g. parish, district, county, unitary, metropolitan or London borough, depends very much on how councils connect their understanding of their strategic role to how they set about delivering it. In turn, the different strategic approaches that different types of councils take are more likely to be influenced by differing legal powers or by their political affiliations rather than by any notional ranking of capacity or capability by size or tier.

1.2 The duty of local government to promote the wellbeing of an area is essential, however, this needs to be reinforced with other public agencies and the role of local government in ensuring these services also support this agenda is paramount. This is increasingly achieved through voluntary partnership working between the agencies. In Kent, the Local Area Agreement has reinforced this partnership, however, the lack of freedoms and flexibilities is limiting progress. We would welcome the influence in activities of partnership further from a democratic viewpoint.

2. What tools do councils need to perform the strategic role more effectively?

- What are the existing barriers to councils performing this role effectively?
- In what circumstances does it work well and less well?
- Are further improvements in performance, efficiency and accountability needed before local government can most effectively play this strategic role and be trusted to do so?
- What are the key signs of success and failure?

1.1. Local government has the tools, however, currently lacks the local freedom to deploy the tools we have. The barriers to improving effectiveness are the incremental removal of the 'local' from 'local government', to the point where the UK is one of the most highly centralised amongst western democracies. For councils to fully perform the place-shaping role outlined in the report, we need to be freed up to set locally identified priorities ahead of centrally determined targets. In conjunction with this, local government needs to re-acquire flexibility of resource allocation, and where applicable, the means of locally rationing scarce services and goods e.g. through eligibility criteria. Local councils also need to re-acquire the tools, particularly the obligations and the resources, that have been removed from them in the process of setting up the growing number of unaccountable regional or sub-regional bodies, created to deliver central government's policy objectives for what, are essentially local services.

1.2. The case for a fairer funding system for local government cannot be over-emphasised. It is an essential prerequisite to more effective delivery. Councils should be given back greater flexibility to allocate resources in line with clear local preferences. For examples, ring fencing is an unnecessary constraint which reduces local ability to respond to local needs. The funding settlement must therefore be handled properly and be robust and transparent. This would also assist in overcoming the weak understanding of local government funding.

1.3. The current performance management regime is over-prescriptive, over-detailed and designed primarily to highlight failure and therefore has a negative impact on morale within local government. The expectations of inspections to meet national targets or requirements as opposed to focussing on the local needs and priorities (where evidenced), also have a

negative impact on local councils. The over focus on inspection and regulation can stifle creativity, inhibit innovation and places the emphasis on avoiding risks rather than grasping opportunities and meeting the needs and expectations of local communities. It also creates public confusion on the national requirements of local services against the benefits of localism and the values of delivering services that meet the needs of diverse communities.

- 1.4. We agree with Kent County Council's concluding point that the perception that local government must re-earn its performance, efficiency and accountability before it can be 'entrusted' denotes an unhealthy and unequal relationship between local and central government. Reports have shown that local government is exceeding in its response to Gershon efficiencies, despite increasing pressures through current funding arrangements. This negative view of local government is unsubstantiated and it is unfair to increase inspections and audits to prove its competence and reliability. We therefore welcome the local government white paper and the opportunity to clarify central governments expectations of 'local' government to deliver 'localism', which as yet, we have been restricted to do.

### 3. How important is the fact that local government is elected in relation to its ability and legitimacy to perform this role?

- 3.1 Councils are uniquely placed in the civil and public life, due to their local democratic mandate, to fulfil the important function of holding to account a range of public services, which are not otherwise accountable to local people. This increases local government's ability and legitimacy to perform this role across all public services. In future, council's may be working in partnership with those whom they might also scrutinise, which should be welcomed. Experience in Kent has shown that robust governance arrangements and mature relationships can ensure the proper separation of the executive and scrutiny functions and ensure the function is discharged fairly and impartially.
- 3.2 The legitimacy is currently undermined, however, by the apathy towards local elections by the general public. With the spotlight on local government over the past few years, this has only added to the confusion of what local government is there to do and the funding of this service. This needs to be addressed nationally, local government is doing its part through the LGA/IDeA reputation campaign, however, the decline in electoral participation needs to be addressed collectively at a national level. Local democratic accountability is currently what sets local government apart from other public service bodies.
- 3.3 There is further confusion at present with the role and responsibilities of local government and of regional and sub-regional single-focus bodies. For example, RDA's have a focus on economic development, however, this cannot successfully be addressed without considering the social and environmental issues and concerns of our local communities. Local government is better placed to do this in a strategic way, giving equal priority to the issues affecting the wellbeing of our areas.

### 4. Which services (or parts of services) should meet national standards in all areas of the country? Which should meet minimum standards? Which should be entirely down to local choice?

- Are there aspects (such as standard setting, funding or choice of delivery mechanisms) of individual services which should be nationally controlled or locally controlled?
  - Are there services where greater local variation in standards would be acceptable if there was clearer accountability and consultation with local people?
- 4.1 There seems to be a stronger consensus in favour of national standards for services affecting 'public safety' e.g. crime, traffic regulation, public health, water quality, than for service provision e.g. concessionary travel schemes, leisure centres etc. For example, within the Kent Local Agreement, crime is seen as a high priority, however, the local priority varies from district

to district with some focusing attention on high levels of physical violence, while other areas may have more of an issue around anti-social behaviour, theft or fear of crime.

4.2 When setting service standards or eligibility criteria, these should be set on a case-by-case basis through negotiation to ensure a balance between the central and local interests. Local government would therefore be encouraged to continue with a high level of community engagement to ensure the balance is right locally, which can be reflected and monitored through customer satisfaction levels.

4.3 Decentralisation to RDA's does not, in our opinion, go far enough. RDA's do not and cannot reflect local priorities that are essential for local economies to succeed.

5. How has the Government's approach to devolution and decentralisation affected your area and your local services?

- Which aspects of the current system are helpful and unhelpful, and why?
- Have changes based on central government priorities differed from those that might have been driven by local pressure and opinion?

5.1 Dover District Council welcomes the Government's approach to devolution and decentralisation, however, as mentioned in the report, Government must provide the freedoms and flexibilities to help us improve our performance and serve our communities. This is essential before local government can consider neighbourhood arrangements. To date, we therefore do not believe that Government's approach to devolution has been effective or sufficient, in part, due to the reluctance of central government to let go of control (point 1.64).

5.2 With the current debate on local government reorganisation and double devolution, Dover District Council along with all other districts and Kent County Council are looking at ways to improve current working arrangements. We are about to undertake research into current neighbourhood arrangements to look at the best solution locally to deliver the government's 'neighbourhood arrangements'. We are also looking at discretionary services, such as play areas, and the increased role that Town & Parish Councils could play to ensure provision is based on local need and priorities.

5.3 The LAA has highlighted that local government's commitment to deliver increased performance has not been met by any significant devolution by way of freedoms or flexibilities. In recent times, the increasing amount of additional initiative-related performance monitoring burdens, especially those required by unaccountable regional and sub-regional bodies, has been further restrictive.

5.4 How the accountability will work needs to be considered. If local government is given the freedoms and flexibilities, it can successfully work with neighbourhood bodies to ensure local priorities are met. However, can the balance of priorities at a district level, versus the priorities and expectations of individuals and community groups be managed? With the current complexity and lack of clarity about responsibilities already identified as a problem with the current system, how can we ensure that neighbourhood arrangements do not just add to this confusion but provide a transparent mechanism for service delivery.

6. How can pressures on local services be managed more effectively?

- What are the main types of pressures faced by local services and how are they currently managed?
- Which are the most difficult to manage and why?
- Would greater devolution of responsibility enable pressures to be managed more effectively?
- Does confusion about responsibility and duplication of effort contribute to pressures?
- Would greater public understanding of the actual cost of public services help to manage expectations and pressures?
- How can we ensure that the system provides the proper incentives and rewards for using resources efficiently?

- 6.1 The main pressures faced by local services are demand and demographic changes, legislative changes and pressures, including on limited resources, caused by continuously raised public expectation over service delivery.
- 6.2 These pressures cannot be underestimated, for example, councils have had the recent added pressures of changes to licensing, pressure from central government to increase recycling, all with no additional funding to provide this additional duty. Alongside this, the additional duties within the Clean Neighbourhoods Act will also impact on already limited resources. Ideally, legislative pressures placed upon local government should be funded by additional grant, as with the Denmark model highlighted in point 1.87. As outlined in Kent County Council's response, Government as a whole are committed to the 'New Burdens Doctrine' whereby they should ensure that new burdens falling on local authorities are fully funded. Funding is often received, however, it is not often at the beginning of the process, which, in light of existing pressures to council funding, only exacerbates the situation.
- 6.3 Dover district is facing a growing elderly population, which itself will bring increased pressure on services and requirements to provide adequate support and provision. From a district point of view, this will affect housing, particularly sheltered housing, planning in terms of ensuring adequate facilities and infrastructure are provided with development.
- 6.4 Local authorities cannot directly control the demand pressures but we look to modify our service delivery to best achieve value for money in delivery and effective service delivery.
- 6.5 Greater understanding and clarity of services and their costs to the public will assist in helping to manage expectations and pressures. Generally, the public does not want to pay more tax but wants increased and better quality public services. Recent consultation undertaken by Dover District Council, worked with residents and gave them information on the costs of each service, what they provide and the overall budget, then there was more openness to reductions in areas of service that were not considered a priority and consideration to pay more tax for those services they felt important.
- 6.6 Greater devolution of responsibility for services and funding for those services would help pressures to be managed more effectively.
- 6.7 Dover District Council has concerns over longer term funding issues, particularly of capital investments required to help with regeneration projects including community facilities, transport infrastructure and public facilities e.g. schools, doctors etc.
- 6.8 Current incentives such as local Public Service Agreements do go some way to supporting and incentivising local government to provide services. However, if local government funding was adequate in the first instance, should local authorities be reliant on achieving this additional money? LPSA has encouraged public agencies to work together to tackle local targets, however, with the duty to promote the wellbeing, arguably this is something that we should be aiming to achieve regardless of additional funding.
- 7 How could responsibility for local services be made clearer between local government, central government and other agencies?
- What might this mean for the current performance management framework?
  - Would a more contractual approach for a small number of key central priorities help to achieve this?
- 7.1 Greater clarity about how local services are funded is essential, particularly distinguishing who does what in the public sector. From a resident point of view however, service delivery should be seamless regardless of the organisation responsible and this should not affect the service they receive. In Kent, we continue to work together to provide quality public information and work to simplify access to public services using new technologies. This joined up approach will help in the access of services to residents.

7.2 We welcome ODPM's consultation on LSP's and share concerns around the number of unaccountable bodies with perceived common agendas, differing expectations and levels of duty. For example, the duty to 'promote the social, economic and environmental wellbeing of an area' through the Community Strategy is placed on local authorities, yet the common agenda must be shared by all public sector agencies.

7.3 A necessary element of the localism is to reduce the number of unaccountable regional and sub-regional 'delivery bodies' and devolve their responsibilities back to councils, using their 'well-being powers'. A complete overhaul of the inspection and performance management regimes is essential to focus on outcomes, rather than outputs, based on a smaller number of negotiated targets.

7.4 We would welcome a more contractual approach as long as the central priorities are kept to a small number and a priority locally.

### **Conclusion**

Overall, we welcome this debate on the role and functions of local government and the reform of the local government funding system. To clarify the roles and functions of local government it is essential that the relationship between central and local government is also considered. Issues affecting local government such as inspections, efficiencies, performance, funding and increasing service delivery expectations all need to be thought through if local government is to 'have the trust of citizens, and effective structures and processes to support it.' Equally, local government must also have the trust of central Government through devolution, decentralisation, increasing the level of freedoms and flexibilities and entrusting local government to deliver services that meet the local need and thereby contribute to the duty of 'promoting wellbeing' in our areas.

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