

SUBJECT: COMMUNITY GOVERNANCE IN MONMOUTHSHIRE

MEETING: COUNTY COUNCIL

DATE: 20th March 2017

DIVISION/WARDS AFFECTED: All

1. PURPOSE:

1.1 The purpose of this report is to seek Council's agreement to pilot a new set of arrangements for Community Governance in Monmouthshire.

2. RECOMMENDATIONS

2.1 It is recommended that: (i) the ongoing review of community governance and whole place is finalised as early as possible to allow the new Council to reach agreement as to the shape and structure of community engagement;

(ii) That the community governance structure designed as a part of member working group is piloted in the Bryn Y Cwm area.

3. KEY ISSUES:

3.1 Community Governance is not easy to define but in essence, it is the way in which local communities are represented and governed at local authority level. It is the mechanism through which the involvement of statutory and voluntary agencies, community groups and by the efforts of local people themselves are held in an organized structure that facilitates engagement. It is also about the way in which individuals and groups within the community are listened to and able to influence decisions that affect them.

3.2 Community Governance in Monmouthshire is undergoing an evolution from a static model informed by the Council through a series of Area Committees to a more dynamic model reflecting local needs a new ways of working more closely to the community.

What is a Community Governance Review?

3.3 A community governance review enables the council to review and put in place or make changes to community governance systems and structures.

Why is the Council doing this review?

- 3.4 The aim of the Community Governance Review was to improve community engagement – this is important because we know that more cohesive communities are important to the Council being able to deliver its priorities. The outcomes of the review will provide clarity as to when, where and how local people can engage in discussions and influence decisions. It will provide explicit clarification as to the responsibility for decision making in certain arenas and the accountability that flows from those decisions.
- 3.5 The Council also wants to review the small amount of grant funding that is currently allocated through the Area Committees to ensure that this is being allocated in the most appropriate way.

What does good [community] governance look like?

Good governance is transparent

- 3.6 People should be able to follow and understand the decision-making process. This means that they will be able to clearly see how and why a decision was made – what information, advice and consultation council considered, and which legislative requirements (when relevant) council followed.

Good governance follows the rule of law

- 3.7 This means that decisions are consistent with relevant legislation or common law and are within the powers of council. In the case of Victorian local government, relevant legislation includes the Local Government Measure and other legislation such as the Wellbeing of Future Generations Act 2015, and the Social Services and Wellbeing Act 2015.

Good governance is responsive

- 3.8 Local government should always try to serve the needs of the entire community while balancing competing interests in a timely, appropriate and responsive manner.

Good governance is equitable and inclusive

- 3.9 A community's wellbeing results from all of its members feeling their interests have been considered by council in the decision-making process. This means that all groups, particularly the most vulnerable, should have opportunities to participate in the process.

Good governance is effective and efficient

- 3.10 Local government should implement decisions and follow processes that make the best use of the available people, resources and time to ensure the best possible results for their community.

Good governance is participatory

3.11 Anyone affected by or interested in a decision should have the opportunity to participate in the process for making that decision. This can happen in several ways –

- community members may be provided with information,
- asked for their opinion,
- given the opportunity to make recommendations or, in some cases,
- be part of the actual decision-making process.

Current facets of Monmouthshire's Community Governance

What are Area Committees?

3.12 Monmouthshire Council operates a system of four area committees; Bryn-y-Cwm; Severnside; Lower Wye and Central Monmouthshire.

3.13 These may be given authority to exercise some of the council's powers. They are made up of the councillors representing the local area covered by the committee, and they may have other representatives "co-opted" to them. A co-optee is someone who has not been elected directly to the council, but who has a seat on the area committee to represent an organisation that has a legitimate interest in the way the area is governed.

3.14 The Area Committees have a small amount of capital grant monies to distribute (£5,000p.a.).

3.15 Appendix 1 includes a copy of the current constitution of Monmouthshire's Area Committee.

What are Area, Community or Neighbourhood Forums?

3.16 These are sometimes set up and run by local authorities to give communities a say on local issues. They consist of people working or living in an area but not the councillors elected for the area. We currently have two Community Forums in Monmouthshire; Bryn-y-Cwm and the Rural Forum (Central Monmouthshire).

What are Community Associations?

3.17 Members of a community set up community Associations locally. They usually have a democratically-elected management committee and they may include local councillors. They can influence the way local authorities and other organisations provide services in their area. They usually cover either a specific geographical area or a particular interest such as a sport or hobby. They do not have powers to raise money through a precept or the Council Tax, are often run by volunteers, and may be set up as a charity.

Town Teams

3.18 Town teams are a relatively new development in Community Governance and have become increasingly popular in recent times as the communities in a range of places have sought to become more involved in securing a viable future for their towns. These are outside of the control of the Authority and often have their own formal governance arrangements. The Caldicot Town Team is formally incorporated as a Community Interest Company.

<u>Bryn Y Cwm</u>	<u>Severnside</u>	<u>Lower Wye</u>	<u>Central Monmouthshire</u>
<u>Area Committee</u>	<u>Area Committee</u>	<u>Area Committee</u>	<u>Area Committee</u>
<u>Programme Board</u>	<u>Programme Board</u>		
<u>Community Forum</u>			<u>Community Forum</u>

3.19 That review has been in progress since March 2015 when Keith Edwards was appointed to undertake a review of Community Governance. His report was initially taken through the political processes in October 2015 (Cabinet) and then Council in December 2015. When the recommendations of the Edwards review were discussed at Council there was not a consensus as to how things should be progressed and Members took the decision to establish a Member led working group to consider the recommendations and decide upon a structure for community governance.

3.20 The member working group was cross party and established so that there was representation from across the existing four council defined areas. The members were:

- Cllr. Down;
- Cllr. Farley;
- Cllr. Edwards;
- Cllr. Higginson;
- Cllr. Prosser;
- Cllr. Webb; and
- Cllr Hobson

3.21 The first meeting was largely a discussion about the nature of democracy and what MCC elected members' expectations of community governance

are. At the second meeting in June we discussed a set of specific proposals. These are included below.

3.22 We asked members to be aware of the following principles when making a decision

- Provide a forum for local councillors to engage with residents about local issues
- Give local communities a stronger and more direct voice in decision making in their local area
- Enable members to have influence over decisions that are specific to their local area
- Develop and oversee the delivery of localised plans
- Engage with representatives of town and community councils
- Harness and channel community energy to deliver improved outcomes for the local area and its communities
- Bring together partner agencies to focus on locally specific issues

3.23 It is also worth Members giving consideration to the five principles of the Wellbeing of Future Generations Act:

- Integrated
- Collaborative
- Long term
- Involving
- Preventative

3.24 In particular the principles of involving and collaboration were pertinent in this instance. Members considered seven different models during their discussions. These are shown at appendix 2.

Conclusions of the discussion

3.25 Following a wide ranging debate there was agreement across the members present that their preferred option was Option 2 but with the additional invitation to a single representative from each of the Community or Town Councils in that area.

Option 2) Area Committees are retained as the sole structure with an increase in co-opted community members

Positives	Negatives
Members are accountable	Scale of meeting (number of committee members)
Transparent co-opting arrangement	Can co-opted members vote?
Clear alignment to the constitution	Community representatives could be

	elected (C&T Council), representative or individual – how will this be determined?
Decision making strengthened and streamlined	Breadth of geographical cover
Single entry point to public	Disparity between the area committees effectiveness
Community voice greater than currently	

3.26 During the discussions a key development occurred, namely, the move from 4 areas as per the existing structure (Lower Wye, Severnside, Monmouth and Central Monmouthshire and Bryn Y Cwm) to five areas. This development is in keeping with a range of new policy directions such as the renewed relationship with Community and Town Councils, the division of the County for the Wellbeing Assessment and the developments around Place Based Approaches in Social Care.

Implications of the decision and developments in the relationships with Community and Town Councils

3.27 Whilst this is not the most radical solution available it does provide a stable platform and recognises some of the key challenges that Monmouthshire has faced in the past. We now have some key actions:

- Seeking formal member agreement to the new community governance models as described above
- Beginning the formal implementation with the five new areas.
- Agreeing the staffing support for the new model including, but not limited to, the role of the Whole Place Team.

Relationships with Community and Town Councils

3.28 The nature and tone of our relationship with the 33 Community and Town Councils in Monmouthshire has been the subject of a renewed focus in the past few months. This has been informed largely by a number of low level complaints, often typified as ‘background noise’ rather than significant issues, however they tend to focus on the responsiveness of the Council (MCC) to queries and complaints.

4. REASONS:

4.1 The adoption of the model set out in paragraph 3.25 was agreed unanimously by the member working group. In essence it provides an evolutionary development of the current area committee model but embraces several of the factors of good community engagement that were included in the last Local Government (Wales) Bill in November 2015.

4.2 The decision to pilot this model in Bryn Y Cwm is well based on the evidence of the review and the fact that Bryn Y Cwm has proven to be the most resilient example of Area working and the high level of social capital in the area and developed links to the local town and community councils.

4.3 The decision to pilot the work rather than a universal roll out is because of the ongoing work being led by Cath Fallon that is reviewing the broader organisational aspects of community engagement.

5. RESOURCE IMPLICATIONS:

5.1 There are no resource implications for the initial pilot phase in Bryn Y Cwm. Resources necessary to conclude the review of whole place and community engagement are met within existing budgets.

6. SUSTAINABILITY AND EQUALITIES:

6.1 This meets the principle of engagement and involvement – two key tenants of the wellbeing of future generations work.

7. CONSULTEES:

Senior Leadership Team
Cabinet
Strategic Transport Group
Lower Wye Area Committee
Bryn Y Cwm Area Committee
Severnside Area Committee
Central Monmouthshire Area Committee

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Appendix 1 - Article 10 of the Monmouthshire

The Council may appoint area committees as it sees fit, if it is satisfied that to do so will ensure improved service delivery in the context of best value and more efficient, transparent and accountable decision making.

The Council has recognised the need to engage the community in Area Working which in its early stages has involved establishing 3 Area Committees with the following roles and functions:

1. To help the Council shape major proposals affecting the area and to advise the Council about the implications for the area of its objectives, plans and policies.
2. To lead the development of the local community planning process and produce a Community Plan for each area in a way which promotes the council's overall policies as well as safeguarding local interest.
3. To ensure properly co-ordinated services on a local level.
4. To encourage effective collaboration with public, private and voluntary sector partners locally to help the Council meet the aspirations of local people.
5. To provide a forum for views of local communities and to encourage discussions and debate on matters of particular relevance to the area including participating in the process of Best Value Reviews as a formal consultee.
6. To make decisions on matters within the area that have been delegated by the Executive provided those decisions are within the Council's overall policies and budgetary allocations and do not adversely affect other areas of Monmouthshire.

Additional Representation

Each Area Committee may identify and agree 'communities of interest' within its area from which a representative may be invited to participate at meetings of the committee. Such invitees will not be co-opted members of the committee but may speak (not vote) on matters whenever the press and public are able to attend.

Appendix 2

Option 1 (Status Quo)

Area Committees and Programme Boards co-exist with no formal relationship but have representation.

Positives	Negatives
Members retain local accountability/visibility	Confused responsibility for communities
Clear structure for council as per constitution	Disparate area committee practice
council representatives on Programme Boards have equal voice with community members	No clear representative lines for Programme Boards
	Members disenfranchised

Option 2) Area Committees are retained as the sole structure with an increase in co-opted community members

Positives	Negatives
Members are accountable	Scale of meeting (number of committee members)
Transparent co-opting arrangement	Can co-opted members vote?
Clear alignment to the constitution	Community representatives could be elected (C&T Council), representative or individual – how will this be determined?
Decision making strengthened and streamlined	Breadth of geographical cover
Single entry point to public	Disparity between the area committees effectiveness
Community voice greater than currently	

Option 3) Area Committee with no representation from public.

As above but without formalised co-opted members / public involvement

Positives	Negatives
Members are accountable	No community voice – how is this different from Council meetings
Single entry point to public	No local voice from Town & Community Councils
Clear alignment to the constitution	How will the local plans be delivered with no community input
Decision making strengthened and streamlined	Breadth of geographical cover

Option 4) Area committee with local area focus group

Positives	Negatives
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All of positives above re. member alignment & involvement	Risk of same, regular voices and contributors
No complexity of vote structure	Perceptions of tokenism
Community participation	Risk of consultation and not engagement
Membership of the focus group could align to the PSB.	

Option 5) Programme Board without Area Committee

Positives	Negatives
Significant local engagement	Disenfranchised members and a lack of clarity for members involved in the Programme Board
Local expertise and involvement	Unelected/Unaccountable community representatives
Place driven	Lack of clarity of vote of local member
	Lack of clarity regarding routes to council

Option 6) Programme Board with limited and defined elected member representation.

3 members per programme board selected at Monmouthshire County Council AGM

Positives	Negatives
As above.	Members could feel disenfranchised
Clear conduit to council	As above

Option 7) Community Area Committee as per [LG Bill](#) (sections 44 – 46) - only 2 in Monmouthshire, one in the north and one in the south.

Positives	Negatives
Inclusive of Community and Town councils	Only 2 – divided local areas
	Difficult to manage local issues and implementation of plans to meet local priorities due to scale.