

Blog: Reflections on the Localism Act

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On 11th November INLOGOV held a one day conference, chaired by Professor Tony Bovaird, on the implications of the Localism Act for local government and the communities they serve. Speakers included Paul Rowsell Deputy Director, Department for Communities and Local Government (CLG), who has overseen the progress of the Bill through Parliament, Gavin Jones, Chief Executive of Swindon Borough Council, Ed Hammond of the Centre for Public Scrutiny and Catherine Staite, Director of INLOGOV. Four workshops in the afternoon explored the issues around elected mayors, the Big Society, the future role of scrutiny and referendums.

The key question which the conference addressed was 'will the Localism Act help or hinder localism?'

Catherine Staite highlighted the ambivalence of the Act. There is a new general Power of Competence but that is qualified by the power of the Secretary of State to curtail that power. She contrasted the Coalition Government's avowed purpose of supporting localism with the actions and pronouncements of the Secretary of State, which give a very different impression - that local government is the delivery arm of central government, particularly when it comes to the nature and frequency of bin collections!

Paul Rowsell explored the implications of the legislation, arguing that there was cause for local government to be optimistic and to take advantage of the opportunities provided by the Act. He also argued that as powers are devolved to local councils, local accountability becomes even more important.

Gavin Jones reflected on the issues which are important for Swindon and the extent to which the Act would help or hinder his council in delivering better services and outcomes for the people of Swindon. He concluded that the Act was something of a damp squib (or squid) and that he could achieve what he wanted to achieve within existing powers, for example, the wellbeing power and that that Act did not provide a significant leap forward in terms of localism.

Ed Hammond talked about the importance of local accountability to local people through:

- Changes to planning laws (neighbourhood planning);
- Community right to challenge / right to buy;
- Changes in housing, and tenant scrutiny;
- Changes to central government prescription which allow local government to be more accountable to the electorate;
- Referendum powers were meant to be another brick in this wall but have been removed.

Scrutiny workshop

There were some nagging doubts from delegates about the commitment of central government to scrutiny. If scrutiny is so important, why are those Authorities who opt for a Committee form of governance able to opt out of formal scrutiny provisions? And, much of the rhetoric seems to be around giving local communities more information rather than addressing the means of providing demonstrable checks and balances.

The Government's contention is that the more local people know about the way their Council is run, the more pertinent the questions they will ask and the more they will value the role of scrutiny. But, without the ability to effectively come together and challenge the information presented, they will just be isolated voices and able to be ignored.

So what the workshop group wanted to see was a much stronger endorsement for scrutiny conducted by local councillors. Besides the well established point about democratic legitimacy it is only councillors who are in a position to harness the necessary capacity to really challenge the decision makers.

Elected Mayors workshop

The workshop on elected mayors touched on several topics, prompted by the participants' own experience and interests. The presence of representatives from both Birmingham and Coventry meant that the extended uncertainty surrounding the basic referendum/election timetable was of direct concern, with Coventry assuming (incorrectly, as it turned out) that, as the Government had strongly hinted, the referendums would be phased, with only Birmingham, Leeds and Bristol in the first 2012 phase. It was observed that, if Ministers were so uncertain and apparently care-less, it was hardly surprising that the public remained unconcerned and that councillors' widespread opposition was passing largely unchallenged. This was regrettable, as a strong case could be made for elected mayors in at least large town and city authorities, particularly if, as the Bill/Act provided, they would be able to bid for significant additional powers - and there was some discussion regarding which powers these might be. There was, however, uncertainty as to whether the overlap in the roles of an elected mayor and a chief executive were so substantial as to render the latter dispensable.

Referenda workshop

In terms of the community referenda, participants felt that it was a low priority topic in the majority of councils. Aside from what we all know, specifics relating to use were sparse and unclear, while implementation would be complicated and extremely expensive. The general consensus was that referenda would neither increase turnout nor encourage more interest in local issues. Finally, the group felt that councils would in all probability eschew the use of referenda where possible and choose alternative routes to achieve desired ends.

Big Society workshop

There was general agreement that the agenda of joining up the interests of civil society and local government was becoming ever bigger and more important. Whether we label this agenda 'Big Society', 'Good Society', 'Our Society', 'My Society' or by some other catchy phrase, it is becoming clearer that what local government sees out of the windows of Town Hall is only a small microcosm of the behaviours which are producing valuable outcomes in our neighbourhoods and communities. This agenda of joining the two domains of collective action - self-organising in civil society and politically-organising in local government - is very exciting but also very challenging. What is needed is much more open admission that the old ways of improving local outcomes are now in need of major revision - but we also need the humility to admit that we are not sure what is likely to work best as we go forward. Experimentation will therefore be absolutely essential - but will be hard for local leaders to sell to their electorates and, especially, to the media. In the words of one participant, we now have to learn not only how to innovate but how to cope with the failure that innovation will necessarily entail from time to time - 'fail early, fail fast and fail cheap' - in order that really effective learning is built into the local government system.

