

TONBRIDGE & MALLING BOROUGH COUNCIL

COMMUNITIES ADVISORY BOARD

8 June 2011

Report of the Chief Executive

Part 1- Public

Matters for Recommendation to Cabinet - Non-Key Decision (Decision may be taken by the Cabinet Member)

1 CONSULTATION – BEST VALUE: NEW DRAFT STATUTORY GUIDANCE

To consider the content of draft Government guidance related to duties on public involvement and the preparation of community strategies, and to consider the implications of these changes for the future review of the Tonbridge and Malling Community Strategy.

1.1 The Consultation

- 1.1.1 The Department for Communities and Local Government has recently issued a consultation paper proposing changes to the local government duties to involve and to prepare community strategies. A full copy of the consultation paper is attached as Annex A to this report.
- 1.1.2 In brief, the paper proposes to revoke guidance issued by the last Government related to 'Creating Strong, Safe and Prosperous Communities' and to replace this with a single page of guidance focusing on engagement with the voluntary and community sectors. In particular, the new guidance suggests a number of tests to be taken into account when funding to voluntary and community sector organisations is proposed to be reduced.

1.2 Suggested Response

- 1.2.1 The removal of both the very detailed statutory guidance related to consultation and engagement and the proposed repeal of the two related duties marks a significant shift towards a less regulated and centrally-driven agenda for local government. This is seen as a further example of how the Coalition Government is seeking to encourage more local responses to such matters and introducing freedoms and flexibilities as part of the wider localism and Big Society agendas. On this basis, I believe that the proposed changes set out in the consultation paper should be supported.
- 1.2.2 Whilst it is useful for the new draft guidance to set out matters related to protecting voluntary and community bodies from funding cuts, it should be noted that this

Authority is making no such reductions in funding support to local groups for the current financial year. Indeed, the creation of a new Community Enhancement Fund, dealt with elsewhere on this agenda, is seeking to increase such funding to a wider range of local groups over the next four years in recognition of the need to support their positive work in our local communities.

1.3 The Sustainable Community Strategy

- 1.3.1 The Borough Council currently has a duty to prepare a community strategy for the area setting out, in broad terms, what issues need to be addressed to reflect concerns of the local community. The Strategy also identifies which public agency should lead on improvement actions. Our latest community strategy was adopted in 2009 and has a three year lifespan. A review of the strategy is therefore due to begin this year to enable a new plan to be in place for the period 2012-15. Attached as Annex B to this report is a review of the action plan contained within the current strategy. This demonstrates good overall progress with the action plan and a high level of support from partner agencies to deliver those actions.
- 1.3.2 Whilst the Borough Council has a duty to prepare these strategies, the ownership of the actions they contain rests with the Local Strategic Partnership, a multi-agency partnership covering key public, private, voluntary and community sector interests in the Borough. The minutes of the most recent LSP meeting appears elsewhere on these agenda papers.
- 1.3.3 The proposed removal of the duty to prepare a strategy would mean that the Borough Council and the Local Strategic Partnership would have greater freedom to determine locally how best to identify and address key issues of community concern. On this basis, I believe that the Borough Council should welcome the proposed removal of specific duties related to the duty to involve and the preparation of community strategies.
- 1.3.4 With regard to the future approach to our own community strategy, should this change in legislation take place, it would appear prudent to delay any work on a replacement strategy until a formal decision by Government is in place. However, it would be useful at this stage to begin discussions with LSP partners on what approach could best be adopted if this duty was to be removed. The following three main options are suggested:
- To continue to prepare a similar community strategy as previously, albeit without the need to adhere to government guidance
 - To prepare a more 'slim-line' document, perhaps on an biennial basis, setting out community priorities for improvement accompanied by a short action plan
 - To discontinue preparation of any formal plan or strategy and rely on the plans of various partner agencies.

- 1.3.5 I would favour the second of the above three options. This approach to be a lighter touch than preparing a full community strategy but would still enable the work of the LSP to be focused on issues of most concern. An biennial action plan rather than a formal three year strategy would also enable a more responsive approach to be adopted with regard to addressing local concerns and issues. On this basis, I suggest that discussions are held with the LSP to consider an appropriate way forward.

1.4 Future of the Local Strategic Partnership

- 1.4.1 As part of the new Kent partnership 'architecture' now being developed across the County, involving a new Kent Forum and three Ambition Boards covering the three priorities of the Vision for Kent (the county-wide community strategy), it has also been suggested that district-based Locality Boards should be created to focus local activity on the delivery of the Vision for Kent and also, potentially, to help rationalise local partnership structures such as LSPs, Community Safety Partnerships and Local Children's Trusts etc. In some districts, particularly where LSPs have been less successful or have now been discontinued, Locality Boards, which will comprise both local County and Borough Members and possibly other partners, will be assuming the LSP role.
- 1.4.2 The Tonbridge and Malling LSP was created in 2009. It took over this role from the West Kent Partnership – an LSP covering the three West Kent Districts of Tunbridge and Malling, Sevenoaks and Tunbridge Wells. All three councils now have district level LSPs in place whilst the West Kent Partnership continues as a partnership focusing mainly on economic and transport infrastructure issues.
- 1.4.3 I believe that our own LSP has been a very successful partnership and has over the past three years, addressed many issues of local concern. The Partnership embraces a wide range of local partners and its meetings focus on actions. High level representation from partner organisations has been maintained since its launch. On this basis, I do not believe that effective partnership working in the Borough will be best served by discontinuing the current LSP. This partnership should therefore continue, subject of course to its members being happy with this proposal, and that other arrangements for engaging Borough and local County Members should be pursued. It may be that a slightly increased membership for County Members on the LSP could be considered.
- 1.4.4 Other existing partnerships such as the Community Safety Partnership and the Children's Trust Board need to be maintained as separate bodies due to the nature of the work they undertake. The LSP can continue to act as the 'umbrella' partnership for these groups.

1.5 Legal Implications

- 1.5.1 None

1.6 Financial and Value for Money Considerations

1.6.1 As set out in the above report.

1.7 Risk Assessment

1.7.1 N/A

1.8 Equality Impact Assessment

1.8.1 See 'Screening for equality impacts' table at end of report

1.9 Recommendations

1.9.1 That the Borough Council expresses **SUPPORT** for the proposed policy changes as set out in the new draft statutory guidance for Best Value;

1.9.2 That the LSP **BE INVITED** to confirm that work on updating the Community Strategy for the Borough be deferred and that consideration **BE GIVEN** to the preparation of an annual action plan should the duty to prepare a formal strategy be withdrawn;

1.9.3 That the LSP **BE CONSULTED** on the future of the Partnership with a view to its continuation and that arrangements **BE MADE** to ensure adequate liaison with regard to local delivery of Vision for Kent actions.

The Chief Executive confirms that the proposals contained in the recommendation(s), if approved, will fall within the Council's Budget and policy Framework.

Background papers:

contact: Mark Raymond

Nil

David Hughes
Chief Executive

Screening for equality impacts:		
Question	Answer	Explanation of impacts
a. Does the decision being made or recommended through this paper have potential to cause adverse impact or discriminate against different groups in the community?	No	This is a response to a Government consultation only

Screening for equality impacts:		
Question	Answer	Explanation of impacts
b. Does the decision being made or recommended through this paper make a positive contribution to promoting equality?	No	As above
c. What steps are you taking to mitigate, reduce, avoid or minimise the impacts identified above?		

In submitting this report, the Chief Officer doing so is confirming that they have given due regard to the equality impacts of the decision being considered, as noted in the table above.