

<b>13 September 2011</b>		<b>ITEM 7</b>
<b>Corporate Overview and Scrutiny Committee</b>		
<b>COMMUNITY ENGAGEMENT</b>		
<b>Report of:</b> Natalie Warren, Community Development Manager		
<b>Wards and communities affected:</b> All	<b>Key Decision:</b> Not applicable	
<b>Accountable Director:</b> Steve Cox, Interim Assistant Chief Executive, Delivery Unit		
<b>This report is</b> Public		
<b>Purpose of Report:</b> To request that the recently established Task and Finish Group be recognised by Corporate Overview and Scrutiny, and to update the Committee on development towards a Community Engagement Strategy.		

Comment [sj]: PLEASE CLICK THIS BOX ONCE and enter the date of the meeting (in font 16, not capitals)

Comment [sj]: Please leave this for completion by Democratic Services

Comment [sj]: PLEASE CLICK THIS BOX ONCE and enter the name of the Committee you are reporting to (in font 16, not capitals)

Comment [sj]: PLEASE CLICK THIS BOX ONCE and enter the title of your report (in font 16 and in capitals)

Comment [a j]: Please enter the name and job title of the person who will be presenting the report

Comment [sj]: Please enter details of any Wards and Communities affected by the report. If this section is not

Comment [sj]: Yes/No/Not Applicable – a 'Key Decision' is generally one affecting more than 2 wards or above 650,000

Comment [sj]: Please state Director's name and job title

Comment [sj]: State whether your report is Public or Exempt. If Exempt (i.e. not to be given to the public or disclosed in

Comment [sj]: Briefly set out the purpose of your report

Comment [sj]: Please provide a summary of the key points in your report

Comment [sj]: The recommendations should be set out in bold in the form of the decision that the decision

Comment [sj]: You should briefly explain why the report is on the agenda - See para. 5.3 and 5.4 of the report writing guidelines

**EXECUTIVE SUMMARY**

Update report from the Task and Finish Group in support of the development of the Community Engagement Strategy.

**1. RECOMMENDATIONS:**

1.1 That Overview and Scrutiny recognise the Task and Finish Group established in support of strengthening community engagement in Thurrock.

**2. INTRODUCTION AND BACKGROUND:**

2.1 In January 2011, Cabinet agreed a set of recommendations intended to support community engagement. These recommendations were prepared by a previous Task and Finish Group established by the Corporate Overview and Scrutiny Committee 2010 -11. Cabinet resolved that officers further develop a community engagement strategy, based on all or some of the recommendations agreed (Appendix A to this report); and that the recommendations be considered in the order of priority agreed at Cabinet (Appendix B to this report).

Since that time, officers have further developed a Community Engagement Strategy. It is the wish of Cabinet that Overview and Scrutiny are further involved in the development of that strategy, and in particular, that Overview and Scrutiny helps to further scope plans for area engagement including multi

ward areas and the role of senior staff in supporting Councillors as Community Leaders in their area through Community Councils.

**3. ISSUES AND/OR OPTIONS:**

- 3.1 The Task and Finish Group first met 31<sup>st</sup> August 2011, and will meet once more 13<sup>th</sup> September 2011. Terms of Reference are attached at Appendix c.
- 3.2 Devolved Councillor Budgets – The Task and Finish group gave comments on the pilot scheme announced by Cabinet June 2011. This scheme will be launched in three wards September 2011.
- 3.3 A key element of the recommendations agreed by Cabinet, and the emerging Community Engagement Strategy, is area working. Thurrock intends to recognise a number of multiple ward areas to assist with future community engagement. There is a desire to ensure that areas reflect natural communities, as well as common characteristics.
- 3.4 The Task and Finish Group has considered a potential area map, and this has been shared this with all Councillors with a request for comments by Friday September 9<sup>th</sup>. A copy of the map shared with Councillors is attached at Appendix D. Verbal feedback on the view of Councillors will be provided at the Overview and Scrutiny meeting 13<sup>th</sup> September 2011.
- 3.5 A verbal update from the Chair of the Task and Finish Group at the September meeting will also provide a brief update on work towards a Community Engagement Strategy.

**4. CONSULTATION (including Overview and Scrutiny, if applicable)**

- 4.1 The Chair and Vice Chair were consulted prior to the first meeting of the Task and Finish group and both supported the request to convene the group prior to the 13<sup>th</sup> September meeting.

**5. IMPACT ON CORPORATE POLICIES, PRIORITIES, PERFORMANCE AND COMMUNITY IMPACT**

- 5.1 Strengthening Community Engagement in Thurrock will support each of the Council's priorities, in particular 'To Build Pride, respect and responsibility in Thurrock's communities and its residents'.

Comment [s]: Other headings may be appropriate. The report should outline the reasoning that leads to its recommendations and **must** include:

1. a brief summary of options considered;
2. consultation outcomes
3. a risk assessment.
4. Whether the responsible cabinet members have been consulted/contributed to the report (NB professional and political advice must be clearly distinguished)

- See para.5.5 of the report writing guidelines.

Comment [jj]: This should include any consultation with Ward Members and Shadow Portfolio Holders, as well as any public or statutory consultation

Comment [a]: Please refer to Section 5.7 of the Report Writing Guidelines

6. **IMPLICATIONS**

6.1 **Financial**

Implications verified by: **Funke Nana**  
 Telephone and email: **01375 652 451**  
[fnana@thurrock.gov.uk](mailto:fnana@thurrock.gov.uk)

There are no financial implications arising from this report.

6.2 **Legal**

Implications verified by: **David Lawson**  
 Telephone and email: **0137565 2087**  
[dlawson@thurrock.gov.uk](mailto:dlawson@thurrock.gov.uk)

This is an area of the law where recent legislation has adopted an enabling approach. This enabling trend is set to continue, as confirmed by the Coalition Government’s legislative agenda.

**Local Government Public Involvement with Health Act 2007 (2007 Act)**

**Section 236 of the 2007 Act** gives powers to authorities to formally delegate powers to individual councillors to carry out any function of the authority.

**Section 100EA** of the Local Government Act 1972 requires decisions made by councillors (under these delegated powers) to be formally recorded.

It will be noted that many councils already make provision for councillors to be able to deal with local issues – however s236 could make these systems more attractive - as s236 goes beyond the delegation of budgets and allows ward Councillors to make decisions which might previously not have been open to them and could be used to allow councillors to play a more active role in a wide range of policy areas.

**Different functions will need to be delegated in different ways.**

Most functions can be delegated directly by full council. Whereas functions already delegated to cabinet members could be delegated directly to another individual member by that cabinet member.

Under the “Strong Leader” model all executive powers will be vested in the Leader. It will be for him/her to determine whether they wish to delegate any decision-making and budgetary powers to ward Councillors as part of their scheme for executive functions. The position will be the same if an elected Mayor model is selected.

The use of these powers will require Councillors and officers to consider the need for additional support in exercising delegated functions, for example legal advice, ensuring that decisions are evidence-based, appropriately recorded, supported if challenged and publicised .

**Comment [sj]:** This section should always be completed – if they are dealt with fully in another part of the report, they also need a brief cross reference here. The names and job titles of the officers providing the implications should be provided in full – see Guideline 6.1 and please note Democratic Services Deadlines and ensure that officers providing implications are given 5 clear working days to work on the report. Authors can write implications but they must be signed off by the appropriate officers

**Comment [sj]:** See Guideline 6.2

**Comment [sj]:** See Guideline 6.3

**Method of delegation**

This could be by amendments to the Constitution. However, requiring a constitutional change every time the Council wishes to alter the functions which are being delegated to Councillors may not be appropriate. An alternative would be to establish “enabling powers” in our Constitution for the use of these delegations, which could remain dormant until Councillors saw a need to activate them. However in these circumstances, there would be a need to develop a clear policy to define when and under what circumstances a function will be delegated. If it is decided to take advantage of the powers under s236, a consideration of the interaction of ‘Councillor Call for Action’ Powers would be useful.

**Position with delegating to wards / delegating to individual Councillors**

The powers in the Act relate to the delegation of powers to individual Councillors, but the Council may wish to ensure that delegated powers are used jointly between all Councillors representing a certain ward. There would be a need for clear local practice and guidance to address any potential issues – especially in multi-party wards.

**Recording delegated decisions**

When they are made, delegated decisions will need to be recorded under s100EA of the 1972 Act.

The need to record decisions exercised under delegated powers complements the provisions requiring similar records to be kept for individual cabinet member decisions. The requirement in s100EA is being put in place to ensure that decision-making carried out by Councillors is open and transparent. It must also be accompanied by a right, exercisable by scrutiny functions, to hold Councillors to account for decisions they have made, by having them attend committee meetings under s120 of the Act.

**Area Based Working**

The long standing provision under **section 18 of the Local Government Act 2000** gives no statutory provision for executive powers to be delegated to individual ward councillors. However, it is currently possible and will remain so under both the strong leader and elected mayor models for executive functions (decision-making and budgetary powers) to be delegated to Area Assemblies / Committees.

6.3 **Diversity and Equality**

Implications verified by: **Samson DeAlyn**  
 Telephone and email: **01375 652472**  
**sdealyn@thurrock.gov.uk**

The Council has a duty to inform, consult and involve all residents and communities in Thurrock. Strengthening the way in which the Council engages will have a positive impact on social inclusion and it will improve opportunities for engagement for all communities, including marginalised groups. An Equality Impact Analysis (EqIA) will be conducted on the Community Engagement Strategy as part of the work undertaken by the Task and Finish Group.

Comment [sj]: See Guideline 6.4

6.4 **Other implications (where significant) – i.e. Section 17, Risk Assessment, Health Impact Assessment, Sustainability, IT, Environmental**

There are no other implications.

7. **CONCLUSION**

7.1 The committee are requested to support the work of the task and finish group, and note the progress made in this area to be provided verbally at the 13<sup>th</sup> September meeting.

**BACKGROUND PAPERS USED IN PREPARING THIS REPORT:**

- Cabinet report January 2011 'Community Engagement'.

**APPENDICES TO THIS REPORT:**

- Appendix A to Cabinet Report January 2011 – Task and Finish Group Recommendations
- Appendix B to Cabinet Report January 2011 - Implementation
- Terms of reference, O+S Task and Finish Group
- Map used to consult all Councillors September 2011

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Comment [sj]: This should inform the recommendations in the report

Comment [sj]: See Guideline 8. If any Papers are to be placed in the Members room that relate to this report, you should also list them here

Comment [sj]: List the Appendices referred to in the Report

Comment [sj]: Insert the full contact details of the author of the report

