SUMMER 2018

The official magazine of the National Association of Local Councils

YOUR SAY
HOW SHOULD LOCAL GOVERNMENT BE RESTRUCTURED?

NALC CAMPAIGNS
WHY PLANNING PERMISSIONS NEED BUILDING OUT

MONEY TALKS
WAYS FINANCES IMPACT A LOCAL COUNCIL’S FUNCTIONALITY

LEGAL: THE INS AND OUTS OF DRESS CODES

PLAY SPECIAL
Insider information on how to give your community the best play facilities

THE ONLY WAY IS ETHICS
A CODE OF CONDUCT DISCUSSION BEGINS

LAST WORD
RAPID CHANGE IS COMING TO A SMALL COUNCIL NEAR YOU

ANDREW GWYNNE
LABOUR MP CALLS FOR MORE COMMUNITY EMPOWERMENT
The History Boy

Labour MP Andrew Gwynne has already made his mark in politics, but he’s not ready to stop just yet and has new ideas to make the most of local government, LCR editor Marie Dill discovered when she went to meet him.

Photographer: Chris George, assistant: Erik Erxon

I was told at 15 by my careers advisor that politics isn’t a real job and that I couldn’t make it into a career,” Andrew Gwynne declares as a secret. Words I’m sure that particular careers advisor hasn’t ever uttered again. We’re in Mr Gwynne’s office which has views overlooking parliament, sitting in comfy chairs and chewing the cud over local councils. He hadn’t planned on being a politician (he wanted to be a teacher – it didn’t work out) but he’s not only made a career out of it, he’s also made history, and he’s only 44 (he had a birthday the day before our meeting).

Born and brought up in Manchester, the young Mr Gwynne always had an interest in his local community and at the age of 16 and the imminent 1992 general election, he was “bitten by the political bug” and made the conscious decision to join the Labour Party because it best reflected his values and beliefs. Then in 1996, he became England’s youngest ever councillor at the age of 21 when he was elected to Tameside Metropolitan Borough Council in Greater Manchester. And a number of years later he was making history again, when at the age of 30 he became the youngest Labour MP in the 2005 parliament, representing Denton and Reddish. He has subsequently gained numerous promotions, from being Baroness Scotland’s parliamentary private secretary to shadow transport minister and now shadow secretary of state for Communities and Local Government. And while he’s not busy tending to his constituents’ needs and going about his parliamentary business, he’s writing books.

Quite the political career, so far (take note, all you careers advisors out there).

But what does he think of local councils, how to get more young and diverse people involved in local politics and the role of communities post-Brexit? Read on to find out.
Q: What’s Labour’s vision for community government?
A: I really believe in taking community empowerment away from just being slogans. For the past two decades, governments of all colours have talked about empowering communities and communities taking control of their destiny. Actually, if we’re going to make that work we’ve got to genuinely empower communities, and that means giving them not just the resources to be able to deliver things at a local level but to be able to provide them with the confidence to think outside of the box and deliver something for their locality.

Q: Do you think changes to the Localism Act would help?
A: I think it’s needed. The Localism Act has been good; it’s brought some positive changes. It does mean that local communities, in theory, have more of a say over their destiny but I want that to go further. There are still too many parts of the country where principal authorities view localism as something that can only happen within a framework that they set out. [But] we need it to develop from the bottom up. It needs to be the community that decides what forum is the most appropriate to help develop their communities. It might be a local council, it might be a neighbourhood planning forum, or it might be some kind of community forum for an estate or a smaller area.

Q: How would you encourage greater working between principal authorities and local councils?
A: Principal authorities shouldn’t view local

Quick Fire Questions

LCR asks Andrew Gwynne the little questions...

What’s the one thing you would like on your bucket list?
I’ve got a lot of things I’d like on my bucket list but the thing I would have liked the most – and it can’t be done now because there’s isn’t one in service – was to have gone on Concorde.

Morning or night person?
I’m definitely not a morning person.

Where would you say is the best place you could get stuck?
Oh, if I could get locked in anywhere it would be in my – now this is going to sound really daft and I’m going to have to explain it. If I had to get locked in anywhere, it would be in my downstairs toilet because it is stocked full of booze. When we have guests round to our house they say, can I use the toilet because everyone wants to
Q: How do you see the role of local communities evolving post-Brexit?
A: I genuinely worry. It's a double-edged sword that there will be so many communities that will be left behind if there isn't a strong and powerful local government voice. What we've got to make sure of is that there isn't a disconnect between the elected and the electors. I believe that is where local councils have a real role to play because we heard a lot in the referendum – whichever side people were on – that the key message was of taking back control. If powers from Brussels and Europe are returned to Westminster, it would be unforgivable if there then wasn't further devolution to local authorities and the devolved assemblies in Wales, Northern Ireland and Scotland. But it shouldn't stop there; it should go down to local communities as well. If I'm critical of some of the devolution that has taken place in parts of the UK, it seems to be a one-way devolution. For example, we've had powers from Westminster go to, say, Holyrood, but Holyrood has been simply unwilling to give up its powers to principal government and then principal government down to local councils. The same is true in England. We need devolution to go beyond the city region level to local communities so they feel they have a stake.

Q: How can we get those with a disability more involved as well?
A: It's a challenge. We've got to be much better at getting our councils to become much more representative of the communities that they serve, and that doesn't just mean young people, it means black and minority ethnic people, it means people from other minorities like LGBT and those with disabilities. Far too many of our councils at all levels do not accurately represent the communities they seek to serve. There's a challenge there for the government and political parties, even if that means we've got to have positive discrimination when we're selecting candidates to make sure that we've got a good broad range of candidates. I don't know what the answer is and I don't think there's a one-size-fit-all, but what we've absolutely got to do is get better at selecting people from all kinds of backgrounds, because we get better decisions when our town halls represent and reflect society more generally.

Q: Given your wide range of international interests, including China and Latin America, is there anything we can learn from their local governments?
A: I'm always interested in looking at how local governments operate around the world and anything we can learn from their approaches. In China, for example, they've developed a very different model of local governance, where there's a strong central role in determining policies and priorities, but also a significant degree of autonomy at the local level to adapt to local needs. This has allowed for a more efficient and responsive approach to governance, particularly in terms of infrastructure development and social welfare programs. Latin America, on the other hand, has a history of strong local government and community involvement, which has resulted in a greater sense of democratic ownership and participation in decision-making processes. Learning from these different approaches can provide insights into how local governance can be enhanced in the UK.

What's the best place you've visited?
Definitely The Forbidden City in Beijing. Most remarkable place, the home of the Emperors.
Local government isn’t something that just happens to a community; it should happen with a community.

Q: Metro Mayors – are they working?
A: I think the jury’s out. There is a mixed picture, but there is a mixed picture for a reason and that is because different city regions have different devolved settlements. So you look at a city like Greater Manchester, and they’ve got powers like Devo Max but by English standards, yet you go a bit further down the M62 to Liverpool and its mayor has got basic powers. Now I’m sure that as time progresses the Liverpool City region will campaign for more powers along the lines of what Greater Manchester has.

But where I would say that they are working is in giving local regions a strong voice. Take, for example, the recent rail fiasco. There was complete chaos with rail services across the north of England and [Greater Manchester Metro Mayor] Andy Burnham and [Liverpool City Metro Mayor] Steve Rotherham had a powerful lobbying voice against central government. But they also had a voice in the media – a voice the nation’s media listened to about local rail services in the north. Now, I’m not sure that if it wasn’t Andy Burnham talking and it was instead the leader of one of the northern city councils, they would have had as much impact on the rail services across the north of England. But because of who he is, and who Steve Rotherham and Dan Jarvis [Metro Mayor for South Yorkshire] are, the media were interested. The fact that we’ve got three strong voices coming together across these three regions isn’t just good for those areas, it’s good for the whole of the north of England. So I think the jury’s out on the day-to-day delivery of services and on making a real change to communities but regarding having a strong voice, it has made a massive difference.
NALC recently responded to the government’s consultation on the update to the National Planning Policy Framework (NPPF) (see the Consultation section on NALC’s website). In its response, the association made clear that it shares the government’s desire to improve the supply of affordable homes and supports its intention to ensure that planning permissions are delivered. It also said that it hoped the review by Sir Oliver Letwin would solve this problem.

NALC also welcomed moves to strengthen the duty to co-operate between the different tiers of local government. However, NALC has not yet seen adequate measures to further improve the neighbourhood planning system or to reduce demands on neighbourhood planning groups.

Inefficient delivery
Several major stumbling blocks are preventing the efficient delivery of more homes. For instance, local planning authorities are suffering from under-resourcing and a lack of skills. There are also many other problems standing in the way of local authorities delivering affordable housing, one being that developers are private entities that almost always defend their own commercial interests.

Although the government is expanding the activities of Homes England, there do not appear to be plans for a public sector programme to assemble land and provide supporting infrastructure similar to that which existed 50 years ago.

The requirement brought in by the NPPF in 2012 for all principal authorities to have a five-year supply of easily deliverable housing land has worked against balanced development and has led to the overturning of many Neighbourhood Plans.

All too often the adopted policies of many local councils and neighbourhood planning groups are being overridden, most notably due to the land supply issue. As a result, NALC is appealing to the government for the standard housing land supply criteria to be either dropped or adjusted to take local factors into account, and for the strengthening of Neighbourhood Plans.

“NALC has been a great defender of neighbourhood planning. It has therefore found the increasing number of plans being set aside on appeal disappointing”

Final word
NALC’s point is that, once communities have dragged themselves through this challenging process, it is then unacceptable for modifications at the examination stage to entirely alter the overall objectives of the Neighbourhood Plan – a point made in the People Power report. Or for inspectors to give no weight at all to Neighbourhood Plans that have not quite completed their full process and for adopted Neighbourhood Plans to be declared ‘out of date’ due to a principal authority’s inability to prove it has the requisite supply of easily deliverable housing land.
As I’m sure you will agree, maintaining high standards of ethical conduct is a crucial part of any local councillor’s role. High standards help safeguard local democracy by demonstrating that local councils are acting for the benefit of the people they serve. However, NALC does not believe that current ethical standards arrangements are working as well as they could and a review of the ethical standards regime (and wider Localism Act) is something we have long called for.

So when the Committee on Standards in Public Life (CSPL) announced it was undertaking a review of local government ethical standards, we did not hesitate to draw up a response. As this was such an important review, evidence highlighting the views of those on the ground was needed to support NALC’s response.

How did we gather this evidence? Two surveys were distributed to local councils and county associations seeking feedback on various aspects of the standards regime. This included codes of conduct, complaints processes, sanctions and training.

The responses, most importantly, highlighted the changes that local councils and county associations would like to see made to the current standards regime. These included:
• the introduction of a single code of conduct which would apply to all councils, a measure supported by around 95% of county associations and 87% of local councils;
• new powers for local councils to impose additional sanctions, as requested by almost 90% of local councils and nearly 70% of county associations;
• more training. Our survey of local councils also uncovered gaps in training on codes of conduct. Almost 40% of local councils stated that their members were not provided with any training on codes of conduct, while nearly 20% of local councils stated that most members did not understand the rules and registers for declaring an interest.

Measures NALC has called for to address the above points include a single code of conduct based on NALC’s Code of Conduct, which all councils can use. We would like to see stronger sanctions available to local councils, including the power of suspension and disqualification. We are also asking the government to invest £2m towards a national training programme which would see all new councillors undertake training on ethical standards and the code of conduct as part of their induction.

The LGA, however, is asking for a continuation of the “status quo”, claiming there is “little evidence that support[s] the need for fundamental change”. Controversially, it is also calling for principal authorities to have “the power to charge local councils where they are repeatedly dealing with complaints”.

Let us know your views on the LGA’s suggestion by emailing: policycomms@nalc.gov.uk.
01. Which code of conduct does your council use?

- NALC's: 44%
- Principal authority's: 40%
- Own council's: 6%
- A countywide code: 3%
- LGA's: 3%
- Other: 4%

02. Would your council support a code of conduct which is the same and mandatory for all local authorities?

- Yes: 87%
- No: 13%

03. As a county association do you offer training about code of conduct obligations and the rules about councillors’ declaring interests?

- Yes: 85%
- No: 15%

04. Would your local council be in favour of new powers to impose additional sanctions?

- No: 32%
- Yes: 68%
Council focus

Halewood Town Council continues to make significant changes for its community. Here town manager George McKenzie explains why the council was named Council of the Year at the Star Councils Awards 2017

The year 2017 was a truly momentous one in the history of Halewood Town Council, the largest town council in Knowsley on Merseyside. Following on from our award of Quality status in late 2016 – the first town council to achieve this in the region – we were delighted to be shortlisted by NALC for Council of the Year 2017 at the Star Councils Awards. Although Halewood Town Council is no stranger to such an award (we were first named Council of the Year in 2008), to be ‘crowned’ Council of the Year 2017 was a particular honour and a proud moment for the council and the whole community.

Why were we winners?
Because we were acknowledged and commended by the judging panel for how we “engaged with the community and went beyond the traditional boundaries of local councils”. Knowsley is an area of significant deprivation, made worse by severe government cuts made under the austerity regime.

These cuts have impacted Halewood families significantly not least concerning food poverty, sometimes referred to as ‘holiday hunger’.

For the past three years, the town council has provided free meals during the school summer holidays. In the first year, we linked this to activities that took place within our community, which ranged from outdoor sporting events to reading activities with under-5s in our library. We made similar provision the year after as well. But last year, we established a partnership with a local catering provider Can Cook CIC, that, among other work, match-funded the provision of hot meals throughout the summer holidays. It was a tremendous success due mainly to the additional funding by Can Cook CIC, and in the summer holidays alone we provided over 900 meals.

This year, we have been working in partnership with our principal authority’s children’s centre, the only registered community association in Halewood, Torrington Drive Community Association, and others to access government funding to help ease holiday hunger and we plan to do even more this year.

We recognise that just providing food isn’t the full answer; there needs to be a holistic partnered approach to the issue. We also recognised that for many families school uniforms are a huge expense. During the summer, in particular, families face the increasing financial pressure of buying new school uniforms for their children. Not having a new uniform is, in some cases, sadly, the cause of bullying at schools.

What did Halewood Town Council do about it? At the suggestion of a former town councillor, we approached our head teacher colleagues at our six primary schools and asked them if they would be willing to take part in a scheme designed to help the more vulnerable families, those in most need, purchase school uniforms.

The scheme is straightforward. The staff at the school identifies those families in most need, sometimes using pupil premium information, and in aggregate terms, the school says how much school uniforms would cost that group. The council directly funds the schools, which then liaise with the families, and new uniforms are bought. Over time, parents repay the school, and the monies collected go back to the council. Not all the funds are always repaid but the members of the town council accept this – times are hard for many families and the funds are ‘topped up’ to provide money for the following year. The scheme has proven to be a very popular addition to the range of services the town council offers to children and families in the Halewood area.

Holiday hunger and school uniforms are just two of the areas of our work that gained us recognition in the Council of the Year category. Commenting on the award, Cllr Tina Harris, former chairperson of the town council and former mayor of Halewood in 2017/18, paid tribute to the staff, volunteers and elected members who along with partners make our work possible and rewarding.
A company requires their receptionists to dress smartly so that they portray a positive public-facing image. This would be lawful, as there are no gender-specific requirements for men or women.

An employer requires all employees to wear smart shoes but does not require female employees to wear high heels. This would be lawful.

A clothes shop expects staff, both male and female, to dress in a provocative or revealing fashion. This might not amount to direct discrimination since it imposes equivalent requirements on men and women, but it could contribute to an environment in which employees may be vulnerable to unwanted sexual attention and harassment.

In the clothes shop example above, a female shop assistant makes a complaint that the dress code amounts to harassment. Shortly after, she is dismissed from her job, with no valid reason given. This is likely to constitute unlawful victimisation, even if the employer did not say it was because of her complaint.