



meeting	CORPORATE STRATEGY AND EXTERNAL AFFAIRS SELECT COMMITTEE	
Date	10 May 2006	agenda item number

Report of the Chair of Corporate Strategy and External Affairs Select Committee

Final Report: Relationships between Nottinghamshire County Council and other Councils in Nottinghamshire: Nottingham City Council, Borough, and District Councils

1. Purpose of report

- 1.1 This report gives the conclusions and recommendations from the Select Committee's study into relationships between Nottinghamshire County Council and other Councils in Nottinghamshire – Nottingham City Council, Borough Councils, and District Councils. The purpose of the Select Committee's study was to examine how we work together, with a view to improving our relationships and our ability to provide services. During the course of the study the Select Committee also decided to examine two issues in greater detail. The two issues are:

Relationships when setting up or working in partnerships

Relationships when carrying out consultations

- 1.2 Representatives from every District and Borough Council in Nottinghamshire, and from Nottingham City Council, were invited to Select Committee meetings during this study. Over several months all the Councils gave at least one presentation to a Select Committee meeting on their view of the main issues, followed by questions, discussion, and debate. The Select Committee was keen to hear Members' views on the issues in this study and, to help facilitate this, copied the invitation letter to the meetings - which was sent to Chief Executives or Managing Directors of all the District and Borough Councils and Nottingham City Council - to the Chairs and Vice Chairs of all the Councils' Scrutiny / Select Committees. The Select Committee would like to thank all Members and officers who have provided their time and expertise to assist this study.

2. Background Information - Overview of the functions of the Councils

2.1 Nottinghamshire is a County area which contains one unitary authority.

Nottinghamshire (County Council)]	Ashfield (District)
Nottingham City (Unitary)	Bassetlaw (District)
	Broxtowe (Borough)
	Gedling (Borough)
	Mansfield (District)
	Newark and Sherwood (District)
	Rushcliffe (Borough)

2.2 The responsibilities of a local authority will depend on the functions assigned to it by relevant legislation; the functions will depend on the type of authority. Agency or joint arrangements are adopted, for example to share buildings or resources or to improve service delivery.

3 The scope of this scrutiny study

3.1 The scope for this study was developed by all Members of the Select Committee. The Committee decided to examine relationships between the County Council and other Councils in Nottinghamshire - Nottingham City Council, and Borough and District Councils - with a view to improving our relationships and our ability to provide services. The study did not specifically examine issues relating to Town or Parish Councils, although the Select Committee agreed that issues may be considered if arising when considering relationships with Districts.

3.2 The Committee initially decided to look at three aspects in particular; services, facilities, and working in partnership.

Services – these are services where the Councils either work together - where Agency or joint arrangements have been adopted - or provide parallel services.

Buildings or facilities – where Councils jointly run services from buildings or facilities

Partnership working – where the Councils work in partnership with each other, including developing policies or strategies

4. Methodology for the Scrutiny Study

4.1 Each of the Borough and District Councils, and the City Council, were initially invited to provide written information to the Select Committee in each category of – services, facilities/ buildings, and partnership working - on where they consider relationships with the County Council need to be improved and how

they think this could be achieved, or where relationships are going well and why.

- 4.2** All the initial submissions, gathered over the summer, were collated into a full report and discussed at the Select Committee's 5 October meeting. Nottinghamshire County Council departments also provided the Select Committee with information on arrangements with second tier Authorities in Nottinghamshire, and with the City Council, and this information was also included in the report.
- 4.3** After considering this report at the 5 October meeting, and following a detailed discussion of the issues raised, the Select Committee chose the specific issues it wished to examine in greater detail. These issues were;

Relationships when setting up or working in partnerships

Relationships when carrying out consultations

- 4.4** The Select Committee report which includes all the written information received prior to the 5 October meeting can be found on Nottinghamshire County Council's website in PDF format in the Council Diary section for the Select Committee meeting of 5 October. A separate submission from Newark and Sherwood District Council was appended to a report on this study which was considered at the Select Committee's January meeting. It was also the subject of a presentation to the January meeting.
- 4.5** Representatives from Nottingham City Council were specifically invited to attend the 16 November Select Committee meeting to take part in a discussion, and to give their views, regarding issues around relationships when setting up or working in partnership, or relationships when carrying out consultations. Representatives from District and Borough Councils were specifically invited to give presentations at other Select Committee meetings. There was, however, an open invitation to all the Councils to attend the Select Committee meetings throughout this study.

5. Issues from District and Borough Councils and Nottingham City Council

- 5.1** At the Select Committee's 5 October meeting visitors were welcomed from Gedling and Broxtowe Borough Councils and Bassetlaw District Council. The aim of this meeting was to look at the written submissions received, select key points, and identify issues for further consideration. It was noted that authorities started on a positive note in their submissions, while also indicating areas where relationships were considered to be less successful. Jointly used leisure centres were identified as one matter considered to have been poorly handled by the County Council.

It was noted that three councils had referred to the need for partnership to be a two way process. There was also some criticism of Local Strategic Partnerships for their lack of clarity, and references were also made to the large number of partnerships in operation. There was some criticism that the County Council was working to its own agenda, and that the County Council would sometimes appear to agree one course of action and then do something different.

Councillor Pugsley, attending the meeting from Bassetlaw District Council, referred to successful consultation with the County Council over a number of issues, including the Private Finance Initiative. But he also perceived brinksmanship and a lack of meaning to consultation. He pointed to good co-operation with adjacent authorities in Yorkshire and Lincolnshire, and hoped to develop that with the County Council. When asked if friction arose from dialogue between officers or members Councillor Pugsley said that it started with officers, and that information to members was important. When questioned, Councillor Pugsley indicated that it was easier to develop a relationship with another District Council than with the County Council. Councillor Pugsley also believed that the County need to look at smaller issues which touched the district councils, rather than just the bigger issues. He also referred to decriminalisation of parking enforcement as a major issue on which co-operation was essential.

Councillor Jen Cole, a Nottinghamshire County Councillor and a Gedling Borough Councillor, who attended the meeting to discuss the issues with the Select Committee, said that she saw the issues from both sides. She referred to a lack of transparency and to the perception of a north-south divide. She drew attention to the differing size of budgets, meaning that a decision on joint use would have a big impact on a small district council. She said it was easy for a district council to feel under threat, and believed that the review was timely. Ms Lack, Scrutiny Officer, from Gedling Borough Council, perceived County Council departments as having different agendas and capacities to work in partnership.

The Select Committee noted that it would be looking at a mechanism for other authorities to approach the County Council when they felt things were going wrong. The Select Committee also considered the issue of the relevant size of County and District Councils and the detail with which Districts have to work. However the Committee noted that a lot of County Councillors also serve on District Councils. The issues identified by the Select Committee as needing to be looked at in more detail were the process of partnerships and the adequacy of consultation.

5.2 At its 16 November meeting the Select Committee welcomed visitors from Gedling Borough Council and Nottingham City Council.

Nick Lee, Partnerships Manager at Nottingham City Council, gave a presentation to the Select Committee on the issues from the point of view of the City Council. He explained that he led a team whose role included external affairs. Nottingham was one of the eight core cities in England

and saw itself as a generator in the economic and cultural life of the region while also undertaking joint work with Derby and Leicester, and the counties surrounding them. He understood from colleagues that there were many examples of good work in delivering partnerships with the County Council, referring particularly to Social Services and to the Library Service. On transport issues and transport strategy he said that partnership with the county and district councils added value, with the unit for planning purposes often being the travel to work area, which extended into Derbyshire. He pointed out that disaggregation of costs was important.

Mr Lee referred to local area agreements (LAAs) and the joint expressions of interest by the City and County Councils. He was disappointed that of the four LAA blocks, only the economic and enterprise block had resulted in closer joint working. Mr Lee also added that the police and fire authorities covered a wider area and helped promote joint work. In reply to questions Mr Lee said he believed there was scope for increasing joint decision making by members, both in Cabinet and Scrutiny. He indicated that the City Council was undertaking a stock take of partnerships at the moment and offered to share the results of this. He observed that the accountability of the Local Strategic Partnership Board had been increased by it now comprising "governance leads" (i.e.: leading councillors and their equivalents rather than officers). He saw dialogue between members as important. The City's scrutiny function was active in local area agreement developments and it encouraged dialogue with members of other authorities.

Select Committee Members raised issues including a perception of some lack of response on cross boundary issues, and a suggestion to open up communication on local issues. There were also comments about a perceived lack of accountability in many partnerships. The Committee noted the importance of member involvement in any dialogue, and undertook to encourage district council colleagues to become involved in this review.

5.3 At the 4 January 2006 Select Committee meeting visitors were welcomed from Broxtowe, Gedling and Rushcliffe Borough Councils and Ashfield and Newark and Sherwood District Councils.

Ged Greaves, Policy Manager at Newark and Sherwood District Council, gave a presentation on the submission from his authority on the relationship with the County Council. Newark and Sherwood's submission of issues was presented at this Select Committee meeting, rather than being included in the collated report which was presented to the Committee's October meeting. Mr Greaves therefore outlined a number of views on operational issues around joint working, which included the following matters;

Regarding the Nottinghamshire Integrated Waste Strategy, the County Council had requested that the county-wide PFI waste management agreement be signed by the end of December 2005 at the latest, and this did not provide a great deal of time for District Councillors and officers to consider and debate the issues. However, looking at the positives, the

working relationship on the technical details is improving and aided by regular officer /member meetings. Formal key stage reviews are suggested to identify learning opportunities and adaptations to the strategy development.

In operational terms the District Council believe that the impact of cleansing in the District is diminished by the County Council's operational practices in its verge cutting service.

Regarding Development Control Liaison meetings the District Council feel that there is no real mechanism to resolve any differences in opinion and approach as the Liaison meeting involves County Development Control planners and not those serving as consultees on applications. Regarding joint use of buildings or facilities the District Council operates the Dukeries Leisure Centre, Ollerton, and the Grove, Newark under a joint use agreement. The District Council considers that the revised terms of agreement took a significant time to draw up and were, to a great extent, an imposition by Nottinghamshire County Council rather than a true partnership agreement. This has caused considerable strain and has significantly soured relationships, making it difficult to contemplate or plan future joint working.

Regarding partnership working, work on decriminalisation of parking was described as being at an early stage but satisfactory to date, however with a great deal of work still to do, including the preparation and endorsement of the partnership agreement. Following the experience of the Integrated Waste Strategy the District consider it is important that this is not underestimated.

Regarding the County wide Community Plan/ Local Area Agreement the District Council was concerned at the way in which the LAA expression of interest was pushed through and the compressed time for engagement of local strategic partnerships. The Management Board developing the content of the agreement appears to be working smoothly and all districts are represented. However the District Council is concerned about the relationship between the LAA block leads and local strategic partnership structures and has asked for clarification on these arrangements and mechanisms.

In recent months, following the agreement of the District and County Council to a secondment, relationships within Newark and Sherwood Partnership and between the tiers of local government have improved. The District Council considers this an exemplar of how local government can share resources to the benefit of all concerned; however they highlight that several long running issues still require addressing. This includes the issue of the County Council's local strategic partnership engagement mechanisms not yet being fully developed, and that the District has not had an operational District Officers group for at least a year. Regarding Community Safety Partnerships the District is pleased with the continued support of the County Council to the statutory crime and disorder reduction partnership and facilitation provided for related county- wide networks. There are occasional examples where County Council policy is at odds with local projects, an example being the highly regarded community speed watch initiative. The Committee was also told that Newark and Sherwood is the only

district within Nottinghamshire not to have an active Youth Assembly and that the District would welcome discussion about how we can collaborate to establish and develop this structure. Regarding the Best Value General Survey 2005 the consortium facilitated by the County Council proved to be a particularly useful approach in complying with Government requirements for the general satisfaction survey and a continuation of this approach would be welcomed.

The full text of the response from Newark and Sherwood District Council can be found as Appendix 1 to the report on Relationships between Nottinghamshire County Council and other Councils in Nottinghamshire - in PDF format in the Council Diary section for the Select Committee meeting of 4 January 2006.

Councillor Neil Clarke, Leader of Rushcliffe Borough Council, then spoke to the Select Committee meeting about relationships with his authority. He said that relationships between officers were good, but there were some strains at member level. He identified a number of positive areas, and also areas where problems had been experienced. He concluded that high level agreements needed to be enacted at middle management levels. He pointed out that the public did not distinguish between which council provided a service. He said the three monthly liaison meetings between Chief Executives and Leaders were very helpful, and he believed that more could be done.

Alan Mellor, Chief Executive of Ashfield District Council, agreed that relationships had improved, but stressed the importance of mutual trust.

Paul Randle, Deputy Chief Executive, Rushcliffe Borough Council, pointed out that representatives on partnership bodies were often from the County Council's Culture and Community Department, and it was sometimes difficult to establish contacts in the larger departments, such as Education or Social Services. He hoped that the District Officers Group would make a difference.

In their discussion, the Select Committee considered the issue of dissemination to operational levels and there was also reference to the County's District Member Forums and the need to introduce new officers and members to the philosophy of partnership and sharing. The idea of establishing an officer group in each district, and the possibility of district council members attending the district member forums was discussed.

- 5.4** At their 15 February Select Committee meeting, visitors from Ashfield, Bassetlaw and Mansfield District Councils, and Gedling Borough Council, were welcomed.

Councillor Ged Clarke, from Gedling Borough Council, made a presentation to the Select Committee giving his authority's view of the relationship with the County Council, focusing on shared aims and how

effective partnerships can benefit all the parties involved. As part of the presentation it was highlighted that partnerships can fail if there is a lack of respect for different roles and responsibilities, a feeling of loss of control – at local level, a loss of individuality, protection of self interest, and a lack of commitment through all levels. Consultation is important – ensuring that all partners who might have an interest in the outcome are involved, avoiding duplication, a comprehensive approach at all levels from the local to the strategic – find out all the “angles”, a consistent approach and liaison, an inclusive approach, and a need to ensure people are listened to at the local level – what do they really want?

Sarah Pearson, Head of Policy and Performance, and Gillian Blenkinsop, Principal Policy Officer, from Bassetlaw District Council, spoke in their presentation about the kind of partnership that their authority aspired to and emphasised the importance of communication, having clear common goals, working towards efficient and effective management of resources and competences.

Alan Mellor, Chief Executive, Ashfield District Council, gave a presentation to the Select Committee in which he listed the essential ingredients of a successful partnership as honesty, trust, consistency and equality. He reported that currently the relationship between the District and the County was very good and that this was, in the main, due to excellent communication at all levels.

In discussion, Select Committee members made a number of suggestions. Local Area Forums were suggested as a way to achieve common agreement. There was a suggestion for the appointment of a “District Champion“, who could be a Councillor or an Officer, and would ensure that there was a point of contact clearly visible to all parties. Local Area Forums and Local Strategic Partnerships were mentioned as potential vehicles to identify suitable people but there was also concern that this could create tension if there was a conflict of responsibility. There was a suggestion that some meetings could be held away from County Hall in order to encourage local groups to attend the Forums and put forward ideas.

- 5.5** At their 22 March meeting the Select Committee welcomed speakers from Broxtowe Borough Council and Mansfield District Council, as well as representatives from Gedling Borough Council and Newark and Sherwood District Council.

Chris Brown, Director of Legal and Administrative Services, Broxtowe Borough Council, stated that relationships at officer level were generally excellent, giving as examples the concessionary fares scheme, elections, and work on strategic planning. Problems arose in contractual relationships (e.g. Joint Use Leisure Centres), when there were unrealistic timescales, (e.g. highways management and the waste PFI scheme) and a lack of clarity of purpose. He said that Crime and Disorder Reduction Partnerships were working well, but a more senior input might be considered. Local Strategic

Partnerships worked well, though there was some overlap of functions between the County Council's local area forums and the borough's own arrangements. In terms of the local area agreements, he believed that legal and financial input was needed at an earlier stage. In his view, highways staff could do more to defend highways advice on planning applications, and more support to the Planning Committee would be useful. He perceived some disparity between officers' and members' positions, especially where changes were proposed.

Councillor Tom Appleby, Mansfield District Council, agreed with many of Mr Brown's points. He observed that officers often developed long term working relationships. Positive areas he identified were highways, leisure and culture, local area agreements, concessionary travel and accessing external funding. He saw tension as arising when members became involved. There were times when priorities would differ and he felt that the district was seen as a junior partner in some relationships. He saw a need to communicate better, and to consider together the local impact of decisions taken by the county. Both authorities had many priorities and budgets under pressure. He therefore saw a need to eliminate duplication and encourage cooperation.

In discussion Select Committee members made the following points: a perceived willingness for authorities to work together in a better way with a query over how far this extended with officers; agreement with some of the points made, and a feeling that there could be better communication between officers and members; a suggestion that many of the problem areas raised by Chris Brown were still current issues, and that decriminalised parking enforcement could be another. There was also a proposal to use member forums as a mechanism for joint meetings with the borough council. A Select Committee member reminded other Members that political tensions were not necessarily party political, referring to relations with the City Council and also queried the perceived political barriers referred to by Councillor Appleby.

Councillor Appleby replied that whether real or perceived, such barriers became an issue.

A Select Committee Member said that he regarded the councillors as champions for the people of Mansfield, regardless of their politics and wondered how the barriers affected officer relationships.

Ruth Marlow, Managing Director, Mansfield District Council referred to good officer relationships on particular projects, with problems mainly arising where the district council became involved late in the day. She believed that relationships needed to be re-established following the political changes after the 2003 elections. She was surprised that there were no joint meetings of district and county members to discuss local issues.

A Select Committee member, speaking as a Mansfield member, said he had regular meetings with local district councillors and wondered whether such arrangements needed to be formalised. A Select Committee member speaking as an officer for Mansfield District Council and a member of both Newark and Sherwood District Council and the County Council, said he did not recognise the same degree of tension with Mansfield as with Newark and Sherwood. A Select Committee member wondered whether this referred to tensions of a personal rather than a political nature.

A Select Committee Member, who was also a Gedling Borough Councillor, did not recall any formal meetings between district and county councillors. A Select Committee member who had also served on the borough, perceived a wish by the borough council to maintain a distance.

Councillor Appleby emphasised that the comments he had summarised had been made by his members.

There was agreement between Select Committee members that member forums could be the basis for district council involvement, however there was also a view that another bureaucracy should not be created.

Mr Brown believed that an area based arrangement might suit best, while some issues might need Cabinet Member involvement.

Councillor Appleby believed that effective and timely co-ordination was important especially between decision-makers. He encouraged taking a wider view, and being proactive at the development stage of projects.

Councillor Lockett, Gedling Borough Council, commented that districts did not have the resources of the county, and there was a need for mechanisms to protect partners against the risk of losses.

Conclusions

Dialogue

- 6.1** The Select Committee is very grateful to the Members and officers from District and Borough Councils, and the City Council, who attended meetings, gave presentations to the Select Committee, and took part in the study. All the Councils presented written information to the Committee, and all gave at least one verbal presentation on the issues at Select Committee meetings. However the Select Committee would have wished to welcome greater numbers of District, Borough, and City Council Members at its meetings. The Select Committee recognise that as all its meetings were held during the day, and many District and Borough Council meetings are held during the evening, this could have presented a barrier.
- 6.2** The Select Committee notes the evidence received during the study of a perceived absence of satisfactory formal dialogue between County and District and Borough Members, even though there are a great many areas

of mutual interest. The Select Committee notes that the evidence of the study points to formal dialogue which is mainly at an officer level. More dialogue between elected Members could have been beneficial to sort out some of the issues raised during this study, for example in the early stages when perceived problems have occurred.

- 6.3** Regarding officer dialogue the Committee noted evidence – both written and verbal – of issues which are believed to have been agreed at a senior level, which do not trickle down to other parts of the County Council. There is a perception that issues which other Councils believe have been “agreed” subsequently change.

Joint Working

- 6.4** While there were many examples of where the County / District interface is working well, there were also examples where it is not. These issues could arise because they involve large contracts with tight timescales, for example Joint Leisure Facilities or the Waste Disposal Contract, where there may be perceptions that the County Council is putting its own interests above those of the Districts/ Borough Councils. The issue could be that with some contracts the decision is for the County Council to make, for example with the Waste Disposal contract; other Councils may therefore feel that the County is not really listening to them and that they have to buy in without really knowing what they are signing up to or the cost implications, while the County Council may necessarily need to work to a tight timescale. With other contracts the issue could be that the County Council is working in equal partnership with the District over the issue, such as joint leisure use, but there is a disagreement over, for example, contributions from the County Council. It was noted during the study that a relatively small sum of money for a County Council is a large sum for a District Council.
- 6.5** The evidence received also indicates a need to overcome a perception of Districts as “junior” partners.
- 6.6** There are also examples, however, of joint working or projects which are going well, and where relationships are positive; for example around the Library service.

7 Recommendations

The Select Committee is content that the vast majority of issues which are being addressed between councils are conducted in a positive and acceptable manner. We recognise however that some issues, such as joint use leisure centres, have caused contention, and that at times the County Council has acted in an unsatisfactory way in its relationships with the other Councils. The Committee considers that efforts need to be made to avoid such problems in the future, and that improved dialogue should be sought with other Councils.

Therefore the Select Committee makes the following recommendations to Council Cabinet:

Recommendation 1

Members recommend that District/ Borough Council Members are invited to attend the County Council's District Member Forums. The Select Committee believes that this will help facilitate early dialogue on issues, while making best use of existing mechanisms, rather than creating more meetings or another level of bureaucracy. The Select Committee wish closer working and co-operation to be actively promoted on behalf of the public who are unconcerned about which Council is "responsible" for an activity.

Recommendation 2

Members recommend that more use is made of Local Area Forums to improve dialogue between County and District Members, while recognising that this dialogue on issues does already exist in some Local Area Forums.

Recommendation 3

Linked to recommendations 1 and 2, that Council Cabinet considers best models to facilitate this interaction, to be duplicated across the County, and making use of existing meetings and mechanisms.

Recommendation 4

In view of particular problems that have occurred in the past, there needs to be more effective means of communicating decisions taken at a senior officer level affecting joint work with District / Borough Councils, to all officers involved in delivery; that copies of meeting notes are readily available, together with an evidenced explanation of the decision and its implications and the actions that need to follow.

Recommendation 5

That there is a need to continue /develop close working relationships with the City Council – with Members and officers; the County and City Councils have matching responsibilities and a need to co-operate due to their close proximity. Examples of positive working with the City Council have been noted. It may be possible, for example, to raise issues in the future through the City Council's Area Committees. There is also a need to ensure early identification and discussion of any areas of potential friction.

**Councillor Edward Llewellyn-Jones
Chair of the Corporate Strategy and External Affairs Select Committee**

Legal Services Comments (PDH 100506)

It is within the terms of reference of scrutiny committees to scrutinise matters such as those set out in this report and to make recommendations to the Cabinet.

Director of Resources' financial comments

There are no specific financial implications arising from this report (NS 11/5/06)

Background papers available for inspection

Agenda papers and minutes of the Corporate Strategy and External Affairs Select Committee - 8 June 2005, 12 July 2005, 5 October 2005, 16 November 2005, 4 January 2006, 15 February 2006, 22 March 2006, and 10 May 2006.

Electoral Division(s) affected

All