

BIRMINGHAM CITY COUNCIL

PUBLIC REPORT

Report to: CABINET
Report of: LEADER OF THE COUNCIL
Date of Decision: 6th March 2018
SUBJECT: LOCALISM IN BIRMINGHAM

Key Decision:

If not in the Forward Plan:
(please "X" box)

Relevant Cabinet Member(s) or

Relevant Executive Member :

Relevant O&S Chair:

Wards affected:

Chief Executive approved ☐

O&S Chairman approved ☐

COUNCILLOR IAN WARD, LEADER

COUNCILLOR MOHAMMED AIKHQAQ

NONE

1. Purpose of report:

- 1.1 This report presents a policy framework on "Localism in Birmingham" for approval. The framework summarises the direction of travel proposed following the "local leadership" work over the last year.
- 1.2 A draft policy statement ("green paper") on "Working with Neighbourhoods", which proposes a more detailed approach to some aspects of this agenda and takes forward the recommendations of the recent Overview and Scrutiny report on parishes, is also presented at this meeting.

2. Decision(s) recommended:

- 2.1 That Cabinet endorses the attached policy framework and receives further detailed reports on different aspects of it in the new municipal year.

Lead Contact Officer(s):

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3. Consultation:

3.1 Internal

- 3.1.1 The Appendix reflects the work and findings of the Assistant Leaders who were appointed in July 2016 to engage with councillors across the city to explore and set out how the council should move to a more ward-based approach.

3.2 External

- 3.2.1 This has not taken place as yet and is planned for summer 2018.

4. Compliance Issues:

- 4.1 Are the recommended decisions consistent with the Council's policies, plans and strategies?

4.1.1 Yes, the framework fits with 'The Importance of Neighbourhoods' cross cutting measure in the Council Vision and Priorities.

4.2 Financial Implications

(Will decisions be carried out within existing finances and Resources?)

4.2.1 Proposals made to enact the Localism policies will have to be delivered within existing budget parameters as set out in the 2018/19 budget being set on 27th February 2018 and each proposal will need to be costed as reports are brought forward

4.3 Legal Implications

4.3.1 Legal and constitutional implications will be identified as the policy framework is further developed.

4.4 Public Sector Equality Duty (see separate guidance note)

4.4.1 The key issue is likely to be how to make decisions about levels of resource demanded by different communities and how to prioritise that resource.

5. Relevant background/chronology of key events:

5.1 The City Council's approach to localisation and devolution within the city, "local leadership" and "neighbourhood working" has evolved over many years. Some important changes have been made since 2015, with the shift away from the previous district based approach, the creation of the Sutton Coldfield Town Council and the boundary review which will lead to a new pattern of wards and fewer councillors from May.

5.2 The Assistant Leaders were appointed in July 2016 to engage with councillors across the city and set out how the council should move to a more ward-based approach. Several reports on this work were made to the previous Cabinet Committee Local Leadership.

5.3 The Corporate Resources and Governance Overview and Scrutiny Committee also reported to Council in December 2017 on the City Council's relationship with its two parish councils and how that model of governance could be extended in the future.

5.4 The new ward boundaries, with smaller wards and one or two councillors in each, will require a significant adjustment in how the City Council operates. The attached framework outlines some principles and ways forward, but further guidance and policy decisions on many aspects of ward level working will be brought forward in the new municipal year.

6. Evaluation of alternative option(s):

6.1 Alternatives would be :

a) Not to take forward any specific policy framework at all

b) To present very specific models at a more worked up stage.

Councillors, including the Assistant leaders tasked specifically with looking at the issue of Local Leadership, have been clear that there needed to be some key principles established about local leadership with an assumption that the Council needed to act in a way which reflected as far as possible policies and practices which reflected local neighbourhood preferences and encouraged local action and ownership. Having agreed those principles the aim is then to work up specifics of operation once the local election has taken place and there is clarity about who the ward councillors are for the coming four years.

7. Reasons for Decision(s):

- 7.1 The decision is recommended to carry forward the outcomes of the work and discussions of the Assistant Leaders and councillors across the council looking at issues of local leadership and providing a foundation on which to move forward after the May election. .

Signatures

Date

Councillor Ian Ward, Leader

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List of Background Documents used to compile this Report:

List of Appendices accompanying this Report (if any):

1. Localism in Birmingham: A Framework for Future Policy, March 2018
- 2.
- 3.
- 4.

Report Version

Dated

PROTOCOL PUBLIC SECTOR EQUALITY DUTY

- 1 The public sector equality duty drives the need for equality assessments (Initial and Full). An initial assessment should, be prepared from the outset based upon available knowledge and information.
- 2 If there is no adverse impact then that fact should be stated within the Report at section 4.4 and the initial assessment document appended to the Report duly signed and dated. A summary of the statutory duty is annexed to this Protocol and should be referred to in the standard section (4.4) of executive reports for decision and then attached in an appendix; the term 'adverse impact' refers to any decision-making by the Council which can be judged as likely to be contrary in whole or in part to the equality duty.
- 3 A full assessment should be prepared where necessary and consultation should then take place.
- 4 Consultation should address any possible adverse impact upon service users, providers and those within the scope of the report; questions need to assist to identify adverse impact which might be contrary to the equality duty and engage all such persons in a dialogue which might identify ways in which any adverse impact might be avoided or, if avoidance is not possible, reduced.
- 5 Responses to the consultation should be analysed in order to identify:
 - (a) whether there is adverse impact upon persons within the protected categories
 - (b) what is the nature of this adverse impact
 - (c) whether the adverse impact can be avoided and at what cost – and if not –
 - (d) what mitigating actions can be taken and at what cost
- 6 The impact assessment carried out at the outset will need to be amended to have due regard to the matters in (4) above.
- 7 Where there is adverse impact the final Report should contain:
 - a summary of the adverse impact and any possible mitigating actions (in section 4.4 or an appendix if necessary)
 - the full equality impact assessment (as an appendix)
 - the equality duty – see page 9 (as an appendix).

Equality Act 2010

The Executive must have due regard to the public sector equality duty when considering Council reports for decision.

The public sector equality duty is as follows:

- 1 The Council must, in the exercise of its functions, have due regard to the need to:
 - (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by the Equality Act;
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 2 Having due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to:
 - (a) remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;
 - (b) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;
 - (c) encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.
- 3 The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities.
- 4 Having due regard to the need to foster good relations between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to:
 - (a) tackle prejudice, and
 - (b) promote understanding.
- 5 The relevant protected characteristics are:
 - (a) Marriage & civil partnership
 - (b) Age
 - (c) Disability
 - (d) Gender reassignment
 - (e) Pregnancy and maternity
 - (f) Race
 - (g) Religion or belief
 - (h) Sex
 - (i) Sexual orientation

