

LOCAL DEMOCRACY IN BRISTOL

FINAL REPORT OF THE BRISTOL DEMOCRACY COMMISSION

April 2001

Chair: Paul Burton, University of Bristol

Preface to the final report of the Bristol Democracy Commission

Many people believe democracy is in crisis. For some, it has gone beyond the stage when it can be kept alive and all that remains is to watch as it recedes into history. For others, there is the possibility that it can be revived.

When we were invited to form the Bristol Democracy Commission, we were probably closer to the optimistic than to the pessimistic end of this scale. We believed that local democracy could be enhanced and reinvigorated and we looked forward to the challenge of contributing to this.

Now that this stage of our work is finished and marked by the publication of this report, I suspect we are all rather more sceptical. In learning more about the institutions of local government and how they work, we have become more aware of the threats to local democracy but also of some important opportunities.

We have discovered that many people are passionately committed to working in democratic ways and to encouraging this in others. But we have also discovered that many people have become disillusioned about their scope for influencing decisions that affect their lives. In some cases, this is because it is becoming clearer that decisions are taken by institutions with a global remit, which are remote from people living their lives in Bristol. However, in some cases this disillusionment stems from the difficulties faced by many in engaging with very local decision making bodies: bodies that have responsibility for services delivered in their neighbourhoods. It was this type of disillusionment that we were most concerned about. However, at the same time, there is more scope for change at this local level. There are real opportunities to build on the enthusiasms of people to work together to improve their neighbourhoods. And there is scope for this to contribute to the improvement of the city as whole.

This report does not present a panacea. Rather it offers our views and conclusions on a number of questions that were presented by our terms of reference. We do not expect everyone who reads this report – within or beyond the City Council – to agree with all of our recommendations. However, we do hope that they will be taken seriously and that where readers disagree they will take the opportunity to say why and to present alternatives.

This type of debate is much needed. Democracy depends on discussion and debate. Without it, the prospects for the future would indeed be bleak. But we look forward to listening to and participating in this debate.

Paul Burton
Chair of the Bristol Democracy Commission
April 2001

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Executive Summary

Establishment

Bristol City Council agreed on 12th September 2000 to establish an independent Bristol Democracy Commission to help it review various aspects of local democracy in the city. These included reviewing the Bristol Democracy Plan and the Council's transitional constitution. They also included reviewing the scope for developing democratic structures at the neighbourhood level. Finally, the Commission was asked to make recommendations about the preferred options for a new constitution for the Council, in particular whether it should be led by a directly elected Mayor or by a Leader selected by the ruling political group.

The ten members of the Commission were drawn from the main sectors of activity in the city and have worked together over the last six months in producing this report.

Ways of working

The Commission received evidence in person and in writing from a wide range of people. Most came from citizens of Bristol through a questionnaire survey of the Bristol Citizens' Panel and the local business community. Some came from two conferences held in December to discuss and debate issues of local democracy and other meetings with local groups. Some came from those with expertise beyond the city, including those with experience of similar commissions elsewhere. And last but not least, some came from officers and members of the City Council itself and proved especially valuable in offering insights from those most central to how the system works at present.

Having received information, opinion and advice the Commission then spent some time considering the key issues and questions in the light of this evidence. The recommendations presented below are based on our conclusions from this process.

Conclusions

Whilst we heard from many that democracy in general and local democracy in particular were in crisis, we concluded that much could be done to strengthen its foundations. In our view a three-pronged approach has the potential to contribute to this process. Firstly, by strengthening local political leadership through the direct election of a Mayor for Bristol. Secondly by strengthening the role of Councillors through enabling a full time commitment with better support in their representative role. Finally, by strengthening the position of communities and citizens through developing the role of neighbourhood structures.

We do not anticipate substantial change overnight. Indeed, many argue that unless local government is given significantly greater powers to raise and manage its finances then its internal constitution is of little concern. While sharing these concerns, we nevertheless feel that the proposals set out in this report provide a good foundation for the development of local democracy.

Recommendations

Representation

1. We recommend that after the current round Bristol City Council makes representations to the Secretary of State to hold local elections for the full Council every four years.
2. We recommend that the Council continues to encourage voting in general through creative and imaginative advertising and other publicity.
3. We also recommend that the Council continues to encourage and promote postal voting in particular, for example through providing 'voter packs' describing the various voting methods to each household (including those that move into and within the city) and through other channels such as Libraries, doctors' surgeries, community centres and so on.
4. We recommend that the City Council continues to actively support the involvement of young people in all its processes of consultation and public engagement.
5. A majority recommends that the City Council supports any national campaign to reduce the voting age from 18 to 16.
6. A majority recommends that the City Council supports any campaign to bring into line the voting age and the age at which someone can stand as a Councillor.
7. We support the view that working effectively as a Councillor requires a full time commitment that makes it difficult to combine with full or even part-time employment elsewhere.
8. We recommend that the City Council, possibly in conjunction with the political parties, holds workshops for potential candidates at which the roles and responsibilities of Councillors are presented. These should cover both the theory and the reality of being a Councillor and describe the support that is available for those who stand and succeed in being elected to office.
9. We recommend that an Independent Remuneration Panel should review the allowances made to Councillors and make specific recommendations in line with a principle of parity with officers at an equivalent level.
10. We recommend that Councillors should have access to more high quality training, both in substantive areas of policy interest and in matters of process such as effective decision making, communication skills and conflict resolution;
11. We recommend that greater support should be given to Councillors in carrying out their representative role, by building on the existing system of ward support. A ward support officer should be assigned to each ward to help the member(s) engage with their constituents in effective, creative and imaginative ways and hence enhance their representative role;

12. We recommend that communication and information technologies should continue to be used to ensure that relevant, digestible and up-to-date ward information is available to members and to constituents. The Council's current strategy for bringing IT into the community represents a good starting point in this.

Organisation within the Council

13. We recommend that Executive meetings should in general be open to contributions on particular items at the time of their decision. However, Executive Members should have the right to limit the time available for discussion during the meeting or to insist on it taking place at the beginning of a meeting.
14. We recommend that Councillors take note of the fact that many members of the public expressed to us the view that excessive partisan behaviour serves only to diminish the role of the Council, of Councillors and of local politics in the eyes of the electors and that this is to the detriment of local democracy.
15. We recommend that the Council continues to support the development of the scrutiny function in all possible ways.
16. We recommend that the Council continues to make use of co-optees and other expertise from beyond the Council, that the recruitment of such people is carried out in a transparent manner and in accordance with the Nolan principles of standards in public life and taking into account individual rights to privacy and to equalities issues.
17. A majority of the Commission recommends that the Council proposes the option of Mayor with Cabinet to the Secretary of State later in the year.
18. We recommend that the Council ensures a statutory local referendum is held to determine its future constitution.
19. We recommend that the Council debates the proposal that the most senior officer of the Council should be known as the Chief Executive as part of the wider debate on its future constitution.

Mayoral
model

Neighbourhood and Democracy

20. We recommend that a 'local boundary commission' comprising both political and other expertise should be set up with the task of dividing the city into a number of areas. These areas should be multiples of two or three existing wards and hence should number between eleven and eighteen.
21. We recommend that the Councillors in each of these areas should be invited to work with existing local groups and stakeholders in the area to develop a network of neighbourhood forums. These might utilise development trusts, community partnerships, residents groups and the wider range of voluntary and community groups. The aim would be to audit what was already in

existence and consider ways to involve new people and a broader range of stakeholders in a consultative process. They may, for example, include representatives from business, the police, local schools and so on.

22. We recommend that Councillors as significant local community leaders must play a prominent role in this process, but they should be supported by the Council either through the ward support officers mentioned earlier or through their access to a specific fund for purchasing support from elsewhere (for example from existing local groups with community development skills).
23. We recommend that once these neighbourhood forums are established and operating effectively, the Councillors for the area could apply to the Council to establish an Area Committee with more extensive powers of decision making and spending.
24. We recommend that mechanisms should be put in place to allow the neighbourhood forums to apply directly for Area Committee designation in the event that the Councillors were not prepared themselves to support an application.

Other issues of participation

25. We recommend that the implementation of the new Local Strategic Partnership with its new responsibility for a city-wide Community Plan should, as proposed within the guidelines from central government, be taken as an opportunity to review and reduce the number of overlapping partnerships that currently exist.
26. We recommend that in addition to the Local Strategic Partnership, a small group of essential specialist partnerships should be identified and considerable effort made to publicise their activity so that they might be better understood and monitored by the citizens' of Bristol.
27. We recommend that partnerships that continue after the process of rationalisation should identify ways in which they will liaise with each other, share information etc.
28. We recommend that appropriate and consistent codes of conduct and procedures should be developed for key partnerships to ensure the highest levels of probity, efficiency, equal opportunities etc. This would include open procedures for resolving conflict both between and within partnerships.
29. We recommend that the work of partnerships should be subject to the general scrutiny and best value processes of the city council.
30. We recommend that partnerships should work closely with any new neighbourhood structures that emerge and with non-geographical communities of interest representing, for example, disabled people, black and ethnic minorities.

31. We recommend that the Council continues to keep abreast of these developments and continues to use the full range of consultation and participation techniques.
32. We recommend that the Council develops a corporate consultation strategy.
33. We recommend that the City Council does all it can to support this development, for example by collaborating in local pilot schemes to develop and test teaching resources.
34. We recommend also that the Council continues to pay attention to the various ways in which it communicates with the citizens of Bristol and ensures that it takes every opportunity to help the public understand better what it does, how it does it and why and how it affects them. This includes but should not be limited to work with local schools.
35. We recommend that the Council up-dates its Democracy Plan and establishes appropriate structures to monitor and review progress towards the goals it sets out.

1. INTRODUCTION

1.1 Democracy in context

Democracy is difficult. It can be difficult to define, has been difficult to achieve and can be difficult to make work in practice. For many people, democracy is in difficulties, even to the extent that we need to come to terms with life in what have been called 'post-democratic times' (Crouch, 2000). For others, the more optimistic, it can be rescued and revived.

The context for the establishment of the Bristol Democracy Commission reflects many of these anxieties and this range of concerns.

Nationally the Government has embarked on a major programme of change within local government – a programme that is fundamentally different to most change that has affected local government over the last one hundred and fifty years.

Local government has always been in a state of flux. Responsibilities have been given but more often have been taken away, by central government. The balance of responsibilities between different tiers of government has changed. The boundaries of local authorities change. Some local authorities have disappeared altogether.

But the latest programme of change is concerned with how local government goes about its most important activity: making decisions on behalf of us, its constituents. This focus on the mechanics of government at a local level is new and heralds possibly the most significant change of recent decades.

This concern with the mechanics and the principles of decision making lies at the heart of the Government's attempts to revitalise and reinvigorate democracy, especially at the local level. But there is a wider concern with the state of democracy at all levels – local, national and international – in the West at least. This can be seen in the concern expressed at the extent to which the majority of the population seems to be relatively uninterested in taking part in many of the traditional practices of democratic government, such as voting in elections. It can be seen in the low regard in which the general public holds many politicians. It can be seen in the declining membership of political parties, and for some in the rise of single-issue political groupings. It can be seen in the recourse to violence in pursuit of political aims both within and between nation states.

But what, more precisely, are the key features of democracy or democratic forms of government? Democracy is not so much a thing that we can see or touch or even measure, but a description of one way of making collective or social decisions. Stated simply, decisions that affect collections of people, such as neighbourhoods, cities, regions or countries can either be taken by all the people affected or by only some of them.

The most directly democratic forms of decision making involve all members of the group in making all decisions that have to be taken. Of course as the number of people and the number of decisions to be taken grow, so the process becomes very time-consuming and very complex. Alternative systems have therefore grown up in which a smaller group of people are given responsibility for taking decisions (or governing) on behalf of the group as a whole. This in turn requires some mechanism for identifying the smaller group of people and we aim to make this mechanism as fair, efficient and effective as possible.

Sometimes this smaller group emerges as a result of war and violent struggle and sometimes they are identified by birth (the eldest child succeeds their parent as ruler). But for the past 2000 years there have been various systems for allowing the group as a whole to have some say in choosing those who take decisions on their behalf and these we call democratic.

The most common systems have involved the selection of rulers or representatives by election. In elections, at least in contemporary Britain, virtually anyone can put himself or herself forward as a prospective representative and we, the people, have an opportunity to vote for the candidate of our choice.

But we should not forget that some important decision-makers are still and have always been randomly selected. The jurors in civil or criminal trials are selected at random and the current political debate about the proposed abolition of this system of deciding guilt or innocence in especially complex cases gives some indication of its significance in British politics. Nor should we forget that in ancient Athens – often seen as the birthplace of the democratic form of government – many key post holders were chosen by lot, albeit from a rather limited range of candidates.

When selecting our key decision makers by election there are still many important questions to consider: who should be allowed to vote; who should be allowed to stand for office; what system of voting should be used; how should elections be held; where; how often? In many respects the answers to the questions serves to determine how democratic the system is, rather than whether it is democratic.

But the selection of a small group of people to make decisions on our behalf is only part of the picture. We need also to think about what types of decision this small group should be given responsibility for and also how they should go about making those decisions.

In terms of the scope of local government, we must not forget that in the UK, Parliament decides on these questions about local government. It decides what local government can do, what it cannot do, how it goes about its business, how much money it will have and so on. If Parliament decides that a particular type of local government is no longer needed, then it can (and has) abolished it.

In the UK, the power of central government over local councils is very great. Indeed, sub-national government in the UK has no absolute constitutional right to exist – it is and always has been brought into being by Acts of Parliament and can be done away with by the same means. Similarly, its specific powers and duties are laid down in law and the way in which goes about exercising these is increasingly governed by Ministerial directives and regulated by external bodies accountable to Parliament. To some this limited autonomy available to local councils leads them to conclude that participation in local affairs, either through voting in local elections or getting involved in council-sponsored debates is a waste of time. Indeed a leaflet distributed at one of our meetings advocates voting for ‘Nobody’ in the forthcoming elections because nobody standing really cares and nobody will make a difference. While this may represent an extremely pessimistic stance, it does reflect something of the prevailing public concern about the role and powers and local government.

Nor must we forget that our elected representatives are not the only important figures in the system of local government. Local councils employ many thousands of staff to carry out the duties and responsibilities given by central government and many of these officers play a vital part in decision making. Some are allowed to make decisions on behalf of the elected members, using powers delegated to them. Many more provide advice and assistance to members in deliberating and coming to a decision. And while there is usually a clear constitutional account of the different responsibilities exercised by officers and members, in practice these can and do become blurred.

But putting aside such constitutional observations, how do these small groups of representatives go about making decisions on our behalf? Again, size matters. Just as at national level we accept that we cannot all be involved in making all the necessary decisions all of the time, so too at local level the size of assembly will have a bearing on how it organises itself. And it is precisely this process of - coming to a sensible view about the ways in which key decisions within local government can be arrived at fairly, efficiently and effectively - that lies at the heart of both the Government’s programme of modernisation for local government and the work of the Bristol Democracy Commission.

So, while the precise terms of reference of the Commission may appear rather specific and focused, they relate clearly to a much wider agenda and to long-standing questions about the nature of democracy. We state this here to illustrate not only that we are grappling with perennial problems of political theory, but also that we do not expect everyone to agree with our analysis or our recommendations.

1.2 Establishment of the Commission & terms of reference

Bristol City Council agreed on 12th September 2000 to establish an independent Bristol Democracy Commission with the following terms of reference:

1. To review the *Bristol Democracy Plan* in the light of experience and the continuing modernisation of local government in Bristol and nationally.
2. To review the Council's transitional constitution in the light of experience and the requirements of the law.
3. To consider the options for neighbourhood committees and other local structures.
4. To make recommendations about the Council's future constitution in the light of 1,2 and 3, and of the options available under the legislation.
5. To receive reports from appropriate Scrutiny Select Committees and from the Head of Legal Services.
6. To undertake these tasks in a manner which reflects the principles of effective consultation as defined by the Audit Commission and the City Council, including **openness** to the public and the media, **involvement** (including of traditionally 'hard-to-reach' groups in the community) and **feedback** to consultees.
7. To publish a report on these issues early in March 2001 for consideration by the council. The report must be available to the public and the media.

These terms of reference are extremely wide ranging and in view of the limited time available to the Commission, we have focused more on some than on others. In some cases we refer to other documents and reports produced as part of this process which, although not published in this report, will nevertheless give more relevant detail. Full references and details of how to obtain these reports are given later.

1.3 Membership of the Commission

The council also agreed that the membership of the Commission should be drawn from the main sectors of activity in the city - for example, the business sector, the voluntary sector etc. Bodies and individuals representing the various sectors were approached. Where possible, appropriate bodies were asked to elect a representative to serve on the Commission.

A Commission of 10 people arose out of this process made up as follows:

- Paul Burton (Chair), University of Bristol to represent the higher education sector;
- Chris Sunderland (Vice Chair), from the Churches' Council for Industry and Social Responsibility to represent faith communities;
- Ben Barker, nominated by VOSCUR to represent the voluntary and community sectors;
- Maxine Baughan, member of the City of Bristol Young People's Forum;
- Douglas Claisse, nominated by the Bristol Chamber of Commerce and Initiative to represent the business community;
- Corina Christie-Paige, nominated by the Women's Forum of the Equalities Department to represent women's and equalities perspectives;
- Simon Cooper, from GWR-FM representing the media in the city;
- David Onamade, nominated by Bristol Racial Equality Council to represent the racial equality perspective;
- Natasha Pater, member of the City of Bristol Young People's Forum;
- Andy Robertson, nominated by Bristol TUC to represent trades unions within the Bristol community;

1.4 Method of working

The members of the Commission met for the first time on Friday 27 October 2000 and elected Paul Burton to the position of Chair of the Commission. Chris Sunderland was subsequently elected as Vice Chair.

With one or two exceptions the members of the Commission had not met before, nor had we previously worked together to any great extent.

In many respects we acted like a citizens' jury: a fairly diverse group of people who come together to explore and issue and make recommendations, with the help of various expert witnesses and an array of evidence. While we would not claim to be experts on all aspects of local democracy and local governance, we have learnt a lot over the last six months and feel confident that in this report we can reflect the balance of lay and expert opinion in coming to our conclusions.

The Commission met initially on a weekly basis and our meetings were held in the Council House and were open to the public.

The first few weeks were devoted primarily to getting to know each other, to establishing our own awareness of issues of local democracy and local governance, and to agreeing a way of working that best suited our capacities. We also received clarification on the terms of reference suggested to us, the time frame and the support available to us from within and beyond the City Council.

Over the next months we received evidence from a variety of sources (listed in detail in Annexes A-D) – some in face-to-face meetings, some through the submission of written reports and statements. Witnesses included individuals with interests in local democracy, councillors, officers of the council, experts from the city and beyond and representatives of local interest groups. Not only did witnesses come to us, but we also arranged and attended various meetings of groups in the community.

Two Democracy Conferences were held in December at which interested citizens from across the city came together to discuss and debate issues of local democracy.

Lastly, we commissioned a survey from the Bristol Citizens' Panel to explore issues of local democracy, community identity and local politics in more detail. The report of this extremely valuable piece of work is available from the City Council.

Following the collection of the evidence the Commission deliberated on the issues and debated our possible conclusions and recommendations at some length. All members of the Commission have contributed to this report and we are pleased that a high degree of consensus was possible on virtually all issues and topics.

We agreed that where possible each recommendation should represent the unanimous view of the Commission. We also agreed that if this was not possible, the report should make it clear that one or more members did not support a recommendation. In what follows, we have framed recommendations as majority rather than unanimous statements where this is the case.

Finally we should like to note some concerns raised at the outset about the constitution and composition of the Commission and our capacity to carry out our work in an independent manner.

While some similar commissions in other parts of the country included serving Councillors among their members, the City Council decided ours should not. As a Commission we were fully in support of this and feared that if Councillors from each of the three political parties represented on the City Council had been involved as members it would not have helped us in maintaining an independent and critical stance.

We noted the Government's advice to local authorities on how they should consult on their new constitutions. This stated that 'an option is for the authority to work in partnership with an independent commission. The main attraction of this option is that the public and stakeholders are perhaps more likely to believe that the outcome that emerges has not been pre-ordained by the authority'.

The party political allegiance, if any, of members of the Commission has not been an issue to us in our work. Moreover, it has rarely been possible

to detect a clear or consistent party flavour to any of the evidence submitted to us.

Early in our deliberations we stated publicly our belief in the importance of and our capacity to achieve an independent and critical stance. Elsewhere in the country, some consultation exercises designed to explore public preferences for the alternative political structures proposed by government have been accused of bias. We did not begin our work with any obviously pre-determined views and have been able to consider the weight of evidence presented to us without prejudice. We remain confident, therefore, that any accusations of party political bias or lack of independence could not be fairly made of our work.

1.5 Thanks and acknowledgements

Various officers of the City Council have supported us in our work and in particular we would like to thank:

- Robin Kidson, Cabinet Services Manager
- Nicola Pelmeur, Cabinet Services Officer
- Stephen McNamara, Head of Legal Services
- Jocelyne Tagg, Young Peoples' Forum Development Worker
- Steven Hilton, Public Consultation Co-ordinator
- Helen Ball, Head of Scrutiny and Equalities
- Sally Gregory, Policy Officer
- Helen Parkes, Media and Public Relations Officer
- Simon Caplan, Head of Corporate Communications

We should also like to thank all those people who gave evidence in whatever form and who contributed to the various debates we took part in and initiated. The willingness of this group to contribute to our work has demonstrated that many are still prepared to engage in the debate and discussion that is the foundation of democratic politics.

2. REPRESENTATION

In this section we consider the issue of representation: how people come to put themselves forward for election; how the election is conducted; what role elected Councillors play and the support they receive in doing so.

2.1 Selection of candidates

Before anyone can compete in an election to become a member of the City Council it is necessary to obtain the support of at least ten fellow citizens (from the ward in question) in endorsing one's candidature. However, in practice it has also been essential to be a member of a political party in order to become a plausible candidate who can compete effectively. Dissatisfaction with this state of affairs was expressed to us by many who gave evidence, especially during the two conferences, but is not new. Indeed Clements in his famous study of politics in Bristol talked of those for whom party politics 'undermines the moral integrity and corrodes the quality of their intellectual processes' (Clements, 1969: 52).

The question of who stands is therefore a party issue and is likely to continue to be so. The political parties therefore need to devote considerable attention to their public image [and indeed to their behaviour] in local politics, not least in ensuring that the fullest possible range of people are practically able and willing to stand as candidates in local elections.

It has been said to us that Parties are not finding it any easier to persuade members to stand for election, and maybe even to continue to stand. However, concern has also been voiced about the overall profile of Councillors at present and in particular at the absence of any Councillors who are black or from other minority ethnic groups.

Whilst in many respects we feel that the changes recommended below will improve the attractiveness of the position of Councillor to all people, regardless of their ethnic origin, we also feel that the Parties should be especially careful not to assume that candidates from particular ethnic groups should only be selected to contest wards in which there are significant numbers of people from the same group. In short just as at present white Councillors serve as representatives in areas with significant black populations, so black candidates should be seen as being equally capable of representing relatively 'white' wards.

More positively, there is a more reasonable balance in the gender composition of the council, with almost one third of councillors (22 out of 70) being women and half the current Cabinet. Like most councils throughout the country, the age profile of Councillors is skewed towards the older ages. Whilst the valuable contributions made by older Councillors are clear, we note the concern expressed by many that younger people do not appear to be so willing or able to make contributions to the work of this and other councils.

Again, we hope that the whole package of measures proposed later in the report will serve to make the role of Councillor more attractive to a wider range of people, and that as a result the overall profile of the Council will be more reflective of the population of the city as a whole.

2.2 Public perception of Councillors

Public perception of Councillors is rather poor, they are not typically held in high esteem. However, most people do not know who their Councillor is and hence their perception comes mainly from image in the local media (press and TV) and from more general perceptions of politicians. As mentioned in the introduction, many people are willing to accept a view of Councillors as people who make promises during election campaigns that they have no intention of keeping, who become corrupted by the power of office and who care little about the people they are supposed to represent.

Those who know more about their Councillor and about the roles they play typically have more respect for the individual and recognise the complexities of the position. As one witness said to us, "They struggle to do a very difficult job and we should be grateful to them."

The Democracy Commission does not accept the view that all Councillors are self-serving, untrustworthy and corrupted by the system. We recognise that while there are inevitably differences in the calibre and the effectiveness of Councillors and that their motivations for seeking office will be varied, a sense of civic duty and a desire to serve their community to the best of their abilities is widespread.

Councillors are an easy target for criticism and while we accept that an ability to deal with public criticism must be an essential characteristic of any public figure, we recognise that criticism rooted in ignorance and prejudice can be difficult to counter.

Many feel that while the difficult and the unpopular decisions will often generate intense public criticism of the decision makers in the local and sometimes national media, the smaller scale and less controversial decisions taken every day by Councillors attract little acknowledgement let alone praise.

2.3 Election of Councillors

Bristol currently spends more than many local authorities on electoral services such as maintaining the Electoral Register, having many polling stations and encouraging both registration and turnout. Above average expenditure has been committed in order to try to enhance local democracy and we recommend that these efforts continue as they clearly do make a positive contribution.

The new right of all to vote by post in national and local elections is also likely to increase turnout, and again we welcome this.

Holding local elections on days of General Elections typically increases the local turnout, as does the scale and intensity of local campaigning by parties. We anticipate that if the local elections are held on the same day as the General Election this year, then we will see a much higher turnout locally than is usually the case.

Some argued to us that having all-out elections every four years is preferable to the more continuous process of voting for one third of Councillors each year, followed by a 'fallow year' or for half of the Council every other year. Again, we feel there is merit in adopting the same logic as Parliament whereby all members stand for (re)election at the same time.

It is argued that all-out elections every four years mean the resources required to mount an effective campaign can be used in a more efficient manner, and equally importantly bring a much needed focus to the democratic process, thereby avoiding election fatigue.

We recommend that after the current round Bristol City Council makes representations to the Secretary of State to hold local elections for the full Council every four years.

This proposal would allow greater scope for more radical changes in the overall composition of the Council, but we do not see this as necessarily a bad thing from the point of view of stimulating public interest and engagement in local politics.

Some argue that a form of proportional voting that made each vote cast more effective would encourage greater turnout. Whilst we appreciate many of the criticisms of the so-called 'first past the post' system (which should perhaps be renamed 'winner by whatever margin takes all'), our terms of reference did not extend to a review of voting systems.

Various suggestions and proposals were put to us concerning the encouragement of registration and voting.

We recommend that the Council continues to encourage voting in general through creative and imaginative advertising and other publicity.

We also recommend that the Council continues to encourage and promote postal voting in particular, for example through providing 'voter packs' describing the various voting methods to each household (including those that move into and within the city) and through other channels such as Libraries, doctors' surgeries, community centres and so on.

We received a very clear message through our consultations with young people that the present voting age of 18 did little to encourage them to develop the habits of active citizenship and political engagement from an early age. On the other hand we heard of the possible dangers in 'politicising' young people at such an early stage in their lives.

However, we believe that education for citizenship, handled sensitively, is a vital element in creating a more informed electorate of the future and one that is better able to engage in constructive debates about the development of democracy both locally, nationally and globally.

We feel there is a strong case for achieving a greater degree of consistency among the various ages at which young people can assume the responsibilities and powers of adult life, including harmonising the age at which young people are able to vote and to stand for election as a local Councillor. Although some argued that young people might not have enough relevant experience to take on the roles and responsibilities of being a Councillor, a majority of the Commission felt that if someone is old enough to be allowed to vote they are also old enough to stand in the election in which they can vote.

We recommend that the City Council continues to actively support the involvement of young people in all its processes of consultation and public engagement.

In addition, a majority recommends that the City Council supports any national campaign to reduce the voting age from 18 to 16.

A majority recommends that the City Council supports any campaign to bring into line the voting age and the age at which someone can stand as a Councillor.

There was one objector, who believes that age-consistency is less important than young people being free to mature enough to grow in experience of life, and in necessary understanding of the complexities of political power which make a responsible adult voter or Councillor.

2.4 Roles of Councillors

Traditionally, Councillors have performed four main roles:

1. finding out the views and preferences of their constituents;
2. taking these views into account when acting as a member of the Council in discussing, debating and deciding on policy and then making decisions in accordance with that policy framework;
3. helping individual constituents (or groups) deal with the Council on matters of concern to them;
4. promoting the interests of the City in partnership with other bodies, both locally and further afield

The modernisation agenda aims to streamline many of the procedures of local government so that Councillors have more time to spend on the first of these roles. This does not yet appear to have been realised in practice, although it might improve in the future as the new arrangements 'bed down'.

Many people suggest that there is enough work to be done to occupy Councillors on a full time basis, and hence that the job should be a full-time one. Others feel that by working full time as a Councillor, an important source of experience of life outside the Council House would be lost and they would become too insular and detached from the typical experiences of those they represent.

We support the view that working effectively as a Councillor requires a full time commitment that makes it difficult to combine with full or even part-time employment elsewhere.

There should be a clear statement of what is required of a Councillor and of the skills and attributes needed by someone who is to perform the role successfully. This statement should be publicly available and written in a way that is readily understandable and meaningful to the public at large.

We recommend that the City Council, possibly in conjunction with the political parties holds workshops for potential candidates at which the roles and responsibilities of Councillors are presented. These should cover both the theory and the reality of being a Councillor and describe the support that is available for those who stand and succeed in being elected to office.

If Councillors are expected to work full time in the role, there must be a system of payment or compensation that does not systematically disadvantage people who cannot afford to give up other paid employment.

Whilst it is not for the Commission to make suggestions about the precise amount or terms of remuneration for Councillors, we believe that in broad terms there should be a broad equivalence with the salary structure of

those officers of the City Council to whom the Councillors most closely relate.

In other words the Leader of the Council should be remunerated at a comparable level to the most senior officer of the Council , other members of a cabinet or equivalent at a level comparable to Chief Officers, and backbench members at a level equivalent to Third Tier Managers. There should also be appropriate provision for pension and other employment-related benefits.

We recommend that an Independent Remuneration Panel should review the allowances made to Councillors and make specific recommendations in line with a principle of parity with officers at an equivalent level.

In summary we believe that enhancing the role of Councillors in these ways will have a number of positive effects on local democracy, including:

- opening up the **effective** opportunity of being a Councillor to a much broader range of people, including more members of minority ethnic groups, more women and more younger people;
- increasing the range of people likely to stand for election and hence of the people likely to make up the Council;
- improving the calibre and the effectiveness of Councillors;
- hence acting as a more effective counterweight to the power of the Executive;
- enhancing the public's perception of Councillors;
- increasing the self-esteem of Councillors;
- making for more professional and effective relationships (in both directions) between Councillors and officers of the Council.

2.5 Number of Councillors

Across the country the number of members comprising a Council varies. In Bristol it is 70 members, with two Councillors representing each of 35 wards.

Comparisons are sometimes made with systems of local government elsewhere in Europe and the USA where the ratio of councillors to constituents is very different to that in the UK and Bristol. We feel this focus on the mathematical 'representative ratio' often obscures some more important aspects of the role of Councillors. For example, it is sometimes assumed that a statistical correlation between turn-out in elections and the number of people represented by each representative is in itself evidence of a causal relationship – in other words that we are more likely to vote because representative ratio is low. The explanation of political participation, in elections and other forums, is much more complex than this.

Some have argued to us that there should be more Councillors in order to provide more opportunities for active citizens to get involved in local politics. It has also been argued that the representative burden would be eased if each member had fewer constituents to represent. However, it was also reported to us that the recruitment of prospective Councillors is becoming more difficult and evidence nationally points to a growing (but by no means new) difficulty in attracting younger people into local politics: the proportion of Councillors who have retired from work for example has been rising steadily over the last three decades (Rao, 2000:55)

We **do not** believe that an optimal or ideal representative ratio exists and hence there is no ideal size for a Council made up of these representatives. It is not self-evident that a Council of 100 members would be more democratic than the present Council of 70, nor that a Council of 50 members would represent a significant reduction in democracy.

We **do** believe that an appropriate balance must be struck between the size of the constituency that a Councillor is elected to represent, the practical support they receive in carrying out those tasks and the overall size of the assembly. A council that is too large and hence unwieldy can be just as damaging to democratic decision making as one that is too small.

However, bearing in mind the view expressed above that Councillors should devote their full-time attention to the role if they are to meet the various challenges of being an effective representative and carrying out policy development and scrutiny, we believe the support given to Councillors is of the greatest significance.

In Bristol much support is already given to Councillors but much more could and should be provided.

We recommend that Councillors should have access to more high quality training, both in substantive areas of policy interest and in matters of process such as effective decision making, communication skills and conflict resolution;

We recommend that greater support should be given to Councillors in carrying out their representative role, by building on the existing system of ward support. A ward support officer should be assigned to each ward to help the member(s) engage with their constituents in effective, creative and imaginative ways and hence enhance their representative role;

We recommend that communication and information technologies should continue to be used to ensure that relevant, digestible and up-to-date ward information is available to members and to constituents. The Council's current strategy for bringing IT into the community represents a good starting point in this.

We recognise that providing this enhanced level of support to Councillors will require significant expenditure, as will the earlier recommendation to pay Councillors at an appropriate level for carrying out a full-time job. Some will find it difficult to countenance this in times when resources are tight and budgets are under pressure. If this is the case then we feel that a reduction in the number of Councillors must be considered.

We believe that it is better to have a smaller number of full-time, properly supported Councillors, going about their work in a professional and effective manner than to have a larger number who are not properly supported and who are often preoccupied in relatively unproductive meetings within the Council House.

This is not to say that a reduction in the number of Councillors is desirable in itself. It is rather a consequence of providing proper support and payment to allow Councillors to their job more effectively.

There are various ways of reducing the number of Councillors. One would be to reduce the number of wards whilst retaining the principle of having two representatives for each ward. Another would be to reduce the number of representatives for each ward while holding the number of wards constant. It would be for the Council to debate the merits of these options but we believe a sensible starting point would be to consider retaining the same number of wards but having a single Councillor to represent each one. This would result in a Council of 35 members that may in itself represent a more effective decision-making body.

We are conscious that the recommendation to substantially reduce the total number of Councillors is unlikely to find favour with many existing Councillors. When a similar suggestion was made and discussed at the Democracy Conferences it was suggested from more than one quarter that this would be like expecting 'turkeys to vote for Christmas'!

Nevertheless, we believe this to be an important and serious proposal that has the potential to meet many of the problems faced by Councillors and the electorate that have been brought to our attention. The public at large will expect strong arguments to be mounted by those who defend a status quo that so many find unacceptable.

3. ORGANISATION WITHIN THE COUNCIL

In this section we consider the ways in which the Council organises itself internally in going about its business. An assumption underlying the Government's modernisation programme is that an old-fashioned pattern of organisation has served to obscure the real workings of local government from the critical gaze of the public and to frustrate Councillors in their attempts to grapple with the increasingly complex and difficult problems that confront them.

3.1 The old system and its problems

The government, and many others, has argued that the traditional system of local government by committee was flawed in many important respects and this logic underpins its current programme of reform of local government.

It is possible to identify at least three major criticisms of the committee system:

1. There was no clear and accountable leadership. It was often not clear whether responsibility for particular decision lay with the chair of that committee, all of its members, the full Council, the majority group or the leader of the Council;
2. Important policy decisions were not subject to proper and effective scrutiny. Members of committees might accept responsibility for taking a decision, but then be called upon to scrutinise it in the future;
3. A lot of time and effort was absorbed to no great effect in committee. Members would often be swamped with papers and receive little support in identifying key issues for debate rather than party point scoring.

The strongest defence of the committee system typically comes from Councillors. Many argue that under this system all Councillors have the opportunity in principle to be directly involved in making decisions, even if the practices listed above acted against this. They also resent being removed from many formal decision making processes under the interim arrangements and the new proposals.

We found the public at large knew very little about the precise way in which the Council conducted its business. Among some who attended the Democracy Conferences there was a feeling that decisions were now being taken behind closed doors to a greater extent than they had been in the past. Some Councillors also expressed this view to us, but we were not presented with any clear evidence that this was the case.

3.2 The transitional constitution

In May 2000, Bristol City Council chose to take the power to experiment with a transitional constitution involving a Leader and Cabinet system of executive leadership.

The Cabinet in Bristol comprises eight members of the ruling Labour group of Councillors, with one Leader, two Deputy Leaders and five other Executive Members.

Six Scrutiny Commissions and one Scrutiny Management Committee are responsible for the scrutiny function and minority party Councillors chair two of these commissions.

In terms of reviewing the effectiveness of this transitional constitution, the most important point to make at the outset is that the new system has operated for too short a time for any robust and reliable evaluation to be made of its effectiveness.

A recent survey by the Improvement and Development Agency (IDeA) found that while just over one hundred authorities had, like Bristol, been experimenting with a new structure, only around 40 had been doing so for twelve months or more. As a consequence very few have yet undertaken an initial review.

The Leaders of the three political parties represented on the City Council expressed the view to us that it is rather too early to say whether or not the new system is working well.

We received a report from the Head of Legal Services that provided a review of the transitional constitution. We include here some of the key issues identified in this review that relate to the main elements of the transitional constitution. In some cases we refer across to other sections of our report where the matter is discussed at greater length.

This report concludes that the framework for extending and strengthening democracy set out in the Bristol Democracy Plan has been built on in the transitional constitution. It goes on to say that the new constitution recommended by the Council later in 2001 must continue this work if Bristol is to meet the aspirations of both its citizens and its Councillors to make the city a better place.

1. The Councillor as representative

An important element in the Government's justification for introducing the new constitutional arrangements was that it would free Councillors from the burden of involvement in a lot of relatively unproductive committee work and allow them to spend more time developing their representative and scrutiny role.

This has not yet happened, but these were still relatively early days for the new arrangements. Nevertheless, the City Council has been developing various forms of support for Councillors, including:

Providing some degree of ward support to Councillors, through second-tier officers;

Developing ward profiles of information to help keep Councillors informed of local developments in their area. While much remains to be done in providing up-to-date, relevant and reliable data we note that development of Neighbourhood Statistics by National Statistics (formerly the Office for National Statistics) holds great promise in this respect:

Establishing a more extensive programme of development and support for Councillors, including the induction of new members, on-going training in substantive policy issues and training in various councillor functions.

Elsewhere in this report we have referred to the need for a much more extensive system of support for Councillors and we are pleased that the review indicates some movement already in this direction.

2. The full Council

Under the transitional constitution, the full Council agreed to meet ten times in the municipal year 2000/2001, with these meetings scheduled to last for 4.5 hours. While few choose to do so, there are opportunities for members of the public as well as for Councillors to submit petitions, make statements and ask questions.

One of the key issues for the full Council is to decide how to arrange for effective debate of key policy proposals coming from the Executive for it to determine.

The Government has now produced a Modular Constitution for local authorities to use as they see fit in deciding their constitutions under the new scheme introduced by the Local Government Act 2000. This appears to us to offer a reasonable starting point for the Council in these deliberations.

3. The Executive

The Executive currently comprises eight members, including the Leader and two Deputy Leaders, all drawn from the majority Labour group of Councillors.

The portfolio of each executive member has been published, and it should be clear who is responsible for the decisions taken by executive members (though perhaps continuing publicity is required to increase awareness of those responsibilities in the community).

The Executive publishes a work programme which sets out which decisions are to be taken and when. However, the work programme is not as comprehensive as the 'Forward Plan' will have to be and, in particular, does not set out details of consultation.

All Executive meetings take place in public, except when confidential or exempt business is being considered.

At present representations by Councillors or the public can be made to Executive Members for up to one hour at the start of meetings. Representations can also be made at any time by Councillors or by members of the public either at informal meetings or via correspondence.

Executive meetings have had a clear remit, the benefit of a work programme and support from the Cabinet Secretary. The executive members have been able to work closely with the relevant chief officers and have been able to consider in public some major matters before referral to full council.

It is argued that there has been more accountable decision making as it has been recognised by the press etc that the executive members are the people who are responsible for the major decisions rather than decisions being taken by committee.

However, some non-executive councillors argue that they do not know what is happening and how to contribute to decisions under the new arrangements. The structure of an executive meeting allows for representations to be made by the public and councillors at the start of the meeting. Some councillors have still found this frustrating in that they are not able to engage with the Executive Member immediately before the decision is taken.

We recommend that Executive meetings should in general be open to contributions on particular items at the time of their decision. However, Executive Members should have the right to limit the time available for discussion during the meeting or to insist on it taking place at the beginning of a meeting.

The role of the 'Forward Plan' and the obligation to consult should mean that Councillors have been given an opportunity to contribute to the decision making process that is no less than the opportunity available under the previous committee system.

There is a concern that some important decisions are being taken by officers; as these are not published, the criticism is that councillors may not have been adequately consulted; nor can these decisions be the subject of a call in.

Some decisions are taken by individual Executive Members and some by the Cabinet. Greater guidance is necessary here as to what should be decided and where. This could usefully cover the role of the Cabinet in

the circumstances where there is no overall party political control of the Council.

Individual Executive Members are accountable for their decisions. This is achieved through a number of means: through full consultation before a decision is taken; an openness to any representations made; the decision being taken within the policy and budget framework (agreed by Full Council); by the obligation to publish reports before the meeting and through giving a reasoned decision

4. Overview and Scrutiny

The City Council has established a Scrutiny Management Committee to co-ordinate its scrutiny and overview functions. To this end it has established six Scrutiny Commissions and two rather more limited Select Committees. While the Liberal Democrats, as the main opposition party, have so far declined the invitation to chair Scrutiny Commissions, three are chaired by Conservative members.

The Scrutiny Management Committee has responsibility for the overall co-ordination of the overview and scrutiny functions and the power to establish such Scrutiny Commissions, as it considers necessary.

The original intention was that the Scrutiny Management Committee would have as its members the chairs of all the scrutiny commissions. This has not been possible given the decision of the Liberal Democrat Group not to accept the position of chair of any Scrutiny Commission.

The Scrutiny Management Committee has a responsibility for managing the allocation of some time at full Council meetings, thereby exerting control over when call-in items should be considered by full Council.

Scrutiny commissions have been established and developed their own work programmes and extensive use has been made of co-optees.

The Commissions have support from officers via the Head of Scrutiny and equalities and her team and there is a discrete budget for the scrutiny function.

The scrutiny function in Bristol has been set up as cross-cutting activity. In other words it is not based directly on the departmental structure and each Commission discharges the following functions:

- calling the executive to account - through monitoring and through call-in;
- policy development and formulation – through input into Council policy before decisions are taken and influencing the thinking of the Executive.

Key issues of scrutiny

It is widely accepted that scrutiny is very hard to get right. Scrutiny took place within the traditional system, but was less focused and had less opportunity to influence policy. Under the traditional system, the committee meeting took executive decisions and was also the site of a certain amount of low-level scrutiny.

Scrutiny can take many forms within a council. It can monitor all the decisions that an Executive undertakes or it can emphasise the select committee type work - looking at a particular issue in some detail, and seeking to contribute towards policy. How best to get this balance right has been the subject of much discussion. To be effective, scrutiny needs to be focused, and yet it must not lose the 'bigger picture'.

Below we set out some of the key issues that emerged in reviewing the effectiveness of the scrutiny function:

Party politics

Largely because our political parties are such key mechanisms for organising policy debates, so party political loyalty is central to many of the problems of effective scrutiny. It is understandably difficult for some members of ruling parties to criticise their leaders or promote alternative policies in public, even if this happens in private meetings. Similarly, it can be irresistible for members of minority parties to see only the negative aspects of proposals coming from their political opponents.

We recommend that Councillors take note of the fact that many members of the public expressed to us the view that excessive partisan behaviour serves only to diminish the role of the Council, of Councillors and of local politics in the eyes of the electors and that this is to the detriment of local democracy.

Policy development and timetabling

The transitional constitution has recognised the importance of two different roles of overview and scrutiny: holding the executive to account and policy development. The majority of Commissions gave emphasis to the policy development role, in that they identified two or three priority areas of work that they would develop on their own initiative throughout the year.

We note that the proactive element of scrutiny is especially important and offers real power and influence to Councillors and important opportunities for wider public participation.

We recommend that the Council continues to support the development of the scrutiny function in all possible ways.

A number of Executive Members have actively referred issues to the Commissions for consideration and comment. However, the way that the

timetable of meetings has been constructed this year has not assisted this referral process, with Commission meetings following Executive meetings in the cycle. At times, this could then appear to mean that commissions were delaying decisions or were being consulted as an afterthought. In this new system, it took some time for the executive to plan ahead and publish in advance proposed decisions. Again, this gave the impression that scrutiny was an afterthought. It is suggested that some of these issues relate specifically to this being a start-up year, and others relate to the timetable established this year.

If Commissions were timetabled to meet before the executive, then there could be a smooth flow of reporting from department to scrutiny to executive. This would assist officer planning of the process and make explicit that the Commissions were an important vehicle for consultation prior to decision making.

We note that the new obligation to publish the Forward Plan on a monthly basis should ensure that all Councillors and interested members of the public are forewarned of 'key decisions' to be made in the coming quarter. In this respect they will be better informed than in the past and this is to be welcomed from a democratic point of view.

The management of scrutiny

The Scrutiny Management Committee has also been the site of political controversy. This has focused on the relationship of Commissions to the Scrutiny Management Committee and the management of call-ins. Bristol has been ahead of the Guidance in establishing a co-ordinating committee for scrutiny. The Commissions are established by the Scrutiny Management Committee to deliver a comprehensive scrutiny function and therefore cannot be fully independent of the Scrutiny Management Committee. However, we do not see this as a serious problem for the effective discharge of the scrutiny function.

The co-option of additional members

Bristol has had a tradition of using the expertise of co-optees to enhance the work of committees, to underpin participation and to enhance and extend democracy. This tradition has been extended to commissions, with approximately 40 co-optees from business, the voluntary sector bodies and universities for example being involved in the various Commissions and Select Committees.

However, the use of co-optees has itself not been without controversy. The use of co-optees in the committee system was greater in some committees than others. There has been an ongoing challenge to the legitimacy of co-optees on some Commissions. This has necessitated the development and adoption of a protocol for co-optees, where the role, responsibilities and duties of both parties has been spelt out. This remains a contentious issue and the Standards Committee has reported and Full

Council has decided that co-optees should complete a declaration of interests similar to that required of Councillors.

It has also been suggested to us that some co-optees have been used to a greater or lesser extent than others. This may even have developed into a two-tier system among co-optees whereby some enjoy more privileged access to Commission chairs for example than others. We believe it is important that the situation is kept under review in order that any such anomalies are dealt with appropriately.

In addition to co-optees, we think it likely and desirable that Commission chairs and members will make increasing use of advice and information from experts beyond the Council.

We believe that those co-opted onto Commissions for significant periods of time should receive proper training and support in carrying out this role. As is the case with Councillors at present, participation as a co-optee should not leave anyone out of pocket but we do not support the principle of paying co-optees in the same way or at the same level as directly elected Councillors. There may also be grounds for limiting the involvement of co-optees to fixed periods of time, not least to allow this important opportunity of participation to be shared among a wider group of local citizens.

We recommend that the Council continues to make use of co-optees and other expertise from beyond the Council, that the recruitment of such people is carried out in a transparent manner and in accordance with the Nolan principles of standards in public life and taking into account individual rights to privacy and to equalities issues.

5. The call-in of decisions

Formal decisions taken by the Executive do not come into force until five clear working days after the meeting and any two or more Councillors may call in a formal decision of the Executive within five days of the decision and require the relevant Scrutiny Commission to review the decision.

If the Scrutiny Commission disagrees with the Executive decision, then it may refer it either to the Executive for reconsideration or to the Scrutiny Management Committee.

The Scrutiny Management Committee may refer a decision back to the Executive or refer a decision to Full council. Full council, after debate, may refer the decision back to the executive, but it should be noted that it is not for full council to take the decision.

The manner in which decisions are to be called-in has proved to be contentious. The main argument against the present system is that it requires two committees (the Scrutiny Commission itself and the Scrutiny

Management Committee) to reconsider whether or not a decision should be referred to full council and some say this is unduly bureaucratic. In our view it illustrates vividly the complexity of Council procedures and highlights the challenge facing most members of the public in understanding how the Council works.

The issues in this area are quite complex and detailed, and are better dealt with in the detailed review of the standing orders currently being undertaken.

However, we hope the Council will rise to the challenge of being able to explain to the citizens of Bristol what its procedures are in such a way that they feel able to engage with them if they are so inclined.

6. The Political Management Committee

It seems that Bristol is unique in having established a Political Management Committee.

The Political Management Committee has no executive powers but is a forum for debate between the executive and leading members of the minority parties. The leader of the Conservative group currently chairs this committee. It enables the minority parties to discuss the forthcoming work plan of the executive and to make suggestions as to where decisions should be taken. The committee also 'owns' a time slot at full council, thereby ensuring that the minority parties can be certain of having their motions or issues debated at Full council.

Whilst the establishment of such a committee has been the subject of party political dispute, there would seem to be a clear arguments in its favour. In different circumstances the same results could occur through informal meetings, but formal meetings do ensure at least the possibility of a meaningful dialogue through providing a guaranteed context and opportunity for that to take place.

As noted above, the revised guidance issued by Government has introduced the requirement for the Executive to produce a Forward Plan of major decisions it intends to take over the coming year. While this may reduce the need for the type of Political Management Committee seen in Bristol, it will not in our view do away with it altogether. However, the possibility of a Council of a different political composition after the next round of local elections is the most significant factor in this respect.

7. The Regulatory committees

The role and operation of the Regulatory Committees, dealing for example with the licensing of premises, has not altered significantly under the interim constitution nor is it likely to in the future. Nevertheless, we recommend that these procedures are kept under review so that the public

with an interest in these matters know how best to engage with these forms of decision making.

8. The Standing Orders

The Democracy Commission decided that we would not be making best use of our limited time in carrying out a detailed analysis of the Council's standing orders. However, we were pleased to note that the Standing Orders (the rules that govern the nature and conduct of Council meetings) are now recognised as only part of the Constitution. The Constitution should clearly set out what the Council is for, how it works and how citizens can engage with decision making processes. This document must be made widely available and must be written in such a way that it genuinely enables the people of Bristol know how their council works and how they can work with it.

9. Area Committees

This matter is addressed in detail in Section Four of this report.

10. Best Value

At this stage we feel unable to do more than support the recommendation of the District Auditor that:

"The City Council should at an appropriate point evaluate the effectiveness of its political and management arrangements in contributing to the success of Best Value".

We also note that many have pointed to the important role to be played by Councillors in helping to carry out best value reviews. We support this, not least because it shows an important area where Councillors can be active and make a valuable contribution outside of traditional committees.

11. Delegations to officers

Under the traditional committee system many decisions were taken, discussed or noted within committees. To many Councillors these processes constituted one of their main *raison d'être* and we heard from some of their concern at the number of decisions now being taken by officers rather than Councillors in committee.

We believe that the new constitution (under whichever model) will serve to remove some of the current ambiguities about the delegation of decisions to officers and reporting of them back to Councillors to enable adequate scrutiny.

3.3 Leadership options

Prior to 2000, all local authorities adopted essentially the same internal leadership structure in which the majority party or a coalition of parties determined the overall leadership of the Council and the chairs of committees. Under the new arrangements brought in by the Local Government Act, 2000 a choice of new leadership structures is available to each Council, but the *status quo* is not an option. A varied pattern across England is therefore likely to emerge over the next few years, although quite how varied remains to be seen.

At the outset it is worth noting that, constitutionally, the only choice available in considering the future model of leadership of the City Council is among the three options presented by Government. During the two Democracy Conferences and in other evidence received, many expressed the view (and some expressed it very strongly) that these three options were unduly limited and in themselves un-democratic. In this it was not entirely clear whether these objections were to the lack of other alternatives, including that of retaining the *status quo*, or to the fact that change was being forced on them.

Some argued that because the alternatives propose relatively new arrangements for English local government, it is difficult to know how they might work in practice and how they might develop over time. We recognised this, but did not feel that this uncertainty and unpredictability could justify the Commission not accepting the responsibility for coming to a view on the matter.

In giving evidence recently to the Environment Sub-Committee of the House of Commons select Committee on Environment, Transport and the Regions, the Minister for Local Government and the Regions, the Rt. Hon Hilary Armstrong defended the Government's position of driving forward change in this way in saying,

"They (Councils) are part of a nation which has a legislative framework. If we are to police that legislative framework then we have to make sure that there is some coherence within local government in order to do that."
[Answer to question 430, 20 March 2001]

In reviewing discussions and debates taking place nationally and in the evidence given to us, we can summarise the arguments presented against the mayoral options as follows:

1. Public attention becomes concentrated on personalities rather than their policies during any mayoral contest and local politics becomes more 'quixotic, authoritarian or theatrical';
2. It will be difficult to remove a mayor who is not doing a good job;

3. Candidates from political parties will be vetted and possibly imposed by the central party machines;
4. The cost of standing for election and campaigning will deter all but the wealthiest of independent candidates;
5. There is a danger of prolonged stalemate between the mayor and the rest of the Council;
6. Senior officer roles are likely to become much more politicised.

The main arguments presented to us in favour of the mayoral options can be summarised as:

1. Outward facing leadership takes precedence over internal party political management;
2. The local leader is more visible and hence accountable to a much wider range of local stakeholders, including being directly accountable through the ballot box to the electorate as a whole;
3. There is greater scope for tapping into the skills and enthusiasms of a new generation of local politicians who might otherwise look only to Westminster or even beyond local democratic politics to meet their civic ambitions;
4. Competition for local leadership would be more likely to focus on clearly presented issues of local significance rather than on the performance of central government and national politics.

Turning to the preferences or conclusions expressed, there is a significant division between the views of the public at large and the views of Councillors about the preferred model of political leadership. In the results of the Citizens Panel and other surveys, in views expressed at various meetings, including the two Democracy Conferences, and through answers to questions posed in other leaflets, a clear preference emerged in the views of the public. Broadly speaking, at this stage the public prefers the option of being able to directly elect a mayor and then to have that person select a cabinet to help them govern. There was also significant support, especially among the business community for the option of Mayor and council manager.

On the other hand, Councillors and indeed many senior officers of the Council made clear in their evidence to us their preference for retaining the system available since 2000 of having the ruling party select a leader and a cabinet. It is less clear what their views are on how this arrangement would fare with no overall control among the parties.

The results of the survey of the Bristol Citizens' Panel showed the following distribution of support for the three options:

Mayor with Cabinet: 38%
Mayor with Council Manager: 32%
Leader with Cabinet: 21%
n=1065

We recognise that all the evidence we have available on the views of the public at large indicate support for one or other of the mayoral options. This in itself does not mean it is the most sensible path to follow, merely that the public seems to support it at this stage.

The choice between the two mayoral options (Mayor and Cabinet or Mayor and Manager) is more finely balanced in the eyes of the public. The Mayor and Manager option is attractive to many outside the Council as it provides a particularly clear allocation of responsibilities on both the political and administrative sides.

Again there is an interesting difference in the views of Councillors and chief officers on the one hand (in other words experienced insiders) and the public on the other hand. The Mayor and Manager model was least favoured by officers and Councillors but was the option preferred most by local business people (in their response to the survey). This could be because it represents the greatest concentration of power in the hands of the smallest number of people. However, it might also be because it again is furthest from the *status quo* and is held to be a very American form of local governance and not part of the British tradition of local government.

The option of a Leader and Cabinet was recommended to us by the leaders of the three political parties represented on the City Council and also favoured by just over one fifth of those completing the Citizen's Panel survey. In addition to the concerns set out above, they expressed concern that too much power would be placed into the hands of one person - the mayor. This would in turn increase the likelihood of corruption, incompetence, poor decision-making and lack of democratic input according to the Liberal Democrats. The Conservatives expressed concern that the political climate at the time of a mayoral election would outweigh any sensible assessment of the qualities of the mayoral candidates. In the view of the Labour group there was a danger that public attention would focus unduly on the position of leader and not on the powers available to the office holder.

We note, however, that these arguments focus almost entirely on the perceived shortcomings of a mayor, rather than on the positive virtues of a leader being selected by Councillors and not directly by the electorate as a whole.

Some commentators (eg Stoker and Williams, 2001) have suggested that the Leader and Cabinet model, while new, is favoured by existing councillors because it represents the situation closest to the *status quo*.

This in turn might be seen to reflect an inherent reluctance to move away from a system in which they have grown used to managing and operating, but which the public at large finds difficult to understand.

On balance and after extensive deliberation of our own, we favour the option of Mayor with Cabinet, but there was also support within the Commission for the other options.

A majority of the Commission recommends that the Council proposes the option of Mayor with Cabinet to the Secretary of State later in the year.

Given the diversity of views received and amongst ourselves and as this is the most important constitutional change affecting the management of local government in Bristol for over one hundred years, we strongly believe that the electorate of Bristol should have an opportunity to decide themselves how their Council is managed.

Whilst the use of local referendums has been the subject of some controversy in the city of late, in our view it would be a sensible and appropriate course of action in this case. It would allow for proper political campaigning and debate of the issues and provide a robust test of public opinion.

We note that if the Council proposes to adopt either of the Mayoral options, a local referendum will be triggered automatically. If the Council proposes the option of Leader with Cabinet, then a local referendum is not triggered automatically. However, the Council can ask the Secretary of State to direct that a local referendum is held. Alternatively a referendum can be triggered by a petition of at least 5% of the electorate.

We recommend that the Council ensures a statutory local referendum is held to determine its future constitution.

This section has so far focused entirely on the issue of political leadership. However, we note also that the most senior officer of the council at present is known as the 'Head of the Paid Service'. Whilst this title is obviously legally correct, we believe it is not best suited as the public name of the Council's most senior officer, especially in the eyes of other local public bodies.

Much of the 'modernising agenda' is about clearly identifying responsibilities so that the public and other agencies know who is responsible for what. Whilst the argument has been primarily about elected members, the same need for clarity applies to officers and their roles.

We suggest that the title 'Chief Executive' is better understood than 'Head of the Paid Service' by those beyond the Council and better signifies the leadership of the officer corps. Moreover, we believe that much of the support for the Mayor and Manager option stems from the clear administrative leadership that this implies and feel that a change of this type would be welcomed by many.

We recommend that the Council debates the proposal that the most senior officer of the Council should be known as the Chief Executive as part of the wider debate on its future constitution.

4. NEIGHBOURHOODS AND DEMOCRACY

4.1 The case for local democratic structures

Bristol is a relatively centralised city with most local government decisions being taken at the city-wide level. Similarly, most public consultations, even those that deal with issues in particular localities, are organised by the city administration. Very often this is the appropriate level, but increasingly suggestions are heard that some decision making and the expression of views should be organised 'from below' in neighbourhoods.

The debate about 'neighbourhood v city government' is based upon the same premise, and confronts similar problems, as the 'central v local government' debate. What powers and functions are to be passed 'down' to a more grass-roots level? What type of neighbourhood unit can best deal both democratically and effectively with these functions? How would this affect the role of the Councillor?

4.2 The current situation in Bristol

A number of ad hoc structures exist below the level of the City Council in different parts of Bristol, but there are no coherent local democratic structures across the city. Among these *ad hoc* structures are:

- 14 areas housing committees dealing with relations between the city council and its tenants;
- Other specialist forums such as local library committees and school governing bodies;
- Local Action Groups established by the Police;
- Development Trusts exist in some areas and two of these have boards elected on a similar basis to local councillors;
- Community Partnerships, notably in Barton Hill and Hartcliffe & Withywood, have been established to administer 'regeneration' funding;
- Many neighbourhoods, but by no means all, have residents' groups, community forums, neighbourhood councils etc. Generally, these are unofficial bodies with little or no link to the formal democratic structures of the city or, in practice, to their local populations.

One Councillor was able to list, off the top of her head, around a dozen 'citizens' groups' in her ward whose meetings she was expected to attend.

Each comprised a handful of people, all focused upon a single, but different, issue.

All of these bodies together, with the possible exception of the two directly elected development trusts, function without the knowledge, interest or participation of the overwhelming mass of Bristol's citizens, including those in their own area.

In addition to geographically focused groups, there is a range of community groups centred upon non-geographical interests. The city council itself sponsors forums for older people, disabled people, women, gay men and lesbians, black and ethnic minority groups and young people. There are additionally many independent organisations representing these and other interests. These groupings often serve important representative functions and are an important part of our democratic system. The interest of non-geographic communities must, therefore not be neglected or undermined as we develop geographic representation.

Several people argued to the Democracy Commission that, despite their shortcomings, the very wide range of ad hoc bodies across the city had provided a valuable recruiting and training ground for citizens who might otherwise have been excluded and who, in some cases, have gone on to contest elections at the City Council level. Over recent years they have been an important sounding board for both councillors and city officials in gauging local and specialist opinion. We are sure that this is true, but is it enough?

4.3 Some principles for local democratic structures.

Some form of democratic structure should be established at the neighbourhood level, ie between the City Council and the individual citizen.

This structure should seek to bring some order to the existing situation, but need not impose a uniform system across the city.

The design of any new structure should ensure that the needs of 'socially excluded' individuals are considered and that 'additional' active citizens should be drawn into the structures rather than that they be merely a re-arrangement of the activity of existing participants.

These structures need not be limited to over-sight of the service delivery of Bristol City Council. They should also seek relationships with other agencies such as the Police and Health Services. Their tone should be proactive with a general interest in the well-being of their area.

The new structures should be appropriately funded and supported by Bristol City Council, but must be seen to be independent of the council rather than as an extension of its bureaucracy.

4.4 Main options

The Democracy Commission was presented with several passionately argued options. Among these were:

Area Committees

Area Committees are envisaged as decision making bodies with real power devolved from the city level to the local area, which nevertheless remain under the formal oversight and responsibility of the Council's Executive. They might be established at ward level or more probably cover two or three wards. Key participants would be the relevant ward Councillors, since under current legislation, key decisions about the delivery of local services and the expenditure of public money can only be taken by Councillors or by officers to whom specific powers have been delegated.

Neighbourhood Forums

Neighbourhood forums are distinguished in that they cannot take decisions concerning those matters under council authority. They are conceived primarily as consultative bodies whose membership and geographical interest is therefore quite flexible and can respond to local needs.

Urban Parish Councils

There is a long history of parish government within the rural counties and there are a few examples of parishes in big cities, usually when the city area has expanded to take in new areas where a parish already exists. A parish area will have clearly defined legal powers, for example, over community buildings, leisure facilities, playgrounds, parks, local environmental issues, litter bins and allotments. It may also raise a small rate to fund its activities. There are no parish councils in Bristol at present.

Development Trusts/Regeneration Partnerships

The Democracy Commission's attention was drawn to the strong local growth of development trusts. Around twenty exist within Bristol in various stages of maturity. Two in particular, Southmead Development Trust and Knowle West Development Trust, have managing boards directly elected by local people broadly on the same electoral register as local councillors, MPs and MEPs. It was proposed that some at least of these locally rooted organisations might deliver some local services on behalf of the Council within their own neighbourhoods.

At the same time, community based partnerships are emerging to deliver regeneration programmes financed with Central Government and European resources. The Hartcliffe and Withywood Community Partnership and Barton Hill's Community at Heart Partnership were given as examples

Much of the city is not covered by either development trusts or community partnerships, but the suggestion has been made that those that do exist offer significant centres for local organisation and participation and should be harnessed in some way by the new democratic structures.

We recommend that a 'local boundary commission' comprising both political and other expertise should be set up with the task of dividing the city into a number of areas. These areas should be multiples of two or three existing wards and hence should number between eleven and eighteen.

We recommend that the Councillors in each of these areas should be invited to work with existing local groups and stakeholders in the area to develop a network of neighbourhood forums. These might utilise development trusts, community partnerships, residents groups and the wider range of voluntary and community groups. The aim would be to audit what was already in existence and consider ways to involve new people and a broader range of stakeholders in a consultative process. They may, for example, include representatives from business, the police, local schools and so on.

We recommend that Councillors as significant local community leaders must play a prominent role in this process, but they should be supported by the Council either through the ward support officers mentioned earlier or through their access to a specific fund for purchasing support from elsewhere (for example from existing local groups with community development skills).

We recommend that once these neighbourhood forums are established and operating effectively, the Councillors for the area could apply to the Council to establish an Area Committee with more extensive powers of decision making and spending.

We recommend that mechanisms should be put in place to allow the neighbourhood forums to apply directly for Area Committee designation in the event that the Councillors were not prepared themselves to support an application.

We recommend that the Council should judge any such applications against various criteria. These might include the requirement that Neighbourhood Forums are functioning well, that a wide range of people are actively involved in the deliberations using imaginative and inclusive techniques and that all sections of the communities in the local areas are engaged. They might also include a requirement that

Forums have established constitutions and observe best practices in addressing equalities issues. If these criteria were met then the Council should be obliged to agree to the devolution of the powers and funds requested unless there were significant reasons for not doing so. These might include any statutory limitations as well as considerations of overall efficiency and equity in service delivery and policy development.

We envisage that formal responsibility for decisions would remain with the local Councillors for the area, who would be obliged to participate in any new structures of this type. The Neighbourhood Forums under this scheme would continue and would serve an important local scrutiny function. In practice it may well be that a relatively large body of members of the Neighbourhood Forums would meet together with the local Councillors to debate and discuss issues of concern, whereupon the Councillors would formally take the necessary decisions.

We believe this approach has a number of virtues:

- It provides a sense of empowerment to local communities
- It builds on existing community networks
- It provides an important role for local Councillors and helps enhance their representative role
- It builds proper checks and balances in the system
- It embodies the principles of subsidiarity whereby responsibility is devolved to the lowest level that is compatible with efficiency and equity

4.5 Making sure a new system works.

Evidence was presented to the Commission to the effect that neighbourhood structures often depend upon the imagination and energy of individuals who ensure that the work of forums is lively, relevant and likely to achieve results. If such people are not present the alternative is often sterile and boring meetings that almost no one attends. It is difficult to legislate for this, but that does not reduce its importance. As far as possible, the design of Forums, the training of members and the support for new forms of engagement should aim to attract and new people into the democratic process. This will require an appropriate level of investment by the Council and others in the development of local social capital.

An advantage of meetings is that citizens can debate issues face-to-face, hear other viewpoints and feel others' concerns, but meetings are not the only way to involve and consult people. For some, they are very intimidating events. Neighbourhood Forums should therefore be supported in exploring other ways of relating to local people through using questionnaires, video consultations, small group discussions and electronic communication.

There is also great scope for involving younger people in these processes. Not only do they often have great knowledge of their areas, but they can also help in overcoming some of the inter-generational tensions that sometimes bedevil local community development activities.

5. OTHER ISSUES OF PARTICIPATION

5.1 Partnerships

It became clear to us during the course of our deliberations that an increasing amount of the City Council's local business - strategic planning, service planning, service delivery, monitoring and evaluation - is carried out in partnership with others. These partners include statutory bodies such as the Health Authorities and Trusts, the police, other local authorities, non-statutory bodies business and community groups.

Since the middle of the 1990s central governments have encouraged local authorities to work in partnership with other statutory bodies such as health and the police, with private business organisations and with groups from the voluntary and community sectors. In one sense, this is not new. Organisations have often co-operated in the past, but often this was ad hoc and dependent upon local decision. Now it is a matter of general policy and often a statutory requirement. New legislation requires Bristol to establish in the near future a further, over-arching 'Local Strategic Partnership' (LSP) that will develop a 'Community Plan' for the city. The LSP will also, almost certainly, be responsible for delivering the Neighbourhood Renewal Strategy (NRS), unless the NRS gets its own separate partnership board.

'Partnership', along with 'community', is a feel-good word and tends to be applied to any formal and informal structures where two or more organisations come together. In discussions with witnesses Commissioners have heard alternative terms such as 'QUANGO', 'officers cabal', 'shadowy government' and even 'old boys' network'. A recent paper identified 26 'key partnerships' in Bristol.

Several witnesses expressed the view that, despite their administrative and other difficulties, partnerships were important and useful ways of bringing organisations together in the process known as 'joined-up government'. Moreover, there are some linkages between different partnerships through overlapping membership - some individuals are members of numerous partnerships. And of course to some this in itself is evidence of an unhealthy concentration of power and influence, while to others it represents an efficient and effective form joined-up local governance.

The Broadmead Partnership and @ Bristol are good illustrations of important local partnerships in action. Representatives of the business community tend to be very positive about the impact of partnerships and felt themselves to be more involved in civic matters as a result.

Within the voluntary and community sectors, whilst 'co-operative partnership' is one of VOSCUR's five core values, some partnerships choose not to include representatives from the voluntary sector while on

others effective partnership is thwarted by the substantial inequalities that exist among the partners.

Bristol City Council is represented on all the key partnerships. Bristol Chamber of Commerce and Initiative is on most partnerships, as is the voluntary and community sector in some form or other. Training and enterprise bodies (such as WESTEC) and the health service bodies also appear frequently as members. In so far as this 'joined-up government' leads to better decision making and improved services – a question beyond the remit of the Democracy Commission – the proliferation of partnerships is not a problem.

However, there are some issues for democracy in the current boom in partnership working. Firstly, it reminds us that fairly direct, locally rooted democratic forms such as regular, public and competitive elections exist in only part of the local decision making machinery. They are unknown or extremely attenuated in other parts of the public sector such as the health service, the police and among local arms of central government agencies. Important decision-makers in business and in community groups, unlike the City Council with all its imperfections, are not answerable to the local population as a whole.

Partnerships are significant in setting policy directions and in spending public money. It is important therefore that their role be examined and that their 'democratic deficit' be addressed, at least in part. The Democracy Commission received relatively little comment on the role of Partnerships. We took this to indicate lack of knowledge rather than contentment. A few argued that Partnerships should be abolished and all functions transferred to the democratically elected local authority. We think that that is impractical.

We note that partnerships are of different types. The most formal typically have a membership that is heavily determined by law or by government policy. Others are typically groupings of organisations where the individuals representing the member organisation change. Finally, some partnerships comprise key individuals whose collective effort is seen as necessary.

We were, however, concerned and occasionally baffled by the complexity of the local and regional partnership scene. Furthermore, we were concerned at its obscurity and its lack of any significant public profile or accountability to the wider public. Both local government officers and representatives of voluntary and community organisations report confusion, where members of one partnership are unaware of the activity of others, even where there are obvious overlaps of function and interest. A recent VOSCUR evaluation identified substantial concern and lack of understanding among community activists. In which case, how is the public at large expected to make any sense of this?

We recommend that the implementation of the new Local Strategic Partnership with its new responsibility for a city-wide Community Plan should, as proposed within the guidelines from central government, be taken as an opportunity to review and reduce the number of overlapping partnerships that currently exist.

We recommend that in addition to the Local Strategic Partnership, a small group of essential specialist partnerships should be identified and considerable effort made to publicise their activity so that they might be better understood and monitored by the citizens' of Bristol.

We recommend that partnerships that continue after the process of rationalisation should identify ways in which they will liaise with each other, share information etc.

We recommend that appropriate and consistent codes of conduct and procedures should be developed for key partnerships to ensure the highest levels of probity, efficiency, equal opportunities etc. This would include open procedures for resolving conflict both between and within partnerships.

We recommend that the work of partnerships should be subject to the general scrutiny and best value processes of the city council.

We recommend that partnerships should work closely with any new neighbourhood structures that emerge and with non-geographical communities of interest representing, for example, disabled people, black and ethnic minorities.

5.2 Other forms of engagement with the public

While periodic elections are effective means of selecting a leader and a body of representatives, there is great scope for other ways and means of engaging the public in debate, discussion and even decision making about issues of local importance.

There is a growing statutory obligation to build effective consultation into the preparation of plans covering most aspects of local service provision.

Various forms of consultation exist that provide opportunities for the public to be involved in different ways in decisions, discussions and deliberations. The Council has been very active in developing these supplementary forms and we were able, for example to experience the usefulness of the Citizens' Panel as part of our work. We would emphasise, however, that useful as these techniques are, they should not be used to subvert the electoral process or representative democratic politics.

These supplementary systems include:

- use of the Citizens Panel for extensive surveys and focus group discussions
- ad hoc focus groups and extensive surveys
- Equalities Forums
- Citizens Juries
- visioning exercises
- consensus conferences
- local and city-wide referendums
- locally-based or issue-based advisory groups

While we have not been able to systematically review the effectiveness of these or any other approaches, much work has been done by the Department of the Environment, Transport and the Regions, the Local Government Association, the Improvement and Development Agency and the New Local Government Network.

We recommend that the Council continues to keep abreast of these developments and continues to use the full range of consultation and participation techniques.

We have also heard evidence of serious public concerns about the way in which some public involvement and consultation is handled, not only by the Council but also by other public bodies. These concerns include:

- the problem of duplication;

- the costs of engagement to many individuals and groups;
- the general public concern that opinions are not really taken into account;
- the inadequate level of resources committed to consultation and other forms of engagement;
- the lack of feedback to those who engage with these processes.

In order to both address these concerns and harness the power of the techniques and approaches listed above, we believe that the Council should build on its current consultation policy and develop a more extensive strategy.

We recommend that the Council develops a corporate consultation strategy.

This should

- address the issue of overlap both within the Council's consultation exercises and with other local public bodies such as the Police and Health Service, in short develop a joined-up approach to consultation;
- identify the particular types of consultation suited to different types of decision or issue, including when it is and is not appropriate to hold city-wide or more localised referendums;
- identify appropriate levels of resource to support meaningful, respectful and effective public engagement;
- provide a clear statement of the principles underlying consultations so that participants can make informed choices about whether or not to engage;
- include a clear commitment to inform consultees and the wider public of the results of consultation and of decisions taken in the light of it.

We believe that such a strategy can help make consultation a more robust element of both policy development and policy scrutiny, and contribute to the development of the neighbourhood structures we describe later in this report.

5.3 Social exclusion and local democracy

From the outset the Commission was conscious of the fact that many groups in society at large as well as in Bristol experience various forms of exclusion. These include exclusion from access to services and exclusion from forums and arenas in which decisions about services and other opportunities are discussed and taken.

The point was clearly made by many witnesses and indeed by members of the Commission that many people's experience of these forms of exclusion leaves them feeling that their voice is not heard, especially by key local decision makers.

We made a special point, therefore, of attempting to make contact with groups and individuals we felt were most likely to experience these forms of exclusion. In doing so we hoped to provide some opportunity, albeit limited, for their voices to be heard in this work. To us this was an essential element of any review of the state of local democracy.

One of the major challenges has been to try to present relevant information about the nature of local democracy and local government to all those with whom we wished to establish a dialogue. We felt that while many people are able to express instinctive views - usually negative - about the nature of local politics, there was a need for more informed and sustained dialogue if all groups were to have a more equal opportunity to debate the more specific issues of local democracy.

Looking back it is apparent that while many people and groups have been encouraged to take part in this dialogue, many also remain extremely sceptical about the whole exercise. Some groups have extensive experience of 'being consulted' either by the City Council or any of the other myriad of partnership bodies, and have little conviction that their views are ever listened to or acted upon. While some recent consultation exercises have been more successful in creating more equitable arenas in which different types of people can exchange their views constructively and with signs that they have been listened to, there remains an underlying and deep seated sense of exclusion among many people.

Thus for some people we spoke with, the relatively subtle distinctions between different political structures and administrative arrangements paled into insignificance compared to the more pressing concerns of day-to-day life. While it is of course possible to argue that political and administrative arrangements play an important part in shaping the resources available to people in living their day-to-day lives, many people feel that they must focus their attentions elsewhere.

Some examples may serve to illustrate these points.

In consultations with school age children and young people, organised by the City of Bristol Young People People's Forum, a wide range of

practical suggestions were made for increasing the engagement of young people in politics. These included:

- making voting compulsory;
- using modern advertising techniques to encourage greater turnout in elections – this is being piloted on commercial radio stations locally for the June elections;
- incentivising voting;
- having ballot boxes in shops and supermarkets;
- making election days public holidays

However, the most powerful underlying message was that young people need to feel that they are being listened to seriously and treated with respect if they are to develop habits of active citizenship.

In discussion with a group of carers, members expressed concern about the number of requests for consultation and the failure often to feedback the results in a way that suggested they had been listened to. The material used by the Democracy Commission in an attempt to explain the key issues of local democracy were described as 'boring' and 'unfriendly'.

From discussions with various groups, including black and other minority ethnic groups of elders, women's groups and parents of schoolchildren, it was often stated that meetings with officers (not just or especially with those of the City Council) seemed designed to 'put people in their place' and to let them know that their views or experience were not valid or core. While we would not suggest that officers set out with this intention (indeed many set great store by doing the opposite), this illustrates how easy it is for many citizens to get this impression and for this to lead to them disengaging from the process.

In consultations with many black and other minority ethnic groups it was said that while the city is clearly diverse, the City Council is clearly not in terms of its ethnic composition. This sends a strong message to many people from these groups that the Council does not exist to serve their interests. Similarly, it is felt by many that the political system - in its broadest sense - does not encourage let alone positively support the engagement of politicians from black and other minority ethnic groups.

5.4 Education for democracy

There is a widespread and growing view, which we share, that from an early age children need to learn about politics, local politics and local political institutions, perhaps captured in the term 'education for citizenship'.

We support the introduction of citizenship to the national curriculum.

We recommend that the City Council does all it can to support this development, for example by collaborating in local pilot schemes to develop and test teaching resources.

We recommend also that the Council continues to pay attention to the various ways in which it communicates with the citizens of Bristol and ensures that it takes every opportunity to help the public understand better what it does, how it does it and why and how it affects them. This includes but should not be limited to work with local schools.

5.5 The Democracy Plan

In 1998 the Council published the Bristol Democracy Plan as a first contribution to the process of local democratic renewal. The plan contains a mix of practical steps and issues for further discussion and debate and represents, in our view, an important statement of public commitment. It also highlights the importance attached by the Council to not only trying to carry out its duties in a democratic manner but also to encouraging debate about the nature of local democracy and how it might be enhanced.

Many of the elements and objectives described in the Democracy Plan have already been touched on in our report – voter registration and turnout, the role of Councillors, the decision making processes of the Council and more general issues of social exclusion, community development and political engagement.

In this respect we feel have reviewed the Democracy Plan in accordance with our terms of reference.

However, a more systematic and detailed review has also been carried out by officers of the Council and has been made available to us. We believe this to be a valuable piece of work that should be considered by the Council alongside this report. It should also be made available to the public.

We believe the Democracy Plan is a useful vehicle for the Council to state its priorities and proposals for local democratic renewal and to review progress over time.

We recommend that the Council up-dates its Democracy Plan and establishes appropriate structures to monitor and review progress towards the goals it sets out.

6. CONCLUSIONS

We said at the outset that democracy is difficult and there are signs that it is in difficulties. But, many of these signs are not easy to interpret. For example, while many people interpret the turnout in local elections as a sign of terminal illness, others note that the proportion choosing to exercise their right to vote has not changed significantly since the end of the last war.

It is also important to note that there is no evidence that Bristol is very different to other cities in Britain when it comes to local politics and local democracy. Indeed concerns about the state of democratic politics can be heard in countries throughout the world. Of course, the precise nature of these concerns and their causes will vary from country to country and from city to city.

In our view these concerns can, however, be seen as a source of some optimism. They suggest that people are still sufficiently concerned about politics, political institutions and democracy to get involved in debates about them. And they show that many people are still willing to move beyond debate to action in support of democratic politics. The willingness of all who gave evidence to the Democracy Commission is likewise a source of optimism.

Our proposals have the potential, we believe, to contribute to a positive change in the culture of local democracy. They represent a three-pronged approach:

- strengthening local political leadership through the direct election of a Mayor for Bristol;
- strengthening the role of Councillors through enabling a full time commitment with better support in their representative role;
- strengthening the position of communities and citizens through developing the role of neighbourhood structures.

We do not anticipate substantial change overnight. Indeed, many argue that unless local government is given significantly greater powers to raise and manage its finances then its internal constitution is of little concern. While sharing these concerns, we nevertheless think that the proposals set out in this report provide a good foundation for the development of local democracy.

Annex A

The following **published documents** were received by the Commission:

- A1. "Bristol Democracy Plan" (1998), Bristol City Council
- A2. Local Government Act 2000, HMSO
- A3. Bristol City Council transitional new constitution 2000 - 2001, Bristol City Council
- A4. Draft government guidance on new constitutions (2000), DETR
- A5. "Listen Up: Effective Community Consultation" (1999), Audit Commission
- A6. "Let's Talk About It - Principles for Consultation on Local Governance" (2000), LGA
- A7. "Modern Local Government: Guidance on Enhancing Public Participation" (1998), DETR
- A8. "Democratic Practice: A Guide" (1998), LGA
- A9. Information on the Citizens' Panel including results of previous relevant surveys, Bristol City Council
- A10. "The Leading of Liverpool - the report of the Liverpool Democracy Commission" (2000), Liverpool Democracy Commission
- A11. "Local Voices, Local Democracy - the report of the Birmingham Democracy Commission" (2000), Birmingham City Council
- A12. "Elected Mayors - For and Against", George Micklewright
- A13. "Neighbourhood Political Structures - the Options", George Micklewright
- A14. "New Council Constitutions: Guidance Pack Volumes 1 and 2" (Oct. 2000), DETR
- A15. "A Review of the Transitional Constitution - an Interim Report of the Head of Legal Services", Stephen McNamara
- A16. Terms of reference of Select Committee on Improving Local Service Delivery / Sub-Committee on Neighbourhood Committees and Structures, Bristol City Council
- A17. "Area Committees - Report of the Head of Legal Services", Stephen McNamara
- A18. "Local Committees - Boundaries and Membership", Professor Paul Hoggett, UWE
- A19. Extract from Guidance on New Council Constitutions on "Area Committees", DETR
- A20. "Town Councils" - extract from "Our Countryside: The Future - A Fair Deal for Rural England", DETR
- A21. "Review of Possible Parishing of the Unparished Area" - Report to Regulatory and General Purposes Committee of South Gloucestershire Council, South Gloucestershire Council
- A22. "Pump Action" article on Parish Councils by Peter Hetherington in The Guardian - 06/12/00, The Guardian

- A23. "An Initial Response to the (Birmingham) Democracy Commission's Report", Executive Committee, Birmingham City Council
- A24. Written submission by Scrutiny Management Committee, Scrutiny Management Committee, Bristol City Council
- A25. Information Pack for all Councillors for Round Table Discussion on Overview and Scrutiny, Bristol City Council
- A26. "Evaluation of the Overview and Scrutiny System of Bristol City Council", UWE
- A27. "Outcomes of the Review of the Overview and Scrutiny Function within the Transitional Constitution and Planning for 2001 - 2002", Scrutiny Management Committee, Bristol City Council
- A28. "Representing the People? Testing Assumptions about Local Government Reform" by Nirmala Rao, Paper in "Public Administration" (No. 2, 1999)
- A29. "New Forms of Political Management Arrangements" (2000), DETR / ID+A
- A30. "The Modernising Agenda: New forms of Political Leadership", Chapter 8 of Rao, 2000
- A31. "Theorising Democracy and Local Government" by David Beetham
- A32. "Widening Local Participation and Involvement - An Options Paper", Bristol City Council

Annex B

The following gave **evidence in person** to the Commission:

- B1. Councillor Peter Abraham, Leader of the Conservative Group on Bristol City Council
- B2. Muhammad Ali, Regional Director of the Council for Ethnic Minority Voluntary Organisations (CEMVO)
- B3. Helen Ball, Head of Scrutiny and Equalities
- B4. Councillor Kelvin Blake, Bristol City Council
- B5. Councillor Dennis Brown, Bristol City Council
- B6. Diane Bunyan, Deputy Leader of Bristol City Council
- B7. Rev. Harold Clarke
- B8. Geoff Francis
- B9. Professor Robin Hambleton, UWE
- B10. Councillor Barbara Janke, Leader of the Liberal Democrat Group on Bristol City Council
- B11. Councillor David Johnson, Chair of Scrutiny Management Committee, Bristol City Council
- B12. Councillor Beverley Knott
- B13. Stephen McNamara, Head of Democratic and Legal Services, Bristol City Council
- B14. George Micklewright, Leader of Bristol City Council
- B15. Sandra O'Shea
- B16. Nick Partridge, Head of Scrutiny at Birmingham City Council
- B17. Professor Murray Stewart, UWE
- B18. Rev. Rod Symmons
- B19. Barry Taylor, ex Head of Corporate Communications, Bristol City Council, now Director of Communications and Marketing, University of Bristol

Annex C

The following gave **written evidence** to the Commission:

- C1. Anon. "The Views of a Bristol Dweller",
- C2. W. Fancy "Democracy for Bristol"
- C3. Elizabeth Williams
- C4. Katherine Demeter
- C5. Belinda French
- C6. Ms. Pat Rose
- C7. Professor Saville Kushner
- C8. John Hatton and Stella Hender
- C9. Maurice King
- C10. South Bristol Green Party
- C11. Tyndale Baptist Church
- C12. Stephen Layland
- C13. Marion Britton
- C14. James Vaccaro
- C15. Dr. Antony Beckett
- C16. Dr. Andrew Schuman

Annex D

The following **consultation surveys** were undertaken by the Commission:

- D1. Survey in special issue of Bristol News
- D2. Survey of Citizens' Panel
- D3. Survey of business people conducted via Bristol Chamber of Commerce and Initiative
- D3. Survey on Commission's website
- D4. Bristol Race Equality Council newsletter survey

Annex E:

The following **consultation events** were held or attended by the Commission:

- E1. "Bristol Democracy Commission: An Exploration of Neighbourhood Democracy and Representative Roles of City Councillors" Consultation meeting with the community and voluntary sector organised by VOSCUR, 24th January 2001
- E2. "Bristol Democracy Commission: An Exploration of the Representative Role of City Councillors" Consultation meeting with the community and voluntary sector organised by VOSCUR, 30th January 2001
- E3. "Democratic Renewal and Communities of Faith: A consultation for Bristol Democracy Commission", 24th January 2001
- E4. Consultation events for young people organised by the City of Bristol Young People's Forum
- E5. Bristol Democracy Commission Conferences, 9th & 10th February 2001

Annex F

The following works are **referenced** in the report:

- F1. Clements R (1969) Local notables and the city council, London: Macmillan
- F2. Crouch C (2000) Coping with post-democracy, London: Fabian Society
- F3. Rao N (2000) Reviving local democracy: New Labour, new politics?, Bristol: The Policy Press
- F4. Stoker G & Williams J (2001) Memorandum submitted to the Select Committee on Environment, Transport and the Regional Affairs, (LAG44)

Annex G

Statement to the meeting of Bristol City Council, 31 July 2001 at which the report of the Commission was debated.

Paul Burton, chair of the Bristol Democracy Commission

When I was invited to join the Bristol Democracy Commission, two factors helped me in deciding to accept. First, it chimed with my view that while local democracy was good in theory, it was not working very well in practice. Second, I was pleased that the City Council recognised this and wanted to do something about it.

Over the next six months, as the Commission listened to the evidence presented to us by a wide range of people, we became increasingly aware of not only the scale of the problem, but also the scope for taking positive steps to enhance local democracy.

Many people pointed out to us that local government in Britain does not have anything like the powers and the financial resources it needs to tackle the local problems that are all too apparent to local people and local politicians. This realisation among the public has contributed to the growing disengagement of many people from the conventional forms of politics, including voting in local elections.

However, we still believe that some things can be done differently and that the long, slow decline in local politics can be arrested and, in time, reversed. We came to the view that in order to do this, the Council will have to continue to demonstrate civic leadership and show that it is prepared to be bold and to take risks in trying to revive popular interest in local democratic politics. If you turn away from the possibility of radical change in principle, then there is little prospect of halting or reversing the decline I have just mentioned:

Our recommendations fall into three broad sections: strengthening political leadership on the council; strengthening the role of councillors; and strengthening the opportunities for more of the people of Bristol to get involved in meaningful local democratic politics. We believe that a degree of balance between these three sections is important – if one is neglected, the others are weakened.

I would like to draw your attention to just one of our thirty-five recommendations as this embodies what we see as a vitally important principle. This is the principle of giving the people of Bristol the opportunity to decide, through a statutory referendum, which constitutional model they would like the council to adopt in the future. If

the Council supports the recommendation of the Cabinet to adopt the Leader plus Cabinet option, then there is no obligation to hold a statutory referendum. However, the Commission felt that it would be more democratic if the Council nevertheless asked the Secretary of State for a direction to this effect. Bristol would be the first council in the country to place its trust in its citizens in this way.

I would urge you to remember this when you come to debate this point later in the meeting and to show that you have confidence in at least two things. First, in your ability to present a sound and compelling argument to the public in favour of whichever position you choose, and second, in the ability of the people of Bristol to listen to your argument and to vote accordingly. If you do not have this confidence then it will be difficult to convince the public that the more specific measures we propose are likely to halt the long, slow decline in local democracy.