# building better communities
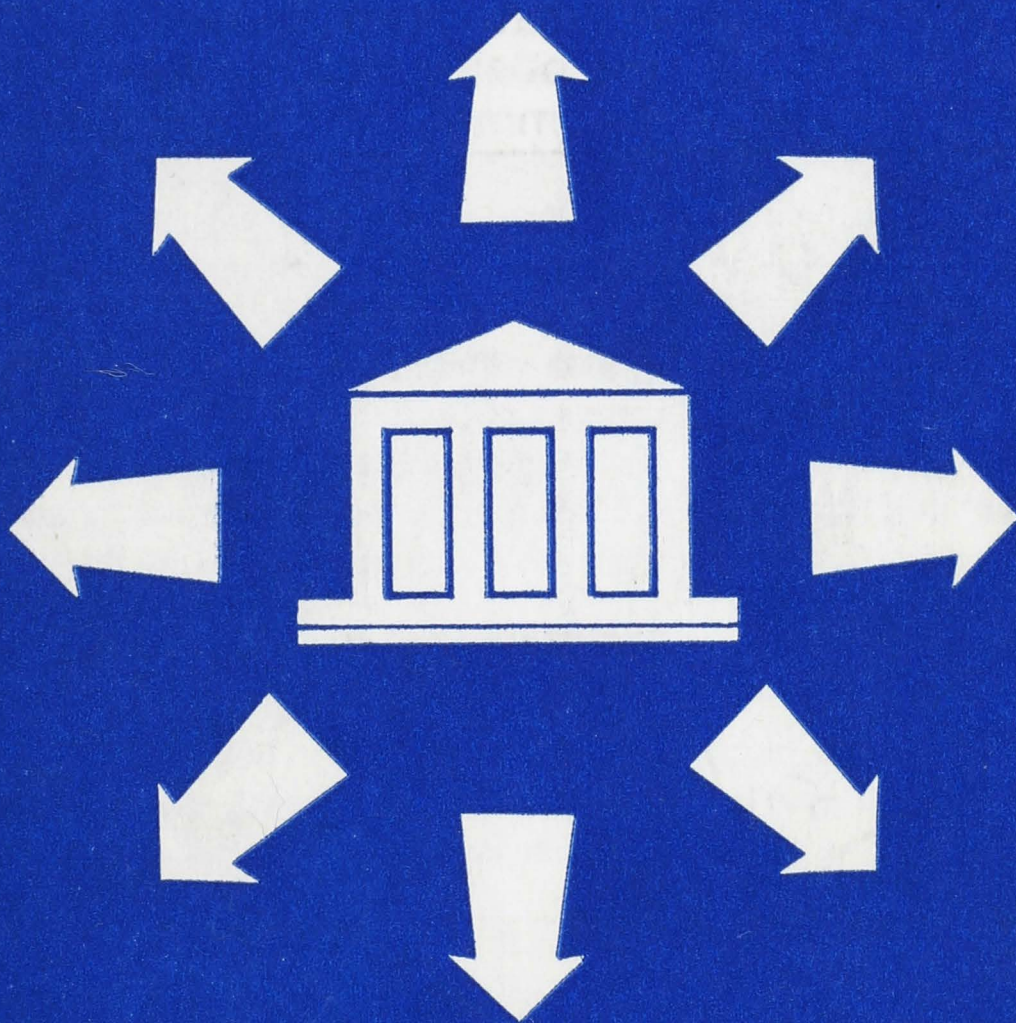
## Chris Cossey
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initiatives in local government

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# fabian tract 429
# building better communities

# initiatives in local government

## Colin Crouch

**series editor**

In local authorities throughout Britain local councillors and their officers are constructing new policy initiatives and developing new ideas to meet the challenges of changing situations; but little of this innovation and political creativity receives widespread attention. For most people the actions of their local councils are remote and obscure, indistinguishable from those of the many other authorities, public and private, which impinge on their lives. Others see local politics as just dull, or see councils as simply the local executive agents of central government.

In part these perceptions are not false. Many local authorities are dull and uninspired, and central government does impose many limitations on the autonomous power of councils. But if one looks for it one will find many examples of where these constraints have not proved fatal, and where local political initiative flourishes; and this gives encouragement that many of those authorities which seem to do little of interest or importance could do so if they watched the examples of their colleagues elsewhere.

There are many reasons why ideas do not spread, but important among them are the practical difficulties involved in councillors trying to build up knowledge of policies being pursued elsewhere. Volunteers, over burdened with committees and paperwork, many councillors find it difficult to keep fully in touch with their own ward, let alone with towns and cities hundreds of miles away. It is the aim of this new occasional series of Fabian pamphlets to make a small contribution to improving this situation. Its purpose is to present, for councillors and others who are interested, examples of the potentialities of local politics. Sometimes this may mean discussion of several alternative approaches to a specific problem; other pamphlets will present extended discussion of one or more examples of practical initiatives by particular local authorities.

The series will only be worthwhile if it can be of practical use to those involved in local government, and if it accurately reflects the range of activities of Labour councils throughout the country. Its chances of meeting these objectives will be greatly helped if councillors and others contribute to the series, suggesting issues for future pamphlets, or better still offering drafts of pamphlets or parts of pamphlets. Those interested should write to Colin Crouch at the Fabian Society.

# 1. better — or just bigger?

"Local government is not to be seen merely as a provider of services. If that were all, it would be right to consider whether some of the services could not be more efficiently provided by other means. The importance of local government lies in the fact that it is the means by which people can provide services for themselves; can take an active and constructive part in the business of government; and can decide for themselves, within the limits of what national policies and local resources allow, what kind of services they want and what kind of environment they prefer." (*Royal Commission on Local Government in England 1966-69*. Cmnd. 4040, HMSO, 1969).

On 1 April 1974, the 1,424 local authorities in England and Wales were reorganised to form 456 authorities. This compares with 1,531 in 1960 and 1,858 in 1930. In October 1973 the 68 local authorities in Northern Ireland were reduced to 26. In April 1975 the 431 local authorities in Scotland will be replaced by a mere 65.

Like commerce and industry, by a steady process of mergers and operational adjustments local government is being reorganised into a smaller number of (with the exception of Northern Ireland) much more powerful units. As in commerce and industry the principal justification for this is the creation of better opportunities for optimum use of resources, economies of scale and consequential consumer benefit. As with company mergers, however, there is no shortage of other, less worthy reasons why local government reorganisation has taken the form it has and has been pressed through against a considerable amount of opposition.

The questions one asks when confronted with a massive programme of local authority mergers are exactly the same as those which have to be asked about industrial take-over bids. Who will benefit—a handful of people at the top, or the electors (shareholders) and employees, or the consumer public, or perhaps even the national economy? And the answers are not so very different. For the local authority mergers with which we are now faced are, first and foremost, concentrations of power in fewer hands. The immediately most obvious beneficiaries are the leading politicians with their bigger empires to govern, the £8,000-a-year chief officers with their bigger empires to administer—and the central government with fewer local authorities to manipulate. That there has been some incidental gerrymandering in the drawing of the new boundaries goes without saying: that was a political inevitability, whichever party had the final say at Westminster. And, if the end product of reorganisation contains almost as many contradictions and innate weaknesses as the structure it has replaced, this is ironically not because we have had change for the sake of change (as the conservatives of all political parties have argued) but because the organised opposition tended to argue against change of any sort—or simply for the protection of vested professional interests.

## the new structure

As a result there are probably very few people with an interest in British local government who are entirely happy with the form of the present reorganisation. Even those who favoured the county/district approach in preference to the "unitary" structure proposed by the Redcliffe-Maud Royal Commission, a structure accepted by the Labour Government in 1970 (*Reform of Local Government in England*, Cmnd. 4276, HMSO, 1970), will be inclined to regret the final outcome. There were, from beginning to end, too many compromises, too many gestures to traditionalist thinking, too much influence from Whitehall bureaucrats and too ready an assumption that ancient feuds between the tiers and types of local authority would disappear with the new clarion call for a new spirit of positive collaboration.

One of the biggest weaknesses seen in the existing local government structure, and made much of in the royal commission report, was the conflict of interests

between counties and county boroughs and the consequent fragmentation of services within administratively coherent catchment areas. The Royal Commission's answer to the problem was to propose (outside London, Birmingham, Liverpool and Manchester) 58 all-purpose authorities. The Conservative Government's solution (*Local Government in England: Government Proposals for Reorganisation,* Cmnd. 4584, HMSO, 1971), following Peter Walker's conversion to the " save the counties " cause, was a " two-level " structure of counties and districts, each with an exclusive range of functions and responsibilities defined by statute. We are no longer talking of " tiers " of local government, said Graham Page, from 1970 to 1974 Minister for Local Government and Development, but of " spheres". The " two-sphere " structure would end the animosities and frustrations inherent in the old tiered structure, because each local authority would be self-contained in its range of tasks and duties.

## possible difficulties

It has not worked out like that, of course. The wide range of concurrent powers, also shared to some extent by the increasing number of parish councils, coupled with the complexities of " agency arrangements " will see to that.

Between the new counties and districts there is bound to be conflict and tension, increasing rather than diminishing as they define more emphatically their policies and interests. Already at national level the local authority associations have been busy demonstrating this inevitability by their unwillingness or inability to agree to form a single association or a federation. Instead of a county-and-district structure with clearly defined roles in each " sphere ", and a healthy creative tension between separate interests, there is complexity and confusion. Instead of federated local authority associations, with a healthy creative tension between the county, district and metropolitan authority interests and a unified approach to common-interest issues (especially in negotiation with Whitehall), there are to

be three associations working, thinking and acting separately. (The associations in England and Wales are: the Association of County Councils; the Association of District Councils; and the Association of Metropolitan Authorities serving both county and district councils in the six metropolitan areas of Greater Manchester, Merseyside, South Yorkshire, Tyne and Wear, West Midlands and West Yorkshire. Scotland has a two-level structure of regions and districts and its own local authority associations).

## possible advantages

But, for all the disappointments, reorganisation will certainly bring measurable improvements on the old structure. The new local government may look much like the old local government, especially with the granting of city or borough status to many of the districts and the preservation of their mayoral trappings; but there will also be big and important differences. The scope for economies of scale in the provision of major services is the most obvious. There will also be new opportunities for bolder and more rational use of available resources. There will be scope for new political initiatives at local level. The public, the " customers " of local government, will impose greater demands and have higher expectations. The new local authorities will admittedly be more remote from the public at large; but they will be stronger, and their greater strength is potentially a power for good.

One of the strongest arguments put forward against reorganisation during the long pre-legislation debate was that "bigger does not necessarily mean better", and there is indeed no shortage of evidence to support this. As the Royal Commission report put it, " The overriding impression which emerges " (from research studies carried out on its behalf) " . . . is that size cannot statistically be proved to have a very important effect on performance." There is other research evidence, on the public services in this country and the USA and on manufacturing industry, demonstrating not only that

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general efficiency and performance quality do not increase with operational size, but also that above a certain size efficiency is liable to decrease. One of the problems now facing the new local authorities is that some of their key functions —housing and the social services, for example—will be administered on a scale which puts quality of performance at risk. On balance, it could be argued, in defining the relative importance of managerial efficiency and " grass roots " democracy, Government and Parliament have emphasised the former.

But we have to live with the mistakes of Governments and Parliaments. On the basis that for better or worse local government has a new shape and form which must be made to work as well as possible, the necessary positive response now would seem to be "Bigger must not be allowed to mean worse." The challenge before the new authorities, their council members and their officers, is to take full advantage of the greater scale of operation, but at the same time to take every possible measure to avoid a build-up of bureaucratic torpor and functional slackness.

The expressed objective of reorganisation was to strengthen local government. The new counties and districts will be powerful bodies enjoying considerable scope for the development of ambitious and imaginative programmes. They will be frustrated to some extent by the structural weaknesses built into the new local government system ; but the opportunities before them through their own initiatives to reshape their communities are enormous. They must be seized.

# 2. how autonomous are local authorities?

" Acts of Parliament vest powers directly in government departments and in local authorities. Within the terms on which those powers are bestowed, local authorities are autonomous bodies . . . This does not mean, of course, that departments have no other ways of influencing local authorities. But it does mean that in the last resort those authorities can challenge the right of departments to control." (J. A. G. Griffith, *Central Departments and Local Authorities,* Allen and Unwin, 1966).

Elsewhere in Professor Griffith's excellent study of the relationship between central and local government the autonomy of local authorities, the constraints of the " terms of the powers bestowed " and the concept of partnership between Whitehall and town hall are interpreted with even greater emphasis on the importance of challenge. " To the extent that the interests of the two groups inevitably conflict ", he writes, " there can be no partnership but only a decision." To talk of partnership is a " pleasant and comforting evasion of the problems."

Yet there is increasing talk of partnership. Since Professor Griffith's book was published in 1966, this has been encouraged by at least two developments—the creation of stronger local government units under the Local Government Act 1972, with the associated relaxation of minor controls by Whitehall (over two hundred by the end of 1973), and the development of new collaborative methods of working out block grant and capital expenditure needs and allocations. And, because these are welcome developments, local government spokesmen have been heard to talk about new opportunities for partnership as enthusiastically as the civil servants who devised them. Why this is so, unless it is a desperate acceptance of what is regarded as inevitable, is hard to understand.

For the " partnership " is so much on Whitehall's terms that it is hardly partnership at all, rather just a modest degree of preliminary consultation. Local government reorganisation has transferred no powers or functions from central to local government, and it has taken away from local control some responsibilities of major importance—health, water and sewage disposal. Equally significant, while allowing local councils more discretion in their committee arrangements and chief officer appointments, central government has retained control over such key appointments as chief education officer and director of social services. While emphasising how many minor controls it was removing as part of its local government reform package, it was busy promoting legislation—the Housing Finance Act—which has removed from local authorities some of their most highly prized discretions in the shaping of housing policy. (This was written before the Labour Government took office in March 1974. As Labour had promised to repeal the Housing Finance Act, it might now be assumed that local authorities can look forward to the restoration of their former discretions in deciding housing rents and policies. But this would be to underestimate civil servant involvement in the detail of the Act and of any repeal legislation. The Conservative Party aim was to raise the general level of public sector rents and to cut back subsidies in favour of the private sector. The complex way in which this was done, involving detailed Whitehall control and supervision of local authorities' housing revenue accounts, was without doubt the influence of the Whitehall bureaucrats. The Labour Party aim will be to hold down the level of public sector rents and to increase subsidies to the public sector. But the same Whitehall bureaucrats will be there to advise on the means, and it is hardly likely that they will recommend that the controls they have acquired should be so soon abandoned).

## Whitehall involvement

The long history of central government erosion of local authority powers and responsibilities, coupled with ever more detailed supervision of the way in which the remaining functions are performed, has been well chronicled (William A. Robson, *Local Government in Crisis,* Allen and Unwin, 1966). The loss of

functions is predominantly a post-war phenomenon, with hospitals, trunk roads, gas and electricity services, public assistance and rating valuation, and now water supply, sewage disposal and the personal health services passing to central government departments or Whitehall orientated ad hoc bodies. Even where there has been a sound case for the ad hoc body, as in the building of new towns, short-term logic has become long-term expediency: the promise to transfer the assets to the local authority has not been fulfilled.

The increasing involvement of Whitehall departments in the way local councils perform their functions—the directions and advice that come in Orders and circulars, approvals and inspections—has developed alongside the ever tighter financial control, which began with exhortation in the late 1920s and manifested itself most recently with a direct threat from the Tory Chancellor of the Exchequer and other Ministers that, if councils did not "keep in step", it would "call into question the continuance of the present system of local autonomy over current expenditure". (From late 1973 to January 1974: Patrick Jenkin, Chief Secretary to the Treasury; Eldon Griffiths, Parliamentary Under-Secretary at the Department of the Environment; Anthony Barber, Chancellor of the Exchequer; Geoffrey Rippon, Secretary of State for the Environment; and Graham Page, Minister for Local Government and Development. Then, to round off the message, Prime Minister Heath during the February election campaign described "some local authorities" as irresponsible, "spending money like water", and as "a threat" to the Government's realistic management of the national economy. Meanwhile, Mr. Heath's Ministers were busy demonstrating their realism by raising domestic rate relief to unprecedentedly high levels, presumably in case the electorate might think the high general increase in rates was a result of Government mismanagement.) Local authorities have now lived through enough national economic crises to know that their programmes and projections are ever vulnerable to the Chancellor's axe; but even in

"normal" times there is a widespread feeling in local government that the budgetary freedoms are more illusory than real, when one has taken account of the many forms of essential and required expenditure.

## central finance

The orthodox view of diminished local autonomy is that it is the inevitable result of increased dependence on central government grants, as the revenue from the rates has proved less and less adequate for the tasks that have to be performed. But that is certainly an oversimplification. The theory is that greater dependence on local revenues is healthy for local government, because councils are thus more directly accountable to electors for the money being spent. The reality is that there are probably very few instances nowadays where the result of local government elections is influenced, let alone decided, by the rates being levied. The truth is that the strongest influence on councils to hold down their rates comes from Whitehall—in 1973 manifested in its most blatant form so far with the introduction of "rate monitoring." And the more often local government economies are inspired by central government *Diktat*, the more meaningless becomes the concept of local financial autonomy.

As the Government put it in its Green Paper on *The Future Shape of Local Government Finance* (Cmnd. 4741, HMSO, July 1971), "The Government wish to give greater freedom to local authorities, but they cannot evade their own responsibility for management of the national economy, nor can they evade their duty to ensure minimum standards for essential services throughout the country." What this means is that, even if a higher proportion of local government expenditure were to be met from locally levied taxes (and the Green Paper and all subsequent indications of Government thinking show no enthusiasm in this direction), the scope left for local authority discretion when Whitehall has defined the minimum standards and imposed its financial dis-

ciplines in the name of the national economy would remain limited. The quality of the performance of local authorities is inevitably determined by the global sums available to them; and the situation is fast being reached where, one way or another, the Government can exercise total control over the global sums.

It would be wrong, however, to see the heavy hand of the Chancellor of the Exchequer as the sole, or even the primary, reason for the erosion of local government autonomy. Even in the periods of greater economic stability and growth during the past two decades local discretion has been constantly diminished by the active involvement of central government in local policies and programmes. Sometimes this is perfectly justified—in the setting of minimum standards in education and some of the social services for example—but more often it is not. In recent years there has been a tendency for Government departments to involve themselves more and more in the detail of a wide range of the functions local authorities perform. Advice increasingly takes the form of an implicit instruction; monitoring looks more and more like target-setting.

## subtle influence

As William Robson concludes in *Local Government in Crisis,* " Everyone knows where the whip hand lies—and acts accordingly." Not because Whitehall is using legal powers, nor necessarily because it is threatening to withhold grant, but simply because it has trained local government officers to expect advice and therefore to seek and take advice. Robson quotes from Sir Ivor Jennings' *Principles of Local Government Law* (University of London Press): " There are consequences of this close control which are psychological in character and hence outside the ambit of any statutory enactment."

During the long debate about local government's problems, a debate simmering for the past 20 years, the constant symbol of the restraint on local autonomy has been the *ultra vires* principle. Because local authorities are administrative and not legislative bodies, their functions are limited to those for which they have statutory powers. It has been argued that this is both an unreasonable frustration of local authorities' freedom to act in the interests of their communities and a constant brake on local government enterprise. Maud's *Report of the Committee on the Management of Local Government* (HMSO, 1967), referring to the " deleterious effect " of *ultra vires,* commented: " The specific nature of legislation discourages enterprise, handicaps development, robs the community of services which the local authority might render, and encourages too rigorous oversight by the central government. It contributes to the excessive concern over legalities ". Considering the emphasis that had been placed on the need to abolish *ultra vires* (or " soften its rigours ", as the Maud report more modestly suggested), it was paid surprisingly little attention during the big reorganisation debates of 1969-72. It was not mentioned, in so many words, in the Royal Commission report or the White Papers of the Labour Government (1970) and Conservative Government (1971). By the time the Local Government Bill was published in November 1971 it had become clear that *ultra vires* would not be amended, let alone abolished; and this was confirmed during the passage of the Bill through Parliament.

The Maud management report had argued that the rigours of *ultra vires* could be suitably softened by granting a " general competence " to local authorities " to do (in addition to what legislation already requires or permits them to do) whatever *in their opinion* is in the interests of their areas or their inhabitants subject to their not encroaching on the duties of other governmental bodies and to appropriate safeguards for the protection of public and private interests " (my italics). And, indeed, the Government did accept the desirability of including a " general competence " clause in the reorganisation legislation. But it marked no significant progress, for all it did was "spell out " (the words of the Minister

for Local Government and Development, Graham Page, in committee) the existing case law. An attempt by the Labour Opposition to insert the words " in their opinion " was resisted on the grounds that " we have tried to retain the *vires* rule throughout the Bill ". All the clause now does is state that local authorities may " do any thing . . . which is calculated to facilitate, or is conducive or incidental to, the discharge of any of their functions ", as long as it is not prevented or limited by other legislation and as long as the powers exist to raise or lend the necessary money.

## how much leeway ?

The real extent of local authorities' freedom to take initiatives is limited by the definition of local government functions in the Local Government Act of 1972. It could be said—indeed, it should be said— that this leaves a great deal of latitude for local government enterprise; and that is the subject of this pamphlet. Coupled with the "free 2p " (a considerable advance on the "free 1d " under the former legislation) allowing local authorities to " incur expenditure which *in their opinion* is in the interests of their area or any part of it or all or some of its inhabitants " (my italics), as long as this is not provided for under other legislation, the " general competence " clause must be seen as an encouragement to local councils to seize their opportunities. The " free 2p " clause allows local authorities to spend " for certain purposes not otherwise authorised " including contributions to other public bodies and to charities; the " general competence " clause is a positive reminder that councils should not define their functions too narrowly.

Certainly it is regrettable that the Government, in drafting the reorganisation legislation, was unwilling to accept the recommendation of the Royal Commission that " the only limit on the use of the new power " (to spend money on projects for which the council has no statutory responsibility) " should be the wishes of the electors and such restrictions as have

to be placed on local government expenditure in the interests of national economic and financial policy ". But the reasons given in the 1970 (Labour Government) White Paper, and presumably accepted by the Conservatives in office, cannot be lightly dismissed. During all the arguments on the *ultra vires* doctrine the emphasis has tended to be on the thwarting of local authorities' drive for innovation and development. Professor Keith-Lucas has pointed out (" The Too-narrow Powers of Council ", *Local Government Today . . . and Tomorrow,* Municipal Journal, 1962) that, on the contrary, local authorities have very often had to be pushed hard by Whitehall to raise and maintain standards; and the White Paper added the important point that the granting of unconditional powers to local councils might lead to wasteful duplication of services and effort.

It could fairly be argued now, with the Local Government Act behind us, that the " free 2p " is on the low side and that the " general competence " clause might have shown more trust in local authorities to use sensibly any increased discretion they are given. But it is also reasonable to acknowledge that the traditional call of the defenders of local autonomy for the abolition (as distinct from a relaxation) of the *ultra vires* rule has been unrealistic—and to some extent a red herring.

## remaining tasks

Local authorities have a great many extremely important responsibilities. In spite of the lost functions—in the present reorganisation their health services, water supply and sewage disposal— they still have a wide range of complex and demanding tasks. Their role is not less, but more important as a result of local government reorganisation and the general development of our society; their stature will grow and not diminish. The primary task now is to understand the nature of the challenge before them, to accept the legal and financial constraints (while continuing to battle for the easing of them) and to take all necessary

steps to exercise the discretions that remain to them within the constraints.

Autonomy is a relative rather than an absolute state. For example, if one measures the financial independence of local authorities in terms of the percentage of their budgets over which they exercise complete discretion, there is certainly less autonomy than in the past; if it is measured in terms of the sums of money allocated purely at the discretion of local councils, then local autonomy is still considerable and could well grow in the years ahead. If one measures local autonomy in terms of the community services which ought to be locally rather than centrally controlled, then local government has suffered some unacceptable losses of functions; if it is measured in terms of the responsibilities local authorities still carry, then British local government is still in a very healthy state. If one measures local autonomy by the extent of the *ultra vires* restrictions, then the Local Government Act 1972 marks no advance; if one measures it by the range of powers local authorities enjoy, then the importance of local government is growing rather than declining.

The challenge for local government in its " new era " is to seize the opportunities that these powers and responsibilities and discretions offer. Depending on how it responds to the challenge, local government will flourish or it will wither away. It will make a fresh impact on the people it serves, creating a new image and demonstrating a new sense of purpose—or it will die.

# 3. the inhibitions of local government

" While, therefore, the government of the country may excite the interest of the majority of the people to a greater extent than does local government, the reason for it is hard to explain. It is, after all, the local government of the country which is the basis of all our principles of freedom and justice." (J. J. Clarke, *Outlines of Local Government of the United Kingdom,* Pitman, twentieth edition, 1969).

Few people have a positive interest in local government. Indeed, most people are inclined to dismiss it as boring and comparatively insignificant. If you tell them that together the local authorities of the UK are spending about £9,000 million a year, the sum is probably too big for ready comprehension. Even if you bring the message nearer home and add that their own local council has a budget of some £20 million (or £100 million) a year, it will mean very little. The image of " the council " tends to be that of the dust-cart and Dickensian town halls, of mayoral chains and maces, committee men and bureaucrats. The " town hall " for many people is also the landlord, and important in that sense ; but how many people see it also as the arbiter of the good design and appearance of our towns and villages, or as the principal catalyst in attracting and keeping industry and jobs in the area ?

If a commercial or industrial organisation has a poor image, if it looks old fashioned and responds unadventurously to events, we automatically blame the management. There are always reasons which can be identified : the board is too old or too inward-looking ; salaries and wages are too low ; lack of leadership from the top has lowered middle management morale ; inadequate provision for training has led to high staff turnover. In local government the same rules for success broadly apply ; the same faults will be found where the image or reputation of the authority is poor. But there is one overriding fault, common to the majority of local authorities, and that is the tendency to be inward-looking.

It is one of the most striking contradict-

ions of local government that the people elected to represent the public so often " run the business " as though it were a members-only club, as if the electoral mandate were a *carte blanche* to run the borough for four years and then report back to the electors. It is surely equally ironical that local government officers, who rightly place much emphasis on their public service responsibilities, so often resent the idea that they might stand a little more closely to the public they serve. These are generalisations, of course ; there are many members and officers in local government who recognise the importance of more open government, a more accessible administration and good public relations in general, and their numbers are increasing. But there are still far too many elected representatives and senior officers who foster the negative image of a local government which is introverted and insensitive to public feeling.

There are other inhibitions from within, of course. Much has been written about the excessive caution of local government officers, of the common tendency of solicitor clerks to influence policy on the basis of what is allowed rather than what is possible. The appointment of chief executive officers to replace the *primus inter pares* clerks is helping to remove this particular inhibition, as is the greater readiness of councils to look outside the legal profession now in appointing their chief executives. Other management changes inspired or encouraged by the Maud and Mallaby (*Report of the Committee on the Staffing of Local Government,* HMSO, 1967) reports on management and staffing and by the Royal Commission report are designed to engender a more positive and dynamic response to programmes and tasks.

But at the more humble levels of administration the problems can be phenomenal. Because of the nature of many local authority functions—housing, for example, social services problems and environmental health matters—considerable sensitivity is needed in dealing with individual members of the public, and this calls for flexibility in interpreting

policies and rules. At the same time clear policies and firm rules are the only means by which the authority can demonstrate that it is being fair. If the average officer performing a routine job in such circumstances errs on the side of caution, this will often be interpreted as being negative or obstructive.

## bureaucratic tendencies

There are management problems in local government which are identical with those in private companies, of course ; and some of these will become bigger as the organisation and its departments grow in size. The larger the numbers employed, the less easy it becomes to adopt a flexible approach to salaries and promotions. With the very largest companies and the civil service the new local authorities will share the problems of the monolithic organisation, the bureaucratic " red tape " and the job anonymity which make it so difficult to create and maintain high morale. All these factors tend to inhibit the development of a progressive image attractive to staff and designed to build confidence among the local authority's " customers ", the public at large.

Wrong attitudes towards the style and performance of local authorities are still far too common, among both members and officers—the parsimonious assumption that public servants should be willing to make do with inferior accommodation and equipment, for example ; the emphasis on what has been done rather than on what needs to be done ; and all those patriarchal postures which promote the concept of leadership above that of service. In general the expectations of the public are probably much higher than the practical response of the average local authority ; and, if a council is to be sensitive and responsive to those expectations, more effort must be made to define public demand and to measure how far the public is willing to bear the cost. At present such " measurement " (outside what is required by central government statute or directive) consists of little more than the expressed ideology

of a party political caucus—or the assumption without evidence that the greatest desire of most people is to pay less in rates.

Another weakness of local government, related to this last point, is the unwarranted assumption that lay members can fulfil their role with a simple combination of sound instinct and common sense. There are exceptions to all such generalisations, of course ; but it can safely be said—and it needs to be said —that most local councillors are underinformed about the matters on which they are asked to make decisions. This is not because they are lazy, or because they are inadequately served by their officers. Indeed, the opposite is true in most cases. The reason is simply that the information made available to them tends to be too narrow, and when it is broader it tends to be too random. There is too little system in the way elected members (and officers too, in many cases) learn about what is happening outside their own authority.

## competing with London

There are external influences too which tend to depress the image and inhibit the style of local government. The most obvious, perhaps, is the obsession of the communications media with the " big politics " at the centre at the expense of " petty politics " at local level. This makes no rational sense in terms of the relative significance of the impact of central and local government on the daily lives of ordinary people, but it is not difficult to see the reasons for it. Big people (and that does not necessarily mean the best people) gravitate to the big city. The most ambitious councillors look to Westminster ; the keenest provincial journalists have tended to head for Fleet Street. Those MPs who have served a local council apprenticeship as often as not feel, once they have reached Westminster, that they have " outgrown " local government.

In the departments of Whitehall there is a huge public relations machine—at the

## 3. the inhibitions of local government

last count a total of 1,247 PROS. Behind them are senior civil servants who for the most part have no direct experience of community politics and who see local government as simply small scale government. Their whole training, and often their whole working experience, has been within the civil service, with its traditions of superiority safeguarded by the systematic "creaming off" of the academic elite from the universities.

All this is changing, of course. The post-Fulton civil service promises to be less exclusive in the selection for top posts ; and since the second world war the educational and professional standards of the top echelons in the local government service have risen considerably. Local government officers today are in no sense inferior—indeed, they will often claim to be superior in many ways—to the officials of central government. Local authorities are slowly beginning to understand that they too need effective public relations machinery. And with the evidence of greater vitality in the provincial press and the development of local radio the centralising influence of the media may well begin to wane. The creation of the large new local authorities should also help to lessen the attraction of Westminster as the automatic goal of the ambitious young politician, for the challenge and satisfaction to be derived from local politics will certainly grow.

With the scene now set for a new style of local government in Britain, much will depend on the extent to which council members and their officers recognise and understand the inhibitions that have worked against more dynamic community politics and administration in the past. The effect of these inhibitions has been to make local authorities too subservient to Whitehall, too cautious in their interpretation of the public will, too dependent on rule-of-thumb policy definitions and too modest in the projection of their own corporate identity. The primary aim now must be to throw off these inhibitions.

# 4. throwing off the inhibitions

"In its efforts to solve local problems, the authority is not confined to a single role. It can act, as it has traditionally, as a direct *provider* . . . It can, as a *social entrepreneur,* seek out unidentified needs and then marshal local resources —individuals, organisations, funds—to meet them . . . In each case, the key task for the local authority is recognising that a problem exists and taking the initiative to solve it . . . " *(Making Towns Better : The Sunderland Study).*

There is a " conspiracy theory " of local government reorganisation—and it cannot be lightly dismissed—which says that, for all the pretence by the Government of wishing to strengthen the power and independence of local authorities, the constant aim of Whitehall has been to reduce the number of councils to " manageable " proportions so that central control and supervision would be that much easier. The Conservatives at Westminster have argued that, by rejecting the Royal Commission's proposition of 81 new English local authorities (outside London) in favour of 45 counties and 332 districts, they have confounded this theory. More suspicious minds point to the fact that most of the major powers will now lie with the counties, that the sorting out of the " two-tier " complexities of the structure in the coming years will inevitably bring a further shift of power away from the districts— and that 45 is, after all, remarkably close to the Government departments' optimum number of main authorities as defined in their evidence to the Royal Commission. In the post-legislation implementation programme for reorganisation the major emphasis by the Department of the Environment (chief trouble-shooter : Graham Page, Minister for Local Government and Development) has been on " partnership " between the new counties and districts, and between them and the new health and water authorities. The question that must arise however, is : partnership on whose terms ? The " equal but different " concept of the new counties and districts may be designed to deny the emergence of Big Brother counties, but among the proud boroughs and indepen-

dent-minded urban and rural district councils which make up the new districts the suspicions remain. It is not merely a matter of the counties seeking to extend their sphere of influence ; equally significant will be the way in which newly created administrative-structure problems are resolved. How long will it be, for example, before it is argued with increasing urgency that, because housing and social services functions are so closely related, housing should become a county responsibility ? How long before it is urged that refuse collection, like refuse disposal, should be a county responsibility —for reasons of " rationalisation " and " economies of scale "? How long will it be before " agency " is as dirty a word as " delegation " was in the past ? How long before the centralising influences press for the transfer of the social services (which should surely be a district rather than a county function in any case) into the National Health Service ?

## power and importance

All these potential problems merit consideration now, not because it serves any useful purpose to contemplate what might have been, but because they are indicators of the threat to the survival of the new districts as effective units of local government. What needs to be recognised and understood now is that, although the new counties (outside the six metropolitan areas) will be the most *powerful* units of local government, they will not be the most *important* in terms of public involvement and interest. Local government in most people's minds is defined by community, and the new districts will approach this definition most closely in terms of recognisable area and authority. In this sense the parish councils will also be more important than the remote counties, in spite of their very limited powers. The special importance of the new districts is that they are the most local units of government capable of performing a wide range of the functions we accept as properly local government functions.

The importance of the new districts for

the future health of local government as a whole is that, if they do not grasp their opportunities boldly and develop their role energetically, they will wither away —and will be encouraged to do so by external forces. If they do not lay claim to do the utmost within their powers to make their cities, towns and villages better places to live and work in, if they do the least possible rather than the most possible, this will simply encourage a further shift of power and influence away from the direct control of local people. The key now to the survival of local self-government in Britain lies in the interpretation by the district councils of their role and purpose.

That does not mean, of course, that the way in which the new counties and parishes develop is unimportant. On the contrary, it must be hoped that the counties in particular, with their important additional functions, will strive quickly to rid themselves of the generally over-cautious and conservative image county councils have had in the past. What it does mean is that, in looking for a new vitality in local government, expressed imaginatively in terms of pressure and influence as well as in terms of rate-borne services, we shall be looking above all to the district councils.

## change as a catalyst

In the long run the greatest benefits deriving from local government reorganisation will probably be indirect rather than direct—the development of more vigorous and adventurous attitudes encouraged by the mood of change rather than any administrative restructuring based on redrawn boundaries and reallocated functions. The growing acceptance of corporate management goes well with the new desire to do things better than in the past; but the introduction of corporate management is not dependent on the reorganisation package of the Local Government Act—indeed, the contrary is true, for the abolition of the " unitary " county boroughs has made its evolution more difficult. Corporate management is " catching on ", however,

largely because there is at present a greater readiness, among local government officers in particular, to accept and encourage change.

The Bains report on management structures (*The New Local Authorities : Management and Structure*, HMSO, 1972), a natural product of the acceptance and expectation of change, has encouraged fresh thinking in other important areas of local government—on more professional personnel management, for example, and more positive public relations. Similarly the three *Making Towns Better* studies commissioned by the Department of the Environment on Oldham, Rotherham and Sunderland have caught the mood of reorganisation and change and provided a valuable stimulus to more sensitive appraisal of, and a more positive response to, the many ways in which better community management can create a better urban environment.

The great fear of many people during local government reorganisation has been that, because we still have counties and districts (and boroughs) and parishes, many council members will regard their new authority as just their old authority with a few changes of emphasis. And without due attention to the Bains report and the three-towns studies, with their enlightened and in some respects inspired insights into the new possibilities before the local authorities of the future, this could well prove to be the case.

What matters now is the extent to which council members and their senior officers are familiar with these reports and are willing to apply at least the principal recommendations and conclusions to their own situation. But the first response of elected members to Bains (" biased towards the officers' interests ", said the Association of Councillors) and the early evidence that there has been no great rush by councillors to read the three-towns studies do not bode well for the future. For there is clearly a danger that, unless these reports (and much else, one would like to add) are regarded as essential reading by every conscientious councillor, local government reorganis-

ation will be widely seen as just a reshuffling of the pack. Without the broadest possible understanding of the scope of the new local government, councils will find it impossible to recognise its potential, however much encouragement they are given by their officers. Without a fuller recognition by local councillors of the opportunities before them, Government and Parliament will have thrown down the gauntlet in vain. Local government will continue responding to circulars, meeting its statutory obligations and resolving the crises that arise. But it will not be charting new territory. Local government reorganisation will simply be a case of "Carry on Local Government".

# 5. what sort of initiatives?

"Without doubt the opportunities for local authorities to take the vital decisions that affect their areas are more exciting now than at any other time . . . The Government's aim has been to evolve proposals that will be conducive to the vigour of democracy and to efficiency in operation, while being at the same time flexible and realistic." (*Local Government in England: Government Proposals for Reorganisation,* February 1971).

Because local government has allowed itself over the years to be put on the defensive, a certain demoralisation has occurred which goes much deeper than the core problems of outmoded administrative structure, diminished financial autonomy and the erosion of powers by central government. All too often the first instinct of local politicians is to deplore the external restrictions of statutory and financial controls, when it would be more profitable to investigate some of the ways in which more could be made of the powers and freedoms local authorities enjoy. For it is an irrefutable fact that local councils could do much more, even now, within their limited resources, to improve the quality of life of those they serve, without running any risk of opposition from Whitehall. As often as not what are lacking are the imaginative and receptive minds needed to recognise the possibilities, and the persistence required to make the possibilities a reality.

There are sound democratic reasons why local government needs to be protected and fostered. It brings government close to the people and is therefore one of the least compromised and rationalised forms of democracy. But local autonomy is also an important safeguard against governmental and administrative inertia. In terms of the " goods it delivers " local government benefits above all from its diversity : it provides endless opportunity for innovation and experimentation. Many new developments have started from an initiative taken by one local authority. Sometimes other authorities follow the example ; sometimes the central government steps in and urges other local authorities to follow suit. Sometimes the original inspiration comes from Whitehall ; sometimes it comes from an independent study via Whitehall or is the fruit of pressure group activity. But, whatever the source of original inspiration, it is the pioneering instinct of one local council or of a handful of councils that gives the idea a chance of development.

This important point tends to be less than fully understood by many people, especially on the left, who see the varying standards of local government performance simply as a brake on social progress. They point to the laggard authorities and conclude that the only way to achieve a high, universal standard of service is to create a central agency and make it a central government responsibility. It is assumed that only in this way will the highest rather than the lowest standard prevail. They conveniently overlook, or underestimate, the forces that work against the achievement of excellence in large, centralised Government agencies : the bureaucratic suppression of individual initiative, the over-formalised provision for experimentation, the vulnerability of experimental projects to across-the-board economy measures, and the cumbersome procedures of supervision and approval.

Understandably the public find it hard to accept that public services vary so much in quality from one area to another. Where it affects them most directly, as in the quality and policies of housing and education services, the anomalies and contradictions between the standards of neighbouring councils will seem both nonsensical and unjust. But the fact remains that local electorates get the councils they deserve, just as, as a nation, we get the Governments we deserve. And in housing and education, as in the full wide range of local authority responsibilities, much of the social progress made by Britain as a nation has been the result of vitality and idealism in the town halls of progressive local councils.

That said, it must also be admitted that there has been much too wide a variation in the past in the standards of service and performance of local authorities.

Part of the reason has, without doubt, been the inadequate resources of the smallest authorities and the uneven spread of resources among the larger ones. The redrawing of boundaries and the creation of larger units should help to overcome that problem. But much more important, if reorganisation is to bring a significant diminution of such variations, will be a wider acceptance by the new authorities of their innovatory role and a recognition that the corollary of innovation is emulation. Central government will continue to play an important part in the levelling-up process, of course, especially in relation to those major services which the public are inclined to judge by universal standards—education, for example, and the social services. But there is reason to believe that after reorganisation the local authorities will more often be setting the pace and there will be less need for warnings and exhortations from Whitehall.

## examples of innovation

So what sort of initiatives are we talking about? What have the few local councils achieved in the past that the many might emulate in the future? It is when one starts to compile a list of examples that one realises the full implication of the argument that diversity encourages innovation. From the past decade one can quote experiments in housing (unfortunately not often in design, owing to cost-yardstick controls, but certainly in management—with housing advice centres, schemes for tenant participation in management, housing for students, and the registration of multi-occupied dwellings); legal advice centres, consumer advice centres and, most recently, planning advice centres; free birth control; free bus travel for pensioners. There are the services where there is constant innovation, such as in refuse collection and disposal and bus design and use; and there are the new areas of innovation, such as the creation of pedestrian-only streets, the conversion of disused railways into footpaths, bridleways and country parks, and the turning of allotments into "leisure gardens". There

are the innovations involving the participation of the public, ranging from the setting up of neighbourhood councils to the promotion of festivals and the planning of such special projects as canal reclamation. There are the tasks most people will not recognise as local authority activities, such as the marketing of the area to attract industry or the development of tourism.

The most obvious point about such a list is that the initiatives were prompted by very different circumstances and were influenced by ideas coming from very different sources. In the case of pedestrian-only streets, for example, the idea came from abroad, was slow to reach this country and has been slow to catch on. The reclamation of derelict canals was prompted by Barbara Castle's Transport Act of 1968, but inspired by the unceasing efforts of the Inland Waterways Association. The recognition of the amenity value of disused railway lines came almost too late (as did the Appleton report, which gave the matter a semi-official stamp of approval), but it was probably the piecemeal sale of the land that alerted some of the rural amenity organisations to the threatened loss of a public asset and prompted some councils to take action. In contrast, while the allotments-into-leisure-gardens policy was certainly derived from foreign example, it was the Thorpe report of 1969 which prompted some local authorities to take action.

The comprehensive free birth control policy adopted first by Camden and subsequently by over 40 local health authorities throughout the country appears to have been the result initially of Labour's return to power in the inner London boroughs in 1971, after three years of Tory control, and their recognition of new powers given them under the NHS (Family Planning) Act of 1967; but a pressure group, the Birth Control Campaign, was also working behind the scenes. Free bus travel for pensioners and the experiments with neighbourhood councils and tenant participation in management also clearly owed much to the regaining of power by Labour in the

town halls. The Consumers' Association must be given the credit for doing the ground work for the development of local authority consumer advice centres ; but credit for the creation of the first housing advice centre goes to the local authority itself, Lambeth, which was already planning the project when the idea was recommended in the Cullingworth report in 1969.

It is important to recognise that almost all these examples of local government innovation have been either actively supported and encouraged or watched with interest by central government ; but for the most part they were not the sort of projects the central government departments could be expected to press councils to undertake. It would also be fair to say that in almost every case the innovation was a response to pressure from the public or a speedy recognition of a new trend. However worthy as trend-setting social advances, these were not in most cases ideas thought out by discerning councillors as a response to the unexpressed demands of their electors.

## looking for needs

Yet there is no good reason why we should not expect such discernment. Indeed, if all the electorate gets from its council representatives is a dutiful interpretation of statutory requirements and Ministerial expectations, coupled with an often tardy acceptance of ideas promoted by special-interest groups, it can hardly be said to be getting full value for money. A positive approach to the management of local authority affairs must mean more than that. It must include a desire and ability to indentify even the smallest things that need doing —and the will and determination as far as possible to see that they are done.

One of the problems of local government (and the growing strength of civic societies, residents' associations and neighbourhood councils would seem to confirm this) is that its power structure tends to be designed to concentrate on

the biggest tasks to the exclusion of the smaller issues, which are also important. The major programmes must take priority in deciding resource allocation, and they will automatically attract the interest of the key personalities. The highest calibre staff are devoted to them. Modern management methods and techniques for policy formulation have brought a big advance in the ability of these complex organisations to sort out extremely complex problems ; the sophistication of the management methods and the high cost of the programmes involved are a guarantee that the big tasks will receive the attention they deserve. But the result very often is that important " fringe " problems are ignored or neglected.

As the Bains report reminded us, local councillors vary considerably in their interpretation of their main role. While some attach greatest importance to their involvement in broad policy decisions, others prefer the watchdog role or see themselves performing a sort of welfare job within their ward. But perhaps the most valuable councillors, in an authority eager to be progressive, are those with the ever inquiring mind, those who see their task not as one of responding to requests and complaints but of recognising ways in which the community is accepting second best when it is within the local authority's powers to achieve the best. Bains described such people as " those who wish to serve the community in the general sense ". They are also variously described as " busy-bodies," as "eccentrics " and as " troublemakers ". They distinguish themselves by asking the questions which disturb the quiet life. They express concern about things most people have not thought about or prefer not to think about. If they are successful in their role, the long-term benefits they bring to their communities can be as significant as many of the central policy achievements of the top status chairmen of committees.

One of the real dangers inherent in the size of the new local authorities, with fewer councillors representing larger areas and populations and carrying a heavier work load, is that this " recogni-

tion task "—the perception by alert and concerned ward councillors of the faults and inadequacies of the areas they represent—will be neglected. Swamped by committee papers, imprisoned in the formalities of the committee round, in many cases travelling considerable distances for council, committee and other meetings, how much time will they have to look round them and consider the external manifestations of the council's efforts ? How much time will they have to compare what their council is achieving with the achievements of other authorities ?

One of the most important, and least understood, points about local government is the extent of its responsibility for the form and character of the whole community. A local council does not exist simply to provide services and administer public controls ; it exists also, indeed primarily, to do whatever is done better—or what can only be done—on a communal rather than an individual basis. It is also expected to provide services and carry out tasks which cannot be performed to an appropriate standard, or at all, by private enterprise. The implication of this is that anything which is basic to the smooth running of the community and unsatisfactory in quality should be seen as a matter of concern to the local council. And, once this is recognised, it leads to some often startling conclusions.

For example, in the towns and cities launderettes now play a vital role in providing an essential service to the community. They never offer as complete a service as municipal laundries, where these still exist ; and all too often they are badly managed and inadequately supervised. They have been developed by private enterprise, and the theory is that commercial competition will guarantee customer satisfaction. In fact, there is often no effective competition. The justification for a public service operation is strong. The main obstacle to its realisation is a failure to recognise the problem.

There are, of course, a good many

examples of municipal trading designed to provide a service where private enterprise has shown itself to be uninterested in, or unequal to, the task. Coventry's civic restaurants are an excellent example. But very often it is inspired by political ideology rather than simply a practical response to a community problem. Clearly a Socialist council is more likely to respond positively to a situation best solved by a public-enterprise initiative than a Conservative council. But to see local authority intervention in situations where private enterprise is failing to meet public need as an ideological question is to put too narrow an interpretation on it. For example, there are many ways in which tradesmen can be helped and persuaded to provide a better service to the public, and these may be regarded as the right approach in the circumstances. But the possibilities will not even be considered if the inadequacies are not recognised.

## recognising problems

Thus in many places it is extremely difficult to find a plumber or a window cleaner ; and when one is found, it is equally difficult to know whether he is charging a fair price, because there is no competitive standard. Should the local authority provide a plumbing and window cleaning service under such circumstances ; or should it try to meet the problem by creating a register or agency for plumbers and window cleaners ? And will anyone capable of pressing the council to tackle such a problem recognise that the problem exists ?

In general local authorities are too nervous about intervention in situations where individual rights and privacy and trading interests are concerned. That does not mean that the automatic response to a problem should be compulsion, or that councils should adopt officious or strong-arm tactics to make their towns tidier places to live in. But much more could be done by education and persuasion. Take, as an example, the standard " crime " of the owner occupier: painting the perfectly good brickwork of a terraced house lime green, with the woodwork in

contrasting orange. Or those minor "modernisations" to doors, porches and windows which change the appearance of the street even more than that of the house. Should the planning department not be doing much more to discourage this—not by constraints and permissions, but by education? Should the owners not be advised—by leaflets, advertisements, visits even—that they have a house to be proud of, designed by an architect, a public amenity as well as a private property, and so easily spoiled by ill considered "improvement"? Should such initiatives not automatically be taken in general improvement areas and conservation areas?

## the first step

The question is: who is asking the questions? Who is roaming the streets and roads of our cities, towns and villages and asking: "Why is that so awful?" "Does that have to be like that?" What would it take to clear our streets of dog excrement—or rather to stop dogs using public footpaths as lavatories? Is it a question of by-laws and prosecutions? Or does it demand one angry councillor determined to see the problem solved? What would it take to persuade the owners of a terrace of six houses to adopt a communal exterior painting programme? An economic incentive, perhaps (cheaper contract price, cheaper materials through bulk purchase); and positive intervention to help the owners find a reputable decorator. A leaflet through each door, and perhaps a dozen visits in total to complete the persuasion. But above all someone with enthusiasm. What would it take to encourage a rash of colourful window boxes to brighten up otherwise drab streets or blocks of flats? An enthusiastic councillor to push the idea, perhaps, then a local newspaper to jump on the bandwagon, and some well designed posters and leaflets to spread the enthusiasm. What would it take to remove the most inappropriate advertisement hoardings from otherwise attractive streets and buildings? A four-year campaign, perhaps, by a councillor determined not to give up. What would

it take to persuade shopkeepers to improve the appearance of their streets by standardising the size and co-ordinating the design of their fascias? A determined planning department, no doubt, but also probably one irrepressible councillor to persuade and enthuse his fellow councillors.

All this assumes, of course, that the local authority is setting a good example, with well designed "street furniture", well maintained public buildings, pleasing exterior painting schemes for its own housing estates, appropriate street lighting and paving, and well tended trees and landscaping. Unfortunately this is not an assumption one can always make. Where the local authority is not setting a high standard itself, it is even more important that some members of the council see it as their task to press for improvement, even to the extent of making themselves unpopular.

## leading the way

Many people will regard such considerations as trivia, of course. There are surely more important matters to concern us, they will argue: the quality of our schools, for example, the quality and efficiency of our public transport services, the number of new dwellings under construction. But the implication of this attitude is that, as long as the main tasks are tackled energetically, it does not matter if the local authority's impact on the community is a little tatty at the edges. It also underestimates the importance of the relationships between the central and fringe considerations. The refuse collection service, for example, is not just a question of efficient use of vehicles and men, of time-sheets and incentive schemes; it also has to do with untidy bins and litter on the streets. The main concern of the passenger transport managers is to provide a regular and reliable service; but in doing this they can easily overlook weaknesses in the system as it effects the customer—the badly located bus stop, for example, or the badly designed bus shelter. Very often the observant individual active within

his community will spot many things capable of improvement but easily over-looked or not recognised by those with the ultimate responsibility.

There is a tendency in local government circles to measure achievement by cost and size. A £2 million housing scheme, an £800,000 road improvement project, a new school for 1,500 pupils, an 100-acre park, a complete new fleet of refuse vehicles—that is how the message of local authority enterprise is put across, how the image is built up. But it is the smaller things, the human-scale artefacts of our streets and squares, the offer of help to citizens who are frustrated or confused, which register most clearly in the mind. It is on this more modest scale that local authorities, by their insights and efforts, can often achieve most—outside the Whitehall straitjacket within which they are obliged to work. It may be more exciting—indeed, necessary in terms of the council's corporate self-respect—to do battle with Government departments over the enforcement of (for example) the Housing Finance Act. But much more important in the long run are the initiatives local authorities can take, the innovations they can make, quietly while Whitehall is sleeping.

# 6. a positive approach

" Local councils are *not* simply agents of the central government, and they are *not* simply conversion mechanisms passively responding to external influence attempts whether from constituents, or from interest groups. Local councils are *not* inert cash registers, and they are *not* just ' little black boxes ', for they are themselves reservoirs of power and initiative capable of shaping decisions with only limited reference to external influences." (John Dearlove, *The Politics of Policy in Local Government*, Cambridge University Press, 1973).

John Dearlove begins his study of local government in a London borough with a quotation from an article by C. J. Friedrich: " It is characteristic of our time that everyone wants to be connected with policy." He concludes with a quotation from Ludwig Von Mises: " Nobody can be at the same time a correct bureaucrat and an innovator. Progress . . . is necessarily outside the field of bureaucratic activities ". Dearlove himself concludes with the observation that " over time the process of institutionalisation tends to mean that organisations are more concerned with internal arrangements and with the defence of established commitments than with confronting and challenging afresh the tasks before them ". Accepting all these observations as valid, I have tried in this short pamphlet to identify where we should now look for the initiatives and innovations we must hope will come with local government reform. If, as we have been told by ministers and mandarins, the new local government structure has created opportunities for councils to make their towns better and build better communities, we must identify how these opportunities are to be seized.

Dearlove's thesis is that the forces working against innovation in local government have tended to be underestimated. Contrary to the traditional view, he argues, local councils tend to put their main effort into policy maintenance rather than policy making. (Admittedly he could be charged with having chosen too easy an example to illustrate his case

—the Royal Borough of Kensington and Chelsea, with its entrenched and virtually unchallengable Conservative control. But there is no shortage of evidence that the same holds true for all local authorities, in varying degrees). The resulting " stability without flexibility ", responsibility without responsiveness, may be seen in its most exaggerated form in those councils—Labour as well as Conservative—where an absence of effective party political challenge has bred its own form of deep conservatism ; but it is also the general rule. Even when there is an occasional change of political control, the power-holding operation tends very quickly to take precedence over any initial zeal for change.

## politicising issues

Nevertheless, we may expect more pressure for change, at least initially, in the new local authorities. The introduction of party politics in a more organised form into councils and areas described as " non-political " in the past will stimulate political confrontation, which in turn will stimulate more active policy making. The evidence of the increasing volatility (and swifter disenchantment) of the electorate also offers the promise of more energetic administrations ; for, if there is less certainty of re-election for a further term, there will be more reason to try to achieve as much as possible within the present term.

In the long run, however, the forces working against energetic policy making and innovation will remain powerful. New councils are not elected into a vacuum ; they inherit a gigantic programme of work and a complex set of policies, which could not easily be dismantled, even if it were desirable. Most of the work of elected members, like that of their officers, is necessary routine. Making sure that the machinery of administration is running smoothly, and that services are maintained at a high standard, is time consuming and demanding work. There will always be the temptation to do the round of council, committee and party meetings and take

up "constituency" problems when electors raise them, and to regard that as the whole task.

With councillors elected to represent much bigger areas, there will probably be a greater tendency to neglect the "constituency" work. The increasing politicisation of local government will also tend to divert energies away from the ward representation role towards the top policy making levels. The pressures will grow to draw even the maverick councillors, those most likely to question orthodoxy and conservatism, more completely into an already over-institutionalised system. They will become bogged down in liason groups and joint working parties; they will become more and more inward-looking.

That is the danger facing us, as the new era of local government dawns. The machinery of local government may be much improved, with more powerful authorities attracting some of the best brains and skills available and setting ever higher standards of efficiency. But they will also be remote authorities, rigid and unresponsive in their organisation—unless positive steps are taken to counteract the tendency towards introversion. Two things, above all, are needed if this is to be achieved: more open attitudes among councillors and officers—open to ideas and influences from all quarters; and a more critical and questioning approach by council "backbenchers", especially in the advocacy of new initiatives.

If I have concentrated in this pamphlet on the elected member's role in local government, it is not because I undervalue the contribution of the officers. As Maud and Bains have emphasised, ideas for innovation must also come from those responsible for implementing the programmes; and, if such ideas do not come from the officers, it can only be that the elected members have discouraged them or have appointed poor officers in the first place. If I have concentrated in this pamphlet on the elected member's role, it is because this is the neglected aspect,

the part least understood during reorganisation, the part which could now most seriously affect the future vitality of our local government system.

Superficial analysis might suggest that this is not so: Maud on management, the Redcliffe-Maud Royal Commission and the Bains committee all acknowledged the importance of the councillor, and Bains in particular showed how his contribution to the management of local government might be improved. But there has been far too little consideration of the qualities and potential of the elected members in local government; too little discussion of the different roles they play and of the ways in which those roles might be developed; too little honest deliberation on the value of councillors and their proper reward. There has been effectively no public discussion on such crucial questions as the availability of suitable candidates for election and the factors preventing suitable people from offering their services. Too little attention has been paid to the training of councillors. The £10-a-day maximum allowance for councillors has been arrived at, by negotiation and compromise between the Department of the Environment (with the Treasury breathing down its neck) and the local authority associations, with hardly any public debate. As a result all too many councillors will find themselves simply absorbed into the political and administrative machine, uncertain of their status and without any full appreciation of the roles they might play or the contribution they might make. They will be reliable, conscientious and ambitious; but their energies will be largely misdirected. They will become party fodder and committee fodder.

It is to be hoped that some of these faults will be corrected in time. Given the tight timetable for reorganisation, which on balance was the right approach to adopt, it was necessary to leave some problems to be tackled later. Among these problems the character and role of the elected member is a key question meriting thorough research and imaginative conclusions.

In the meantime, what should we be looking for in the corridors of power of the new local authorities ? Without question the greatest need, if structural reform is really to engender a new type and quality of local government, is more open attitudes. There is a need for a more positive approach in many instances, among officers as well as members, to collaboration with other organisations. In too many cases in the past a misplaced sense of independence has prevented councils from supporting, or continuing their support for, building consortia and joint purchasing schemes. Labour councils in particular have all too often remained hostile to housing associations, even when this has meant rejecting worthy projects in areas of great need. In other cases councillors' suspicions of experiments devised by others—the Home Office Community Development Projects, for example—has led to hostility or unwarranted interference. Under the NHS Reorganisation Act local authorities are required to collaborate with the new area health authorities through joint consultative committees. The success of this collaboration will depend entirely on the attitudes the participants adopt. Similarly with collaboration with the new regional water authorities, where the liaison machinery will be non-statutory.

## relations with the public

In their relations with the public, above all, councillors (and officers) in many cases need to adopt a much more positive and outward looking approach. To some extent this is a criticism of past and present attitudes ; but it is also an acknowledgment that the attitudes and expectations of the public have themselves undergone a revolutionary change. The Skeffington report (*People and Planning*, HMSO, 1969) on public participation in planning, was a timely recognition of this ; but since then the demand for more information and opportunities for greater public involvement in public affairs has become increasingly insistent. The long battle to persuade councils to open their committee meetings to the press and public,

and the official local government opposition to the statutory requirement under the reorganisation Act to allow public access to meetings, are indicative of the demand and the widespread resistance to it. Similarly the common attitude in local government circles to the concept of participation is one of grudging acceptance. As often as not lip service is paid to the idea, on the basis that it may be sound in principle but is unworkable in practice. The same problem tends to arise when the case is argued for better public relations. " We are our own PROS ", many councillors will say. " What can an expensive PR department do that we are not doing already ?"

Fortunately the Bains report in 1972 drew special attention to the need for improved public relations and information services. " We believe that the forthcoming reorganisation of local government will bring into sharp focus the deficiencies of public relations within many local authorities. In our view the public have a right to information about the affairs of their local council, and access to committee and council meetings may well stimulate the public's desire to be better informed . . . The duty to provide information should not only be recognised but should be demonstrated . . . Above all we suggest that local authorities should themselves adopt, as far as possible, an outgoing and positive attitude to the members of the community which they serve."

On the appointment of PROS for the new authorities there is some evidence that councils—although by no means all of them—have received and understood the message. Whether they will also adopt a more positive approach to public relations and information in the broadest sense remains to be seen. On the encouragement of participation the Bains report said nothing, no doubt because it regarded the subject as outside its terms of reference ; but it has been given special attention in the three *Making Towns Better* studies of Oldham, Rotherham and Sunderland. The emphasis in these reports is on environmental and community management, and participation is seen there-

fore in much wider terms than in the Skeffington report. The Sunderland report makes the point neatly and comprehensively: "It is clear that the public can take a useful part in local government's problem-solving activities. They can help in identifying problems more quickly, uncovering their causes, and suggesting solutions (or improving on solutions proposed by the authority). Yet few authorities willingly and actively seek public participation . . . Many authorities have not merely failed to solicit public involvement; they have turned a cold shoulder to public initiatives." This section in the Sunderland study is headed, significantly, "Creating a better climate for participation".

From the evidence of the three-towns reports and general observation of early experiments with public participation it would seem fair to say that it is still inadequately defined. The Sunderland report expresses the idealism; the Rotherham report recommends public consultation and assessment by survey on specific policies and choices; the Oldham study puts its emphasis on an extension of the traditional local government machinery in the form of working parties and area committees with public representation. What remains apparent is that there is still considerable room for experiment in this field; there is much to be learnt. A number of authorities are already experimenting—through neighbourhood councils, community councils, residents committees, public meetings etc. The hope now must be that, when the new councils have established themselves, an increasing number will seek the answers that so far have eluded us. Participation is a rich field for innovation.

Another point touched on by Bains but not fully developed is the concept of an annual report to the electors. "A report of this nature would enable the local electorate to judge the performance of the authority in relation to its declared plans and programmes." The weakness of this proposal, like that of the participation-through-area-committees approach, is that it misjudges the character of the average citizen, who is probably unwilling

to read such a report (however well written) and unwilling to sit on a committee. On the other hand, what many people would undoubtedly welcome—as has been forcefully demonstrated when public meetings have been held to discuss controversial local issues—is more opportunities for face-to-face contact with their elected representatives. Attempts are sometimes made to arrange councillors' "surgeries" on an area or ward basis; but even better would be to combine such "surgeries" with regular ward level public meetings. The advantage of such an arrangement is that it would make the confrontation between councillors and their electorate much more positive; instead of explaining and listening, the people's representatives would be regularly called upon to account for their performance.

## servicing councillors

Meanwhile, councillors also have their unmet needs; and this is a matter which must be given early attention by the new councils. Perhaps the greatest weakness of our system of democratic representation is that we expect those we elect to do their job with totally inadequate facilities. The assumption is, it would seem, that we do not expect elected representatives to be efficient as well as representative, so we do not have to make provision to increase their efficiency. This, coupled with the assumption that the ratepayers wish to pay meanly for the services they receive, has resulted in a serious neglect of even the most basic support services for councillors.

Fortunately Bains again raised this matter, although a little nervously: "We recommend that in all authorities provision should be made for basic secretarial services to be available to members". The Oldham and Sunderland studies came much more boldly to the point. "Councillors' time is limited, they are overwhelmed with paper work, and systematic information about needs or council plans on a ward-by-ward basis is almost impossible to come by", says the Sunderland report. A secretariat

should be established, it suggests, to provide four types of support: a summary of council activities ward by ward; answers to members' questions relating to ward problems; information on other questions a general secretarial service. The Oldham report takes the concept further, with a telephone answering service in the secretariat, telephones in the home paid for by the council, and the right to claim expenses for the use of one's home or rented accommodation as ward offices. Now the first point to recognise is that some local authorities are already providing some of these support services. The second point to recognise is that there is, as often as not, an eagle-eyed local newspaper columnist or a mean-minded member of the local Ratepayers' Association who will condemn such support services as extravagant and unnecessary. The third point, which is a real problem, is that these are facilities the members must decide to provide for themselves. But this should not be difficult for people who are, after all, elected to make decisions.

Finally, in their effort to be more positive and outward-looking, the members (and officers) serving the new local authorities must take account of the impact the council is making on its environment. A local authority does not earn a poor reputation only by being inefficient; shabby buildings, unkempt roadside verges, utility fencing and old-fashioned stationery also have the same effect. The design council has made efforts recently to make local authorities more aware of these matters.

As the Sunderland report concludes: " People are unlikely to respond constructively to an uninviting authority. Some form of public contact survey can uncover the need for small but significant improvements such as friendlier and more helpful switchboard operators, better signposting in the town hall, or a handbook providing the name, address, photograph and committee responsibilities of each councillor ".

As I said of the questions councillors should ask themselves as they roam the streets of their towns and villages, many people will regard such considerations as trivial. But, as the Sunderland report observes of its helpful telephone girls and town hall signposting, " Simple and even insignificant as these may sound, they proved in Sunderland to be the kind of details that many people felt would make a considerable difference in ' opening ' the authority to its community ". In the past one of the greatest faults of local government has been that it was too much " on its dignity," more self-conscious than self-aware, and merely responsible where it might have been responsive. The danger before us, as we enter a new era of local government, is that it will be too mechanistic, more businesslike than purposeful, and efficient but not entirely effective.

The greatest danger now facing local authorities is that, in their brave new world of big business administration, they will lose rather than gain in independence and individuality; that they will look first to Whitehall and only then to their electorate. What local government needs now, for its greater strength, are more challenging and questioning councillors and a more demanding and critical public.

# 7. summary and conclusions

I have argued in this pamphlet that the way in which local government in Britain has been restructured by the legislation of the past two years is far from satisfactory. In spite of the brave words from Ministers, the fact remains that the opportunity that existed to transfer some functions from central to local government has not been taken—and some important responsibilities have been taken away. In the reorganisation legislation there were also too many compromises, too many gestures to vested interests and traditionalist thinking ; and the resulting " two-sphere " structure is unnecessarily complex and potentially divisive.

But, in spite of the disappointments, there are many ways in which the new local government structure should prove better than the old. The challenge now is to recognise the opportunities it offers and to take advantage of them. The autonomy of local authorities may be limited by statute and constantly challenged by the Whitehall bureaucracy, but this still leaves considerable latitude for local government enterprise. In spite of their lost functions, local councils still have a very wide range of demanding tasks. Their role is not less, but more important as a result of reorganisation.

## from inward to outward looking

I have also argued that one of local government's most serious faults—which must be overcome—is that it is too inward-looking. It is too often run like a members-only club, too seldom close enough to the public it serves. Local councils have also tended to be much too defensive—subservient to Whitehall and over-cautious in their interpretation of the public will. As a result a certain demoralisation has occurred which goes deeper than the commonly acknowledged problems of administrative structure and external constraints. Local authorities have too often allowed themselves to become negative in their thinking and inhibited in their decision making. Low public interest in what the council is doing, reflected in poor turnout in local government elections, is the inevitable result.

In terms of the " goods it delivers " local government benefits above all from its diversity : it provides endless opportunity for innovation and experimentation. And the corollary of innovation is emulation. The test of the new authorities will be their ability to use this diversity, against a background of change, to develop more vigorous policies and to take initiatives. In so doing it will in general be responding to public expectations.

But there is a risk too that all the emphasis will be placed on the prestige jobs to the exclusion of the smaller issues, although it is often in small ways that the biggest benefits can be brought to the quality of life and the health of the community. There is a need for a more perceptive approach by council members, a more sensitive response to the unexpressed demands of their electors. There is a need for many more questions to be asked by councillors as they go about their business within their wards, within their districts and beyond the boundaries of their districts. Above all there is a need for more openness to ideas and influence from all quarters—and much closer contact with the people they represent.

NOTE :
Parts of the text refer to England. There are some differences in Wales and Scotland. For a fuller study of these see the *Royal Commission on Local Government in Scotland 1966-69* (HMSO, 1969), *Local Government in Wales* (HMSO, 1967), *The Reform of Local Government in Wales : a consultative document* (HMSO, 1971) and " *The New Scottish Local Authorities : Organisation and Management Structures* (HMSO, 1973).

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The author wishes to make it clear that, while he was pleased to be invited to make this contribution to present thinking within the Labour movement on local government, he is not himself a member of the Labour Party or the Fabian Society. Also the views expressed in this pamphlet are his own and not necessarily those of the Municipal Journal.

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