

**EXERCISING AGENCY? THE ROLE OF ELITE ACTORS IN LOCAL  
DEMOCRACY IN ENGLISH LOCAL GOVERNMENT: THE LOCAL  
DEMOCRACY MAKER**

**'The Local Democracy Maker in Local Government: elite actors exercising  
agency'**

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**March 2011**

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## **Thesis Summary**

Full title: Exercising Agency? The role of elite actors in local democracy in English local government: the Local Democracy Maker.

Sub title: 'The Local Democracy Maker in Local Government: elite actors exercising agency'.

PHILIP LLOYD-WILLIAMS  
Doctor of Philosophy  
2011

The way in which employed senior elites in English local government exercise their agency in the practice of local democracy and local governance is considered in this thesis. The research posits the notion that elite Officers act as Local Democracy Makers as they draw on their own traditions and ideologies in responding to the dilemmas of changing policy and politics in the public realm.

The study is located in the latter part of New Labour's term of office and applies an interpretive and reflexive approach to three studies of the exercise of well being powers. The approach is one of applied ethnography through the examination of literature reviews, interviews and observations of decisions taken in the exercise of the powers of economic, environmental and social well-being are used to examine how and why the Local Democracy Makers make sense of their world in the way that they do.

The research suggests that, despite prevailing narratives, local governance arrangements depend on a system of hierarchy, employed elites and local politics. The challenges of re-configuring local democracy and attempts at 'hollowing out' the state have secured an influential role for the non-elected official. How officials interpret, advise, mediate and manage the exercise of local governance and local democracy presents a challenge to assumptions that public services are governed beyond or without local government.

New narratives and reflections on the role of the local government Officer and the marginalisation of the elected Councillor are presented in the research. In particular, how the senior elite occupy managerial, strategic and political roles as Local Democracy Makers, offers an insight into the agency of strategic actors in localities. Consequently, the success of changes in public policy is materially influenced by how the practitioner responds to such dilemmas. The thesis concludes by suggesting that integral to the design and success of public policy implementation is the role of the Officer, and especially those practitioners that advise governing arrangements and democratic practice.

Key words: employed practitioners; local governance; Councillors; reflexivity.

## **Dedication**

The completion of this thesis would not have been possible without the steadfast support of several people. My Supervisor Dr Josie Kelly has inspired me throughout and has shown me how the academy, like herself, can become a close and dependable friend. My long-standing friend Annie had the joy of making sense of the manuscript – thanks to her for her magic. Professor Rod Rhodes, Dr Ed Turner and Dr David Saal made my *viva voce* a pleasure and their wise words improved my thesis. Thanks to the three of them for their counsel.

The debt owed to my Mam and Dad cannot be quantified. They instilled within me the desire to learn, to never give up and to do my best. I hope this piece of work is part testament to their unfailing love.

Finally to David – without him this journey and all others are futile. Thank you.

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## INTRODUCTION

### 1. Inspiration: the Councillor-Officer relationship

The demands upon elected representatives in local government are several. The expectations of communities (Buonfino & Mulligan 2006), governments and political parties (Wheeler 2006) differ and the local Councillor is often pulled in many different directions (Barron et al 1991; Bloch 1992; Bochel 2000). Although the Councillor has an essential and complex role the turnout at local elections is low and their value is often challenged (Saubders 2009; Rallings et al 2009; ODPM 2002). The call for interventions to address perceived democratic deficits has been a consistent feature of the local government landscape, in particular in the last 20 years (Blunkett & Jackson 1987). A variety of initiatives has been instigated which have resulted in a perpetual field of change and challenge for local Councillors and the Officers that advise them at the Town Halls. The prevalence of changes in policy and legislative directions for the provision of public services presents a challenge to the elected Councillors and the appointed Officers (Sullivan et al 2006a; Sullivan 2007). Together with the reconfiguration of governance arrangements and the changing relations between central and local government (Stoker & Wilson 2004), opportunities have arisen to fashion reconfigured relationships between the elected Councillors and appointed local government Officers.

In the last fifteen years, the management of localities has been a source of regular change (Steyvers et al 2006). The creation of more networked governance arrangements for the delivery of public goods at a local level, with growing expectations that public services be delivered not by monolithic public service monopolies such as local Councils but by several providers, creates new challenges for elected local government. The management of local communities is to be seen as the shared responsibility of all public services and those associated with the provision of such services – both in the voluntary and third sectors and commercial providers. This thesis suggests that as a consequence of the complexity of managing networked arrangements a more dominant role for the appointed elite Official has emerged. Several questions arise concerning how

appointed Officers conceptualise local democracy (Rao 2000) and interpret the expectations of institutions, organisations and peers – which in turn determines the nature of democratic practice in that local authority. The patent structural changes of new governance arrangements and the more subtle shifts in power to other actors outside the realm of the elected official challenges (Pratchett 2004) the purpose of local government as an elected body (Ranson et al 1985) and, as a consequence, the purpose of local democracy. The dispersing of power to multiple agencies and institutions in the locality, based primarily on economic considerations, poses a new challenge to the Officer-Councillor relationship. Lines of accountability are drawn between professional obligations and electoral success. These challenges are the inspiration for this research: the influence of the employed elite Officer in English local government in shaping local democratic praxis.

Central to the study is the collection of empirical data collected by conventional means, complemented by the researcher's own experience as a senior practitioner employed in an English local authority, with twenty years experience of working in the sector and in different forms of local authority. By predicating the investigations on my own perspective it is of itself an unconventional, even risky approach, which challenges research orthodoxies. However, the shaping of the research problematic emerged from a personal-professional interest in sense-making of the activities and the authority of senior local government practitioners and utilises the perspective of a practitioner-researcher.

## **2. A lacuna in the literature**

This research starts from the perspective of a practitioners experience in understanding and managing who makes decisions at the local level as part of a system of local democracy as opposed to in the context of governance. In the last 20 years the predominance of academic research concerning local government has focused on structural changes, such as the move to a 'Westminster' form of Cabinet decision-making (Atkinson & Wilks-Heeg 2000) and the effectiveness of new structural arrangements for the delivery of public services (ODPM 2005b)

and the impact of managerial initiatives which seek to join up the fragmented public service (Painter 2005; Peters 2007; Pierre 2000). There has been much written on the emergence, impacts and value of networked governance arrangements. Stoker (2000 and 2004) and others (see Sullivan 2001; Taylor 2003 & 2005; Bogason & Musso 2006) focus their research on the dominance of governance structures and the demise of the more traditional hierarchical arrangements for the design, determination and decision-making of public services. The function of local democracy in the localities is often explained as a participatory-consultative exercise, which diminishes the significance of elected Councillors, the elite Officials and local party politics. Whereas a reflection on the place of elites in economic arrangements within the banking industry has recently been published by Savage & Williams (2008) and a brief study of elected officials (Khan 2008 and prior to that Cochran 1993), little, if any, substantial research has been undertaken concerning the interplay between the employed Officer and local Councillors. No research has been instigated that considers how an employed senior official might have a role in shaping local democracy and local governance and what might influence them in that journey although Bevir & Rhodes (2003) offer valuable insight into the workings of government elites. Such a study offers a valuable contribution to understanding how employed Officials discharge their role and why they do so in the manner that they do (Asquith 2008). A narrative on the role of senior elites in modern local government and the manner in which they engage with local councillors would give insight to policy makers on how to engage the senior advisors in the implementation of change. Research of this nature also challenges the normative perception that local democracy and local governance operate as entities in their own right without any sphere of influence impacting on their existence. The persistence of elite senior advisors in an institution which is susceptible to frequent political change as a consequence of the electoral process secures the place of Officer agency in governance arrangements. Governance is a matter of praxis, and local government Officers are influential agents in the operation of governance arrangements (Gains et al 2003). How they exercise their agency in response to dilemmas arising from changes in traditions can give an insight into the role of the local government Officer as a result of significant changes in local governance arrangements post 1997 (see, for example Gains et al 2009). Officers engaged in these

arrangements are often the 'constant' in times of regular political change, although the political change in more recent elections has had the effect of increasing the turnover of senior Officials (James & John 2007). As a result governance is not explored in detail as the focus is on placed on local democracy and less so governance and inter-agency workings. Governance narratives appear to deny or fail to acknowledge the existence of local democracy and as a practitioner-researcher governance literature held less resonance than writings on local democracy. It is acknowledged that by focusing on local democracy the convention of the past of focusing on governance are challenged as local democratic arrangements operate within and as part of a system of hierarchy in which employed Officials exercise an active role as both gatekeepers and facilitators (Hill & Lynn 2004).

### **3. The New Labour narrative**

This time frame for this research sits within the period of government in the United Kingdom by New Labour and acknowledges that during their term of office, New Labour's approach to local government was not an inflexible policy. The study is focused in three English local authorities and the field work was undertaken in 2006-2010 and presented as a rebuttal to prevailing governance narratives. Several legislative changes were put into effect early in the New Labour period of office and the language adopted by the policy makers and advisors in early consultative documents (DETR 1998; 2001) was steeped in the language of 'democratic renewal; empowerment of local communities and greater freedoms for local government to better lead and serve local community needs (Burns 2000; Clarke & Stewart 1999). For local government, a new legislative framework was presented in the Local Government Act 2000 which introduced the power of 'well-being' as a new legal power for local government. The well-being concept was a significant additional mandate to local authorities, as legal powers had previously been defined in narrower and more prescriptive terms (Clarke & Stewart 1991). As with much of English Law, what was to be understood by the power of well-being would be a matter of experimentation and challenge informed by practice and case law. The well-being power was considered by practitioners and the



local government community to be a move towards a general power of competence for local authorities, where they would be afforded the power to do whatever they so determined, akin to a commercial corporation. This move towards greater freedom and flexibilities would have an unforeseen impact on the role of the elite appointed Officer advising the elected Councillors. Whereas the promotion of networked governance was considered by some to have removed hierarchy, the new governance arrangements and legal powers placed greater reliance on the advising Officer. During their term in office New Labour developed several strategies and policy changes that called for more advice on the exercise of legal powers, securing commercial arrangements with providers in the networked arena and the promotion of community leadership. This confirmed the place of Officer agency in governance arrangements. Thus, Officers exercising their agency in local government would have a material influence on the praxis of governance and democratic arrangements (Franzke et al 2007; Griggs et al 2008). Through the lens of the well-being powers, the way in which the elite Officers exercise their agency in the configuration of local arrangements is the focus of this research.

The approach to the study is inspired by the work of Bevir & Rhodes (2006) in their seminal work 'Governance Stories' which looks at the tradition, dilemmas and responses faced by Civil Servants in Westminster. By using the notion of the well-being powers, this research adopts a similar (but not a direct) application of the approach. This is done by exploring the traditions within which the elite Officers were used to operating before being presented with the dilemma of the New Labour policy changes. The resulting change in narratives and actions are explored in the empirical chapters.

#### **4. The Local Democracy Maker**

As a means of understanding how Officer agency is exercised the well-being powers under the Local Government Act 2000 are used as an empirical framework. This framework is used to examine how and why the Officers advise and practice on the nodes of local democracy in the way that they do in the local

government arena. This research describes the role of the senior elite Officer in facilitating local democracy in local government as that of a 'Local Democracy Maker'. This concept was inspired by the researcher's own reflexivity in the field and also by the works of Bang & Sorensen (1999); Bang (2004a,b) and Hendriks & Tops (2005). For the purposes of this research the notion of the Local Democracy Maker is presented as a role actively occupied by the senior Officers of the local authority (the Corporate Board). The idea of the Local Democracy Maker seeks to encapsulate how, in exercising their agency, the Officers have a material mediating and influencing position as a result of their senior roles (which include statutory positions). The role of Local Democracy Maker arises as a result of the void between networked governance, hierarchy and party politics. As a consequence of the complexity of interventions proffered by New Labour, multiple questions arise that directly relate to the local government Official. How did they respond to the New Labour approach? What did they draw upon to inform their advices? Why do they conceptualise local democracy in the way that they do? Who holds the ring of power when so much is prescribed by codification or managerial expectation? Such questions are not readily addressed in current literature and this research seeks to bridge that gap.

## **5. The research question**

The void in the literature and the researcher's own reflexivity in recognising the place of the Local Democracy Maker in advising on matters of local democracy prompted the research question for this thesis:

*'How do employed senior practitioners in three local authorities in England exercise their agency in local governance arrangements and how do they influence the praxis of local democracy?'*

The research question endeavours to be sufficiently open as to capture the complexity of the dilemmas presented to appointed elites in navigating the New Labour policy agenda. Research which endeavours to understand the meaning of narratives and actions is inevitably broad in its scope. Multiple influences,

dialogues and directives add to the richness of the research, which is compounded by the significant influence of local party politics in local authorities (see also Crick 1962). As would be expected, no single answer to the question is offered and the reflections presented emerge as a result of a research journey that touches on several areas. As with all research, much more was observed and experienced than is presented. The assumption that governance arrangements are pre-determined or static is explored and challenged in the thesis (see also Fenwick et al 2009). This theme manifests itself not through direct analysis of documents but in the more subtle observations and comments of Officers and Councillors. Officers as senior practitioners have regular contact with the elected politicians and are privy to private conversations concerning policy and political aspiration. In this exchange, the persistence of party politics is explained as an enabling and limiting tool of national policy expectations. Given the fusion of legal powers with democratic praxis (Dunn 2005) and the influence of Officer agency, the conjoining of the statutory and regulatory framework that frames local government and its relationship with the democratic process constitutes a significant portion of the research. Consequently the research touches upon the essence of the role of the local government official as professional and expert and their interaction with elected decision-makers as facilitators of political will.

## **6. The methodological approach**

To explore how the Officers exercise their agency in shaping local democracy as part of governance arrangements, capturing stories and narratives as articulated through observed events, interviews, conversations and textual analysis is a powerful tool (Holt 2003; Flick 1998; Fischer 1995). How the Officers respond to the dilemmas of the New Labour agenda and its impact on their role as advisors, shapers and mediators of local practices is best captured by watching the exercise of local democracy in the field. This was done by observing Committee meetings and meetings of the Cabinet. These democratic events were then followed by interviews and conversations with the Officers, the necessary academic and practitioner literature having been considered prior to the meetings.

Approaching the research by looking at the narratives is not to trivialise the methodology and what is presented is a study in applied ethnography as means of presenting a practitioners view back to the practitioner. Storytelling offers a rich source of information and highlights the constructed nature of how accounts are created (Bevir & Rhodes 2006). Narrative approaches to policy-making move away from an essentialist search for definitions and look for 'meaning making' (Yanow 2000; Yanow 1992). Such a focus offers greater opportunity for the exploration of the application of policy ideology in praxis (Clemons & McBeth 2001).

As the research considers the impact of New Labour policy on the understanding by Officials of democratic practice, an interpretive approach is adopted. An interpretive approach to public policy gives a voice to meaning, sense-making and construction of policy when seen as the discharge of ideology in practice (Alversson & Skoldberg 2000). This affords the space to present more than just a description of the apparent impacts of the policy changes, as merely defining, measuring and evaluating the impacts fails to capture the more latent impacts of the policy. Interpretive approaches afford the space for the respective changes in power relations, ideological challenges and relational tensions between the unelected and elected decision-makers to be captured. For this research, an interpretive approach also provided a platform for the voice of the practitioner-researcher to be woven into the analysis of the field work, as the challenges of the act of researching impacted upon the researcher's own deployment of the New Labour policies.

In order to do this, the research examines policy as expressed in a range of primary and secondary texts and is presented as a study of applied ethnography (Van Willigen 1999). Sources include a literature review, reflections on historical policy positions and changes presented by government and the broader policy community. Several meetings of local authority Committees and Cabinets were observed in Metropolitan, County and District Councils in England. The observational ethnographic study was complemented with elite actor semi-structured interviews (Emerson et al 1995; Enticott 2004). These interviews concentrated, in the main, on three senior officials in each of the local authorities

– the Chief Executive Officer, the Director of Finance and the Director of Governance and Legal Services. Personal reflections of the researcher are also included. By deploying an interpretive and ethnographic approach to the information gathered, the thesis explores how the Officers use and apply their agency in understanding and discharging local democracy in the sphere of local governance. The Conclusions present what was understood by the research as an example of applied ethnography – a practitioner perspective to a research problematic and are thus presented in the first person.

## **7. The structure of the thesis**

The first chapter of the thesis explores the contestable and contested concepts of local democracy and local governance from the perspective of their praxis. This chapter details some of the widely accepted principles of democracy and the challenges they pose for modern local government in the setting of networked governance. This chapter also introduces the notion of the Local Democracy Maker and how the elite Officer is called upon and placed in a position where he will have a real influence on the democratic arrangements. The idea of the Local Democracy Maker is posted as a means of exploring and explaining how the Officers move between various enabling and disabling roles in responding to the dilemmas raised by governmental policy changes. The notion of the Local Democracy Maker is applied extensively to the research as a means of illustrating the mediating and influencing impact the exercise of Officer agency has in the locality.

The second chapter reflects on how the employed officials might learn – what communities of practice and knowledge would influence their interpretation of their role as Local Democracy Makers. This chapter also considers the impact of reflexivity and learning on the practitioners and how their own cultures, described by Van Dijk as ideology, influence their world view. The term ‘ideology’ is probably one of the more difficult words in social science lexicon; which in general usage has become ideologised (Geertz, 1973). In the context of this thesis Van Dijk’s (1998) insights are attractive to a practitioner researcher, because ideology

is presented as form of operating system which is concerned with 'how exactly (members of) social groups 'make sense' of, communicate and otherwise interact in society' (page 9) and is quite different to its more common pejorative usage. The case for using an interpretive approach to the research is also presented in this chapter, in particular the effectiveness of an interpretive approach in getting under the skin of elements of narrative and observation which in turn reflect the Officer reaction to the dilemma of policy changes.

Chapter Three presents the well-being powers as a lens with which to undertake the fieldwork. The definition of well-being used is taken from the Local Government Act 2000. The journey towards the well being powers as a response to New Right credo of the 1980s is touched upon as is the significance of the powers when created in 2000. How the power of well-being was constituted as a reconfiguration of democratic renewal in the localities is discussed prior to explaining how the well-being powers are used to frame the field work. This chapter also explains the practical methods used for the research and use of applied ethnography and participant action research.

The empirical research is presented in Chapters Four to Six. Each of the chapters focuses on a particular well-being dilemma and in turn considers economic, environmental and social well-being. The dilemmas are considered in the context of the traditions of the three themes. These are respectively explored by the study of the dilemma of exercising well-being as it pertains to the night time economy; the management of the built environment and the use of public assets.

Chapter Four is concerned with the power of economic well-being as manifested through the promotion and regulation of the night time economy. The focus of the chapter is the role of the local council as licensing authority for night time entertainment. The chapter opens with an articulation of the broad traditions the Local Democracy Makers would have been familiar with concerning the night time economy. These are primarily concerned with historic arrangements that saw the Courts of Law as the governing body for night time activity. The dilemma presented is a move to the local authority in both licensing night time activity and promoting a wider and deeper economic vibrancy to local communities. This

dilemma conflates the challenges of multiple agendas, where economic, social and regulatory activities are defined, mediated and determined. The consequential narrative by the Officers draws on managerialism as a tool in managing the conflicting demands. Three key points are presented as a result of the empirical research. First, movement in the governance of night time economies and economic strategies calls for flexibility. Fixed arrangements are often a sham. In other words, governance changes do not mean that policy objectives are more readily implemented, as the Officers are still called upon to exercise their agency in manipulating fixed arrangements in order that they become effective. Second, arrangements for the governing of the night time economy echo the persistence of elitism and hierarchy in the pursuit of policy objectives. The aims of economic, social and regulatory objectives are sufficiently diverse as to result in the dilemma being managed through hierarchical structures by strategically empowered officials. Third, attempts at resolving social challenges through economic strategies that encourage an extended economic offer have partial success when measured as an indicator of social cohesion.

In Chapter Five the field work is located in the realm of town and country planning. The exercise of environmental well-being is explored through the lens of dilemmas at the local planning authorities' Planning Committee meetings when considering development control. Traditionally, local authorities had considerable autonomy in determining the use of space in their communities. The 1980s saw greater intervention at a more regional level, but on balance, much was left to be decided by the local authority Planning Committee. The Local Democracy Maker's dilemma arises with the advent of a more networked arrangement for the management of local spatial resources. The expectations placed by national agendas for more vibrant local economic arrangements with multiple investors sharing the responsibility for re-shaping localities, has the impact of a divergence of agendas and expectations requiring satisfaction through the planning process. Planning design is used as a means of managing social relations and attempts to negotiate shared agendas prompt conflict and tension for interested parties and decision-makers. In responding to the dilemma, the Local Democracy Maker's narrative is concerned with meta-regulation, prescribing the decision-making process as a means of mitigating legal challenge from investors and diminishing

the overt role of party politics. As a result of the empirical study, the chapter concludes by positing a reflection on the materiality of the political in environmental well-being decisions as wider governance arrangements and multiple interests call for heightened political decisions to resolve conflicting demands. In addition, democratic arrangements for engagement are often deployed to manage the political tension and to placate regulators' and risk management fears. Finally, the chapter suggests that the Local Democracy Makers conceptualise the purpose of local democracy in the process within a managerial paradigm, as opposed to a more traditional participatory function associated with the normative principles of local democracy.

Chapter Six focuses on the power of social well-being and dilemmas relating to the use of public social assets. The observed decision-making took place at meetings of the Executive of the local authority sitting as a Cabinet. Social well-being has the potential to be interpreted broadly and as a result the focus of the empirical study is on decisions surrounding the future ownership of public open space and support for community groups. Local Democracy Makers, prior to the New Labour agenda on shared community ownership of public space and assets, would have recognised the local authority as the custodian of public space, with duties placed upon them to protect such land and assets in the public realm. The dilemma for the Officers arises when local authorities are called to account for the efficacy of their public land ownership. In the study, this challenge drives the local Cabinet to consider the public asset as a tradeable commodity which can, on the advice of the Local Democracy Makers, be disposed of to secure commercial investment. In addition, a policy desire to see more public assets transferred to community groups for them to own and manage creates a conflict for the Cabinet when it is asked to support struggling local community groups. Put another way, the dilemma is focused on the tensions between long standing public access to space and support to socially minded groups and the commercial efficiency and accountability of the local Council as a corporate land owner. The chapter draws on three observations. First is the material and significant challenge in establishing a common understanding of social well-being and the measure of its success. Local Democracy Makers explain social well-being as an exercise of legal powers whereas elected Councillors consider it to be akin to public and



social good. Second, the impacts of New Public Management and community empowerment policies (for community asset ownership) result in the Local Democracy Makers exercising their agency by instilling more rules (both in form and in use) into the evaluation of proposals presented to decision-makers. The consequential effect is to diminish the potential impacts of promoting social well-being. Third, as a result of the installation of more rules in the management of the process, Councillors appear to apply a more negotiated and compromising discourse to their decision-making. They seek to manipulate the rules in use and this in turn pulls the Officers closer to the political arena than previously observed. Overall, the dilemma of commercial accountability and regulation highlight the challenge of politics, accountability and public service ethos for the Officers.

The Conclusion to the thesis departs from the third person and is written in the first person. To capture the voice and perspective of the practitioner it was considered appropriate to express what was understood from the perspective of those who practice local democracy. Thus, the Conclusion narrates the story from the researcher's own view point as a researcher-practitioner. The Conclusion highlights the benefits of using applied ethnography as a means of making sense of the dilemma of putting theory into practice. The meaningful insights that emerge as a result of following the interpretive approach of Bevir and Rhodes (2008) are drawn and in particular the complexity in decision-making in the locality as a result of networked governance arrangements, political aspirations and multiple layers of accountability. The role of agency in local governance arrangements is explained and discourses that deny the persistence of hierarchy, agency and elite theory are rebutted. The more significant observation concerns the active role elite Officers occupy as mediators, shapers, enablers and limiters of local democratic practice in their response to each dilemma. Their role as Local Democracy Makers is perhaps greater as a result of the growth in networked governance arrangements. The void between the political decision-making and relations with other (often non-elected) actors and institutions in the governance arena has the effect of securing a more dominant role for the elite Officers. The tension they face is compounded by the fluctuation of accountability between their elected Councillors, regulators and professional bodies. In summary, elite Officers in local government are active agents in

democratic praxis and they exercise their agency as a result of inherited traditions, shared experiences with communities of practice and personal reflection. As they construct and de-construct processes, interpret policy and legislation and manage and manoeuvre the political, they act as responsive and flexible agents in their role as Local Democracy Makers.

## Chapter One

### THE LOCAL DEMOCRACY MAKER

#### 1. Introduction and context

During the period in office of New Labour research into local democracy has, in the main, been discussed as a theoretical concept (see for example Beetham 1996; Bentley 2005; Hay 2002) and less so as a practice from the perspective of local actors such as the employed Officer in local government (Gains 2004). More specifically, the focus has concentrated on enhancing local democracy by adopting more deliberative and participatory forms of decision-making (Andrews et al 2008). The consequence of this shift in how local democracy is contemplated has moved the debate surrounding governance and democracy in neo-liberal societies away from local political institutions and the practitioners employed by such institutions (Akkerman et al 2004). Theories and descriptions of local governance are largely silent on who is constructing the new forums for deliberation and the networks and arenas for local governance. Earlier research (for example Sharpe 1965; Maass 1959) is of historic interest in its emphasis on the empirical life of local democracy. However, such scrutiny casts little light on the role of agency within governance arrangements. More particularly, governance debates often result in the unit of analysis moving from the arena of the locally elected representatives and their relationships with appointed officials and their constituencies, to other 'governance' actors, their institutions and the partnership of networked relations (Steyvers et al 2006; Skelcher 2005). Neo-liberal and rational choice theories celebrate 'new' governance arrangement of networks and 'partnerships' with the elevation of consumer preference over electoral authority or specialist advice (Pattie et al 2004). It is these discussions that move the attention away from *who* is managing local democracy and determining the 'rules of the game' for local decision-making. Moreover, the values of democracy are problematised by the way in which they can be adapted to localities within the concept of local service delivery (Dungey 2006; NLGN 2005 a, b) which perpetuates the contestability of the idea of democracy and the purposes and functions of local government. This suggests that between national

government policy conceptions to local application, an intermediary body of actors with discretion will have a more dominant influence in moulding the application of policy (Orr 2004). This thesis proposes a theoretical approach using the notion of the 'Local Democracy Maker' as a means of understanding the role of agency in local governance and local democratic practice.

## **1.1 Governance, agency and practitioners' perspectives**

When the concept of governance and more particularly local governance is considered within the academic literature, little is said of the role of agency and in particular how practitioners might view, form and shape the practice of governance. The confusion surrounding the treatment of agency within the consideration of governance stems, in part, from the difficulty in determining the definition of governance (Jessop 2000; Stoker 1998). Pierre (2000a,b) helpfully explains the concept by reference to two meanings. The first is governance as 'the empirical manifestation of state adaptation to its external environment' (2000a), the second considers governance as a conceptual or theoretical 'representation of co-ordination of social systems...and the role of the state in the process' (p3). The two meanings are subsequently explained by Pierre (2000a) as 'old' and 'new' governance respectively. In simple terms, the 'old' definition of governance concerns itself with questions regarding the 'steering' of society and economy through political brokerage by the state. 'New' governance is seen as the co-ordination of formal and informal types of public/private exchanges, of which the state is one of the actors in what is considered a 'network' approach to policy making (Rhodes 1997). A development in the literature on the 'new' governance concept is the place and scope for actors to be part of 'governing' arrangements and to form the 'governing' arrangement outside or despite the enduring presence of the state and political institutions (Pierre & Peters 2000; Behanabib 1996). This debate surrounds the arena of greater citizen involvement in decision-making, the diminution in the authority of the elected representative as having sufficient expertise and knowledge in determining decisions for the locality and the prominence of rational choice theories in critiquing the appointed public official (Atkinson 1994; Le Grand 2003). Within the construct of 'networked

governance' sits the notion of 'associative self-governance' as one where democratised networks take the place of the role of the state (McAnulla 2004; Dowding 1996). The 'old' governance critique of the state often concentrates on structures and its institutions, whereas 'new' governance looks at how actors work outside such formal arrangements to influence and create policy. Some definitions of governance share a common emphasis regarding the importance of the facilitating and mediating role of actors (Miller and Dickson 2000; Miller, Dickson and Stoker 2004) but are reluctant to recognise the persistence of a form of legitimised elected representation and the practitioner perspective and contribution to the governance debate (see also Beetham 1996). The lack of enthusiasm surrounding the contribution of appointed officials in the 'governing' process results in the challenge of agency as part of governing and local democracy arrangements being too readily overlooked.

### **1.1.1 The dilemma of 'new' governance**

For 'new' governance, theories of local governance often make assumptions that politics and power have less significance in neo-pluralist society as no single actor is seen as having the expertise or resource capacity to tackle local problems unilaterally (Stoker 1998) and the state has a diminishing capacity to direct policy making and implementation (Rhodes 1997). Hajer (2003) says that '(the) locus of power has become unclear, therefore social movement strategies become more diverse' (p179), which gives rise to opportunities for the 'unauthorised actors' to become the agents for governing beyond the more traditional political institutions. Local governance offers a similar conundrum, with the additional dimension and persistence of the elected formal institution of local government (Pierre & Peters 2000; Flinders 2004). The locality encompasses several political actors (Benhabib 1996) and institutions as part of a system and process of local democracy (DCLG 2006). How local democracy is construed and why it is comprehended in such a manner by those who have a key part to play in its construction within the local political institution of local government, can offer an insight into how governance is understood (Bevir & Rhodes 2008). In other words, what does the perspective of agents, as Officer practitioners in local

government, of local democracy tell us about the concepts of local governance? To what extent does elite agency facilitate and restrict the democratic process particularly the contribution of elected Councillors. If local governance is considered 'new' as a result of a more fragmented approach to managing localities and new modes of participation, this form of new political order will manifest itself in the perspectives of agents who create local knowledge and interpret democracy and the practice of governance (Imrie & Raco 1999; Damgaard 2006). As Halpin (2006) explains in his consideration of the practice of law and its relationship to theory and ideology, without an understanding of practice and the interpretation of theory, theoretical concepts can become meaningless or sources of dispute. Therefore, the practical element of theoretical implementation of local democracy and local governance by local agents requires detailed attention (Butler et al 1994; Jones and Stewart 2004). This thesis identifies such agents as 'Local Democracy Makers'.

## **1.2 Who are the Local Democracy Makers?**

Local government Officers are readily understood to undertake their roles as leaders and managers of public service delivery. As leaders they set the direction for staff and services and as managers they control the resource and undertake the established functions of managing people, designing the delivery of services and applying techniques that seek to meet customer needs at minimum cost to the taxpayer. As leaders their role is as strategic coordinators of service delivery aimed at meeting medium term expectations set by politicians and regulators. In this guise the Officer will look towards a variety of activities such as plan writing, maintaining commitment to project delivery and securing resourcing to meet more medium and long term expectations.

The idea of the Local Democracy Maker acknowledges these two managerial functions but seeks to enhance the understanding of the place of the employed Officer in the *political* management of the local authority and in particular the management of local democracy as opposed to merely public service. In other words, senior officials as Local Democracy Makers not only undertake acts of

leadership and management but more crucially create the conditions of local democracy. The roles are greater than those normatively understood as managerialism as the influence and impact of the Local Democracy Makers are in the context of the political. Describing senior elite Officers in the paradigms of managers and leaders fails to recognise a much more complex, contingent and diverse sphere of influence they occupy which moves beyond managerialism to the engine room of the political.

It has already been recognised that local government Officers act and influence in a role which is greater than as a manager and leader. The concept of the boundary spanner is such an example. Boundary spanners are seen as actors whose primary job responsibilities involve managing within multi-organizational and multi-sectoral arenas (Williams 2002). Williams suggest that there might be two types of boundary spanner. The first are individuals who have a dedicated job role or responsibility to work in multi-organizational/multi-sectoral settings. This role can be explained as a Partnership Manager, who is charged with bringing together various local agencies (such as Police and Health Services) with the aim of agreeing a common agenda of intervention for a locality. The second type of boundary spanners is those individuals who undertake boundary spanning activities as part of a mainstream job role. This role is focused on the policy problems facing society that are increasingly complex and interrelated and which call for cross-boundary engagement. What is clear from this interpretation of the boundary spanner is its functional applicability. The boundary spanner is a role which is occupied by an individual or those charged with policy making which seeks to engage an inter-organizational approach to a policy challenge. To some extent this definition of the boundary spanner sees the persons as operational managers charged with bringing together institutions and organisations to address presenting issues. In practice the Local Democracy Makers will have within their own sphere of responsibility a role in boundary spanning, but the definition does not go far enough to capture the contingent and complexity of the senior officials' role in shaping, moulding and influencing politics and democracy. The Local Democracy Maker occupies an arena which is not readily identified or described by a job role or definition as the making of local democracy is a latent activity steeped in the nuances of subtle mediation and negotiation of inter-relationships

between Officer and Councillor. Whilst the definitions of the boundary spanner give insight to the place of officials in governance, it only offers a partial definition. The idea of the Local Democracy Maker does echo with traces of officers as boundary spanners and there is some convergence in the definitions. However, for this research applying the definition of boundary spanner as an inclusive description is both limited and limiting as it does not allow for the facilitative role of the Local Democracy Maker as makers of democracy.

To capture the more complex role of the Local Democracy Maker it is appropriate to reflect upon the New Labour approach to local government and local public services. The policy contexts of modernisation and democratic renewal attempts to grapple with and apply aspects of entrepreneurship, New Public Management and rational choice to local service provision. This approach is predicated on the need for a more responsive, flexible and consumerist approach to the locality (Bevir 2005). The basis of this modernisation agenda is founded upon the principle of citizen choice, where local government should provide services based on a more managerial foundation, with the citizen, as local consumer, at the heart of government (DETR 1998; DCLG 2006). How a consumerist approach to the locality fits with local government and the democratic principles within which it operates causes a tension between the function of local government as representative government in the localities and a more participative and commissioning form of local government operating as one of several agents in the governance network (Parkinson 2003). The effect of such a policy direction is to push local politics to the background in managing a locality and promoting user views and non-elected providers and institutions as primary voices. Newman (2005b) summarises the difficulty in balancing representative government and participative governance as potentially 'a constrained, managed and consensus-orientated political imaginary that will do little to achieve the connection between government and people...' (p135). In other words, political differences are reduced to preferences and choices and to a lesser degree the application of more transparent democratic decision making (Brooks 2000).

Recent academic and theoretical narratives of democracy have moved to a more participative and expansive understanding of democracy (Saward 2003). Stoker



(2006) endorses this view when he draws on Dahl (1956) in his analysis of contemporary democracy that ‘...everyday politics is not just a matter for elected leaders, it is also a matter for organized groups that can help give voice to the citizens’ concerns’ (p152). Elite theories offer alternative arguments. Changes observed by Harding (1995) in connection with the reform in structures of local governance and a ‘local government literature...(that) now abounds with words like “partnership” and “enabling”...suggest a role for local authorities in building elite consensus and forming conditions to achieve various governing aims’ (p49). The perceived push towards ‘new’ governing arrangements results in material changes in the practice of governing. This is particularly so for the senior elected representative and appointed Officers in local government. National changes which surround the relationship between the State and local institutions and mechanisms of meta-governance which exist in English local government has moved the locus of greater power to appointed Officers. This is visible in senior Officers’ roles and responsibilities in leading joint area initiatives such as ‘Local Area Agreements’ (DCLG 2006), the increased expectation in senior Officers leading and developing community based initiatives and consultative programmes such as neighbourhood forums (CLG 2007; DCLG 2006). Overlaying the practical expectations on the senior Officers are the statutory powers afforded to them since 1989 (expanded upon later in this chapter), as a triad of lead Officers, which establishes the opportunity for them to forge local democracy for the community and approve or otherwise how the local council for that area should undertake its act of governing. Their influence as enablers or restrictors of local democracy and local governance by virtue of the privileged space they occupy to fashion and shape such arrangements, has an enduring effect on their position as the local elites (Stone 1995). Despite a more expansive view of democracy, as organisations and institutions trade in networked partnerships the fundamental design of how the principles of local democracy and local governance will be practised in the locality must be determined and negotiated at the earlier concept stage. As a part of a representative model of local democracy, and as a response to neo-liberal and rational choice critiques of the failure of democracy, examples abound of mechanisms and interventions of local democracy ‘engagement programmes’ such as focus groups, neighbourhood committees, on-line petitions, deliberative polls, participative budget setting and

citizen juries (see for example CLG 2007; CLG 2008a,b,c & d) . Assumptions are made that only citizens know their 'true wants' and that local and national governments are only 'second guessing' (Coleman 2006). Staged events of this nature still require that the idea, purpose, outcome and management of the process be determined and resolved at an early stage by senior actors within the sponsoring institution(s). In other words, the existence of networked governance arrangements, whilst pushing the function and purpose of local democracy as a managerial tool, still requires the presence of a small elite group of elected representatives and senior Officers to occupy key strategic positions that straddle local political aims and ambitions, national expectation and professional obligation whilst managing the processes of local democracy (Davies 2007; Davies 2008; Bogason and Musso 2006). The presupposition as part of 'new' governance that self-organizing networks are the means of co-ordination fails to recognise that at some point some actor will need to determine the purpose and outcome for that networked arrangement and determine how their voice and contribution should be considered and acted upon. How this tension is both created and managed depends on the pivotal role of the actors that 'make' democracy in the locality.

It is acknowledged that any definition of Local Democracy Maker that is presented in this thesis is equally problematic as it has the potential to be exclusionary in its definition or overly suggestive by pre-determining the 'makers' traits and assumptions. The definition is not proffered as universal definition but as a means of articulating how the researcher as a practitioner related and empathised with the role of senior elites in English local government. As a consequence, the description of the Local Democracy Maker is informed by the researcher's own practice and experience and the way in which the literature pertaining to Every Day Makers, Every Day Fixers, Street Level Bureaucrats and Social Entrepreneurs struck a cord with how the researcher understood his own world.

### **1.2.1 The inspiration for the idea of the Local Democracy Makers**

The idea of the local democracy maker draws its inspiration from an amalgam of four concepts which have arisen as a consequence of local networked

governance arrangements. The first notion is that of the 'everyday maker' proposed by Bang and Sorensen (1999) in the context of democratic governance and engagement (which also reflects the 'expert citizen' – see Bang 2004). The second stimulator is the 'everyday fixer' as described by Hendriks and Tops (2005). The third motivator is the perception of the 'street level bureaucrat' as advocated by Lipsky (1980). It is suggested that this definition since its inception in 1980, might be best described as 'street level manager' as principles of New Public Management in public services since the 1980s have sought to devolve managerial principles into all levels of service delivery. The final component in the definition of the Local Democracy Maker is the 'social entrepreneur' crystallised by Leadbeater and Goss (1998) which describes a more innovative Officer who seeks to resolve presenting difficulties with a combination of commercialism, risk taking, personal flair and an understanding of the political. The Local Democracy Maker is presented as one of the elite group of senior Officers who are mandated in law to mediate the application of State rule and regulation as part of the tensions in local service expectations and political ambitions. This is done within and as part of their own professional obligations and systems of accountability (Bogason and Musso 2006). The combination of legal duties in respect of citizen engagement and performance management reinforces the opportunity and scope for the Local Democracy Maker to influence and construct local democracy. This is a role that, for English local government, is a recurring theme and is similarly reflected in the Local Government white paper *Strong and Prosperous Communities* (DCLG 2006) as it advocates the creation of innovative schemes and mechanisms that are aimed at greater devolution of decision-making within a managed and balanced framework of elected representative accountability. This bolsters the need to understand how agents interpret local democracy for the purpose of practice within governance. More recently, primarily as a result of financial constraints, democratic engagement events such as local citizen juries and focus groups have been abandoned and greater reliance has been placed on engaging with employed citizens (such as Chief Executives of the voluntary sector or local lobbying groups as a form of democratic engagement) (Blackman 2007). Local Area Agreements in English local government offered examples of where community priorities and outcomes being determined by groups of appointed

officials as opposed to a body of elected representatives or as a result of citizen engagement programmes.

The definition of the Every Day Makers is incorporated into the definition of the Local Democracy Makers as it captures a new and specific practice undertaken by the employed Officer. Bang and Sorensen (1999) explains the Every Day Makers as individuals who are not necessarily defined by the state but are neither apathetic nor opposed to it. These individuals are citizens who (in their free time) prefer to be involved with communities at the lowest possible local level. Their focuses of concern is their own locality, making for a better community, resolving local issues and concerns with a practical approach to 'do-it-yourself' solutions. They are seen as project orientated, wanting to deal with common concerns concretely and personally rather than abstractly and ideologically.

Understandably, Bang and Sorensen is inspired by what was seen in Scandinavia in the 1990s but it recognises a new form of participant in local governance and local democracy. Changes in society and changes in the nature of liberal democracies prompt a new form of citizen engagement.

Earlier in the Introduction, the democratic renewal agenda fostered by New Labour was discussed which highlighted significant changes in the expectations for more participative forms of local democracy. Such changes resulted in a shift in the role of the local government Officer. Officers were expected to arrange, lead, facilitate and engage directly in events which brought to the fore citizens concerns and wishes. By undertaking activities such as focus groups, citizens panels and customer feedback events Officers are now in positions where they have direct relationships with citizens. As a result, Officers will personally take responsibility for assisting, advising and resolving matters presented to them or which come to light as a result of exchanges with individuals and communities. Senior officials in creating and leading democratic renewal events will facilitate for Councillors *and other local citizens and groups* means and methods of getting their voice into democratic and governing arrangements. Thus Local Democracy Makers will aid and assist citizens in how they can undertake their 'do-it-yourself' approach to solving local issues. Such an example experienced by the researcher related to a call for assistance by a community group on how they might organise themselves to effectively manage a campaign of opposition to the

intrusion on protected open space by travelling Gypsies. The group wished to present their concerns independently and hoped to make a difference by organising themselves in such a manner as to record with some impact their concern. Their engagement was with senior Officers as opposed to Councillors, with regular meetings with the employed elite to examine how they might maximise their influence to resolve the presenting problem. The local individuals were acting as Every Day Makers, but in turn so were the senior Officials who were engaging with them. Practical approaches, empathy for their cause and facilitating their voice were a role that the Local Democracy Makers as they viewed the engagement as participative local democracy.

The application of the definition of Every Day Maker in the model of Local Democracy Maker is appropriate. Its application recognises the expectations on Officers to actively pursue and enable a more deliberative and participative form of local democracy in the context of the democratic renewal agendas of New Labour. It is acknowledged that adapting the application of the term to employed officials it moves away from the original inspiration of the concept used by Bang and Sorensen. Nevertheless, the perspective of the Every Day Maker captures the spirit of the relationship between the senior Officer and the citizen. Understandably the representative role of Councillors was equally as significant, but the shift in the landscape between a direct relationship between Officer and citizen was material. As a consequence, describing Local Democracy Makers in part as Every Day Makers captured the spirit of the changing environment and relationship between the two.

It would be possible to illustrate the idea of the Local Democracy Maker by relying upon other descriptors. One possibility for the role of social entrepreneur could be as 'grantmanship' as it draws on responsibilities for securing financial resources. The value of the notion of the Local Democracy Maker is that it refrains from labelling individuals according to rigid typologies but indicates the diversity of the terrain that Officers are now expected to traverse as they mediate and navigate the multiple aspects of their role. For example, similar to 'boundary spanner' which suggests a two dimensional perspective on the role of senior officers, the model of 'grantmanship' is also too narrow, as it suggests that the Officer's role is

reducible to that of a financial manager and almoner. The idea is to capture a much richer picture of a senior elite official who has the authority and relationship with elected Councillors to facilitate and manage the politics of decision making. No one single descriptor on its own will suffice and using a term such as grantmanship only recognises the financial aspects of what the Officer (and particularly the Director of Finance) will be engaged in. It is the context and way in which they operate that is particular and thus the idea of a social entrepreneur captures more readily the innovation and negotiation needed around the context of their relationships with fellow Officers and Councillors.

There is similarly need to resist incorporating into the descriptor of the Local Democracy Maker the idea of 'political manager'. The use of the definition is more associated with professionals employed to manage *party* political campaigns or to advise individual political parties. It is acknowledged that Officers will manage the political, indeed even the *party* political, for a variety of reasons but this is not their sole role. They will seek to manage the political in order (in the main) to facilitate a solution required by a mandate or a regulator. An essential component of the idea of the Local Democracy Maker is the response to New Labour policy changes that call for a more direct influence and engagement with the citizenry. By using the idea of Every Day Fixer, the vein of connectivity between the reconfigured role of employed Official in direct consultative, responsive and engagement arrangements with citizens is maintained. The Local Democracy Maker is presented as the Officer who is called upon to look out towards the citizen. In addressing the tension between political desire and community calls for action they may well act as political managers, but to define them as such for the purposes of the concept too readily narrows the expectations upon them to champion the needs of service users.

### **1.2.2 Local Democracy Makers as facilitators and gatekeepers**

The challenges for appointed Officers surface in the practice of representation, participation and accountability which will have the effect of re-creating a new concept of 'the citizen' for the purpose of community engagement. Consequently

the Local Democracy Makers are called upon to undertake an expert role by virtue of the legal and policy expectation and constraints imposed on them as senior officials. The professional codes of behaviour, policy and legislative directions and post New Public Management changes inform the traditions of the senior Officers. In approaching and deploying their skills and advices, their ideology will be informed by an operating framework that draws upon the traditions of their professions and their reactions to historic managerial regimes. As a consequence, the Local Democracy Maker becomes the facilitator and gatekeeper of how and where democratic principles and prospects apply in the locality. This will, in turn, determine the extent and ease of involvement for everyday makers (Bang and Sorensen 1999) and the everyday fixer Hendriks and Tops (2005). However, the degree to which the everyday fixer, as a 'local hero', needs to engage with the local institutional arrangements and navigate the local democratic structure will very much depend on how the Local Democracy Maker determines the 'rules of the game' for each locality. Consequently, the Local Democracy Makers can be considered as a mutation of these concepts as they act as appointed officials whose mandate is to facilitate or hinder local democracy which will be influenced by the multiple sources of authority on them and their own traditions as informed several systems of values and beliefs. This might suggest that they act as street level managers (Lipsky 1980) in that they discharge strategic policy in practice with such authority that they have inherent autonomy to apply their own discretion as to how the policy should be implemented. Although Lipsky is critical of the notion that agents 'on the ground' are free to determine and design policy through implementation, it resonates with the empowerment of everyday makers and fixers as social entrepreneurs (Taylor and Kelly 2006; Leadbeater and Goss 1998). The Local Democracy Maker takes Lipsky's notion a step further, as it suggests that the senior Officer group not only discharges the policy, but will have a major influence on how the policy might be constructed at the outset and what should be excluded from consideration as part of the policy making process.

### **1.2.3 The decline in the role of the Councillor?**

During its latter term of office, New Labour publications relating to the future purpose and function of local government (ODPM 2006; DCLG 2006) suggested that the involvement of locally elected representatives and the contribution of local politics to managing the locality were not recognised or valued as much as the participation of consumers and citizens in service design (DCLG 2007a & b; Fairclough 2000; Gardiner 2006; for a more generous view see Commission for Rural Communities 2008). This critique of the elected practitioner is associated with advocates of rational choice theory and is embedded within New Public Management narratives which privilege the adoption 'by public organizations of the management and organizational form used in private companies' (Christensen & Leag Reid 2011, p.2; Le Grand 2003; Dowding 1996 and 2001; Dowding et al 2000). The approach espouses economic values and objectives as a concept and allows for a loose multi-faceted range of different administrative doctrines. The new institutionalist narrative also diminishes the importance of the decision-making powers of practitioners, by privileging networks, characterised by informal norms and tacit agreements rather than hierarchical structures (Bevir 2005; Sullivan and Gillander 2005). As Bevir explains, '...the institutionalist narrative offers networks as the solution to a crisis of the state associated with both the failings of old hierarchies and the further damage wrought by neo-liberal reforms' (p39).

### **1.3 The endurance of agency as part of governance**

The institutionalist explanations of governance draw on the various axes of power in *networked* arrangements as a means of explaining the efficacy of local democracy (see Lowndes 2002; Stoker 2004). What is commonly overlooked by this approach is the persistence of the appointed Officers and their ongoing relationship with the elected representatives in local government and the hierarchical decision-making process that endures in the local arena (Jones 1969; Gains 2004). Mathur and Skelcher (2007) similarly reinforce this argument as they explain the complexity in the construction of governance arrangements and the



influence of those who create such arrangements: 'we start from the position that social meanings are constructed and operationalized in the managerial and political processes that underpin the design of political institutions.' (p 232). In 2005 the Joseph Rowntree Foundation undertook a study of the role of senior officials in local government. The findings point to the increasing stature and voice in local government of the appointed Officer. Specifically this research discovered that the role of a Chief Executive and other senior Officers in local authorities *must* be considered when political representation and governance arrangements are being analysed. A Chief Executive is rarely simply the implementer of policy formed by political leaders' wishes – they are active participants in a dialogue that shapes and amends political priorities. In such circumstances a political leader will endeavour to find ways of progressing a political agenda (within which re-election is a key component) in a way that does not hinder the organisational agenda. The Chief Executive on the other hand strives to ensure that the latter is not impeded by the former, a challenge which calls upon a wide spectrum of personal qualities drawn from the Officers' own traditions as informed by experience, values and beliefs (Fox 2004). Similarly, a report by the Society of Local Authority Chief Executives (SOLACE 2005) recognised that the balancing of political and managerial responsibility leads to tension between the leader's political ambition and the Chief Executive's managerial, professional and technical responsibilities. The report goes on to recommend a re-appraisal of the relationship between Chief Executives and their Councils or Council leaders, and the striking of a new deal on the relationship between Chief Executives and the communities they serve. What the report highlights, is the unique influence and function the Chief Executive will have, together with other senior elite Officers in a locality.

### **1.3.1 Local Democracy Makers and statutory authority**

As a consequence of their positions of seniority and legality in the local government setting the Local Democracy Makers are commonly the most senior Officers in local government – namely the triad of statutory officers. These Officers advise and work closely with the elected Councillors on which decisions

they should make and the manner of the decision-making process (see also Royal Commission on Local Government in England, the Radcliffe-Maud Report 1969 for more historic narratives of decision making arrangements). They will oscillate between relationships with each other, local citizens, governance actors and national governmental departments and will endeavour to manage the problematic of expectations in relation to citizen anticipation of local government and local democracy (Downe et al 2006). As will be expounded in later chapters, this Officer group will come from the membership of the local Council's senior leadership team and will consist of the statutory Officers who are responsible for staffing matters (the head of the paid service and usually the Chief Executive), financial probity (commonly referred to as the 'section 151 officer' and the Director of Finance) and legality (referred to as the 'monitoring officer' – a post usually held by the Council's Solicitor). In addition, the Chief Executive Officer will normally act as the Returning Officer for elections in the local jurisdiction. The Returning Officer has the authority and responsibility in law to manage and organise local, national and European elections. Such authority gives the Returning Officer discretion on a wide range of issues including how voting (in particular postal voting) should be conducted, the nature of publicity during the pre-election period and the conduct of political parties on polling day near polling stations.

### **1.3.2 Drawing on policy traditions**

In English local government, as a consequence of government policy, the expectation of increased citizen participation in local affairs and local partnerships is frequently emphasised (ODPM 2004a; ODPM 2006; DCLG 2006). This supposition not only provides increased opportunity for individuals to engage with local decision makers and local community shapers, but as a consequence, empowers the Local Democracy Makers to determine the rules in form and the rules in use (Lowndes et al 2006; Lowndes & Leach 2004) of how, when and on what issues citizens should participate in the local arena (see also Dowding & John 2008). This will result in the Local Democracy Makers drawing on their own traditions of professional codes and shared experiences among communities of knowledge in the act of advising. The practitioners in the policy-making process,

as part of the practice of local democracy, will have differing degrees of authority to influence outcomes and will have the dilemma of managing multiple systems of accountability (Sullivan 2002b). Commonly, appointed practitioners in local government will draw on local democracy systems and practices as a means of legitimising new ventures such as commercial partnerships with the private sector providers (Sullivan et al 2005; Sullivan 2002a). This process of legitimising decisions is one the prerogatives of the Local Democracy Maker. Processes of policy approval for local government will entail the executive body of the local authority determining how democratic principles should be applied in the decision making process. Such policies and strategies are often required, by law, to address not only matters within the jurisdiction of the local authority, but also wider societal challenges that exist as part of the local governance network (see, for example, the duty to publish a Sustainable Community Strategy in accordance with the Local Government Act 2000). This, in turn, provides the Local Democracy Makers with an early opportunity to exert their power in the decision-making process and affords a space for them to express and exercise their own beliefs and values and influence the design and outcome of the policy-making process. The concept of the Local Democracy Maker offers a framework from which the tensions and realities of theoretical approaches to local democracy as against practical reality can be examined. Such a framework acknowledges the socialisation of democracy and its contestability together with its dependence on power relations (Goode on Habermas 2005).

#### **1.4 Local democracy in praxis**

The arena where the Local Democracy Maker interprets local democracy and local governance stems from the theories of democracy (Held 1996). 'Local and national democracies are one system. There is no such thing as local democracy, separate and autonomous, and justified solely in terms of the self-governing community' (Hill 1974, p17). What is explained by Hill is democracy in the locality (what we refer to as local democracy) and the space occupied by the Local Democracy Maker. A traditional definition of democracy (such as 'majority rule' or majority public opinion (Blaug and Schwarzmantel 2000; Weale 1999) is

problematic to contemporary local government as it is generally predicated on a form of direct participation by a largely homogenised citizenry (Schattschneider 1975; Beetham 1996 and Phillips 1996). Applying the definition of democracy to the localities calls for a more pragmatic definition (Hill 1970) as institutions of local governance endeavour, in the guise of democracy, to ‘...bestow an aura of legitimacy on modern political life: laws, rules and policies appear justified when they are “democratic”’ (Held 1995 p.3). Mathur and Skelcher (2007) also reflect on this issue and suggest that a description of democracy should use criteria based on normative standards that are universally applicable across governmental systems. By citing Beetham (2004) (pp1-17) Mathur and Skelcher conclude that it is not enough to specify a check-list of items to be assessed without explaining their contribution to democratic life, and the norms against which they are to be assessed. The design, interpretation and practice of democracy must be considered contextually (Hirst 1994) with guiding principles used as nodes from where reflexions can be established (Stoker 1996; Stoker 2000).

More recently, since the advent of Executive arrangements for the discharge of decision-making at the level of the local authority in England (as a result of the Local Government Act 2000), increased tensions have emerged arising from the need to manage services effectively while ensuring democratic engagement (Steyvers et al 2006). Greater obligation on localities to engage with citizens (Barnes et al 2003; Barnes et al 2004), potentially gives Local Democracy Makers an opportunity to determine how democracy should be enacted and considered. Such a change in emphasis calls for the re-visiting of democratic principles from the perspective of the agent, akin to what Newman et al (2004) term ‘strategic actors’, as the Local Democracy Maker is charged in law and will have opportunities in practice to bridge the national expectation of service delivery with democratic engagement in the locality.

To gain insight and understanding into the reflexive and interpretive world of the Local Democracy Maker, the idea of democracy calls for a pragmatic comprehension of certain core values and principles that form the foundation of democracy. In their audit of political power and democratic control in Britain, Weir

and Beetham (1999) suggest that the core values that best define democracy have their roots in three concepts - open and accountable government; free and fair elections; civil and political liberties. These concepts whilst useful, need to be further refined if they are to be applied to the practice of democracy as understood in the localities (Wilks-Heeg and Clayton 2005). An interpretation of these three core concepts for the purposes of giving form to the idea of local democracy should take a more applied view and can be transmuted to mean a system and process of *representation, participation and accountability*. This distillation of democratic values affords versatility and pliability to the idea of local democracy, which allows for the contested and contestable (Vandenberg 2000) nature of the praxis to be acknowledged. These three criteria can be used as a means of understanding how, through the practice of local democracy, practitioners as agents, perceive, mould and understand local governance. How the Local Democracy Makers navigate the three concepts and the 'codes of operation' they apply and exert in the discharge of their responsibilities should, through empirical research and reflection, explain why and how governance is understood by them.

## **1.5 Local Democracy Makers and local government**

Through the election of the elected representative, local government is normatively considered as the place where local democracy is traditionally transacted (Stoker 1991; Sullivan 2002 a, b; Sullivan et al 2006a, b) by the discharge of decision-making, which draws on the principles of representation, participation and accountability (Stewart 2003; Stewart 1989a). This practical understanding of local democracy secures local government's legitimacy as a democratic symbol and not only as an administrative bureau (Judge 2005; Quirk 2006). Underpinning the existence of local government is its legislative foundation (Local Government Act 1974). This legislative mandate charges local government with three broad responsibilities. The first is its representative role as second tier government. The second is its role as provider and commissioner of public services to the locality (Joseph Rowntree Foundation 2005). Thirdly, local government has specific statutory and regulatory roles bestowed upon it by a diverse cross section of legislation, from the determination of planning

applications to the burial and cremation of the dead (Cross 2009; Chandler 2008 & 2010). Reinforcing these three functions are the opportunities (as part of local democracy) local government offers for participation (Stewart 2000), its responsibility to resolve community problems (Stewart 1995; Pratchett 2002) and its wider duty of community leadership and responsibility for ensuring the well-being of citizens (Leach et al 2005; Local Government Act 2000; DCLG 2006; Morrell and Hartley 2006). The exclusivity of local government as the only means of local democracy is not suggested by the term 'Local Democracy Maker' and it is acknowledged that local democracy takes many forms. Nevertheless, the statutory framework that Local Democracy Makers operate within local government does add a unique dimension to their contribution as to how the locality might be governed. Similarly, narratives surrounding new forms of democracy as a result of changes in local governance (Skelcher 2005) do not remove the enduring legal responsibility of local government to govern their administrative areas in what is conventionally considered a 'democratic' manner. Whereas initiatives such as focused participative activities with citizens by local institutional actors have increased and greater attempts are made to formulate more representative forums of engagement (Barnes et al 2003 and 2004; Newman et al 2004), such arrangements are made within pre-existing legislative and structural frameworks which call upon individual agents to determine the form of democracy in that locality. In addition, as Peters (2007) writes, democratic network governance, despite the plurality of governing, is mostly concerned with individual members of the network satisfying their own needs (p.75).

### **1.5.1 Hierarchy, local government and local governance**

Although local government is the formal institution for governing the locality, it does not operate in isolation, as it discharges its service obligations through and with '...the range of organisations, drawn from the public, private and voluntary sectors, involved in delivering local services' (Rhodes 1999 p xiv). As a consequence of such diverse arrangement, 'governance' becomes a problematic that requires managing within the idea of democracy. Local democracy is seen as the decision-making process but 'governance is ... concerned with creating

conditions for ordered rule and collective action. The outputs of governance are not therefore different from those of government. It is rather a matter of difference in processes' (Stoker 1998). If local government is considered on a normative basis, as the 'place' where local democracy takes place (Lyons Inquiry 2006), how other actors as part of and within the governance arena discharge their functions and powers needs to be considered as part of a hierarchical local governing arrangement (Lowndes & Leach 2004). The persistence of hierarchy within the practice of local democracy and more 'networked' governance arrangements is overlooked in the local governance debate. Suggestions that as a result of local governance a more pluralistic notion of democracy has arisen (Newman 2001; Hansen 2007) fail to recognise the persistence of hierarchy, legality and managerialism that pervades local decision-making and local service delivery and the key actors who operate within and maintain the hierarchical arrangements. Exploring how Local Democracy Makers as agents within the hierarchy of governing contribute to the shaping and forming of local arrangements offers fresh opportunities to gain new insights into current local governance (for similar suggestions see Nyholm & Haveri 2009). By using local government as the unit of analysis, what is emphasised is the scope the Local Democracy Maker's as an elite group within more traditional hierarchical local government, will have to structure and shape the practice of democracy in the locality and to act both as gatekeepers and facilitators within existing governance arrangements. Local Democracy Makers, together with elected representatives, appointed representatives and appointed experts are likely to draw on their own traditions and institutionally embedded knowledge and beliefs when managing the locality (Entwistle et al 2005; Vinzant and Crothers 1998). This in turn fashions the democratic principles of representation, participation and accountability for that municipality. If the notion of empowerment and privilege is attached to the Local Democracy Makers, what informs their world-view influences the relationships between them and the hierarchy that may persist locally will manifest itself in their interpretation of democratic practices and the perceptions they might have of how local democracy and local governance should be put into effect.

## **1.6 The challenges that face the Local Democracy Maker**

The Local Democracy Maker straddles two arenas. The first is the application of democracy to decision-making in the locality. The second is the chaotic effect of local governance arrangements. Their role in putting into practice the theoretical aims and ambitions of elected politicians and local power brokers will inevitably bring the Local Democracy Maker face to face with the tensions between local democracy, local governance and new public management aspirations for the delivery of local services (Farrelly 2009). A more consumerist form of choice in accordance with the ethos of new public management (see for example ODPM 2006; 2004a 2004b; 2004d) has an impact on how the Local Democracy Maker is to facilitate engagement with the public and how public services should be discharged. New Public Management paradigms applied to the management of local services often ignore the principles of local democracy (James & Cox 2007). As a consequence a significant aspect of the work undertaken by the Local Democracy Maker is likely to be challenged with the need to accommodate managerial principles when applying democratic theory (Skelcher 2006). This expectation fits uneasily with the governance debate as Local Democracy Makers not only act as gatekeepers for local democracy by framing and shaping decisions before they are made, but they also add to the process the value of the democratic principles of representation, accountability and participation. The traditions which the Local Democracy Makers as Officers advising Councillors will draw upon will include their own professional codes and ideologies, beliefs and histories experienced by them or acknowledged as a shared experience with peers. This poses a conundrum of challenges for the Local Democracy Maker, as inevitable tensions in interpretation, reflection, values and practice will emerge.

### **1.6.1 The Challenges of Representation**

The role of the Local Democracy Maker is fundamental to the construction of the representative agenda. A field of tension arises between the potentially differing purposes for representation in local democracy (Pitkin 1967) and representation as applied to local governance and New Public Management principles of service



delivery. The principle of representation and the requirement for democratic decision-making to operate within a model of public opinion is well recognised by the academic and practitioner (Parry & Moran 1994; Weale 1999). Contemporary academics, such as Weir and Beetham (1999) see the problem of scale as requiring representation (as a fundamental criterion of democracy) to operate through local democracy. The challenges of representation emerge more prominently when the role of local government is explained more as that of a local services provider, as opposed to second tier government (Beetham 1996; Phillips 1996). Despite more recent discourses which celebrate the more pluralistic forms of representation seen as emerging as part of local governance (Barnes et al 2003), how representation is constructed and operationalised is dependent on what the representative model is trying to achieve. Interpretations of representation differ and Local Democracy Makers will be called upon to fashion the purpose of representation at an early stage in any process and will in turn draw upon several layers of information and personal experience (Stewart 2000).

### **1.6.2 The challenges of accountability**

The accountability of decision makers is a fundamental principle of representative democracy (McMahon 1994). For Local Democracy Makers, accountability within local governance is more problematic. The need to balance their own traditions of accountability to professional bodies and associations with local arrangements that allow for political agendas and public accountability makes accountability a significant practical challenge (Philp 2009). Accountability as the requirement for representatives to answer to the represented on the disposal of their powers and duties is well understood in British politics (McLean & McMillan 2003). The obligation of giving and being held to account (Sullivan 2002a,b) endures and is reinforced with local arrangements for the scrutiny of decision-making both within local government (Local Government Act 2000) and by local government, of other providers such as health service providers (see Jones et al 1983 and Local Government and Public Involvement in Health Act 2007). The most noticeable form of accountability in local government is when elected representatives stand for election or re-election (Stewart 1989a). Other mechanisms of accountability

exist between local government and central government through the role of the Audit Commission and other meta-regulators (LGA 2007a; Laffin 2009; Kelly 2003). Accountability takes many forms and not all aspects are observable. Elected representatives have many layers of accountability which include the political party (Copus 2004 a, b; Dahl 1961), the electorate (Stewart 2000) and as a result of legislation (for example Local Government Act 2000) to regulators such as Standards for England (on matters relating to the Code of Conduct for Councillors) and the Audit Commission (Kelly 2003).

Outside the institution of local government, where Local Democracy Makers still have a voice, accountability takes a different form. Structural and administrative arrangements such as Local Strategic Partnerships, Local Area Agreements in England, Local Safeguarding Children Boards, Children's Trusts and Crime and Disorder Reduction Partnerships to name a few, call for various agencies to account for their services to regulators and directly to central government departments as opposed to elected local government (LGA 2007b). These arrangements for service delivery are still considered public service providers and are financed by public funds, although the requirement for them to be accountable as decision-making bodies moves away from the process of elections to managerial record keeping and reporting. As a result of the various 'masters' to whom local service providers account in the governance arena, Local Democracy Makers do not have a single body of accountability (LGA 2008; LGiU 2008; Beetham 1996). This gives a broad spectrum of opportunity for the Local Democracy Maker to construe accountability and to interpret local and national expectations as they see fit and in response to their own traditions.

### **1.6.3 The challenges of local participation**

Despite national government advice on best practice, decisions regarding the degree and nature of participation still have to be made within local government (Lijphart 1999; Loughlin 2001). Local Democracy Makers as the practitioner-officers in local government in England have, since 2000, received much advice from central government on how to encourage participation beyond the political

party and local elections (see for example ODPM 2006; 2004a; 2004d; see also NLGN 2005a,b). How participation, as understood in terms of political engagement in the process of local politics and/or decision-making, is interpreted for its design and application is relatively unknown (Lowndes & Leach 2004). National policy outcomes which encourage a more polycentric and pluralistic approach to governing the locality have an impact on the practice of local democracy which will, in turn, challenge the purpose of government in the localities (Hill 1974; Power Inquiry 2006; Jones and Stewart 2006; Gardiner 2006). Between these two approaches – local government as a representative unit of government and participative local governance - there is a need to explore the consequences on the system of democracy as practised in the localities and as interpreted by the Local Democracy Makers who forge and fashion the concepts in practice.

Participation, to whatever degree, and taking part in politics can be seen as one of the most unifying and most important concepts of local democracy (Hill 1974). Typically, participation is seen as standing for election or petitioning others for a change in policy or a particular outcome (Parry, Moyser and Day 1992; Pattie *et al* 2004) and less so as direct decision-making. The process of facilitating participation for elected government emphasises the centrality of public deliberation (Benhabib 1996; Habermas 1996) as a means of engendering political decision making and social cohesion (Box 1998; Newman 2005a, b). The New Labour critique of democracy in local government (ODPM 2006; ODPM 2004d) takes this a step further. New Labour sees participation in local government as being controlled by local party politics, with the political agenda fettering local government's function as a service provider.

Participative democracy is a compromise of systems and practices where values and beliefs of actors such as the Local Democracy Makers determine the purpose of participation in localities (Lukes 1974). The modernisation agenda for the localities under New Labour looks towards a more participative form of governance, beyond the traditional arrangements of local government and to a greater devolution of power and decision-making to neighbourhoods and users of services (ODPM 2004a, b; DCLG 2006). This process provides Local Democracy

Makers with the opportunities to make, frame and shape decisions prior to them being made (Lowndes et al 2006). Irrespective of a marked increase in more participative forms of citizen engagement (Barnes et al 2003), the need persists for employed Officers to determine who the 'public' to be consulted might be and the nature of the encounter with the citizen. Despite assertions of greater pluralism in the wake of new governance, the forums for participation are created and managed by the traditional institutions of local democracy (Macpherson 1973) and those organisations and institutions who are obliged by law to seek user involvement, for example the local Primary Care Trusts in the case of local health service provision. It is unclear whether increased participative opportunities draw on a more consumerist/user feedback approach or greater empowerment for citizens to influence (or indeed make) local decisions (Burns et al 1994; Shapiro 2003). The creation of administrative processes such as citizens' panels, deliberative polls and neighbourhood committees, in accordance with the New Labour philosophy of local governance seemed, on the face of it, to be at odds with the function of representative democracy (Jones 1998; Newman 2005b). In such circumstances, the aim of participative strategies will have been considered prior to their implementation (Newman 2005a). Integral to this process, are the Local Democracy Makers who have to navigate the purpose and intended outcomes of participation in their locality by interpreting local democratic ideals to create the strategic approach for the locality within which they operate.

### **1.7 Conclusion: The concept of the Local Democracy Maker as a research framework**

The consideration of local democracy in practice from the perspective of the Local Democracy Maker offers several opportunities for empirical research. First, the approach affords a means of examining local democracy from a bottom up perspective (Lipsky 1980). Second, the challenges faced by the Local Democracy Makers have to be located within the policy environment in which they operate (Orr 2005; Orr & Vince 2009). As policy meaning and interpretations are not commonly shared and understood, how policy is determined and generated subsists within the local hierarchy of policy decision makers *and implementers*

(Hill 2003; Parker 2007). Third, as a result of interventions in the way policy is centrally conceived and constructed and the delivery of services governed by local governance arrangements and New Public Management principles, discretions afforded to policy implementers have been removed (Taylor and Kelly 2006). Taylor and Kelly suggest that as a result of the manner in which national government manufactures policy for the localities and prescribes, through the use of risk management principles (see ODPM 2004c) and professional bodies' advices to practitioners, implementers are no longer policy-makers with discretion. The concept of the Local Democracy Maker offers a framework for exploring the practice of local democracy through the lens of the practitioner. It is appreciated that practitioners work as part of and within local and national institutions and that the Local Democracy Makers identified sit within the institution of local government (ODPM 2005a). Locating the Local Democracy Maker within local government has several merits. First, local government is the institution where elected representatives, as a result of the local democratic process, exercise their power and influence. Second, the national government agenda, despite the milieu of governance, firmly places local government as the leader for community and economic regeneration (see the well-being Powers referred to in Chapters Four to Six) and places the locally elected politicians at the heart of that agenda. Finally, the nature of local administration and management in local governance has resulted in appointed Officers being afforded privileged and influential positions in the locality. The opportunity of exploring how agents construct and interpret local democracy within local governance transcends the more recent approach to investigating local democracy and peels back the layers to expose the core of local democracy in practice.

## Chapter Two

### COMMUNITIES OF KNOWLEDGE AND AN INTERPRETIVE APPROACH TO EXPLORING LOCAL DEMOCRACY MAKERS

#### 2. Introduction

The purpose of this chapter is to illustrate the materiality of traditions, beliefs and ideals in understanding how the Local Democracy Makers make sense of and exercise their agency. The exercise of agency by the elite Officers who act as Local Democracy Makers draws upon their own personal operating systems and ideologies which are constructed over time by the communities of knowledge to which they relate. Such a world view takes societal relations and ideals to be a social construct (Foucault 1984; Weeks 1981; 1985 and Cohen 1985).

The regulatory framework for local government and its employed Officers calls for managerial and technocratic understanding, however, the freedoms of situated agency will mean that flexibility will also bestow the Officers. Such freedoms will apply to the interpretation of technical advices and data and in determining how messages should be communicated to elected representatives as decision-makers. The manner in which the Local Democracy Officer decides how the rich and more contingent nature of policy making and implementation should be applied in their employing local authority will be informed by the informal and formal networks of learning that they engage with. In addition, each practitioner will have a different approach as no two local authorities are the same.

Consequently an understanding of the importance of the *habitus* of actors is an essential component of the research, grasping how individuals as self-aware authors of their own social conduct and of the social forms, engage in and discharge their duties (Cohen 1994). This chapter also outlines how an interpretive approach can aid in gathering an understanding of the complexity in the world of the Local Democracy Maker. This is explained by interpreting the connectivity between the Local Democracy Makers traditions and beliefs, the praxis of local governance and local democracy and personal practitioner involvement.

## **2.1 The importance of situated context in understanding practice**

This research is predicated on the significance of situated agency and reflection-in-action on the part of actors such as Local Democracy Makers. To capture the contextual complexities of why Local Democracy Makers might conduct themselves in a particular manner calls for an open and reflexive method of inquiry. The application of modern empiricism, rational choice and rational behaviour descriptors to the way in which local government practitioners discharge their duties and obligations are unhelpful as they are infused with a world view of technical rationality (Schon 2007).

References in Chapter One to a myriad of governmental advices on how local democracy should be practiced makes assumptions that employed practitioners always follow logic and that they apply a theory which has been established by scientific research. This is a problematical approach as such positivistic paradigms produce mono-dimensional observations of what are contested political environments with complex relationships between the elected Councillor and the appointed Officer. As a consequence of this pervading positivistic view of learning and the role of practitioners in public policy and theory creation, situated agency and situated learning is too readily overlooked (Schon 2007 p39).

This acknowledgement of situated agency comes in part from the researcher's own perspective as an experienced practitioner in local government. Local government Officers do not practise their disciplines in isolation and to understand the community of knowledge and reflexive practice of practitioners as agents and particularly why they discharge local democracy and local governance arrangements and how they deal with power relations, hierarchy and possible hegemonic factors, a more rounded view of the actor is necessary. This view is reinforced by the studies of Bourdeaux (2008) in the USA which emphasises the significance of context and power relations between professionals and technocrats and the political process of policy-making. Consequently, how Local Democracy Makers reflect, learn and draw on their modes of operation and values systems will affect policy creation and the discharge of local democracy in that locality.

## **2.2 Communities of knowledge and how they might influence policy and praxis**

The policy process, when looked at from a constructivist and interpretive view point, is seen as a multifarious, multi-coloured spectrum of influences, narratives and power relations. The way in which policy creators engage with the policy procedure and the wider communities they draw upon reinforces the fluidity in policy making and the noteworthy input of an individual's personal contribution. This is well captured by Yanow (1992) who states that '...the policy process is not exclusively about instrumental behaviours. Another very real part of it is its expressiveness, a public play about the allocation and validation of symbols of status as much as the reallocation of tangible resources subject to administrative controls' (p420).

Empirical research which aims at understanding why practitioners advise and implement policy or ideals and concepts in a particular manner calls for an acknowledgement of the role of the individual in the process. This approach should encourage an understanding of the wider shared community which inspires the practitioner to behave in a particular manner. The institution of local government, like other organisations is 'replete with episodes of learning resulting from committed participation of knowledgeable and reflexive agents in interactions and relationships forged within and across conventional organizational boundaries' (Araujo 1998, p327). The reinforcement of certain norms, approaches and understanding by actors exercising agency is embedded within the power relations in which they operate – be it as appointed official, elected representative or government official, regulatory bodies (such as Auditors), professional regulators or advisory groups (Contu & Wilmott 2003).

In the local government area and specifically for the Local Democracy Makers such corroboration may have hierarchical or hegemonic tendencies as a consequence of their elite role and position within the institution and their privileged access to elected decision-makers. Consequently, it is appropriate to acknowledge the way in which knowledge gained and shared by the Local Democracy Maker is applied, understood and formulated and how it becomes embedded in practice. To help reflect upon how agency is exercised in local



governance requires knowledge and understanding of more than the 'culture' of where the Officer works or their own history. How power relations within and as part of the situatedness of the actor's agency are exercised (both as part of the more formal political arrangements and beyond) will have a material role in understanding the world of the Local Democracy Maker. This situated learning theory's aim 'is to focus attention directly upon learning as a pervasive, embodied activity involving the acquisition, maintenance, and transformation of knowledge through processes of social interaction' (Contu & Willmott 2003, p285).

### **2.3 Reflexivity and the practitioner**

Knowing and doing are inseparable where an understanding of why Local Democracy Makers, as local government practitioners, interpret the world as they do is to be captured. How the Local Democracy Maker reflexively applies knowledge and experience to his or her own circumstance and practise can offer insight and understanding into why local governance is practiced in the ways observed. The work of Schon (2007), originally published in 1983, is helpful in this context, particularly as he uses a local government Officer as one of his case studies (albeit in the American jurisdiction). Schon looks at various case studies including town planning determinations where the town planner, as in the English model, is the intermediary between developer, community and decision-maker. Schon's research diluted previous myths that practitioners, particularly those who were considered experts, merely applied rules: 'increasingly we have become aware of the importance to actual practice of phenomena – complexity, uncertainty, instability, uniqueness and value-conflict – which do not fit the model of Technical Rationality'. By drawing on the work of Orr (1996) and his study of how photocopier engineers approach learning in repairing the copying machines Schon highlights the importance of reflexivity in practice. He succinctly emphasises this in the following statement:

'...the study of reflection-in-action is critically important. The dilemma of rigor or relevance may be dissolved if we can develop an epistemology of practice which places technical problem solving within a broader context of reflexive enquiry,

shows how reflection-in-action may be rigorous in its own right, and links the art of practice in uncertainty and uniqueness to the scientist's area of research' (Schon 2007, p69).

As with other agents, local government Officers have a choice in the 'role frame' they adopt. The theory of action, role, theorem, ideology or similar underlying ethos adopted by them (consciously or subconsciously) has a material impact on the outcome of their practice. When considering the Local Democracy Maker the exercise of their agency and practice will have an impression on democracy and governance arrangements in their locality.

### **2.3.1 Reflexivity and the researcher**

An additional dimension for this research is the contribution and involvement of reflexivity by the researcher. As has already been expressed, this research concerns itself with the practitioner in the local government setting who might, through their own interpretation and conceptualisation of theories of local democracy and local governance, act as Local Democracy Maker. The process of researching this world will be undertaken by a researcher who is a practitioner in that same field. The researcher, as a senior Officer in local government and as an appointed Monitoring Officer, was motivated to undertake the research as a result of his own experiences. Reflecting upon the material autonomy placed upon the senior Officers in local government, coupled with the statutory powers of a 'proper officer' status of a Monitoring Officer (as explained in Chapter One), the researcher established a sense of agency associated with his role which was material. This agency was pertinent to matters of democratic practice, elected representative empowerment and accountability of officials (elected and non-elected) in wider governance arenas. This prompted a period of reflection for the researcher and a desire to establish a deeper understanding of what might influence the employed Officer when discharging their duties.

The consequence of this merger of researcher-practitioner is two fold. First the possibility of bias in the research has to be recognised and acknowledged (Arber 2006). A common practice in addressing this challenge is to overtly express what

the possible biases might be and to subject the research to regular review and refereeing by independent third parties (Anderson 2006; Davies 1999). Second, researchers as practitioners inevitably occupy a stark world of reflexivity where the act of doing research can not only influence and shape the research itself but also the researcher's own activities and thinking as an 'every day' practitioner. By recognising both aspects within the interpretive genre it is suggested that the research can be potentially be richer as the perspective of a practitioner-researcher's own experiences and reflections can be included as part of the narrative of the thesis.

### **2.3.2 Reflexivity: a multi-conceptual phenomenon**

Practitioners, like researchers, reflect on their practice and research. The nature of that reflexive act is likely to differ according to individuals' *habitus* and experiences. Johnson & Duberley (2003) posit a broad explanation of reflexivity which involves understanding ourselves by thinking about our own thinking. For the researcher this will mean understanding why we might think in a particular way in the act of research and how the actors conceptualise and understand their own thinking. Reflexivity in social research is not a mono-phenomenon but assumes a spectrum of forms which will affect both the researcher and the object of the research. Thus, reflexivity can become a never ending spiral of self-reflection and contemplation unless understood and managed from the outset (Johnson & Duberley 2003). What can be drawn from the challenges in understanding reflexivity is its intrinsic and multi-layered form 'without turning inward to a complete self-absorption that undermines our capacity to explore other societies and cultures' (Davies 1999, p25).

In researching the Local Democracy Maker, the way in which the researcher approaches the research, understands what the research has to offer him by seeking to understand his own thinking and comprehend how other peer practitioners make sense of similar issues, is a reflexive act and process. In addition, how the researcher subsequently applies that (new) enhanced knowledge (as a consequence of the research process) to his own thinking and

application underpins the place of reflexive research in the field of social sciences. Put another way, the observations and interactions of the researcher in observing local government Officers in their own social systems is likely to affect the very situation that is being observed. This is especially the case when the notion of the Local Democracy Maker and his contribution to the practice of local governance and local democracy is under examination and those being scrutinised (and undertaking the research) are moulding and creating the idea of the Local Democracy Maker whilst engaging in the research itself. The Conclusion to this thesis reflects on the impacts of this process on praxis.

## **2.4 Defining Reflexivity for this research**

The consequences of acknowledging the existence of both situated learning and constitutive reflexivity in any social system reinforces the contingency and context of all social research (Giddens 1984), as social relations are capable of self-inquiry and adaptation. This aspect of contingency is a regular strand of thinking in the interpretive approach as presented by Bevir & Rhodes (2006). The essence of their approach is to explain social relations and changes in ideology by reference to a crisis or dilemma faced by an individual, which results in an amended belief or ideal. Such a crisis or dilemma could relate to an individual event or a series of attempts at securing a decision or a change of direction in a policy. For a local government Officer this might involve addressing a single controversial decision or managing the political and networked arrangements to establish a change in policy for service delivery. Facing and addressing such dilemmas will draw upon the capacity of the Officer to be reflexive.

Reflexivity, as a concept, inherently acknowledges the significance and capacity of situated agency and the ability of actors to amend or change the application of their practice irrespective of arguments which favour the power and presence of institutions such as local government, structures (both managerially and as a locus of power) and hierarchy (which, as explained in Chapter One, despite narratives on networked governance arrangements remains dominant in public service provision and decision-making). Similarly, for the researcher, reflexivity is

equally complex and has to be fluid if it is to contribute to understanding. For the practitioner-researcher in this research agenda, providing the personal space to dwell on what was experienced as a result of both the field work and its impact on the researcher's own practice was the only way of ensuring sufficient opportunity for reflexivity. This required long periods of consideration and contemplation which was aided by the ongoing professional employment of the researcher and the part-time basis of the research.

#### **2.4.1 Three forms of reflexivity**

The complexity of what reflexivity might actually 'be' has already been acknowledged (see 2.4 above). In terms of a research approach, the term 'reflexive research' calls for clarity. In an attempt to differentiate aspects of reflexivity, Johnson & Duberley (2003) have helpfully extrapolated three aspects of reflexivity as methodological, deconstructive/hyper and epistemic. Whilst it is difficult to narrowly define a specific type of reflexivity (as inevitably the form of it is dependent on differing factors at differing times in the research) the epistemic type of research is the descriptor that most closely defines the approach for this research. The epistemic reflexivity according to the analysis presented by Johnson & Duberley aims to 'emancipate by reclaiming control over social, ethical and meta-theoretical subtexts of discourses' (p1293). Essential to this is the correlation between the habitus of the researcher and the actor: the nexus between theory and praxis. In the case of this research, the relationship between the theory of local democracy and the locus of the local government Officer locates the research as an epistemic form of reflexivity. This approach requires a high degree of self-awareness of the researcher's own environment. As this research is a form of peer research, it accords well with the descriptor afforded by Johnson & Duberley in that it is undertaken by a practitioner in the field, researching his own sphere of practice by exploring similar concepts with other peer actors. A deconstructive and methodological type of reflexivity is largely dependent on a more distant and somewhat disinterested and annotative approach to the research. With regard to these two types of reflexivity, Johnson & Duberley describe the intended outcomes in more scientific terms (and less

proximately to what might be outcomes from interpretive approaches) which seeks to delve into new means of explaining theory and the development of new forms.

#### **2.4.2 Reflexivity and praxis**

The intention of the research presented in this thesis is not to create new theories of scientific taxonomies, but rather a sense-making exercise of how local government Officers acting as a Local Democracy Makers exercise their agency. In discharging their agency how meta-theories of democracy and governance are understood and created through praxis in the locality will require the Local Democracy Makers to be reflexive of their own traditions and the dilemmas they face. Equally, the researcher has to be as reflexive to understand what is presented and observed. In other words epistemic reflexivity goes beyond the methodological in that the researcher is not seen as an autonomous, objective assessor. Peer research cannot be undertaken in isolation and as Davies (1999) reminds us 'the ways in which the products of research are affected by the personal process of doing research' (p4). The reflexive researcher both contributes to and benefits from the research process by their presence and their involvement – by bringing into their own habitus the research environment and consequently taking away a part of that (newly) gained knowledge and insight back into their own environs. The Conclusion to the thesis makes reference to the impacts of the research on the practice of the researcher.

#### **2.5 Hermeneutics and the research process**

How the researcher might make sense of the knowledge gained during the research is a hermeneutic process. In effect the Local Democracy Maker and researcher have a pre-understanding, and in the process of communicating with each other the pre-understanding assists the researcher in interpreting the communication from the Local Democracy Maker and their attitude and responses. The single loop hermeneutic interprets the process of understanding

as a circular play between pre-understanding resulting in a common horizon by each party acquiring knowledge/understanding of the pre-understanding of the other. In a double hermeneutic loop the circle between the pre-understanding and the Officer is looked at i.e. there are understandings of the single loop hermeneutic which as a result of the situation will determine how the Officers' pre-understanding is applied. In effect there exists a process of knowing and learning between the Local Democracy Maker's own understanding where the researcher's pre-understanding is selected as part of interpreting the Local Democracy Maker's communication.

The double hermeneutic for this research surrounds the question 'why' and in effect means that what is looked at is how a local government Officer might change his understanding and expectation of a circumstance or encounter, such as the notion of representation or accountability, within the praxis of local democracy. The double hermeneutic is also similar to a Local Democracy Maker interpreting his situation and using that interpretation to change another person's view of him (akin to an exchange or exercise of power by the Officer as the situated agent). The later chapters (Four to Six) which narrate the empirical field work give examples of the exercise of the double hermeneutic. To illustrate this point at this stage, the following example can be used: a local authority Officer, interpreting central government guidance and having approached the field with a pre-understanding, then reinterprets the guidance in anticipation of the response by an elected Councillor, so that the elected Councillor's perspective of the Officer is in accordance with the Officer view. By probing the question 'why' an Officer might conduct himself or consider an item in a particular manner, gives an insight into the inner circle of pre-understanding by the Officer and can offer insight into the behaviours and interpretations of the Officer and how they might have been inspired and developed – although such reasons are subjective. In practical terms, the nature of the exchange between researcher and practitioner will require open questioning which permits the Officer the freedom to explain their story, action and behaviour. To do this effectively, Barber (2006) suggests that an inquiry of this nature is best performed through the medium of a transparent relationship, as the core purpose is to adopt an inter-relational form of inquiry and understanding of practitioners' perspectives.

## 2.6 A framework for understanding the reflexive practitioner – ideology as an organising framework

The aim of this research project is to frame and re-frame local governance and local democracy in the 'every day' practices of practitioners. An understanding of the sociological and psychological aspects of knowledge creation and application are helpful in understanding the context of the research; however a more beneficial means of understanding the research problematic can be developed by drawing on a concept of ideology as an 'operating system', rather than in the more common pejorative ideologicalised form (Geertz 1973) The term ideology is highly problematic and is steeped in assumptions and is use judgmentally, even condemnatory One option would be to rely on the term 'webs of significance' as used by Geertz (1973) as the ideology as a term is seen as a bounded and confined truth. Essential to understanding the practitioner perspective in the research was securing an appreciation of *why* aspects of practice might influence Officer understanding. This called for the use of terminology that would associate with the every day working life of practitioners and the researcher. The definition of ideology as an operating framework captures this relationship in a succinct and practical manner as it provides for an openness that allows for an open inquiry into the practitioner world. By maintaining the use of the term ideology as explained by Van Dijk (1998), the practical nexus of how Officers make sense of their world as a result of how they work, the environment they occupy and the politics of the local authority are more readily accommodated. In Van Dijk's hands, ideology is defined as an approach that is akin to an operating framework as it seeks to 'spell out what exactly...and how exactly...(members of) social groups 'make sense; of, communicate and otherwise interact in society on the basis of such frameworks' (page 9). Accordingly, it speaks in a language which has greater resonance with the practitioner as it acknowledges the impacts and influences of the practice and *habitus* of practitioners. There is much commonality between the use of Van Dijk's terminology and the 'webs of significance' used by Geertz but from a practitioner perspective acknowledging ideology as an operating framework resonates more closely with the experience of the practitioner as researcher. The appropriateness of seeing ideology as an operating framework also recognises the applied ethnographic approach to the



various field work studies and the materiality of the researcher as an active participant in the field. In the spirit of applied ethnography, the research question was inspired by the challenges of putting theory into practice and a key component of the observational and interpretive work was associated with the practical manifestation of traditions as operating frameworks.

In this regard, Van Dijk (1998) on Ideology assists greatly as it offers a practical and appropriate framework which can be applied to the analysis in this research. The first chapter of the thesis made reference to understanding the world of the Local Democracy Makers by reference to their approach to the conceptualisation of local governance and local democracy. The Local Democracy Maker's approach will be informed by personal experience, exchanges of knowledge and their own system of ideology. In his study, Van Dijk stresses the importance of three aspects of understanding ideology – cognition, society and discourse. The interplay between these three aspects is fundamental to Van Dijk's explanation of ideology as an *operating framework* for actors as opposed to ideology being considered as a mono-theoretical explanatory tool. He advocates a 'productive integration of the cognitive and the social, the individual and the collective' (p9) where both discourse and ideology are social constructs.

In terms of this research agenda, this means that the way in which the local government Officers, as practitioners, are influenced by their communities of knowledge and understand how they are to construct the worlds of democracy and governance in localities, is a complex web of traditions informed by self understanding, professional and social influences and networks and praxis. In other words, the use of the term ideology for this research is its application as an operating framework, as practitioners draw on their own understanding and social influences through narratives, discourses and practical application to embed an operating framework into their every day activities. Van Dijk acknowledges that this kind of approach is part of a multidisciplinary framework which calls for a design of theoretical concepts which are drawn from a miscellany of sophisticated backgrounds. This latter point is reflected in the theoretical framework for this research which will be expounded upon in Chapter Three.

## 2.7 Ideology as a framework – the Public Service Ethos

A common theme used to explain the ideology of public servants in local government is the Public Service Ethos. Whilst this research does not apply the definitions and matrices of the ethos as an interrogating tool, the narratives that relate to the definitions help inform the act of interpreting the knowledge gained in the research. The idea of the public service ethos is not a new phenomenon to local government and the notion that being a public servant calls for a unique ethos has been influential since Plato (Plant 2003). Its roots derive from 'the power of language to shape the perception of individuals and groups towards the behaviour of others, and indeed the perception of one's self towards one's own behaviour' (Pratchett and Wingfield 1994 p.11). Public service ethos is not a description of individual behaviour, but a set of norms creating 'logic of appropriateness' for those working in public services (Pratchett and Wingfield 1994 p.642). This in turn demands a reflexive understanding by the employed local government Officer of their own responsibility and contribution to the ethics and values used and adopted by them.

The idea of the public service ethos is embedded in the belief systems generated by discourse and narrative and the more personal, moral and political values of practitioners (see for example, Harrison 1994; Smith 1991; Le Grand 2003). Further analysis by Pratchett and Wingfield (1996) which draws on 'new institutionalism' as a means of analysis, explains public service ethos more as a political institution which can hinder or facilitate public sector reform. The values that constitute public service ethos and which will apply to the Local Democracy Maker, have to be taken into account in the discharge of public services, programmes of change and the practice of local governance and local democracy. An interdependent relationship persists between agents and political institutions and the 'ethos' that informs traditions and governs values, behaviours and beliefs are germane to the study of hierarchy, the employed officer and governance as part of a system of local democracy.

More recent consideration of New Labour modernisation programmes for local government in England has drawn on the notion of customer care and the public

service ethos (Needham 2006). Local government reforms between 1997 and 2010 have further increased the emphasis of the neo-liberal approach of treating citizens more as customers and purchasers of public service. Needham expresses reservations as to the suitability of 're-modelling...the service user as customer (as it) constrict(s) the multi-dimensional role of the citizen' (p857). One of the consequences of the modernisation programme and the focus on 'customer first' is to stretch further the public service ethos as a governing code of operation for the Local Democracy Maker. Critics of the Public Service Ethos focus on its self serving and self interested ambitions and motives (Le Grand 2003; Lipsey et al 2007). This is rebutted in this research.

For the purposes of researching the world of the Local Democracy Maker, the research undertaken by Pratchett and Wingfield (1994) offers a pragmatic and applied definition of the public service ethos which is helpful to fieldwork and as a source of vocabulary to define observed activities, interactions and discourse. A 'generic definition of the public service ethos is premised on an assumption that there is a common set of cultural values and attitudes that are shared by staff across a range of public institutions and agencies' (Pratchett and Winfield 1994 p7). The five dimensions of public service ethos are described by Pratchett and Wingfield as accountability, bureaucratic behaviour, a sense of community, motivation and loyalty. As a result of changes in the management and direction of local government in more recent times it is appropriate to add to these five dimensions a sixth dimension: customer focus (Needham 2006). This additional criterion captures the nuances of change in the customer/citizen focus and in particular the perceived increase in citizen voice and choice in public services.

### **2.7.1 The Public Service Ethos defined**

The definitions adopted to explain the six dimensions acknowledge the intermediary role of the local government Officers in navigating their own professional responsibilities, institutional expectations and more personal preferences. This offers a language that can be applied to this study for peeling

away the layers to understanding why the Local Democracy Makers discharge their duties in the manner that they do.

In broad terms the definitions pinpoint the key areas of challenge for the practitioner as - *accountability* which draws on the appointed officer's commitment to implementing a politically legitimate policy; *bureaucratic behaviour* which calls for integrity, impartiality and objectivity; *public interest* that sits as a mediator between notions of 'public good' and the counter-balance of more complex and professionally technical decision-making; *motivation* which is based more upon altruism than financial reward and the opportunity to work in an environment that enables the officer to do something of value for the community; *loyalty* which encapsulates the multi-dimensional expectation of loyalty to an organisation, leading political group, professional body, community and departmental; *customer focus* which acknowledges the changing function and face of local government and its relationship with the citizen more as a consumer (adapted from Pratchett and Wingfield (1996) and Needham (2006)).

Despite the comprehensive and undoubtedly useful framework offered by the Public Service Ethos, the interpretive approach to this research, accords with van Dijk's (1998) idea that ideology should be seen as an organising framework perpetually reconfigured and flexible requiring an open minded approach to understanding why practitioners such as Local Democracy Makers conceive local democracy and local governance in a particular manner. The adoption of the Public Service Ethos as the only means of understanding the world of the local government Officer potentially ignores how the Officer exercises his situated agency. Communities of knowledge, local political relations, professional regulation, and central government guidance are equally material contributors to how practitioners exercise their professional and technical roles. These matters are likely to have equal weight as a Public Service Ethos and may also form part of the ideological framework for the employed Officer. Consequently, the Public Service Ethos should be considered as a starting point to the inquiry and not an end in itself and is not applied as a taxonomy or tabular tool to knowledge gathered. The Public Sector Ethos will be part of the organising framework for

interpreting the knowledge gained and providing the language to describe what was observed in fieldwork.

## **2.8 An Interpretive approach**

The location of this research in the interpretive genre has already been referred to. How it is applied to the understanding of power and social relations within the political sphere calls for a broad church of multi-methodological techniques (Marsh & Savigny 2004) including textual reviews of documents, interviews with Officers and issue-specific studies. Such an approach should afford the space for multiple representations of various voices with a stake in the research (Ospina 2005a, b) and those who Fischer (1995 & 2003) would refer to as the 'users' in the research – those who actually undertake the activity under research.

Interpretive approaches to social enquiry offer opportunities for reflexive forms of research which is concerned with the question of 'why' actors conduct and understand the world they occupy in the manner that they do.

The interpretive approach helps explain how sense is being made (Czarniawska 2004) and how Local Democracy Makers interpret their reality. Already referred to is the role of reflexivity and hermeneutics in securing understanding and with the application of an interpretive approach a picture of understanding is created. This varied method calls for the research process to be one of bricolage (Orr 1996), rich in its knowledge gathering and open and reflexive to what is presented, through narratives, world views and perceptions and practice (Schwartz-Shea & Yanow 2002). Although the term 'interpretive' is very broad and is associated with 'interpretivism' or 'social constructivism' – characterised by big differences within opaque boundaries, it seems the best way to describe the general approach to this research. The wider discussion on the positive contribution and the valuable place of the interpretive approaches in political science and public administration are well rehearsed by Yanow (2000) and Finlayson (2007) as the application of the interpretive methodology and wider qualitative techniques are not a new means of enquiry into the niche area of local governance arrangements. Having said this, despite their significance they have

not been widely applied to the role of the local government practitioner. Bevir & Rhodes (2003) and Rhodes (1997;1999) have extensively applied the interpretive methods to the understanding of the workings of government and Yanow (2000) has used studies on sense-making in organisational policy and practice, but their application to the local government Officer is rare.

### **2.8.1 Engaging in the interpretive process**

Interpretivism in this research enables the adoption of a 'broad church' to seeking understanding and its interpretation. This draws upon the work of Bevir and Rhodes (2003) and Bevir (2005) who define this process as an interpretive approach, where perceptions and behaviour are explored by the examination of the context and the history of the actors involved. A more reflexive and intuitive contribution gained from more ethnographic techniques, in particular the observation of local democracy meetings in action, probes into the individual actors' traditions, ideologies, beliefs and perceptions. Overlaying this is the reflexive nature and contribution of the researcher in the process, and in particular how the research itself impacts on the practice of the researcher in his own ideologies as a practitioner. The final outcome is an exercise in applied ethnography with reflections presented from the perspective of a practitioner-researcher back to the practitioner community.

This broad approach to the empirical work creates several perceptions of the Local Democracy Maker. Yanow (2000) helpfully labels such actors as knowledge providers, as they offer insight into a world which requires interpretation by the actor and the researcher if it is to be understood. In this research the local government practitioners, as employed Officers, together with the researcher as practitioner are presented as the knowledge providers. The employed Officer is potentially in a better position to report the anticipated and unforeseen consequences of current policy for local government on local democracy, and because he is able to offer, through his experience, the implication of a policy which is not transparent in text. This knowledge and the

application of a reflexive approach in interpreting the knowledge shared and gained, enable observations to be drawn concerning how and why local government Officers view the practice of democracy in the way they do. What this might subsequently mean for local democracy as discharged through a network of local governance can also be discussed as part of reporting the story from the research. The overall knowledge gained can then be applied to offer a considered reflection on how the Officers act as Local Democracy Makers and how they fluctuate between the various components of that concept.

## **2.9 Interpretive methods and the research of political relations**

Chapter One articulated the context of the political in the delivery of public services. The tradition of the political in local government exists in several ways, including the allegiances of the majority of elected representatives to a political party. Independent Councillors are also elected and the exercise of their political motivations is less in the colour of their rosette but more as a consequence of their individual behaviours. The relevance and applicability of an interpretive approach to research which is located in the realms of political relations and power is comprehensively considered by Bevir & Rhodes (2006) in their study of the British Civil Service. This study and the wider work of Bevir & Rhodes was part of the inspiration for the researchers desire to examine his and his peers understanding of local democracy as a means of making sense of his own world.

In their work, Bevir & Rhodes go to some length to explain the nature of the interpretivist approach as they apply it to the discovery of meanings. They argue that the interpretive approach offers several advantages as a means of understanding actors in the political arena. It is possible to summarise their case for an interpretive approach to research into four main strands. First they state that the approach holds that beliefs and practices are constitutive of each other. How actors behave and undertake their duties is embedded within their beliefs system and is not a product of a rational choice decision-making process or a mechanistic application of rules. For this research, an understanding of why

Officers in local government act in a particular way and the influences and narratives that affects them accords with this approach.

Second, Bevir & Rhodes state that an interpretive approach argues that meanings or beliefs are holistic – that there is a need to locate such beliefs within a wider context. Their work often draws upon the Westminster model of Parliamentary governance and the history and nature of political party values within the British political landscape. This approach has important merits for this research, as the notion of the Local Democracy Maker may be a product of party politics and in particular Labour Party Politics since 1997, or a reaction to previous Conservative Government's management arrangements of local government.

The third reason Bevir & Rhodes give in support of their interpretive approach is its sympathy for bottom-up forms of social inquiry. This accords with Bang & Sorensen (1999). Chapter One explains the basis and inspiration for the notion of the Local Democracy Maker, which is drawn from those who undertake their duties, or react to circumstances as part of the 'every day' and practical requirements placed upon them as situated agents. Examples are social workers in the work of Lipsky (1980) and the community activists in the studies of Hendriks & Tops (2005). This research supports and offers an example of bottom-up inquiry as championed by Bevir & Rhodes. It is in the interplay and disparity with the Officer traditions when faced with a dilemma in the practice of local governance that forms the source of the research. Why this quagmire of dilemmas and responses is created can only be seen if the research is located at the point that it actually takes place – with the agents who put the theory into practice.

The fourth and perhaps most controversial of justifications for interpretivism that are proffered by Bevir & Rhodes surrounds their critique of other methodological theories that seek to explain political behaviour and outcomes as a result of grounded theories, 'the path-dependence of institutions or the inexorability of social developments' (p3). The contingent nature of political life and those who are closer to that environment means that interpretivism, with its perhaps more open and fluid world view, keeps an open mind as to what is happening 'on the



ground' and reflects what is understood to be happening, as opposed to justification by means of scientific or more monolithic theoretical approaches.

## **2.10 Interpretivism – a guide not a process**

Adopting a more universal and generous approach to interpretivism in this research is advantageous. The approach provides weight to the theoretical basis of the investigation into the research question, and is helpful as a means of illuminating and understanding the agency of the practitioner in the interpretation and construction of local democracy and local governance in practice. Adopting an approach which seeks to make sense of the practitioner perspective by using a combination of qualitative methods and by applying broad interpretive principles to understanding what such research says, will hopefully give a fresh insight into local democracy and its construction and the world of those who construct local democracy as part of governance arrangements. The application of interpretivism to public administration carries with it the advantage of recognising the socialisation of the political and the importance of a rich and deep approach to the establishment of understanding as a result of reflecting on the story-telling of others. The Conclusion to the thesis articulates how the application of interpretivism as explained by Bevir & Rhodes drew insight into the world of the Local Democracy Maker, the researchers own practice and an understanding of the world view of senior elites.

## **2.11 Situated agency and a deeper understanding through Interpretivism**

As a practical approach to exploring the world of the Local Democracy Maker, the sagacious observations of Brown & Duguid (1991) are a welcome reminder to the researcher that people are typically viewed as performing their jobs according to formal job descriptions, despite what the evidence of what they actually do points towards. 'They are held accountable to the map, not the road conditions' (p42) which accords with the views of Orr (1996) referred to earlier. The *habitus* of the

actor, particularly when considering situated agency is of fundamental importance when designing the approach to the fieldwork as social agents develop strategies which are adapted to the needs of the social worlds that they inhabit.

To examine the nature and degree of agents' ability and understanding of how they might be part of the design of local democracy requires a broad framework of analysis to be applied to the presented knowledge gained from fieldwork. Bevir and Rhodes (2006) apply an approach which is based on the following method (in this order) as a means of understanding and interpreting governance: an understanding of the theoretical tradition the actor works within; the establishment of the beliefs that form part of that tradition; the articulation of a dilemma which calls for the actor to re-visit their beliefs; the resulting response or reaction to the dilemma; the consequential adopted or changed belief. In other words, the process could be explained as: initial understanding of an issue – the analysis and re-formulation of the issue as a process of understanding - the final interpretation and application of the issue as expressed in a new (or varied) narrative. This interpretive line is inevitably iterative in nature, as each aspect of the journey will inform the other for both the actors who form the unit of analysis for the research and also the researcher (Yanow 2000). This interpretive 'process' is not necessarily unique to individuals, but is more likely to impact upon members of a collective, such as a group of elite individuals in local government who may have a regular interaction with peers in a community of knowledge; elected representatives; national government departments and other actors and institutions that form the local governance network.

A collective of members of this nature in local government is likely to be tasked with applying the same principles or securing resources for the same solution as its peer in another local authority. The interpretive process of theoretical concepts into praxis begins when members of that collective start to find an issue significant. An example might be a requirement to increase the involvement of a particular group of citizens in the consultation process relating to a local policy proposal. The obligation may stem from legislation, national government directives or perceived good practice sponsored by professional associations, think tanks and advisory associations. The formulation and framing of the

process may become an issue for the collective as how they determine the application of the requirements placed upon them or the institution or network of which they form part becomes a dilemma, struggle or a contested matter in relation to the normative arrangements and understanding that might already exist within their *habitus*.

To capture this journey in the research there is a need to understand the context within which the actor operates, including the guidance and advice that they indicate might influence their world view. From that understanding by the actor, how this is challenged by the issue or dilemma and in particular the struggle over the meaning of the consequence of the dilemma in practice and perception will impact upon the practical outcome and inform the amended perception or belief. There may not necessarily be a dilemma which prompts disagreement, and there may be consensus that an issue requires a change in perception or perspective. The terminologies of 'issue, struggle or dilemma' imply conflict but this may not necessarily be the case. The crux is to understand why the change takes place and how that is understood and influenced and, more specifically, whether those who instigate the change act as 'makers' of change. Decision-making as an analytical concept draws attention primarily to temporal events and less to 'why' ideas and concepts are constructed throughout the process. A commonly applied technique to gaining understanding is to capture aspects of storytelling between actors which are in turn captured in thick descriptions. Storytelling as a means of capturing local knowledge tends to be underutilised and often what is often discounted can be highly informative to the researcher. Thus, a combination of capturing textual, conversational (including storytelling) and observational practice is appropriate for this research.

## **2.12 Acts of Interpretation and Interpreting**

The application of an interpretive approach to the research requires a process of 'reading between the lines' of what is presented by the various actors. Whereas aspects of the interpretive approach is commonly associated with thick ethnographic descriptions (Hendricks 2006), in order that the two research

questions referred to earlier can be discussed, there is a need for a greater discipline in interpreting what the actor's shared knowledge is saying to the researcher. To peel away the layers and understand how those beliefs and actions are constituted requires the application of analysis to the discourse presented by the actors and a need to resist 'treating meanings as given by quasi structures' (Bevir & Rhodes 2006 p4). Social constructivist (particularly those who consider themselves as post modernists) will acknowledge the process of reading between the lines as the researcher interpreting the interpretations of the actor. This is precisely the task – namely making sense and drawing out meaning from the narratives presented and the context in which they are made, as understood from text, observation and the researcher's own experience and in this case the researcher's own practice in similar circumstances. The interpretive process is a dynamic process and the beginning and end of the interpretive process will be less clear. Nevertheless, in very general terms, the interpretive process can involve framing, negotiating and enacting contexts that will give meaning to issues, beliefs and dilemmas.

The process of unpicking what is presented within this process offers hidden views of Officers' reality which should offer insightful understandings of the world of the Local Democracy Maker. As has already been mentioned, the process of sense-making for the Local Democracy Makers will involve them, and the researcher, moving around that framing process (or the original belief), the negotiating stage (including its issues and dilemmas) and the enacting stage (which may involve the application of new practice as a result of an amended belief). In the decision-making literature, very dynamic processes such as these are explained as 'garbage-can' processes as ideas and discussions are moved around and acted upon or dropped as part of the sense-making process.

### **2.13 Conclusion**

In this chapter, the significance of understanding how local government practitioners might learn and develop their self-awareness and self-understanding and ideological framework has been explained. The value of the interpretive process as a means of understanding the practitioner perspective has been

advocated as a highly suitable approach to researching the reflexive practitioner. The next chapter outlines how, in practical terms, this knowledge can be captured to offer insights and observations about the Local Democracy Makers by using the power of well-being as a focus for the fieldwork.

## Chapter Three

### THE METHODOLOGICAL APPROACH TO RESEARCHING THE LOCAL DEMOCRACY MAKER

#### 3.0 The context and traditions

Chapter Two focused on the influences that inform employed officials' practice and how an interpretive approach was central to the research design. This chapter is concerned with the methodologies used to answer the research question and explains how the notion of codified well being powers introduced by the Local Government Act 2000 was used as an investigatory framework. As legal powers, they made radical and significant changes in Officer practice and led to the renegotiation of relations between central and local government in the late 1990s and early 2000.

The New Right credo, in the 1980s and 1990s, of markets in government and in particular the principles of New Public Management in the rationing of public goods, re-configured the way in which local authorities conceptualised their role (Hendricks et al 2007; Kooiman et al 1993; Goldsmith 1992). An increase in regulation and prescription was evident, to the extent that legislation was introduced (as a result of the Widdicombe Report in 1986) which created a statutory role for three employed Officers of the local authority. By the mid to late 1990s local government services were fragmented – delivered by a combination of contractors and agencies and the place of the elected official as a community leader was much reduced (Hood et al 1999).

The election of New Labour in 1997 presented a new approach to local government through a series of White Papers over a ten year period. Narratives (as explored later in this chapter) in the 1997 white papers concerned themselves with the renewal of local democracy. Given the contestability of such concepts (Kymlicka 2002 and as discussed in Chapter One) this gave rise to new opportunities for senior Officers to define and interpret notions of local democracy

and local governance. Despite these new landscapes for the exercise of agency by practitioners recent studies on local democracy and local governance arrangements have primarily focused on structural arrangements. Little recent research exists on the influence of elected representative relations and practitioner contributions to the shaping of democracy and governance in localities. Such research offers new academic knowledge and provides a valuable and original contribution to the debate and understanding. The research question formulated for this study indicates a self-reflexive call to understanding local governance arrangements beyond structural arrangements and is expressed as follows:

*'How do employed senior practitioners in local government exercise their agency in local governance arrangements and how do they influence the praxis of local democracy?'*

### **3.1 The context to the Local Government Act 2000 and the power of well-being**

By concentrating on the well-being powers as defined in the Local Government Act 2000, a framework for field work was established. To appreciate the significance of the powers of well-being and their application to answering the research question it is useful to pause and consider the history behind the creation of the legislation. The history of local government from the Victorian era speaks, perhaps romantically, of a powerful and all embracing local institution that forged and forced change in socio-economic arrangements in localities (Byrne 1992). Historical accounts of the reforming power of the local Council under Chamberlain in industrial cities such as Birmingham, Leeds and Manchester, give the impression that the arrangements for local governing have always been driven and shaped by the local Council and its elected politicians (Sharpe 1965). In more modern times, legislative and policy limitations prevented this (Cochrane 1996).

### **3.1.1 The challenges of the 1970s and 1980s**

The end of the Victorian era and the impact of two world wars, changes in national and international economic structures and trade and varying fiscal policies had an inevitable impact on local government and in particular the powers afforded to it (Stoker 2004). Local government as a created legal entity draws its authority to act from legislation and case law derived from the common law jurisprudence. The challenge of what 'powers', in legal terms, local authorities would have to make decisions was (and is) a fundamental aspect of determining the purpose of local government (Sharpe 1970; CLG 2008; Leigh 2000).

The question of purpose and function of local government became more prominent in the 1970s as national changes in economic demands and a tense relationship between national government and trade unions caused both monetary and social challenges. The post war boom and the oil crisis in the early 1970s resulted in governments reining in public expenditure. The then austerity measures resulted in industrial action. As a consequence local Councils were considered to be problematic as the trade union movement led several authorities towards sustained industrial action which particularly interrupted the collection of commercial and domestic waste and other key public services (McIlroy et al 2007).

The 1979 general election saw a change in national government with the Conservative Party in power and Margaret Thatcher as Prime Minister. The Conservative government of the late 1970s and 1980s pursued with vigour the discipline of the free market to the public sector (Seldon & Collings 1999). A leaner, more efficient, cost effective public service modelled on commerce was considered to be the solution to what were perceived as ineffective and intransigent public services. Wider legal powers for local government were not forthcoming as what became known as New Public Management, derived from economic commercial principles was considered to be the appropriate model for the delivery of public services.

Towards the late 1980s the ideology of New Public Management resulted in the compulsory competition of services with the free market through a process of



putting services out to tender (Compulsory Competitive Tendering) with the incumbent in-house provider being an equal 'bidder' to other commercial operators (Seldon & Collings 1999). The emphasis on treating public service users as customers exercising choices soon followed with virtual contracts made between local authorities and citizens through initiatives such as the launch of the Citizen Charter in 1991 by the then Prime Minister John Major. Emphasis on greater probity, regulation and proper advice recommended in the report of the Widdicombe Committee on the Conduct of Local Authority Business (1986) resulted in the creation of statutory roles for three senior employed Officers in each principal local authority (see Local Government & Housing Act 1989). The government of the period considered it essential that local authority Councillors be advised by Officers who had statutory authority in matters of legality, finance and the management of staff. A more prescriptive regime in the management and delivery of public services did not encourage an increase in autonomy for second tier government. Freedoms for local authorities to trade and take wider initiatives were discouraged.

### **3.1.2 Increasing reliance on non-elected bodies**

During this period no material legislative changes affording greater powers to local government were instigated although the new era of commercialism in the public sector drew differing forms of single purpose entities into the public arena. One such entity being the City Challenge Boards which were created as legal entities for the purposes of bidding and receiving public funds from government departments and as a vehicle for securing European Union regeneration funding (DOE, 1991; De Groot 1992). Locally elected representatives were minority members of the Boards and decision-making on local regeneration schemes was dissipated through wider governance structures beyond the local authority. The decision-making processes in local government, established by the Local Government Act 1972 were discharged through a series of functional, service led committees where elected Councillors made decisions on policy and operational matters. To a large extent this continued the practice established under the Victorians. The Committee system of decision-making in local government was

fairly inclusive as all political parties were represented on the Committees, but the lengthy decision-making processes were considered turgid and inefficient. The involvement of party politics in economic and commercial decisions held little faith and credibility for the Conservative Party at Westminster. As a result, more non-elected bodies were established (Stott 1995), where appointed persons became more involved in local decisions. Perhaps the continuation of the committee system served its purpose for the Conservative governments as a means of legitimising a wider governance approach to public services as local authorities were seen as ineffective, untrustworthy and over-consuming in time taken to make decisions. Non-elected individuals on Boards and institutions also allowed for local politicians to be marginalised and political views discounted (Rhodes 1996).

### **3.1.3 New Labour – new local government powers.**

The election of the Labour Party in 1997 and the establishment of Tony Blair as Prime Minister heralded a new modernisation programme for local government. Soon after the election six green papers from central government departments were published that discussed the role and function of local government (Fairclough 2000). Within these papers the place of local democracy and the legal powers of local authorities to undertake their functions were re-visited (Pratchett 2002). In the Modern Local Government (In Touch with the People) (DETR 1998) white paper it was proposed that community initiative was to be a duty for local government, supported by discretionary powers. When the Bill was first published in Parliament it became clear that the government had changed its mind on the proposal in the white paper to introduce a new duty of community initiative, preferring instead to confer on local authorities new powers of economic, social or environmental well-being. The new power of well-being superseded the concept of general competence for which local authorities strived (Cirell & Bennett 2006).

Despite a call for greater legal powers, the new power in the Local Government Act 2000 was considered significant in the government's modernisation agenda,

as the power gave a legal framework that underpinned what local authorities might do which may have been problematic in the past. The well-being power was approved in legislation as a power, not a duty, which meant that local authorities could not be compelled to use it (Kitchin 2003). Consequently, the application of the powers, their interpretation and use in the local political and democratic arena would be a matter for local discretion and interpretation (ODPM 2005c; Steuer & Mark 2008). This task would fall to legal advisors and specifically Monitoring Officers, whose professional expertise in interpreting laws would be called upon. As will be explained later in this chapter, the Monitoring Officer is a statutory designation and forms one of the key actors considered as Local Democracy Maker in this research.

How well-being powers are exercised will often (if the relevant criteria are met) be published in a Forward Plan. As part of its modernisation programme for local government, the Labour government decreed that local authorities were required, in accordance with the Local Government Act 2000, to publish a 'Forward Plan' of key decisions that the authority's Executive (or Cabinet) intended to make in the forthcoming four months. Key decisions are defined as decisions which affect more than one electoral Ward or have a financial value (positively or negatively) above a threshold set by the full Council. The Forward Plan has multiple functions. First, it acts as a public document for individuals to see what is to be decided for their community. Second, the Forward Plan has a regulatory function, as the financial threshold which requires advance notification of the decision is determined by the full Council at a meeting of *all* elected Councillors, not just the elite Executive. The Forward Plan is also a document that can be used by Scrutiny Committees as a means of planning what decisions of the Cabinet they may wish to 'call in' for more detailed examination. For the local government researcher, the Forward Plan gives advance notification of dilemmas facing the local decision-makers as multiple Ward issues and matters of fiscal significance are highlighted at an earlier stage. This offers the opportunity to follow the narrative and trajectory of decision-making as they take place and was an important consideration in tracking the studies for this research.

### **3.2 The power of well being – legislative definitions**

The 'power of well-being' was codified in the Local Government Act 2000 Section 2 as follows:

*'Promotion of well-being - Section 2 (1)*

*Every local authority are to have a power to do anything which they consider is likely to achieve any one or more of the following objects-*

- (a) the promotion or improvement of the economic well-being of their area,*
  - (b) the promotion or improvement of the social well-being of their area, and*
  - (c) the promotion or improvement of the environmental well-being of their area.*
- (2) The power under subsection (1) may be exercised in relation to or for the benefit of-*
- (a) the whole or any part of a local authority's area, or*
  - (b) all or any persons resident or present in a local authority area.*
- (3) In determining whether or how to exercise the power under subsection (1), a local authority must have regard to their strategy under section 4 [the Sustainable Community Strategy produced in consultation with the stakeholders in the area].*
- (4) The power under subsection (1) includes power for a local authority to-*
- (a) incur expenditure,*
  - (b) give financial assistance to any person,*
  - (c) enter into arrangements with any person,*
  - (d) co-operate with, or facilitate or co-ordinate the activities of, any person,*
  - (e) exercise on behalf of any person any function of that person, and*
  - (f) provide staff, goods, services or accommodation to any person.*
- (5) The power under subsection (1) includes power for a local authority to do anything in relation to, or for the benefit of, any person or area situated outside their area if they consider that it is likely to achieve any one or more of the objects in that subsection.*
- (6) Nothing in subsection (4) or (5) affects the generality of the power under subsection (1)'.*

#### **3.2.1 Well-being powers - perceptions of freedoms**

The new powers were widely welcomed by the local government community. Not only were they judged to be a decisive break from the restrictions on local authorities arising from administrative and regulatory oversight, they were also coupled with the political exigencies of Conservative governments and the

introduction of competition, privatisation and other reforms associated with New Public Management. The election of New Labour in 1997 promised a new political and administrative settlement which the well-being powers captured in form and substance (Pratchett 2002). From accounts established as part of this research, the introduction of the well-being powers was considered as the solution to legal challenges concerned with Councils' actions, especially in terms of contracting with the commercial sector. The well-being powers in the 2000 Act diminished the over-reliance on advice of specialist Counsel or Queen's Counsel on legal powers (*vires*) to meet the aspirations of local political leaders.

Critically, the well-being powers were necessary to provide the legal framework for those local authorities to work in partnership with local agencies and the private sector, in matters of public health, policing and community safety, and to build regeneration programmes. In other words, only by the provision of the well-being powers, particularly in economic and social policy areas were Councils able to work in these more complex ways. Its significance to the practitioner would appear self evident – the power of well being in the 2000 Act was to act as a liberalising force for the effectiveness of local government in governing communities. The sense of opportunity enshrined in the new powers was a sea change for local government given the history of relations between central and local government under the previous Conservative governments and in particular through the Audit Commission as a meta-regulator (Kelly 2003).

The researcher, as a practitioner in local government, also saw that the language of 'governance, partnerships and networks' was a rarity in the discourse of the local government Officer in the 1980s and 1990s, as the local government lexicon was littered with the terminology of 'contracting, tendering and customer satisfaction'. Nevertheless, despite the commercially led New Public Management approach to service delivery, local authorities were already beginning to understand what were termed 'wicked' or 'cross-cutting issues,' such as social and economic problems requiring multiple responses, but felt powerless to make a difference (Hunt 1996; Stewart & Stoker 1989; Stewart 1995; Stewart 2000).

From a practitioner perspective, the Conservative government's insistence on internal markets and external competition for local government provision stifled

the creativity and innovation of local government. The role of local authorities was to deliver services through managerial, procedural and evidence based measures that would be able to compete with the 'private' sector. A wider governance role was not envisaged. Consequently, the well-being powers (and perhaps more fundamentally the election of Labour into Westminster) was generally welcomed as a sign of renewed faith in local government which later saw a new concordat agreed between local and central government (LGA 2007).

### **3.2.2 Well-being powers - democratic renewal**

The combination of approaches presented by the Labour government of 1997 concerning the modernisation of local government, (including the well-being powers) was expressed in terms of 'democratic renewal' (Pratchett 2002). The narratives from the white paper – 'A Better Quality of Life – A Strategy for Sustainable Development for the United Kingdom' (DETR 1999) indicated that progress could no longer be measured by money alone. Four broader objectives of social progress, protection of the environment, prudent use of natural resources and maintenance of economic growth were the new policy drivers. The well-being powers followed this new ambition but perhaps pushed further into the area of democratic renewal than expressed in the white papers. The expectation of locally elected Councillors under the new concordat was that they were to be community leaders. Responsibilities to lead, engender effective community relations and secure a prosperous local democracy were considered integral to democratic renewal (Tam 2004; Skelcher 2005). For this to be achieved, the use of the well-being powers by local government was considered fundamental. In other words, the new power given to local authorities in 2000 can be described as New Labour's interpretation of the concept of democracy in the localities. The provisions of the legislation emphasise the importance of community participation and engagement in the application of the powers, linked to the requirement to facilitate community-based resource planning (Pratchett 2002 & 2004).

### 3.2.3 Well being powers – a change in emphasis

For the local government Officer, the changes that were put in place by the modernisation agenda were significant. By 2002 in the majority of local authorities, the committee system of decision-making had been replaced by an Executive structure akin to that in Westminster (Gardiner 2006; Kotecha et al 2008). In terms of the greater powers afforded to local government, the response was mixed. Some local government lawyers hoped for a general power of competence whilst others welcomed the more specific powers as a means of securing greater clarity in the exercise of legal powers (CLG 2004). In essence, the modernisation programme for local government proffered by the Labour government sought to redistribute the power of local politics both into the locality and into other non-elected organisations (Stoker 2004; Sullivan 2002b; Kitchin 2003). Some academics considered the agenda to be one of more deeply 'hollowing out the State' (Rhodes 1999) as local power was transferred to bodies beyond the traditional local government arena (or was not returned to the domain of local government). Applying the analysis of multi level governance as promulgated by Jessop (2000) to the modernisation agenda of New Labour, it is evident that the introduction of Local Strategic Partnerships in particular (Davies, J 2007; Coulson 2005) sought to dissipate the scope of the locally elected representative to have a material influence in governing the priorities and resources of localities. Several actors and institutions were now required to collectively determine how local governing arrangements should be undertaken, although the accountability for such decisions and arrangements were and continue to be vague (Painter 2005). Local Strategic Partnerships also provided new opportunities for Officers to have the potential to limit the exercise of local democracy as arrangements could be made which marginalised the voice of the elected Councillor. The new language (Fairclough 1995) for the local government Official was peppered with terms such as 'governance, community engagement and democratic renewal'.

### **3.2.4 The dilemma of well-being for the local government Officer**

John Stewart explains the nature of local democracy in England as both participative and representative democracy, as elected Councillors straddle ward representative roles with political commitments and Borough wide duties (Prior, Stewart & Walsh 1995). The connection between well-being powers and community consultation and engagement is prioritised in the government guidance by requiring the powers to be used in accordance with the local authorities' sustainable community strategy (DETR Guidance 2001 para. 25; ODPM 2005c & 2006). As Tam (2004) explains, this is a process of 'empowering communities to overcome fragmentation and disengagement' (p3), but is fraught with challenges for the advising Officer-practitioner. The changes in available powers for local government and the re-configured responsibilities of citizen engagement suggested that practitioners were in a new or different place as a result of the new powers and duties. In other words, did the use of the well-being powers suggest a reconfiguration of local democracy and, if so, did this give rise to the Local Democracy Maker role? As Officers employed in local government grappled with the dilemma of the well being powers (Ereaut & Whiting 2008) within the multiple dilemmas of local democracy they oscillated between the different concepts of democracy in Chapter 1. Their roles as Officers developed into those of advisors, mediators and regulators of the interface between local democracy, management and the political (Guerin & Kerrouche 2008). Thus the fluidity or rigidity of their approach as Local Democracy Makers should offer an insight and reflection of the configuration of local democracy as part of or as a consequence to the well being powers.

### **3.2.5 Studies on the well being powers as an organising framework**

The well-being powers have been available to local government for in excess of ten years. Narratives using the descriptor and concept of well-being have been applied to studies of a variety of community and societal intervention programmes and as discourses of power (Coole, 2007; Steuer & Mark 2008). For senior Officers in local government practice, the well-being concepts are often connected



to the practicalities of service delivery. Officers run and manage services and see well-being as being part of effective and efficient delivery of public services. A study of Officers' interpretation of the powers in a governance setting can draw upon the patent and latent tensions between the interpretation and application of legal powers, local politics and professional advices. For these reasons the well-being powers are a helpful tool in organising an empirical approach to the investigation of Officers as Local Democracy Makers (the framework used is detailed in paragraph 4.4 below).

### **3.2.6 The merits of a study which gives rise to thick descriptions**

Applying an approach to the research which allows for thick descriptions has several advantages 'how' or 'why' questions are being posed (Czarniawska 2004). The approach to the research does not follow a schematic for the purposes of designing the methods for the areas of study as the essential component is to capture the narrative and story of the practitioner. The fieldwork is presented in the form of three studies but are described as such as a means of organising the focus of research rather than restricting the scope of describing more fully what was observed, learned and reflected upon. The three studies on well-being powers for this research are moments in time concentrating on specific areas of exchanges and determinations in local government where there is a convergence, conflict, dilemma or cohesion between local democracy, local governance, agency and the law. It is in these instances that the employed Official is called upon to advise and in particular the elite Officers who act as Local Democracy Makers. To capture tensions in agency and local democracy, the area for analysis looks at a specific event surrounding decision-making by elected representatives in local government where the legal powers of 'well being' as explained earlier are deployed. The studies seek to capture an event in time where the manifestation of the ideological framework of the Local Democracy Maker and the theory and practice of law and democracy in a political setting converge. In summary, the studies are used to inform a thick description of what was seen and understood and is used as a means of differentiating the field work approach from textual

analysis, participant-observation, interviews, and the focusing of particular practices and dilemmas in the local government decision-making forum.

### **3.3 Three areas of well-being as studies**

Three studies were used for the research and were approached as themes to be explored as opposed to single events. In other words, the studies identified units of analysis and actors and not exclusively individual events or meetings (Goss 2001). The studies were located in three different local authorities as Wilson & Johnson (2007) remind us, no two local authorities act or learn in the same way and a cross section of investigations and reflections provide richer insights. The studies followed the well-being powers presented earlier.

#### **3.3.1 Study 1: Economic well-being and the night time economy**

This study focused on the local council acting as the licensing authority for activities relating to the sale and consumption of alcohol and the provision of public entertainment. The study observed how licensing decisions were made, who was involved and in what way and what narrative informed the debate (and from whom). This study is significant as it provides an opportunity to observe how the local authority balances competing objectives. As part of the determining process, the views and objections of local residents must to be balanced against strict criteria issued by central government departments and a national strategy encouraging night time economy. Overarching this is the wider statutory duty on the local authority to reduce crime and disorder in its administrative area in accordance with the Crime & Disorder Act 1998 section 17 and associated legislation. The competing requirements of expectations and responsibilities of the local authority fall on to the elected representative to make the most appropriate decision. The study demonstrates the challenges of democratic decision-making in the local governance arena (see also Goodwin & Painter 1996), where a plethora of competing priorities, advice and responsibilities vie for dominance. The study explores how democratic principles are accommodated by

the process and highlights how local residents are given an opportunity to express a view, the freedom of the elected representatives to make decisions and the involvement and influence of others in the process. The contribution of the Officer to the debate (both in terms of written procedures, advices and presence) suggests how the Local Democracy Makers undertake their duties as they strive to advise on both regulatory and democratic principles.

### **3.3.2 Study 2: Environmental well-being and designing the built environment**

The second area of study observed the determination of town and county planning applications as they relate to local development and operations. The study follows the decision making process at the level of development control and not the formulation of local planning policy. The development control process was selected as decisions regarding the built environment and the negotiation surrounding the nature of development control attracted considerably more local interest from citizens and Councillors than planning policy making. In addition, the immediate impacts of development control decisions were more readily observable both in the physical built environment and the reaction of applicants and objectors to the decisions of the Planning Committee. The principles used were akin to those adopted for the economic well-being study. This area of decision-making shows to a greater degree how the participation dimension of democracy is manifested in the localities, as the management of the built environment and the decision-making processes are a clear expression of multi-level governance.

Several strata of governance apply to development control activities for town and country planning all of which are informed by planning policy and legislation. At a national level, planning applications which are considered nationally material (such as those that relate to transport infrastructure or those that fundamentally depart from agreed policies) are received by the local planning authority but are subject to the option of being 'called –in' for decision by the relevant Secretary of State (Town & Country Planning Act 1990 section 77). National legislation and

guidance in the form of Planning Policy Guidance (which carries with it statutory authority) is developed and issued nationally. Its purpose is to ensure a consistency between local authorities and as a means of regulating development. A further approach to securing better regulation and a more strategic approach to development control is secured through the application of a regional approach to policy making. The Planning & Compulsory Purchase Act 2004 required Regional Spatial Strategies to be in place which sought to give more weight to regional policy (which was previously contained in non-statutory regional planning guidance). Such regional strategies were required by the legislation to set out the Secretary of State's policies (however expressed) in relation to the use and development of land within the region. Such plans were to be revised by Regional Planning Boards (often through Regional Assemblies of Councils), taking into account European Legislation, policies, programmes and funding regimes including environmental impacts. Draft Regional Spatial Strategies were submitted to the Secretary of State (through Government Offices in the Regions) which would result in an examination in public of the proposals. This approach replaced the previous arrangements of Structure Plans, Local Plans and Unitary Development Plans (Allmendinger 2011). At a more local level and in particular for the individual local authority, the Planning & Compulsory Purchase Act 2004 (Part 2) required the local planning authority to develop a Local Development Framework and Local Development Schemes. Following the creation of development plan documents, an independent examination of the proposals was undertaken and the final plans would be decided and published. These plans would govern local advice on planning applications, in the context of the regional strategies and national limitations. At the local authority level, the national and regional directions and directives form part of the traditional methodology used by planning Officers in making decisions and the manner in which they advise their local Planning Committees on development control. Local discretion exists in terms of localised policy-making around more detailed areas of design, environmental impacts and intensity of development.

Local authorities discharge their town and country planning duties as a local planning authority as defined in the Town and Country Planning Act 1990. The membership of the decision-making body (the Planning (Development Control)

Committee) is drawn from the elected membership of the local authority. The legislation, regulations and national policy guidance place a duty on the local planning authority to consult affected communities prior to making a determination. Consequently the local planning authority will have bounded autonomy to determine how such procedures should be applied, and the legislation and guidance is interpreted locally by each individual authority (Purcell 2006).

The professionalisation of the process of creating and managing society and spaces draws heavily on practitioner specialist advice as planning law and practice is both intensive and complex. Reports of planning officers to Planning Committees often run into tens of pages, with detailed narratives on national and regional policy and judgments on their application to local circumstances. Similar considerations are evident for Licensing Committees but to a lesser degree.

Both the Planning and Licensing Committees exercise discretion in their determinations which draw upon national and local policy. Their decision-making process requires the balancing of evidence presented to them against the applicable policy. To afford an applicant sufficient fairness in the process, the legislation provides that an appeal against the decision of the Committee is permissible in law. As a result, both Committees (Licensing and Planning) are also governed beyond the town hall, as case law in the Courts and appeal Inspectors' decisions at planning Inquiries will be a factor in the reports presented to them for deliberation. This hierarchical appellate process plays a significant role in the governance of the exercise of the well-being powers but often ignored in governance literature. This quagmire of governance is a rich source of research in the role of Local Democracy Makers in managing local democratic arrangements.

### **3.3.3 Study 3: Social well being and local community initiatives**

The principle of 'community initiative' is, in practice, sufficiently wide in local government terms as to include any matter which seeks to meet a social or group need. 'Social well-being' for this study includes decisions about the funding of community groups, village/town halls and the appropriation of public open space by others. As decisions surrounding social well-being and local community initiatives rarely, if ever, sit within a single defined spatial setting they will more often than not affect more than one electoral Ward. Conceptually, social well-being is contestable and therefore, a precise definition is difficult. As a result, identifying decision-making which endeavours to exercise the powers of social well-being is relatively straight forward, even if the journey to the point of decision-making is that much more complex. What is described in the Forward Plan (explained earlier in this Chapter) as a key decision for the exercise of the social well-being powers suggests that a hierarchy of social well-being interventions exists. Governing local communities will, by implication, be concerned with the social well being of the citizenry (Green 2007). Nevertheless, the Forward Plan privileges certain social well being intercessions as being more material than others. Commonly, Council Constitutions will charge the Monitoring Officer with the responsibility for producing and maintaining the Forward Plan. Thus, the way in which Officers decide what is to be included as a key decision and the judgment exercised over which social well-being decisions meet the criteria for being a key decision, suggests that a hierarchical determination takes place. The decision-making processes that follow from that initial determination then give even further opportunity for the Local Democracy Makers to navigate and influence how the social well-being powers are administered as part of the local democratic process.

### **3.4 The research strategy**

The aim of the research was to establish new insights into how and why elite officials in local government exercised their agency in the democratic process. How that agency was practically applied and its application informed and

illuminated was explored by using studies. The framework that was applied to the studies followed a pattern that firstly identified the particular area of well-being in practice and its 'home' in the respective local authority. This approach was used to gaining new knowledge of how and why Local Democracy Makers practice was shaped in the manner presented. This was identified by locating the Councillor decision-making forum (Committee/Executive) for the policy area and from there an identification of the lead Officers. Second was a review of the associated documentary papers for that area. Every attempt was made to keep an open mind where arrangements for observations, interviews and conversations were made or taken advantage of in the field. The question that was always in the forefront of the researcher's mind when undertaking the field work can be summarised as: 'how does the Officer shape local democracy here and what informs the Officer as to why they would act in that way?' The researcher also sought to establish in which quadrant of the Local Democracy Maker the Officer might be located at each particular stage – Every Day Maker, Every Day Fixer, Street Level Manager and/or Social Entrepreneur. This was plotted on a sheet as the research was undertaken.

Particular sensitivity was placed to understand the local politics; the influences on Officers' own understanding; what emphasis was given to process and procedures and the Officers' own articulation of local democracy and local governance (Lawson 2008). The challenges of context were also recorded as Officers used differing terminology and behaviours depending on the setting in which they operated. The public realm of a formal Committee meeting would give rise to different behaviours to those at informal conversations, semi-structured interviews and questions asked at practitioner training events (Leach et al 1996). As a consequence, after observing a meeting or capturing a narrative, documentary processes and procedures previously examined were re-visited to establish the corollary (if any) between the rules in use and the rules in form (Lowndes et al 2006; Lee et al 2008).

### **3.5 Selecting the studies to inform the thick descriptions**

The specific dilemmas that were selected as studies came to the fore as a result of conversations with Officers. During these initial exchanges the Officers indicated when Committee meetings would be held and what items were scheduled to be on the agenda. This, together with an analysis of the Forward Plan and the local authorities' web sites, informed the researcher of studies that had the potential to contribute to answering the research question. As the research focused on the Local Democracy Maker's role in governance and democratic arrangements it was essential that the studies selected had a material role for the Officer. Equally important was the challenge that faced the Councillors as decision-makers – the tension of mediating and determining conflicting demands and expectations of political and societal needs in the process of rationing public goods. The studies selected highlighted the tautness in local issues that affected smaller communities and those which affected a warded area. Decisions that were solely concerned with approving policy were not used as studies as the exercise of discretion in areas which demanded Officer advice was considered more appropriate. Two of the studies drew upon the democratic and legal process in their decision-making. These were selected as they went to the core of democratic arrangements as the meetings were designed and prescribed to satisfy a variety of expectations.

### **3.6 The organisations selected as units of analysis**

The principles applied in determining which local authorities would be used for the research were various. First were the structural arrangements, as the differing forms of local authority – Metropolitan Borough, County and District – have differing legal obligations in terms of their jurisdiction as will be explained in more detail in the empirical chapters. As a result, it was considered appropriate to locate studies in all three forms of authority. This ensured a depth of approach to the research that would capture the necessary nexus between legal jurisdiction, decision making and the application of well-being powers. Second, the authorities were selected within the West Midlands, but all were within a 20 mile radius of



each other. This offered an opportunity to examine urban, rural and semi-rural local authorities although the research is not designed to offer a comparative study. The varied spatial and economic demands on the diverse authorities brought to the fore a heterogeneous narrative which perhaps was influenced more by locality as opposed to party politics.

The final criterion was accessibility, in terms of convenience for the researcher as a full time employee undertaking the study and more crucially, access to the organisations. Letters were sent to the Chief Executive Officers of the three local authorities identified (one each of Metropolitan Borough, District and County) asking for their cooperation in the research. Anonymity, of both the authority and the actors interviewed, was assured as getting 'under the skin' of the issues to explore the research question would draw on views and opinions of what was seen and, crucially, what was said. It would have placed employed officials in an untenable position were their views of elected Councillor attributable to an individual. The researcher was personally aware that this could cause a breakdown in trust and confidence between the employee and the Councillor. As the researcher was employed in local government in the same region as the three authorities he had a network of access open to him to secure co-operation. All Chief Executives immediately agreed to their authorities being included in the research and their Officers being approached. The studies were undertaken over a 12 month period in the municipal year 2008-2009, with some later follow-up work undertaken into late 2009.

### **3.7 The agents - three statutory officers in local government**

As the thesis focuses on how elite local government Officers understood and applied a 'sense-making' approach to their habitus, it was appropriate to first look at the senior officials who advise elected representatives. The starting point for considering the personalities who occupy the Local Democracy Maker landscape was focused on the three appointed functions allocated to three appointed officials introduced in earlier Chapters. It was appropriate to focus on their roles at the outset, as they present elite roles within the local governance landscape as a

consequence of their seniority in the organisations and the mandates they hold by law.

### **3.7.1 The Head of Paid Service**

Local government in England is required by legislation to appoint three employees as statutory officers namely, a head of paid service (usually the Chief Executive Officer (CEO)); a Monitoring Officer (usually the Director of Law) and a 'section 151' officer (usually the chief accountant). The Widdicombe Committee on the Conduct of Local Authority Business considered in 1986 that the post of CEO should be formalised and regulated in legislation as a means of improving the corporate management of local authorities, and of securing a clearer relationship between officers and Councillors. The Conservative government at the time rejected a call for the CEO post to be made mandatory and the questioning of the role and purpose of the CEO in local government, vis-à-vis the mandate of the elected Councillor still poses a debate for the Conservative Party (see Local Government Chronicle 2009).

The second recommendation of the Widdicombe Committee did become enshrined in legislation. The requirement for local authorities (other than Parish or Community Councils) to appoint a head of paid service is codified in the Local Government and Housing Act 1989. The duty of the head of paid service is to co-ordinate the functions of the local authority and its staff. This reinforces the expectation that elected Councillors make policy decisions and the head of paid service (the CEO in all the studies) makes the management decisions.

### **3.7.2 The Monitoring Officer**

Under the same Act of Parliament, local authorities are also required to designate an employed officer to monitor the legality and propriety of Council actions. This role, termed the 'monitoring officer' is traditionally designated to the senior legal advisor. Since the introduction of a more comprehensive ethical governance

regime in local government by virtue of the Local Government Act 2000, all Councillors are required to abide by the national Councillor Code of Conduct. The Code is enforced by local Standards Committees and (currently) a strategic regulator: the Standards for England (although this body is to be disestablished in 2012). As a consequence the monitoring officer role has expanded to include not only matters of legality, such as the interpretation of powers of well-being and matters of practice and procedure in decision-making (which now also encompasses local Parish Councils within the administrative area of the employing principal authority) but also ethical behaviour and effective governance. This more extensive role places the Monitoring Officer at the heart of Councillor disputes – be they with constituents, peers or other Councillors.

### **3.7.3 The Section 151 Officer**

The third statutory officer is the Chief Finance Officer. The Local Government Finance Act 1988 s.151 requires that a Chief Finance Officer be appointed who will have responsibility for advising the authority about any of its decisions which might involve unlawful actions and/or expenditure (including that which exceeds the authority's financial resources). Thus, in order to provide a system of checks and balances, this role cannot be combined with that of the Monitoring Officer. This reflects the position prior to 1974 when the post of Town Clerk and Treasurer could not be held by the same person.

The three statutory Officers, individually and collectively, are substantially empowered within each local authority. It is commonplace for their advice on their respective areas of responsibility and expertise to be final. Their powers extend to them being able to call all Councillors to a Council meeting to consider their reports. The Monitoring Officer and section 151 Officer can insist on being provided with more resources to discharge their roles and any action to discipline any of the three statutory Officers requires the appointment of an independent person outside the local authority to investigate and advise. This latter point is material, as it recognises that the advice and decisions made by the three Officers will not always be welcome by elected Councillors, as they may consider the

Officers as being uncooperative, unsupportive or politically biased. How the Officers undertake their roles, by virtue of the power bestowed upon them and the strategic position they will occupy in terms of access to decision-makers and decision-making forums, will mean that they form a core part of how the well-being powers and local democracy will be practised in their respective local authorities. Consequently the three statutory Officers were deemed germane to the research as they would often cast the tenor of debate on how decisions should be made within their employing authority. However the field work inevitably included the reflections of other employed officials as the three statutory Officers are not the exclusive advisors to Councillors (although they set the framework and agree policy advice and matters of materiality). It is acknowledged that the research could be more expansive to include a wider group or class of actors. This would require a more intensive period of field work and perhaps a longitudinal study which could form the basis of further research. As a consequence the research is presented as a 'snapshot in time' as opposed to a comprehensive review of how a wider set of Officers mediates and manages local democracy. Access to the three statutory Officers within the local authorities was readily available, primarily as a result of the networks the researcher had established as a practitioner in local government.

### **3.8 Capturing the practitioner perspectives: documentary analysis**

In Chapter Two the nature of situated agency and its construction as a result of engagement in a community of knowledge was considered. The Local Democracy Maker draws upon several sources of knowledge to form an understanding of his daily duties and activities. A prominent source is the documentary guidance proffered by a variety of organisations and institutions. As part of the research a variety of documents were considered. The primary documents were governmental papers, particularly White Papers, Bills, Acts of Parliament and Statutory Guidance. These were supplemented by advisory notes, bulletins and web updates presented to practitioners and produced by the practitioners for their own communities of practice. Examples included advice and guidance on matters such as elected Councillor development programmes by the

IDeA; increasing public engagement and participation in local matters in debated reports on web sites and in journals on the Local Government and Public Involvement in Health Act 2007; setting governance arrangements for partnership working with the third and other public sector providers as explained in Government Office letters and bulletins.

The textual analysis also captured the non-governmental advices and guidance issued from sector specific organisations, advisors and representative bodies such as the Local Government Association (LGA), and think tanks such as the New Local Government Network (NLGN). For the local government practitioner advices from bodies which are aligned to professions are a rich source of insight into how the Officer might make sense of the dilemmas presented to them. Such organisations include ACSeS (Association of Council Secretaries and Solicitors) for the local government lawyer and monitoring officer. The section 151 officer has the guidance of CiPFA (Chartered Institute of Public Finance and Accountancy). The Head of Paid Service will inevitably look towards SOLACE (Society of Local Authority Chief Executives).

Of significant influence in terms of both guidance and in its role as a meta-regulator is the work of the Audit Commission. The Audit Commission is charged in legislation (and supplementary regulations and guidance) with reporting the effectiveness of public services. The focus is primarily around the use of financial resources and value for money but, more recently, attention has been given to the achievement of outcomes by local Councils and partner organisations. Such examinations are inherent in the variety of measures used such as Comprehensive Area Assessments (up to July 2010), which judge a locality based upon the effectiveness of several public bodies in the area. The advice, guidance and inspection regime adopted by the Audit Commission informs the practice of officers and especially those practices that call for the taking of risk and the use of resources.

The textual review also explored the written documents produced by the Officers themselves as situated agents. Examples include reports written by employed officers to the Executive and the committees of the local authority and, in

particular for the studies, the local authority constitution, financial regulations, standing orders, rules and procedures for public speaking at meetings and communication and consultation strategies to name just a few. As mentioned in Chapter Two, these show the 'rules in form'. An overview of these documents placed into context the space occupied by the practitioner as a Local Democracy Maker and also provided insight into what might inform the Local Democracy Maker's perspective. From this latter view-point, why the Local Democracy Makers translated concepts of local democracy into operational procedures as a result of the traditions, narratives, values, ideologies, experiences and political landscape occupied by them offered the opportunity to reflect on the nature of situated agency in the local governance arena.

### **3.9 Capturing the Officer story: an exercise in applied ethnography**

Ethnographic fieldwork is premised on the principle that to understand the way actors make sense of their world, the researcher should spend some time with the actors in their everyday environment (Burnham et al 2004; Layton 1997; Bevir & Rhodes 2002). This research was undertaken as an exercise in applied ethnography as a means of establishing an understanding of elite Officers acting as Local Democracy Makers. Ethnography is a broad church and comes in many guises of which applied ethnography is a suitable approach when used to explore and explain the basis and impacts of practice and in particular how practitioners respond to theory. In turn, the outcome of an applied ethnographic study often impacts theoretical developments as theory is subsequently informed (and made richer) by the insight of the practitioner (Van Willigen 1999). Further, as this research was undertaken by a practitioner in the field, the approach was akin to participatory action research as the researcher was part of the community that was the subject of investigation. This approach follows a pattern common in action research and at its basic level consists of research, participation, action (Van Willigen 1999). These three facets of participatory action research are broadly applied in this study. The researcher recognised a problem with the conceptualisation and practice of local democracy by peer practitioners and sought, through the research to better understand his own world and that of his

peers. The outcome of which is captured in the Conclusion which offer practical insight into the problematic of agency in governance and in particular how employed Officers manage local democracy. It is hoped that what is presented in the Conclusion and in the body of the thesis is a combination of realist and impressionist tales in the form of thick descriptions (van Maanen 1988).

An essential component to the approach was a recognition that a variety of tools and approaches were called for if the study was to adopt an approach steeped in applied ethnography. Back in 1953, Alfred Schuetz explained how all knowledge in the world, as well as in scientific thinking ' involves constructs, namely, a set of abstractions, generalizations, formalizations, idealizations specific to the respective level of thought organization' (Schuetz 1953, p2). The way actors practise and construct their own reality is as a consequence of a process of sedimentation, where varying knowledge and experiences layer to form a tradition and modus operandi in the form of an ideological framework. Thus, the history, culture, traditions, customs and dilemmas that actors encounter will form their world view. This also applies to the Local Democracy Maker, and to gain an insight into the various layers that consequently manifest themselves in the way local democracy is practised requires an understanding of the world of the Local Democracy Maker.

To reveal the basis of the construction of local democracy as exercised by the elite Officers, the use of applied ethnography was highly appropriate. As has already been discussed, in the local government arena where legislation and regulation are at the core of its existence and performance, there are common approaches to the interpretation and application of rules and procedures. This can aid the interpretation of what is observed and give space for general observations. As Schuetz summarises: 'The more institutionalized or standardized such a behaviour pattern is, that is, the more typified it is in a socially approved way by laws, rules, regulations, customs, habits, etc., the greater is the chance that my own self-typifying behaviour will bring about the state of affairs aimed at' (p20).

### **3.9.1 Applied ethnography as participatory action research**

Ethnographic research for this project primarily concentrated on a combination of observing public committee meetings. As the researcher was endeavouring to make better sense of his own world and that of his peers', participant-observation of events such as training briefings, government consultation events and professional networking meetings also informed the research. Such events were constituted as participatory action research (Van Willigen 1999). The exercise of applied ethnography including observations of events where the researcher was and was not a participant were applied to gain a deeper understanding from the Local Democracy Maker of their world from the 'inside-out' (Hammersley & Atkinson 1995). Multiple observations provided scope to capture the subtlety of overlapping narratives and the storytelling provided the means for sense making that was reinforced in the telling and re-telling. The purpose of the ethnography in this context was to get closer to the everyday sense-making arena that might be occupied by the Local Democracy Maker by observing, listening and conversing with the actors as peers in their own environment. How the researcher and peers understood local democracy and local governance, the practices used and the impacts on the exercise of democracy was best understood from the perspective of participatory action research.

What was observed and understood during and as a result of the action research was recorded in several ways. The primary record was the researcher notebook and diary (Arber 2006). This notebook served two purposes. First it acted as a record of what was actually seen and heard. Second, the notebook was the 'research diary' where the impact of what was observed and understood upon the researcher's own practice was notated (and is reflected upon in the Conclusion). As explained in Chapter Two this second aspect had a direct nexus to the core of the research problematic as effectively, why practitioners exercise their agency not only became a focus of the research agenda but also formed part of the impact of the research on the researcher as a practitioner as a part of the double hermeneutic process.



### **3.10 Capturing the practitioner narrative: conversations and interviews**

During the field work many conversations with actors took place in particular committee clerks, specialists and technical advisors and some Councillors. These events occurred in the Council buildings before Committee and at other public meetings. Pre-arranged interviews were also undertaken at the offices of the Local Democracy Makers. An equally rich insight was gained in chance conversations at practitioner events where the researcher was attending in his own right as a participant. At these events it was easier to strike up conversations with the same Officers previously observed, but in a more informal setting. As they were more relaxed (as such events were held outside their own local authority environ) they were be more open and generous in their views. These exchanges were used to help the researcher in his reflexivity, as the conversations prompted further contemplation of the knowledge gained in the field (Van Hulst 2008).

In addition to the peer conversations, interviews with Chief Executive Officers, Heads of Finance and Monitoring Officers were also used. The interview technique as a research tool is well documented and well established (see for example Rubin & Rubin 1995; Bryman & Bell 2003; Malhorta & Birks 2000; Becker & Bryman 2004). Hammersley and Atkinson (1995) state that ‘...however skilful a researcher is in negotiating a role that allows observation of events, some information will not be available at first hand. For this reason, ethnographers have cultivated...people as informants’ (p125) (see also Ospina 2005a, 2005b). The two authors go on to say that the ‘insider account’ offers a valuable means of capturing knowledge. Interviews of a semi-structured style were considered more appropriate for this research agenda as they were more akin to a conversation or dialogue between a practitioner-researcher and peer Officers (Bryman & Bell 2003 p119). The research constituted multiple conversations with actors and pre-arranged semi-structured interviews. As part of the interviews the actors gave their consent to the information gathered being used for the research. A confidentiality and anonymity undertaking was given by the researcher as agreed with the respective Chief Executives of the three authorities. The semi-structured

interviews were digitally recorded and subsequently transcribed into electronic format by the researcher.

### **3.11 Reflecting, analysing and writing**

The literature review, observations of meetings, recorded interviews, peer conversations and the researcher diary all offered the necessary ingredients to amass a picture of the Local Democracy Maker in the field. The researchers own reflexivity as a peer practitioner was notated in the researcher diary. The observations presented in answering the research question drew on all of these sources as part of an interactive process (Yanow 1996 & 2000). Notes were made of what was seen, observed and said and the impact this had on the researcher and the potential for his own praxis. The written notes were regularly re-visited to enable the researcher to be steeped in the data and its meaning (Orr & Bennett 2008). The more analytical process followed the following pattern:

- a. Gathering and ordering all the data. This was done in two ways. First around areas of dilemmas for the Officer practitioner and second as a means of locating where on the Local Democracy Maker spectrum the Officer might be located as a result of the knowledge shared or observation. This was seen as the research stage.
- b. Analysis of the data as a narrative on local democracy and local governance. This was aimed at drawing upon the sub text, and reading between the lines of what was collected. To a greater extent this was the sense-making stage and drew on the researcher's own reflexivity in the act of interpretation. This was located in the participation stage of the action research.
- c. Reflection between the three studies – common stories and differences and what the varying messages the narratives pointed to.
- d. Writing the studies. This was a crucial final stage as this resulted in yet more iteration and the revisiting of the understanding made at the previous middle two stages. The writing became an act of interpretation in its own right and was the action stage of the study as reflections on

practice (and limitations on the application of theory to praxis) were formulated.

The cornucopia of sources and narratives that were used to answer the research question are presented as 'thick descriptions' (Fischer 2003). As the interpretive tradition shares the same space as the social constructivist and concerns itself with human sense-making and power relations as discussed in Chapter Two, it is naïve to think that this complex process of sense-making by the actors as agents can be explained using simplistic and de-contextualised 'data'. Social relations are complex and varied and fixing on a single answer or hard data as a means of explanation is difficult and controversial. As Yanow (2000) explains, 'we live in a social world characterized by the possibilities of multiple interpretations' (p5). To paint a picture of the Local Democracy Maker and local democracy, thick descriptions offered a means of capturing the 'voice' of the Officer in the process and the researcher's own story as part of interpreting the research.

### **3.12 Conclusion**

The empirical approach applied to the research presented an opportunity to understand the world of the Local Democracy Maker through a variety of sources (Marsh & Smith 2001). Using the lens of the power of well-being to understand why Officers in local government approached and undertook their responsibilities in the manner that they did offers many advantages. This trajectory captured both patent and latent interpretations of dilemmas associated with local democracy and local governance. The application of a more open and generous approach to the methods accords with the interpretive genre and its desire to establish understanding by drawing on a wide vista of reflexive opportunities. The following three chapters report the applied ethnographic approach to the fieldwork tell and the story of the Local Democracy Makers as they engage with the arena of well-being in the three study areas and how they view local democracy and local governance.

## Chapter Four

### LOCAL DEMOCRACY MAKERS SHAPING GOVERNANCE: ECONOMIC WELL-BEING AND THE NIGHT TIME ECONOMY

#### 4. Introduction

This study considers the application of the power of economic well-being as applied to decisions relating to the night time economy. The nexus between the power of economic well-being and the night time economy arises primarily as a result of national aspirations and legislative changes which give rise to new opportunities for local authorities to regenerate city centres. As a result a new jurisdiction has arisen for the local Councillor to both facilitate and regulate the synergy between economic vibrancy and social cohesion (Finney, 2004). Challenges arise as strategies to promote night time economies are facilitative, but the management is restrictive. Controlling the night time economy at the level of the local authority is a quasi-judicial function as part of a regulated legal framework concerning the licensing of premises. Usually, the application of a regulatory codified regime would remove the scope for discretion in the decision-making process as the rules often pre-determine and anticipate the expected outcome. However, the narratives articulated in the study suggest that discretion is commonly used by elite Officers to bear down on the discretion of elected Councillors. This is evidenced in this chapter following observations at public committee meetings, semi-structured pre-arranged interviews with Officers and more informal conversations in the Council offices. The chapter considers four specific areas, namely – how are decisions made; how advice is given and received; how politics and power relations are understood and what is the observed role of the Local Democracy Maker. The chapter concludes with a reflection on the findings of the study.

#### **4.1 The tradition and policy context**

The public house is an institution in British society. 'The local' has often been considered an essential part of community life. The traditions that inform decision-makers in the exercise of economic well-being are much informed by the management of the sale and consumption of intoxicating liquor and use of premises for entertainment. Until 2003 these traditions were a matter for the institutions of law, administered locally (Patersons 2002). Prior to 2003 the Magistrates' Courts were vested with the jurisdiction to determine all matters pertaining to the licensing of venues for entertainment and sale/consumption of alcohol (Greenaway, 2003). Over time, the processes adopted by the Courts became more costly and time consuming, as the demands of administering the criminal courts pushed the more regulatory functions further down the priority list for Justices of the Peace. The administrative regime for the Licensing Act 1963 had not been reviewed for several decades and court practices were seen as 'old fashioned' and out of touch with more modern patterns of night time entertainment (DfCS 2001). The need for greater efficiency in the Criminal Court processes and the application of New Public Management (such as performance targets relating to the number of cases dealt with in shorter time scales and reduced costs in the running of the Court) to the administration of justice resulted in a review of the legislative framework by New Labour. Economies and efficiencies in the discharge of local justice was achieved by the closure of several Magistrates' Courts and the functions of those remaining functions reconfigured into fewer but more centralised Courts, covering much broader geographical areas. As a result of this reconfiguration of the administration of local justice, the function of licensing the night time economy was passed to District and Metropolitan Councils. Nevertheless, the traditions that also passed were steeped in authority and autonomy of the Magistrates' Court to make decisions as a court of criminal justice.

#### **4.1.1 The dilemma of configuring licensing as a process of mediation in society**

Dividing the management and enforcement of the licensing regime from the management of local justice was, perhaps, an unforeseen consequence of the application of New Public Management principles to the criminal system (Hobbs et al 2000). However, the effect was to establish a fresh dilemma for advisors, policy makers and decision-makers. Fewer, more centralised Magistrates' Courts and Justices of the Peace that had jurisdiction over wide spatial areas, resulted in local knowledge being lost as fewer Justices were also local Councillors (see for example National census of local authority Councillors 2008 by the Local Government Association). Parallel drivers requiring local authorities to regenerate and revitalise town centres (PPG12, 2008) called for some synergy between the management of licences and economic growth strategies. Determining how the economic well-being of the night time economy (in particular) would be managed required a fresh approach. The need to mediate between the desire to sustain a commercial activity in a community with the perceived and actual social nuisance created by such establishments called for a sophisticated means of decision-making. However, the transfer of the decision-making process to the local authority had unforeseen consequences as the implicit and tacit knowledge of the licensing magistrates of the management of crime in an area was lost, and what remained was a shared tradition of criminal justices governing social norms. The determination of licensing matters would now sit with elected Councillors who, as a body of decision-makers, did not have the same knowledge of the criminal history of a location and the civil strife associated with particular licensed premises. As a result, a new dilemma arose where the traditional approaches for management of activities that called for a system of rules and codes was now in the hands of those charged with regulation and economic vibrancy in social settings.

The Licensing Act 2003 saw the function of the local authority Licensing Committee as a mediating role, between the desire for economic well-being and the societal challenges of licensing liquor and night time entertainments. The purpose was to support the development of the night time economy and the

regulation of social behaviour became a secondary consideration. Under the Licensing Act 2003 this would now be done through a newly configured and created structure and process, where all decisions would derive from a declared policy position by the local authority. As a consequence, new governance arrangements and new processes were established to discharge the statutory obligations.

#### **4.1.2 Creating new traditions: policy based decision making**

Prior to 2003, Magistrates' Courts polices on the licensing of premises and activities were heavily drawn from the Licensing Act 1964 and were primarily framed in a legislative format, informed by decades of case law. To this extent, policies were functional and focused on the prevention of harm to communities and vulnerable groups and were mostly restrictive in their approach (see white paper – Time for Reform: Proposals for the modernisation of our licensing laws (2001) DfCS). The majority of the policies concentrated on the fitness of applicants to become licensees and the potential of over provision of licensed premises. In transferring the function to the arena of the elected Councillor the government believed that the new 2003 Act would serve to limit social consumption of alcohol and provide a simpler, more transparent and more accountable statutory framework for the licensing and control of sales of beers, wines and spirits and associated entertainment. This would be better served by the elected representatives with a broader understanding of communities as opposed to Justices of the Peace in the Magistrates' Courts (see Licensing Bill (HL) 2003). Local authorities were required to produce, consult and adopt a local licensing policy which was to be based on four policy principles. The principles required that licensing policies would seek to ensure the prevention of crime and disorder; afford public safety; the prevention of public nuisance and the protection of children from harm. A review of six such policies for this research showed a further policy objective which drew upon the economics of the area (see similarly a study of licensing polices in Greater London – Herring et al 2008). The policies emphasised the need to secure a balance between commercial interest (the economic test) and local expectation (Tierney & Hobbs, 2003). The tradition

surrounding the licensing of liquor and entertainment was being reconfigured through the dilemma of the New Labour credo which sought to establish networked governance as a means of securing economic, social and environmental well-being.

#### **4.1.3 The dilemma of competing interests**

The Licensing Act 2003 de-regulated the opening and closing hours in an attempt to reduce local anti-social behaviour by differentiating the flow of persons leaving buildings at the same time. The 'open ended' opportunity to keep premises trading would inevitably be a source of dilemma for local Councillors as previous customs were challenged by a more competitive and commercial drive to offer unrestricted opportunities for the consumption of alcohol. For local authority regulators the 2003 Act would present tensions between the national ambition to reduce the restrictions on the operation of local pubs and clubs without due regard to the consequences for social order. Proposals for the implementation of a new licensing regime were set out in 2001, in the white paper 'Time for Reform: Proposals for the Modernisation of our Licensing Laws' and explained that 24 hour opening of pubs and clubs would remove the effects of patrons leaving premises all at the same time and acting in an anti-social manner. Another ambition (but much less successful) was a reduction in binge drinking, as the requirements for customers to consume their alcoholic drinks by a given closing time would be removed (Hough et al 2008). For local planning authorities within the same local authority and economic development teams the challenge (under different policy drivers) was to promote a mixed local economy, including a potential night time economy, particularly in town centres. Interviews and observations as part of this research would suggest that local Police and commonly ward Councillors would find the two strategies at odds with each other in terms of their social impacts. In the study Councillors were observed presenting petitions against extending operating hours for licensed premises as the noise and disturbance gave rise to complaints to them as representatives. These were crafted as objections based on possible increases in anti-social behaviour as a result of longer opportunities for patrons to consume liquor. The local authority had competing priorities in its



capacity as a significant lead organisation for both the reduction in crime and anti-social behaviour and also for economic regeneration and employment. This conflict highlighted the tension and dilemmas faced by decision-makers and advising Officers. Such dilemmas were constructed through the traditions of externalities and self-made narrative and ideologies. The dialogue became part of the narrative of the Local Democracy Makers, often as a result of attempts at navigating their advice as a result of the juxtaposition of democratic processes, macro policy objectives and regulatory control.

#### **4.2 The overall arrangements for decision-making**

Where an applicant sought to license a premise or amend the conditions attached to an existing licence and such applications were contested by third parties, they would be considered under the 2003 Act by the Licensing Committee. Uncontested (or the more 'routine' applications) were delegated for determination by senior Officers. More complex or controversial applications were dealt with by Councillors who undertook their decision-making duties within a legislative and policy framework usually distilled into guidance and procedure notes by the Monitoring Officer. The process was quasi-judicial and the committee sat not as a traditional political committee of the Council but as a decision making committee based on specific facts and by following the rules of natural justice. This meant that the committee would hear evidence from applicants, supporters, objectors and the Police relating to each particular case and the notion of a fair hearing would be preserved. Although the rules regarding the admissibility of evidence were less strict than those of a Court of Law, several guiding principles of the law were applied. The Committees clearly needed to decide on the credibility of evidence and the weight given to it in their consideration was material, as they oscillated from policy application to evidence consideration (Light, 2005). The cross-examination of witnesses was allowed and the questioning of applicants and objectors generally. Nevertheless, the Licensing Committee sat as a committee of the local authority and the more commonplace provisions of committee meetings remained in place. As part of a democratic committee process, public participation was part of the process and was recognised in the

policy and procedures and practices at the meetings. Individuals could attend to express their views during a hearing and the Officers saw this as democracy-making as they secured public participation, but within pre-determined criteria. The determining committees gave an opportunity for the views of others to be voiced at the hearing, however several rules were in place to both permit and restrict the act of involvement and engagement. It should be noted that public consultation on individual premises applications is governed by legislation and is the responsibility of the applicant, not the local authority/licensing authority. The opportunities open to each Committee were expanded upon in national guidance (see DCMS Guidance and Amended Guidance under section 182 of the Licensing Act 2003 (2004 & 2007)) and advices from professional organisations such as the office of Local Government Regulation. Overall, as a result of the legislative restrictions and advice, the general impression was of freedoms and flexibilities available to the Committees are limited (see also Light, 2005). The advising Monitoring Officers could be less flexible and had fewer opportunities to exercise their discretion than at other meetings, as their advice would seek to preserve the sanctity of the quasi-judicial function of the committee. This required tight control and management of proceedings and the limitation of discretion or departing from the 'rule book'.

#### **4.2.1 Observing the decision-making process**

Those Licensing Committees used for the research were held as public meetings. The order for people to speak was common to all the meetings observed and the advice given by the Officers (in particular the Monitoring Officer) was also broadly consistent, but the emphasis differed. This resulted in some Monitoring Officers appearing to be more facilitative of the role and autonomy of the elected representative over and above the servile application of laws and policy. Within the decision-making forum of the committee the following were recurring areas of tension where advice and reminders from Officers to the Councillors were commonplace:

- a. The preservation of rules and order by the Officers advising the committee of the need to hear from all parties *before* they made decisions;

- b. Supremacy of law and natural justice in the political arena with reminders that decisions had to be supported by relevant evidence;
- c. Encouraging discretion within clear boundaries and with the purpose of negating possible future legal challenge by stressing the need for local mixed economies and flexible closing hours as well as or in addition to the need to prevent social harm;
- d. Reinforcement of the hierarchy of the Courts, especially where explanations were given in response to frustration from Councillors that decisions they made - based on local knowledge in their view - were overturned by the Magistrates' Courts who had less local knowledge. This would arise when aggrieved applicants had their applications denied or limited with 'unreasonable' conditions. In such circumstances a right of appeal against the Committee's decision arose and the Magistrates' Courts would then decide the application/appropriate condition;
- e. Imposition of limitations on participative aspects of local democracy and public involvement as it was considered a threat to the legality of the process. This was seen most as confused and irritated exchanges about the need for broader public involvement and engagement as opposed to the prescribed requirement to engage only with affected parties.

(Notes from fieldwork journal in District Council 2008 and Metropolitan Council 2009).

#### **4.2.2 The hierarchy of law and procedure**

The dominance of the elite role of the Monitoring Officer in the local authority and in advising elected Members was constant in advising on law, policy, process and areas of conflict concerning decisions on the management of the night time economy. The influence of New Public Management in particular on the prescriptive use of regulatory advice from organisations such as the Local Authority Co-ordination of Regulatory Services (LACORS) and guidance (DCMS 2004 & 2007) and its unforeseen policy consequence on the discretion of the elected Councillor was clearly a pressure on the Monitoring Officer, which also affected Councillors.

Moreover, the guidance discussed in 4.2.1 extended the role of the Monitoring Officers' in the making of local democracy, which was inherently contradictory. A particular tension was the obligation to hear from all parties but within a context of the prescription of law and procedure. On further inquiry, during interview, the source of this advice became more apparent. The dominant reason for advising the Councillors so forcefully in this regard came from the Officers understanding of their own accountability as employees and the need to comply with regulatory frameworks. The Monitoring Officers observed and interviewed were mostly qualified Solicitors and considered their attendance at the meetings to be primarily as legal advisors. To complement this, the Councillors appeared to give significant weight to the advice given to them by the Monitoring Officer and a high degree of trust was clearly evident. Yet the vocabulary and intention of the Monitoring Officer sought to place personal obligation on the Councillors to recognise their duty to be consistent with their own policies. Phrases such as 'your policy provides' clearly sought to move the obligation from Officers to the Councillors to make decisions in accordance with their own policy, which required the consideration of evidence from all interested parties. The Monitoring Officer would articulate to Members his personal difficulty with proposed decisions when they digressed further from the legislative and policy framework. When proposals from Councillors came forward which appeared to ignore adopted policy and advice or were seemingly contrary to the evidence presented (or where evidence by way of equal representation was being denied) the Monitoring Officer would change the tone of his voice and say 'I would find it difficult to explain, during the course of an appeal'. Monitoring Officers were not denying local democracy but giving voice to the very practical difficulties they face as, in the event of an applicant lodging an appeal of a decision made by the Committee, it would be the role of the Monitoring Officer to act as the legal advocate on behalf of the Council before the Magistrates' Court; drawing on personal vulnerability appeared to be acceptable. In later conversations it was explained that their vocabulary and direction were justified in terms of the necessity of protecting the personal reputation of the Officer and the Council and to remind Councillors of their obligations to staff acting on their behalf and to the Authority.

Monitoring Officers not only reminded Councillors of risk to the reputation of the Council and by implication to their senior legal staff and themselves but also the financial consequences of their actions. The inference was made that were the Committee to make a decision that did not allow for the views of interested parties to be made clear, at a resulting appeal the Council would be likely to lose and be ordered by the Magistrates' Court to pay the legal costs of the appellant. This would be a financial penalty and a threat to the credibility of the Committee. This rationalisation for giving advice had almost the same weight and impact as the more traditional legal advice. Overall, the impression gained from observing the meetings reinforced the supremacy of legal advice and process in the decision-making arena, with the Monitoring Officer having the dominant voice. The sum of the national government guidance (DCMS 2004 & 2007) and its interpretations in advice provided to Councillors, explicitly reduced the opportunities for the elected Councillors to exercise their discretion were very clear. Moreover, these dialogues and the steering of the Members reinforced the elite space occupied by the Monitoring Officer where they were seen as trusted advisors and part of the leadership team of the organisation.

#### **4.2.3 Facilitating public involvement in the process**

The provisions of the guidance issued by national government (DCMS 2004 & 2007) stressed the importance of transparency, confidence in decisions and public participation in the licensing process. How this was managed in practice provided further insights into how the process of local democracy was constructed through a legal prism. Public participation was permitted in each of the policy and procedure documents written by the Monitoring Officers and approved by the individual Licensing Committees. Public participation in the meetings was observed on each occasion but was carefully managed. The Monitoring Officer would choreograph such events by indicating who should speak and when. In facilitating this process they explained their role (in later interviews) in the language of the Local Democracy Maker and specifically that of the Every Day Maker. They saw themselves as the agents who made sense of the immediate issues and reacted to the particular circumstances presented. These efforts

would result in the Officer attempting to re-interpret the representations made so as to make them relate (where possible) to the underlying policy and process of the committee. During the meetings the Monitoring Officers sought to weave into the process the knowledge gained from the public participants into the facts of the application before the committee (perhaps as a means of doing more than what an Everyday Fixer would do to 'fix' the presenting problem and not the cause). This can best be illustrated from the note in the researcher diary of the observation of a Licensing meeting:

'...having explained the process to be followed by the committee the Monitoring Officer (MO) read out the process for interested persons to make their case. A neighbour to the application area asked to speak, but had not pre-notified. The Councillors debated this, and thought it essential that the representations of the neighbour be allowed. The applicant, a national brewery and represented by a Barrister at law, objected. The MO intervened and endeavoured to solve the dilemma facing the Councillors by suggesting that the neighbour be allowed to speak but less weight be given to the comments. The problem of applying the rules was fixed by the advice of the MO'.

In the dilemma presented by this narrative, the Barrister was objecting to the neighbour's involvement as he was not considered to be an 'interested party' as defined by the legislation and therefore did not have the legal right to make representations. The Monitoring Officer was much more accommodating and flexible, but within a controlled environment. Within the narrowness of the legislation and guidance it was the Monitoring Officer who exercised the discretion and decided whether the 'non statutory' representations should be permitted. The over-bearing need to comply with the regulatory framework appeared to vex the Monitoring Officer to the extent that discretion at the meeting and the freedom of the elected decision-makers to determine who should be allowed to speak were marginalised (see Roberts & Eldridge 2007 for similar accounts).

#### **4.2.4 Dilution of democracy at the Courts**

The challenges surrounding decisions being made, then overturned on an appeal by the local Magistrates, both fettered and frustrated the decision-makers and gave the impression that they questioned their mandate to make local decisions. It was observed during a chance conversation between two Councillors at the end of a meeting that their disappointment ran deep when their role as elected decision-makers was so readily overturned. The essence of the conversation was to question the purpose of them, as elected representatives seeking to listen to local peoples' views which would then be rejected by the local Magistrates. They went further and suggested that this was less palatable to them than a policy being overturned by central government as they had an expectation that Magistrates would share their own desire as local representatives to meet the wishes of local people and reduce their anxieties about living next to licensed premises. Monitoring Officers did not proffer a response to such comments and they tended to stay as Everyday Making technocrats, fulfilling professional roles, as their comments would be focused on the more legalistic process and the rights of appeal. The exchange showed how a change in legal arrangements also affected local governing arrangements. Appeal decision-makers were no longer elected and were considered to be remote from the local authority and the community affected by the decisions (Hough & Hunter, 2008). The Councillors also saw their democratic mandate as being diluted by the bureaucratic process. The governing of the night time economy and the balance between social and economic need appeared to be steered by the legality of process. The Magistrates' Courts were seen as guardians of reasonableness and proper decision-making, although the Monitoring Officer was, occasionally, permitted to be flexible with the rules provided it could be justified as a reasonable application of the law or an interpretation of the procedure notes they themselves had written.

#### 4.2.5 The persistence of the political

Of the various meetings and exchanges observed, only one Monitoring Officer offered a view which was beyond a technical explanation on matters of law and procedure. On this occasion, the Monitoring Officer, who had been employed in the local authority for many years, responded to the Councillors by suggesting they write to the Government and to the Local Government Association to lobby for a change in the law where the Magistrates' powers would be much more limited to hearing appeals on narrow points of law only. The Monitoring Officer went further and suggested that the Chairman of the Committee invite the Chairman (or equivalent) of the local Magistrates' Court to meet and discuss their concerns and frustrations. The Councillors seemed unsettled by this suggestion and did not ask for the meeting to be arranged. On leaving the meeting the Councillors continued to speak to each other and agreed between them that the appropriate way in which to address the issue was for it to be raised initially with their respective political parties and discussed with their political group leaders locally. Exploring this point further with the Monitoring Officer at a later interview, it was clear that the alleged separation of political and policy factors in deciding matters of the night time economy were, in the main, a contested concept. The Monitoring Officer would emphasise the need to separate the political from the factual decision-making surrounding each individual application. The emphasis placed on the committee's role as a quasi-judicial decision-making body was reinforced both in oral advice at meetings and in associated local protocol and national guidance. However, the pragmatism of local politics was well articulated by the Monitoring Officer involved in both providing advice at the meeting and also in drafting the governing documents relating to the meeting and its function, when he said:

'I recognise that whilst I say to the Committee they need to keep politics outside of the meeting, I am just saying the words. After all, we ask them to agree the policy and they don't all agree on what...especially if there are pubs or clubs near schools or residential areas in their wards. I have known political pressure to result in applications being refused and I recognise that's the reality of the situation. Some Members in the past were elected on the fact they were trying to close down a pub in their area. Let's face it, other than the decisions made by officers the ones the



Members are involved in are the more tricky ones, so they are bound to be political. I suppose it's why we have them involved in reality'.

(Monitoring Officer from a District Council).

This statement, whilst succinctly explaining the challenging role facing the Local Democracy Maker, underestimates the influence the Monitoring Officer has in the way the advice is given and the manner in which that advice sets a standard to which the Committee are expected to conform. The inference was made that ignoring the professional advice was likely to cause more of a challenge at an appeal at the Magistrates' Court and the threat of increased legal costs were the Council's actions criticised. The Monitoring Officer oscillates between the individual context presented to him and the policy and political process. In summary, they move around the quadrants of Local Democracy Makers as they act as Every Day Fixers and Every day Makers.

#### **4.3 The management of local democracy and local governance**

As a practitioner researcher observing the decision-making and the role of the Local Democracy Maker prompted me to question the practical aspects of the processes of decision-making. Although meetings were held in public and public participation was permitted, there was a sense that the process was equally designed to exclude aspects of local democracy. As a practitioner my usual place in Council meetings held in public, my place is to sit next to or in close proximity to power - the Councillors making decisions within a legal framework. As a researcher observing meetings, I was physically placed in the seats allocated to the public and the press. These were coined as the 'one and nine pence' seats (a reference to the cheapest seats that were available in the local cinema over 40 years earlier) by one Chairman, as they were at the very back of the meeting room and far from the decision-making table. The researcher had previously been somewhat dismissive about where the public sat, but both the physical distance from the decision-makers and the perception by the Councillors of public interest suggested a desire to maintain a purposeful distance between

engagement, participation and the decision-making process. From the vantage point of the public gallery, the following observations and reflections were made:

- a. Exclusivity and elitism were defining features of how decisions concerning the night time economies were made. The preservation of the quasi-judicial process and the sanctity of decision-making were secured in several ways. The public were excluded by a combination of language, space, actions and context.
- b. Because of the arrangement in the room members of the public who attended these meetings were, physically prevented from seeing the decision-makers.
- c. Public galleries do not, in the main face the elected Councillors and as a result it is often only the Chairman of the meeting and a group of employed Officers that can be seen by the public.
- d. Rules were applied to solve presenting problems and the Monitoring Officers were in the main observed as Every Day Fixers or Makers. They presented themselves as both bastions of canonised arrangements and as flexible agents seeking to accommodate the needs of those who sought to make representations, by interpreting the guidance they had written so as to allow a voice for others.
- e. Physically hearing those who spoke was difficult and their identity was often unclear as name plates were missing and first or surnames were used to identify individuals. The impression was of an opaque divide in the managerial and political roles and responsibilities. This was reinforced when the licensing Officers would refer to decisions they had made in accordance with powers delegated to them by the Council but not explained in full in the meeting, as it was assumed that those taking the decisions had the knowledge and necessary background understanding. This would mean that the majority of decisions made by the Council on licensing matters were taken by the Officers and this information and knowledge of past decisions was only alluded to and not explained. Of greater significance was the perceived remoteness of the meeting to visitors. Decision-makers and advisors were physically distanced, spoke their own language and in acronyms and conversed with each other and not for the benefit of observing public. As an example of local democracy,

the arrangements did not seem to encourage engagement and gave an impression of the elected representative as part of a judicial process and not as a community leader or local representative.

- f. The distinction between the exclusivity of the process and transparency for the public was reinforced by the way in which the process of the committees and their hearing stages were not explained. As a result any comprehension of the modus operandi was lost. To some degree this protected the Committee as the Councillors' role was seen as complex and difficult to reach, which made their role appear important and specialised.
- g. Managerial disciplines were reinforced to mediate between discretion and the political. Monitoring Officers regularly stressed the need to deal with the process first before decisions were to be made. The expectation that Councillors remove from their mind pre-conceived ideas until the process of hearing evidence and taking advice had been concluded suggested that the political had no place at the Committee. The impact of the management of risks (particularly of an appeal) was to push away the political. This was at odds with the way Councillors were selected to sit on the Committee according to their political affiliation.
- h. As senior elites the Monitoring Officers yielded inherent authority by virtue of their statutory positions. This power was exercised by them when regular reference was made to the Committee Rules; Government Guidance (DCMS 2004 & 2007); legislation and the 'risk of losing on an appeal to a Magistrates' Court'. The discretion open to the Councillors was being managed by the veil of quasi-judicial decision-making.
- i. Decisions were expected to be drawn on evidence presented and advice was given as to how that evidence should be weighted in accordance with the burden of proof similar to that used in a Court of Law.
- j. Concepts of Community Leadership were contested as suggestions of a decision being made based upon common aspiration, lobbying, petitions, letters or the 'hunch' of a ward councillor of what the public perception might be were challenged. Monitoring Officers at the Committee would caution against decisions not being supported by the evidence presented. This reflected a complex relationship between the notion of elected Councillors as Community Leaders and corporate decision-makers akin to

a Company Board. The Monitoring Officers reinforced the single purpose of the Committee to make decisions based on evidence and policy. This appeared at odds with the original vision that the transfer of the function to the local authority would localise each determination with greater local knowledge.

- k. At the meetings the Monitoring Officers would challenge political statements by reminding the Councillor of the 'non-political' nature of the Committee. This appeared at odds with the Monitoring Officer's clear understanding of politics when interviewed and the good relations observed at the meetings. At a couple of Committee meetings Councillors were patently seated in political groups, whereas in other authorities the Monitoring Officer had determined where they would sit by placing their name plates at the appropriate places. When this was later discussed with the Monitoring Officer at interview, they would advise that the Committee's quasi-judicial role was such that overt politics would be a risk to decision making. Where the Monitoring Officer had attempted to manage the perception of politics by allocating seats to Councillors, his role as Local Democracy Maker was akin to a version of the Social Entrepreneur. The managerial intervention was being applied to manage a political perception to reduce commercial risk of a challenge and a resulting loss in reputation and unnecessary cost. The exercise of agency by the Monitoring Officer was concerned more with external perception and accountability. This emphasised the complexity of the governance arrangements and the multi-layered influences and factors that determined how arrangements for decision-making were perceived. The Monitoring Officers felt under an obligation to manage the perception of politics in the process although ironically the more dominant effect of external accountability and representation was lost in the written protocols, reports and processes. Interviews with Monitoring Officers did not indicate that appeals to Magistrates' Courts were commonplace. This suggested that the Monitoring Officers were able, in their opinion, to use the potential threat of an appeal as a means of keeping the decision-making process as a quasi-judicial function rather than a political meeting.

- I. On more complex evidence-based cases or matters of technical decision-making, despite long and detailed reports in writing and often repeated orally at the meeting there was a general impression that for many Councillors on the committees they simply did not understand the issues. As a result they appeared to follow Officer advice first and their own instinct second. As the researcher was more sensitised to the relationships and the manner in which advice was proffered, the reactions and behaviours of Councillors were noted in more detail. Some of the Councillors observed appeared to be fearful of being considered insufficiently competent to deal with the complexity of the dilemmas presented to them. The effect was to push the Councillor away from a more personal and independent voice to a corporate voice: following Policy and protecting the Council from the costs of a legal challenge was seen as equally valuable as their own views and passions. This became much more complex when a Councillor had been requested to support or oppose an application by a constituent. The effect of such a request would draw the Councillor to articulate a social reason for opposing or supporting a line of action and for the Monitoring Officer to couch the reasoning in agreed Policy language – however vague or far removed from the facts or evidence.

#### **4.4 Local Democracy Makers influencing governance**

Chapters One and Two reflect on the notion of the Local Democracy Maker and how the model might assist in understanding how the employed elite exercise their agency in governance. This study showed a dominant role occupied by the appointed officials in the decision-making process and how they mould and shape local democracy. Irrespective of structural arrangements and rules in form they still influenced the decision-making process. The governing arrangements were thus flexible and malleable. Hierarchical arrangements persisted as the threat of Magistrates' Courts overturning or criticising the Councillors' decisions had a bearing on the advice given and the way it was received. The Monitoring Officer in particular would appear to have a material impact and influence on the elected Councillors' decision-making and was seen to be using the consequences of

managerialism as a tool and technique to temper the discretion of the elected decision-makers. This influence was particularly witnessed in the determination of the process that should be applied in the engagement of non-decision-makers, such as local residents and other interested parties in the proceedings. Assumptions made in governance literature of the fixed shape of local governance and the pre-determined structure for managing the public realm fail to recognise the fluidity of the political. In seeking to remove politics from the Committee, Local Democracy Makers were themselves exerting power and authority and were equal politicians, even though they were not present as political party representatives. The pressures placed upon the Officers to regulate the processes were transmuted to the Councillors and as an attempt to 'manage' their decisions. In doing this the supple arrangements of governance were amended by the actions of the Local Democracy Makers and the hierarchy of elite advisors was abundant.

#### **4.5 Local Democracy Maker as Every Day Maker**

In addition to the determination of applications that complied with Policy, the observations of the meetings and subsequent peer conversations with the Monitoring Officers to the Committees, the committee clerks and licensing managers, were that Officers were also involved in the production of draft policies for consideration and adoption by the Committee and Council. In such circumstances the Officers would act as Every Day Makers, by the application of national policy to local circumstances and also as Social Entrepreneurs as they advised and promulgated managerial approaches to governing the night time economy. One example was the proposed limitation on the number of licensed premises in one area on the basis of planning applications being made to regenerate another area as part of a town centre scheme. The more innovative approach of engineering the local socio-economic landscape was conceived and led by the Officers in the way they presented the licensing policies to Councillors to contemplate and adopt. The influencing arrangements moved beyond the legislative arrangements for licensing to aspiration for spatial regeneration and economic wealth. The motivators were national guidance (DCMS 2004 & 2007)

and particularly the need to meet Audit Commission national indicators on job creation and local wealth. The Local Democracy Maker attempted to bridge the policy application with the democratic process, whilst still continuing to exercise a regulatory overview on process.

#### **4.6 Local Democracy Maker as Street Level Manager**

How the public and night time economy providers (such as pubs, breweries) should be consulted as part of a process of policy formulation was a matter of advice from the Officers, particularly the Monitoring Officer. Conversations with those charged with producing and consulting on proposed policies (gambling policies within licensing policies were frequently cited) pointed to national guidance as a starting point for a steer on the process of consultation. This was primarily issued by the Department for Sport and Culture and the Gambling Commission (see DCMS 2004 & 2007). Second, the advice of professional bodies, which for the licensing of night time economy activities was sought (see for example LACORS). The approach adopted was akin to that of the Street Level Bureaucrat/Manager. Advice had been issued by both Central Government and national advisory bodies. This advice was then discussed and reflected upon and applied to local circumstances. Local consultation usually consisted of letters to breweries and organised groups and a newspaper briefing. However, other forms of consultation and methods of receiving feedback from those likely to be affected determined how this information from consultees was then channelled to decision-makers. An important consideration for Monitoring Officers was their perception of personal and institutional political views. A common statement by the Local Democracy Makers in deciding how and what to present as a result of a process of consultation was the phrase 'How will Members of the Committee react to that?' As a result, the Officers appeared to adapt both their approach to the consultative process and its outcome based on their own experience and their history in the organisation.

#### **4.7 Local Democracy Maker as Democracy Manager**

The interviews with senior Officers all began with a request for them to explain what they considered to be their role at a Committee meeting. Almost all said that their primary function was to ensure that the Committee made decisions 'in the right way and to avoid legal challenge'. The conversations went on to explore legal principles for the Committee and the 'quasi-judicial' role of the decision-makers. Financial matters were also considered to be an area where Officers felt obliged to advise – especially the risk of financial penalties on appeals. These were arguments used to impress upon the Councillors the need to act reasonably at all times. Conversations with the Monitoring Officers were peppered with the following words – 'challenge... judicial review... due process... following the national guidance...mitigating the risk to the council of loss in reputation'. Being steeped in the technocratic world of managing the process of legal compliance and risk resulted in a reliance on the language of New Public Management being adopted to impress the need to manage the democratic process. Factors beyond the pure application of law affected the advice and world view of the Local Democracy Maker. Financial commitments, performance standards, audit expectations and managerial expectations of the way in which decisions should be made gave rise to tension between local Councillors' aspirations and the regulatory advice of the Officers. The Officers moved between the four quadrants of the Local Democracy Maker with the result that representative and participative local democracy was formulated in the light of the Local Democracy Makers' ideology.

#### **4.8 Motivations of the Officers**

When interviewed, the senior Officers were asked what motivated them in their advice to Councillors concerning the place of the elected Councillor and the economic well-being of the night time economy. The responses were mixed and appeared to be determined by the *habitus* of the Officer. This can be illustrated by these two differing responses to the question: 'who makes decisions around here?' One answer was: 'our Councillors want to make all the decisions, so



public involvement beyond the applicant is not necessary', the other, 'the Council is committed to public engagement and we advise the community of how they can get involved and we give them all the information on our web site'. From their own perspective the Officers considered themselves to be the implementers of rules and moderators of potential social and economic conflicts that might arise when applications for licences for night time venues were presented to the committee. Conscious consideration of democratising involvement was limited and the approach was to apply the rules and endeavour to fix a problem as presented, but with the overriding caveat that the committee should not be put at risk of legal challenge. This consideration dominated the narratives with fellow peers, and when challenged as to the importance of local democracy in the process, they explained this as a secondary consideration. For the Officers the legal risk and concern regarding public disorder were greater than more abstract concepts of local democracy and how politics may be involved to resolve community issues.

#### **4.9 Gate-keeping**

Earlier paragraphs have already indicated that the exercise of officer agency was to a greater degree a mechanism for limiting discretion for the elected Councillors. This seemed to be an intentional application of professional role and/or the protection of corporate reputation. The Officer ensured the least possible risk to the corporation and approached 'fixing' the problem or risk by ensuring a firm but robust bureaucracy and professional voice in the process as a typical Weberian bureaucrat relying upon rational-legal authority. This accorded with the researcher's personal experience, where the elected councillors expressed their exasperation at the process and shackles placed upon them – in particular the perpetual reminders by Officers of the need to make decisions based on the evidence presented. A form of codified narrative emerged where the advice of the Officer from meeting to meeting gained local currency with the elected representative. The codification of the narratives did not always result in a close observation and a local discretion, often motivated by the need to satisfy a local pressure group, would result in advice being ignored. It was clear that the

Councillors had their own world view and experience of the circumstances and were being asked to support local residents in opposing the extending of opening hours of the local public houses. The Councillors, whilst knowing a decision might be challengeable, decided to do 'what we think is right and let the Magistrates' Court who don't know the local concerns decide for themselves'. Further investigation during interviews highlighted an internal corporate dichotomy between the advisors at the Committees and the internal regulators: the accountants. There would be inevitable tension with finance managers and accountants who would be critical of the Councillors' decisions that resulted in legal costs. Those involved with the Councillors at the meetings indicated that their response to such criticism was a shrug of the shoulders and to announce 'that's the price of democracy'. The sense of hierarchy between the appointed Official and elected representative was reinforced by such statements. The Officers did not always share their views with the Councillors as openly as they did in a confidential interview. At public meetings Officers presented themselves with deference to the elected Councillor. This was not always the case in private conversations, although the endurance of the power of the Councillors to make what ever decisions they deemed fit was not questioned. Conversations oscillated between this being a democratic 'right' (in the Officers' language) or a process of securing votes and local satisfaction. The link between local democratic practice and securing personal support at the ballot box for individual Councillors was blurred but still clearly present in Officers' comments and responses. The threat of the additional burden to the financial budgets of the local authority if a poor decision were made may have been an attempt to restrict local democratic practice. The advice of Officers regarding the threat of a financial penalty rarely prevented any dissent from the Councillors. Elected officials were clear that they could and should say what was on their mind and also what local residents wished them to say. The Local Democracy Makers attempted to embed, through codified narratives, various means of managing the local democratic process, but in decisions around the night time economy, this appeared to have a limited impact. In summary, Officers, as agents, pursued a managerial view of their role in protecting the corporation, whereas the elected Councillor emphasised the need to represent locality and be accountable for such decisions.

The constraints on agency for the Local Democracy Maker appeared to derive from two consistent and fundamental sources. The first was the electoral mandate afforded to the Councillors. Irrespective of prevailing views regarding low voter turnout and central controls, the mandate they had secured by their election gave them the authority to make the decisions they considered appropriate in the light of, or despite the advice they were given. The second restriction on the Local Democracy Maker was the political pressure or process. The Committee meetings observed had a majority of Councillors affiliated to a political party – Conservative, Labour or Liberal Democrat. Whilst none of the Councillors or their political parties publicly announced their intentions regarding a proposal, it was evident that electoral considerations were taken into account. A common explanation as to why their advice may not have been followed was because ‘Councillor (name) is up for election in May, so he’s trying to canvass votes by pleasing the locals’. The management of local democracy by the Officers could be well explained and evidenced to a certain point in the decision-making process, but the constraints arising as a result of the freedom the Councillors enjoyed did not give them an unfettered commission on the way decisions would be made. Despite the persistence of party politics, political considerations were only ever limited, as the tenor of meetings and the culture of quasi-judicial decision-making appeared to dilute the potency of the political.

#### **4.10 Reflections on the findings**

The research associated with the economic well-being and the night time economy reinforced the flexibility of local governance and the weakness of local democracy. Governance institutional arrangements are often flexible and can be amended by the actions of the Local Democracy Maker. How advice is offered and enforced is affected by the experience and ideology of the Local Democracy Maker. In addition the research rebuts the claim in governance literature that whilst actors are different, networks remove hierarchy, and presumably elites, from the decision-making process. This can be challenged by the reflections of a County Council Monitoring Officer who advised, ‘Councillors come and go. It’s

our job to make sure that when they leave and new ones come in they don't inherit a mess and are brought up to speed as soon as possible. What we need to do is get them going in the way we make decisions. They don't need the detail or technical in depth knowledge of Policies. That's the Officer's job, to advise and steer on that. The Councillors need to make decisions based on the Policies'. The endurance of Officer agency in governance reinforces the bridge that the elite provide between political administrations. The political and personal ambitions of the elected Councillors were a constant limiting factor on the exercise of Officer agency, but the relationships were clearly interwoven, complex and inter-dependent. Talbot (2006) argues that the Licensing Act 2003 has sought to regulate an aspect of social life by codifying the subculture of night time living. She argues that by associating night time activities with economic and social strategies a subculture has been closed. From the study for this thesis, the limitations placed on the democratic decision-making process and, to some extent, the denial of a place for the recognition of difference creates a new dilemma for Officer advisors. Principles of New Public Management informed the Officer behaviour and were used to limit the discretion of Councillors as the sanctity of the quasi-judicial nature of the Committee was considered paramount. As a result, the Local Democracy Maker is more likely to be in a stronger position to reinforce a hierarchy and shape the governance arrangements according to his own ideology. The study does not suggest that this was an intended outcome, but the consequence of local democratic arrangements being considered secondary to proper decision-making, risk management and legal compliance.

## Chapter Five

### LOCAL DEMOCRACY MAKERS AND ENVIRONMENTAL WELL-BEING: LIMITS ON SHAPING THE LANDSCAPE

#### 5. Introduction

The complexity of the management of economic well-being is equally prevalent in other well-being responsibilities and particular in connection with local governments' functions in the management of space. Its responsibilities cover a wide spectrum of activities from protecting the built environment to planting of bulbs and shrubs. The power of environmental well-being in the Local Government Act 2000 is explored in this study as applied to the act of shaping the local landscape and the built environment. The exercise of the power is examined by focusing on the impacts of local governance arrangement on the decision-making processes at the local Planning Committee and in particular the development control functions. These Committees, which consist of elected Councillors, determine how planning applications seeking approval for local development should be decided and the local environments protected and are often described as Planning (Development Control) Committees or Development Control Committees. These Committees differ to those that determine planning policy (as explained in Chapter 3). The decisions are a balance between the enablement of development and mediating the expectation of local communities. Environmental well-being as an economic driver has a close relationship with fiscal policies and the prosperity of the locality. Wider economic ramifications arise as a result of decisions concerning the built environment as investment growth points and increases in employability have direct impacts on national economies (PPG1,1997).

The exercise of the power in the context of decisions regarding economic investment and vibrancy present several layers of challenges to local Planning Committees. This study illustrates the tension this poses for the elite Officials as they try to accommodate the exercise of power relations between national and local policy and aspiration with societal demands and political aspiration in the

locality. More specifically, this chapter explores the role of the Local Democracy Maker in that process and the manner in which they steer and navigate the dilemma of governance-regulation with the ambitions of elected Councillors. The Chapter reflects on the more discursive and consensual forms of decision-making observed at the Committee meetings and the persistence of politics on practice and the unease between the Local Democracy Makers interpretation of environmental well-being and that of the Councillors. Planning policy and how it is managed goes to the heart of the local democracy debate (and whatever form of localised empowerment that is championed at the time). As a result the significance of the political is heightened when it relates to the management of the environment. Thus, the limitations and frustrations faced by the elected Officials and appointed Officers as a result of centralist policies is a recurring feature of the study. The chapter also considers how the contestability of the notion of local democracy is used by both the Officers and Councillors to justify and resist change and as a reaction to national restrictions.

## **5.1 The Tradition and Policy Context**

The purpose and policy aims of regulating environmental well-being through the system of town and county planning is complex. Planning policy as a means of regulating the built environment is steeped in the history of various legislative provisions since 1948. Officers who advise on planning law and process are commonly trained in the history of the planning system, as new policy, guidance and interventions draw upon and build (or react to) the historic approaches to the management of space. As a result there are considerable contradictions between the major political parties over time as to the purpose and function of the planning regime. This in turn informs the manner in which Officers approach the dilemma of managing local democracy and spatial policy (Taylor 1998). In general terms the tradition of the town & country planning regime was concerned with striking a balance between managing local development, its impact on communities and landscapes and the encouragement (or otherwise) of specific development. This was secured through local arrangements where local Councils acting as Planning Authorities would decide how the municipality would be shaped and divided into

areas for development or preservation. Local authorities did not have supremacy in this regard. Central government, through statutory limitations, ensured that regional and local planning policy and its impact on matters such as economics and development was scrutinised by appointed Inspectors who advised the Secretary of State whether to approve regional and local plans (see also Haliker; Danson & Hamborg 1998 for the historic position). This process also acted as the filter for departures from agreed local plans, where development proposals went beyond or outside agreed policies. Whereas the impact of central governmental intervention, in what were considered to be matters of local government and local democracy, was often considered as centralist interference, such governance arrangements coloured the tradition of how Officers advised local Planning Committees. For the local Councillors, their focus was on the impact of development on pre-existing communities and the cause and effects of decisions relating to the built environment in particular. Put another way, the purpose of the planning system was to seek a balance for a locality by regulating the use of land to meet local needs as determined by the elected Councillors (Hall 2002).

One way in which New Labour responded to its aspiration for a planning regime that supported the national economic agenda was by the creation of the powers contained in the Local Government Act 2000. The powers bestowed upon local authorities the ability to devise and procure intervention mechanisms to secure an enhanced environmental existence for citizens.

### **5.1.1 The dilemma of reconfiguring planning policy intentions**

New Labour's planning doctrine was predicated on realising resources to safeguard and promote local and national economies. A variety of policy areas, including regional priorities for environmental well-being and planning policy, were managed by the terms under which State resources would be deployed only where the relevant criteria were met (Ayres 2009). This arrangement and governance structure ensured that the policy aspiration of the planning regime supported business and economies to a greater extent than the concerns of small localities. Major planning applications that secured an increase in economies

were prioritised over smaller and local schemes. Underpinning the New Labour methodology to securing economic prosperity was the legislative freedom for local authorities to secure environmental well-being. The powers bestowed upon local authorities by the Local Government Act 2000 allowed for Councils to devise and procure intervention mechanisms to secure an enhanced environmental existence for citizens. Environmental well-being, like the other well-being powers, was a broad descriptor and could apply equally to planning processes, waste recycling initiatives and sustainable travel policies. As the notion of environmental well-being was not limited to defined criteria, planning policy guidance emerged in the planning arena which narrated the significance of environmental well-being as having a close relationship with national and local economic strategies. New planning policy was created, which had a greater emphasis on the role of the planning process in securing economic prosperity as a priority. Existing guidance was also refreshed to follow the same ideology. More significantly, the policy guidance drew its authority from the Town & Country Planning Act 1990 (as amended) and as a result had statutory authority. This meant that it had considerable weight in the narrative of Officers' advice and in the minds of Planning Inspectors when considering appeals. After 1997 Planning Policy Guidance Notes were published by government on a variety of areas of development control such as housing (PPG3, 2006); Sustainable Development in Rural Areas (PPG7, 2004); Telecommunications (PPG8, 2001); Regional Planning (PPG11, 2004); Local Spatial Planning (PPG12, 2008); Transport (PPG13, 2001); Planning for Open Space, Sport and Recreation (PPG17, 2002); Renewable Energy (PPG22, 2004); Planning and Pollution Control (PPG23, 2004); Development and Flood Risk (PPG25, 2006). A common feature of the policy guidance is the impact of development on economic strategies. How environmental well-being is explained as protecting the environment whilst still promoting the prosperity of communities, challenged the traditional world of the local government Officer advising on matters of planning law and procedures. This potential conflict poses a new dilemma in the management of local democracy as part of the system of planning policy.



### **5.1.2 A trilogy of governance arrangements**

New Labour's approach to involving the planning regimes as part of its strategy of addressing economic prosperity demanded a reconfiguration of governance arrangements as they related to environmental well-being (Marshall 2009). A trilogy of arrangements was put in place which prescribed who would control and influence the way in which the management of the environment would contribute towards national and local fiscal success (Bishop et al 2000). At a macro level restrictions were placed on the power of local Councils to decide strategically important planning applications in their municipalities. These primarily focused on major airports (Heathrow, London) and nuclear fuel plants. These changes were secured by amendments to the codified arrangements in the Town & Country Planning Act 1990 and through other legislative interventions such as the Planning & Compulsory Purchase Act 2004 referred to in Chapter 3. At a meso level the focus of economic regeneration and the use of space were controlled and steered towards securing a positive contribution towards national and regional economic prosperity. By virtue of Ministerial amendments to the Town & Country Planning (General Permitted Development) Orders 1995 the scope for local Councillors to decide on aspects of planning applications became more limited – particularly in the field of new housing estates. More significantly, the Planning & Compulsory Purchase Act 2004 prescribed that Regional Assemblies were empowered with creating Regional Spatial Strategies that determined the geographic areas that would be designated as growth locations for investment in new homes and employment creation whilst still protecting areas of historic open space. The arrangements for governing at the meso level through the Regional Assemblies and the watchful eye of the Government Offices if the Regions meant that the Regional Spatial Strategies were to a large extent imposed upon local authorities, who in turn were required to integrate the policy into their own local plans. This meso governing arrangement was reinforced in larger urban areas with policies that sought to unify neighbouring communities and economies through City Regions, Core Cities (Marshall et al 2006) and multi-area agreements that crossed administrative boundaries and secured a greater economic base for national and regional fiscal growth (DCLG 2006). At the micro level, local authorities were required to produce a Local Development Framework

incorporating a core strategy, action area plans (where needed) and site specific allocation of land. Such local arrangements sat below the Regional Spatial Strategy in hierarchical terms. The suite of documents in the Local Development Framework provided the opportunity for the local authority to prescribe local expectations and more detailed requirements pertaining to the built environment: such as the designation of areas of land for particular uses and more aesthetic expectations regarding design.

### **5.1.3 Challenging the tradition: a new agenda for the Local Planning Authority**

As a result of the more centralised policy (coined as regional strategy) towards communities and New Labour's need to manage the national economy at all levels of governance, the local Planning Committees were expected to balance a variety of competing interests. These included local ambitions, legislative limitations and expectations (as seen in the Town & Country Planning Act 1990), regional policy requirements and cross-boundary collegiality. The more traditional and historic role of the local authority as the determiner of applications for planning consent as a 'development control committee' continued. Applications for the change of use of land, new build, demolition or the regularisation of historic land use were still made to the local planning authority who would consider the applications against legislation, national, regional and local policy. Applications would be determined (unless delegated to Officers for decision) by the local Planning Committee of the Council sitting as a Development Control Committee. The Committee was required to make determinations on planning applications based on the merit of each application and to take into account only material considerations as they related to matters of planning policy. As the Committee was to resolve each application based on the evidence presented to it, it was considered as a quasi-judicial decision-making forum similar to the Licensing Committee discussed in Chapter Four. The Planning Committee was also expected to act in the interests of the whole community and not just their constituents. Nevertheless, the intentions of the planning regime had moved from being focused on mediating local needs and expectations to becoming a

strategic agent engaged in the deployment of national economic success. This study shows how the change in emphasis had a consequential impact on the role of the Councillor and the employed Officers.

## **5.2 Understanding environmental well-being as economic value**

Whereas national policy drivers sought to secure economic stability, the field work for the research showed that local Councillors considered this to be a secondary concern for them. Addressing concerns of local residents and securing local employment was of more importance to the Planning Committee. There was a clear resistance to economic policies that sought to reconfigure local society. This was observed when planning applications were considered in Wards which had known economic challenges – particularly higher levels of unemployment and social rented accommodation. Advice was given by the Officers that planning policy in PPG 4 (1992 as amended), which requires greater competition and consumer choice in the retail sector so that all communities could secure more prosperous development through a more diversified development base. This was seen as irrelevant by the local Councillors and during Committee debates, local Councillors would resist attempts at gentrifying the Ward through the planning process. The local economic arrangements were of some importance but not as significant as the spirit of the locality. Arguments would be presented that the economic regeneration of such communities on the basis of new retail opportunities was unlikely as employment in the areas were low and the dependency on State support and benefits higher than national averages. The attempt to effect economic renewal through the planning process was seen as misplaced and damaging to the history of the presenting community. Similarly, when Councillors were asked to grant planning permission for new housing estates their concerns focused on the economic beneficiary as they sought to preserve the size of communities and resist opportunities for developers to make quick profits. Decisions regarding new housing estates were often a matter of great debate and consent commonly obtained by a casting vote from the Chairman. The increase in Council Tax and the potential for local business to have more trade was acknowledged but there was often resentment that the

greatest beneficiary was the house building company. The advice in policy guidance PPG3 (2006) which demonstrated the nexus between the creation of new housing infrastructures and improved educational achievement and employability did not sway the local Councillors. Major housing development applications were all from national house building companies. Commonly, they were public limited companies and Councillors would cite the decline in opportunities for smaller local building companies to build local housing estates. The Councillors understood the added value planning consent gave to land, but did not consider this increase in asset value as contributing to a national economic policy. Their concern was with maintaining the spirit of local communities as they saw them, and securing development of land by more local firms who might have a greater understanding of the locality.

### **5.2.1 Interpreting environmental well being as economic value for a locality**

Councillors at Committees were regularly advised that planning applications met national and regional policy guidance and as a result consent should be given. Later in this Chapter the frustrations of Councillors as a result of macro and meso policy limitations are explored. Where economics mattered to the Planning Committee was in connection with the locality that was to be affected by the local development. The Councillors saw the relationship between the national agenda which favoured business and economics over local planning concerns and local ambitions as an area for negotiation. During observed meetings, Councillors traded-off new development that was recommended for consent as a result of national or regional policy, with planning agreements which secured a 'return' to the affected community. The price that had to be paid by the developer for securing consent would be debated at length by the Committee. The most common area for negotiations between the Councillors at the meetings focused on the obligation placed on developers who secured consent for a new housing estate to provide a percentage of affordable housing as part of the residential offer. This was secured through the exercise of a legal power by the Committee (Town & Country Planning Act 1990 section 106). The discussion at the Committee would contest the use of the term 'affordable' as it was problematic

and would often result in the question being asked 'affordable to whom?'. Ward Councillors in low income Wards appeared to acknowledge the need for new housing for sale, but in their opinions the 'section 106' housing should be akin to Council housing – properties that could be rented at a fee capable of being met by the State benefits schemes or those in low paid employment. Limitations on discretion regarding what might be refused at Planning Committees were compensated for by the construction of an economic benefit, where possible, for the locality. For the local Councillor environmental well-being was pushed into contestability by the macro and meso economic expectations placed upon the process of shaping the built environment. The employed Officer was caught in the middle of the process, being charged with advising on the application of national policy whilst negotiating local agreements.

### **5.2.2 The economics of efficacy in environmental well being decisions**

Under the Labour government speed was of the essence in determining planning applications, as delay would result in recessed economic growth. The Local Government Act 1972 designated principal Councils (District, County and Metropolitan) as Local Planning Authorities with specified responsibilities and required that Planning Committees be created and appointed to undertake the role of the Local Planning Authority. However, the need to expedite planning decisions under New Labour national policy ambitions resulted in a shift in decision-making arrangements from elected Councillors to appointed Officers. During the research period, the majority of determinations on planning matters were made by appointed Officers. As a result of Central Government requirements (measured by performance indicators) least 80% of all planning applications had to be determined within 13 weeks of receipt. The Audit Commission guidance for the National Indicator (NI 157) gave no flexibility in the target and the only manner in which this could be guaranteed was by the delegation of powers from the elected Councillors (Audit Commission 2007). As a consequence, the local authorities in the studies had delegated to appointed Officers significant powers to determine planning applications which, in general terms, met policy requirements and/or did not give rise to public or Ward

Councillor objections. The Annual Council meeting in May decided what would be delegated to the Officers but the scope would change as a result of local political whim. This was observed when a County Council changed political control and less authority was given to the Officers as the new party in control wished to be able to exercise decision-making powers in the widest possible arenas. The motivation to make this change came from the experiences of local Councillors who were frustrated and irritated by decisions made by Officers for their Ward, about which they had very little knowledge. An example narrated at the County Council concerned an application to locate a bus stop outside a residential home for the elderly. The Officers were satisfied that the application met all necessary regulatory and policy criteria. What had been underestimated was the degree of disturbance to the residents of the home. Buses were stopping from early in the morning until late at night and the bus stop became a meeting point for local youths. The social impact of the location of the bus stop resulted in considerable strife for the local Councillors. The denial of a voice for the Councillors at the decision-making stage and the replacement of bureaucracy by wider economic governance arrangements did not satisfy the desire by the politicians to exercise their own power in matters of the built environment. The efficacy of decision-making did not overrule the political for the new administrations.

Similarly, the speed of decision-making was observed as less important than local elected representative engagement at a District Council Planning Committee. The Council had delegated to the Planning Officer the determination of applications for consent for the locating of mobile telephone masts. However, local politics and the need for Councillors to be seen to be involved and making decisions (as a result of parents arguing that mobile masts posed a health risk) resulted in the delegation being removed and required all such applications (including those which complied with policy) to be presented before the Planning Committee. During interview, the Planning Officer indicated that such applications were of a minor nature in the hierarchy of planning decisions and the law required their determination within 56 days of receipt as telecommunications was considered a key element of economic advantage by national policy. The tension for the Councillor and advising Officer was focused on the equilibrium between autonomy to act locally and a national mandate to perform quickly. Officers

explained their concerns at failing to comply with the national directives and Councillors announced their need to secure local visibility and accountability when faced with matters of local concern. The local Councillors construed the purpose of planning policy as primarily a means of mediating local concerns and a mechanism for securing political support. National intentions saw planning functions as mechanism to deliver economic policies. These two conflated ambitions caused a conflict for the Councillor and Officer.

### **5.2.3 Multi level governance and Officer intervention**

The dichotomy between the policy ambitions of the planning regime for national and regional government offered an opportunity for the Officers to act as Local Democracy Makers in the construction of the Officer delegation scheme. In this context the Officers secured the national policy ambitions through the construction of local arrangements surrounding the Officer scheme of delegation. A prominent actor in this regard is the section 151 Officer who, as the Director of Finance, had a hand in the shaping of the delegation scheme as its success influenced the economic well-being of the Council. Prompt determination of planning applications for new commercial land and premises would result in an increase in the value of the National Non-Domestic Rates (commonly referred to as business rates). The Borough and Metropolitan Councils who collect the business rates acted as collecting agents for central government. All sums recovered, less administrative costs, were transferred to the Treasury. The section 151 Officer's interest in the Planning Scheme of Delegation focused not only on the administrative gains from acting as a tax agent but also on a more comprehensive national incentive scheme: the Local Authority Business Growth Incentive (LABGI). Under the terms of this national grant, authorities that levied an increase in the business rates received a cash lump sum as a reward for enhancing the local business economy. The grant was paid without any conditions as to its expenditure by the local authority, although it was expected that the grant payment would be used to promote and encourage further investments and applications for planning consents for non-domestic uses within the borough. On balance, the government concluded that the scheme had been a success (see

CLG 2009). Delegation schemes were drafted so as to allow Officers the autonomy to determine (quickly) business applications, in order that the maximum financial benefit would be secured. The section 151 Officer balanced the various layers of governance in an attempt to meet the national agenda and secure a local advantage.

For the Officers charged with securing local financial stability, expediency in decision-making had greater importance than the democratic process with its emphasis on greater public participation. The section 151 Officers' conceptualisation of well-being drew upon the commerciality and efficacy of the process at securing financial advantage rather than the transparency and probity in the decision-making process. This was at odds with the directives of the Committee members, who struggle with their lack of authority and autonomy in governing local communities and who found the emphasis on national good to be abhorrent to their ideology of local and social benefit. The Officers who sought to mediate both positions (particularly the section 151 Officer and the Monitoring Officer) acted as Local Democracy Makers as they operated as social entrepreneurs in traversing the political arena with fiduciary duties and technocratic planning duties and obligations. The emphasis on the performance indicators set by the Audit Commission as a national regulator together with an emphasis on increased efficacy in decision making to secure financial incentives, was patently at odds with some aspects of accountable and autonomous local democracy. The prioritisation of New Public Management principles to meet the needs of regulation and commercial incentives was considered by the Officers as more valuable than public and elected representatives' involvement in matters of local environmental well-being, as economic advantage was seen as a measure of success. The drivers and motivations for the appointed Officers, together with their accountability as strategic managers of the local authority, called for them to be more innovative and directional in the way the local democratic process was organised at the point where it impacted on national performance indicators and financial gain. Environmental well-being was subsumed within economic factors outside the control and influence of the elected representatives. Attempts at creating new traditions for local Councillors and Officers gave rise to new dilemmas. The process of prioritising economic considerations in the planning



process prompted a new narrative for those Officers who were acting as Local Democracy Makers in bridging national, regional and local policy with democratic decision making.

### **5.3 Observing the decision-making process**

The dilemma facing the Planning Committee and its advising Officers concerned the challenges of managing environmental well-being in the context of the electoral mandate at the local level within the confines of national and regional policy and legislation. The setting for the Planning Committees was always a public meeting and several members of the public were present together with press and media representatives. It was difficult not to acknowledge the very open nature of the decision-making process and the local interest in the actions of the Committees. Several members of the public addressed the Committees as did specialist agents on behalf of applicants and objectors. Councillors who were not members of the Committee also attended to make representations as 'Ward members'. The Officers at the Committees had several roles which encompassed setting up arrangements for the Committee meeting to advising the elected representatives on individual applications. The advice given was in public and would often reinforce that already expressed in the written reports. All the Committees had a sense of 'business as usual' to them, and they ran like well oiled machines being managed and driven in collaboration between the Officers and the Councillor Chairman. There was a tacit understanding of process and protocol, and the specialist technical vocabulary associated with the planning arena appeared to be understood by many of the Councillors. The procedures were broadly common to all the meetings and a consensual and discursive *modus operandi* was observed. The following observations were made during the field work:

- a. The Officers had complex roles in mediating the dilemma of national and regional expectations with local requirements. There was a clear divide between professional advice and the Committee's role as a discursive decision-making body, but often the Officers were either called upon or

interjected to remind the Committee of its jurisdiction and role within the national and regional context.

- b. Where discretion was to be exercised in the planning policy process, the Officers would indicate in their reports how they had exercised such flexibility. This had the effect of making local discretion by the Councillors almost impossible, the implication being that judgment on matters of policy application was a matter for professionals to decide and not for Councillors to debate.
- c. Democratic engagement and openness were closely managed. Schemes had been devised by the Monitoring Officers which allowed for objectors and supporters of applications to speak for 4 minutes, provided they had registered their intention beforehand. This arrangement had the effect of limiting challenges to decisions and ensuring that the professional advice of the Officers was more dominant than oral representations at the meeting. By securing local arrangements of this nature, the Officers were managing the democratic process in their roles as Local Democracy Makers, whilst still attempting to secure a focus on meeting national targets and rewards.
- d. Technology was deployed to reinforce professional elitism. The extensive use of electronic multi-media projectors used to show various plans, dimensions, locality plans and more detailed drawings secured the place of the Officers as the expert technicians. The elite role of the Officer as the operator of the equipment and the person speaking about the plans ensured that Committee was seen primarily as a functional and technical forum. The Monitoring Officer reinforced this with references to the law and associated Statutory Instruments. Managerialism and efficiency was the impression the Officers sought to portray and as Local Democracy Makers they gave an elitist impression of the process, with the democratic legitimacy being secondary.
- e. The impact of national and regional policy drivers, especially concerning business growth, new homes and more prosperous communities saw Officers exercising power in the Committee meetings. This was observed when the elite officials were not limited in the time afforded to them to present their reports. However, Ward Councillors who wished to address the Committee were required to advise the appropriate Committee Clerk in

advance of their intention to do so. In the majority of cases they were allowed to speak for 5 minutes and no longer. The Ward Councillors sat in the same seats as visiting public who had registered their wish to address the Committee. As a consequence, the prevailing policy and legal arrangements had secured Officer hierarchy over local ward representation.

(Observations from public gallery of Planning Committee Meetings Spring-Summer 2009).

Overall, what was observed was a technical managed process where the Officers sought to discharge their duties in delivering the national agenda. The Officer role as Local Democracy Maker was mostly observed as a Social Entrepreneur, endeavouring to secure efficient and economically advantageous decisions. The Councillors presented themselves as frustrated by the limited opportunities afforded to them to deviate from wider strategic objectives.

### **5.3.1 Local opportunities to influence environmental well-being**

At the observed Committee meetings the elected Councillors used every possible opportunity to regain their autonomy and power to influence local decisions. A number of the Councillors on the Committees had served several terms of office on the Committee and demonstrated a considerable knowledge of the planning regime. Equally important was their evident knowledge of tradition and history of previous arrangements and the more permissive and empowered opportunities for Councillors to shape the local environment in previous years. The exercise of environmental well-being was historically presented as an area that fell within the jurisdiction of the local Councillors. In the narratives that talked of the history of sites for development and the communities that were part of the application areas, economics was not a common theme. Protecting the physical and aesthetic character of communities was seen as a fundamental consideration.

Environmental well-being was expressed in terms of keeping the character of localities and securing the preservation of social harmony. The shift in focus as a consequence of governmental aspiration was not readily debated by decision-

makers despite being referred to in the advice of the Local Democracy Makers who advised the Committees. The nature of the decision-making was more often than not discursive and consensual between the Councillors as they appeared to share a common bond around the history of local wards. This afforded a platform for them to express support or objections to planning applications in a manner which appeared less confrontational, as they could relate and refer to societal and environmental impacts as opposed to fiscal gains. This form of deliberative democracy also provided them with space to exercise the politics of persuasion, as they articulated a debate that would curry favour with their colleagues – often in contradiction to the written advices of the Officers. The slavish application of Planning Policy Guidance and the meeting of Audit Commission targets were not seen as a priority. In other words, the change in governance arrangements at the macro and meso level did not automatically result in a complementary change in the decision-making.

At a meeting in a more rural District Council the narrow opportunity to influence a planning decision was observed. In this case, a farmer who was a single father with a son who had significant learning and behavioural difficulties, presented himself to the Committee requesting an extension to the temporary planning consent he had enjoyed for a mobile home on the field near his farmhouse. The Officer advice in the written report followed the regulatory tests with a recommendation to 'refuse' the application and 'enforce' the removal of the mobile home as the temporary five year consent could not be renewed. The Officers argued that any renewal to the temporary arrangement would have the effect of making the consent permanent and this would be harmful to the visual impact on the environment. This was supported by numerous references to planning policy guidance as it related to development in rural areas and the impacts. The committee were more interested in the farmer's story. The Councillors were clearly touched by the story of the farmer and his son and how he was attempting to give him independence in a safe environment. Letters from Social Workers and the medical General Practitioner appeared to sway the Councillors away from planning policy to individual circumstances. The Committee wished the applicant well and chose not to follow the advice in the report. The Officers intervened when they saw that the Committee were minded to approve the request and

suggested a 5 year limit and a condition that the mobile home be painted green to enable it blend into the landscape. Despite the limiting nature of the planning policies, opportunities to acknowledge local issues and concerns were of utmost importance to the Councillors. The discussions between the Councillors at the meeting and the negotiation they had with the Officers regarding the planning conditions reinforced a more discursive form of decision-making within governance arrangements. Bureaucratic systems and changes in governance arrangements did not automatically result in predictable outcomes as negotiation was a key ingredient in the decision-making process. The process also suggested that where limitations were placed on Councillors by national policy and guidance, the Councillors would seek to manipulate any opportunity to secure the local interest in their decision-making. Temporary planning applications gave them this opportunity and this was seized upon at the meeting. The Officers were equally required to be adaptive in their advice. Limiting the sphere of influence of the Councillors gave rise to greater deliberation and opportunities to reflect more localised demands. As a result, the Officers were called upon to ignore their recommendations in reports and adapt their advisory role to securing the local solution sought by the Committee. The fault line in the planning process between economic and social demands and also between managing the consequences of negative externalities and improving environmental (and economic) well-being reflected the complexity of exercising the well-being powers. This reinforced the Local Democracy Officer's world view as Street Level Manager when faced with the contrast of environmental well-being and regulation and the construction of well-being as a social and therapeutic function.

### **5.3.2 Influencing the regulator on the exercise of environmental well-being**

Planning applications refused by the Committee commonly resulted in an appeal to the Planning Inspector who then determined the planning application. During Committee meetings, Councillors would express their exasperation at their decisions being overturned by the Inspector (or Secretary of State for major matters). They would state that:

'... it is an outrage that an Inspector who does not even live in the Borough and is brought in from Bristol to decide our planning issues gets the last say irrespective of what local people want'.

(District Council Planning Committee, autumn 2009).

Another response to a decision was expressed by a Councillor as:

'...I am not sure why we even bother meeting and listening to people and making decisions when someone else can over-rule local peoples' wishes'.

(District Council Planning Committee, autumn 2009).

Despite their lack of faith in the appeal system and the manner in which they perceived it as undermining the electoral mandate, reflections from an observed Planning Inquiry showed how the Councillors and Officers sought to influence the Planning Inspector. Before such Inspectors the Officers act as advocate for the Council and present the decision made by the Planning Committee. The Officers act as Local Democracy Makers as they nimbly move from being advocates of a codified system to a paradigm that draws on societal needs and impacts. In this context the Officers could be considered as Local Democracy Making Advocates as they present and argue the case as determined by the elected representatives. The observed Inquiry concerned a decision by a District Council planning committee to refuse an application for the change of use of a chicken farm to a ball-room dancing academy. The decision had been made contrary to the recommendation of the planning officer. At the Inquiry the Planning Committee Chairman and local Councillors addressed the Inspector with passion and conviction, stressing the local view, the potential harm to the local environment and unsuitability of the use in the rural setting. The Officers were now called upon to defend the Committee's decision and contradict their original recommendations to the Councillors. In doing so they forcefully presented the local citizens perspective and configured a new argument regarding highway safety. Despite the efforts of the Councillors and Officers the appeal was successful and consent was granted. However, the representations made at the Inquiry had resulted in consent being granted for a smaller scheme and local residents were reputed to

be satisfied that the Council had 'done all it could before the Inspector from Bristol'. The observed exchange articulated the dilemma faced by the elected decision-makers. Their jurisdiction was always challengeable and whilst some Inspectors took heed of local Councillor representations, in the main, national policy and guidance took precedence. Tacit knowledge by both the Councillors and Officers had less value and weight than conforming to the national policy arrangements. Securing economic advantage to rural communities in accordance with the Planning Policy Guidance was a greater priority than environmental impact. For the Officers, their function as Local Democracy Makers was particularly problematic and posed a dilemma for them also. Having recommended approval and then being called upon to defend the opposite meant that they would have to mediate professional roles with more democratic accountability as representatives at an Inquiry. This meant that they would oscillate between conducting themselves as Street Level Managers on the one hand and Social Entrepreneurs on the other. In the former the Local Democracy Makers would endeavour to shape the application of national policy aims to the local context. In the latter they would mould their arguments on policy application as a democratic argument seeking to persuade the macro-regulator of the materiality of local wishes in matters of environmental well being.

### **5.3.3 Protecting environmental well-being: securing the role**

The dilemma of curtailed opportunities to mould the exercise of environmental well-being resulted in decision-makers taking advantage of any opportunity to exert their influence. The manipulation of process and structure to secure local political advantage (or perhaps just local voice) appeared to be a tradition that transcended changes in national policies. This was seen in relation to decisions that sought to protect the local environs. Across all the local authorities included in the fieldwork, decisions pertaining to the 'enforcement' of planning law and policy were treated differently to planning applications. These decisions were not delegated to Officers and were determined solely by the Planning Committee. The codified arrangements for the 'enforcement' decisions provided that the local planning authority could take various courses of action against individuals or

companies that undertook development (or the change of use) of buildings or land without the necessary planning consent/permission. The power also extended to seeking the cessation of a land use beyond the expiry of a limited planning consent. The most common form of enforcement observed was referred to as 'the Enforcement notice' which derives its authority from the Town & Country Planning Act 1990 section 174. The proceedings before the Committees relating to enforcement decisions suggested that, as with planning decisions, they were suitable for delegating to Officers as they were based upon (often photographic) evidence and professional and technical advice. Applying policy discretion and facilitating a land owner/user and/or complainant's representation was disallowed in Committee meetings by the advising Monitoring Officer. Councillors recognised that national policy is less interested in matters of enforcement and no performance indicators are applied by the Audit Commission as to their success. Given that there was no direct economic relationship between protecting the well-being of the local environment (unlike the added value consequence of a planning consent) Councillors appeared to interpret this as an opportunity for them to make all the decisions. In interview, the Officers expressed their frustration with this fixation by Councillors, as in their opinion enforcement decisions could efficiently be delegated to Officers. In other words, the Officers translated the Councillor interest as the exercise of local politics as opposed to the discharge of planning administration. In the Officers' opinion Ward Councillors wished to be seen to be protecting the local environment as this was potentially a physical demonstration of their commitment to the local community and they could claim credit for securing the removal of a structure or a change in land use. The narratives and negotiations between Councillors at the Committee when enforcement reports were under consideration were a reminder that the political process was equally important in planning matters as policy aspiration. Political gain was possible only in narrow segments for the Councillors and they capitalised on this opportunity in the 'enforcement' process. As part of the political tension the Officer was a mediating Local Democracy Maker, charged with ensuring a structure which allowed for political voice (at the Committee) and the subsequent discharge of administrative and legal arrangements for the application of the Committee decision. The Local Democracy Maker did this by attempting to negotiate a resolution before a report to the Committee was required. If they were



unsuccessful a mandate was secured and they would be the prosecutor for the non-compliance. As part of that process they would endeavour to reconcile the Councillors' political expectation of the outcome with the likely judgment of the Court. To a greater degree the Local Democracy Officer was a fellow protector of environmental well-being as he operated within the political arena in the discharge of local administration. Put another way, the consensual approach between Councillors on the protection of the environment and their interpretation of environmental well-being, was governed by the political and as a result the Officers were required to engage in the overt political aspirations. The enforcement process afforded a political platform for the Councillors' in the lacuna of political opportunity in the governance of the built environment. Their involvement afforded them a narrative of power and action which they could claim as their own for their Ward. This in turn mandated their authority as the elected representative. The effect was to draw the Local Democracy Makers into the political as Councillors sought to prioritise their enforcement decisions over those of their colleagues. The unforeseen consequences of national policy regarding planning matters perhaps had the effect of securing a complex political role for the Officers in the enforcement of environmental well-being, as opportunities for the elected to influence the local environment had become particularly marginalised.

#### **5.4 Local Democracy Maker as Political Manager**

This process of complex political management and manipulation by the Officers was particularly manifested when micro level policy formulation was under construction. The creation of planning policy, in contrast to the administration of the policy in praxis, saw the Local Democracy Maker move from acting as a Street Level Manager to securing a more enabled role as a Social Entrepreneur. This was observed when the Planning Officer and Monitoring Officer arranged a training intervention aimed at assisting members of the Planning Committee in identifying the various stages of the planning decision making process and where along that journey they might have a personal conflicts of interest as defined by the National Councillor Code of Conduct 2000. The engagement event which the Officers designed demonstrated that, overall, the Committee were proficient in

deciding where monetary value was added by the planning process and where the Councillors would need to consider their own role and potential conflicts with the Code of Conduct. However, the event highlighted a stark void in the Councillors lack of knowledge in connection with the meso and macro impacts of policy. The Committee was not aware of how Regional Spatial Strategies and local policies under the Local Development Framework were created or deployed. The differing levels of knowledge between the Councillors and the Officers was material and the Officers clearly showed, through their competent explanation of the boundaries of the process, that they were both the guardians and protectors of this aspect of policy design. The Local Democracy Makers drew on the tradition and historic roles of local Councillors in making the majority of decisions on planning policy. The dilemma of a more complex governance structure required them to create and develop a new tradition with the Councillors. The dilemma became part of the new narrative, as Local Democracy Makers endeavoured to create a community of knowledge amongst the Councillors of the new agendas and the manner in which environmental well-being was constructed. At the training event (and earlier at the Committee) the Officers told the Committee what it needed to know and how the policy should best be applied to the locality. The professionalisation of the processes had become a complex managerial exercise where the voice of the elected representative appeared to have been reduced to either endorsing professional opinion or giving a broad steer on longer term policy objectives. The structural arrangements for the local authorities observed (all of which were operating Executive/Cabinet forms of decision-making) meant that the formulation and crafting of local plans and Local Development Framework was a process that was determined by the Cabinet on advice of Officers. The process had excluded the Planning Committee representatives and secured the power of the Officers who advised those Councillors who took the decisions on matters of environmental well-being at the Planning Committee. The Officers, as Local Democracy Makers, had, unknowingly perhaps, secured material power over the Planning Committee as the approval of local planning policy was in the gift of the Executive, of which few, if any, of the Planning Committee were members. The Local Democracy Makers had become adept in managing the narratives and relationships between the two forums of policy-makers and policy-implementers. As a result, the Officers had secured a role as elite power brokers in the process,

able to secure entrepreneurial ambitions for the local authority in the adoption of the policy. The consequence of this shift in power meant that the Local Democracy Makers acted as political intermediaries. This also meant that the role of the Planning Committee was managed by the way in which the Officers exercised their professional role and advised and interpreted legislation, Planning Policy Guidance, Regional Spatial Strategies, Local Development Framework and the myriad of governance tools used to steer and guide local decision-making. Given the national strategic agendas pertaining to the management of environmental well-being and its close relationship with macro and meso economics, securing the professionalisation of the process was considered to be reasonable and essential by the Local Democracy Makers. They saw their role as both securing compliance with national policies and providing a commercially focused service that was 'outcome based' and met the needs of the clients and applicants for planning consent. In other words, the configuration of environmental well-being powers was primarily in the hands of the employed elite, who managed the process according to the expectations of regulators and economists.

## **5.5 Reflections on the findings**

The study associated with the exercise of the power of environmental well-being and its relationship with the built environment raised several challenges to the narratives of governance. Governance arrangements would suggest that the conceptualisations of the policy intentions of the planning regime were materially different between the local, regional and national. The economic drivers in national and regional arrangements were less of a priority for the locally elected decision-makers. Planning Committee decision sessions were observed as more discursive and consensual exchanges than other forms of meetings, primarily as a result of more homogenised understanding between the Councillors of what they considered as their role. Securing a contented community of residents, the creation and protection of local jobs and keeping building design within the spirit of a locality was a unifying bond between the Councillors, irrespective of party political allegiances. However, assumptions that governance arrangements and

the professionalisation of the process would entirely remove the influence and presence of politics were ill-founded. This was particularly seen where decisions were made in accordance with national aspirations, which would potentially effect the social mobilisation of well established (and commonly lower income) communities. The latent role of the elite Officers, as political managers in determining how the Planning Committee should be advised of local policy showed the divisive nature of the planning process. This posed a conflict between the mandate of the locally elected representative in decision-making and the expectations placed on Local Democracy Makers to manage processes to achieve regional and national gains. As a result, a tension arose in the conceptualisation of the environmental well-being powers and the way in which they should be configured in the locality. Closely associated with this was the manner in which the Local Democracy Makers applied the ideals of a system of local democracy as justification to resist and effect change and to manage the process of decision-making with the Councillors. Local democracy's contestability as an empty signifier gave opportunities for the Officers to shape local governance arrangements beyond the technical role which they filled as elite advisors as they managed and shaped the policy-making process of the Local Development Framework. Consequently, the Local Democracy Makers were agile and flexible in their navigation of roles as Street Level Managers and Social Entrepreneurs and occupied several veils in their management of the decision-making. The overall impression gained during the case study was that of the frustration of Councillors when unable to secure the exercise of their electoral mandate in shaping the locality and the resulting shift in power to the Local Democracy Makers.

## Chapter Six

### LOCAL DEMOCRACY MAKERS AND THE POLITICS OF CONTESTED SPACE: SOCIAL WELL-BEING

#### 6. Context and traditions

Of all the well-being powers defined by the Local Government Act 2000, social well-being is perhaps the most comprehensive definition of local government functions and connects with a common sense view that the primary purpose of Councils is to promote local well-being and in particular social well-being (Orr 2005; Orr & Vince 2009). This is often understood as being part of a system of local democracy by citizens who will commonly see the role of the local Council as to help people have a better life.

Nevertheless, the concept of social-well being is highly contestable (Steuer & Mark 2008; Kitchin 2003) and could be said to empower a local authority to discharge whatever activity it sees fit. Limitations have been applied by the Courts (see Brent London Borough Council –v- Risk Management Partners Limited [2009] EWCA Civ 490) who have clarified that the power is not one of general competence to local government. The power has a broad scope and this research would indicate that since its introduction it is interpreted and understood within a tradition of local history, experience and even ideology in its application by both Councillors and advising Officers. Such traditions are derived from the informal institutions and patterns of behaviours of Officers and Councillors. This was confirmed early in the field work for this study when senior employed elite described the notion of social well-being as ‘...it is all of what we do’.

The idea of social well-being arose as a consequence of the key traditions of the role and function of local government in providing and securing a form of social good. This research examines only a small number of the traditions that gave rise to the link between social-well being and public space. One such source of definition was the concept promulgated by the then Minister, Hazel Blears, of community assets ownership and the divestment of public goods as being publicly

owned. In the publication 'Advancing Assets for Communities' a programme of providing opportunities for communities across England to run their own their own community buildings was articulated (CLG 2007). This reflected a view akin to a communitarian ideal of New Labour, which saw public ownership of assets as shared assets of citizens. In practical terms, this would mean the establishment of legal entities outside the local authority who would become both the owners and managers of community assets. Community asset ownership was intended to develop a self-help approach to solving local needs and demands, with local people seeking to steer and navigate their own destiny by ownership of public space. In this respect the government had in mind a form of social well-being that saw local authorities as enabling agents for communities and citizens to have greater autonomy in fashioning their own well-being for themselves. Put another way, the understanding of the tradition of public ownership is self-made by Officers and shaped by external factors. The issues that arise as a result of challenging the tradition are examined in more detail in the research by exploring the decision-making by the elected Cabinet in the light of the reaction of Officers to external advices and their own interpretation of the dilemmas.

The wider policy commitment for the exercise of social well-being in the local authority stems from the Council's Plan, adopted annually by the Council. The Plan articulates the aspirations of the Council and commonly states that the aim of the local authority is to ensure equity in the provision of services and a reduction in inequality between communities. The practical application of the social well-being powers (in terms of allocation of Council resources) by local authorities in England is determined by the Executive/Cabinet.

This chapter focuses on the manner in which local authorities and particularly the political leadership of Cabinets considered the dilemmas associated with social well-being as they related to social assets, particularly the use of social space. What became apparent in the early stages of the field work was the broad understanding of social well-being and how it was seen as a significant component of the exercise of local democracy. In implementing the decisions and the process of rationing public goods and mediating social conflict also involved the discharge of patent party politics in the decision-making between Councillors.

The adaptability of Officers in accommodating the competing demands of the elected representatives at various stages in the process reinforced their role as governance shaping agents in the exercise of the well-being power. The studies also show how the advising elite Officers saw the process of local democracy as different to the exercise of legal process with the effect that greater regulation was instilled into the decision-making process. In response to the political pull and push of interpreting social well-being for localities, Officers had a tendency to actively manipulate the rules in form, which in turn revealed a more self-serving aspect of democratic practice.

### **6.1 The dilemma of do-it-yourself social well-being**

People require space to meet, play and form relationships. The provision of built premises for groups to meet and open spaces for citizens to enjoy has been a feature of the role of local government for decades (see Cross 2009; Quirk 2006; Wilson & Game 2006) and this tradition runs deep in the ethos of local government Officers. Although many local institutions were built outside local authority control (such as reading libraries and social clubs), major land holding which was available for general public use was the preserve of the local authority. The arrangements offered by the local authority sit in tandem with the private ownership of space for specific groups, such as private parks, social and working mens' clubs and Church halls. More recently New Public Management demands of the Audit Commission have required local Councils to list and value all assets, at their commercial value, as part of their annual accounts (Audit Commission IFSR 2008-2010). The effect of a more fiscal evaluation basis for public assets and especially public space resulted in local authorities considering areas of open space as economic opportunities or liabilities which should be disposed of for financial gain or dispensed with to mitigate maintenance costs, even though several assets were originally bequeathed to the Council. In this study, as will be explained later, this act of liquidising public space to balance the accounts or to fund new initiatives is rife with political tensions. One of the contributing factors to the tension for local Councillors that became evident in the field work was the reconfigured manner in which public buildings were used and managed. Under

New Labour, community ownership of assets and community-based arrangements for the provision of local services outside the formal arrangements of the Council were encouraged. In undertaking such initiatives, locally organised groups would obtain from the Council medium-term letting arrangements for public buildings such as community centres and groups often became tenants of private sector landlords. The encouragement given to local citizens to create self-organising arrangements to meet their own needs was a conscious decision by New Labour in developing a form of 'do-it-yourself' solutions to local citizens' needs and a means of reducing dependency on the State. This in turn created its own challenges as self-appointed leaders and organisers of groups left communities or fell out of favour with the other members. As a result of such changes, or the more likely financial demands, the local Council was called upon and expected to resolve the issue as a corporate community leader charged with ensuring social well-being for its community.

### **6.1.1 Communitarianism and public space**

The policy context that forms the basis of social well-being is as broad as it is deep. New Labour's approach to the management of public assets encouraged a 'self help' approach for local communities (Bevir 2005). Local communities were considered to be competent arenas for resolving social demands, where local issues could be mediated and negotiated by the actors in a local community. Where this stretched to the provision of public space, communities were seen as being best empowered by directly owning assets. One of the responses to the changed landscape was a greater dependency on networks to secure policy and political outcomes with an emphasis on community. Communitarianism as a form of social democracy and the concept of the community became a material focus for New Labour in resolving inequality as a result of individualism. In addition, the desire to build more vibrant communities would reduce the call on welfare benefits and State resources at both a national and local level and have a beneficial impact on the economic vibrancy of the United Kingdom. The notion of communitarianism informed the idea of community well-being and as a result gave power to local authorities to lawfully engage in initiatives that sought to



improve and support the creation and building of what can be broadly described as 'better communities'.

The challenge for local government was the conflicting demands of limited public resources and increasing expectations by government that the spirit and intent of communitarianism would become a reality as the concept of communitarianism was less cogent at the point of delivery. Meta regulators (and in particular the Audit Commission) were charged with measuring and monitoring the performance of local authorities in areas such as increasing volunteering, participation in civic life and maximisation of the use of public assets (ODPM 2004b). The expectations of national policy would inevitably result in difficult decisions being required of the local authority Cabinet, as the process of rationing public goods would result in local political tension. This was particularly evident when local social groups had created, with good intention, arrangements to provide local services as part of networked arrangements, but were faced with a financial crisis. The Cabinet would be challenged to determine whether intervention and support would be possible and equitable to others in the Borough. Similar considerations existed when assets were recommended for disposal to fund other services. The study shows that it is fair to say that the primary concern for the Cabinets considering such dilemmas was the capacity of the local groups and the public space to maintain an effective form of public service delivery. This was the dominant narrative, as opposed to a commitment to a notion of communitarianism that would secure extended public participation. In some respects there was less coherence between social well-being and communitarianism. The quagmire of conflicting national and local policy aims saw the role of the employed Officer in advising on well-being becoming significant in giving both strategic advice and also a policy and political steer to the Cabinets.

### **6.1.2 The assets of social well-being**

For the purposes of this research, the application of the power of social well-being was examined through the lens of decision-making related to community centres/village halls and public open space. They were selected as a result of the

local interest in the future of public space within those communities and the dilemma this posed to Councillors as agents of State communitarianism and as a self-governing autonomous local authority. The two areas related to physical assets (land and buildings) and all Councillors on the Cabinets were familiar with the resources, if not the individuals involved. The research showed how the management of community centres in particular was complex. In the studies observed, the centres were often in existence at the bequest of a local benefactor, charitable trust or long-standing historic initiative connected to the local community such as former National Coal Board Social Clubs. Commonly, management arrangements were discharged by local (non-local government) committees and linked (where one existed) to a local parish council. The history of the community centres offered a trajectory in the story of social change in the community, as their formation was a result of a social demand during a particular period (usually in either the 1930s or early 1960s). Over time the demand for and use of premises had changed and societal reconfigurations resulted in less people being available or motivated to support the use of public facilities. As a consequence, many of the community centres suffered from a lack of use and maintenance. Under the New Labour administration, funding became available for self-organised groups who met the national objectives set by the government which were often associated with family cohesion, such as Sure Start Projects (see *Every Child Matters: the next steps* 2003 and the Children Act 2004) and youth activities sponsored by the National Lottery. Despite funding for specific purposes, the research showed that significant managerial and financial difficulties persisted for several centres. Different considerations were applicable for open spaces as the challenge was generated as a result of the financial stress on the local authority to secure capital investment in services that required physical assets, such as leisure centres. The cost of maintaining open spaces and the degree to which they were used by local people was as much a contributory factor to them being the subject of political debate as the tension between the various ward Councillors as to the merits of selling parcels of land in one ward to invest in another.

### **6.1.3 Changing society – the reluctance in political action**

The reports presented to the Executives, which sought decisions on direct Council investment in community centres and on the sale of public land, narrated long and complex histories. The dilemma which challenged the traditional (and historic) principles of local authority-owned public space was a significant part of the reports. It was clear from the written narratives that attempts at seeking a form of resolution or settled decision relating to the use of the assets was difficult and politically sensitive. This reinforced the challenges of social well-being and its how it struck to the core of local politics and the sensitivities of individual Councillors. Interviews with Monitoring Officers also confirmed the challenge of securing the willingness of Councillors outside the affected ward to express a preference on the future of public assets away from their ward. The Officers explained this as an unwillingness to declare their hand and as a result lose popularity on a matter not closely associated with their own wardship. The reports and subsequent Officers' interviews showed a pattern in the history of decision-making. It appeared that after approximately a 4 year period of filibustering and political avoidance, or perhaps management, Cabinets were prepared to consider decisions on public assets. The elapse of time would suggest that the stories and discourses surrounding the topics may have secured a form of local currency and that it was now considered politically 'safe' to make a decision as the majority of Councillors would be familiar with the issues. The Officers explained the willingness to make decisions after the gestation period as economically motivated. In essence they considered that the Council, as a corporate body, was driven to making strategic choices concerning the sustainability of public services and public goods. As a consequence, the Councillors were called upon to review their fiscal policies, although they were articulated by Officers in the reports at the meetings as consideration of social and community initiatives. The palatability of refusing or reducing financial support to community centres and the sale of public open space was more acceptably labelled as social well-being, but the Officer understanding located the decision in local economic management. The decisions were controversial for the Councillors as they had both direct experience of using the assets and vicarious accounts from local residents. They had been approached for support, but the executive positions they held as

Portfolio Holders on the Cabinet meant that their duty was seen as to act as a Cabinet. Individual personal preferences were less important than the success of the Cabinet in managing the whole Council. However, as some members of the Cabinet were to face elections in forthcoming months a concession was made to assist the prospects of the political party candidate (the incumbent Cabinet member). Thus, to secure a more stable financial platform for the local authority, the Officers reconfigured the presenting issues as societal matters – recognising that fiscal arguments would not satisfy political aspiration. To this extent, the Officers were mediating the political tension and in doing so were reconfiguring the meaning of social well-being in the context of local governing arrangements.

## **6.2 Responses to the dilemma: Local Democracy Makers' narrative**

As has already been mentioned, the decision-making body for the exercise of social well-being considered during the field work was within the purview of the Cabinet. In all the authorities considered, the Cabinet was formed from the administration of the local authority and had single political party representation. In two of the local authorities Councillors from opposition groups would attend the meetings as observers. The meetings were held in public, but the intended audience for the decision-making was difficult to decipher. In articulating the debate which sought to justify the decisions that were about to be made, the Councillors, sitting as the Cabinet, appeared to be rationalising to themselves and to colleagues of the same political party the merits of their approach. Inevitably, when affected individuals sat in the public gallery or when Opposition or Councillors who objected to the proposals were present, the arguments were more forcefully made. As all the decisions observed concerned either the sale of public open space or requests to financially support community centres (not necessarily the individual user groups), great emphasis was placed on the financial reasons for the decisions. In other words, social-well being, in terms of the provision of public space and the preservation of assets accessible to the public at large, was articulated as part of fiscal commitments. Encouragement of participation in public life and the value of self-directed assistance by self-organising groups were not expressed, although the positive contribution, over

time, of certain individuals was acknowledged. On a couple of occasions, decisions were referred to a Scrutiny Committee for views prior to the Cabinet taking the final decision. Officers were of the view that this merely delayed the inevitable decision to cut costs and signified weak leadership on behalf of the Cabinet. In seeking the views of the Scrutiny Committee the Cabinet were in effect, tying opposition Councillors into the decisions. This act ensured that other Councillors (backbenchers from the ruling group and Opposition) would be called upon to express a view on the proposals as part of a scrutiny exercise. The inclusion of a wider set of Councillors was partly as a result of the dilemma of rationing the public goods, but also a calculated step in the management of the local politics. Councillors from the ward and those soon due for election at the expiry of their term were being protected by their own group by the mitigation of their exposure as being participants in potentially unpopular decisions. This act of political management was observed as being publicly initiated by Officers only in one study, where significant discord was seen concerning a decision to sell assets. The Officer exercised his agency as a Local Democracy Maker to smooth the process, in the hope that the Councillors would not be fearful of making a decision that might be politically hostile. Unlike the studies examined for the environmental and economic well-being powers, the social well-being decision-making took place in patent political environs. The forum for decision-making was a single party meeting and attempts at diluting future criticisms from Opposition Councillors were managed by the imposition of a referral for consultation to the Scrutiny Committee. Referring the matter to (predominantly) Opposition Councillors on the Scrutiny Committee for comment gave an impression of openness and inclusivity by the Cabinet. In practice, at the following Cabinet meeting the comments of the Scrutiny Committee were received and noted. The impression was given that Cabinet had discharged its obligation to consult with others but had determined its position prior to the views of the Scrutiny Committee Councillors being requested. The Cabinet undertook its business of making decisions on matters of social well-being predicated on the effective management of the political and fiscal landscape. What was also suggested by the observed arrangements was a detachment by the Officers from the symbolism of the local assets, whereas the Councillors retained some link to the memory of what the assets symbolised about prior history. To a greater extent, the Officers, despite

the traditions in which they historically operated, could be more instrumental in how they viewed the public assets. The Councillors on the other hand saw such assets as a reminder of a past where the local Council had more impact. As a consequence of this, responding to the presenting social well-being dilemma called for political choreography.

### **6.2.1 Observing the decision-making process**

The decisions observed at the Cabinet meetings related to a request to fund the ongoing provision of a community centre to enable groups to meet and the sale of a significant area of public open space to fund the provision of a new leisure centre. The community centre that sought Cabinet support for funding was not funded directly by the local authority. The fabric of the building had deteriorated and the Cabinet were being requested to provide capital funding to repair the property to the required standard. The sale of the public open space was connected to a more complex desire to secure a high level of publicly delivered leisure service for the area. To secure the investment required to build a new leisure centre, the Cabinet was being asked to agree to the sale of a large area of public open space for residential development, thus securing a significant capital receipt for re-investment. In both cases, despite the marked difference in financial value and scale of community impact by the changes in physical space, commonalities in observations were as follows:

- a. Officers were authors of the reports and were the presenters at meetings of the requests for funding or decisions for disposal. This appeared to give permission to the Councillors to discuss the issues in managerial terms. In other words, Officers' response to the dilemma was to present/treat the issue technically.
- b. The Officer reports did not evaluate the decisions sought as requests to secure long term solutions to the provision of public goods or the encouragement of local networked governance arrangements with voluntary groups. The Councillors only commented on the need to secure a more sustainable leisure centre (in the singular) and did not engage in

more strategic conversation. To a greater extent, unlike the Officers, the Councillors responded politically and to some extent emotionally to the challenges presented. Officers would principally approach the debate as Street Level Managers, focusing primarily on the management and structural issues for the community centres. Social value and social capital of the proposals had to be imputed from the nature of the topic reported and the articulations at the meeting.

- c. The analysis of historic problems and future plans in written reports were steeped in the language of New Public Management. The terminology and methodology of business plans, performance plans, income generation strategies and marketing plans were used as measures of success and sustainability. A more communitarian view of the value of engagement of self-organised groups and opportunities for individuals to enjoy public open space as part of well-being were not articulated.
- d. There was a distinction between the manner in which the elite senior Officers (particularly the section 151 Finance Officer and the Monitoring Officer) and operational managers articulated rationale for positive action. Whereas the senior Officers focused on corporate financial responsibilities, operational managers (who would attend to answer more technical queries) would speak within a paradigm of social value. The elite Officers as the Local Democracy Makers with a closer relationship with the Councillor decision-makers upheld managerialism of the corporate body as a priority.
- e. The Local Democracy Makers showed their flexibility and influence as governance agents, in moving from reacting as Street Level Managers to Social Entrepreneurs according to the reaction of Councillors to questions put to by them to the operational managers. When the Local Democracy Makers recognised that the Councillors wished to support the local community centre, they would adapt their narrative and talk of the option of the deploying longer-term capital expenditure to reduce the burden on the Council of meeting the costs. They also referred to joint initiatives for risk-sharing, National Lottery funding and the possibility of new legal structures to mitigate the risk of Council liability as a result of financial investment. New Public Management approaches dominated the narrative of the senior

advising Officers, but in managing the balance between the fiscal and political they mediated their approach as Local Democracy Makers.

- f. Corporate and local history played a material part in the way in which debate was construed. Decisions regarding future use of assets and the acceptability of disposal of land to secure other services (albeit at a cost to future users) drew on historic considerations. Changing neighbourhood landscapes by the physical intervention of building houses on open space was debated as covert attempts to gentrify communities. The loss of the land for future public open space was secondary to the impact a change in the use would have. Social well-being was construed as a reminder of the past and the 'spirit' of a community and less in terms of new services or buildings.
- g. The political considerations of unpopular and opposed proposals resulted in the Cabinet relying more heavily on financial and technical advices than political or societal considerations. New Public Management principles provided coverage for unpopular decisions. Officers were observed maintaining their independence by not commenting upon, or responding to, accusations of bias by objecting Councillors or Councillors invited to address the Cabinet. Senior Officers advising single party Cabinets were at risk of being considered partisan by Opposition Councillors, as they were charged with bringing forward proposals that delivered the ruling administration manifesto. The observed exchanges demonstrated the delicate role of the Local Democracy Maker in maintaining independence and credibility at public meetings.

### **6.2.2 Commercialism versus social well-being**

The actions of the Local Democracy Maker straddled the challenges of securing financial corporate objectives and wider political aspirations when social well-being was under consideration. During the period of research this was seen as the tension between economic and urban renewal and the loss of areas of social-well being as they related to the disposal of public open space. Similar considerations applied to requests for funding for community centres. The



imposition of commercial business models had the effect of pushing the value of society into a measurable return on investment. Capital expenditure was shown in accounts against a projected return. Similarly, land holdings were considered as a tradable asset, capable of being deployed to either meet budget deficits or as prime-pumping funding for new cost effective initiatives. Further complexity in the balance between commercial and social interest arose when insufficient public funds existed to achieve the desired political change in assets and public sector investment was recognised as a mandatory requirement. The reports concerning the sale of the public open space and the building of a new leisure facility explained the dependency on the Private Finance Initiative as one means of securing inward investment. The price of such investment was to transfer the control and profit from the new leisure centre to the commercial investors. The wish to secure greater participation in the provision of public goods by the local citizenry would be compromised for the benefit of new facilities aimed at securing increased customer satisfaction. Generally, older Labour Councillors found it more difficult to come to terms with 'selling the crown jewels' (Opposition Councillor addressing Cabinet at District Council, Spring 2009) to provide a better experience to customers, often at an increased cost to the local authority over the longer term. The Local Democracy Officers ensured that their role was seen as advising on technicality in the public arena. During later interviews they explained that in private briefings with the Cabinet they would be more forthright with their views that historical considerations were secondary to financial demands and meeting the performance standards set by regulators. On reflection, what was understood from the reports, observations and interviews was the exercise of commercial narratives by Officers and communitarian discourses by Opposition and back bench Councillors. The Cabinet acted as the melting pot, where the two paradigms intermingled and where the tense act of politicking strove to facilitate a compromised solution. The Local Democracy Makers oscillated as advisors between management and politics and often behaved as Social Entrepreneurs, seeking solutions to presenting issues by drawing on commercial opportunities derived from the financial market. A response to the regulation of local authority assets and performance was active manipulation by the Local Democracy Makers of rules in form to negotiate a compromise between the conflicting interests of politics, regulation and commerce.

### 6.3 Interpreting social well-being

The process of local democracy was considered as different to the exercise of legal powers by the appointed Officers. What was privileged in decision-making oscillated between a need to recognise local democracy and the well-being of individual localities. In interpreting social well-being the Local Democracy Makers responded to a variety of factors. The Local Democracy Makers were unanimous in their view that the primary influence upon them was the habitus they occupied at the time. The political, financial and regulatory circumstances they were part of at the individual local authority understandably had a material bearing in the way they interpreted social well-being. Second to this was the corporate history of the institution. Societal change was acknowledged as being a long-term process when explored at interview, with particular events, decisions and past dilemmas having persistence and a continuum in the way they coloured current and future behaviours and decisions. In the main, the narrators of the corporate history were the elected Councillors who would associate such matters with changes in political policy or political control at the local authority. Post facto rationalisation of historic decisions was used to justify societal change and to inform or resist the application of the well-being powers to presenting problems. Behaviours of decision-makers were such that they drew on tacit and explicit knowledge as a means of understanding previous decisions. This approach also appeared to apply to the process of justifying narratives to presenting dilemmas. Societal impacts were not the only informatives that came to the fore as the elite Officers would adjust their advice in accordance with the economic success of previous projects and interventions. The impacts of previous decisions on the service and business outcomes of the local authority had almost equal importance to the consequences of policy impacts. In addition to history, professional responsibilities also moved the local Democracy Makers to advise in certain ways. The obligations placed upon them as a result of their employment status called for them to comment upon commercial risk, organisational performance and compliance with legal process. Technocratic steering was used as a means of overcoming historic resistance, with some of the advisors indicating that the power of social well-being in the Local Government Act 2000 offered greater opportunities for the Cabinet to show innovation and commercialism in its

decision-making. How this might have been motivated by a desire to mitigate the exposure to corporate risks for the local authority was less obvious. The interpretation of the legal powers by the Officers drew upon a broad spectrum of knowledge, experience and ethos to formulate ideological organising framework to justify the advice they gave to the elected Councillors. During interview the dilemma this posed for the Officers was manifest. Some were torn between recognising the historic significance and purpose of public goods and the function of local government and the more modern demands upon them to deliver value for money services that met accounting regulations. The narrative that emerged to addressing the challenges of social well-being drew on the interpretation of a nostalgic appreciation of what they believed the local authority of the past to be. Additionally, there was some acknowledgement that certain areas of the Borough required more interventions than others. There, communities were considered to benefit from more organised support and the systems and processes created by New Public Management principles, as this would mean the risk of overspending should be minimised. The divergence of local needs informed thinking and debate. It appeared that the more dominant legacy that informed the Officers' ideology was the function of the local authority in providing for and meeting the needs of minorities. Social well-being was considered as a responsibility of the Council towards those who needed more support or did not have the same resources to make differing choices. The Officers recognised the limitation of networked governance arrangements, as their own experience and corporate history showed failures in the ability of other several self-organised groups in maintaining resilience in the face of social and economic change. As the advice of the Officers required sensitivity in reacting to the dilemma as part of the historic and presenting political and policy environment, they adapted and mediated their advice accordingly. Professional expertise was not discharged in a vacuum and was informed by the learning from past experiences and the extant habitus of the advising Officers. As a result, the rules in form differed to the rules in use and the interpretation of social well-being was made, in the words of one Officer 'on the hoof'.

### **6.3.1 Codification of normative beliefs and values**

Whilst the interpretation of the notion of social well-being by the elite Officers was heavily influenced by the environment they occupied and personal and institutional history, there was a distinction in how that interpretation was then applied in praxis. The Local Democracy Makers did not necessarily draw correlation between the powers afforded to local government by the Local Government Act 2000 and the role of politics and local democracy in rationing public goods. During interview the Officers explained how they considered the function and impact of the social well-being powers as being part of the process of local democracy. In effect, they saw decision-making by elected Councillors as the exercise of the power of social well-being. They did not extend this to the wider networked governance arrangements and the actors and agents within that arena. The Officers were opaque in their statements concerning the specific exercise of the social well-being powers. They seemed unable to categorically identify dilemmas presented to the Cabinet that patently relied upon the social well-being powers as a mandate for decision-making. They found it easier to associate decisions with corporate management requirements to address financial accounting demands as opposed to wider societal purposes. In their view, the system of local democracy consumed the well-being powers and as a consequence they shrouded the exercise of the powers in rule-making. These rules were expressed as risk management, community impact, diversity and equality opportunities and financial safeguards. The Officers practised social well-being through a system of rules which were evaluated by reference to managerial criteria – primarily financial considerations. However, as a result of the local democratic process and the exercise of politics at the Cabinet meetings (and more specifically the impact of histories) the rules were adapted. The principle of compromise was manifest for both the politicians and the Officers as the application of the social well-being power sat within the quagmire of politics, democracy and individual personality. In other words, what was privileged in decision-making oscillated between the need to recognise local democracy, adherence to rules and the well-being of a locality. As a result, social well-being was not understood or practised as a monolithic application of legal powers. The exercise of the powers was configured as a result of complex and value-laden

processes of compromise, embedded within a political process which drew on the traditions of the function of the local authority in the past and the response to the dilemma of reducing the impact upon public funds, societal change and expectations of public ownership beyond the power of the politically elected.

### **6.3.2 Social well-being as local democracy**

A discrepancy in the way in which the Local Democracy Makers both acted and explained their role in guiding and steering the application of social well-being powers was manifest when the dilemma was more politically challenging. The dilemmas which called for resolution by the Cabinets were created as a consequence of many years of story telling. Multiple narratives and discourses coloured the landscape, which called for the Cabinets to either award financial support or dispose of a local asset. Anticipating a challenge to the decision-making from Opposition Councillors and their ward supporters the Officers advised and devised public consultation strategies. The purposes of such plans were expressed as opportunities for community participation in the decision and as a means of establishing wider understanding as to the reasons for the decisions. The approach involved several informal 'warming up' meetings with the relevant elected Councillors, the Officers having already secured the support of peers. Councillors agreed to a more consultative approach including a more inclusive political approach for other Councillors from the local Ward, although they were not from the political administration. A more simplified version of consulting the local residents was applied to the funding of the local community groups. On the one hand the elite Officers were managing the political and the decision-making process; on the other they considered themselves to be local democracy advocates as they sought to ensure greater inclusivity by facilitating public participation in the decision-making. However, at later interviews the Officers acknowledged that the act of advising on the need for consultative strategies was more biased towards managing the political meetings as opposed to capturing the public voice, as the Officers considered the elected Councillors to be competently mandated to make decisions on behalf of communities. For the Local Democracy Maker, social well-being and its relationship with local

democracy appeared to be aligned with electoral mandate. Wider governance arrangements and a more collective and participative view of public service and local democracy did not emerge as a feature of their discourse. This reinforced the more myopic function of Officers as advisors to the local authority and their obligations to ensure that the Councils made lawful decisions which minimised risk and protected scarce financial resources. Despite the attempts at demonstrating a more engaged process of decision-making beyond the Cabinet, the Local Democracy Makers conducted and explained the relationship between social well-being and local democracy in narrow terms. Processes were applied for instrumental purposes and primarily used to smooth over the political. For the Local Democracy Maker Social well-being was embedded within the decisions of the Cabinet, as the Executive and the mandate the Councillors, sitting as a Cabinet, had secured through the electoral process was seen as sufficient for them to determine matters of social well-being.

### **6.3.3 Social well-being as political management**

During conversations, some Officers considered their local authority to be 'Officer run' whilst others were less forthcoming. The degree of openness on this issue appeared to be linked to the nature of the local politics. The more fractious political relations between the Parties, the less confident the Officers were in describing the dominance in managing the power relations. The previous two paragraphs forcefully suggest how the Local Democracy Makers managed the potential of political conflict during the processes. In all three studies decisions concerning social well-being saw the greatest intervention by the Officers in the management of political arrangements. As has already been explained, the exercise of social well-being was considered to be steeped and encapsulated within the routine business of the Cabinet. As a consequence, local democratic praxis was seen as a political process which was aimed at discharging decisions concerning social well-being. Officers intervened in what could be considered to be party political matters in a variety of ways. The acceptance of their intervention was associated with their rank and status in the organisation – the elite roles they held as Chief Officers - and the management of the political sought to strike a

balance between the anxiety of the Officers to ensure decision-making that did not result in financial pressures for the local authority whilst still ensuring a positive reputation for the Council with the community. This latter aspect was expressed by the Officers engaged in decision-making processes that had significant local history. Where the dilemma had existed for several years and had been the subject of (often bitter) political dispute, the Officers appeared to take responsibility for managing the reputation of the Council with the media, public and regulators. The longevity in the process could have been explained as deliberative democracy, allowing for a more reflexive form of decision-making although this was not recognised as such by the Officers. The Officer focus was concentrated on managing the process which they did by ensuring regular private briefings of individual Councillors and political groups and by promoting engagement strategies with what were termed 'affected communities'. The role of the Local Democracy Makers became one of overall political manager as they attempted to bridge differing political aspirations and the management of the Council's reputation as a coherent and effective public service provider. Three Officers were more centre stage in this process – the Chief Executive, Monitoring Officer (Legal and Governance Director) and section 151 Officer (Finance Director) and their scope to seemingly influence the ruling political group stemmed in part from the single party governance arrangements of the Executive. They acknowledged that as Officers, their influence upon opposition Councillors was much more limited. Political choreography differed between the local authorities in the studies, as much depended on the history, context and relationships between the elite Officers and the Councillors. Officers also manipulated the notion of social well-being as a means of managing the local political tensions. The call for increased participation and consultation before decision-making was an example of this. In the world of the Local Democracy Makers the well being of society was equally as important as the well-being of the local authority. Thus, social well-being had multiple functions which spanned the spectrum of facilitating the decision-making of the Cabinet to protecting the reputation of the local authority in the eyes of the community, local agents and actors and regulators.

## 6.4 Reflections on the findings

The role of the Local Democracy Maker as examined through the lens of the power of social well-being gave insight into a richer and more complex role for the agents. The studies highlighted the active role of the elite Officers' in the local politics of the local authority. It could be suggested that the Local Democracy Makers were akin to political agents as they manipulated and managed the elected politicians in an attempt to secure particular outcomes. A distinction was drawn between the Officers understanding of the process of local democracy and its convergence with the exercise of legal process. Rules in form were actively manipulated to achieve the desires of the controlling political groups and to secure compliance with managerial expectations. In response to contextual histories, local democracy was actively constructed, mediated and re-configured with the aim of giving a more inclusive impression of engagement and participation and to legitimise political decision-making. The Local Democracy Makers demonstrated the importance of compromise in their role as advisors and navigators of the political arena. What was privileged in their advice and in the decision-making process oscillated between the need to recognise local democracy and the well-being of localities. Communitarianism as an ideological framework informed the Officers in limited aspects of their advice. This was most apparent when the sharing of financial risk and ensuring wider support for better competence in managing community-provided services were promulgated and discussed by the ruling political group and opposition Councillors. In contrast, local democracy was constructed in narrow terms and seen as a matter for the local authority. The need to manage the reputation of the local authority by using participative and consultative strategies was understood as being in the interest of the Council and not for the benefit of those in the network of local governance arrangements. The exercise of social well-being powers saw the Local Democracy Makers situate themselves as Social Entrepreneurs, reacting and responding to the fluidity of political tensions whilst always keeping a weather eye on institutional risks and reputation.



# CONCLUSION

## 1. Introduction

The health and wellbeing of local democracy and the behaviours of those responsible for its practice continues to attract academic interest. Similar curiosities prompted this research but of specific interest were the routine everyday behaviours of local government officers engaged in the everyday practices that create local democracy. Accordingly, the central conclusion of this research is that local democracy cannot be reduced to an abstract concept but is constructed through multiple engagements by Officers with electors and elected representatives. Such a theoretical approach required a methodological approach sufficiently sensitive to get under the skin of how actors construct local democracy. For a practitioner in the field who was equally a participant in the process, the use of an applied ethnographic approach including auto-ethnography allowed space for complementary personal reflexivity. Not surprisingly, then, a consequent of the research process and findings was the affect on my own work practices. These are discussed as part of my findings and to ensure the voice of the practitioner is heard, the conclusion is presented in the first person.

The aim of this programme of research was to establish an understanding of and an insight into the role of the elite Officers in the practice of local democracy and decision-making and what informed the Officers to advise and act in the way that they did. I was particularly mindful of the impacts of New Labour's modernisation agenda that changed the constitutional arrangements of Councils with the introduction of the cabinet decision making system and the abolition of the traditional committee system and the frustration this had caused many Councillors. Backbench members were particularly affected by these changes and continue to criticise the governance arrangements, which are perceived to exclude their mandate and capacity to influence decisions. For senior Officers, such as myself, who have daily contact with councillors, it added to the burden of straddling more commercial and efficient decision making, with the heightened expectations following new forms of citizen participation. It was clear to me as a

senior elite Officer that the tensions between decision making, Councillors, regulators and policy drivers was pushing local democracy into a different shape. What I also realised was the material influence I had as one of the senior local architects of local democracy for my own local authority.

By listening to their stories and sharing the experiences of my peers in local authorities, my understanding of how they and I understood our role in the construction of local democracy became clearer. In turn, this helped me to explore the range of responses to dilemmas, whilst revealing how practitioners (including myself) established understandings of democracy and the political. This research method captured both the narratives and dialogues in the context of their *habitus* ensured that exchanges were observed (and undertaken) in their natural environment and in the context of their relationships, in particular between the Officer and Councillor. The fieldwork employed a variety of means to capture this understanding, including interviews and applied ethnography, including participant action research. My engagement as a practitioner in the field meant that my own involvement in understanding my world and that of my peers would be a participative and reflexive exercise. At the core I wanted to understand the relationship between local democracy and local governance in practice and for me to reflect upon the challenges and indeed, how theory translates into practice.

My approach discussed in the Introduction and Chapter Three, was inspired by the works of Bevir and Rhodes (2006), in particular their work on how government elites operate and make sense of their own world. Their work and the use of the interpretive methodology was a helpful and enabling approach that suited the research question as the inquiry sought to understand why Officers responded to dilemmas in the manner that they did. My evidence was gathered in a variety of ways and included, semi structured pre-arranged interviews; the capturing of storytelling in informal situations; observation of official and unofficial political decision- making and my own personal reflections. The approach was close to participant action learning as I was engaged in the same processes and events and gaining new knowledge, insight and understanding from observing others. The knowledge gained generated new insights and added to my notion of the Local Democracy Maker discussed in Chapter two. Through the exchange of

stories and narratives the perceptions of Officers of the practice of local democracy and governance came to the fore. This was also apparent from the practical arrangements and exchanges observed at decision-making forums. Coupled with an analysis of literature, new knowledge was gained as to why elite actors exercise their agency in the manner that they do.

## **2. A return to the research question and a summary of the findings**

The main contributions to knowledge from this research flows from the problem presented in the research question;

*'How do employed senior practitioners in three local authorities in England exercise their agency in local governance arrangements and how do they influence the praxis of local democracy?'*

The approach to answering the research question drew on a new theoretical concept - the Local Democracy Maker (see Chapter Two). The notion of the Local Democracy Maker endeavoured to capture the complex role of elite Officers under New Labour policy approaches. The model draws on the idea of the professional and corporate individual and the increasing direct relationship the Officer has with wards, citizens and service users. Thus, the inspiration of the Every Day Maker, Every Day Fixer, Street Level Manager and Social Entrepreneur appeared suitable and germane in capturing the complexity of practical, political, professional and corporate responsibilities and relationships. More importantly the four nodes of the Local Democracy Maker firmly locate the dilemma in the political engine room of local democracy and local governance. The Officer-Councillor relationship and the processes of democratic practice called for a conceptual approach that would enable a better understanding of why the Officer-Councillor relationship forged responsibilities and power relationships between the appointed and elected in shaping the politics of local democracy. Contrary to the perceived wisdom of contemporary academic accounts, which marginalise the existence and contribution of elite's agency in local governance my findings demonstrate that the exercise of local governance arrangements and local

democratic practices were directly shaped by the influence and operation of Officer agency. Furthermore the research highlighted the ongoing influence of the political and party politics in democratic and governance arrangements.

The term ideology was adopted in the research as a means of capturing why the Officers approached their role and discharged their agency in the way that they did. I acknowledge the challenges of using the term ideology and the normative and value laden association it carries (see Chapter Two). Ideology for the study was understood as a way of working and was associated very closely to practice and what Van Dijk (1998) explains as an operating framework. This idea stems from a multidisciplinary view of ideology that is represented by a triangle of cognition, society and discourse. The approach is one that is a combination of the practice and the context and is more alike to a systematic view of ideology as opposed to a philosophical view. As a practitioner, this had a resonance with me as the definition attempted to capture an understanding of practice and what informed the way peers coloured and formulated their world view. I considered the Van Dijk conceptualisation of ideology as sitting closely with Geertz' (1973) idea of ideology as a web of significance, but with a focus that acknowledged more readily ideology as a mode of practice. Van Dijk's approach was concerned primarily with the interface between fundamental properties of social groups and shared relations. To me this would ensure a central focus on the practitioner perspective. What was understood by applying the concept of the Local Democracy Maker and ideology as an operating framework is explored in Chapters Four to Six.

### **3. An outline of the main findings**

From what was understood and observed as a result of the research the most impressive reflection for me as a practitioner was the importance and significance of Officer agency in the shaping and decision-making of a locality. Whilst this was one of the prompts to me initially undertaking the research, the scope and reach of this revelation was deeper and more prevalent than I had originally perceived. This was the main finding of the research – the place and actions of senior

Officers in local government was consistently as a Local Democracy Maker. The Officers, as did I, have a fundamental role in facilitating the power relations to facilitate or restrict local democracy.

There is a risk that the application of an ethnographic approach to understand the challenges facing the practitioner in implementing ideas of local democracy can result in a over-generous reflection of agency. However in the study authorities the Officers acted as engaged and empowered Local Democracy Makers but did so in the context of complex and uncertain environments. The endurance of Party politics was a consistent theme in how decisions about the governing of localities would, indeed, should be made. The political persisted through and beyond structural and institutional governance arrangements (see Chapters Four to Six). The extent of this was under-estimated by me at the start of the programme of research. I was acutely aware as a practitioner of the importance and milieu of politics in local government, but wary because of my own interest and curiosity in the political. However, irrespective of my own perspective the observed exchanges, interviews, and my involvement in peer events prompted me to reflect and acknowledge more readily the visible and invisible iron hand of party politics in the day to day activities and practices.

In a similar vein, I saw little evidence that hierarchy in networked governance arrangements had diminished, despite the narratives in academic literature (Rhodes, 1997, Stoker 2000). What was observed was a reconfiguration of hierarchy (see in particular Chapter Four). Despite the changes to executive decision arrangements, the traditional lines of hierarchy I had been familiar with prior to 2000 were still in place but less visible. Public calls for political support and observable exercise of the political whip in committees may have been less obvious, but still pervaded local governance. The hierarchy presented itself as negotiations and trade-offs in resources, promises of further support in the future and willingness to cooperate. What was always consistent was who held the ring of power as part of such deliberations. Power was vested in the elected politician, who might be nominated onto a Board, Trust or Panel. The brokering of power ran through the traditional hierarchical line of party politics.

The research showed that the application of the idea of the Local Democracy Maker explained in Chapters One and Two is a tool which can be applied as a means of understanding how and why policy is successfully implemented and/or frustrated. On reflection, by using an approach to the field work that was akin to action research, the descriptors used to highlight the Local Democracy Maker were sufficiently subtle yet practical to be applied to the observed exchanges. What was clear from the application of the concept was the weakness in contemporary governance, government and public policy studies that assumes the toxicity of agency or diminishes the importance of agency. As a participant researcher it became clear to me that by failing to acknowledge the complexity of the agency of Officers was a material weakness in recognising practical terms who translates policy into practice.

This was articulated in the semi-structured interviews where my peers readily spoke of processes and regulation but were taken aback when I asked that how they might define local democracy. Yet my fellow elite local government Officers struggled to express their own definition of local democracy, local governance and the exercise of political power. This evidenced how consciously Officers saw their role in managerial terms and if ever as Local Democracy Makers, it was more by default or as was more common, unknowingly. The Officers spoke freely and confidently about the place of party politics and the responsibilities of the Officer in a politicised environment yet the nuances in their stories and inferences in their narratives pointed to their awareness of the exercise of politics on their traditions and responses to the dilemmas they faced. From my own perspective and what I observed, Officers drew on traditions and used their storytelling in explaining how they exercised their agency in the interpretation, framing and shaping of democracy in the locality. Navigating political exchanges, advising political parties and trying to shape how democracy in the context of current local policy matters should be practiced, shaped by their previous experiences and articulated in their narratives (see Chapter Three and also Chapters Four to Six).

The research highlighted a broadly shared view between the elite Officers of how local democracy was something to be explicitly managed. Hence the interpretation of the statutory provisions of well-being were conceptualised

generously but were presented to Councillors through a veil of managerial and technical and implied procedures. This justification was explained as a means of restricting the options for Councillors and local politicians in managerially inappropriate ideas and ambitions. Indeed, Officers were often driven by statutory responsibilities, which were only partly appreciated by the Councillors (especially prevalent in Chapter Six).

#### **4. Findings of a more subtle nature**

Whereas the points made above are the most prominent of the findings, other less obvious but consistent reflections were also present. Despite the prominence of theories of networked governance arrangements the ongoing contribution of the elected Councillor and appointed Official in the act of governing was recurrent. I experienced this in many guises – from the more traditional agenda planning and management of joint meetings to private negotiations as to the pooling of funds. How Officers exercised agency was informed by the traditions of the Officers and influenced by political experiences, political arrangements and the perceived axis of power. This came to me as a result of the consistent references to the good and bad times of political exchanges between Officers and Councillors. I saw myself in this particular way as inevitably how I related and responded to the political would determine how I would then undertake my role and more significantly how successful I would be in that organisation.

The concept of the Local Democracy Maker as an organising framework helped me capture the contingency, flexibility and precarious role of the elite Official in local government. The notion enabled me to tap into untold stories of the relationships between managerialism, policy deployment, party politics and power relations as the frameworks allowed for me to rove between the four key ideas of the model and prompt me to query statements and actions of peers. More importantly to me as a researcher-practitioner the Local Democracy Maker model reflected the practical reality of the Officer-practitioner contribution in designing and interpreting governance arrangements. Unlike the academic literature of the

role of the Officer in local government and elite agency in governance was never ignored or overlooked.

My own world view at the start of the research was one where I considered myself split in my loyalty to the Councillor and to regulators (for example the Audit Commission, OFSTD, Care Quality Commission). Embarking on this study and deploying an applied approach to the research helped me make better sense of this dichotomy. Similar tensions were shared by my peers. When I reflected on the interviews and exchanges between Councillors and Officers in Committees, practitioners used management techniques to manage elected officials to secure corporate aims and to ensure professional accountability, even if this was at the expense of local democracy. This was too readily overlooked by more recent governance literature. Whilst the New Right credo and advocates of rational choice have argued that the use of New Public Management techniques and reforms seeks to restrict Officer self-interest and the influences of professional employed advisors, the findings of this research and the role of the Local Democracy Maker confirms that New Public Management, as an operating framework for the delivery of public services, is prioritised over the principles and ideals of democracy in the locality.

Finally, to understand agency in governance not only is a comprehension of actors' traditions and dilemmas essential, but also their own world view and their experience of the political. The way in which actors shape the delivery of policy aspirations is informed by several influences including their experience of political exchanges and failures and successes of the past. In other words, what I saw and experienced showed that politics, power and in particular party politics are active components in the moulding of the exercise of agency in governance and democratic arrangements.



## **5. Making sense of the practitioner world: interpretation, reflection and the use of applied ethnography**

The approach Bevir and Rhodes (2006) use to interpreting the world of civil servants and the use of applied ethnography resulted in fieldwork and findings that were both insightful and reflective of the practitioner experience. I am not suggesting that a hierarchy of the new knowledge gained from the research should be made although several recurring themes can be interpreted. Local government officers, similar to civil servants are technocrats and effectively apolitical. Yet this is not to say that my peers are without political instinct. To understand local government officers' world view, what van Dijk calls their ideology, and how they understand their traditions and make sense of their environment is shaped by their political experiences and political reactions. By approaching the world of peers in an interpretive manner – engaging in conversations, understanding their *habitus*, operating frameworks and behaviours – a sense of the fluidity, contingency and complexity in the role of Officers came to the fore. Interpretivism allowed for a deeper and richer insight into their formative political experiences and how it shapes their practices by offering a richer understanding than what is presented in contemporary academic literature. In turn, my research findings challenged my own perceptions and my role as a Local Democracy Maker. I had little appreciation until this research of how complex and conflated my own world was and the extent to which I managed and manipulated my influence with the politicians. The experiences and knowledge I and my peers gathered through exchanges with communities of knowledge, training and personal trial determined how we would seek to apply managerial techniques to manage presenting dilemmas.

The way in which the elected politicians and the Local Democracy Makers engaged with each other reinforced the discursiveness of policy making. I saw this both in Officer-Councillor exchanges and Councillor-Councillor relations. Linked to the discursive nature of governing were the consequential effects of such arrangements on the manner in which the Officers exercised their agency. This meant that institutional arrangements were highly flexible and were capable of amendment by the actions of the Officers. I saw this particularly when more

delicate and politically sensitive matters were under consideration. When there was a need to keep controversial decisions such as the sale of public open space or the reduction in a service, discussions focused on what arrangements could be made to keep the public and media interest at bay (or at least to a minimum). Advising Officers proffered advice on agenda planning, rules on confidentiality and whether decisions could be made by Officers as opposed to requiring a Councillor input. In this discursive environment, I recognised how power would shift between Officer and Councillor and how the Officer would be a multi-faceted Local Democracy Maker – enabling and restricting elements of democratic practice.

Understandably the relationships the Officers have with Councillors, the stories they co-create and exchange reinforce the place of the Councillor-Officer relationship in local governance. The political was observed as an act of socialisation which secured the opportunities, space and authority for the existence and exercise of elite agency. This arose as a result of a variety of issues but was primarily created within and as part of the power relations between the elected and non-elected officials. I identified with what was observed at the start of Committee meetings as the social exchanges between Officers and Councillors. Stories of holidays, illness and families were commonly exchanged as a pre-cursor to a narrative concerning recent decisions, local issues and more controversial council meetings. These dialogues placed me and fellow Officers at the heart of the political – in the engine room. I explained this as a kind of ‘political oil’ – where I as a Local Democracy Maker ensured there was an environment and atmosphere with Councillors that facilitate the best conditions for effective politics.

I found the observation of meetings insightful in showing why Officers formed operating frameworks that were steeped in management and politics. What the interviews with peer Officer suggested was a significantly less clear understanding by those elite Officers of the relationship and association between the exercise of politics and local democratic practice. When I spoke to several senior Officers they willingly indicated that they had never considered how they would define local democracy or how that informed the way in which they engaged with

Councillors. The Officers were less reflexive of their own practice and would default in the definition of local democracy by drawing upon managerial terms. Commonly they would express local democracy as meeting the service delivery requirements of communities and putting into effect the will of the ruling political party. I was struck as to their unwillingness, despite their senior and elite roles, to acknowledge or even express how their own world view might have some bearing on democratic practice. The research showed that elite Officer did not have a confident narrative of local democracy and its formulation. They described themselves in managerial terms but were seen by me to act and behave as Local Democracy Makers. What was observed at meetings and probed during interview confirmed that irrespective of the language they used to describe themselves there were creators of the conditions through which local democracy was practiced. The Officers were Local Democracy Makers and architects of political conditions.

## **6. Interpretation and reflecting on hierarchy**

The interpretive approach enabled me to draw the prime finding of the research: the survival of hierarchy in network governance. I applied a variety of approaches in the research but specifically by adopting Bevir and Rhodes (2006) approach particular insight was gained. I looked at the traditions Officers operated within and the dilemma posed by New Labour policy challenges and the Officer response. This provided a depth of perception and a richness to narratives and dialogues which resounded with the endurance of hierarchy. Whereas my peers saw service delivery in the public sector as being shared between many, the decision-making processes still relied on the operation of hierarchy. Politics heavily influenced decision making – it was an exercise of power. This was in contrast to the debates and discussions articulated within the academic and practitioner governance literature. The determination of who should be involved in defining locality priorities, the allocation of public resources and accountability for performance sat within a system of hierarchy and more particularly political hierarchy. In multi-agency arrangements such as Local Strategic Partnerships the local authority and, more often than not, the controlling political group of that

Council, cast the debate and dominated the agenda. It is well understood that societal arrangements are not homogenised and for the ambitions of shared agendas between governance actors to become real, only small common points of interest could ever be recognised. The scope of the responsibilities of the local authority, the mandated authority of the Councillors and their detailed knowledge of Wards and municipal areas was such that the local Councillor sphere of influence was greater than other governance actors. Whereas it might be suggested that the endurance of hierarchy was born from structural arrangements, the story-telling of the Officers and the observed practice suggested to me a different story. The narratives and dialogues of Officers were steeped in the recurrence of hierarchy as being derived from democratic and political mandates. This was common to several of the observations and participant events I was part of. The perpetuation of hierarchy was associated with the accountability of Councillors, as custodians and trustees of public assets. The dialogues I partook with Officers and the narratives I observed drew on three main motivators and rationales as latent justification for hierarchy: exercising fiduciary duty to (local and national) tax payers, a duty to citizens and a personal knowledge of local communities.

Several of the dilemmas that I studied had recurring elements of Officers drawing on hierarchy and political mandate as justification for various advices and actions. I had empathy with this observation as I had experienced myself and fellow Officers vicariously relying on the Councillors' political mandate as a means of exercising influence and power. As part of governance arrangements, the observed Officers would fashion local decision-making arrangements and service delivery plans in order to meet their own obligations to professional codes. This was never declared but could be inferred and interpreted by what seen and said at meetings and in narratives. This equally applied to the expectations placed upon them of meeting standards set by regulators and the preservation of employment meant that their approval, consents, steering and guidance ensured the existence of an elite hierarchy to complement or frustrate the political. Whilst it was evident to me that political hierarchy suited and served the elite Officers' purposes as mandates to act were clear, it was evident from my observations of committees in particular that hierarchy (and as a result elite agency) was a

dominant feature of local governance arrangements. This interpretation of the ethnographic aspect of this research and the interviews I held with peers rebutted assumptions in governance discussions that the political and electoral authority of Councillors had been diluted or removed as a consequence of network governance. To a greater extent, what I saw was a network arrangement that reinforced the role of elite Officers' as Local Democracy Makers. When I and the Officers in this research exercised our agency we derived our authority to devise and advise on democratic arrangements as a result of the local web of governance and the dilemmas of local democracy. The lack of clarity for lines of accountability, the transparency of financial and performance responsibility and the cross-cutting challenges of local communities called for a model of community leadership which the elected Councillors appeared to fit. Making sense of the governance quagmire and the opaqueness of relationships, roles and responsibilities secured the place of hierarchy and the need for agency by the elite Officer.

## **7. Applied ethnography and an insight into the endurance of politics**

Using applied ethnography allowed me to understand why the exercise of local democracy in practice was such a fraught and contextual challenge. I approached the research with a desire to have a better understanding of my own world by endeavouring to establish why local democracy was seen as problematic for Officers. The Officer frustration with Councillors and the pressures of New Public Management meant that a myriad of approaches were taken to the 'doing' aspects of democracy. My approach of looking at this problematic with the aim of sharing the knowledge back to fellow practitioners highlighted the particular tensions of politics in the world of the elite Officer. It became apparent that dispersed operational governance arrangements did not stand outside the political sphere and this insight was one that perhaps should be more readily acknowledged, discussed and articulated between Officers and Councillors and especially between policy makers and practitioners.

The research confirmed the occupied space by elected Councillors and members of political parties on a wide variety of governance institutions both locally and regionally. These included health bodies, police authorities, voluntary groups and community associations. Although the research identified a reduced influence of the elected Councillor in certain areas (such as planning and licensing) they still had access to formal and informal political connections as part of governing. The act of lobbying central government for changes in law and policy demonstrated the reach of political influence from local government to government when Leaders of Councils sat on national bodies. I saw this in particular at Cabinet meetings and in conversations with Chief Executives. However, on balance, the attempts at securing shared agendas across agencies resulted in certain issues being forced out of the debate and becoming marginalised, often as a result of commercial considerations dominating the agenda. This was seen as a circular conundrum and a wheel of challenge and tension for the Officer. The literature I considered as part of the research, the policy guidance, statutes and legislative guidance did not acknowledge this frustration which I observed on several occasions. Hierarchy and communities of influence (both professional and political) firmly pointed to the political as the conductor, driver and navigator of policy implementation. My research on the exercise of the economic, environmental and social well being powers (see Chapters Four to Six) resonated with political power exchanges and political motivations and ideologies informing and pushing decision-making.

The applied approach to the research present several insights, but in particular reminds elite Officers and policy writers that the persistence of the political should be willingly be considered in greater detail, particularly when associated with decisions on the provision and delivery of public services. Local Democracy Makers were aware of political decision-making and this, despite their leaning towards managerial and technical expertise, predominantly informed their understanding of governance and democracy. Nevertheless, they did not readily see this as being a major influence of why they practiced democracy as they so did. There was certainly a void between how Officers and policy wonks saw the world and the risk of ignoring the political in that cleavage was a regular feature of the observed Officer-Councillor exchange.

In practical terms, the exercise of agency by elite Officers was influenced by whether they could persuade the politicians to agree to a course of action for managerial expediency. The active political management was one aspect of that function, despite the silence in the management guidance of the need to make decisions based on commercial and expediency considerations. By managing policy implementation in the context of political decision-making, the Officers determined the democratic arrangements. It was evident to me that their agency determined the extent to which the political should be facilitated or restricted in practice. This finding is material for the world of the Officer and policy maker as governmental aspiration and interventions aimed at increasing the ability of employed officials to put into effect national policy aspirations should more openly and readily acknowledge the steel hand of the political. In more practical terms I took away from this exercise the need to share experiences, political ideology and political aspiration as an essential feature of Officer training and contributed to a professional journal on the topic (Lloyd-Williams 2009) having already expressed some initial views at an academic conference (Lloyd-Williams 2007). By applying the findings of this research to Officer training and induction, perhaps elite Officers of the future would have a more comprehensive understanding of their role and influence in the political arena.

## **8. Observing elite Officers as active democracy makers**

In the exercise of both applied ethnography and participant action research I saw Officers conducting themselves as active actors in the configuration and operation of local governance. They exercised their agency in a complex manner and as multifaceted Local Democracy Makers. Often they were engaged or represented on the same (or similar) governing institutions as elected Councillors. This meant that as Local Democracy Makers at the local authority they fashioned and managed the governance arrangements through their advice, by their behaviour and as a result of their relationships. I was impressed by how their approach was informed by their traditions, beliefs and experiences - primarily political exposure - but there was an inevitable tension in the purpose of their role. Inevitably the role of the senior Officer requires an agility which results in them straddling the

personal, political and managerial arenas. I found myself reflecting on how I often say myself as having a foot in both camps – as a corporate manager and as a democracy maker, managing political arrangements from afar and behind the veil of corporate responsibility.

The corporate approach meant that Officers were strategic actors in the realm of the Local Democracy Maker and managed governance arrangements as Social Entrepreneurs. Innovation was used as to legitimise marginalisation of democracy and especially political interference as public choice increased in prominence and was sold to politicians as a form of ‘people’s voice’. On the other hand, where there was a strong political steer and I saw Chairs of Committees and Leaders of Councils forcefully announce their views and opinions, managerial considerations became heavily influenced by the political and to a greater extent, local democracy was associated with or considered to be a matter for party politics. I related to this and deferred to such direction for a variety of reasons – not least respect for the mandate of the politician but also a desire to remain in favour with the controlling political party.

I regularly sensed a material tension in the Cabinet meetings I observed as commonly the provision of public service was seen as a matter of management and not an arena where democratic principles should determine how public services should be delivered. The heavy hand of managerialism had penetrated deeply into the traditions and ideologies of Officers when it came to the best way of delivering public services and for less experienced Councillors this had pervaded into their own world view. Despite the stealth of New Public Management I did see the triad of statutory Officers behave more as political advisors in suggesting how limitations imposed on Councillors by laws and policy could be challenged, usurped or ignored. This was particularly the case for the Monitoring Officers. For me, this was the Local Democracy Maker acting as a form of Street Level Manager, balancing the road map of service delivery with the deployment of practical interventions as a means of overcoming obstacles. As responsive managers endeavouring to deliver effective public services and responding to the needs of citizens and customers, the Local Democracy Makers sought to devise and create processes that enabled the necessary responsive



reactions similar to Every Day Makers and Fixers. It is fair to say, that overall the impression I was left with was the privileging of the managerial paradigm over the political, despite (what was intimated by some in interview) the burden and shackles of the democratic process.

Overall, Local Democracy Makers were consistently enabling and facilitating in their role although their motivations were not always aligned to the elected. The statutory obligations placed on the three elite Officers, the limitations of professional codes of conduct, their own need to protect their employment prospects and their traditions also meant that some actions were protectionist and potentially self-serving. Although never disclosed in public the interviews with some of the Officers did reveal an aspect of 'self-serving' - particularly by those who worked in highly charged political environs and who had direct and ongoing relationships with the leading elected Councillors. It is fair to say that this was inevitable when significant personal pressure was placed upon the Officers to deliver the leading political group's manifesto whilst still ensuring they were in a position to advise opposition Councillors on the merits or otherwise of scrutinising and challenging the ruling group's decisions. I observed this conversation several times in Officer events where I was a participant. I noted how peers bemoaned the difficulty of multiple levels of accountability, especially to different political masters. This had its obvious disadvantages but also its advantages. The Officers openly discussed and directly shared with me that the variable and often unpredictable axis of power between them and the politicians and especially between the various political groups secured their agency as elite Officers. The uncertainty between political groups, dispute and lack of trust drew the Officers into the role of confidante, negotiator and mediator. This in turn gave them greater freedoms to shape local democratic practice, as the political void was filled by the elite officials behaving, unbeknown to them as Local Democracy Makers.

## **9. Reflecting on the journey of putting theory to praxis**

I have already reinforced how the consequences of complex roles and relations suggest that the manner in which the Officer is conceptualised as part of governing arrangements is material on putting policy and theory into practice. Their influence in the shaping of governance arrangements is too readily overlooked by academic literature and policy advices of the last 20 years. The materiality and ongoing presence and influence of elite Officers' agency is myopically considered, as the fluidity, contingent and politicised way in which they make sense of their world is much richer and more influential than is acknowledged. This study highlighted to me how the Local Democracy Makers are accorded with power, positions and relationships that ensure their and my role as strategic actors enables and limits the effectiveness of governance arrangements.

Policy interventions, initiatives and governmental directives rightly make assumptions that the delivery of ambitions will be put into effect by the agents in local governance arrangements. What is overlooked is the active role the Officers, as Local Democracy Makers have in putting the theories into practice. A bridge must be built between the aspiration and the practical. The Local Democracy Makers' influence and contributions can shape and fashion democratic processes, the voice and participation of elected Councillors and the means of allocating public resources. These are merely a few examples I draw upon to illustrate the impacts of agency which is often exercised and applied in the narratives and dialogues between Officer and Councillor. By interpreting the subtle, suggestive and perhaps clandestine exchanges, behaviours and methods of managements by elite Officers, their agency as Local Democracy Makers can be brought to light. This research indicates that the practitioner is not a passive implementer of political will but an active agent. Such agents are key in creating the stage for the play of the political and in doing so they shape and mould the terms of local democracy. I am not suggesting a political equality between the appointed and the elected but I do suggest there is equality in terms of power as the Officer agency so exercised is legitimised by the veneer of managerialism, legality and technocratic language. Insufficient recognition of this contribution in

the craft of governing I limits the understanding of my world and that of elite peers. In practical terms a failure to see this active role will limit the success and scope of governance changes as both democracy and governance are matters of practice. Reflecting on the journey between theory and practice, it is clear that the manner in which Local Democracy Makers frame that practice will influence the impact and outcome of the policy and political objective.

## **10. Interpretation of legal powers**

The framework for the research was formulated by the intersection of local democracy with well being powers in the Local Government Act 2000. From what I established, the Local Democracy Makers interpreted well being powers in a broad and enabling manner. This perhaps was not surprising given the contestable nature of the concept. Such flexibility offered opportunities for the Officers to generously define the powers when necessary and restrict their meaning when this was required. This was applied overtly when commercial risk was considered too great. Whereas more narrow interpretations of the legal powers could have been applied when risk to reputation was at threat, the Officers were less forthcoming in such circumstances. The standing of the local authority as a result of Councillors' decisions was seen as a matter for the politicians to manage.

This embracing view of the legal powers sat juxtaposed to the way in which local democracy was interpreted and particularly the interplay between democracy and legality. I recognised the nexus between how the Officers manufactured the legal powers as a result of professional training and steering but they did take this one step further. On several occasions in both Committee reports and in conversations the Officers made connections with the legislative provisions and national and regional policy strategies. The effect had a considerable impact on the way the delivery of public service was subsequently to be measured as legal powers were used to secure the enabling of meeting measured local authority performance. On more than one occasion the corporate well-being of the Council was viewed by the Local Democracy Maker as being of greater importance than

other well-being considerations. To what extent this applied to its reputation was less clear, however, corporate well-being was understood as managing financial risks and meeting performance expectations defined by regulators. As a result, the scope for agency for the elite Officers was further extended and secured but less as enablers of local democracy but as the protectors of performance.

Inevitably, given the longevity of managerialism, Officers' reputation as competent advisors and their remit of technical skills now extends to include areas of corporate policy and (less publicly but revealed in interview) political expediency. To some extent, as a result of the spread in Officer jurisdiction Local Democracy Makers were placed in the position of governance and democracy risk managers. Reflecting upon this I drew on the challenges peers had experienced when asked by me how they would define local democracy. The lack of a common understanding and shared conversations on matters of democracy would perhaps mean that applying a well documented, clearly written concept like well being would inevitable be privileged over notions of local democracy. A significant contributor in creating the tradition of the Officer in applying well being principles was the honing of the application of powers through exchanges with others in shared communities of knowledge. Once again I was taken by the gap in discussion and comprehension of local democracy and its essential nexus to understanding and application of legal powers.

## **11. New democracy, new governance?**

My overall impression experience as a result of my engagement in this study confirms the existing knowledge that local democratic practice has been reconfigured as a consequence of increasing networked governance arrangements. Such arguments have been well rehearsed in the literature and are referred to in the Introduction and Chapter One. At the start of the research, my expectations of a powerful elected Council were lowered as lines of accountability were already seen as being opaque and the mandate of the electoral process more readily challengeable. Policy guidance from government, proposals from think-tanks and knowledge shared between fellow practitioner

communities of practice confirmed the changing nature of local democracy. I expressed this conundrum in the earlier chapters to this thesis and particularly drew upon the literature that narrated the consequences of a more differentiated polity and multifarious approach to the provision of public service.

What the research confirmed for me was confusion expressed by former governments and particularly developed by New Labour on whether local authorities should be the primary vessel of policy delivery or democratic renewal. That there continues to be opaqueness in the framing of local democracy provides a space in which the Officer could step into (or perhaps benefit from) and build a platform of elitism and agency. This aspect had not been expressly articulated in policy documents and the literature and even less so the perspectives of practitioners like me in such matters. Dissipated local arrangements for service delivery and decision-making, together with an increasing emphasis on the management of public goods through the deployment of New Public Management and regulation, secured the place of the practitioner as Local Democracy Maker in the conceptualisation of democratic principles.

At its most fundamental level, this was a shift to viewing local democracy as a mechanism for effective management of limited resources, as defined and prescribed by the boundaries set by others. Persistently in literature and in particular interventions events from central government reinforced the diminishing importance of political aspiration and ambition. Management definitions of corporate well-being as defined by regulators, such as the Audit Commission, were hegemonic, and consequently a common point of reference between decision-makers (particularly when this related to commercial arrangements) was much more difficult to establish. Perversely, the rise of the elite actor did mean that the way in which they navigated and negotiated local democracy and local governance was informed by their traditions and ideologies. The ideologies and traditions of elected politicians and local ward histories also influenced the Officers. Nevertheless, accountability still presented a challenge for the Councillor and Local Democracy Maker as networked governance still required a local 'home' and the local authority was seen as the only credible symbol of public services in localities.

## **12. The contribution to new knowledge and understanding.**

It is my suggestion that this research offers several contributions to new knowledge and understanding. First, the research provides a fresh narrative on the role of the local government Officer in the local governance arena during the New Labour term of office. By capturing the perspective of the practitioner, increased understanding of the success or otherwise of policy implementation can be better understood. This can help inform how future policy interventions might be best woven into the communities of knowledge that inform practitioners' world views.

Second, the research also offers a new model for examining Officer agency. The silence in existing literature on the existence and significance of agency in governance can be understood in a pragmatic manner by the framework created and applied in the research. The notion of the Local Democracy Maker provides a tool which could be applied to practitioners in a wide variety of areas in the public sphere. New understanding of how governance and democratic principles are interpreted and responded to is a finding of the research and as a result fresh insights are drawn as to the reasons for the success or otherwise of policy ambitions and implementation. This is captured and explained by the application of the Local Democracy Maker model. Whereas I located this research in English local government, democratic practice extends beyond the local Council, which in turn suggests that Local Democracy Makers will be located in arenas beyond the formal institution of local government. The Local Democracy Model captures the complexity of traditions, ideologies, managerialism, societal expectations and political power and is a new contribution to both knowledge and understanding. It is not suggested that the model offers solutions or conclusive answers, but it does offer a new means of examining and understanding how practitioners create, respond to and influence the ambitions (or otherwise) of the State and elected officials.

Challenges to the narratives that herald the marginalisation of agency in local governance are rebutted by this research. The significance of agency in governance has been extensively referred to in this thesis. This is the third potential contribution to new knowledge. The ongoing dominance of hierarchy

and elite roles in governance are illustrated not as the exercise of overt political decisions or structures, but as the narratives of actors that help inform, shape and limit the debate. Thus, how the elites gain and share knowledge in the formulation of their traditions and ideologies helps in capturing new understandings of how theory can be put into practice. Failure to acknowledge the impacts of agency is akin to ignoring the existence of politics and power in designing, determining and delivering public services. Without recognising agency and in particular the agency exercised by elites, only part of the story of democratic practice and governance can be understood.

Finally, I suggest that the research, despite institutionalist paradigms prevailing during New Labour's term of office, offers a reminder of the endurance of the importance of agency in the operation of party politics in the locality. Party politics is a constant vein of power and influence in the world of the local government Officer. Of all the communities of knowledge that were shown to have influenced the traditions of the Officers, stories of the political power, political ambition and 'dirty politics' were the most heartfelt. What were described by the Local Democracy Makers and experienced by me as the 'scars' of previous political exchanges and events shaped the thinking and the principles drawn upon in the exercise of agency. Party politics, the exercise of political power and Officers' own beliefs, ideologies, interests and experiences are germane to understanding local democracy, local governance and local government.

### **13. Reflections on practice and the challenge of observing your own organisation**

The impact of the act of researching had several outcomes on my own praxis; from the very practical such as meeting room arrangements to the more philosophical – that if democratic processes are more welcoming they would encourage participation. I also reflected on the Schemes of Delegation to Officers in use my local authority. The meeting of all Councillors at a Council meeting would agree the Scheme of Delegation which gave authority to employed Officers to act on behalf of the Council as defined in the Scheme. The Scheme ensured

an expedient discharge of the administrative and service role of the Council. This was considered in detail in the exploration of the exercise of environmental well-being discussed in Chapter Five. In delegating the power to Officers to make decisions and take actions the engagement of the political and elected Councillor was marginalised. Further, by the act of delegation, the Officers would transpose the power into a measure of management and apply regulatory and prescriptive parameters to the function that was being delegated. To a greater extent, the more subtle nuances of the needs of the local community and the reflection of the political will were almost removed. Having reflected on the purposes and motivations for the Schemes, I revisited the bias towards delegation for the purposes of securing better regulations and greater managerialism. By engaging in an approach which used applied ethnography and in particular participant action research as a means of interpreting my and peers worlds, I purposefully sought to re-centre the local Councillors in decision making. My own world view of the purposes of Schemes of Delegations was challenged and resulted in me taking direction action to lessen the erosion of the accountability of the elected Councillor in decision making.

Given that one aspect of the field work revealed a discord between policy formulation at the local authority and subsequent policy decision-making, I reflected on the place of politics in the process. Political considerations were manifest when policies were being applied in decision-making forums, thus the input of the policy implementers was viewed as essential when policy was being considered and created. I undertook to apply the new knowledge gained from the research by securing greater opportunities for Councillors to participate in policy formulation and weaken the myth that policy making was for technocratic wonks or senior Councillors. The response saw an increase a richer debate on matters of policy, and although some Councillors remained loyal to their role as Ward representatives as opposed to policy writers all reported a better understanding of what governing for today and tomorrow would mean. Nevertheless, more opportunities to influence policy creation were now available to all elected Officials, even if the engagement events were managed by the elite Officers.



Whereas the terms 'local democracy; local governance; the exercise of political power' are discussed repeatedly by academics, national government, think tanks and policy wonks, this was not in my lexicon as a practitioner in the field and was rarely used by those who formed part of the field work. I found it surprising that my peers struggled to express a definition of local democracy, local governance and the exercise of political power. In some respects, this had the most impact on me as a researcher. Senior Officers who had been engaged in working in public services, especially local government, had not considered or thought to conceptualise local democracy as being greater than elections and securing political will of the controlling group. Most of the Officers I encountered had worked in local government for decades, but had made little conscious connection between their role and democracy or at least they struggled to articulate it despite it being visibly in practice. This reinforced the limitations in professional training that only concentrates on technical issues. As a consequence I made it my business to develop a variety of awareness sessions for more junior and aspiring senior managers on the topics of democracy, governance and politics. The intention was not to increase or diminish the impact of Officers' agency, but to facilitate an understanding of why ideology, beliefs and practice are of relevance to the elected and appointed officials in the practice of democracy in the locality, governance and public service.

As a reflexive piece of research, involving reflection on self practice and participant observation of peers as part of the process, some of my personal beliefs were challenged. Undertaking the research made me more reflexive of my role as a shaper of local democracy and local governance. I developed a greater sensitivity to concepts of local democracy and relied less on technocratic responses to citizen and political will. The primary area of change in my approach was the advice proffered to politicians on their role and presence in the governance of inter-agency relations. I argued and petitioned with fellow writers of constitutions and terms of references that Councillors should have greater representation on outside bodies and project boards that were empowered with deciding how other governance actors determined the allocation of public resources. In other words I recognised that I could (and needed) to become a more vocal and active advocate of the local Councillor – both within the

organisation of local government with fellow elite Officers and Local Democracy Makers and beyond. The challenge of conjoining this new found awareness with managerial effectiveness of my professional role prompted a new dilemma, which was perhaps predictable but nevertheless unwelcome. I found that I had myself articulated the dilemma of democracy and efficiency.

Undertaking a piece of research in your own organisation has challenges. Adler and Adler (1987) highlight the problematic of being an active-member-researcher. The concern of 'going native' and oscillating between being an active member and participator is difficult as there is a need to disengage and allow for the space for reflection. It is also easy to under-estimate the impact of presence on the research process. At times I was too ready to dismiss that my being in a room observing others would not be a 'normal' part of business for that meeting. They would be used to having participants and persons attend who were interested in the issues on the agenda. An individual watching proceeding for the sake of watching them was a novelty and perhaps at times I failed to acknowledge that this was more material than I had appreciated. This did not mean that I undertook the research on a clandestine basis. On each occasion I did what Agar (1996) refers to as a 'presentation of self' – ensuring that I was open and honest about whom I was, why I was there and what I was hoping to achieve. On reflection I was always more than a participant and was a member of all the events with which I engaged as my knowledge as a practitioner meant I could readily follow the debate. I do not consider this to be problematic as the research was aimed at using an interpretive approach to establish better understanding. Immersion in the traditions, cultures and operating frameworks was an essential component of getting under the skin of the dilemmas I was concerned with. Equally, the approach was one of applied ethnography where I had identified an area of practice which I (and others) were struggling with and where further research and reflection was called for to aid in that practice. Being fully ensconced in the field ensured this happened and reinforced my place as the research instrument. Having multiple membership and participation as practitioner, researcher, peer, professional and colleague meant I could more freely and comfortably engage with the research problematic. The most important lesson from the approach was the personal impact. Much has been written on how and why research in your

own organisation can be undertaken and the challenges within. Less is articulated on the impact of this on the researcher. As I have already articulated, an honest and open approach facilitated an ease of access and exchange of knowledge for me. What I had not anticipated was the way in which the research would change some of my beliefs to the extent that I would re-visit my own practice. In truth, this was the most joyous outcome of the research – applying the experience and knowledge of ethnography and interpretivism back into the practice of theory and sharing that new understanding with others.

#### **14. Areas for further research.**

This research captures a glimpse of how traditions and beliefs informed the way in which a small number of elites responded to dilemmas in the exercise of agency in governance. Further research opportunities arise for a broader study where the place of agency in governance can be examined in the case of practitioners who are less strategic and more operational in their roles. This could extend to other governance actors such as Health and Police Authorities and the voluntary and third sectors. The notion of the Local Democracy Maker could equally be applied to such studies and one such area might be the emerging proposal under the Conservative-Liberal Democrat Government for directly elected police and crime commissioners as proposed in the Police Reform and Social Responsibility Bill 2011. The relationships between the commissioners, elected representatives and advising officials could potentially present a rich source of understanding the impact of agency in the management of crime and public order. More generally wider research of this nature could assist policy makers in understanding how policy in practice should be considered as part of policy formulation. I believe this could further inform different means of ensuring knowledge transfers between peers and from institutions to practitioners with the aim of securing a more effective management of public services as part of local democracy.

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## APPENDIX OF FIELD WORK UNDERTAKEN

Please note, where an undertaking of confidentiality and/or anonymity was given the exact date of the field work, location and names are not provided.

### 1. Pre-arranged semi-structured interviews

13 January, 2008	Head of Law & Monitoring Officer, Borough Council
16 January, 2008	Chief Executive and Head of Paid Service, Metropolitan Borough Council
18 January, 2008	Head of Finance and s151 Officer, District Council
18 January, 2008	Chief Executive and Head of Paid Service, District Council
18 January, 2008	Solicitor and Monitoring Officer, District Council
25 January, 2008	Director of Corporate Governance and Monitoring Officer, County Council
12 February, 2008	Head of Legal Services and Monitoring Officers, Metropolitan Borough Council
12 February, 2008	Corporate Director of Resources and s151 Officer, Metropolitan Borough Council
23 February, 2008	Director for Resources and s151 Officer, County Council
23 February, 2008	Chief Executive and Head of Paid Service, County Council
5 January, 2009	Solicitor to the Planning Committee, District Council
5 January, 2009	Senior Planning Officer and Committee Advisor, District Council
21 January, 2009	Senior Committee Clerk, District Council.

### 2. Committee meetings observed

January – December 2008	Cabinet, District Council (9 in total)
January – April 2008	Licensing Committee, Metropolitan Borough Council (3 in total)
February 2008 – January 2009	Planning Committee, County Council and Borough Council (6 in total)
March 2008 – February 2009	Planning Control Committee, District Council (5 in total)
April 2008 – November 2008	Licensing Committee, District and Borough Council (6 in total)
September 2008 – March 2009	Cabinet, Metropolitan and County Council (7 in total).

### 3. Participant-observation events

January 2008 – March 2009	Councillor public briefings, private political group briefings, corporate management team events
January 2008 – April 2009	Continuous Professional Development interventions (30 hours in total)
January 2008 – February 2009	Local Strategic Partnership Board meetings (6 in total)
March-May 2008	Briefings for Parish Councils on the Councillor Code of Conduct (8 in total)
March 2008- April 2009	Practitioner training and networking events arranged by Association of Council Solicitors and Secretaries (ACSeS) (5 in total)
March 2008 – September 2009	Collaborative cross boundary working meetings with adjoining local authorities (7 in total)
April 2008	Audit Commission Conference
April 2009	Constitution Review Group, District Council (8 meetings)
September 2008	Central Government in the Regions briefing to Senior Officer on better community empowerment
October 2008	Scrutiny Sub Committee, District Council
October 2008	Standards for England Conference
October 2008	Shadow Cabinet, District Council
October 2008	Cabinet, District Council
November, 2008	Association of Council Solicitors and Secretaries (ACSeS) Conference (2 days)
January – February 2009	Joint meetings between local authority and local Primary Care Trust (3 in total)
January – March 2009	Constitution Working Group for Metropolitan Council (5 meetings)