

Institutionalising Public Deliberation in Public Policy Agenda Setting: The Case of the Sustainable Communities Act (2007)

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Abstract

The thesis argues that responsive governance can be achieved through institutions that increase civic influence upon policy agendas. Participatory-deliberative processes (PDPs) are understood to offer mechanisms for democratic responsiveness. However, the ways in the outcomes of (PDPs) can be linked to policy making has received little attention, especially at higher governance tiers. The thesis analyses a PDP set up to influence central government policy agendas in the UK; the Sustainable Communities Act (SCA) (2007). The SCA was selected for its analytically relevant features. It differs from other PDPs for a combination of three reasons: (a) it was specifically designed to allow citizens to identify policy problems, develop policy proposals and influence agendas; (b) it operated across governance levels, connecting local participation to national policy development; and (c) it institutionalised a link to the policy process. The thesis aims to evaluate the processes through which proposals were developed and integrated within policy development, with a view to assessing impacts upon ambitions for more responsive governance.

The analysis finds achievements such as the importance of reflexive agenda setting processes that allow participants to explore and (re)define problems, as well as the realisation of a form of responsiveness characterised by a deliberative, rather than a causal, relation between input and output. However, modest achievements are marred by important problems. First, proposal development processes were prone to 'capture' by the political priorities of local authorities and interest group representatives. In this respect, the analysis concludes that the SCA often resembled a 'lobbying tool' for local elites. Second, when it came to integrating proposals within policy development, SCA proposals were subsumed by the policy development, electoral and legislative cycles of representative institutions. Such constraints are real, but not absolute, and can be mitigated through institutional design. The thesis ends by making recommendations to this end.

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Junto a mi padre, este trabajo te lo dedico a ti.

1. The Sustainable Communities Act: A Novel Democratic Innovation

Democratic governance does not consist just in the powers of citizen election or majority decision, but in the continuous flow of information between governors and the governed.

Paul Hirst (1994: 20).

In his seminal work *Democracy and its Critics*, Dahl (1989: 337-338) expressed the important concern that the 'growing gap that separates the policy elites from the demos' may lead to 'grafting of the symbols of democracy to the de facto guardianship of the policy elites'. Towards the end of the twentieth century this preoccupation incited a 'revival of interest in the study of democracy' (Shapiro 2003: 2). Spearheaded by scholars seeking to find new ways in which civic participation in political life could be increased and improved (Pateman 1970; Habermas 1984; Barber 2003), these developments have not been limited to academic debate but have also been reflected in democratic practice. Over recent decades there has been widespread experimentation with new political institutions aiming to develop a more democratic and co-operative division of labour between the demos and political elites (Smith 2005; Fischer 2009). Thus, 'democratic innovations' (Smith 2009), 'collaborative governance' (Ansell and Gash 2007) and 'participatory-deliberative processes' (Hoppe 2010) have proliferated throughout the world (Fung and Warren 2011) seeking to increase the influence of citizens and other non-state actors over the development of policy or the management of public resources in a variety of policy areas.

Advocates of these institutions argue that they offer great potential to both 'deepen' democracy and improve policy making (Fung and Wright 2003; Fung 2006). However, our knowledge of these, especially when compared to those traditional institutions which have formed the 'bread and butter' of democratic theory and political science for most of the 20th century (see e.g. Norris 2008), is relatively shallow (Fung and Warren 2011). One approach has sought to evaluate these processes and establish the different contributions to

democratic governance which they can make (Fung 2003; 2006; Smith 2009; Sirianni 2009). A second, perhaps less developed, approach has sought to establish the conditions necessary for effective implementation and explain outcomes through comparative analysis (Acharya, Houtzager and Gurza Lavalle 2006; Ryan and Smith 2012). Although these are by no means mutually exclusive, this thesis follows the first of these approaches. Arguably, more work has been done in this area, but it is still ripe for analysis because different kinds of processes are being experimented with that function in different ways and contribute differently to governance (Smith 2005; Fung and Warren 2011). Thus, the ways in which participatory and deliberative innovations can contribute to the democratic governance has by no means been fully mapped out.

Prior to beginning this research, I worked for an advocacy organisation ('Local Works' – see <http://www.localworks.org>) which campaigns for democratic decentralisation and participatory governance in the UK. It was through my experience there that that I became acquainted with the case under study in this thesis – the Sustainable Communities Act (2007, henceforth SCA). The SCA is an interesting PDP to consider because its institutional design¹ differs from the existing population of PDP's in analytically relevant ways. As will be explained over the following pages, it is a rare example of an innovation which (a) is specifically designed to allow citizens to define problems and influence agendas that (b) that spans a wide breadth of institutional scales by (c) institutionalising a link between local participation and central government policy making. As such, an in-depth study of its implementation has much to reveal regarding the contributions that PDPs can make to democratic governance.

The rest of this chapter begins by explaining the development and design of the SCA. It then goes onto explaining in greater detail why its design differs from the very many other democratic innovations that have been surveyed by scholars in this field (Fung 2003; Smith 2005; 2009) and how it has the potential to improve democratic governance in the UK. The

¹ Skelcher and Torfing (2010: 72) provide an apt definition of institutional design as 'the development and embedding of rules and norms that enable and constrain actors' agency, whether this is a result of purposive action or evolving of patterns of behaviour'. Thus, as Cornwall and Coelho (2007: 8), in reference to scholars such as Fung (2003), explain 'institutionalists have argued that the key to enhancing participation is to be found in better institutional designs: in rules and decision-making processes that encourage actors to participate'.

chapter then ends by providing an outline of the thesis and a summary of the findings and argument developed throughout.

1.1 The Origins of the SCA: ‘Ghost Town Britain’

The SCA originated as a recommendation in a research report by the New Economics Foundation to tackle problems of local community decline in the UK (Simms et al 2002; Oram, Conisbee and Simms 2003). The ‘Ghost Town Britain’ reports charted the decline in important amenities and local services such as independently owned pubs, local bank branches, post office branches and a variety of different kinds of independent retailers. Far from being an inevitable consequence of economic globalisation, NEF put this down to favourable policy treatment of business interests by central government, including permissiveness regarding market domination by large supermarkets, the prioritisation of car-based travel infrastructure and favourable planning controls on large commercial developments. The reports argued that the vitality and diversity of local economies was under serious threat by these developments. They identified a host of pernicious social, environmental and economic consequences, such as increased CO2 emissions, increases in poor nutrition and ill health, the loss of financial literacy as people lose touch with trade on a daily basis within the community, the rise in overpriced and low quality consumer goods, the loss of routes back to employment for the local unemployed and the impoverishment of local cultural and retail environments (Simms et al 2002; Oram, Conisbee and Simms 2003).²

1.1.1 The Purpose of the SCA

NEF argued that successive governments had limited themselves to implementing fairly marginal initiatives which did not resolve the fundamental cause of these phenomena: preferential policy treatment of big business interests. Thus, NEF proposed some changes in government policy, pointing to a series of measures which would serve to counteract these trends, aiming to advance local social and environmental sustainability whilst also

² Moreover, in a later report NEF documented a related development occurring on local high streets which remained economically active. These local economies had become increasingly dominated by identikit chain stores, replacing local enterprises and leading to the emergence of what NEF called ‘clone town Britain’ (Simms, Kjell and Potts, 2005). Thus, economic activity on those high streets which had survived the processes outlined previously is itself increasingly dominated by similar big businesses. The most recent survey results (Cox et al 2010) found that despite widespread publicity of NEF’s research and increased government attention to the loss of local diversity and identity, the trend towards ‘ghost’ and ‘clone towns’ continues unabated.

protecting local economies and the vitality of local communities. In its first 'Ghost Town' report, NEF (Simms et al 2002) called for policy initiatives such as stronger competition legislation, tax incentives for local businesses stocking local produce, increased rate relief for small businesses and even experimentation with local or regional currencies to support local production and consumption. However, compounding these calls for government legislation, the reports argued that changes in central government policy were not sufficient. NEF were keen to promote the idea that sustainable solutions to these problems require greater participation in decision making by local communities. Thus, one of the major proposals from the NEF reports was a call for the 'Local Communities Sustainability Bill'; a mechanism which would devolve significant power to councils over local economic development policy (Simms et al 2002: 56) and which constituted the first version of what would become the Sustainable Communities Act in 2007. The Bill sought to avoid creating a further layer of bureaucracy. Instead of prescribing centrally imposed policies, the Bill sought to allow councils to implement locally tailored solutions and looked to secure financial support from central government to enable them to do this. Councils would be expected to draw up their own targets according to locally defined indicators, such as 'amount of waste recycled, local jobs promoted or quantity of goods bought locally' (Simms et al 2002: 50).

Despite this important role for local councils, the proposed process also worked according to a bottom-up participatory philosophy. It sought to 'actively encourage' councils to engage their communities in coming up with proposals to advance local sustainability. As will be discussed in subsequent sections, the resulting Sustainable Communities Act (2007) would place a requirement on councils to implement participatory processes which demonstrated attempts to 'try to reach agreement' with the communities they serve. Moreover, NEF proposed that the bill should place a duty on the secretary of state to 'look closely at the proposals' developed by councils in collaboration with communities and 'report back on how they can create the right circumstances for the plans to be implemented'. This is a crucial part of the Bill, which ended up being drafted in the final legislation (SCA 2007) as a duty for central government to 'try to reach an agreement' with councils on which proposals to implement.

1.1.2 Local Works: Campaigning to Implement the SCA

Following the publication of the first 'Ghost Town' report in 2002, the idea of a Local Communities Sustainability Bill was adopted by campaigners who felt that the government's democratic decentralisation agenda lacked ambition. They saw in NEF's idea recognition that the centres of power in the British political system were too distant from local communities, preventing a full appreciation of the negative impacts community decline. Writing a local newspaper, the Rye and Battle Observer, Ron Bailey (Local Works Campaigns Director), provided an apt description of Local Work's interpretation of the processes' purpose:

The decline of local communities - Ghost Town Britain - is going on everywhere. Often local citizens feel powerless to protect their communities due to forces that seem so distant. People have to watch vital local services and facilities like Post Offices and bank branches disappear whilst having no power to stop it. The Sustainable Communities Bill will change that by giving communities real power over policies affecting their own areas. What's needed is a bottom-up approach - with local communities having more say in what happens at a local level - not a Whitehall top-down approach (quoted in Gay, Ares and Whittaker, 2007: 7).

The Bill was essentially intended to put a process in place which could increase the influence of local communities over policy development and increase the flow of information between local and national tiers of government. As a respondent from Local Works put it:

The philosophy behind the act is that local people are the experts on local problems and the solutions to them, so they should be driving the actions that government takes ...If you accept this, you need to have a process in place whereby the ideas and suggestions that local people have ... go forward to central government and drive those actions. And that is precisely what the Act is, it is that process put into Law (Interview 42, Local Works Campaigner A)

Campaigners were motivated by combating what they saw as a sense of 'powerlessness' amongst local communities, arising from the perceived inevitability of community decline. Campaign rhetoric framed the Bill as a response to widespread disaffection with consultative forms of participation, portrayed as essentially tokenistic hoop-jumping processes, and described in promotional material as being 'synonymous with sham'. The idea was promoted as setting up a process 'with teeth' which went 'beyond consultation', giving communities a real opportunity to 'fight back' against community decline. Moreover, campaign rhetoric presented the 'core philosophy' of the Bill as the idea that 'local citizens are the experts on their own problems and the solutions to them'. The proposed legislation thus aimed to provide a process through which local expertise could be channelled into the political decision making process. Civic participation could serve to improve the quality of decision making by making government more responsive to the needs of local communities.³

NEF and Local Works made a clear connection between the issue of reversing community decline and the broader purpose of developing 'sustainable communities'. They understood the first step in this process to be the reversal of the decline in local economies, services and communities highlighted in the Ghost Town reports. But their concerns also spanned to broader issues of environmental sustainability, social and economic inclusion and political participation. In this sense NEF (Simms, Kjell and Potts 2005: 32) described the aims of the process in broader terms as giving 'local authorities, communities and citizens a powerful voice in planning their future to guarantee dynamic and environmentally sustainable local economies'. In the final wording of the Act, this broader focus was linked to the power to promote local 'well-being' in the Local Government Act (2000).⁴

The campaign initiated in 2001 and focused on developing grassroots support for the process by co-ordinating mail based lobbying campaigns to pressurise central government actors to support the Bill and finding advocates within parliament to advance the legislation. It was firstly adopted as a private members' bill by then Liberal Democrat MPs Sue Doughty

³ All references taken from Local Works campaign promotional material 2007-2009.

⁴ As stated in the legislation, SCA policy proposals should aim to 'encourage the economic, social or environmental well-being of the authorities area'. The legislation added 'participation in civic and political activity' to the definition of 'social well-being' in previous legislation (SCA 2007).

in 2002, and Julia Goldsworthy in 2005, but failed to make it through the legislative process, due to lack of support from the then Labour government. Due to the adoption of a more favourable attitude towards democratic decentralisation by the Labour government from 2006 onwards (interview 21, DCLG Minister)⁵ the Bill was proposed as a private member's bill by Conservative MP Nick Hurd in 2007, and passed with support from the three main parliamentary parties.

1.1.3 The Design of the SCA

The SCA set up a process whereby local authorities were provided with an opportunity to influence government agendas on the condition that they (a) 'try to reach agreement' on which 'policy proposals' to develop with (b) 'a panel of local representatives' that (c) featured 'representatives from under-represented groups' (see appendix item 3 for a more detailed outline of regulations). As the original bill proceeded through the legislative process, government officials expressed concern that the government might be flooded with inappropriate, or technically unviable, proposals. They thus argued for some kind of filtering process before the 'try to reach an agreement' process initiated at national level. Since they felt it would decrease the perceived legitimacy of the process if the government itself carried out this 'filtering' function, the government argued for the establishment of an independent body to assess and filter policy proposals. This resulted in the creation of a 'selector panel', which was to be resourced by DCLG, constituted by councillors from the three main parties plus an independent councillor and supported by policy officers working for the Local Government Association.⁶ The 'selector panel' would firstly ensure that proposals met the requirements of the Act, possibly develop its own additional criteria, and then submit valid proposals to government. Finally, the relevant secretary of state and the selector panel would 'try to reach an agreement' on which proposals to implement. Figure four provides an illustration of this 'double devolution' process.

⁵ One minister I interviewed who was involved in the design of the SCA process suggested that David Milliband's (then minister of state for communities and local government) articulation of 'double devolution' policy, as well as John Prescott's (then first secretary of state) focus on more devolved regional governance at the time had facilitated the adoption of a more sympathetic attitude by the government towards the Sustainable Communities Bill.

⁶ The LGA is a voluntary organisation widely recognised to represent local government in England and Wales (see www.lga.gov.uk)

The Sustainable Communities Act's 'Double Devolution' Process:

The Sustainable Communities Act discards the usual top-down decision making and replaces it with a 'bottom up' mechanism so that decisions are no longer made at the centre. There are **two parts in the devolution process**:

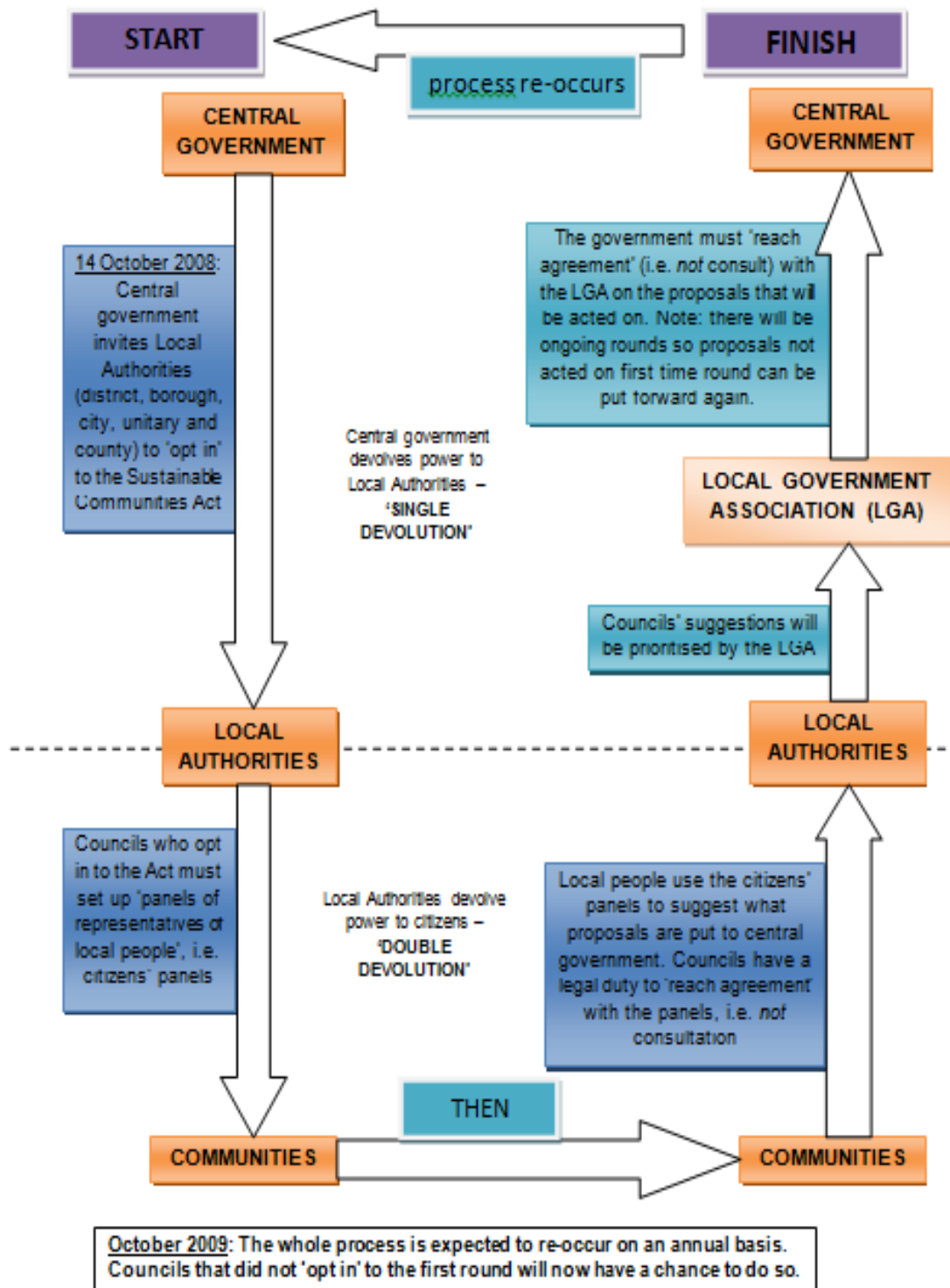


Diagram 1: The SCA Double Devolution Process

As is clear from the diagram above, the SCA is essentially composed of different institutional layers seeking to abstract from the results of local participation and connect policy proposals to representative institutions at higher tiers of government. The analysis chapters of this thesis essentially trace the implementation of the process from the bottom up. There revolve around three key themes, which are to be outlined in detail in chapter two. First, the constitution of the local panels is analysed in chapter five, assessing their inclusiveness and evaluating the strength of the claims they could make to represent ‘local people’. Second, in chapter six different kinds of communication and forms of collaboration between participants and public officials are evaluated in terms of their effectiveness in enabling participants and public officials to co-produce policy proposals. Finally, chapter seven presents an analysis of the implementation of the duty to ‘try to reach agreement’. It was through the operationalisation of the duty to ‘try to reach agreement’ that an institutional link was made to policy development, effectively ‘integrating’ policy proposals within the policy development process of central government.⁷

1.2 The SCA’s Originality

As should be clear from the process description above, the SCA aimed to enable the exploration of local problems and to integrate outcomes, in the form of policy proposals, within national policy development. This section consults the institutional design literature to demonstrate that the SCA is important and innovative case of participatory governance to consider for at least three reasons: (a) it is a relatively rare example of a PDP specifically designed to allow citizens to define problems and influence agendas that (b) spans a wide breadth of institutional scales by (c) institutionalising a link between local participation and central government policy making. Each of these aspects is considered in turn.

1.2.1 A Participatory-Deliberative Agenda-Setting Process

Hoppe (2010: 24-25) argues that the traditional ‘problem solving’ understanding of policy science presupposes a more or less established consensus on desirable ends and can thus focus on establishing the necessary means through the effective deployment of instrumental knowledge and expertise. Problems are understood as relatively well defined inputs or stimuli, existing independently of the policy process, to which policy makers

⁷ For a more detailed account of the SCA’s requirements see appendix item 3.

respond in rational ways. However, as Bohman (1996: 117) explains, 'power can be expressed in the way in which problems are defined and thus 'framed', often in such a way that the participatory success of powerful groups is ensured'. Their social significance, their meaning, causes, potential consequences, and the means deemed necessary to solve them are in no small part a result of the worldviews and framings underpinning their definition (Rocheffort and Cobb 1994: 6-14).

The development of PDPs has broadly followed a 'problem-solving' perspective, essentially limiting its role to the tip of a much larger iceberg (Hoppe 2010: 25). For example, in a review of institutional designs, Fung (2006: 67) conceptualises PDPs as a policy making instrument to be used in problematic areas where the traditionally 'authorised set of decision makers ... are somehow deficient'. In yet another widely cited article, Fung (2003: 343) argues that the 'choice of subject' is a decision to be made by process designers. Thus, in PDPs participants usually develop preferences and/or make social choices on pre-specified policy issues (see also Smith 2005). As a result, the potential for PDPs to allow citizens to explore, identify and articulate policy problems has remained under-explored (Parkinson 2006; Elstub 2010).

This is an important gap for two reasons. First, control over scope and problem definition can be used by commissioning bodies in order to control, or restrain, the outcomes of PDPs (Burgess and Chilvers 2006; Parkinson 2006; Tucker 2008). Second, problem definition and agenda setting is a crucial part of political systems (Rocheffort and Cobb 1994; Cobb and Ross 1997; Baumgartner and Jones 2009; Kingdon 2011). Placing and maintaining a particular understanding of a political problem on the political agenda is a highly politicised and resource intensive process (Cobb and Elder 1972; Rocheffort and Cobb 1994; Cobb and Ross 1997). This is especially so at higher governance tiers where, greater entry costs decrease opportunities for the laity to influence the direction of politics. As a result, the policy process can be quite unresponsive to non-elite understandings, with clearly undemocratic implications (Barber 2003: 181, Parkinson 2006: 170-71). For this reason, public policy scholars have long posited that one way to evaluate the health of a political system is according to the responsiveness of the 'formal agenda' of public authorities to the issue and problem definitions that constitute the more diffuse 'public agenda' (Cobb and

Elder 1971; Cobb, Ross and Ross 1976) In a similar vein, articulating a ‘problem finding’ perspective for policy science, Hoppe (2010: 24-25) argues that a key goal for contemporary democracies is to ‘develop more reflexive institutions and practices ... [that] ... maintain sufficient congruence between problems perceived, experienced and framed by ordinary citizens and the ways these problems are reconstructed by proximate policy makers’.

The SCA can be understood as an attempt to institutionalise one such process – it aimed to connect local problem definitions to national policy agendas. As such it is an important case to take into account when considering the potential for PDPs to close the gap between policy elites and the demos that Dahl saw as such a fundamental threat to democracy.

1.2.2 A Multi-level PDP

PDPs are mostly implemented at local, or regional, level (Smith 2009). This is especially so in the case of ‘collaborative governance’ (Ansell and Gash 2007) processes that establish a more ‘continuous and symbiotic relationship between the state and the public sphere’ (Fung 2003: 341) than one-off experiments, that are often consultative in nature (Goodin and Dryzek 2006). Local level processes do not suffer as acutely from problems of scale associated with direct citizen participation (Dahl 1989). Moreover, the kinds of citizen ‘local knowledge’ that PDPs are often valued for incorporating into policy development often relates to lived experience accrued in local contexts (Yanow 2003; Sirianni 2009) and thus it makes sense that PDPs are often designed to contribute to the solution of *local* problems.

However, deliberative theorists have begun to question the local-level limitation of deliberative processes. For example, criticising the UK New Labour government’s democratic renewal agenda for ignoring national institutions and only focusing on democratisation at local level, Smith (2009a: 261) has argued that government proposals were ‘a recipe for further disillusionment as significant political decisions are kept at arm’s length’. In a similar vein, Parkinson (2006: 177) argues that ‘to be more fully legitimate, deliberative democracy needs to be much bigger than local consultations on local issues. It needs to be integrated into central government as well’. Innovation at higher governance tiers of has been lacking; almost as if participation should know its local place (Wainwright 2003). This local limitation obviously entails a big problem for the scope of participatory

democracy and the extent to which it can deliver upon ambitions for political renewal, better policy making and deepened democracy.

For this reason, Parkinson (2006: 168-175) ends his important contribution to system-wide level theory of deliberative democracy with a sketch of institutional arrangements that could make policy development processes at superordinate tiers of government more responsive to citizen deliberation and participation. This is an important endeavour. A degree of centralisation in political systems is clearly necessary to enable resource maximisation, strategic action, knowledge transfer and equal standards (Fung and Wright 2003) but centralised systems can be information poor and unresponsive to local circumstance (Scott 1998). It is in no small part for this reason that Hirst (1994: 20) argues that democracy is not characterised solely by 'the powers of citizen election or majority decision, but in the continuous flow of information between governors and the governed'.

The SCA sought to increase responsiveness by connecting local knowledge to the central policy process. This is the kind of information that centralised systems lack (Scott 1998). But centralisation need not necessarily imply 'distance'. By connecting local problem definitions to national policy processes, the SCA aimed to make central policy development more responsive to local communities. Indeed, it was expected that the SCA would be related to and add in important ways to the structures of partnership and participatory governance which had been evolving during the New Labour era. As John Hemming then Liberal Democrat MP for Yardley, put it:

community action plans, local area agreements and local strategic partnerships would all be more effective if they were plugged into a national action plan that was itself created through a bottom-up process ... if they were clearly led by democratically elected local authorities with greater power to decide and freedom to innovate; and if they were constructed with the full engagement of the communities which they are there to help.⁸

⁸ House of Commons Debate, Sustainable Communities Bill, 2nd Reading, 19th January 2007, column 1048.

An important aspect of the SCA can be understood as a process seeking to ‘join-up’ the complex ecology of collaborative governance which had been evolving at the local level with higher tiers of government.⁹ This is a potentially very valuable contribution. Democratic theorists have called for increased attention to processes with such ‘multi-level’ (Gaventa 2004: 28; Stoker 2006: 174; Skelcher and Torfing 2010; Elstub 2013) and agenda setting (Parkinson 2006: 170; 2009; Elstub 2010) characteristics. It is thus important to understand how the SCA ‘linked’ governance levels, focusing on the processes used to develop proposals and to integrate these within policy agendas at national level, with a view to assess the contribution made to responsive governance and to draw out lessons for institutional design.

1.2.3 A Statutorily Defined Link to Binding Decision

PDPs tend to be consultative endeavours (Goodin and Dryzek 2006; Pieczka and Escobar 2012). As noted above, this is especially so regarding processes that relate to decision at higher governance tiers, since the problems of scale associated with direct citizen participation (Dahl 1989) make the definition of clearer links between the ‘mini-publics’ often convened in PDP’s and binding decision a problematic endeavour (Fung 2003; Parkinson 2003). Critics can legitimately ask ‘why should a sub-set of citizens enjoy privileged access to political agendas’? Even if we accept the argument that the process of deliberation which a subset of citizens are engaged in legitimates policy influence, the critic might further ask ‘on what basis can we hold this subset of citizens to account?’ (Parkinson 2006: 5-8).

It is perhaps for this reason that one of the main purposes of PDPs is to increase the input legitimacy of policy development. An important concern with such consultative processes is, as Hoppe (2011: 180) puts it, that they might ‘lend additional legitimacy to policies already considered, proposed and (almost) decided upon by the elites’ or, more pejoratively, that they ‘channel away urgent political issues from genuine debate in agonistic political settings

⁹ Downes and Martin (2006: 485) refer to New Labour’s local government modernisation agenda as bearing ‘many of the hallmarks of a classic evolutionary strategy which has been fine-tuned and adapted over time as circumstances have changed and the weaknesses of some of the initial proposals have become evident’. In this context the SCA can be historically situated as a contributor to a further round of reforms which deepened and expanded New Labour’s approach to participation in governance.

of political mobilisation and agenda building' (see also Lee and Romano 2013). Nevertheless, in a few cases institutional designs have been developed that more clearly define the role which PDPs play in the policy process. The example of the British Columbian Citizen Assembly demonstrates that it is possible to design deliberative institutions that are empowered to make decisions at higher levels of decision. For example, Smith (2011) values the British Columbian Citizen Assembly process for its method of 'large scale public ratification'. In this case, the results of participation in a mini-public informed electoral reform options featuring on a referendum which was empowered, conditional upon reaching a certain threshold, to make a binding decision applicable to the Canadian region. This is indicative of the potential to improve institutional designs through the combination, or serialisation, of different processes (Smith 2009: 188-192; 2012).

The BCCA design adheres to the logic that the referendum instrument offers an optimal process for making binding decisions (e.g. Saward 2001; 2003; Parkinson 2009). Indeed, the most widely institutionalised agenda setting process the citizen initiated referendum, or 'citizen initiative' (Setala and Schiller 2012), has been found to have positive impacts upon political efficacy (Bowler and Donovan 2002), state responsiveness (Setala and Schiller 2012a: 258; Setala 2013) and well-being (Frey and Stutzer 2000). Deliberative theorists have also identified important roles for direct democratic processes in deliberative systems (e.g. Saward 2001; 2003; Parkinson 2009). However, initiatives and referenda have been criticised for failing to inspire high levels of deliberation among participants (Chambers 2001) and, importantly, in the case of citizen-initiated referenda (Parkinson 2009), it is widely observed that initiation tends to be dominated by well-resourced or organised groups (Smith 2009: 116–117). 'Problem definition' therefore remains the prerogative of elites. For these reasons, the extent to which initiatives can democratise agenda setting is doubtful (Parkinson 2009).

Identifying problems with established forms of agenda setting, Parkinson (2006: 170) has argued that 'there needs to be some way in which the 'official' public agenda ... can be established that is not simply the result of a small groups' more or less arbitrary exercise of power'. He proposes a series of interesting arrangements that could increase the responsiveness of public authorities to problem definitions and policy options emerging

from PDPs or civil society. However, his discussion is limited to a few pages in a 180 page text. The thesis essentially seeks to build upon the Parkinson's 'sketch' of the institutional architecture of a more legitimate deliberative system (ibid: 171) by focusing on what contributions PDPs can make to democratising public policy agenda setting.

One of the most original features of the SCA, as noted above, was the statutory requirement the government 'try to reach agreement' with proposal developers on which proposals to implement (SCA 2007: 2). Advocates of the process in the Local Works campaign based much of their promotion of the process on this aspect of the legislation. Although it was not intended to provide full 'popular control' (Smith 2009: 12) over binding decision, it was intended to ensure a greater degree of responsiveness on the part of public authorities than that usually associated with purely consultative exercises. It will be interesting to consider what the operationalisation of the duty to 'try to reach agreement' can show us about finding new ways to connect the outcomes of PDPs to the policy process.

1.4 Outline of Thesis

(i) Literature Review: Research Questions and Analytical Framework (Ch. 2)

Chapter two explores the participatory governance and institutional design literature to articulate key research questions and outline an analytical framework used to evaluate the SCA. The review results in the identification of three key areas of design: these can be summarised as: 'who participates?', 'how is participation organised?' and 'how do the results of participation relate to policy development?' Further design features, and evaluative criteria, can surely be considered (e.g. Sirianni 2009; Smith 2009). However, I have opted for a simple approach because these are the basic components of any participatory democratic process (e.g. Fung 2006; Fishkin 2012: 72) and they tie in neatly with themes underpinning the research questions. Each of the three main analysis chapters is structured around one of these themes. The themes are then brought together in the concluding chapter.

(ii) Research Design and Methods (Ch. 3)

Chapter three explains the rationale informing the research design and selection of methods used to answer the research questions. It explains why a single case study research design was chosen, and also discusses the approach to sampling, data collection and analysis. The problem-oriented, realist and pragmatic nature of this research is explained and some of the difficulties faced when executing the research design, as well as the decisions made throughout, are explained and justified.

(iii) The Implementation of the SCA: An Overview (Ch. 4)

Analysis chapters are organised around the design features outlined in the analytical framework. This thematic structure aids analytical clarity but can reduce narrative flow. For this reason, chapter four provides a 'birds-eye view' the implementation of the SCA. The implementation of the 'first round' of the SCA process is traced, beginning with an overview of local public participation processes implemented in 2009 and ending with the integration of proposals within policy agendas. In regards to the latter, chapter four presents the results of a content analysis of an official document in which the government responded to SCA proposals. The descriptive statistics produced begin to provide a picture of the SCA's impact upon policy agendas and its role in policy development. This chapter is mainly descriptive and primarily intended to provide a point of reference for later analysis chapters. However, some analysis is involved leading to insights which will be further explored and developed.

(iv) Analysis Chapters: Who? How? To What Effect? (Ch. 5, 6 and 7)

Chapters five, six and seven do most of the analytical work. Each is based around a specific part of the analytical framework. Chapter five seeks to determine to what extent public participation processes implemented by the SCA avoided elite control. To this end, different approaches to participant selection as well as the different forms of representation underpinning selection choices are described and evaluated. Chapter six considers how public participation processes were organised, looking at the forms of communication, collaboration and division of labour between the different actors involved. The structure and rules underpinning discursive interactions have important consequences for discursive equality, and thus the chapter also evaluates different forms of collaboration on these terms. Finally, chapter seven considers how the results of participation were linked to the

policy process. To this end it draws upon a potential trade-off explained in the analytical framework (chapter 2) between 'reflexivity' and 'responsiveness' in policy making. It explores to what extent the processes through which SCA policy proposals were integrated within policy development managed to negotiate a line between 'reflexivity' in policy making and the 'responsiveness' of public authorities to the results of participation.

(v) Conclusion and Recommendations (Ch. 8)

Chapter eight brings the analysis together to answer the research questions. In short, the story told by the analysis is one of modest achievements overshadowed by important limitations. At local level these mainly relate to the instrumentalisation of the process by local elites, and at national level to conflict with the policy development processes of representative democracy. I conclude that some of the SCA's problems are *intrinsic* to the attempt to democratise agenda setting through PDPs. These provide obstacles which are challenging to overcome, but are not absolute. Other problems are *specific* to the SCA. They often exacerbated 'intrinsic' problems and can be ameliorated through institutional design. Finally, areas for improvement, recommendations for reform and implications regarding the potential for PDPs to democratise public policy agenda setting processes are explained.

1.5 Summary of Findings and Argument

The aim of this thesis is two-fold. First, it seeks to explore what an in-depth analysis of the implementation of the SCA contributes to our understanding about the potential for PDPs to democratise the policy process. The main focus of the analysis will be upon the 'first-round' of the SCA, occurring from October 2008, when the government issued an invitation for councils to engage local citizens and develop policy proposals, to December 2010, when government published a response to proposals and gave a rationale for its decisions (see DCLG 2010). However, the SCA was not a one-off process, but sought to establish itself as a permanent feature of the relationship between UK state institutions at local and national levels. Thus, the second aim of the thesis is to develop recommendations which might serve as a basis upon which to reform, and improve, the SCA process. The criteria used to evaluate its performance are fully explained in chapter two. For now, suffice it to say that there are

three main areas underpinning the evaluation of the SCA process, which are covered below. This summary is not intended to provide an account of *all* main findings - it is impossible to do this without having presented the narrative through which they are to be understood. Rather, it provides a 'taster' of the conclusions developed as well as their relation to the wider literature.

(i) Inclusion and the Problem of Elite Control

PDPs are often understood as processes which can contribute to increasing the inclusiveness of political systems by engaging those parts of the population which do not tend to participate in traditional forms of political activity (Cornwall and Coelho 2007; John 2009). Similarly, the SCA was designed to engage locally 'under-represented groups' in the formation of policy proposals (SCA 2007). However, the analysis finds that the processes through which proposals were developed in the SCA process mostly engaged local elites. Although some more inclusive approaches to implementation were evident throughout the cases considered, the analysis concludes that an important problem with the design of the process was a permissive regulatory framework, which essentially left it up to local councils to determine if requirements to include 'under-represented groups' had been met. Often, exclusive approaches reflected a preoccupation with committing resources to an untested process, resulting in a tendency to draw upon existing institutional structures to constitute local citizens panels (where proposals were developed). As such, the majority of cases considered mainly engaged actors involved in council-linked partnership governance networks such as Local Strategic Partnerships (LSPs).¹⁰

This places a question mark over to what extent the SCA could be considered a 'participatory' or 'democratic' process because opportunities for the development of proposals was often (although not always) limited to very politically active individuals from public, private and voluntary sector organisations. Contextualising the development of PDPs within the changes in governance over the past few decades Papadopoulos (2012: 135) suggests that PDPs are overshadowed by more strongly institutionalised 'elitist-deliberative'

¹⁰ Local Strategic Partnerships are council-led bodies promoted by the previous New Labour administration in the UK in order to encourage collaborative working between local public, voluntary and private sector organisations in local problem solving, service delivery and community engagement.

governance processes such as exclusive policy networks, technocratic regulatory agencies and increasingly influential judicial institutions. The analysis suggests that, in practice, the SCA often fell into the 'elitist-deliberative' category. Public officials and representatives from organisations featuring on local collaborative governance networks often saw in the SCA an opportunity to advance proposals reflecting issues which had arisen in previous local consultations, that cohered with devolutionary proposals lobbied for by local authorities or that advanced campaigns promoted by local and national interest groups. This lends support to previous findings that 'participatory spaces' (Cornwall and Coelho 2007) are prone to 'capture' by the priorities and motivations of the (often local) public institutions that implement them as well as the interests of the group representatives which often participate in them, with clearly negative implications for inclusiveness. The analysis proposes that more clearly defined rules and regulations need to be established and enforced if the SCA is to be institutionalised as an agenda setting PDP and not a lobbying tool for local elites.

(ii) Deliberation and Collaboration in Proposal Development

Deliberative processes have been valued for their ability to integrate the understandings and perspectives of a diversity of participants into a process of knowledge production (Webler 1995; Sirianni 2009). One of most important aspects of the SCA was the opportunities it offered for discursive participation intended to allow citizens to identify and define local problems and develop policy proposals. The requirement that panel participants and local councils 'try to reach an agreement' on which proposals to make suggests that the role of civic participation in the process is not to develop recommendations which are then considered by public officials (as is the case in consultative PDPs) but to collaborate in the production of policy proposals. Thus, the research looks at the processes through which problems were identified and developed into policy proposals, evaluating to what extent they enabled the knowledge of different actors to be effectively integrated into the process of *producing* proposals. The analysis suggests that in most cases where proposals were effectively co-produced it was by virtue of limiting participation to highly active members of the local population - those featuring on partnership governance structures. These could draw on substantial expertise and consult organisational networks to inform the

development of proposals at minimal resource expenditure. In these cases, public officials and panel participants tended to collaborate closely in the development of proposals through processes which constituted a genuine attempt at reaching agreement. However, the problem here is that this form of collaboration was achieved through low levels of 'dialogic pluralism' (Escobar 2011). 'Local' or 'lay' knowledge (Yanow 2003) was to a great degree absent from the process. As above, it was collaboration between local elites that underpinned the development of proposals, excluding significant parts of the population.

A few cases did engage more widely, but the problem with most of these approaches was that panel participants were not involved in the development of proposals. Rather, panels developed preferences regarding proposals which had been raised through petitioning processes and developed, or 'fleshed out', by council officers. As such, public officials had a high degree of framing influence over panel deliberations, something which has been often found to be problematic by scholars of 'mini-publics' (e.g. Parkinson 2006; Tucker 2008). Moreover, attempts to reach agreement between local authorities and local panels were not evident. Instead, panels made recommendations which were either 'cherry-picked' or 'rubber stamped' by decision makers. Thus, panel deliberations certainly did not influence the development of proposals and it is also not clear to what extent panels influenced the selection of proposals.

It is noteworthy, however, that a small minority of local authorities did constitute relatively diverse panels and made more concerted attempts to reach agreement with these. In this group of cases local panels were engaged in more long term processes and developed proposals in closer collaboration with public officials and policy experts, with local authorities committing more resources to the provision of participant support structures. Importantly, unlike the more consultative processes considered above, panels allowed participants to redefine problems and proposals through deliberation. They thus went some way towards implementing 'reflexive' agenda setting processes recommended by scholars of institutional design (Lang 2008: 86). Although the analysis highlights some important problems arising from the effects of power asymmetries between citizens, public officials and policy experts, the thesis concludes broadly in favour of these approaches and argues

that they enabled a more original and comprehensive exploration of local problems to take place.

Papadopoulos (2012: 146) suggests that the prevalence of ‘deliberative-elitist’ processes is a sign that ‘deliberation cannot be reconciled with equal participation’. This analysis does not provide grounds upon which to dismiss this possibility, but the experience in councils such as Sheffield and Cambridge leaves the question open.

(iii) Integration of Outcomes within Policy Development

The role of PDPs in policy development is often far from clear, and suspicions abound that they are little more than ‘symbolic’ (Papadopoulos 2012), ‘tokenistic’ (Arnstein 1969) or ‘therapeutic’ (Chandler 2001), etc. If public authorities do not incorporate outcomes meaningfully, then it is not clear just how PDPs contribute to responsive governance, an aim which often underpins their institutionalisation (Cornwall and Coelho 2007; Hoppe 2010; Chambers 2012). Indeed, PDPs exist alongside a complex and evolving ecology of governance (Papadopoulos 2012), meaning that policy makers must consider these alongside other inputs (Fung 2006). It is perhaps for this reason that PDPs are often consultative, intended to increase the in-put legitimacy of representative institutions without compromising the ability for ‘reflexivity’ in policy development. However, consultative status does little to disprove suspicions that PDPs provide little more than ‘window dressing’ for *real* decision making processes (Lee and Romano 2013).

Arguably, a way to *mitigate* these concerns is by developing ways in which PDPs can ‘institutionalise and legitimise popular control’ over binding decisions (Smith 2011; see also Font and Smith 2013). As will be explained in chapters two and three, the institutionalisation of ‘links’ between outcomes of PDPs is an under-explored area of design – especially at higher governance tiers. Indeed, one of the most interesting features of the SCA is that it institutionalised a link to the policy process. The legislation placed a duty upon the Secretary of State to ‘try to reach an agreement’ with proposal initiators on which proposals to implement (see appendix item 3). This is essentially an attempt to reconcile

maneuverability for the government with a clearer role in policy development than consultation.

The story of the SCA in this respect is one of modest achievements marred by substantial limitations and constraints. The analysis suggests that the integration process did manage to ensure a greater degree of responsiveness than that usually associated with consultative processes. Responsiveness was mainly evident in the engagement with the problems underpinning proposals, rather than a commitment to implement outcomes. In this respect, the analysis coheres with a view of responsiveness that does not necessarily involve a causal relation between inputs and outputs, but a deliberative relation between them (Chambers 2012). Responsive governance is not achieved to the extent that outcomes 'mirror' proposals, but to the extent that proposals communicated problems to, and informed deliberation by, policy makers.

However, such achievements were relatively modest when compared to the main finding from the analysis of integration - that coherence with extant agendas was the main factor in shaping outcomes. The SCA integration process became hostage to the policy development cycles of representative institutions as well as bureaucratic and opaque communication processes between different government departments, many of which responded unenthusiastically to policy proposals. Due to a combination of these factors, the SCA was essentially subsumed within the policy processes it intended to influence, mirroring concerns often found in empirical analyses of participatory governance (e.g. Burgess and Chilvers 2006).

The analysis suggests that one important limitation of the SCA process that might explain this rather negative account was the low level of 'countervailing power' (Fung and Wright 2003a) underpinning the SCA process. Advocates of the SCA in the Local Works campaign went to great lengths to generate and sustain civic interest which could scrutinise government, but their efforts were constrained by factors relating to the nature of the SCA process as well as Local Works itself. Essentially, the opaque nature of the integration process made it harder for Local Works to identify important points at which to mobilise supporters. Perhaps more importantly, Local Works is a highly centralised professional

advocacy organisation with ‘protest business’ organisational characteristics (Jordan and Maloney 1997; Scokpol 2003). It is highly effective at mobilising supporters for participation one-off activities and pressurising government for the adoption of specific policies (such as the SCA itself), but its support networks are relatively thin and non-committal when compared to those that have been deemed fundamental in the ‘claiming’ of state power through PDPs (Fung and Wright 2003). For these reasons, the analysis points to the importance of ensuring scrutiny and accountability through external mobilisations, and identifies a need for more research on the role of ‘referee institutions’ (Parkinson 2012: 157) as well as actors such as ‘deliberative activists’ (Fung 2005; Kadlec and Friedman 2007).

1.5.1 Implications and Recommendations

So, what does this tell us about the prospect of democratising public policy agenda setting processes through PDPs? Papadopoulos (2012) argues that the development of PDPs should be understood within the context of a broader trend towards technocratic and elitist forms of governance in contemporary democracy. Reflecting on the weakness of their institutionalisation when compared to these, he argues that ‘pessimism of the mind demands that we ask ourselves whether participatory forms of deliberative policy-making appear to be more than *quantite negligable* ... yet optimism of the will should induce us to reflect also on strategies to make participatory forms of deliberation matter more’ (Ibid: 147, emphasis original). The analysis of the SCA in this thesis does much to feed ‘pessimism of the mind’. Many of the problems faced by the SCA arise from difficulties that are intrinsic to the attempt to democratise the policy process through PDPs. The analysis points to a series of limitations which essentially arise from difficulties surrounding the accommodation of participatory democracy within representative institutions. In a nutshell, institutional conflicts were manifest in the influence which local public authorities and partnership governance structures had over the SCA as well as the shaping of integration dynamics by the electoral, policy development, and legislative cycles of representative institutions.

Although ‘intrinsic’ limitations of scale and institutional conflict are real and considerable, they are not absolute. They are, *to a degree*, contingent on design and context. The conclusion of the thesis therefore focuses upon those case-specific areas where the design of the SCA and the context of its implementation exacerbated intrinsic problems, and

suggests reforms which might improve the process. Regarding reforms to design, changes to the rules and statutory regulations underpinning the process are proposed, with a view to increasing the inclusiveness of local panels and the influence of these upon the development of policy proposals. Regulatory reforms cannot be expected to eliminate possibilities for elite capture of proposal development. However, the definition of minimum standards and their stricter enforcement might go some way towards this end by communicating clearer expectations regarding the processes through which proposals should be developed if they are to be taken through the process.

Second, many of the problems which the SCA faced were a result of its institutional design – i.e. relying on local public authorities to sponsor proposals and upon government to make binding decisions. The development of proposals through processes focused on the locality and resourced by local authorities exacerbated problems of scale, because nationally relevant proposals were developed in response to local contexts, as well as institutional conflict, because the political priorities of local authorities often influenced the SCA. In terms of the integration of proposals within the policy process, the contingency of outcomes upon coherence with extant agendas and the subsuming of the SCA within established policy processes might be put down to the fact that proposals were integrated within central government bureaucracy. Thus, the conclusion discusses different options for setting up a decision sequence which raises ideas and develops proposals in larger scale processes, that can mitigate the problem of scale by developing a more synoptic view of local problems, and that does not end within central government institutions, but functions parallel to these.

Finally, it is important to highlight that in institutional design there is a big gap between the intentions of designers and outcomes (Goodin 1996). In the case of the SCA, this gap is evident in the instrumentalisation of the process by local councils and the subsuming of policy proposals within established processes. The analysis suggests that one of the main problems at both local and national level was that the SCA failed to generate sufficient motivation for public authorities to follow through on the intentions of design. Most importantly in this regard, the thesis concludes that the Local Works campaign lacked the capacity to generate a base of more continuous civic support and interest in the SCA than

that associated with the lobbying activity which led to the original legislation. The resulting lack of 'countervailing power' (Fung and Wright 2003a) goes some way towards explaining the relative ease with which public authorities were able to shape the SCA according to their interests and expectations regarding the process - as supposed to those arising from the meaning and purpose which advocates originally ascribed to the SCA. As well as changes in regulations and design, the analysis concludes that the development of a more effective 'countervailing power' will be crucial if the SCA is to develop into an institution which makes a more substantial contribution to democratising the policy process.

2. A Deliberative Analytical Framework

This chapter draws on a combination of deliberative democratic theory and institutional design literature to articulate an analytical framework that will be used to evaluate the SCA in subsequent chapters. Section 2.1 develops an account of the main tenets of the theory, and describes its development from establishing normative-theoretical foundations to focussing on more practical questions of institutional design. Section 2.2 then consults the literature relating to the design of participatory-deliberative institutions and processes. It identifies three key areas of design to consider and develops a series of research questions and hypotheses relating to each of these that will underpin empirical analysis in later chapters.

2.1 Deliberative Democratic Theory: A Brief Introduction

PDPs owe much of their philosophical underpinnings to deliberative democratic theory in the latter 20th century. As Bohman (1998: 401) explains ‘deliberative democracy, broadly defined, is any one of a family of views according to which the public deliberation of free and equal citizens is the core of legitimate political decision making and self-government’. Theorists differ on many key points of deliberative theory, but the thread that unifies deliberative democrats is the importance they attribute to the discursive legitimation of policy making. Thus, Chambers (2003: 316) explains that “a deliberative approach focuses on qualitative aspects of the conversation that precedes decisions rather than on a mathematical decision rule”. This is not to say that deliberative democrats necessarily discard the decision rules such as voting, rather that regarding legitimacy a greater emphasis is placed upon the weighing arguments than that associated with aggregative conceptions of democracy concerned with counting votes.

A key tenet of deliberative theory is the ‘moralising effect’ of public discussion. As Barber (2003: 181) put it, the process of public reason giving makes opinions and preferences ‘earn legitimacy by forcing them to run the gauntlet of public deliberation and public judgment’. Advocates of deliberative democracy argue that that deliberation allows citizens to develop, articulate and justify preferences according to their understanding of the ‘public good’ (Goodin 1986; Miller 1992; Cohen 2007). This is understood to have both intrinsic and

instrumental value. Intrinsically, Kadlec and Friedman (2007: 16-20) consider the intrinsic value of participation and deliberation to lie in their capacity to foster 'social intelligence', which protects and expands 'our capacity for free and communicative inquiry' as well as 'our capacity to perceive and evaluate the shared consequences of our choices, habits, policies and practices'. Thus, deliberation is assumed to increase efficacy and capacity for independent judgment and agency.¹¹

Instrumentally, an inclusive 'dialogue' process can improve the epistemic basis of decision making by bringing in a greater plurality of perspectives (Escobar 2011). Webler and Tuler (2000) argue that well run deliberative processes enable the 'best possible understandings and agreements' to be reached (see also Skelcher and Torfing 2010: 77; Kadlec and Friedman 2007: 16-20). Knowledge and expertise is not understood to be an attribute of individuals, that is readily available to 'mine' or 'tap', but as something that is 'co-produced' through dialogic processes (e.g. Webler 1995, Sirianni 2009).

Section 2.2 shall elaborate these arguments and in the process develop a deliberative analytical framework that will organise empirical chapters. Before doing so, however, it is important to locate the analysis within recent developments in deliberative democratic theory.

2.1.1 The Development of Deliberative Democratic Theory

Elstub (2010) describes the development of deliberative theory in terms of three 'generations', the first focusing on normative foundations (e.g. Habermas 1984); the second on reconciling these with social and political complexity (e.g. Bohman 1996; Gutmann and Thompson 1996); and the third focusing on the institutionalisation of deliberative democracy (Baber and Bartlett 2005; O'Flynn 2006; Parkinson 2006). Although we have

¹¹ For the pedagogical benefits and positive psycho-social effects of participation see Pateman (1970); Bachrach and Botwinick (1992); Sen (1999). For a critical appraisal of these theories see Warren (1992; 1993). For recent empirical research affirming the 'emancipatory' potential of deliberative participation see Niemeyer (2011) and describing the mechanisms which deliver this see Knops (2006). But, for a sobering account of the difficulties involved in testing these claims empirically see Pedersen (1982).

learnt that in practice PDPs can fall considerably short of enacting ideals of the democratic ideals which often inspire them (e.g. Barnes et al 2007; Pearce 2010; Davies 2011; Hoppe 2011), their widespread institutionalisation (e.g. Smith 2005; Hajendijk and Irwin 2006; Ansell and Gash 2007) has had the salutary effect of deepening our understanding of what participatory and deliberative democracy looks like when attempts are made to establish it in current conditions.

This is important in addressing a pressing critique made of early forms of deliberative and participatory democratic theories (e.g. Habermas 1984; Barber 2003); that they focused on normative foundations and the description, or ‘armchair design’, of institutions embodying such principles, at the cost of praxis (for different versions of this criticism see Bachrach and Botwinick 1992; Blaug 1996). Analyses of institutionalisation provide a way of addressing this concern because they bridge the divide between political theory and empirical political science (Fung 2007; Thompson 2008). This provides deliberative democratic theory with what Bohman (1996: 13) calls the ‘descriptive component’ without which norms are in danger of becoming ‘abstract and empty ideas, rather than reconstructions of the rationality of actual practices’. As Dryzek (1996: 9) put it, ‘when democratic theory meets the real world, it should emerge strengthened, as well as chastened’ (see also Forester 1999: 9-10; Kadlec and Friedman 2007: 2-3; Skelcher and Torfing 2010: 72). By analysing the institutionalisation of the SCA, understood as an agenda setting PDP, this thesis contributes to the ‘third generation’ literature.¹²

The next section articulates the approach that will be taken to evaluating the SCA process. To this end, it reviews the growing body of ‘third generation’ literature concerned with evaluating institutional designs and analysing institutionalisation.

¹² It should be noted, however, that deliberative theorists are rightly wary of the normative-empirical relationship. Dryzek (2008) argues that the institutionalisation of deliberative processes has been too closely accommodated with existing structures, leading him to differentiate between his more critical approach, which underlines the need to expand the discursive nature of democracy (Dryzek 1990; 2000), and ‘Rawlsian’ forms that link deliberative democracy more closely to the institutions of liberal representative democracy (e.g. Bessette 1994). As Elstub (2010: 306) explains, there is a balance to be struck here: ‘democratic theory must remain at a critical distance from reality, if it is to provide suggestions for “externally justifiable” institutional reform, yet this distance must not be excessive or these suggestions will fail to provide practical guidance’.

2.2 Evaluating PDPs: 'Who?', 'How?' and 'To What Effect?'

It would not be an overstatement to say that, absent some exceptions (Besette 1994), in its inception the major focus of academic debate regarding deliberative democracy was discursive participation in the 'public sphere' (e.g. Habermas 1984; Fraser 1992). However, as the literature began to engage with questions surrounding institutional design and policy making a complementary focus emerged around the design of forums (which in this thesis have been labelled PDPs) that bring sub-sets of the population to engage in organised participation and deliberation, usually on specific issues. Fung (2003: 339) articulates the logic informing this move beyond the public sphere as the main focus for deliberative democratisation well: 'given the fragmentation of cultural and political life, effective large-scale public sphere reforms may consist largely in *the proliferation of better mini publics* rather than improving the one big public'. Moreover, the more widespread institutionalisation of links between policy agendas and the outcomes of PDPs might pluralise and improve the 'sluices' (Habermas 1996: 356) which open policy agendas to influence from public sphere opinion formation. As such, they might play an important 'intermediate' role (Parkinson 2006: 168), providing channels of communication between the formal and informal political spheres (Hendriks 2006; Chambers 2012: 53-55).

The focus on deliberative forums turns academic attention to the design of processes and institutions (e.g. Smith 2009). Useful typologies and evaluative frameworks have been developed that emphasize the context-dependent nature of process design and are intended to inform public administrators facing different situations and looking to achieve different goals through designing participatory processes (Fung 2003; 2006). This section shall draw upon this literature to derive an analytical framework that can be used to evaluate the SCA.

The development of an evaluative framework which can be universally applied across PDPs is a research agenda in itself (Rowe and Frewer 2004; Rowe et al 2005; Burgess and Chilvers 2006; Smith 2009; Wright 2012; Geissel and Newton 2012). Many process evaluations are deductive in nature, usually relying on theoretical frameworks derived from participatory and deliberative forms of democratic theory (Webler and Tuler 2000; Fung 2003; 2006;

Smith 2009; Sirianni 2009; Geissel 2012). Some, however, are more practice-oriented and inductive (e.g. Forester 1999; Davies and Burgess 2004; Mansbridge et al 2006). This thesis has followed the first of these because a more deductive approach enables the thesis to stand on the shoulders of the literature and more precisely define the areas where an analysis of the SCA can contribute to the gaps in knowledge.

Three key areas of design have been identified from the literature. The following subsections shall explain these and articulate research questions that will underpin the analysis of the SCA. The first two areas of design build upon two criteria outlined by Webler (1995). 'Fairness' refers to the extent of opportunity provided for interested or affected parties to participate in the decision-making process. 'Competence' refers to the ability of the process to reach the best decision possible given what is reasonably knowable under given conditions (see also Webler and Tuler 2000). 'Fairness' relates to the question of 'who participates?', and 'competence' turns our minds to the question of 'how does participation take place?'

It is important to note that these are separated for analytical reasons, but in reality they are deeply interrelated: 'who' and 'how' influence each other. In ideal form deliberative forums would maximise 'dialogic pluralism' (Escobar 2012a) which can improve the epistemic quality of decisions by increasing the inclusion of different perspectives (Williams 2000). Thus, levels of inclusion ('fairness') have important impacts upon the 'competence' of knowledge production. Furthermore the fairness of deliberative interactions can be undermined if more confident or capable individuals dominate discussions – it is important to attend to both equality of presence and voice when considering 'who' participates. However, 'how' the process is run can mitigate this issue by developing rules and processes, such as the use of facilitation, that increase the 'fairness' of dialogue.

Finally, an under-developed aspect of the deliberative democracy and the institutional design literature concerns the relationship between process outcomes and policy making (Goodin and Dryzek 2006; Font and Smith 2013). The framework thus complements the deliberative democracy literature with literature on policy making and governance to

develop a distinction between 'reflexivity' and 'responsiveness' that will be used to evaluate the institutionalisation of links between SCA process outcomes and binding decision.

2.3 Who?

PDPs are often designed to redress the long-standing (see Verba and Nie 1972) problem socio-economic participation bias (John 2009). However, their ability to do so is limited or one fundamental reason: a defining feature of PDPs is the provision of opportunities for discursive interaction between participants and due to the practicalities of real-time interactions they are constituted by groups of citizens or stakeholders that are relatively small vis-à-vis the population they are drawn from.¹³ The problem of participation bias can be addressed through a range of participant selection techniques that constitute 'publics' that make different kinds of 'claims' (Saward 2006) to be representative of the broader population (Fung 2006). The main forms are to be outlined and critically evaluated in this section.

A second consideration to take into account is that underpinning participant selection choices are often different assumptions regarding the forms of representation that will be activated (Saward 2006; 2008). This is an especially important aspect of processes that offer opportunities for the participation of relatively small groups of citizens, because it is through the representation of different interests and understandings that 'inclusion' can be maximised in processes that cannot offer opportunities for the direct participation of all (Marochi 2009). The use of stratified random selection, for example, is usually underpinned by a concern with ensuring that participants 'mirror' the make-up of the population they are selected from (Saward 2008: 13). Thus, participant selection methods provide a 'menu' of design choices that are underpinned by different assumptions regarding appropriate forms of representation (Barnes, Newman and Sullivan 2007) This research will consider which is most appropriate for PDPs intended to define problems and influence policy agendas.

As noted in chapter one, the SCA placed a duty on councils to engage 'under-represented groups', but the legislation and guidance was relatively non-prescriptive as to what

¹³ The use of ICT can mitigate this problem, but even when this is deployed participation remains limited to a sub-set of the population (see e.g. Bingham, O'Leary and Nabatchi 2006)

approach should be taken (SCA 2007; DCLG 2008). It is important therefore to consider how local councils that implemented the SCA approached participant selection, and to what extent such opportunities were provided, and what kinds of representative claims were being made in making selection choices. Thus, analysis chapters will seek to answer the following questions:

- (RQ 1a) Did the constitution of SCA panels overcome problems of participation bias?
- (RQ 1b) On what grounds were different participant selection choices made?

There are a wide variety of potential forms that might be expected to arise in the SCA. Regarding the constituencies to be represented, three main forms can be identified in the literature (see section 2.4.1). Regarding participant selection methods, four main forms can be identified (see section 2.4.2). The potential significance for these in the context of the SCA is considered in section 2.4.3.

2.3.1 Objects of Representation

(i) Boundaries of Political Authority

PDPs are often bound up with territoriality-defined constituencies. There are three problems with this model of representation. First, affected interests are not equally represented within spatial areas, meaning as a result they can be significantly disadvantaged by this approach (Houtzager and Gurza Lavalle 2010). This problem becomes more acute at lower governance levels (e.g. Smith and Wales 2000: 57; Lowndes and Sullivan 2004; Parkinson 2006). The SCA process, where proposals for changes in national policy are developed locally (see section 5.2) might be expected to suffer from this limitation because it may produce policy proposals which are responsive to particular local contexts, but which could impinge negatively upon other areas if implemented nationally. A second concern is that notions of 'local' or 'community' representation may stress shared values and identities over difference, and lead to the empowerment of local elites. The danger of forming inward-looking 'little platoons' (Barker 2011) is especially acute in the make-up of sub-local governance structures. As shall be explained in section 6.3.3 many local councils drew on such bodies to develop policy proposals. Finally, Parkinson (2006: 73) has argued that an important problem with an emphasis on the locality is that it restricts the agenda of

democratic deliberation to 'issues which are decidable at the local level'. The danger is that if participants feel important issues are kept off the agenda participatory governance may in fact deepen alienation (Smith 2009a).

(ii) 'Ordinary' People

One of the critiques most often made of participation is that it is often dominated by a citizens with similar demographic traits; highly educated, relatively wealthy, and politically active, perhaps activist, citizens (John 2009) – the ubiquitous 'usual suspects'. Designers of PDPs often seek to exclude the 'usual suspects' for legitimate reasons. PDPs are often specifically aimed at opening new channels of communication between the state and excluded groups and it is often deemed important to avoid activists which may have strategic motives for participation in order to protect process integrity (Kadlec and Friedman 2007: 7-10). However, as Parkinson (2006: 69-70) explains, this focus on avoiding 'usual suspects' is often underpinned by a problematic preoccupation with representing 'ordinary individuals'. The problem is that representatives of 'ordinariness' are impossible to find because the idea is based on a statistical impossibility: 'one can have statistically representative samples ... not statistically representative individuals'. Thus, if representing the population in this sense is important, Parkinson (2006) argues that it makes more sense for designers of PDPs to attempt to recruit statistically representative samples (see section 3.2.2) rather than attempting to find representatives of the 'common person'. Finally, deliberative theory is based on the notion that the process of reason giving underpinning public deliberation eliminates preferences based on individual interests as well as dubious moral and epistemic grounds (Goodin 1986; Miller 1992). Thus, rather than trying to represent the perspectives of ordinary individuals, whose assumed lack of knowledge or interests apparently makes them more amenable to deliberation, a more appropriate way to avoid partisan attachments might be to design a process in such a way to promote deliberative 'citizenship' (Smith and Wales 2000).

(iii) Affected Interests

One of the most popular approaches to 'constituting the demos' (Goodin 2007) is the inclusion of all affected interests. However, the inclusion of all affected interests in deliberative institutions is difficult to achieve. First, many deliberative innovations operate

within territorially defined constituencies and are thus often prevented from including interests which cut across these. Second, affected interests might be too diverse to be represented in a deliberative process which has limitations imposed upon it by the requirements of interaction in real time. Finally, the principle of 'all affected interests' presumes a set agenda around which affected interests are to be defined (Goodin 2007). This is problematic if abilities to participate the definition of the agenda of the process are limited. Thus, as Goodin (2007: 55) notes, if the 'all affected interests' principle is to be fully realised, 'all interests possibly affected by any possible decision arising out of any possible agenda' should be included. This problem is hidden from view by the fact that most PDPs are set up to solve predefined problems in specific areas, but, even in this narrower context, the determination of 'who is affected' is often unclear, or left as an 'open question' (Parkinson 2006: 68). In PDPs, control over the framing of the problem to be addressed and the constitution of the public are two of the main ways elites can control these process (Parkinson 2006; Tucker 2008) and defining legitimate membership based on affected interests does little to address these problems.

2.3.2 Participant Selection Methods

Different forms of participant selection can be understood as different ways of approaching the representation of the constituencies outlined above. When process managers make participant selection choices they are effectively making claims on behalf of participants. Moreover, the substance of deliberative process is, to an important degree, dependent upon the constitution of the public involved (Bohman 1996; Davies and Burgess 2004) and the need for process features such as facilitation or education and capacity building processes can be expected to depend to a great extent on choices made in this respect. This section reviews some of the approaches, outlines some of their advantages and disadvantages and discusses how we might expect these to operate in the context of agenda setting innovations.

(i) Stratified-Random (and Quota-Based) Selection

One of the most popular approaches to constituting publics for PDPs is through the random selection of participants drawn from representative samples of the population constructed

through attitudinal or interest-based variables. This approach is defended on the grounds that it maximises the chances for affected interests to be included, which improves the epistemic basis of deliberation by ensuring the presence of different understandings of social and political phenomena (Williams 2000; Fishkin 2012). Moreover, random selection minimises the chances of engaging actors who wish to participate for self-interested or strategic reasons. This is an important aspect of building the kinds of civic 'trust' in PDPs which it has been argued is necessary if it is to be more broadly institutionalised and empowered to make decisions (Cutler and Johnson 2008; McKenzie and Warren 2012). It is also noteworthy that stratified-random selection fits a problem definition context because participants are selected based on their demographic or attitudinal characteristics, not in terms of their relationship to a pre-determined issue.

However, three main problems are often associated with this approach. First, stratification might leave certain groups out of the sample. In this respect, process managers have important decisions to make regarding the 'categories' to be represented (O'Neill 2007). Second, the logic underpinning selection on demographic traits is that interests are in some way shaped by different socio-economic, ethnic or cultural positions. However, it is by no means assured that participants identified as belonging to particular groups will, merely by their presence, substantively represent relevant interests. This problem might be exacerbated by the process of deliberation. If deliberation is constitutive of preferences and identity, post-deliberation participants might not be descriptively representative of the population they were selected to represent (Smith and Wales 2000; Parkinson 2006). Third, the samples required to ensure statistical representativeness are too high for deliberation to occur between all participants. Thus, statistical representation is often substituted with the weaker notion of representing a 'cross section' of the relevant population. Although this enables real time discussions, it is likely to exclude important views. A second approach, taken by the deliberative poll, for example, is to break the sample into smaller groups for deliberations, perhaps bringing it together in plenary sessions at key points of the process. Thus, participants do not deliberate together and thus 'it is impossible that all the relevant differences between people will be present, and so unlikely that participants will confront anything other than the most dramatic, dominant cleavages' (Parkinson 2006: 78).

(ii) Civil Society Groups

Civic organisations are heavily involved in PDPs (Hendriks 2002; 2006a) and make claims to represent diverse constituencies (Cabannes 2004: 28; Parkinson 2006; Houtzager and Gurza Lavalle 2010). However, the relationship between deliberative democracy and group representation has been characterised as an ‘uneasy alliance’ (Williams 2000). Research suggests that ‘activists’ are unlikely to engage in ‘cross-cutting’ discussions characterised by political difference (Mutz 2006) and that the partisan attachments hamper deliberation (Hendriks, Dryzek and Humold 2007; Muirhead 2010; Gaynor 2011). On the other hand, group representatives often articulate counter-hegemonic ideas which otherwise might not be considered and provide a pragmatic way to identify and engage representatives from socially disadvantaged groups (Bohman 1996; Mansbridge et al 2012: 7). Even if these do not come from similar backgrounds, as Parkinson (2006) finds often to be the case, they can often draw upon their understanding of the problems faced by disadvantaged constituencies (Barnes, Newman and Sullivan 2007; Houtzager and Gurza Lavalle 2010). Their engagement can therefore improve deliberation by increasing inclusion. Moreover, partisanship does not *necessarily* hamper deliberation. Indeed, deliberation would be impossible if this was so, since no individual, however politically active or apathetic, is ‘unsullied by knowledge or interests’ (Parkinson 2006: 82). Thus, partisanship per se is not a problem, but becomes an issue to the extent that it limits an individual’s disposition to engage deliberative exchanges. In this respect, Kleinman, Delborne and Anderson (2011, quoted in Moore 2012: 151) conclude that ‘a well-facilitated process in which participants have prior perspectives (although not clear instrumental interests) on the issues at stake might still produce a fair and reasonable outcome’.¹ Although dogmatism and strategising is still an important problem (Gaynor 2011), the participation of group representatives makes sense especially if we subscribe to an understanding of deliberation which does not necessarily seek consensus, but more broadly to develop mutual understanding between culturally distinct ‘sub-publics’ which can provide a basis for on-going co-operation in the public sphere (Bohman 1996: 100, 145-47, see also Kadlec and Friedman 2007: 13-15)

(iii) Targeted Recruitment

Sponsoring organisations often directly solicit the participation of individuals or representatives of groups. There are two approaches to such ‘targeted recruitment’. In the

'active' approach, the participation of individuals from specific groups is sought through advertising campaigns, the provision of financial incentives and/or outreach initiatives. A 'passive' approach builds incentives for certain groups to participate into the process itself, for example, by limiting the agenda to an issue which is especially concerning to a certain social group. As Fung (2006: 72) explains, this can make participation in the process more appealing to certain parts of the population. It has been found to be an especially productive way of ensuring participation by marginalised social groups. By focusing on problems that are much more urgent to the poor, such as sanitation, housing and basic infrastructure the problem of participation bias is mitigated. In Participatory Budgeting in Porto Alegre, a combination of 'active' and 'passive' targeted recruitment has been found to be surprisingly successful in incentivising the participation of marginalised parts of the community (Smith 2009: 43).

Although these approaches are to be valued on this basis, there are some drawbacks. Outreach initiatives especially can be resource intensive and their success depends heavily on the disposition and performance of professionals trained in public engagement or community organising. Moreover, analyses of participatory budgeting have found that this approach can attract the more active members of the target community, especially those already involved in local associations (Santos 1998: 486; Souza 2001: 168), and is not so effective at incentivising the participation of the 'very poorest' (Smith 2009: 44). Finally, both these forms of selection are questionable in an agenda setting context, because they depend, to a degree, upon a prior problem definition.

(iv) Lay or Professional Stakeholders

The engagement of stakeholders is an especially popular approach to engaging affected interests in collaborative governance processes (Ansell and Gash 2007). As Fung (2006: 67-8) explains, stakeholders can be citizens who have a specific interest in an issue and volunteer to participate in these processes, or professionals from public, private and voluntary organisations who have a stake in the issue, or claim to represent those who do. These forms of participant selection have the advantage of engaging citizens and professionals who usually have a high level of expertise and thus can readily contribute to the process as well as engage with public officials on an equal footing. However, this is

clearly a more elitist form of participatory governance. It might, in Fung's (2006: 73) terms, be expected to enhance the 'effectiveness' of governance at the cost of enhancing 'legitimacy' and 'justice'. Much of the point of participatory governance is to enable lay understandings to influence policy development and this might be missed by engaging professional stakeholders solely. Finally, the stakeholder concept, by definition, assumes a pre-set agenda.

2.3.3 Representation, Participant Selection and Legitimacy in 'Systemic' Perspective

It should be clear from the outline of different forms of representation and participant selection that each has important advantages and drawbacks. None provides a basis for 'perfect legitimacy'. For this reason, Parkinson (2006: 98) concludes that 'legitimacy depends on a variety of representatives, activating a variety of constituencies, coming together at a decision making moment'. Thus, the forms of representation at play in participatory governance should not be evaluated in isolation, or as potential replacements for electoral representation, but in terms of their relationship with the institutional framework that embeds them (see also O'Neill 2007). In this more 'systemic' perspective (Thompson 2008; Mansbridge et al 2012) participatory governance can be seen as a thread which is woven into a broader governance system. Dryzek's (2010: 15) differentiation between 'categorical tests' and 'systemic tests' is useful here. 'Categorical tests' focus on a specific phenomenon in isolation, 'systemic tests' focus on the contribution of phenomena to the 'construction of an effective deliberative system'. As Dryzek (2010: 85) explains, 'appreciation of the systemic aspect implies that categorical tests will sometimes give misleading answers, so if the two tests point in different directions, systemic tests should take priority'. Rather than judging representation and participant selection in isolated instances and according to an ideal standard, the evaluation of representation and participant selection in this thesis shall be underpinned by this more global, or 'systemic', understanding.

2.4 How

At the heart of deliberative democratic theory is an understanding of knowledge, not only as being a quality of individuals, but also as something that is produced through dialogic

processes (Webler 1995; Sirianni 2009; Escobar 2011). Deliberative knowledge production is conceptualised in different ways in the deliberative democracy literature. For example, Habermas (1996) calls for the development of 'considered opinion' in the public sphere, Smith's (2009) interest is in the development of 'considered judgment', and Sirianni (2009: 49) evaluates collaborative processes according to their ability to 'co-produce expertise', a concept he borrows from Landy (1993). The key concern underpinning these concepts is the development of processes which can effectively integrate the different experiences and perspectives of participants into a process of knowledge production. In this vein, Webler and Tuler (2000) argue that one of the key aims of PDPs is to construct:

the best possible understandings and agreements given what is reasonably knowable to the participants at the time the discourse takes place. It is conceptualised as two basic necessities: access to information and its interpretations and use of the best available procedures for knowledge selection

Because they lead to the inclusion of different perspectives and actors, the different forms of representation and participant selection discussed in sections 3.1 and 3.2 have an important impact upon the dynamics of knowledge production. This section turns to a different aspect which influences this process; the rules and procedures governing interactions between participants. This is an important design area to consider. As Barnes, Newman and Sullivan (2003: 393) explain 'developing the capacity to take part is an objective of many initiatives that seek to enable members of the public to participate in policy making but the form and content of the process affect both the skills that may be necessary and the opportunity to develop them'. Thus, deliberative designs should seek to create conditions that enable participants to develop their epistemic capabilities as well as personal, interpersonal and political skills. This has both intrinsic value in so far as it develops the capacity of participants for independent agency and instrumental value in so far as it enables, in Webler and Tuler's terms, the 'best possible understandings and agreements' to be reached (see also Skelcher and Torfing 2010: 77; Kadlec and Friedman 2007: 16-20) . Thus, advocates of collaborative and participatory governance (e.g. Fischer

2009; Sirianni 2009) highlight its potential to combine and integrate ‘lay’, or ‘local’, and ‘expert’ forms of knowledge in policy making and thus lead to better decisions.

The design of processes governing interactions between participants are a key area to consider in this respect, and this thesis seeks to investigate what the SCA can tell us about how institutional design can encourage the development of ‘considered judgement’ (Smith 2009) or ‘co-production of expertise’ (Sirianni 2009), especially in respect to defining policy problems through public deliberation. To this end, this thesis seeks to answer the following sub-question:

- (RQ 2a) Through what processes were proposals developed in the SCA?
- (RQ 2b) What forms of interaction were present between participating actors and which was most effective in co-producing expertise?

The following subsections explore what the institutional design literature has to say on this matter, with a view to setting the context in which the analysis of the SCA will be carried out. Firstly, different forms of collaboration are identified and explained providing a typology of ideal types that will be used to describe collaboration in the SCA. Secondly the importance of taking the effects of power asymmetries between participating actors into account is highlighted and the potential for facilitation to mitigate their effects is considered.

2.4.1 Forms of Collaboration

This sub-section describes three different approaches to the design of participant interactions in PDPs. Following a description of each approach, an illustration is given of how each operates in three cases; the British Columbian Citizen Assembly (Warren and Pearse 2008), UK local authority-led community planning processes (Geddes 2006) and a ‘deliberative mapping’ process held in the UK (Burgess et al 2007). Before beginning it is important to note that, although each form is theoretically distinct, these are ideal types and are combined in different ways in the practice of participatory governance. Thus, institutional design choices do not revolve around the adoption of one or another of these models. Instead, different designs implement different combinations of these forms of

interaction. Chapter seven will draw upon these distinctions as a basis upon which to describe, compare and evaluate the forms of collaboration in the SCA.

(i) Serialised

In 'serialised' forms of collaboration there is a clear separation and division of labour between processes used through different stages of the engagement process (T). Actors involved at separate stages have minimal face to face contact and interact through a series of 'serialised' events which link the different stages of the process. The Citizen Initiative held in British Columbia (Warren and Pearse 2008) is a good example of an institutional design with clearly 'serialised' features. Diagram 2 provides a simplified illustration of the division of labour which the BCCA implemented.

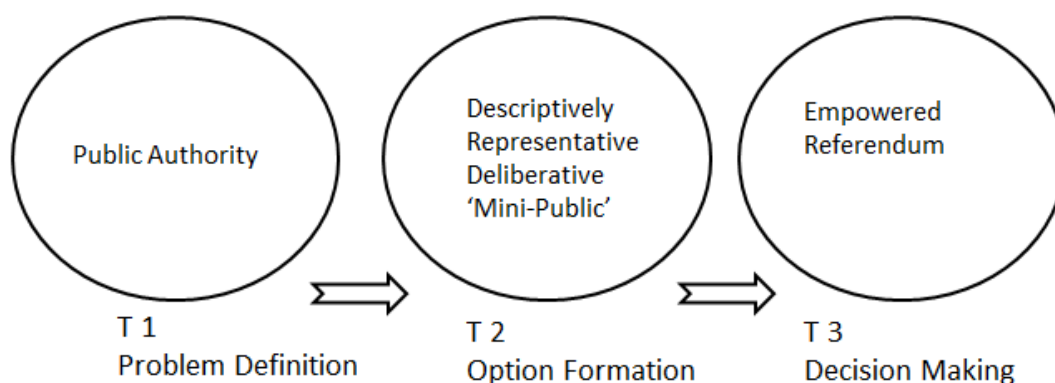


Diagram 2 Diagram 2 Serialised Process Illustration: the BCCA.

The process was set up by public authorities and empowered to make a decision on electoral reform (T1). A descriptively representative mini-public was set up to deliberate upon different electoral models (T2). Deliberation occurred in a series of meetings over an extended time period. Before developing recommendations, civic participants received an education on the issue, receiving reading material in between sessions and calling upon support structures to clarify any issues which arose. The recommendations developed by participants deliberating in the mini-public were put to the electorate in a referendum (T3) (Warren and Pearse 2008).

‘Serialised’ designs have three main advantages. First, they offer possibilities to institutionalise combinations of processes and thus develop ‘institutional complementarities’ (Smith 2009: 188-192). For this reason the linking of a mini-public to an empowered referendum has been touted as welcome design feature of the BCCA (Smith 2009; 2009a; 2011). The mini-public counteracts the low levels of deliberation associated with referenda, which itself mitigates the problems of low inclusiveness in PDPs. Serialisation of these processes leads to a more legitimate decision (Saward 2001; Saward 2003). Second, the separation of powers which these divisions create might limit the potential for manipulation of the process because it multiplies the number of points which it would be necessary to influence. Third, serialisation is an effective way of linking processes across governance scales and thus can contribute to overcoming the problems of scale associated with participatory forms of democracy.¹

On the negative side setting up a process like the BCCA is resource intensive and time consuming. Moreover, when ‘serialisation’ occurs over a substantial period, as in the BCCA, the clear separation between the processes operating across different stages reduces the potential for reflexivity in agenda setting and decision making, something which analysts of PDPs have often called for (Lang 2008). Thus, it is not an appropriate model for the governance of policy areas which are subject to change in the short term and require flexibility. Serialisation can also mean that some of the value added by the different processes is lost. Thus, in the BCCA, the considered judgments developed in the mini-public only had the effect of informing options in a referendum. It could be argued that a better decision, on an epistemic level, would have been taken by the mini-public, where participants had the opportunity to develop preferences in deliberative fashion.¹

(ii) Iterative

‘Iterative’ forms of collaboration are characterised by repeated interactions of two or more actors involved in a process through some mediating actor. This occurs principally in long term processes, with the mediating actor or group acting as a bridge between participants, the sponsoring authority and other related actors. In his description of the activities of Public Engagement Practitioners (PEPs) engaged in community planning processes in

Scotland, Escobar (2011a; 2012) explains the key ‘nodal work’ they carry out, giving shape to public engagement by linking the different actors and organisations involved together (see also Forester 1999: 3). In this sense an important part of participatory governance occurs ‘backstage’ (Escobar 2011a; 2012), in the interactions which PEPs have between process participants and actors from broader institutions embedding these. Diagram 3 below illustrates the iterative form of collaboration in the case of UK local community planning consultations.¹

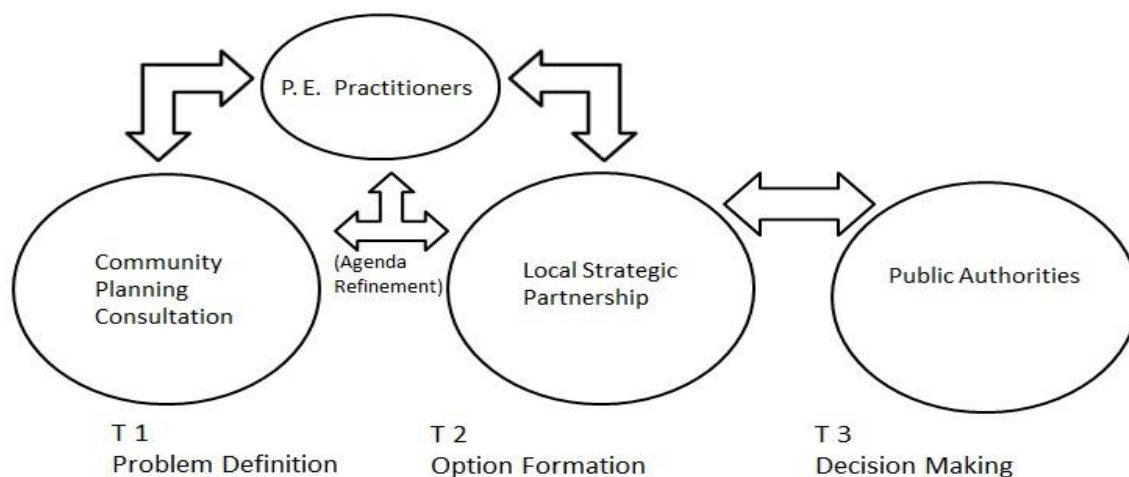


Diagram 3: Iterative Process Illustration: UK Community Planning.

Councils have taken different approaches to consultations on community planning (T1), with some engaging mainly key partner networks involved in Local Strategic Partnerships (LSPs) and others involving the general public to a greater extent. In the latter approach, involvement usually takes more traditional forms such as public meetings, neighbourhood forums, talks with community organisations and surveys but also includes more innovative approaches such as different kinds of deliberative panels or focus groups are evident (Birch 2002; Davidson and Elstub 2013). PEPs have an important role in rationalising the results of public engagement and relaying the results to actors in public institutions and governance networks. In the process they shape proposals for a local policy agenda (T1/T2). The LSP then responds to this by drawing up a community strategy (T2) outlining the key local policy objectives for the medium – long term (usually 5-15 years) which is to be approved by the council (T3). The council and the LSP then co-ordinate local organisations for the implementation of the strategy, and PEP’s are also often involved coordinating actors to

facilitate implementation (for evaluations of LSP's and community planning processes see Sullivan and Howard 2005; Geddes, 2006; Lowndes and Sullivan 2007).

Iterative collaboration is a more reflexive approach to participatory governance. The 'bridging' and 'translation' role of PEPs seems crucial in this respect, connecting PDPs to agendas emerging elsewhere and visa – versa. This can enable participants in PDPs to engage with concerns as they emerge. It is also an approach that might be more suited to problem definition, since it provides greater opportunity for the agenda to be challenged and modified at different stages. For example, through mediating actors, participants might formally commission research into emerging issues, or, more informally, draw upon the collective expertise of the involved organisations in between meetings. Thus, iterative collaboration is an important part of developing reflexive agenda setting processes that allow participants to develop greater ownership and exert a greater degree of control over the process (Lang 2008). One problem with this approach is that it seems that the quality of such approaches depends very heavily on the 'translation' (Escobar 2011a) role of those actors bridging the different parts of the process (see also Bartels 2012).

(iii) Convergent

Convergent collaboration is perhaps that form of interaction which intuitively comes to mind when we read the words 'public deliberation' or 'collaboration'. Participating actors interact in real time and in the same space. There are lower levels of division of labour between the different actors involved, who collaborate closely on the task at hand. This form of collaboration is widely seen in 'empowered' (Fung and Wright 2003) or 'co-governance' (Talpin 2012) PDPs such as participatory budgeting in Porto Alegre and, especially, 'analytic-deliberative' processes (Burgess et al 2007; Fischer 2009) usually held on complex policy issues where citizens and policy experts collaborate closely or even deliberate together.¹⁴ Diagram 4 provides a simplified illustration of this form of

¹⁴ 'Analytic-deliberative' processes aim 'to reconcile technocratic and citizen-centric approaches' (Burgess et al 2007: 300), making them an especially popular approach in technical policy areas. It is argued that this approach has the potential to engender forms of reasoning amongst civic and policy actors which can develop new ways of understanding intractable policy problems and help develop more sustainable solutions to these (Fischer 1993; 2009; Fung 2003a; Sirianni 2009; Hoppe 2010).

collaboration and labour division between participating actors based on the case of a consultative 'deliberative mapping process' held on organ transplantation policy in the UK (see Burgess et al 2007).

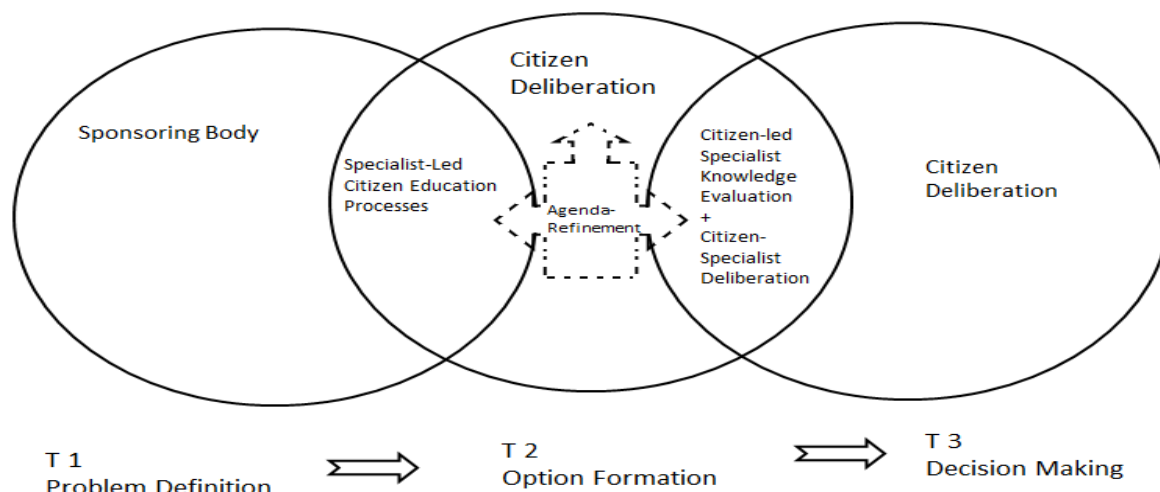


Diagram 4: Convergent Process Illustration: Deliberative Mapping

In the case of the deliberative mapping process illustrated above, a citizen panel was formed to engage in a series of meetings to deliberate upon policy options which had been developed by specialists associated with the sponsoring organisation (T1). Initially, meetings had an educative purpose - citizens would consult informational material and raise relevant issues with process managers and with each other in discussions (T1 / T2). By the final session citizen's preferences were collated in a report drafted by process managers (T2) and given to specialists in organ transplantation to consider. A workshop was then held where specialists responded to the citizen recommendations in the report, followed by a 'question and answer' session and a series of informal deliberations between specialists and citizens (T2 / T3). Finally, citizens were brought together for a final panel meeting where they reconsidered their initial preferences in light of the workshop and made final recommendations (T3).

Reflecting upon similar issues to those identified by Lang (2008) regarding the difficulty of implementing reflexive agenda setting processes, Burgess et al (2007: 306) explain that it was essentially due to resource constraints that revisions to problem definitions and framings did not occur throughout the process. However, ideally these would have been enabled, and thus an 'agenda revision' heuristic is included in the diagram (T 2). As

participants become educated on the issue, develop their preferences and interact with specialists, they might make important contributions to the processes' agenda, or challenge initial framings and problem definitions. This enables a more holistic consideration of the problem. The main problem with these approaches, however, is that asymmetries in epistemic authority between actors makes them especially open to subtle forms of domination and control (Davies and Burgess 2004; Barnes, Newman and Sullivan 2007). As shall be discussed in the next section, the adoption of mitigating strategies such as facilitation is often seen an important process feature for this reason (Levine, Fung and Gastil 2005: 275).

As noted above, these forms of collaboration are ideal types and some combination of these is often, if not always, found concomitantly in PDPs. Indeed, this is evident in the three cases provided as illustrations. For example, the BCCA has been depicted as a 'serialised' process. However, both 'iterative' and 'convergent' forms of interaction were present in the mini-public that brought citizens together for a relatively long period to deliberate on electoral reform models and develop referendum options. Thus, design choices do not revolve around the adoption of one or another of these models. Instead, different designs implement different combinations of these forms. Collaborative form is a crucial design feature, since it begins to define the roles which different actors are expected to take and provides a structure for interactions between actors. It therefore has a substantial influence upon the dynamics of participation. Chapter eight shall contrast, compare and evaluate the different approaches taken by councils implementing the SCA on this basis, with a view to judging which form is best suited to a problem definition context.

2.4.2 Communicative Inequalities and the Role of Facilitation

One of the most common criticisms of deliberative democracy is that economic, social and cultural forms of inequality prevent the realisation of the deliberative democratic ideal (Sanders 1997; Young 2001). As Fung (2005: 406) explains, 'even with mutual respect and goodwill, the effect of such inequalities may be that certain groups or points of view are underrepresented, some perspectives are silenced, or particular styles of communication are favoured'. My interest in studying the SCA arose from its potential to democratise agenda setting by providing opportunities for citizens to identify, define problems and

develop policy proposals. However, this potential is substantially undermined if subtle forms of control and domination are at play in local panels because the conditions of equality necessary for *democratic* deliberation are compromised. These concerns place substantial doubt on the notion that participatory governance can be a force for democratisation. Thus, it is important to consider whether and how democratic and mutually enabling relations can be fostered between participating actors, ensuring that the outputs of the process are genuinely 'co-produced' (Sirianni 2009: 49) and not the result of gerrymandering by elites.

This might be ensured by limiting participation to highly active, confident and expert sections of the population, or those sharing certain social traits. Habermas' exemplar of the pre-modernist European public sphere constituted by bourgeois social gatherings suggests that we might expect improved deliberation on this basis. In Fung's (2006: 73) terms, such exclusion might deliver high levels of 'effectiveness'. For this reason, collaborative governance processes engage citizens as stakeholders with desirable knowledge in certain policy areas. However, this approach is clearly less suited to generating 'justice' or 'legitimacy' (Ibid). Moreover, research suggests people in diverse groups tend to discuss issues more deeply and learn more from each other (Mutz and Martin 2001; Mutz 2002) and it is widely argued that diversity increases the epistemological quality of deliberation (Bohman 1996; Mansbridge 1999; Williams 2000; Young 2001). It is thus important to consider ways in which 'equality of voice' (Smith 2009) can be ensured in deliberative events characterised by high levels of pluralism (Bohman 1996; Ganuza and Frances 2012), this section shall review the potential role which facilitation can play in this respect.

Facilitation is often understood as a way in which the encounters between different actors can be organised in order to improve the quality of deliberation and, more specifically, to mitigate power asymmetries (e.g. Fung 2003; 2005; Levine, Fung and Gastil 2005; Kadlec and Friedman 2007). However, although there is an appreciation of different forms of facilitation (e.g. Coleman and Goetz 2001; Ryfe 2006), little empirical work has sought to address how they impact upon the dynamics of deliberation in PDPs (Smith 2009; Moore 2012). Dillard (2013: 15) argues that the deliberative democracy literature has mistakenly presented 'facilitators to be part of a group possessing the same skills, training, and moderating pedagogy'. Drawing upon content analysis of transcribed deliberations, Dillard concludes

that ‘facilitators are indeed integral to the deliberative process’ (2013: 14). She describes three ‘types’ of facilitation which differ according to the extent discursive tools and moderation strategies used to guide group discussions and lead to conclusions. ‘Passive facilitators’ deployed few of these techniques, focusing mainly on regulating speech time and turn-taking. ‘Involved’ facilitators deployed a greater variety of discursive strategies, such as playing devil’s advocate, directly soliciting participant opinions, clarifying responses where they were deemed unclear and summarising the results of discussions at key stages of deliberation. In between these poles, ‘moderate facilitators’ used a ‘power sharing approach’, actively provoking discussions on different issues, but were open to letting the group pose their own questions and responses without much subsequent direction.

Dillard’s study does not directly tackle the issue of power asymmetries, although the greater participation of ‘involved’ types in regulating participant speech acts suggests that they are best suited to mitigating power asymmetries. Moreover, there is further reason from other studies to hypothesize that involved forms of facilitation can enhance ‘equality of voice’ (Smith 2012: 99, see also Fung 2003a: 135-7; Kadlec and Friedman 2007: 12-13). This is one of the main reasons why facilitation is being increasingly recognised as an important aspect of PDPs (Smith 2009: 168-9, 197-8). Thus, Levine, Fung and Gastil (2005: 275) argue that whilst ‘there is a danger that deliberation will be overtly influenced by skilled organisers’, the ‘great danger is having no competent organisation at all’. This seems to be the present state of consensus in the literature: facilitation is important but it is not so clear what form facilitation should take. In considering which form of facilitation was most suited to deliberative problem definition in the SCA context this thesis hopes to make a modest contribution to this strand of the literature.

2.5 To What Effect?

Local Works campaigners defined the principle underpinning the SCA as the idea that ‘local people are the experts on the problems facing their area and the solutions to them’. In this respect, an important aspect of the SCA is its attempt to provide a channel through which ‘local expertise’ could be connected to the development of policy agendas. This much can

be said of most PDPs, however, the SCA is an especially pertinent case to consider in this respect because it institutionalised a link to the policy processes (in the form of the duty to ‘try to reach agreement’) of central government.¹⁵ PDPs are not mostly authorised to make binding decisions, and those with delegated authority, or some form of power sharing with representative institutions, function at local level (e.g. see Fung and Wright 2003). When outputs relate to higher governance tiers PDPs tend to be consultative in nature. The duty to try to reach agreement was intended to ensure a greater degree of influence than that associated with traditional consultation, and it is important to investigate whether its operationalisation can teach us anything about the institutionalisation of links between PDP outputs and binding decision:

- (RQ 3a) How was the duty to try to reach agreement operationalised?
- (RQ 3b) What contributions did the SCA make to policy making?

In answering these questions the thesis shall describe and evaluate the links made by the SCA to policy development. In order to aid in the latter task, this final section of the chapter develops a framework based on a trade-off between reflexivity and responsiveness in policy making. It argues that although these features stand at odds with each other in important respects, the ability of PDPs to maximise both is an indicator of quality. Finally, drawing upon literature on PDPs and the citizen initiative, different arrangements for relating outcomes of participation to the policy process, that mitigate this trade-off in different ways, are outlined. Drawing upon this literature, ways in which reflexivity and responsiveness have been reconciled through institutional design and some of the main constraints faced in this respect are illustrated.

2.5.1 Reflexivity and Responsiveness in Policy Making

¹⁵ This reflects developments in policy analysis literature focusing on the importance of local, or lay, knowledge in decision making (Lindblom and Cohen 1979; Sirianni 2009; Fischer 2009). Hierarchical divisions between ‘lay’ and ‘expert’ forms of knowledge in policy development process have been convincingly challenged (Scott 1998; Fischer 2009). Experts are no more knowledgeable than lay citizens outside their formal area of expertise, and lay citizens can be expert in different epistemic contexts. Indeed, people confront the results of faulty policies, poorly designed or enforced regulations, and a variety of other social and political problems, on a day to day basis. Hence, as Yanow (2003: 236) explains ‘the very mundane, but still expert, understanding of and practical reasoning about local conditions derives from lived experience’. Thus, Sirianni (2009) understands local knowledge to be an important resource to be fostered for the production of public goods.

Concepts of reflexive and responsive policy making have received much attention in contemporary political science. 'Reflexive governance' (see Voss and Kemp 2005; Hendriks and Grim 2007) is a concept related to a perceived move from centralised, hierarchical institutions towards a more fluid and dynamic organisation of public power, based on the diffusion of governance functions throughout networks (see Davies 2011: 9-30). The proliferation of bodies brought into policy processes require that state institutions develop 'reflexive' mechanisms for communication and co-ordination, a process which has been called 'meta-governance' (Jessop 2003; Somerville 2005). The need for reflexivity arises in response to the indeterminacy and increased complexity entailed by the recognition of 'second order' problems, or those that arise from negative consequences of past actions (Voss and Kemp 2005). This means that the policy process itself must become adaptable, changing in response to new demands and problem definitions (Hendriks and Grim 2007). PDPs are valued for their potential to increase the adaptability of representative institutions by incorporating a greater plurality of actors and knowledge (Sorensen 2006; Hoppe 2010). However, reflexivity, in so far as it relates to the relationship between PDPs and the policy process, implies that PDPs exist alongside other processes in a complex and dynamic ecology of governance (Papadopoulos 2012). Thus, 'full citizen control' of policy through PDPs is not always possible, nor desirable, rather, forms of participation, and their role in policy development, 'are, and should be, legion' (Fung 2006: 67).

The concept of responsiveness is foundational to representative democracy: elections deliver responsiveness by providing equal opportunities for translating popular preferences to public policies (Dahl 1971: 1). Thus, the literature on democratic responsiveness has traditionally focused on correlating civic preferences on political issues with policy choices (Page 1994). One of the main reasons why PDPs and direct-democratic processes such as the citizen initiative are valued is because they provide opportunities for citizens to develop preferences and influence policy on this basis thus providing an alternative way, other than traditional methods such as public polling or elections, to achieve responsive governance (Fishkin and Luskin 2005; Cornwall and Coelho 2007; Hoppe 2010; Setala and Schiller 2012). However, critics argue that, rather than desire to achieve responsive policy making or 'deepen' democracy, opportunism and strategic incentives often underpin the promotion of

PDPs by certain actors, in both political and economic spheres (Lee and Romano 2013). As well as tackling the problems identified in above regarding control and manipulation arising from power asymmetries between actors involved in the process, ensuring policy responsiveness is an important way in which selective incorporation of outcomes might be avoided, and thus concerns of tokenism and placation mitigated.

2.5.2 *'Transmission', 'Integration' and 'Mixed' Forms*

The requirements of reflexivity and responsiveness clearly pull in different directions: it is simply not possible to fully reconcile an acceptance of indeterminacy with commitments to 'empower' PDPs by translating outcomes directly to binding decision. The first involves openness to new problems and alternatives, whereas the latter involves 'closure' by deciding on a specific form of action (Voss and Kemp 2005: 20-22). However, PDPs institutionalise links between outcomes of participation and policy development in different ways, and with different implications for this trade-off. This section briefly outlines how this trade-off plays out in three different institutional forms ('transmission', 'integration' and 'mixed') and in the process highlights key areas to consider when analysing the SCA process.

(i) Transmission

'Transmission' is a clearly defined link between outcome and binding decision. In PDPs transmission often entails the delegation of authority in specific policy areas, usually at the local level. This includes those arrangements that are in place when PDPs are considered to be 'empowered' (Fung and Wright 2003). However, the problem of scale affecting PDPs (Parkinson 2006: 5-8) complicates transmission beyond local levels. It is perhaps for this reason that, where links to decision are clearly defined to higher tiers of government, transmission occurs through institutionalising representation at higher levels (e.g. Somerville 2005: 134) or, in some cases, through the use of other processes such as referenda. The former has been employed in PDPs such as the Participatory Budget in Porto Alegre (PBPA – e.g. Santos 1998), which shall be discussed further below, and the later in the British Columbian Citizen Assembly (BCCA), where the results of public deliberation in a 'mini-public' defined the electoral reform options on a referendum (Warren and Pearse 2008). Similarly, in direct-democratic institutions such as the 'full scale' initiative (Setala and Schiller 2012) an empowered referendum takes place once a proposal reaches quorum

requirements. To use the terms developed to describe different forms of collaboration and division of labour above, the initiative and BCCA processes work in 'serialised' fashion. Once quorum requirements are met, or decision reached following deliberation, a referendum is triggered.

The referendum instrument is to be valued on the grounds that it offers universal opportunities for participation whilst connecting the results of participation to the policy process in a transparent fashion. Because it creates a process which functions separately to representative institutions, this form of transmission potentially limits constraints often found in PDPs such as the cherry picking of recommendations by public authorities (Hoppe 2011), lack of continuity due to electoral changes (Cooper and Smith 2012: 28) or the subsuming of processes within established bureaucratic structures (Burgess and Chilvers 2006). As a result, an important degree of responsiveness to the results of participation is ensured. Indeed, scholars of institutional design focusing on the potential to combine, or serialise, different kinds of PDPs (see Smith 2009: 188-192) often envisage a decision sequence where PDPs set options for binding decision via referendum (Saward 2001; 2003; Parkinson 2006: 170-171).

However, referenda fare poorly in terms of reflexivity. They simplify policy issues to a few (often binary) choices and their binding and finite nature leaves 'little or no room for negotiation, compromise and accommodation' (Smith 2009: 130). Thus, this form of transmission is arguably ill-suited to the governance of complex policy areas, especially if they are subject to short term changes. The fact that policy options were developed and prioritised through deliberative processes in the BCCA mitigates this concern. However, as noted above, the 'serialisation' of the process might mean that some of the value added by deliberation in the mini-public is lost. The outcomes of the mini-public only had the effect of informing options in a referendum. Although evidence suggests that some participants in the referendum took recommendations developed by the mini-public as a heuristic at the ballot box (Cutler et al 2008), one could argue that, at least on an epistemic level, a better decision would have been taken by the mini-public.

(ii) Integration

Integration is a softer and less clearly defined link to binding decision, which sets no conditions guaranteeing policy action. Such 'weak' linkages increase prospects for reflexive governance but do so at a potential cost of responsiveness. Indeed, one of the main reasons why the Spanish 'agenda initiative' (Setala and Schiller 2012a: 8-9) is rarely successful in influencing national policy is because of 'political rejection by the parliamentary majority' (Cuesta-Lopes 2012: 209). In practice it is thus a rather ineffective agenda setting tool. Another example is that of electronic petitioning in the UK. This process is also weakly institutionalised and has had little influence on policy. However, it has proven to be rather popular perhaps because the formation of a petition requires relatively little resource or effort and can thus serve as a relatively accessible platform for the promotion of political issues and campaigns by individuals and groups (Wright 2012).

Moreover, it is difficult to ascertain impact in cases of integration because policy outcomes, even when they are similar to process inputs, might be explained by unseen factors. These might include, from a path dependency perspective, contingency upon consequences of previous decisions, or, constraints placed upon the range of viable policy choices by the interests of socio-economic elites (Dryzek 1996: 25-26; 2000: 94; Baccaro and Papadakis 2008). For these reasons, Papadopoulos and Warin (2007a: 596) suggest that PDPs 'seem more like management and communication techniques ... than effective instruments of democratisation of the decision-making process', deepening concerns that tokenism might exacerbate civic disaffection with politics (Lowndes, Pratchett and Stoker 2001a; Hay and Stoker 2009; Somerville 2011).

This does not mean that consultative processes are necessarily tokenistic. One way of mitigating the problem of low visibility is by ensuring the publication of a rationale for decisions. This can limit disaffection with such processes by providing participants with information and feedback regarding the role of their participation in the policy process, even if responses are negative (Lowndes, Pratchett and Stoker 2001a: 452-453, 2006: 289). It can also increase responsiveness because it makes decision a matter of public record, meaning that government rationales can be more effectively contested by civil society actors. Moreover, notwithstanding equifinality, Goodin and Dryzek (2006) have traced out a variety of indirect paths through which consultative PDPs have influenced policy

development. As noted in section 2.4, the results of consultative citizen juries have, for example, influenced policy agendas through attracting media attention and creating a constituency of citizens which develop an interest in the subject. Thus, the mobilisation of civil actors external to the process, such as civic groups or the media, might operate to ensure responsiveness through indirect means. For this reason, Parkinson (2012: 157-8) argues that institutions such as the media, judiciary and civic associations can play a 'referee' role in deliberative systems. Indeed, scholars have identified a similar role for 'deliberative activism', understood as advocacy activity that may use non-deliberative means to promote the uptake and impact of PDPs (Fung 2005; Kadlec and Friedman 2007).

(iii) Mixed Forms

Transmission and integration are opposite poles on a continuum. Between these there are many potential arrangements. As noted in section 2.3, commentators on the Swiss citizen initiative value the model for its mixed characteristics (Smith 2009: 120; Setala and Schiller 2012a). In Setala and Schiller's (2012) terms, it is a combination of 'full scale' and 'agenda' initiatives: representative institutions have an opportunity to consider propositions and develop counter-proposals before referendum. PDPs have institutionalised power-sharing between citizens and public authorities in different ways. For example, the PBPA combines participatory democracy at lower levels with representation and technocratic imperatives at higher levels (Smith 2009: 36-39).¹ There are two aspects to consider regarding reflexivity and responsiveness. First, although PBPA spending plans must be ratified by representative institutions, the acceptance of budgets, according to Santos (1998: 502), has become a 'formality' because 'the large participation of citizens mobilised by PBPA compels the legislature to approve always the budget presented'. Indeed, one of the most striking features of PBPA is the mass mobilisation that it achieves (Smith 2009: 37). The 'countervailing power' (Fung and Wright 2003) generated works to scrutinise public authorities, ensuring the responsiveness of policy making at higher tiers to participatory inputs (Baccaro and Papadakis 2008: 51-52). The advocacy activity of organised groups and civic mobilisation emerges again as an important factor in ensuring responsiveness, something which the PBPA experience suggests can be facilitated by institutional design (Smith 2009: 43-44).

Second, participants in neighbourhood-based assemblies and delegate representatives in higher tiers of the process consult public officials in assessing the technical viability of proposed plans. This allows for an important degree of reflexivity, as proposals might need changing due to factors which citizens may have been missed. Furthermore, collaboration between 'ordinary' citizens and public officials pluralises the understandings that are incorporated into the process and thus stands to improve the epistemic basis of policy (Sirianni 2009: 49). However, commentators are concerned that the reliance of civic participants upon advice and information from public officials allows the latter to control the process, something which is especially prominent in higher tiers where delegates are brought into closer contact with bureaucratic expertise (Abers 1998). Thus, as the PB process abstracts from the results of initial participation, and begins to connect these with decision at higher levels elite actors have more power to shape integration processes. According to Smith (2009: 54-55), these problems limit some of the clear gains achieved by the PBPA process.

2.5.3 Relating Outcomes to Policy Development in the SCA: Key Themes

As will be explained fully in section 5.2, the SCA institutionalised a form of integration. However, it is important to underline that it was not entirely consultative. The legislation placed a duty on the government to 'try to reach agreement' on which proposals to implement with a panel of local councillors acting as representatives of process participants. This was an attempt to mitigate the dilution of responsiveness which integration can entail, and lies at the crux of the SCA process. Although it stops short of transmission, it can be seen as a form of power-sharing. The design of the SCA is explained more fully in chapter five. For now, it is important to highlight some key themes to consider when analysing integration in the SCA process.

First, the issue of power asymmetries between state and non-state actors and the possible influence of hidden influences upon binding decision highlights the notion that PDPs do not necessarily 'empower' participants, but generate 'new fields of power' within which state and non-state actors operate (Barnes, Newman and Sullivan 2007: 54). In so far as it relates to the relationship between PDPs and policy making, this issue is especially relevant in

processes that institutionalise power-sharing because a defining feature of these is non-state actors have a role in making binding decision, rather than developing policy recommendations. Second, although the literature points to important ways in which prospects for original policy influence through PDPs are constrained by existing structures, the development of ‘countervailing power’ (Fung and Wright 2003), and ‘referees’ (Parkinson 2012: 157-8) such as the media, judicial institutions or ‘deliberative activists’ (Fung 2005; Kadlec and Friedman 2007), is important in ensuring responsiveness through indirect means.

The above discussion suggests that PDPs exist in a complex, and often uneasy, relationship with existing power structures (Gaventa 2006). Although the claiming of state power by civil society actors is often seen as an important feature of the institutionalisation of PDPs (Baiocchi 2003; Cornwall and Coelho 2007), it is equally true that contact with state institutions can blunt their critical features and constrain their impact (Dryzek 1996; Cooke and Kothari 2001; Blaug 2002). Power works both ways. It can foreclose opportunities for change, but its exercise can also enable change (Elstub 2013: 18-19).

Thus, in sum, it will be important when considering reflexivity and responsiveness in the SCA, to look closely at the nature of the processes through which outcomes of participation are linked to policy development: including the influence of existing structures upon the integration of outcomes, the interactions between actors directly involved in integration and the role of ‘referees’ that are external to the process.

2.6 Summary

This chapter has provided an overview of the three main aspects of institutional design to take into account when evaluating the SCA process. The resulting analytical framework can be summarised as relating to three aspects of design: ‘who participates?’, ‘how participation takes place’ and ‘to what effect?’ Within each theme I have identified two research questions. To sum up:

1. Who?

- (RQ 1a) Did the constitution of SCA panels overcome problems of participation bias?
- (RQ 1b) On what grounds were different participant selection choices made?

2. How?

- (RQ 2a) Through what processes were proposals developed in the SCA?
- (RQ 2b) What forms of interaction were present between participating actors and which was most effective in co-producing expertise?

3. To what effect?

- (RQ 3a) How was the duty to try to reach agreement operationalised?
- (RQ 3b) What contributions did the SCA make to policy making?

Regarding the first, different forms of participant selection and representation which one might expect to find at play in the SCA have been considered. Each has its distinct advantages and disadvantages and it is important to evaluate these in the broader context of the role which they play in a decision making process as a whole. Regarding the 'how' question, this chapter has argued that collaboration is a crucial aspect of design, since it begins to define the roles which different actors are expected to take. It is important not only to take into account how citizens communicate when participating, but also how labour is divided between actors involved in the process. Three forms of collaboration and division of labour were outlined, which should not be understood as mutually exclusive, and some of the advantages and drawbacks associated with each were outlined. These shall be used in chapter eight as a basis upon which to describe collaboration forms at play in SCA public participation processes, and evaluate which offer the best approach to enable participants to develop considered judgment when defining problems and considering alternative solutions. However, forms of collaboration also have important consequences upon the kinds of power relationships between actors involved in participation exercises. In this sense, it is also important to take into account 'inclusion' when evaluating forms of collaboration. Thus, section 2.5.2 considered the role of 'facilitation' in mitigating power

asymmetries, positing the hypothesis that more 'involved' approaches (Dillard 2013) are necessary.

In the issue of linking results to decision, a conceptual distinction has been outlined between transmission, a clearly defined link which maximises responsiveness at the potential cost of reflexivity, and integration, a fussier link which ensures reflexivity at the potential cost of responsiveness. The institutional form at play in the SCA is integration, and thus the process might be expected to perform poorly in terms of responsiveness. Crucial in this respect is the duty placed upon government to 'try to reach agreement' with initiators on which proposal to implement: did this lead to greater responsiveness than in consultation? If so, how so? Chapter six describes how the process was operationalised, setting the context for a more detailed consideration of this question in chapter nine. Finally, it is important to take into account sources and forms of institutional resistance which the SCA might come up against when integrating the results of participation in policy development and have identified the importance of taking into account the role of 'referees' (e.g. civil society actors, media, the courts) (Parkinson 2012: 156) in mitigating these.

Before presenting the analysis, the thesis moves onto describing and justifying the methodology used to investigate these issues.

3. Research Design and Methods

This chapter outlines the methodological approach of the thesis. It presents a problem-oriented approach to research design, data collection and analysis, designed to answer the research questions set out in chapter two. The research is composed of two basic elements. The first of these is an analytical framework drawn primarily from normative and empirical deliberative and participatory democracy and governance literature, which has been presented in the previous chapter. The second element, outlined here, is a two-tiered case study of the Sustainable Communities Act (2007), focussing on the local and national levels of the process separately.

For the sake of clarity, this chapter presents the development of the research in 'linear' fashion (design, data collection, analysis). However, it is important to note that there is an important sense in which qualitative research does not conform to this structure (Seale 1999; Yanow 2003: 242). Instead, it can be broadly depicted as a spiral, progressing and backtracking in systematic iteration between different phases. Research designs should be informed with unpredictability in mind, allowing research to develop in conversation between ideas, theories and data. Rather than a linear process, qualitative research is perhaps best characterised as emergent (Lewis 2003: 47). Although this does not mean that I did not have a well formulated idea once data collection had begun, it was open to being pushed in new and different directions. Some of these proved productive than others, until, not that long before submission, the thesis began to crystallise around a set of empirical categories and themes, derived in conversation between the relevant literature and my own empirical work, and a narrative structure which best presented results.

With this caveat in mind, this chapter describes the different 'stages' of this research and explains the methodological choices made as the research progressed. The chapter begins in section 3.1 by explaining the reasons informing the choice investigate deliberative agenda setting through qualitative study of a single case, and why the SCA was selected as the case to analyse. Sections 3.2 and 3.3 respectively explain the approach taken to sampling and data collection; finally, section 3.4 discusses the approach to data analysis.

3.1 Why a Case Study Approach?

3.1.1 Generalisation and Depth of Understanding

As defined by Gerring (2007: 22) a 'case study' is an 'intensive study of a single case (or 'unit') where the purpose of that study is –at least in part- to shed some light upon a larger class of cases'. Thus, one of the central purposes of case study research is to apply results to the development of knowledge on a broader set of cases of which the case in question is said to be representative, or illustrative. However, for obvious reasons, case studies do not fare well in terms of the statistical generalisation prized by quantitative research. It is mainly for this reason that 'case-oriented' research is often seen as the poorer counterpart of the 'variable-oriented' tradition (Della Porta 2008). Thus, a general line of advice given by scholars who favour quantitative research is to increase the number of cases under consideration in order to raise confidence in the generalisations drawn (King, Keohane and Verba 1994). Nevertheless, although it may indeed be usefully applied in certain contexts, this advice is based upon a misunderstanding of the nature and value of qualitative research, limiting the potential for a productive engagement between quantitative and qualitative approaches to social science (Mahoney and Goertz 2006; Brady, Collier and Seawight 2010; Mahoney 2010).

In qualitative studies, findings are perhaps not best understood as 'generalisations', but as insights aiming to deepen understanding (Flyvbjerg, 2006). In order to develop 'deepened understanding' it is important for the researcher to 'fully explore the content or 'map' of a range of views, experiences, outcomes or other phenomena under study, and the factors and circumstances that shape and influence them, that can be inferred to the research population' (Ritchie and Lewis 2003a: 269). Thus, much of the focus of qualitative research, especially in the initial stages of data collection and analysis, is placed upon fully constructing the cases and defining the concepts to be used in the investigation, a process which has been called 'casing' (Ragin 2004; see also Della Porta 2008: 208-209). This is something which can be overlooked by large-n designs. For this reason, Munck (2004: 113) argues that King, Keohane and Verba's advice regarding the importance of increasing the 'n' ignores the problem of 'conceptual stretching': 'taking concepts that validly apply to a given set of cases and extending them to a domain where they do not fit'. Thus, a large-n approach increases the danger that inappropriate cases are selected and/or that measures and indicators are poorly defined (Della Porta 2008: 210). Essentially, the trade-off between

the ability to make robust generalisations and achieving 'depth' of understanding makes it important to calibrate the level of analysis in relation to the objectives of the research project. This should inform much of the choice to be made between the adoption of different approaches, from small-n and medium-n variants of case-oriented studies to large-n cross-case studies (for a discussion of the different analytical foci of research designs see Gerring 2007: 22-26).

The potential to achieve 'deepened understanding' makes case studies especially useful when dealing with complex concepts and phenomena, because, as George and Bennett (2005: 19) explain, they can produce high levels of conceptual validity when dealing with issues that are 'notoriously difficult to measure'. The proposed study is laced with such concepts (e.g. representation, inclusiveness, collaboration etc) and for this reason a qualitative, small-n approach was deemed necessary. This does not mean, however, that findings from this study cannot be extrapolated to other contexts. Rather, the basis upon which generalisations are made differs from the dominant quantitative understanding of generalisation (Ritchie and Lewis 2003a: 264-270; Flyvberg 2006). Case studies can contribute to the advancement of theory by standing on the shoulders of past work and, because they enable depth of understanding, they often reveal new phenomena or provide insights that lead to original lines of inquiry.

Indeed, as shall be explained in the section below, the Sustainable Communities Act was chosen precisely because it seemed likely to reveal new things about participatory governance.

3.1.2 Why the SCA?

The Sustainable Communities Act was purposively selected for its analytically relevant features. As will be explained in greater detail in chapter five, it is an example of an agenda setting PDP which differs from similar innovations in two main ways. First, it is a rare example of a process which is specifically designed to allow citizens to identify and define problems, develop policy proposals and influence central government policy agendas. Second, it institutionalised a link to the policy process at higher governance tiers (in the form of a statutory duty for the government to 'try to reach agreement' on which proposals

to implement with a body acting as representative of process participants).¹⁶ It is very rare that both these qualities are present simultaneously in PDPs. On one hand, there are examples of PDPs with delegated authority to develop and implement policy in which participants define problems and set priorities. However, to the best of my knowledge, they operate around specific policy areas and mostly at local levels. On the other hand, processes that allow citizens to define problems might be set up to influence agendas at higher levels of authority, are usually consultative in nature (e.g. Goodin and Dryzek 2006, Dryzek 2009). This exacerbates concerns that public authorities might ‘cherry pick’ those recommendations which cohere with decisions made elsewhere (Hoppe 2011), or that PDPs might be used to placate demands and foreclose more contentious forms of political action (Cooke and Kothari 2001; Blaug 2002; Lee and Romano 2013). Thus, because of its problem definition and agenda setting function as well as the breadth of institutional scales it spanned in connecting outcomes to policy development, the SCA differs from existing institutional designs in analytically relevant ways.

In this sense, the SCA can be seen as a ‘paradigmatic’ (Flyvberg 2006) or ‘extreme’ (Gerring and Seawight 2007: 98) case. Gerring and Seawight (2007: 98) argue that such cases are useful for exploratory purposes. They have much to reveal but less to confirm. It was my judgement therefore that the production of relevant outputs would be maximised by focusing resources upon an intensive study of this case. One important disadvantage with this ‘n1’ design is that the prospects for comparative analysis are undermined. However, the case in question was implemented differently by a plurality of local authorities and thus provides opportunities for within-case comparisons at this level. The approach to selecting within-case cases is explained below.

3.2 Casing and Sampling

This section explains the rationale informing the research design. It begins in 3.2.1 by outlining the ‘casing’ (Ragin 2004) process and in 3.2.2 the approach taken to sampling within-case-cases as well as identifying and negotiating access with research participants. As will be seen, the main data sources are semi-structured interviews and SCA process

¹⁶ For a more detailed account of the design of the SCA see chapter five.

documents, or the 'paper trail'. The logic informing the choice of data sources methods such as semi-structured interviewing is explained in section 3.3.

3.2.1 'Casing'

For reasons explained above, the case of the Sustainable Communities Act was purposively selected. However, the SCA operated at two tiers (local / national) and different approaches were taken at each level. Because of the larger range of potential cases, the research design at local level is more complex and will be the focus of this section. Before local-level 'within-case-cases' (local councils) were selected it was necessary to define the range of potential cases for study. In order to do this, potential cases were categorised according to the design features identified as analytically relevant in chapters two and three. In the SCA process, it is local councils that resource and design engagement processes with a view to developing policy proposals. However, they are not involved in the processes through which the outcomes of participation are related to policy development. It is at local level that civic participation occurs. Thus, analysis at this level relates to the first and second research questions.¹⁷ The analytical framework discussed two aspects of institutional design which it is necessary to consider in order to answer these: representation and participant selection and collaboration. For this reason, cases were categorised along these two dimensions, the idea being that this would enable me to map out the *range* of different approaches to the implementation of the SCA and provide the basis from which to select within-case-cases according to analytically relevant features (see Ritchie, Lewis and Elam 2003: 81-83; Gerring and Seawight 2007: 97-101).

To this end, I drew upon participation process descriptions articulated by councils on 'policy proposal forms'. These forms were produced by councils to communicate to government the proposals which they had developed through the SCA (for an example of a proposal form see appendix item 1). They also documented the approach taken to, and results of, participation processes. 197 policy proposal forms, produced by 82 out of the 100 councils which implemented the SCA process in 2009, were collected. Based on the process descriptions contained within each, forms of implementation were located within a simple four-cell matrix which was produced by cross-tabulating indicators of the 'who' and 'how'

¹⁷ In summary, the first seeks to establish whether and how PDPs can overcome problems of elite control and the second how PDPs can overcome problems of low deliberativeness in the citizen initiative.

aspects of institutional design discussed in the previous chapter on binary categorical measures (high-low). The result can be seen in table 3 below. The next few paragraphs explain the relevant dimensions and approach taken to measuring case features.

The measurement of the dimensions used to place different councils on this matrix was limited by the level of information provided on policy proposal forms. The limited information meant that rudimentary indicators of forms of participant selection and collaboration had to be developed in order to be able to place potential cases within the matrix and to map out the range of cases for study. This resulted in ‘openness’ and ‘collaboration’ measures, which were developed by separating four decision ‘stages’ of the SCA process at local level (i. idea raising – ii. proposal development / refinement – iii. proposal prioritisation – iv. decision making) and differentiating between the different actors involved and forms of interaction at play at each stage.

Regarding collaboration, ‘low’ refers to implementation forms where there is a clear separation between the actors involved in the first three stages. ‘High’ refers to processes where a clear separation between actors involved could only be identified between up to two of the initial three stages. The fourth stage is not included because, since the SCA required that Local Authorities sponsor proposals, decision making was formally carried out by elected representatives in all cases. However, where information was available, I did differentiate between those that ‘rubber stamped’ proposals (accepting all those developed) and those that ‘cherry picked’ proposals. Based on the policy proposal forms, the four bullet points below summarise the process across these stages in the case of Kent, a council which scored ‘low’ collaboration:

- *i. Idea Raising:* No SCA idea-raising process implemented: both ideas raised from previous consultation (2006 Sustainable Community Strategy).
- *ii. Proposal Development:* No engagement on proposal development: proposal developed by council actors.
- *iii. Proposal Prioritisation:* Surveyed the County Council’s demographically representative (n1077) and independently constituted ‘sounding board’ on the

importance of the idea for the local area, their opinions on the solution proposed and the appropriateness of the SCA to promote the solution.

- *iv. Decision Making:* Elected representatives ‘rubber stamped’ ideas.

There is a clear separation between three initial stages of the process, and minimal contact between the actors involved at each. For this reason, the council scores ‘low’ collaboration.

The five bullet points below summarise the process in the case of Cambridge, a council which scored ‘high’ collaboration:

- *i. Idea Raising:* Public meeting held on SCA, chaired by council’s leader, open to all but promoted through council-linked organisational networks. 40 attendants proposed ideas on ‘post-it’ notes under themes provided by Sustainable Community Strategy priorities. Each was given 10 votes.
- *ii. Proposal Development:* A local panel of 15 volunteers from initial public meeting set up to consider most popular ideas, but was also able to modify these or come up with new ones.
- *iii. Proposal Prioritisation:* Local panel chose and developed four proposals.
- *iv. Decision Making:* Council scrutiny committee and leader ‘rubber stamped’ panel recommendations.

There is a clear separation between processes used in just two aspects of the process, the initial public meeting (stage i) and the local panel (stage ii, iii) and thus Cambridge scored ‘high’ collaboration. Essentially, the high/low difference in collaboration is a rudimentary measure of the division of labour at play between the different phases of the process. Generally speaking, those councils that tended towards engaging actors in one space scored ‘high’ collaboration, those engaging actors separately and across different phases of decision scored ‘low’ collaboration.

Regarding representation and participant selection, proposal forms did not provide sufficient information to differentiate between the different forms discussed in chapter 2. For this reason they were replaced with the more general indicator of ‘openness’: a measure of the opportunities offered for the *discursive participation* of citizens in at least one of the first three stages of the process. Where evidence of opportunities for the

discursive participation of individual citizens and members of local associations were provided, councils would score 'high', whereas those councils which provided no such evidence or limited opportunities to council-linked groups (e.g. local strategic partnerships and / or service delivery organisations) or council representatives and officials were scored as 'low'. The five bullet points below summarise the process in North Yorkshire, which scored 'low' openness:

- *i. Idea Raising:* Issued a press release and placed advert in local newspaper giving readers three months to respond with petitions for ideas.
- *ii. Proposal Development:* Officer working group collated ideas and 'filtered' inappropriate ones.
- *iii. Proposal Prioritisation:* Panel made up of representatives from council-linked groups (Local Strategic Partnership; Parish Councils) considered shortlist proposals and expressed preferences on these.
- *iv. Decision Making:* Elected representatives 'rubber stamped' recommendations.

Citizens could petition the council on potential ideas by responding to newspaper adverts, however opportunities for discursive participation were limited to council officers or members from council-linked groups (LSP; Parish Councils). Thus, North Yorkshire scored 'low' on openness.

The four bullet points below summarise the process in Lewisham, which scored 'high' openness:

- *i. Idea Raising:* Raised ideas from a variety of sources including, individual citizens, local councillors and council linked groups (specific idea-raising mechanisms not mentioned).
- *ii. Proposal Development:* Officer working group collated ideas, 'filtered' inappropriate ones and, where necessary, sought clarifications with individual proposers.
- *iii. Proposal Prioritisation:* Independent organisation subcontracted to constitute randomly selected and representative local panel (composed of 15 citizens) and facilitate deliberations where participants expressed preferences on proposals.
- *iv. Decision Making:* Elected representatives 'rubber stamped' recommendations.

The processes in North Yorkshire and Lewisham are quite similar. Nevertheless the latter scored 'high' on openness, because unlike North Yorkshire, Lewisham offered opportunities for the discursive participation of ordinary citizens in one of the first three stages (i.e stage iii). The reason for focusing only on the 'openness' of opportunities for *discursive participation* was because it would be misleading to class processes as 'high' on openness when opportunities for citizen participation were limited to passive and non-discursive forms of participation such as responding to a newspaper ad (as in North Yorkshire), or filling out a questionnaire (as in Kent). These provide minimal opportunities for participation and hardly make the process an 'open' one.

Out of the 82 councils for which information was collected, 19 provided too little information for categorisation and were thus eliminated from the sample. Table 3 provides an initial 'bird's-eye view' of the processes in the remaining 62 councils in a simple four cell matrix dichotomising 'openness' and 'collaboration' on high / low measures. As well as a base upon which to select cases, constructing the matrix in table two was also an important part of the 'casing' process of this research, whereby, as Ragin (2004: 127) explains, cases 'coalesce ... through a systematic dialogue of ideas and evidence'. The process allowed me to begin to gain familiarity with different approaches to implementing the SCA, and it also highlighted areas where more information was needed and that should be explored further in interviews. The end of the 'casing' process is presented in section 4.2 where this categorisation is reproduced for the cases analysed and where, as a result of more information gathered through interviews, the position of some councils changes.

		Collaboration	
		Low	High
'Openness'	High	<p>Type 1</p> <p>Lambeth; York; West Lancashire; Birmingham; Chorley; Hastings; High Peak; Staffordshire-Moorlands; Darlington; Islington; Newcastle City; Central Bedfordshire; Bristol; Herefordshire; Lewisham; Torridge; Kingston Upon Thames</p> <p>17 CASES</p>	<p>Type 2</p> <p>Exeter; Waltham Forest; Redbridge; Essex; Warrington; Wycombe; Sheffield; Cambridge; Wiltshire</p> <p>9 CASES</p>
	Low	<p>Type 3</p> <p>North Dorset; Dorset; Redcar and Cleveland; Poole; Newcastle-Under-Lyme; South Lakeland; Norfolk; Norwich; South Kesteven; Windsor and Maidenhead; Burnley; Southend-on-Sea; Leeds; Hackney; Stockton-on-Tees; Kettering; Kent; East Lindsey; West Dorset</p> <p>19 CASES</p>	<p>Type 4</p> <p>South Tyneside; Warrington; Hammersmith and Fulham; Pendle; Craven; Ryedale; Scarborough; Harrogate; Hambleton; Selby; Richmondshire; Bexley; Bath and NES; South Hams; South Somerset; Doncaster; North Yorkshire; Wirral;</p> <p>18 CASES</p>

Table 1: : Binary Categorical Matrix of Openness and Collaboration Measures.¹⁸

3.2.2 Sampling

Having placed the cases for which sufficient information was gathered in the matrix presented on table two the case selection process began. Before describing the approach taken to case selection, I should underline that the matrix was not intended as a rigid comparative framework which could form the basis upon which to perform a 'controlled' comparison. The typology is limited in terms of the variables it covers. Moreover, the development of a framework which covered more variables of assumed importance, or what George and Bennett (2005: 254) call a 'typological theory', was beyond the scope of this research and its application complicated by the lack of relevant information available on the cases. The approach to sampling was a softer one, rather than being designed to accurately measure difference and make robust causal inferences, it was intended as a starting point to contrast and compare the different cases with a view to identifying

¹⁸ Information on proposal form too limited to apply measures (19 CASES): Rother District Council; Liverpool; Oxford City Council; South Gloucestershire; Southampton; Cheshire West and Chester; Nottingham; Mid-Sussex; Ashford; East Devon; Mid-Devon; Bury; West Devon; Lewes; Stroud; St. Albans; Suffolk Coastal; Southwark; North Somerset.

problematic aspects and best practice (Lewis 2003: 50-51; for a similar approach see Hajendijk and Irwin 2006). This section begins by explaining the approach taken to within-case-case selection and ends by describing how participants were identified and access negotiated. Throughout the discussion some of the decisions that it was necessary to make when faced with practical difficulties are explained and justified.

As already noted, the aim when selecting cases was to maximise coverage across relevant dimensions. As Ritchie, Lewis and Elam (2003: 83) explain, this is a popular approach to sampling in qualitative research. Unlike quantitative approaches that seek statistical representativeness, it is concerned with 'symbolic representativeness' whereby 'a unit is chosen to 'represent' and 'symbolise' features of relevance to the population ... [or] ... the purposive representation of 'character'. Thus, I was not primarily concerned with selecting a sample that was representative of the distribution across four types. Instead, my primary aim was to ensure maximum coverage of cases across the design features discussed in the 'who' and 'how' aspects of the analytical framework, mapping out the full range of features of practice according to these two dimensions of institutional design. Gerring and Seawight (2007: 100-102) have called this approach to selection 'diverse case'. They argue it is often applied intuitively by case study researchers and that it is to be valued for introducing variation on key variables of interest.

The initial idea was to select two councils from each part of the matrix, resulting in eight cases for comparison. I felt an n-8 design would enable me to strike a good balance between depth and breadth. Having located cases within types (as in table 3), proposal forms were consulted in order to gain contact details for relevant policy officers. These provided the initial point of contact to negotiate access. The aim at first was to contact relevant officers in each council and enquire about the level of access which might be realistically expected, then select those cases within each type for which most access was likely to be available. However, as contact was initiated two practical problems became apparent; (a) in many councils the relevant process managers had either left, declined to participate in the

research, or did not respond to my invitations to participate¹⁹ and (b) many councils could not disclose information of actors involved due to data protection requirements or because they had failed to keep appropriate records.

These problems led to two main changes in research design. First, it became apparent that it would not be possible to gain the level of access originally deemed appropriate across eight cases. For this reason, the sample was widened to twenty cases: it became clear when initiating contact that it would not be possible to cover a smaller set of cases across types intensively but that it was feasible to cover a larger set across types more extensively. In this respect, I was looking to strike a balance between depth and breadth (Lewis 2003: 52) and had to take into account practical limitations when doing so. Second, I was not able to gain the same levels of access in those cases that I did cover. For this reason, it was necessary to differentiate between 'primary' and 'secondary' cases (as in table 4 below). 'Primary' cases include at least four interviews with both process managers and participants, and 'secondary' cases one to three interviews, usually with process managers. In order to cover relevant dimensions, it was important to ensure the presence of at least two 'primary' cases in each type – reflecting the initial aim of covering eight cases in depth. However, this did not prove to be possible in 'type 3' cases, which are covered by just one 'primary' case.²⁰ The final cases selected are highlighted in the table below.

¹⁹ In contacting councils I began with an e-mail to the relevant officer, followed up by a telephone call if no reply had been received in two weeks.

²⁰ Negotiating access in 'type 3' (low collaboration, low openness) cases was especially difficult, since it was these councils that had devoted the least resources to implementing the SCA process. As such, they kept poor records meaning that relevant participants were harder to identify. 'Type 2' cases (high collaboration, high openness), on the other hand, devoted relatively high resource to the SCA process. Access was easier to negotiate, and thus they are over-represented in terms of 'primary' cases.

		Collaboration	
		Low	High
'Openness'	High	<p>Type 1</p> <p>Lambeth; York; West Lancashire; Birmingham; Chorley; Hastings; High Peak; Staffordshire-Moorlands; Darlington; Islington; Newcastle City; Central Bedfordshire;</p> <p>Bristol*; Herefordshire; Lewisham*; Torridge; Kingston Upon Thames</p> <p>5 / 17 cases included in final sample (*2 primary cases)</p>	<p>Type 2</p> <p>Exeter; Waltham Forest; Redbridge; Essex; Warrington; Wycombe;</p> <p>Sheffield*; Cambridge*; Wiltshire*</p> <p>3 / 9 cases included in final sample (*3 primary cases)</p>
	Low	<p>Type 3</p> <p>North Dorset; Dorset; Redcar and Cleveland; Poole; Newcastle-Under-Lyme; South Lakeland; Norfolk; Norwich; South Kesteven; Windsor and Maidenhead; Burnley; Southend-on-Sea; Leeds; Hackney;</p> <p>Stockton-on-Tees; Kettering; Kent; East Lindsey; West Dorset*</p> <p>5 / 13 cases included in final sample (*1 primary case)</p>	<p>Type 4</p> <p>South Tyneside; Warrington; Hammersmith and Fulham; Pendle; Craven; Ryedale; Scarborough; Harrogate; Hambleton; Selby; Richmondshire;</p> <p>Bexley; Bath and NES; South Hams*; South Somerset*; Doncaster; North Yorkshire; Wirral;</p> <p>7 / 18 cases included in final sample (*2 primary cases)</p>

Table 2: Sampling Results.²¹

Respondents were identified from preliminary document analysis and purposively selected for an initial round of interviews. Preliminary analysis was carried out, informing the identification of key topics to be further investigated in interviews with relevant actors identified through a snowball approach. This combination of purposive and snowball sampling is recommended for studies where the full network of participants is unknown (Tansey 2007) and an iterative approach to data collection and analysis is appropriate for qualitative analysis, where 'reciprocal clarification of empirical categories and theoretical concepts' occurs in the course of research (Ragin 2004: 126)

However, gaining the deeper access necessary for comprehensive theoretical sampling was a problem especially in those councils which could not disclose participant information for

²¹ KEY:

- highlighted = selected case
- * = primary case
-

data protection reasons or due to a lack of and / or poor record keeping. For this reason, it was necessary to supplement the 34 interviews that had been carried out by then with 28 interviews carried out by 'Local Works', a pressure group which had campaigned to implement the SCA relating to the 20 cases for which data had been gathered.²² These were useful in gathering process descriptions and also covered some similar issues to those covered by myself. Moreover, Local Works were able to gain greater access to participants by drawing on their organisational networks to attract potential respondents. Nevertheless, it is important to recognise that they were gathered in a different context and thus should be seen as complementary to, rather than a main part of, analysis. Based on this data, two further cases (Lewes; Brighton and Hove), Local Works had carried out several interviews with a plurality of actors, were added to the initial 20.

A summary of interviews carried out at local level is provided below (for a full list see p. 285):

- Adrian Bua: 33 interviews (circa 21 hours): 10 with process participants and 23 with council officers, process managers and local councillors.
- Local Works: 28 interviews (circa 16 hours): 16 with process participants and 12 with council officers, process managers and local councillors.

The results of local public participation in local councils were integrated within policy development at national level. The smaller scale of the relevant population at national level made the sampling process a simpler one. Key participants were identified from my own prior knowledge of the SCA process (having worked on the Local Works campaign prior to undertaking this research) and relevant policy documents. The network was then further explored through a purposive and snowball approach (Tansey 2007). This strategy led to interviews with most key participants, covering almost all key actors involved in the process, including the Local Works campaign, the Local Government Association, relevant Labour government ministers and officials in the Department for Communities and Local Government (see chapters five and six for detailed explanations of the role of these actors

²² These interviews were carried out as part of research by Local Works intended to identify best practice in the first round of the SCA (see Flanagan 2012)

in the SCA process). Relevant ministers in the current Conservative-Liberal Democrat coalition government declined interviews. This was something of a set-back, however, their involvement in the 'first round' of the SCA (07/2007-12/2010) was not as extensive as the three previous Labour government DCLG ministers with which interviews were carried out.

A list of interviews conducted with national level actors is outlined below:

- Total of 14 interviews (circa 14 hours): including 3 Labour government DCLG ministers; 1 DCLG Official; 6 Local Government Association representatives and policy officers; 4 Local Works Activists.

3.3 Data Sources

In order to fully answer the research questions, a combination of document analysis and interviews was deemed necessary. First, document analysis of the SCA 'paper trail' provided extensive information regarding implementation procedures used by councils. As explained above, this proved useful in defining the design features of the population of cases. Second, much of the analytical work draws upon qualitative interviews (a total of circa 51 hours). These were deemed necessary in order to fully explore the systems of meaning and frames of reference underpinning the decisions and behaviour of the actors involved. This section discusses these two data sources, beginning with the approach taken to designing and conducting semi-structured interviews (section 3.3.1) and moving onto the role of SCA 'paper trail' documents (section 3.3.2)

3.3.1 Semi-Structured Interviews

Most of the analytical work of this thesis is based on interview data. Interviews were deemed necessary in order to gather information regarding the SCA which would be unavailable in process documents, including the motivations and experience of participating actors (Lilleker 2003). Because of the complex nature of the kinds of issues revolving around the research questions, qualitative interviewing (Arksey and Knight 1999) was deemed the best approach.²³ More specifically, a semi-structured approach to interviewing was deemed

²³ A structured questionnaire was considered for data collection at local level, but it was decided that interviews would enable me to gain more nuanced descriptions of processes, explore the logic underpinning these as well as interviewee's opinions on their outcomes. I should note that I also considered the value of combining interviews with participant observations. However, at the local level this was not possible because

necessary in order to focus the interviews upon areas deemed important to the study whilst also leaving space for adaptation when respondents raised important unforeseen issues (Legard, Keegan and Ward 2003). This section begins by describing how participants were contacted and recruited, it then goes into some detail about the approach taken to interviewing and explains in more detail how the data produced related to the research questions.

Interviewees were initially approached through e-mail or post, followed up by a telephone call where necessary. In these points of contact before the interview took place, it was important to negotiate a line between providing sufficient information regarding the aims and objectives of my research, as well as the respondent's role within it, in order to gain informed consent without giving so much information as to influence the context within which interviews would be conducted (Arksey and Knight 1999: 129-131; Lewis 2003: 66-67). The fact that cases were not selected based on resource considerations (specifically regarding the proximity of cases to Norwich, England from where the research was carried out) meant that I could not travel to some of the locations in order to carry out face-to-face interviews. Thus, 37 interviews were carried out via telephone. Although there has been little work comparing the value of telephone and face to face interviews, conventional wisdom suggests that face interviews are preferable because the 'loss of visual cues via telephone is thought to result in loss of contextual and nonverbal data and to compromise rapport, probing, and interpretation of responses' (Novick 2008). For this reason I endeavoured to maximise opportunities for personal interviews to be carried out. However, in some cases this was simply not possible. Indeed, a considerable advantage of telephone interviews is that they allow the researcher to maximise resources and thus 'cast a wider

the public engagement processes analysed were being implemented as the research was designed. Moreover, I also felt a more ethnographic approach would be too limiting in terms of the breadth of cases I would be able to cover. Increasing breadth was necessary to gain a broader picture of the dynamics of participatory-deliberative problem definition in the SCA, and using interviews would enable me to strike the necessary balance between depth of understanding of cases and breadth of coverage across the range of approaches to implementation. At national level, an ethnographic study of the 'try to reach agreement' process would have been optimal. However, I was not able to negotiate necessary levels of access with government departments. Levels of access necessary for ethnographic research at such high levels of political authority were perhaps an unrealistic for a PhD thesis.

net'. Moreover, they have been found by one study to produce data which is comparable, even if slightly inferior, to face-to-face interviews (Knox and Burkard 2009).

At the beginning of the interview process and off the record, interviewees were reminded of the purpose of the research and their role within it, verbal consent to participate in the research was sought and respondents if they would like to request anonymity or confidentiality.²⁴ My aim during interviews was to allow participants, to the most practicable extent, to talk about the issues of interest to this research on their own terms, ensuring that it was 'their' voice that come through in transcripts. Thus, the interview guide was mostly composed of 'open' questions, supplemented by more focused questions and probes where necessary, and I was careful not to 'lead' responses. At local level, interviews produced data which was mainly used to answer the first two research questions, and related aspects of the analytical framework on collaboration, participant selection and representation. Although the interview guide was not adhered to in uniform fashion, interviews with local process managers and process participants generally followed the below pattern:

- Process Managers / Council Officers / Local Councillors: A first set of questions asked officers to describe the processes of participation. This enabled me to judge their familiarity with the process, identify contradictions or gaps, issues to explore in later questions as well as to allow me to gain familiarity with the case. As such they generated data which was important for 'casing'. A second set sought to enable officers in their own terms to explain the logic underpinning design choices. It was here that questions were asked and topics explored that were more directly relevant to the first and second research questions, and the related parts of the analytical framework. This was a delicate part of the interviews. It was important to leave space for new themes and categories to emerge whilst covering the issues deemed relevant. Thus, mostly quite general questions were asked, broadly soliciting respondent's opinions on separate aspects of the process, probing their

²⁴ At both local and national level, a substantial number of participants requested anonymity and I have therefore made all citations anonymous. None requested full confidentiality and thus some contextual detail is given in citations.

interpretations of the meaning and purpose of the SCA and the correspondence of public participation processes implemented to these. Often, however, more specific probes were required. When probing, it was important to be careful not to mention key words or raise issues that might 'lead' responses (such as 'representation' or 'collaboration'). Thus, for example, if I wanted to explore further the logic behind the choice of interest group representatives, I would not ask 'why select representatives from interest groups?', but articulate the question more generally, 'why did you focus on engaging interest groups?'. This approach increased the independence of the interviewees 'voice' at the cost of some gaps in the data vis-à-vis the analytical framework. A final set of questions sought respondent's personal evaluations of the SCA process they had described – in practice, this final set of issues was closely linked with the second.

- **Process Participants:** Participant interviews proceeded on a similar basis and according to a similar logic as described above, although exploring slightly different areas. A first set of open questions asked participants about the reasons for their involvement in the SCA and their opinions nature of the processes they were involved in. These elicited responses which covered areas pertinent to both relevant parts of the analytical framework. Respondents often spoke in general terms about who or what they understood to be representing, as well as what they perceived other participants to be representing and offered general evaluations of the forms of collaboration at play. Many also brought up new themes, such as the role of facilitation, which had not featured as prominently in the initial version of the analytical framework. A second set sought descriptions of the relationships between participants as well as between participants and public officials. These were especially useful in generating data which could be used to answer the second research question by discerning the forms of interaction in panels, the division of labour between different actors and the rules underpinning the processes. A third set of questions sought the evaluations of participants regarding the process, these often involved probes on issues regarding representation/ participant selection (RQ 1) and collaboration (RQ 2) which had been raised in more general fashion previously.

- Interviews with actors at national level produced data which was mainly used to answer the third research question, and explore the related part of the analytical framework (3.3.). They followed the below pattern: Civil servants, Government ministers, LGA representatives and Local Works campaign activists were asked a series of questions intended to gain their interpretation of the 'purpose' and 'spirit' of the SCA. This was intended to begin to gauge their opinion of the SCA process as well as, more specifically, to enable me to induce the role which they felt the SCA had in the policy process. Responses to these quite general questions also allowed me to note important issues to explore further. Secondly, a series of 'evaluative' questions sought to explore the extent to which this 'purpose', or 'spirit', had been met in practice. This led to productive interchanges regarding the nature of policy proposals developed and participation processes at local level. Finally, a series of open questions regarding participant's interpretations of the meaning of 'try to reach agreement' (a crucial aspect of the SCA at national level) the strategies through which actors involved in the process at national level could 'try to reach agreement' and the problems faced in this respect. The data produced was especially useful in determining the extent to which the SCA negotiated a line between reflexivity and responsiveness.

It is noteworthy that many of the interviews carried were with political elites. These can be subject to different dynamics regarding the relationship between researcher and interviewee (see e.g. Lilleker 2003). In these cases it was necessary to establish rapport effectively by relaying to respondents of the soundness and importance of the study as well as their role within it, in order to motivate their participation. This sometimes involved using forms of language that might be considered too exclusive in other contexts. Moreover, some of the people in senior positions attempted to take control of the direction of the interview and the topics to be covered. Getting interviewees to talk about issues in their own terms is a sign of success. Nevertheless it was necessary to negotiate a line in this respect, making sure the interview stayed on track and covered all necessary themes (Ibid: 210-213). This was especially so when interviewing elites that set aside a limited amount of

time to carry out the interview, as was often the case with interviewees in more senior positions.²⁵

Finally, it is important to note that my use of interviews would be subject to criticism from an anti-realist position on grounds of the foundationalism underpinning the claim that interviews provide a direct 'window' from which reality is viewed. The criticism goes that this ignores the fact that nature of the data is an artefact of the interview context. Interviews are understood as social occasions that reflect only the particularities of the context within which they are carried out. Results cannot therefore be extended beyond their immediate context. Moreover, the information people give in interviews may be tarnished by post-hoc rationalisation and self-protection. In this vein, the analysis of interview data is limited to discourse-analytic approaches investigating the way in which individuals construct the world (for an overview of this argument see Hammersley 2008: 90-94).

However, this research adopts a position between extreme relativist and naïve realist poles, often described as 'critical', 'subtle' or 'scientific' realism (e.g. Sayer 1992; Danermark et al 2002; Snape and Spencer 2003; Shapiro 2005). In this frame, the discursive mediation of interview data collection is accepted, and an important aspect of the interview process is understood to be that of collaborative 'meaning-making' (DiCiccio-Bloom and Crabtree 2006). Thus, interviewees are not viewed as a mine from which to extract data objectively. However, people do 'have unique personal experiences that they can talk about, or ... distinctive sources of information that are not available to others' (Hammersley 2008: 95). Some interviewees were uniquely positioned to provide information on the processes and phenomena of interest. Access to this 'reality' was indeed mediated in the interview process by language and the influence of social constructions. However, this does not mean that the data produced cannot be more broadly applied, especially when it coheres with,

²⁵ Moreover, it was important to change style when interviewing 'ordinary citizens' which participated in the SCA process. In this context, it became more important not to use technical language, unless absolutely necessary, and to speak on respondent's own terms. For this reason, I tried to leave a reasonable time gap (at least one day) between interviews with participants and political elites, in order to allow me to prepare appropriately and minimise the use of a style inappropriate to the context.

contradicts, provides a fresh perspective from which to understand phenomenon, or interacts in some other way with data gathered in other interviews, and across cases (Hammersley 2008).

3.3.2 *The SCA 'Paper Trail'*

Interview data was supplemented by a series of 'paper trail' documents relating to both local and national levels of the SCA. These documents came from a variety of sources, played a secondary role in analysis, mainly serving to increase acquaintance with cases as well as to triangulate data obtained through interviews (Davies 2001). Each document source and its role is explained below.

- *Hansard transcripts of parliamentary readings and committee sittings relating to the development of the SCA legislation (2006-2007) and following implementation (2007-2012).* These were gathered in order to contribute to the 'casing' process, deepening my understanding of the different perspectives and interpretations of the SCA amongst government actors. Consulting these documents confirmed my initial 'hunch' that the right way to frame the SCA was as a participatory-deliberative agenda setting process. These transcripts were also especially useful in contributing to the exploration of the third research question, because they allowed me to highlight some of the opinions of government actors (especially regarding the role of the SCA in the policy process) that would subsequently be explored further in interviews. Throughout the research (beginning in September 2009) I kept a keen eye on parliamentary developments regarding the SCA legislation.
- *Local Process Documents:* Policy proposal forms provided broad information on the nature of policy proposals and the forms of public participation underpinning their development. As noted above, these enabled me to begin to define the range of approaches to implementation vis-a-vis the relevant features of the analytical framework. 197 proposal forms relating to 82 out of the 100 councils that used the SCA process from 2007 to 2010 were collected.
- *National Process Documents:* There were a series of official texts which documented the processes through which the SCA connected outcomes of local participation to

policy development. These mainly consisted of publicly available agendas and notes from meetings between the actors involved in this process. These documents were useful in gaining process descriptions which contributed to answering the third research question and highlighted areas which could be explored further in interviews.

- *Government Response*: A report published by the government in December 2010 documented the government's response to proposals and rationale informing decisions. As will be explained in section 3.3.2 a qualitative content analysis (Mayring 2000) of this document was carried out in order to gain descriptive statistics which provide rough indicators of the impact of the SCA process (number of accepted proposals and kinds of actions proposed) and the reasons given for decisions. It served to begin to answer the third research question by providing a proxy for the policy impact of the SCA and was useful in providing cues as to the reasons why government accepted or rejected proposals. The results of the qualitative content analysis are presented in chapter six, and conclusions are carried forward in the form of hypotheses to be further explored in chapter nine where interview data is considered.

3.4 Analysis Methods

3.3.1 Interview Data: A Code and Retrieve Approach using NVIVO

All interviews were fully transcribed and the analysis was carried out using a cross-sectional code and retrieve method, whereby the 'researcher derives a common system of categories which is applied – manually or by computer – across the whole data set and used as a means of searching for and retrieving chunks of labelled data' (Spencer, Ritchie and O'Connor 2003: 203) on NVIVO software. Although qualitative data analysis software is a passive tool which by no means replaces the interpretive role of the researcher, it can offer a useful aid in the organisation of the unwieldy 'datasets' that characterise qualitative research. Software can enable swift movement between analytical levels (Spencer, Ritchie and O'Connor 2003: 207-212) whilst keeping the direct context of different 'data-bits' (Dey 1993) a mouse-click away. Software also enables a more effective organisation of the dataset through the classification of different actors, and the groupings of respondents. These

prove to be important in the creation of 'sets' which enable the researcher to isolate different groups of respondents and explore themes within these. These are especially useful in the latter stages of analysis to explore issues which might not have been covered in initial coding rounds through the use of Boolean text searches. As noted above, qualitative research is a highly iterative process, which can make it quite time-consuming and frustrating at times, especially in its initial stages. CAQDAS does not solve these issues but enables the researcher to deal with them more efficiently. Although CAQDAS is interpretively neutral, it 'frees' the researcher from some of the more frustrating and time consuming aspects of qualitative data management. In doing so, it enables the researcher to gain a better perspective on data. Although substantial time was spent gaining fluency with the NVIVO package, I believe this was ultimately worth it (see e.g. Basit 2003).

Interview transcripts at local and national level were loaded on the software, organised, classified and analysed through a series of coding cycles. A large variety of texts offer useful introductions to different approaches to coding (Dey 1993; Bryman and Burgess 1994; Miles and Huberman 1994; Ritchie and Spencer 1994; Spencer, Ritchie and O'Connor 2003; Auerbach and Silverstein 2003; Charmas 2006; Saldaña 2009; Birks and Mills 2011). However, no one can claim to know the best way to code. Indeed, it is usually an 'idiosyncratic' combination of approaches (e.g. Glesne 2006: 153) that meets the requirements of research objectives (Saldaña 2009). I therefore developed a practically focused combination of approaches to coding.

A grounded theory approach was deemed unnecessary for the research, since rather than theory building, the main objective is to develop understanding of the case in question in reference to an established theoretical framework (chapter 3). Thus, I make no apologies for theoretically informed codes and analytic notes. My approach to coding was not 'grounded' in the data because the objective was to develop understanding of the case in question in reference to the research questions and the analytical framework. Mayring (2000) has called this approach 'deductive category application'. Hsieh and Shannon (2005: 1281) argue it is appropriate for studies where 'existing theory or prior research exists about a phenomenon that is incomplete or would benefit from further description' (see also Zhang and

Wildemuth 2009). Thus, although coding was initially directed by the analytical framework, space was left for the emergence of new themes and categories from the data.

As shall be explained below, coding cycles proceeded firstly through high-order 'structural codes' containing much information and principally ordered according to the relevance of transcript segments to the levels of analysis (local / national) and themes derived from the analytical framework. The second coding cycle broke these down into hierarchically structured codes, which move closer to the specifics of the data. It should be noted, however, that this was not a linear process. Code hierarchies were tentatively developed in the first cycle, changed, and reapplied across the dataset in an iterative process. Analytic notes were developed throughout, identifying possible new themes and categories and possible associations between phenomena. These would be further explored initially through subsequent interviews or in the broader dataset through the use of coding queries. New themes sometimes led to a re-examination of parts of the literature.

This was at times a frustratingly slow and very iterative process of conversation between the data and analytical framework. However, it served to refine the approach and was greatly productive in revealing important areas to explore. For example, this iteration led to the emergence of the 'facilitation' category from transcripts. As noted in the previous chapter this is an important, but relatively under-covered, aspect of the literature on democratic innovation (e.g. Smith 2009; Moore 2012; Dillard 2013), and the initial review of the literature on democratic innovation and agenda setting reflected this limitation. However, following coding cycles this aspect was made more prominent in the literature review section covering pluralism and power asymmetries. Thus, although initial 'structural' categories were developed according to the analytical framework, bottom-up codes were also developed which allowed for the emergence of new themes and categories not covered by the theoretical framework. The coding frame thus underwent substantial change, as coding schemes were re-designed and re-applied to best 'fit' the meanings in the data. This had an important impact upon the substance of findings as well as the narrative structure of the thesis.

Having outlined the approach to coding in broad terms, a more detailed description of the process is provided.

(a) Constructing and Applying 'Structural' Codes

A structural coding frame that reflected the issues explored in the analytical framework (e.g. collaboration, participant selection, transmission), interviews (e.g. interpretations of 'spirit' of SCA, motivations for participation) as well as the levels of analysis (local / national) was developed and applied across the dataset, to label the relation of different interview segments to these aspects of the analysis. This was useful in organising the data and developing familiarity. During this process, notes were taken on potential connections, ideas and relationships (which had begun to be developed during transcription of interviews), to look out for, or to verify in further interviews and throughout the data. Throughout the process, codes, themes and categories were redefined and reapplied in an iterative process of adjustment. As noted above, this process also involved the incorporation of themes which were either not present, or not prominent, in the analytical framework.

The first coding cycle also served to separate elements from interviews that asked for 'factual' descriptions of public participation processes. These did contribute to interpretive work, however, they initially served as a basis from which a descriptive 'framework matrix' was developed, where four different types of approaches to implementation were summarised across three phases of engagement (agenda setting / proposal development / decision making). This underpinned the production of a table (see section 4.2) which provides a birds-eye view of implementation processes across cases, in more detail than in the sampling matrix outlined in this chapter (see tables 3 and 4). Thus, it was around this point that the 'casing' process came to an end, dovetailing with the initiation of analysis. The table produced by the 'framework matrix' was also a useful reference point throughout the research process when moving between levels of abstraction in comparing different approaches to implementation at local level.²⁶

²⁶ A 'framework matrix' provides the basic thematic structure for the 'framework' code and retrieve approach to qualitative analysis developed by researchers at the UK National Centre for Social Research (see Ritchie and Spencer 1994; Ritchie, Spencer and O'Connor 2003). Although I did not follow the 'framework' approach, the development of a framework matrix was a useful tool for familiarisation regarding approaches to implementation.

(b) Breaking up 'Structural' Codes into Hierarchies

The second phase involved taking each 'structural code' into account separately, and breaking down the segments into code hierarchies. This process had already initiated in the forms of notes taken on potential lower-order codes, during the first stage of the coding process. During this phase codes and categories, such as 'facilitation', also began to emerge from the data. Their emergence sometimes required a re-initiation of the process from stage (a). Indeed, much of the analysis process is one of iteration between stages (a) and (b), until a code structure emerges which best captures the relevance of meanings embedded in the data vis-à-vis the research questions.

(c) Generating Summary Statements Within Code Hierarchies

Having developed what could be seen as the 'skeleton' of analysis, through the code hierarchies developed in stages (a) and (b), summary statements were generated and attached to each code, working from the bottom-up in terms of generality. NVIVO allows the creation of 'links' to relevant segments, permitting the researcher to stay close to the data whilst making abstractions and interpretations. This stage is especially productive in beginning to think about analytic notes which abstract from data to a higher interpretive level. However, since this is essentially the last phase in data management and familiarisation, the language used in analytic notes was fairly close to that of the data (Ritchie, Spencer and O'Connor 2003: 229). It was also around this point that I began to think more systematically about possible conclusions, relations to the framework and broader literature and began to envisage a narrative structure which would allow me to best present findings.

(d) Developing descriptive and explanatory accounts

Once the familiarisation and data management process has ended (a-c), the analytical work began in the development of descriptive and explanatory accounts. Descriptive accounts involve 'detection, categorisation and classification' and explanatory accounts involve searching for patterns or associations in the data across the dataset (Ritchie, Spencer and O'Connor 2003: 237). The latter is especially facilitated in NVIVO by the use of coding queries. This involved looking through the summary statements created, as well as the

preliminary analytical notes taken through (a) to (c) and modifying, merging or separating these to create more detailed analytical notes that more clearly relate to the research questions. This was a complex process, which in the latter stages dovetailed with writing preliminary drafts of analysis chapters. Essentially, analytic notes – although they were highly personalised - contained a few basic elements:

- Where relevant, numbers, or weightings of occurrences or opinions.
- Relationships between summary statements, at different levels of analysis.
- Differentiations between notes / themes relevant different types of cases (at local level) to guide comparative analysis and begin to shape conclusions.
- Links to relevant literature.

These notes precede and facilitate the write-up process, and are in an important sense separate to it. However, the transition from familiarisation ('a' to 'c') to analysis ('d') and then write up is not a linear one. To a great extent, stages (a) – (d) occur concomitantly, or at least merge into each other – especially once a certain degree of familiarisation with the data is achieved. Moreover, much 'write-up' also takes place during analysis, as well as in conversations with supervisors, friends and colleagues and presentations of research. Nevertheless, in as much as the analysis / write up transition can be rationalised and presented as linear, this is the best illustration of the approach.

3.3.2 Qualitative Content Analysis of Government Response Document

A qualitative content analysis (Mayring 2000; Kohlbacher 2006) of the government response document was carried out. As explained above, this was an important part of answering the third research question. As Mayring (2000) explains, qualitative content analysis seeks 'to preserve the advantages of quantitative content analysis for a more qualitative text interpretation'. Following an approach which Mayring calls 'inductive category application', categories were developed inductively because my intention was to capture the meaning of the government's response *as expressed in the document* (see also Kondracki, Wellman and Amundson 2002). This would contribute to answering the third research question by providing an initial indication of the SCA's impact and the rationale informing the government's response to the process.

A coding frame was developed through an iterative process involving the application and refinement of codes to segments of the document. The document presented responses separately for individual proposals (see DCLG 2010) and thus the units of analysis were proposals and their responses.

Once a coding frame that captured all meaning relevant to the third research question had been developed, a consistency check (consisting of percentage agreement between original coding and twenty randomly selected proposals) was carried out and, having verified consistency, the coding frame applied across the entire document. The codes were submitted for a final agreement check, after the successful completion of which data analysis began in earnest (see Mayring 2000 for a summary of this process).

The usual procedure to establish agreement in traditional content analysis would be to carry out an *inter-coder* agreement test. However, appropriate coding of the material was dependent upon very detailed knowledge of the SCA process and its context. Carrying out inter-coder agreement tests successfully would require 'training' to a level which resource limitations did not permit. Thus, an *intra-coder* agreement test was carried out on 10% of cases two months after coding finished to prevent 'coding habits' from influencing the level of agreement (for a similar approach see Graham 2009: 63-64). Reliability checks using Cohen's Kappa were applied to 87 randomly selected cases across the three codes (29 per code) and delivered coefficients between 0.717 and 0.756. Vieira and Garret (2005: 362) consider 0.61-0.80 to be 'substantial agreement' (with 0.80-0.99 being 'almost perfect agreement'). Although scores within the 'substantial agreement' range might be considered too low for traditional content analysis, in the qualitative approach a 0.7 Kappa coefficient is considered the minimum for reliability (see Mayring 2000: Sect. 3).

Three categories were coded for in the response document. A detailed account of the codes used and examples of how the coding frame was applied are provided in appendix item 2, this section provides a more general description of the three main categories and the rationale for their development. In order to begin to gauge the impact of the SCA, *the nature of the action committed to* by government in response to the proposal was coded

for. Five categories applied to this code (legislate / direct implement, initiate advisory process, deliberate further, advise council, no action) and the Kappa coefficient was 0.746.

However, this category by itself provided a rather poor indicator of impact for two reasons. First, the government might not be acting *as a result of* but *in spite of* the SCA. Second, the government might commit to an action which differs from that advocated by the proposal. For these reasons two further categories were added to the coding frame. First, 'relation of action to request' looked for an explicit connection made in the response document between the proposal and the action committed to by the government. Where one was made the response was coded 'action inspired by request' where none was made, or the government linked the action to another policy (whether in development or already implemented), the response was coded 'action despite request', where there was no action committed to, the response was coded 'no action'. Reliability checks on 10% of cases on this code (n29) using Kappa delivered a 0.717 coefficient.

Finally, a category intending to capture the logic given by the government was added. This included a total of 11 codes, which will not be revisited here, capturing the reasons given by the government for the response. For example, when explaining actions committed to 'despite request', the government often pointed out that it planned to solve the issue underpinning the proposal differently or through a different mechanism. The 'rationale' would be coded as 'alternative aim / act' (see appendix 2 for a more complete account of codes). Reliability checks using Cohen's Kappa delivered a coefficient of 0.756 on this code.

Having carried out the final reliability checks, the data was transferred from Excel to an SPSS dataset and the relationship between the codes explored. The descriptive statistics produced provided a rudimentary picture of the SCA's impact and its role within the policy process. Of course, the government response by itself is a rather limited proxy for the impact of the SCA, and does not serve as a basis upon which to answer the third research question. Instead, the conclusions derived from the content analysis were carried forward as hypotheses for further exploration and also served to triangulate the analysis in chapter nine where interview data was brought to bear on this question.

3.5 Conclusion

Chapter three established a theoretical framework used to evaluate the SCA process, this chapter has presented an outline of the methods used to gather and analyse data to this end. Thus, so far, the thesis has essentially introduced the relevant literature and presented the approach taken to analysis. As I have explained, qualitative research is best characterised as an 'iterative' and 'emergent' process. Its development might be best communicated to an audience through the use of a disjointed narrative structure. However, for the sake of clarity the chapter has presented the development of the research as quite a linear process. Throughout this account the design and method choices made from the beginning in response to challenges which arose during research have been explained. Throughout the research process, although some practical obstacles did sometimes get in the way, I have endeavoured to be problem-oriented when making design and method choices (Shapiro 2005; Hancke 2008), designing an approach which best answers the research questions.

The following two chapters provide overviews of the design of the SCA (chapter five) and of its implementation from 2007 to 2010 (chapter six). Having set this context, analysis chapters provide in depth accounts of the forms of representation and participant selection (chapter seven), the forms of collaboration at play in proposal development (chapter eight) and of the integration of proposals within the policy

4. An Overview of the First Round of the SCA

Chapter two reviewed three aspects of institutional design. These can be summarised as ‘who participates?’, ‘how is participation organised’ and ‘how are results incorporated within policy development?’. Each of these themes cut across cases and are to be considered in chapters seven, eight and nine respectively. This helps gain in analytical clarity but comes at the cost of narrative flow. For this reason, this chapter provides an overview of the implementation of the SCA from 2007 to 2010, building upon the description of the design of the SCA process and the context of its development in chapter five. The chapter describes in detail the implementation of different aspects of the process and introduces the nature of the roles fulfilled by different actors involved - the Local Works organisation, Local Authorities, the LGA and central government. It begins in section 4.1 by describing the nature of role played by Local Works coalition played in the process. As explained in chapter one, Local Works played a key role in the design and implementation of the SCA legislation and process which is similar to that which Fung (2005) and Kadlec and Friedman (2007) refer to as ‘deliberative activists’. Section 4.2 provides a birds-eye view of the proposal development processes implemented by local councils. Drawing upon interview data, it begins to add detail to the comparative matrix used to select cases (section 4.2) by describing more fully the participant selection methods and forms of collaboration at play in local implementation processes. Finally, section 4.3 and 4.4 respectively outline a description of the processes through which the LGA developed selection criteria and the requirement to ‘try to reach an agreement’ at national level was operationalised. The latter presents the results of a content analysis of the government response document, presenting a rudimentary indication of the impact of the SCA as well as its role within policy development.

4.1 Local Works: Campaigning to Implement the SCA

This thesis is primarily preoccupied with evaluating the institutional design of the SCA process, but, in order to understand the nature of the SCA, it is crucial to look at the role of the Local Works campaign. As described in section 5.3.2 Local Works was instrumental in the realisation of NEFs original idea for a ‘Local Communities Sustainability Bill’. However, their advocacy for the SCA did not end there. After the passing of the legislation, Local Works continued to play a central role promoting the process to local communities and

councils and scrutinising the actions of actors involved throughout. In this sense, Local Works played a role which is in many ways similar to that of 'deliberative activists': their main objective was not to promote a particular set of interests or policy, but the uptake and impact of a PDP (Fung 2005: Kadlec and Fiedman 2007). This section begins by describing their approach to promoting the SCA (section 4.1.1) and shall conclude by offering some thoughts on how their activities affected the nature of the process (4.1.2). This section provides an initial discussion as well as a point of reference for analysis chapters (seven, eight and nine), where the contribution Local Works made at different points of the process is explored, and the conclusion (chapter ten), which evaluates Local Work's approach to advocacy and outlines lessons that that can be learnt the SCA regarding the role of deliberative activists in PDPs.

4.1.1 After the Bill Became the Act: Campaigning to Implement the SCA

Following success in getting the Sustainable Communities Bill through parliament, Local Works began to focus upon the important work of campaigning for its implementation. As campaigners at Local Works understood it, the process which the Sustainable Communities Act set up faced two main challenges. First and foremost, they were preoccupied about the possibility that the SCA might pale into insignificance due to lack of use of the process by councils. Secondly, they were preoccupied to ensure that the SCA was taken seriously by policy makers, and was incorporated into policy development in a more meaningful fashion than consultation.

Local Works devised a strategy to mitigate these issues. However, although it leads coalition of over 100 organisations, it is itself an organisation of relatively modest means. For this reason when devising a strategy they had to strictly prioritise objectives in a fashion which they understood to be most conducive to overcoming the problems outlined above. The campaign's priorities were to ensure the *use* of the process by councils and, once proposals had been developed, upon maximising the *impact* of the process upon policy development. In the Words of a Local Works campaigner:

The first thing was promotion. We needed to promote it ourselves because the government was not going to do it basically, or it certainly looked like that ... the second objective was making sure the government ... implemented it properly, a concern arising from the resistance we had had from senior civil servants during the process through parliament. The fact will always remain that this challenges the status quo of how governance is done and so it has opponents at the centre ... [for this reason] the second objective to watch government and to continue to mobilise citizens and MPs to urge government to implement it properly and that became particularly important once the proposals had been submitted (Interview 40, Local Works Campaigner).

Thus, the campaign had different priorities at different stages of the process. First, to maximise process use and second to scrutinise the processes used to integrate proposals and maximise impact. Each of these is to be treated in turn.

Regarding the maximisation of use, it is important to note that it was not obligatory for councils to use the SCA, rather councils' could opt-in or out of the process. Thus, Local Works campaigners were concerned that, if the process was not promoted properly, councils and potential participants might choose not to use it, interpreting as a 'gimmick' or postponing judgement on its usefulness until the process could be evaluated in terms of policy impact. Councils wanted confirmation that the SCA was not a 'toothless tiger'. This preoccupation was exacerbated by what campaigners understood to be the government's failure to promote the powers afforded by the process adequately, placing the onus on the campaign to do promotion work. Moreover, although Local Works began promoting the Act to local councils immediately following royal assent in October 2007, the government did not issue an invitation for proposals or publish guidelines for the implementation of the SCA until October 2008. This delay complicated Local Work's task. The SCA process was largely untested and this substantial delay must have indicated that the government was 'dragging its feet', sending a strong signal to councils that there was little political will to give serious consideration to SCA proposals

In order to overcome these issues, the campaign took a two-pronged approach. First, Local Works sought to demonstrate to councils that there was a viable chance of government action should they choose to invest valuable resources in implementing the SCA process. In order to do this Local Works staff identified key decision makers in local councils throughout England and sought to promote the Act directly to them at key moments of the decision making process. Campaigners travelled the country giving presentations to council officers and councillors, promoting the powers which the Act afforded to them. A key aspect in Local Works' promotion of the SCA revolved around highlighting the powers afforded to the process by the statutory requirement to 'try to reach agreement' on which proposals to implement. In speeches at public meetings Local Works campaigners often closed by stating highlighted this as a crucial aspect of the SCA, for the government would not be able to ignore but would have to have to try to reach agreement.²⁷ Second, Local Works campaigners sought to pressure councils to opt-in through the development of local grassroots support for the Act throughout England. To this end, the campaign mobilised supporters, sending out leaflets and posters to be left in strategic areas of cities, towns and villages throughout England and also encouraged coalition organisations to do the same. Local Works campaigners also organised public meetings to raise awareness of the Act and catalyse enthusiasm about the powers which the Act afforded to citizens and communities. Local Works sought to host such meetings in collaboration with local public officials, aiming to mobilise their support network to ensure maximum attendance at these meetings.

Anecdotal evidence suggests that such tactics were effective in creating a sense of expediency around the Act. A Liberal Democrat Party councillor from Bath and North East Somerset Council who would subsequently adopt a central role in the selector panel remembers positivity about the Act during Liberal Democrat conferences in 2008 and 2009:

... there was at least two presentations at Lib Dem conferences which had loads of very enthusiastic people, which might have had something to do with the fact that they were selling strong local ale somewhere at the back! But

²⁷ Observed from participation in public meetings and seminars with local citizens, councillors and council officers held throughout England in 2007-08.

someone told me that a public meeting on the SCA in Dorset had filled the town hall, with people listening in from outside! (Interview 46).

The LW campaign was largely effective in its promotion of the SCA process. Their initial objective was to gain the commitment of around 50 councils to use the process, and they surpassed this target. By July 31st 2009, 100 councils (out of a total of 328 English principal local authorities at the time) had submitted a 301 policy proposals, with a further 45 councils committing to use the Act should future rounds be held.

However, once proposals had been submitted Local Works campaigners turned their attention upon scrutinising the integration of proposals in policy development through the duty to 'try to reach agreement'. Their endeavours were complicated by the fact that those meetings in which decisions were made were held in private and off the record, an aspect of the process about which, as shall be explained further in chapter nine, they were highly critical of. Nevertheless, the campaign endeavoured to mobilise decision makers in councils which had submitted proposals to participate in mass mail-based lobbying activity. They also identified and collaborated with supportive MPs, providing these with parliamentary questions to table, early day motions to submit.

A final strategy was central in both maximising impact and securing the future of the process. The SCA legislation left it up to government to issue a further invitation for the submission of proposals. For this reason, the campaign drafted an Amendment Act which was taken up by the government in the wash-up just before the May 2010 general election. The amendment changed the Act into an on-going process whereby councils could submit proposals without a formal invitation and also widened the scope of the process to include parish councils. Beyond securing the Act's future, the amendment served a further objective. The 'try to reach agreement' process had been developed slowly and campaigners felt that the government were dragging their feet. They felt that passing the amendment would motivate the government to speed up the decision making process, since it would seem illogical to respond to further proposals until those submitted under the first round had been agreed on.

4.1.2 The Prioritisation of Process Use and Impact over Quality

Local Works campaigners predicted that the SCA would come up against resistance from Whitehall, and devised a strategy to mitigate for this. As explained above, the first aspect of their approach revolved around maximising process use by local councils. A Local Works campaigner explained the adoption of this objective well:

... the Act will not succeed if it is not used, particularly at the start. It would make it easier for its opponents at the center to say ... 'well you know, no one is really interested in this' (Interview 40, Local Works Campaigner)

The maximisation of use was seen as a necessary strategy to demonstrate the viability of the SCA process. For this reason, it was prioritised over other important objectives, such as ensuring the quality of participation process. A respondent from Local Works put this quite clearly:

To have had a very small number use it, but use it brilliantly ... would have been a failure with regards to the overall process, because the reaction from national politicians would have been, 'well this initiative is a waste of time, maybe we should not bother with this again' ... We were not guaranteed a second round ... So as campaigners we always had to think about the Act, the Act is a vulnerable child in its first few years and if it is not cared for it could die. So that is why right up until the deadline [for the submission of proposals] that was the number one priority (Interview 40, Local Works Campaigner)

Campaigners expected that, by creating a sense of expediency around the act, maximising use would complement their lobbying activity aimed at increasing impact. This would also enable the campaign to demonstrate to councils and communities in future rounds that it was worth using the SCA. In this respect, Local Works campaigners were preoccupied with developing a 'demonstration effect', something found to be key to success in other cases of participatory governance (Abers 1998: 138).

Although Local Works were relatively successful in ensuring wide process use, the prioritisation of process use over quality might be problematic because it diverted resources away from acting as a more effective check upon the quality of engagement procedures used by councils to develop proposals. Local Works can be understood as ‘deliberative activists’ in so far as their aim was to promote the uptake of a PDP and maximise subsequent impact. However, as will be demonstrated in chapters seven and eight, many public authorities implemented questionable forms of public participation that fell short of the spirit of the legislation. Thus, from a perspective of deliberative democracy, low levels of procedural legitimacy generated by many participation processes weakened the claim that the SCA could make to influence policy proposals and undermined the legitimacy of Local Works’ advocacy. Low process quality (which will be become more apparent analysis of local engagement processes in chapters seven and eight) is an important problem. One might argue that if we are to understand ‘Local Works’ as ‘deliberative activists’ and not a traditional pressure group then their number one priority should be maximising process quality. However, further consideration will be given to Local Works’ advocacy and its implications for our understanding of deliberative activism in chapters nine and the conclusion, where the thesis considers in more detail the importance of competing priorities such as maximisation of process quality, use and impact for our understanding of ‘deliberative activists’. For now, however, it is important to continue overviewing the implementation of the SCA.

4.2 Implementation at Local Level: An Overview

There was a relatively high degree of consensus regarding the laudable aims of the legislation amongst respondents. The SCA was seen as an original attempt to allow citizens to explore problems, think through potential solutions and influence policy agendas. However, such references were usually made in regard to the aims of the act, equally prevalent throughout interviews were notions that the Acts participatory spirit had not been met, or that it had served different functions in practice. This might not be too surprising. As we have seen in chapter five, as the Sustainable Communities Bill proceeded through the legislative process it took on new meanings and purposes, reflecting ‘issue expansion’ dynamics characteristic of agenda setting processes (Baumgartner and Jones 2009).

Similarly, departure from the intentions of designers is to be expected in the implementation of the process. Analyses of public participation initiatives at local level have established that the impacts of locally distinctive institutional cultures mean that participation exercises often differ substantially from the intentions of designers (Lowndes, Pratchett and Stoker 2006a; Barnes, Newman and Sullivan 2007). Attempts at institutional reform are to a degree path-dependent on existing configurations, meaning that radical change is rare. This is clearly identifiable in the SCA. Councils used the Act for different purposes and responded in different ways to the requirements of the legislation, leading to a very high diversity of the processes used to develop policy proposals. This had important consequences upon the ways in which policy proposals were developed, upon the kinds of opportunities created for people to engage in the SCA and, ultimately, upon the nature of the contribution which the SCA made to governance. This section provides an overview of the different approaches used to implement the SCA and introduces the rationale underpinning these approaches. The aim is to lay the foundations, and provide a reference point, for more detailed analysis in chapters six and seven.

The development of policy proposals throughout my cases are split according to three stages of decision making: problem definition; option formation and decision making²⁸. Different actors were engaged and different kinds of processes were used at each stage. Table two in chapter three combined binary (high/low) measures on two design features (collaboration / openness) to produce a four space matrix differentiating between ‘types’ of cases and mapping their features to inform case selection. Table three below cross-tabulates the four ‘types’ of cases identified there with three decision stages. It gives examples of four different approaches to implementation across these three stages of the process for one case in each type.

Table three, presented overleaf, essentially adds details drawn from interview data to the matrix in 4.2.1 and can be seen as the final stage of ‘casing’ (Ragin 2004). The high degree of variation in approaches taken, with many nuanced differences, has made a clearer

²⁸ ‘Problem definition’ relates to the definition of the subject and the framing of the issue in question; ‘option formation’ relates to the definition and prioritisation of alternatives for binding decision; ‘decision making’ relates to the degree of influence which participation has over binding decision.

categorisation impossible. There is some overlap between cases and categories meaning that some cases appear in more than one category. However, despite some overlap, the four different approaches in the table are broadly characteristic of the variance across the 22 cases. The labels applied to each category will be explained as their design features are described.

In that group of councils described as using the SCA as 'council lobbying tool', implementation was characterised by minimal attempts to reach agreement and very narrow engagement. Local authorities essentially instrumentalised the Act to lobby for agendas which the council had advocated for some time, or had been raised by previous local consultations, but required action by central government. The SCA thus became essentially a 'lobbying tool' for councils. Unsurprisingly there was minimal public involvement in developing policy proposals in these cases. This much can be seen by the description provided regarding the case of Kent, that used the SCA to promote two issues which had been important to the council for a long time (problem definition), and offered minimal opportunities for citizens to participate neither in the development of proposals (option formation) nor in decision making. Arguments in favour of such approaches emphasize close proximity between council representatives and communities, noting that electoral bonds between local residents and elected members legitimise the use of the process in this way. However, as shall be elaborated in chapters seven and eight, the minimal civic influence over policy proposal development in these cases decreased the legitimacy of the SCA in influencing policy agendas.

Council	Problem Definition (Idea-Raising)	Option Development (Proposal Formation)	Decision Making	Similar Cases
'Analytic-Deliberative' e.g. Sheffield <i>(High Collaboration; High Openness)</i>	Open public event advertised in local press release, targeted members of voluntary, private and public sector as well as cross section of interest groups. (e.g. green, youth, ethnic, retired, disabled, gay). Circa 150 citizens attended, broken into groups of 10 and raised ideas following open space engagement method. 31 Ideas were produced.	Panel of circa 35 citizens recruited from idea raising event met bi-monthly to discuss and refine ideas. Discussion chaired by leader of the council and supported by specialist policy officers. Ideas discussed and refined in iterative process between participant discussions and feedback from officer research ²⁹ , this resulted in the recommendation of 4 policy proposals.	Decisions effectively made collaboratively during panel meetings although the four proposals required formal approval by the council.	Cambridge, Wiltshire
'Sophisticated Consultation' e.g. Bristol <i>(Low Collaboration; High Openness)</i>	Held an open day and SCA launch event to raise ideas. The event was advertised in the local press referring readers to an SCA webpage created as an information hub. The council also invited representatives from LSP groups, third sector organisations and single issue groups on the councils e-mailing list. 151 ideas were produced.	The ideas were sifted by the council's legal team to determine appropriateness under the Act ³⁰ , resulting in a long-list of 71. The panel sub-contracted an independent organisation to form and facilitate a panel of 30 citizens, broadly representative of the demographic make-up of the area. These met on two occasions and prioritised 10 ideas. Policy officers then fleshed out the ideas based on research into the proposal where possible in consultation with the original proposers.	The council's cabinet met to discuss the proposals and agreed to submit the 10 proposals recommended by the panel.	Herefordshire, Lewisham, Kingston Upon Thames
'Expert-Elite Problem Solving' e.g. West Dorset <i>(High Collaboration; Low Openness)</i>	Issued press release in council's newspaper and asked Local Strategic Partnership groups as well as local groups linked to the council's community planning processes (e.g. transition towns) to submit ideas. Produced 18 ideas.	Officer task group filtered ideas according to requirement of the Act, where necessary and possible contacting proposers for clarification on key points. A group of 35-40 representatives from Local Strategic Partnership groups convened to consider the resulting shortlist, drawing on expertise of representatives to flesh out proposals, or modify where deemed necessary.	The council leadership was represented on the panel and agreed to submit all proposals. Some submitted in partnership with the areas county council	Brighton; Torridge; Wirral; South Hams; South Somerset; Lewes; Bath and NES; Wirral; Stockton; North Yorkshire
'Council Lobbying Tool' e.g. Kent <i>(Low Collaboration; Low Openness)</i>	Drew upon 2 ideas arising from prior consultations and council campaigns (local transfer of skills agency functions and building of lorry-park on M 22); published article in councils newspaper but received no response	Surveyed Council Sounding Board, N1200 and demographically representative. Questions sought to establish suitability of Act as mechanism to advance proposals	Councils cabinet chose to advance two proposals through the SCA process	East Lindsey, Kettering; Bexley

Table 3: Process Descriptions in Four Local Councils.

²⁹ Specialist officer-led research was deemed necessary to establish the relation of emerging idea to existing legislation as well as fulfilment by idea of SCA criteria, i.e. that proposal requires central government action and advances local economic, social or environmental sustainability.

³⁰ Ibid.

A second group are described as a 'sophisticated consultation', because participants developed and expressed preferences regarding proposals through deliberative engagement processes, but had little opportunities to participate neither in the development of proposals nor in decision making. Initial problem definition occurred by raising ideas for proposals through local press releases and website adverts (Herefordshire, Lewisham), contacting third sector networks related to the council (Kingston Upon Thames) or a combination of these approaches with an open public meeting where attendees could submit proposals (Bristol). Regarding 'option formation', all councils created a local citizens panel which, through discursive participation, developed preferences regarding ideas and made recommendations as to which should be taken through. Process managers in Bristol, Lewisham and Kingston upon Thames specified to independent agencies contracted to constitute local panels that they should be representative of the demographic make-up of the local community. In Herefordshire, the council sent an invitation to members of its demographically representative consumer panel to participate in five focus groups. In all four cases panels were, at most, made up of a couple dozen participants. Thus, statistical representativeness was replaced by the weaker notion of ensuring the presence of cross-section of the local population. Panel participants were engaged in an independently facilitated one-off event. They considered ideas which had been raised previously and recommendations were put to councils through a report drafted by researchers from the facilitating organisation. In two cases the council cherry picked from these recommendations, and in two cases the council rubber stamped the proposals recommended by the panel.³¹

Third, in most cases opportunities to participate in the SCA were limited to local elites, such as members of council-linked governance networks, local public officials and professional stakeholders, thus resembling processes that Fung and Wright (2003) describe as 'expert-elite problem solving'. In these cases the SCA panels became closely related to the Local Strategic Partnership (LSP). LSPs are usually

³¹ Due to data protection reasons, I was not able to carry out interviews with panel participants in these cases. Interviews in these cases are limited to process managers and citizens who had proposed ideas for consideration by panels, two of which presented their ideas to panels in person.

made up of a mixture of representatives from public, private and voluntary organisations and were central to the previous New Labour government's approach to collaborative governance and local community engagement (Geddes 2006; Durose and Rees 2012). However, the structure and membership of LSPs is highly variable across local contexts (Sullivan and Howard 2005) and thus the 'openness' of panels was dependent on local circumstance. Some councils (e.g. Wiltshire) supplemented LSP bodies by targeting representatives from groups which the council considered to be under-represented in local politics. LSP partners have an established history of local collaboration between themselves and council actors and SCA processes could thus be implemented according to the traditions developed by these bodies. For this reason, proposals were developed through relatively high collaboration between panel participants and local public officials.

Councils drawing on the LSP to raise and develop ideas tended to produce policy proposals which reflected issues of national relevance identified through previous LSP-led consultations such as Sustainable Community Strategies.³² Thus, different groups involved in these initiatives often used the SCA as a means through which to articulate to central government issues identified through these consultations that went beyond the remit of local authorities. Chapters seven and eight argue that there is value in the SCA acting as a mechanism to propose nationally relevant issues arising out of local consultations. This might contribute to improving the flow of information between local governance structures and higher tiers of government. Nevertheless, the reliance on LSP bodies is criticised for being too exclusive of the local population. It operated according to a narrow understanding of expertise and often failed to include the kinds of local knowledge by which the designers of the Act intended the development of policy proposals to be underpinned.

A final group of cases implemented panels with similar characteristics to 'analytic-deliberative' processes (e.g. Burgess et al 2007) in so far as 'ordinary' citizens

³² Sustainable Community Strategies are designed to develop a long term vision for changes in the local area in consultation with local people. The process was co-ordinated by Local Authorities and Local Strategic Partnerships in each area.

collaborated closely with local public officials and policy experts. Sheffield is especially notable because it made the most concerted attempt to engage representatives from under-represented groups *and* to reach an agreement with the local panel. The first major city which committed to using the SCA, Sheffield raised ideas through a day long open public event at the town hall, attended by circa 150 local citizens. Following an 'open space' engagement method (e.g. Wright, C. 2005), these were split into groups of ten and asked to 'brainstorm' ideas and consider potential proposals in order to establish an agenda. 34 ideas were selected by the group at the end of the event for consideration by the SCA panel. The resulting ideas were put to a panel of circa 35 citizens. The panel met on a weekly basis over a period of six months and was constituted to 'make sure it was as representative as possible of the city as a whole, and try and avoid the use of usual suspects' (interview 54, Process Manager, Sheffield). To this end, the designers of the process drew upon a list of volunteers from the initial event, targeting interest group spokespeople to represent excluded interests, individuals based on demographic traits as well as stakeholders from local public, private and third sector organisations. Importantly, proposals in Sheffield were developed through close collaboration between the panel and policy experts and officials employed by the council.

Cambridge, on the other hand, relied on group representation without focusing on maximising descriptive representativeness. Ideas were raised at an open public event which according to the process manager was mainly attended by local interest groups which had a specific interest in the SCA, especially environmentalist groups. The council structured the idea raising process according to three themes from its sustainable community strategy, participants would write ideas on post it notes and stick them under relevant themes. Categorised ideas were then put to a panel composed of 15 participants who had volunteered to take part in the idea raising event and which was facilitated by staff from the council's community development team. The panel met on several occasions over a period of circa five months and could modify ideas or come up with new ones.

As will be explained in greater detail in chapters seven and eight, out of the four approaches, the latter is broadly the most appropriate for the SCA. Participants in local panels in Sheffield and Cambridge spent considerable time debating, fleshing out, adapting and reforming policy proposals, supported by specialist officers in the council, leading to a more effective co-production of policy proposals, underpinned by a relatively comprehensive exploration of local problems. Nevertheless, chapter eight also highlights some problems relating to power asymmetries between participants in these more continuous and collaborative approaches.

4.3 The LGA Selection Process

The 100 local councils which implemented the SCA process developed a total of 301 proposals. A report by the National Foundation for Educational Research divided these according to the policy objectives and the levers of change underpinning proposals. A summary of their findings is provided below (see Hetherington et al 2009):

In terms of policy objectives Hetherington et al identified 10 main groupings:

- Measures to reduce non sustainable sources or wastage of energy;
- Reduction of industrial and household waste;
- Promotion of eco-friendly transport and travel;
- Local Authority control and maintenance of housing stock (including the retention of rents);
- Improving transport infrastructure;
- Approaching social deprivation through the provision of affordable housing
- Improving and maintaining access to public services;
- LA retention of business rates in order to re-invest in local priorities;
- Avoiding derelict properties and abandoned land;
- Increasing local decision making power in the planning system.

The report also identified the following 'levers for change':

- 43% of proposals sought devolution of powers to a local level via finance or decision making.
- 25% sought better outcomes through changes to existing or additional legislation.
- 18% of proposals sought to prioritise issues through funding, programmes and initiatives.
- 12% of proposals sought to use legislation to incentivise individuals or groups.
- 7% sought a relaxation of regulations to allow for more flexibility.

As explained in chapter one, the LGA selector panel was set up to filter policy proposals, and represent councils in the national try to reach agreement process. In order to carry out this role, the selector panel developed more fine-grained criteria than the general requirements in the SCA (see chapter one). This process is described in section 4.1.1 below, before moving onto describing the operationalisation of the 'try to reach agreement' process.

4.3.1 Developing Selection Criteria

As explained in chapter one, the SCA legislation required the creation of a 'selector panel' to filter proposals according to the requirements of the Act and produce a shortlist of these before co-operating with government in the try to reach an agreement process. However, it did not specify how these requirements might be implemented. Thus, the first task for the selector panel was to develop both a process and criteria for the assessment of policy proposals. This was an iterative process taking place throughout 2008 and 2009. Initially, LGA policy officers organised a series of consultative seminars, workshops and conferences with local councils, organisations interested in the SCA and government officials to begin to develop selection criteria (interview 38) to be applied alongside the requirements for valid proposals set out by the SCA legislation. From these meetings three key areas were identified as the basis for criteria.³³

1. A ***scope and coverage*** domain, which covers the scale and impact of an individual SCA proposal in terms of population affected and geographic area covered.
2. A ***better outcomes*** domain, which measures (insofar as is realistically possible) the economic, social and environmental benefits of a proposal, and the extent to which it helps participation in civic and political activity. These are the four legs of the Act, outlined in the first clause of the primary legislation.

³³ The description of the development of the selection process below is drawn mainly from the agendas and notes of the first three selector panel meetings held on (9/03/2009; 08/05/2009 and 25/09/2009) provided to me by the Local Government Association. Copies are available on request.

3. A **viability** domain, which would take account of the scale of institutional change required. Levels of support locally would also be a factor. It would also include any assessment of likely Government policy reaction (positive or negative).

In a series of meetings occurring from March to September 2009, the selector panel met to consider these criteria and design a selection process.³⁴ The initial idea was to constitute an assessment matrix where proposals could be scored on these criteria. However, although selector panel members broadly agreed with the above criteria, they argued that a rigid evaluation framework might lock them into a process of selection which did not 'fit' proposals. They therefore decided that decisions would be made by a majority voting, without a deciding vote for the chairman. They chose to develop looser criteria on the basis outlined above and called for the LGA to consult further with local councils and organisations interested in the SCA to refine these. As a result the LGA organised a workshop attended by over 20 councils and sustainability organisations to refine selection criteria. Those consulted also criticised the rigid nature of the initially proposed framework. Moreover, it was felt that centrally defined criteria would not be appropriate and that proposals should instead be evaluated according to local need, for which it was argued provisions in local sustainable community strategies provided adequate measures. Those consulted accepted that the LGA would have to ensure that the basic requirements of the legislation were met by proposals. However, they expressed concerns that positioning the LGA as an 'assessor' of proposals, rather than a 'champion' of local government, might undermine the strength with which the LGA played its important role of representing councils that used the SCA process in negotiations with government.

Nevertheless, the 'assessor' role seems to have been that which the government was expecting the selector panel to carry out. For example, the agenda for a meeting held on 09/03/2009 quotes a technical letter sent by CLG to the LGA in October 2008 as explaining that the selector should prioritise the kinds of proposals likely to prove

³⁴ Ibid.

‘acceptable’ to government, specifically noting it should take account of a ‘broad cost-benefit analysis, existing positions for which government is accountable and economies of scale in implementing proposals’.³⁵ Government recommendations were accommodated by the incorporation of a ‘viability and credibility’ criterion, essentially taking into account the technical and juridical viability of proposals, the scale of their impact, the level of institutional change demanded and their relation to government policy. Meeting notes suggest that panel members were concerned with ensuring ‘political realism’, essentially defined as ensuring that proposals did not make large scale challenges to government policy and thus stood a chance of being accepted.

The LGA had thus to negotiate with a rather different set of expectations coming from both sides. As will be explained in section 9.1, having to mediate between these different interests and expectations put the LGA in a sensitive position and seems to have impacted negatively upon its performance in this part of the process. Nevertheless, the LGA attempted to conciliate concerns articulated at the workshop by councils and sustainability organisations with government advice. This resulted in the crystallisation of their commitment to use a less rigid approach to assessment, described as a ‘critical friend / peer review’ approach, and an agreement was reached that meetings would be public in order to increase transparency. Moreover, it was decided that, as well as covering the basic requirements of the legislation, policy proposal forms submitted by councils, the main basis upon which proposals were initially considered, would ask for information regarding ‘how the proposal promotes sustainability and impacts on better outcomes as defined in the act and locally within key plans and strategies’.³⁶ A local component was thus incorporated into the requirement to demonstrate in which ways the proposal promoted the four aspects of sustainability as defined in the legislation. Finally, panel members also highlighted the notion that the LGA might draw upon its collective expertise to strengthen proposals, collaborate with councils on their development, act as a locus

³⁵ Agenda Document for Selector Panel Meeting held on 09/03/2009. Copy available on request.

³⁶ See appendix item 1 for an example of a policy proposal form developed by Sheffield.

for information and advice for councils seeking to use the SCA as well as adopt a lobbying role in regard to proposals.³⁷

Following this process, the selector panel committed to using the following criteria for the evaluation of policy proposals:

- **‘Viability and credibility’** responded to government concerns described above essentially regarding the scope of proposals.
- **‘Impact on Sustainability’** involved assessment of the extent to which proposals could be deemed to sustainably advance the environmental, social and economic well-being of local communities (responding to clause two of the legislation).
- **‘Assistance from the Secretary of State’** relates to the requirement that the implementation of proposals lie beyond the scope of existing local government powers, or is blocked at national level (by e.g. funding processes, legislation, regulation, policy).
- **‘Consultation Requirements’** relates to meeting public participation criteria (articulated in clause two and five of the legislation (SCA 2007) as well as regulations (SI. No 2697) and guidance (DCLG 2008) regarding attempt to reach agreement and the representation of under-represented groups in local panels.

The selection criteria can be split into two groups – those relating to substance of proposals and those relating to the processes through proposals were developed. The table below splits these according to whether they originate in the SCA legislation, or as a result of the process used by the selector to develop additional criteria.

³⁷ The role of the LGA was described in similar terms by the two policy officers I interviewed (interview 37; 38).

	Proposed in Legislation and Guidance	Developed by LGA
Process	Consultation Requirements	None
Substance	Assistance from SoS Impact on Sustainability	Viability and Credibility

Table 4: Origins of Selection Process Criteria

These criteria informed the selection of proposals that took place prior to the initiation of the 'try to reach agreement' process. The section below describes how the selection process was conducted.

4.3.2 An Outline of the Selection Process: July to December 2009

Having outlined the broad principles and approach to be applied to selection, the selector panel moved onto the task of devising a selection process. The agreed process is broadly summarised in diagram one and the discussion below describes how the process occurred in practice.

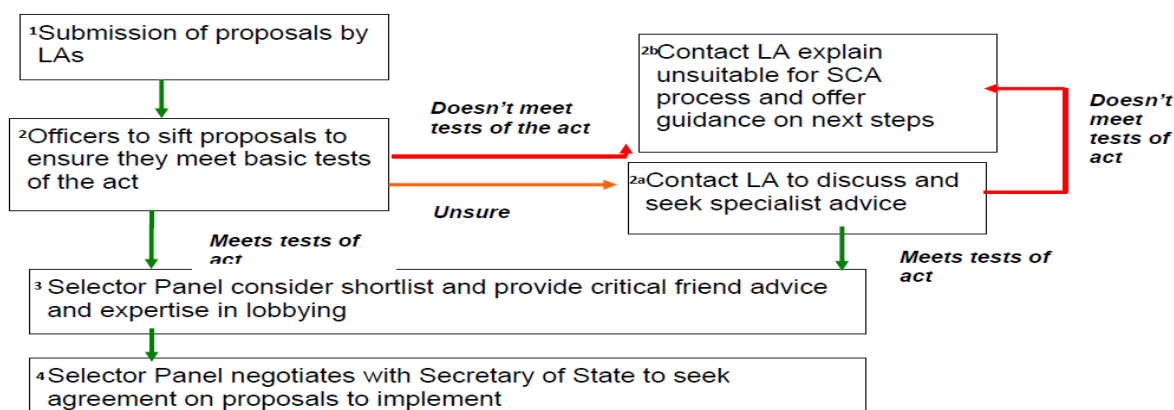


Diagram 5: Proposal Selection Process.

By July 2009 100 councils had developed a total of 301 policy proposals. Before the selector panel met, LGA officers collated the 301 proposals and carried out a preliminary evaluation of these (Stage 2). Where they were unsure of their suitability to the SCA, officers would gather further information from the relevant local authority and seek specialist advice from within the LGA, or, if necessary, externally (stage 2a). When a proposal was deemed not to meet requirements, it would be eliminated from the process and advice provided to the sponsoring council on how best to proceed to meet objectives (stage 2b). In the course of this process, policy officers identified proposals with common objectives and proceeded to put councils

in touch with each other with a view to strengthening and encouraging the development of joint proposals, or to create synergies and enhance working relations which might benefit communities and councils beyond the SCA process. This was seen as an especially helpful role which the LGA played in the process. The selector panel provided a basis for the dissemination of information and a platform for policy learning across councils. Moreover, policy officers developed a series of themes to categorise the different proposals. These categorisations provided an initial structure for selector panel meetings (stage three), allowed selector panel members to consider the interrelation between proposals and highlighted common areas of concern across councils.

The selector panel met four times (23/10/2009; 11/11/2009; 20/11/2009; 22/12/2009)³⁸ to consider the categorised proposals and devise a shortlist to take forward for government consideration. Summaries of themes and policy proposals were presented to selector panel members in the form of briefing documents provided as pre-reading material. Each theme had been contextualised by a brief report produced by LGA officers on the relevant policy framework and relevant issues which officers had considered important to take into account. It is notable that, as well as evaluating the suitability to the legislation in stage 2, LGA policy officers had sought government views on the proposals. Results from these inquiries were fed into the preliminary briefings developed by LGA officers on proposals which would form the pre-reading material for selector panel members, presented as an 'informal' view from government as to the desirability of these. CLG officials consulted policy teams across government to get initial views on four key areas:

- (a) whether the proposal is already within the powers of local authorities to implement;
- (b) whether the proposal requires additional public expenditure;
- (c) what costs / benefits the proposal would involve;
- (d) how the proposal fits with the governments existing policy position.

³⁸ Copies of agendas and minutes are available on request.

It is notable that only area 'a' reflects the SCA criteria for a valid proposal. The rest relate to concerns which government might have in relation to proposals. As will be explained in more detail in section 7.1, the tasks carried out by LGA officers by initially sifting through proposals and then producing briefings for selector panel members meant that they had a high degree of framing influence over the selection process. This might be problematic, because it seems briefings were mainly composed of government's views on proposals. The selector panel meeting agendas and notes repeatedly highlight decisions that the selector panel would take government views into account, but ultimately evaluate policy proposals based on the principles outlined above. However, it is possible that the process was highly sensitive to government concerns from the very beginning.

By 22/12/2009, the selector panel concluded the selection process. Since individual proposals made separate requests which might or might not meet LGA criteria, the LGA separated 'requests' within proposals. This meant that some proposals were partially accepted. In total, the LGA subdivided proposals into 356 requests, accepting 58.4% (208) of these and eliminating 41.6% (148). The table below provides a breakdown of the reasons given for the rejection of the 148 rejected requests, as articulated in the LGA response document (LGA 2009). Some requests were eliminated on the basis of more than one criterion and thus the total count of criteria use is higher than the number of requests.

Rationale for Rejection	Instances / %
Viability and Credibility	92 (48.4%)
Does Not Require Government Assistance	60 (31.6%)
Impact on Sustainability	22 (11.6%)
Consultation Requirements	14 (7.4%)
Proposal Withdrawn by Council	2 (1.1%)
Total	190 (100%)

Table 5: Instances and Percentages of Selector Panel Rejection Rationales

Notable from the table above is the high use of 'viability and credibility' criteria, applied in 48.4% instances criteria, and the relatively low application of 'consultation

requirements' in just 7.4% of instances. This suggests that the selector panel was very sensitive to government concerns about proposals, but did not place so much attention upon the engagement processes underpinning proposals. This possibility, and its implications, is explored further in chapter nine. For now, it is important to move onto describing the operationalisation of the 'try to reach agreement' process at national level.

4.4 Try to Reach Agreement at National Level

The try to reach agreement clause of the legislation is central to the SCA. It is by virtue of this requirement that the SCA can claim to go 'beyond' consultation and this aspect of the SCA was heavily referred to by the Local Works organisation when promoting the Act. Local Works sought to highlight the notion that that the outcomes of the process at local level would have a greater degree of impact upon national policy than that of consultative approaches. However, the SCA was not very prescriptive about which kinds of processes could be said to constitute attempts at agreement. Thus, much like the selection process, participating actors had to devise an approach to reaching agreement. This section begins by describing how the agreement process was designed and implemented (section 4.4.1). It then presents results of a content analysis of document where the government responded to the proposals submitted by the selector panel (DCLG 2010) in order to begin to gauge the impact of the SCA and understand its role within policy development (section 4.4.2). These sections essentially set the context for more detailed analysis in chapter nine.

4.4.1 The Try to Reach Agreement Process: A Short Description

As explained in section 4.3, the selector panel consulted the government when developing an approach to selection. Part of these communications also involved establishing an approach through which the selector panel and the government could attempt to reach agreement on the implementation of policy proposals. The DCLG initially proposed a process whereby DCLG officials would review proposals, ask ministerial opinion where necessary and provide the selector panel with a list of proposals it was willing to implement. The selector panel could then represent its case to ministers in writing and the department would inform the LGA of decision

following reconsideration. According to notes taken at a selector panel meeting held on the 25/09/2009, selector panel members objected to the proposed process on the grounds that it was a too un-reflexive and purely paper-based exercise.³⁹ They felt that a more iterative process which gave more opportunities for face to face dialogue with ministers would be necessary in order to deal more effectively with contentious issues. Thus, the LGA proposed that roundtable discussions between ministers, the LGA and policy officials should occur at various points, in between more continuous interactions between officers in the LGA and CLG. The lack of timescales in the CLG model was also noted as problematic, the selector proposed a timetable to government, highlighting this was essential for maintaining both the momentum and credibility of the process.

In the meantime, officials in LGA and the DCLG had been in communication exploring areas of agreement and disagreement to set agendas for any future meetings. As will be explained in greater detail in chapter nine, this was a relatively intensive process, with civil servants having to communicate extensively with other government departments to get their position on proposals. The process culminated in a series of meetings between officers in January that established which proposals could be implemented at that point and more contentious proposals that required further consideration.⁴⁰ However, the process was interrupted by the onset of May 2010 general election and it seems that around February, the SCA process came to a halt. The only movement on the process in this period was a statement made to the House of Commons by John Denham, the Labour minister for Communities and Local Government, highlighting ten proposals that the government would be willing to implement if re-elected.⁴¹

³⁹.Notes for Selector Panel Meeting Held on 25/09/2009. Copy available on request.

⁴⁰ Agendas and Notes for meetings between LGA officers, selector panel members and DCLG civil servants held on 21st, 26th and 29th of January 2010 are available on request.

⁴¹ Rt. Hon. John Denham MP, in a statement made to the House of Commons on the 6th April 2010, transcript available at - <http://www.publications.parliament.uk/pa/cm200910/cmhansrd/cm100406/wmstext/100406m0001.htm> – last accessed 09/08/2013)

Following the election, the process was essentially re-initiated. The SCA was given a degree of continuity by the officials in CLG who had dealt with the process under the previous Labour government. Perhaps because the Conservative party had strongly supported the SCA whilst in opposition, the coalition took a more positive stance to the SCA, implementing an approach that more closely reflected the selector panels initial proposals of what the 'try to reach agreement' process might look like. A series of meetings between the selector panel and the relevant minister took place that explored those areas which had been identified by officers as needing greater attention. These occurred behind closed doors and no agendas or minutes have been published, something which was heavily criticised by Local Works campaigners. The process ended in December 2010 with the publication of the government response to the proposals developed under the first round of the SCA (DCLG 2010). The contents of this document are analysed in the final section of this chapter.

4.4.2 The Government Response: Proposals, Actions and Rationales

The final section of this chapter begins to assess the impact of the SCA and to describe what role the process played in policy development. Given the high degree of equifinality characteristic of policy making processes at high governance tiers establishing impact with precision is highly problematic (Chess and Purcell 1999; Goodin and Dryzek 2006). The kind of 'process tracing' (George and Bennett 2005) which would be necessary for a comprehensive impact analysis is beyond the scope of this thesis. However, it is important to try to understand how proposals related to policy development. Much of the 'try to reach agreement' process was not documented. Thus, apart from interviews with relevant actors, the results of which are presented in chapter nine, there were few data sources available. This section draws upon a content analysis of the government response document (DCLG 2010), where the government essentially communicated its policy *intentions* in response to proposals, and provided rationales for decision. The data produced provides a rudimentary picture of the impact of the SCA and contextualises the more detailed discussion in chapter nine.

The focus is upon three aspects of integration, a brief description of each is provided below. For more detail on these confer upon the coding dictionary (appendix item 2), and for the ways in which the categories were developed upon section 4.4.2.

1. 'Type of Action': Relates to the kind action which the government committed to in response to a request. Five codes have been developed here – direct action or new legislation; formal advisory process (consultation, policy review, pilot); deliberate further; collaborate with, or advise the council to solve the problem in a different way; and no action.
2. 'Action Relation to Request' regards the connection between the request and the action committed to. Three codes apply: responses 'inspired by' the request, where the response indicates that the request itself is the reason for the action; responses 'despite request', where the government makes no such indication or points to action which was already planned; and 'no action'.
3. Finally, eleven codes describe the 'rationale' underpinning the response (for a detailed list of codes see appendix item 2).

The bar chart below gives an overview of the actions which the government committed to in response to each request.⁴²

⁴² Policy proposals developed through the SCA often made multiple 'requests'. The units of analysis are 'requests' within proposals. Where the response differentiated between different 'requests', the proposal has been subdivided into these and coded accordingly.

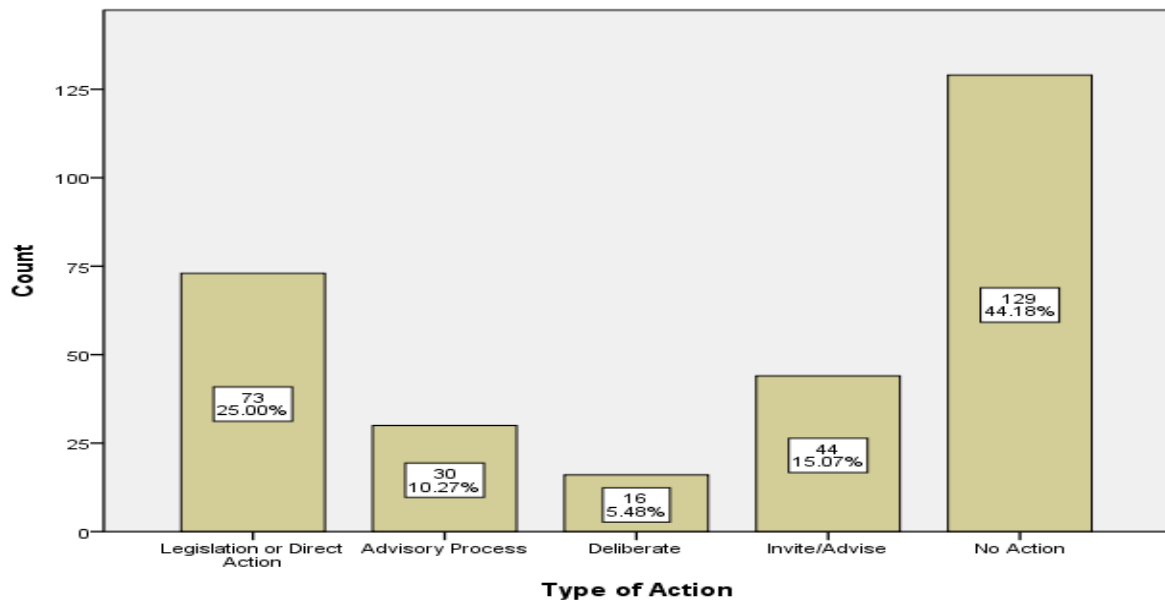


Chart 1: Type of Actions Committed to by Government

The government declined to commit to action in 129 cases, thus effectively rejecting 44.18% of requests. However, in 73 cases (25%) the government committed to act directly or to legislate to implement the request; in 30 (10.27%) cases to considering the request in light of an advisory process such as a consultation, policy review or a pilot; in 16 (5.48%) instances the government made a softer commitment to continue to deliberate as to whether to implement the request; and in 44 (15.07%) cases it invited the council to co-operate with government in order to solve concerns underpinning the request, or to provide advice to this end. Thus, in over half the cases the response can be seen as a 'positive' one, committing to some form of action in response to the request.

However, it would be premature to draw conclusions from this because it should not be assumed that it was the SCA which motivated these decisions. For this reason, when coding response types a distinction was made between actions 'inspired by the request' (where the government made it clear in the response that its actions were motivated by the proposal), and actions 'despite' the request (where the government essentially pointed to policies in development that were deemed to deal with the issue underpinning the proposal). The reason for making this distinction was to begin gauge to what extent the SCA exerted an original influence upon policy development. By cross-tabulating the codes for 'type of action' with

those for ‘relation of action to request’ in the 163 cases where the response committed to some form of action a more nuanced picture of the impact of the SCA emerges:

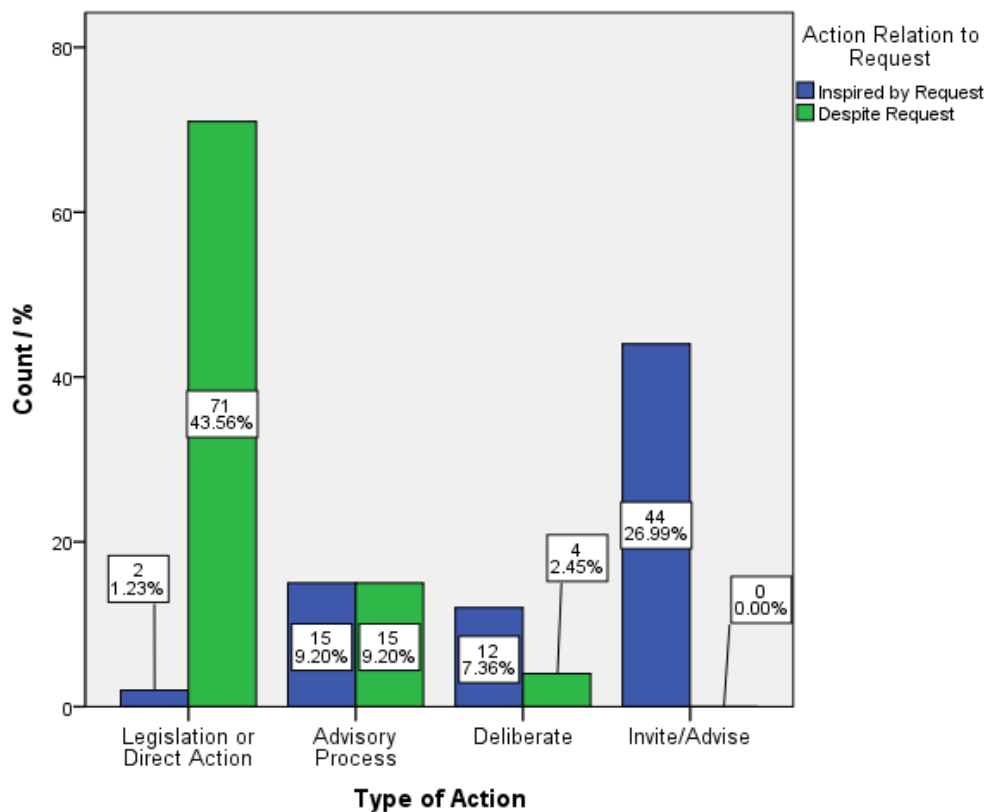
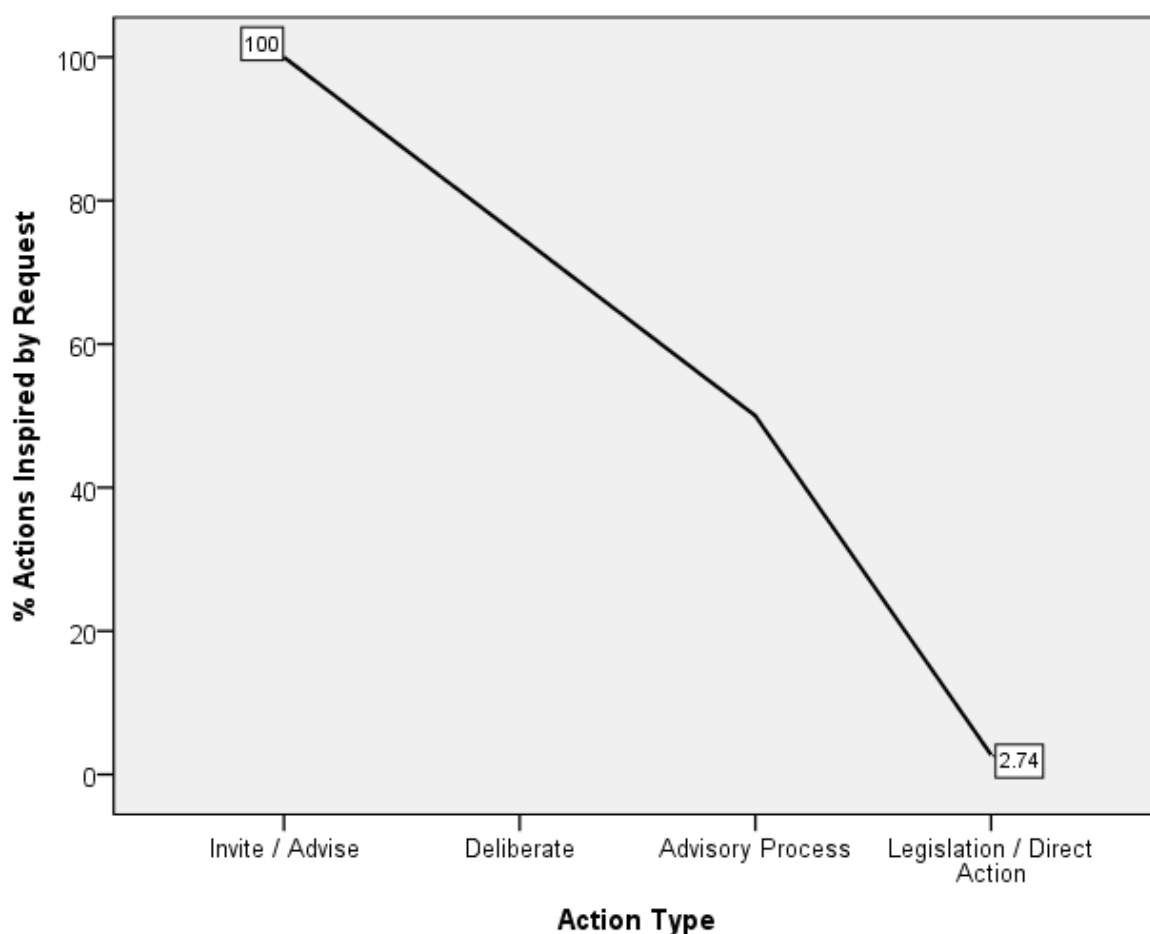


Chart 2: Relation of Action Types to Requests

There are a few things to note in chart two. First, the blue bars represent instances in which the response indicated that the action committed to was ‘inspired by’ the request, a total of 73 requests (44.8 %, of accepted requests). Commitments to actions ‘despite’ the request, represented by the green bars, were slightly more popular (55.2% of cases), placing a question mark over the extent to which the SCA exerted an original influence upon policy development. Second, the nature of the actions committed to ‘despite’ proposals differ quite starkly from the nature of commitments ‘inspired by’ proposals. Regarding the former, in the majority of cases where the response committed to ‘legislation or direct action’ to implement the request it did so ‘despite’ the request (71/73 cases) – represented by the tallest green bar – suggesting the SCA had little influence over these decisions. Regarding the latter, the most popular action ‘inspired by’ the request was to ‘invite’ the council to collaborate to solve the issue underpinning proposal, or to ‘advise’ the council to this end, without necessarily committing to implement a specific policy

(44/73 cases, represented by the tallest blue bar). Commitments to advise or collaborate with proposing councils are a relatively weak response when compared to other forms of action such as initiating a formal advisory process or legislating. Thus, commitments made 'despite' the request most often involved stronger forms of action than those 'inspired by' the request. This can be seen very clearly in the line graph below, which charts the percentage of actions coded as 'inspired by request' against different types of actions committed to.



Graph 1: Percentage of Actions 'Inspired by Request' per Action Type:

Whereas 100% of commitments to advise, or collaborate with, councils were inspired by request, the same was so in just 2.74% of responses committing to legislate or to directly implement proposals. Thus, from the line graph it can be seen that the original influence of the SCA (measured by the action 'inspired by'/'despite' indicator) decreases as the strength of the action committed to by government increases. The popularity of invitations to collaborate or to advise portray government reticence to commit to directly implementing proposals on the basis of

the SCA alone suggesting that, rather than seeing the SCA as a determinant of policy, the government saw the process as exerting a recommendatory influence and/or a platform for communication between local communities, local authorities and national government.

A rudimentary picture of the governments' logic emerges by considering the rationales given in the response in justification of different actions. Table eight below outlines the most popular rationales given in support of decisions to implement proposals directly or to legislate 'despite' the proposals.

Action	Frequency	Percent
Same/Similar Aim/Act	48	67.6
Different Aim/Act	23	32.4
Total	71	100

Table 6: Government Rationales for Legislation or Direct Action 'Despite' Proposal

67.6% of cases within this category were coded as 'same/similar aim/ act', meaning that the government pointed to plans to implement (excluding minutiae) the same policy to that being proposed. For example, in response to seven proposals calling for government to allow councils to increase retention of revenue from their local housing stock⁴³, and five proposals calling for government to allow councils to increase their influence on the setting of non-domestic rate taxation⁴⁴, the government pointed out that it had already planned to implement these policies through legislation in development (the Localism Bill) as part of its broader objective to increase the financial independence of local councils. In such cases, it is dubious to what extent the SCA influenced policy making, since it seems that the decision had already been taken. Moreover, it should be noted that committing to legislate was no guarantee that the 'request' would be implemented as intended by the proposal. Proposed legislation would clearly be subject to changes which might impact upon the proposal as it proceeded through the parliamentary process.

Second, commitment to direct action or legislation 'despite request' often pointed to a different approach to tackling the issue than that which requests called for. In the 32.4% of cases coded as 'different aim/act' the government noted it was planning to

⁴³ Proposing authorities: Cambridge, York, East Devon, Hampshire, South Kesteven, South Lakeland, Warwick District.

⁴⁴ Proposing authorities: Brighton and Hove, Doncaster, Lambeth, South Hams and Waltham Forest.

meet the request's objectives in a *different* way. For example, South Hams submitted a proposal asking the government to legislate in order to give councils a *duty* to transfer poorly used local assets to community organisations that make a sound business case and can demonstrate community support. The government responded that it did not want to implement a 'duty', but that it would be making it easier, again through the localism bill, for local communities to bid to take over assets and would place a duty on councils to publish lists of assets of community value. This is a softer approach. The proposal essentially called for a *right* of community asset transfer, whereas the government is committing to facilitate the process of tendering for such transfers, where community groups might have to compete with other bids.

A similar dynamic can be seen in table nine below, outlining the rationales informing commitments made 'despite' proposals to consider these in light of on-going 'advisory processes', such as consultations or policy reviews. As depicted in the table, a popular way in which the government justified this response ('Keep on Radar' - 53.3% of cases within this category) was by explaining that it was exploring solutions to the issue, often pointing to an on-going consultative process, and would respond to the action proposed following the end of these processes. For example, in response to three proposals put forward by Liverpool and Doncaster to decentralise management of local post office networks to local strategic partnerships and civic associations, the response noted that it would consider the proposals 'in light of results' (DCLG 2010: 21) of a pilot scheme initiated in response to a similar proposal made by Sheffield, exploring possibilities for greater involvement by local authorities. Thus, the government deferred decision to a later point by relating the proposal to an on-going pilot project.

Action	Frequency	Percent
Keep on Radar	8	53.3
Different Aim/Act	6	37.5
Other	1	4.3
Total	16	100

Table 7: Government Rationale for Advisory Process 'Despite' Request

In 6 cases (Different Aim / Act, 37.5% of responses within this category), the response recognised the importance of the issue underpinning the request, whilst

noting plans to act in a different fashion to the policy called for. For example, in response to a proposal by Westminster City Council to ring-fence some of the revenue raised by local business rates for re-investment in local economic development initiatives, the government noted that it would look at business rates as part of a broader review of the local government finance system. This would consider the localisation of business rate retention, thus eliminating the need for ring-fencing. In this case, the response linked the proposal to a broader agenda as well as an advisory process where the government would consider acting *differently* to tackle the issue underpinning the proposal.

In terms of actions ‘inspired by’ the request, the tallest dark bar in chart 2 showed that by far the most popular response was to invite the council to collaborate with government, or to advise the council on how to solve the problem underpinning the request. This was so in 44 out of the 73 instances (60.3%) in which the government committed to action ‘inspired by’ the request. Often, the response expressed recognition of the importance of the problem underpinning the proposal, but disagreed with some aspect of it and stated intentions to find alternative solutions, or to advise councils how to work within existing powers to this end. This much is evidenced by the three main rationales informing this response, outlined in table ten below:

Action	Frequency	Percent
No Need to Act	16	34.4
Keep on Radar	11	25.0
Different Aim / Act	8	18.2
Other	9	20.4
Total	44	100

Table 8: Government Rationale for ‘Inspired By’ Invite / Advise Responses

First, 34.4% in of cases the response stated that there was no need to act in the fashion indicated by the proposal, since the request could already be implemented within existing powers, and the government proposed to advise the council on how they could do this. For example, Brighton and Hove made a proposal to change the legislation on allotments to enable the sale of grown produce to allow holders to sell

surpluses to local businesses. In response, the government pointed out that current legislation prohibits selling allotment produce for commercial reasons but that it does not prohibit selling *genuine* surpluses, and offered to discuss the details with the council. Second, in 25% of cases the response noted the need for more information before making a decision. As in the cases of Sheffield, Doncaster and Liverpool cited above, this often related to results from an on-going advisory process, but unlike these cases, the responses compounded this with an invitation to local authorities to collaborate with the government in the development of solutions in the meantime. Finally, a third rationale (Different Aim/Act – 18.2%) for ‘invite/advise’ was that the government had already committed to an alternative action, and invited to advise the council as to how it might act differently to solve the problem underpinning the proposal (for examples of these codes see appendix item 2).

These responses ‘inspired by’ requests are arguably rather weak and non-committal, offering simply to advise the council on alternative forms of action or to consult the council, without any guarantees. Indeed, as shall be discussed in chapter nine, interview evidence suggests that local councils had some problems in ensuring that the government followed through on these commitments meaningfully.

The next most popular actions ‘inspired by’ request was for the government to commit to initiate an advisory process, such as a policy review, consultation or pilot project – summarised in table eleven below. In these 15 cases, the response indicated that the SCA had triggered a policy development processes. As seen in the table below, in all cases the rationale was coded as ‘government learns / agrees’, meaning that the government accepted the proposal and expressed in its response that the proposal communicated an original issue.

	Frequency	Percent
Government Learns / Agrees	15	100
Total	15	100

Table 9: Government Rationale for Advisory Process ‘Inspired by’ Request

Often, it was a certain aspect of the request that the response indicated as the reason for acceptance, such as the importance of the issue, or the level of support / coherence of the request with those submitted by other councils. Most notably, these codes relates to proposals by ten local authorities (DCLG 2010: 34-35)⁴⁵ calling for the localisation of revenue (or a proportion of the revenue) generated by non-domestic rate taxation. According to the response document, due to the popularity of the request the government committed to considering the idea as part of a future local government resource review. Similarly, in the case of three requests calling for the restriction restrictive covenants on local amenities such as public houses, the response document recognised the importance of the issue and expressed a commitment to holding a consultation on the matter (Ibid: 25).

Finally, it was just in two cases that the government was ‘inspired by’ the request to commit to implementing the proposal directly. Unsurprisingly, the rationale given in these four cases was coded as ‘government learns / agrees’ – as above. Both these cases were relatively small scale proposals, which made very clear asks and required relatively little legislative change. The first example is a proposal calling for a solution to the problem of ‘garden grabbing’. This is a practice whereby developers acquire houses with large gardens and apply for building permission on these. They are able take advantage of a legislative loophole whereby gardens are defined as ‘brownfield land’ (in the same use class as derelict industrial property, for example), targeted for new housing development by UK planning regulations. In response to a proposal by Chorley Borough Council, the response noted that the government had taken ‘decisive action to implement Chorley’s proposal’ and amended planning legislation. In regards to the second case, the government responded positively to a proposal by Southend-on-Sea asking for a year-long extension of a capital grant to a local social enterprise – St. Luke’s Healthy Living Centre.

⁴⁵ Proposing authorities: Borough of Poole, Chorley Borough Council, East Lindsey District Council, Islington Borough Council, Kingston Upon Thames Royal Borough Council, Liverpool City Council, City of York Council, Southend-on-Sea Borough Council, St Albans City and District Council and Warwick District Council.

What conclusions does this analysis point towards? First, it is clear that the government was much more likely to act directly or pass new legislation 'despite' the request. The coherence of the proposal with extant policy agendas seems to have had an important influence over the nature of the governments' response. Thus, although the response document provides a limited proxy for policy influence, it seems safe to say that government commitments to act upon requests made under the SCA often reflected policy decisions that were made elsewhere. Second, most action taken 'inspired by' the request was an invitation to collaborate with, or to advise, the council on solving the issue underpinning a request (44 cases), or to commit to initiating an advisory process such as a consultation or pilot project (14 cases). It was only in two cases that the government claimed that action to implement a request or legislate was motivated by the proposals themselves. Thus, it seems clear that SCA proposals, even when accepted, exerted a *recommendatory influence* upon policy development. Policy makers seem to have responded to it as a source of ideas and as a platform for policy communication between central and local government, rather than as a determinant of policy.

4.5 Conclusion

This chapter has provided a broad overview of those aspects of the process which it is important to consider, providing a basis for a more detailed analysis in the following three chapters. First, although this thesis is primarily concerned with evaluating the process which the Act set up, it is important when doing this to take into account the activities of the Local Works organisation. Although they were fundamental to the implementation of the SCA process, there were some aspects of their approach that arguably needed improving. The concluding chapter shall provide some further thoughts on whether Local Work's approach might be justifiable and on whether it says something new about 'deliberative activism'.

Second, it should be clear from the discussion in section 4.2 that many councils implemented processes which fell quite short of the 'spirit' of the SCA legislation, either instrumentalising the opportunities offered by the SCA or limiting participation to members council-linked governance networks. Chapters seven and

eight shall expand upon the description provided in section 4.2 and evaluate these processes in further detail, with a view to developing conclusions as to what implications the experience in these cases have for the ability of PDPs to mitigate the elite control and low deliberativeness of problem definition associated with the initiative.

Third, section 4.3 described the processes through which the SCA abstracted from the results of local participation and connected outcomes to policy making at higher tiers of government. The analysis so far does not bode well, it seems from the description provided that the SCA in this respect became a relatively cumbersome and bureaucratic process. The data produced by a content analysis of the government response document has important implications for 'integration'. The analysis points towards two conclusions: (a) the importance of coherence with extant policy agendas for acceptance of proposals and (b) that the SCA process exerted a recommendatory influence upon policy development. However, further judgement should be deferred until a more detailed consideration is given to 'integration' in chapter nine.

Following this overview of the implementation of the SCA the following three chapters focus more closely upon the design features deemed important in the analytical framework, i.e. 'who participates?', 'how is participation organised?' and 'how are results incorporated within policy development?'.

5. Representation and Participant Selection

Sometimes we create civic society in our own image.
(Interview 16, Participant, Bristol)

Having provided a broad description of the development and implementation of the SCA, the following three chapters draw upon the analytical framework and interview data to more directly answer the research questions. My interest in the SCA arose because it is a rare example of a PDP which has been specifically designed to set policy agendas at high governance tiers. Section 2.2 outlined three areas of design which it is important to consider when evaluating the SCA's potential to democratise agenda setting processes. This chapter deals with the first of these, an area which deals with how local councils that implemented the SCA approached participant selection, and what kinds of representative claims were being made when making selection choices. To recap: the analysis chapters will seek to answer the following questions:

- (RQ 1a) Did the constitution of SCA panels overcome problems of participation bias?
- (RQ 1b) On what grounds were different participant selection choices made?

Building upon the different participant selection methods and forms of representation described in the analytical framework this chapter sets out to answer these questions. The first thing to note in this respect is that the statutory duty placed by the Act upon councils to 'try to reach an agreement' with panels implies that proposals are developed through consensus oriented participation. The requirements of the kinds of discursive interaction necessary to this end limit opportunities for the direct participation of the 'general public'. In order to make discursive interaction possible, local panels were constituted by subsets of the population (apart from Kent, where panel participants were surveyed). Thus, actors designing SCA processes had important decisions to make in defining the boundaries of legitimate membership for local panels.

It is worth noting here that the SCA itself pointed councils in the direction of a specific approach. SCA guidance defined 'local person' as anyone who might have an interest in, or be affected by, a proposal (DCLG 2008). This mirrors the 'all affected interests' principle common to deliberative theory (Goodin 2007). Moreover, the inclusion of affected or interested persons was supplemented by a requirement that councils make efforts to elicit the participation of representatives of 'under-represented' groups. Mirroring an approach based on representation through civil society groups described in chapter 2, guidance recommended that civil groups might provide adequate representatives. Nevertheless, the SCA legislation essentially left it up to councils to determine if the criteria outlined in the legislation and regulations had been met. Very little specification of minimum standards was given and, beyond the advice provided in guidance documents, how councils might go about identifying affected interests and engaging under-represented groups was left as an open question. Perhaps as a result of this, there was a high degree of diversity in the constitution of panels throughout the cases considered here, as will become clear.

This chapter analyses who participated in the SCA and provides an account of the logic informing their participation. Section 5.1 describes and evaluates the objects of representation which underpinned participant selection choices. This is an important endeavour because, as explained in chapter 2, the shaping of constituencies for participation begins to influence who, or what, is to be included or excluded (Saward 2006; Marochi 2009). Section, 5.2 goes onto outlining the different participant selection methods deployed in local panels. It assesses the strength of the claims made of participants by process managers when making selection choices, the suitability of different forms of participant selection to a problem definition context and the success of each in avoiding problems of elite control. Finally, section 5.3 brings the analysis together offer concluding thoughts regarding the extent to which different approaches avoided problems of elite control and participation bias ubiquitous.

5.1 Representing 'The Local Community'

The SCA legislation required that councils set up panels of representatives of local people, and defined 'local people' as those likely to be affected by, or have an interest in, proposals. Nevertheless, my respondents rarely spoke directly in terms of 'affected interests' and mainly spoke about notions of representing the 'community'. 'Community' is a problematic term because it can be understood, or 'imagined' (Anderson 2006), in different ways. Indeed, those affected by, or interested in, an issue might be defined as a 'community'. However, as covered in the section below, this general aim to represent 'the community', likely due to the role which local councils played in resourcing engagement processes and 'sponsoring' proposals, was mainly understood in terms of individuals and groups within the *geographical area* governed by the local authority. This was expressed through concerns at finding appropriate ways to engage 'residents' and defining who could legitimately be said to a 'member' of the local area. Second, many process managers and participants opined that it was important that processes engage *ordinary members* of the local public. However, will be explained in section 5.1.3, the most ubiquitous way in which process managers and participants felt the 'local community' could be represented was by ensuring that the SCA process communicated 'locally important issues' to government.

5.1.1 The 'Local Area'

Since proposals were 'sponsored' by local authorities, it is perhaps unsurprising that the main way in which the 'community' was understood was in terms of the geographical area governed by the council. Thus, reflecting critically on the failure of the local panel in Lewes to adequately represent the local population, a process manager reported that:

... we ended up with a panel that was lopsided in its geographical representation ... I don't feel that it fulfilled the spirit of the Act, which was to represent different groups and geography within the area (Interview 33, Process Manager, Lewes)

Some expressed concerns regarding who could legitimately be said to be a 'member' of the local area. For example, a participant in West Dorset noted feeling anxious

that, because she was not a resident in West Dorset but commuted to work there, she was a somewhat illegitimate member of the panel. In her own words:

... truthfully, it should have been a member of the community that had gone as a representative ... if you are going to represent a geographical area then logically you should live or work, or you should preferably live in that geographical area (Interview 70, Participant, West Dorset)

A participant in Sheffield expressed similar concerns:

I've been here 20 years but I'm really a York man, I'm not really a Sheffield person (Interview 49, Participant, Sheffield)

A preoccupation with what it is that should be represented within the local area came across strongly in interviews. Difficulties in defining this precisely are due to the fact that people's experiences of the political system and the problems they encounter do not relate neatly to boundaries of political authority. Moreover, within local areas different constituencies and objects of representation can be defined. There were two main ways in which my respondents understood this could be done, which are considered below.

5.1.2 'Every Day People' vs. the 'Usual Suspects'

Concerns with engaging members of the 'general public' are present throughout cases. This logic was mostly expressed by participants and council officers expressing the importance of representing 'ordinary' citizens. The concept was expressed in a variety of different ways, for example:

... they didn't take the common man forward (Interview 58, Participant, South Hams)

We didn't really get that sort of huge response from Joe Bloggs ... we didn't have that completely grassroots idea from people off the streets (Interview 61, Process Manager, South Somerset)

... people on the ground, just average people just living their normal life (Interview 73, Participant, Wiltshire)

These concerns are equivalent to those found by Parkinson (2006) in his case studies of deliberative processes in the UK. The flip side of the coin to the perceived importance of representing ordinary members of the local public was a preoccupation with avoiding the 'usual suspects'. As Parkinson (2006: 68) explains, 'when a group is identified as 'the people', it is only done by reference, often hostile, to another group that can be labelled *not* the people'. When defining 'ordinariness' as the legitimate constituency of representation many of my respondents made this kind of distinction:

It was mainly people working in organisations on behalf of those people rather than the actual people (Interview 73, Participant, Wiltshire)

... the LSP is a group of organisations, it is not real people (Interview 27, Process Manager, Herefordshire)

I don't think I'm the most typical person, I think there are people who would be more useful than me (Interview 49, Participant, Sheffield)

Thus, participants and process managers often expressed the need to avoid those parts of the population that are usually the first to take advantage of opportunities for participation, leaving a residual preoccupation with finding ways to represent the needs and concerns of individuals who are defined as 'typical', 'common' (etc) purely because of their non-participation. The problem here is that representatives of the 'typical person' are impossible to find. Thus, if avoiding highly active sections of the population is important, Parkinson (2006: 69-72) is correct in arguing that it makes more sense for designers of PDPs to attempt to recruit statistically representative samples of the population, than to embark on the snipe hunt of finding ways to represent the 'common man'.

Nevertheless, an important concern underpinning the avoidance of the ‘usual suspects’ is the idea that the SCA should specifically seek to provide opportunities for the participation of those who do not usually participate. This logic also came through strongly in interviews with those respondents who felt that avoiding the ‘usual suspects’ was an important thing for the SCA to do:

I think the idea of it is wonderful because it gives ordinary people a chance to have a say in what happens (Interview 67, Local Councillor, West Dorset)

... try and avoid the use of usual suspects, or try and make sure people who weren’t usually involved were involved (Interview 54, Process Manager, Sheffield)

In this respect, providing a channel for the participation of that part of the population which does not usually participate is understood as an important aspect of improving the *legitimacy* of the SCA process. Indeed, it is perhaps for this reason that, whilst the legislation was being formulated, political representatives engaging in parliamentary debates highlighted the importance that the SCA engage groups which are ‘under-represented’ in civic political activity. Julia Goldsworthy, the then Liberal Democrat MP for Falmouth and Cambourne argued that a beneficial aspect of the process was that it ‘will create a climate in which they feel that their [under-represented groups] views will be taken on board—something which may have been more difficult for them in the past’.⁴⁶ In a similar vein, Clive Efford MP, Labour Party MP for Eltham and Plumstead, argued that ‘the test of the Bill ... is whether it empowers those sections of the community that do not engage in our democratic processes and civic structures’.⁴⁷

Finally, engaging the usually inactive was also understood as a way of improving the basis upon which policy proposals would be developed. An important concern

⁴⁶ See House of Commons Debate, Sustainable Communities Bill, Second Reading, 19th January 2007, column 1056.

⁴⁷ See House of Commons Debate, Sustainable Communities Bill, Third Reading, 15th June, 2007, column 1025.

underpinning the perceived need to avoid ‘usual suspects’ is that limiting participation to those highly active sectors of the population meant that the development of policy proposals became bound up with the dynamics of conflict between groups, preventing a more original exploration of local problems from arising:

I don’t know that you necessarily had the people there who are what I call everyday people who might have interjected with innovative ideas. Because sometimes you can be in so many groups together that have been discussing the same things for a long time that you’re not gonna change (Interview 58, Participant, South Hams)

... (people) came with very open minds, they weren’t there to push for this group or that group or this action or that action, that didn’t happen (Interview 56, Councillor, Sheffield)

Thus, ensuring that panels are made up of ‘ordinary’ individuals is seen as a way to allow the panel to, as one process manager in Stockton put it, ‘think outside the box’ (Interview 62, Process Manager, Stockton). Moreover, inactive sectors of the population can hold different understandings of social and political phenomena which provide a fresh angle from which to approach proposal development. On this basis one might argue that the inclusion of the inactive or excluded will provide a more fertile context for problem definition processes, underpinned by a more comprehensive exploration of local problems and ultimately leading to the development of more innovative and original policy proposals.

5.1.3 Locally Important Issues

The focus on representing ‘the local community’ was perhaps most closely associated with finding ways of identifying and articulating ‘locally important issues’ or ‘problems’. This was expressed in different ways by respondents. In a small minority of cases making sure that local issues which the council had identified as being of great importance were being put through the process was deemed to legitimate the implementation of rather narrow engagement processes. Indeed,

respondents from councils identified as using the SCA as a 'lobbying tool' in section 4.2, essentially justified their approach in this fashion. Moreover, as will be explained in section 5.2, ensuring that 'locally important issues' were being represented in the SCA process was seen as a way of avoiding the difficulties in forming a panel for the specific purpose of the SCA. For example in Kettering, the perceived resource intensiveness of implementing a 'fresh' engagement process across the whole area led to the council drawing upon issues and ideas which had arisen from previous consultations, or, as the chief executive put it, from 'conversations which had been on-going at the local level' (Interview 29, Senior Council Officer, Kettering).

However, 'representing locally important issues' was also deemed important by respondents in cases which made greater attempts to involve citizens in problem definition. This was often related to issues which had been identified as being of local importance through Sustainable Community Strategy (SCS) consultations. For example, Cambridge held an initial idea-raising event, open to all the public, where attendees would write their initial ideas on post-its and stick them under themes which had been developed from sustainable community strategy priorities. Linking the raising of ideas to SCS priorities was seen by some as a way to ensure that the SCA process was genuinely reflecting the priorities of local communities:

... sometimes people are quite singlish to, come and use it as a lobbying tool to get the idea raised up the agenda. You know, whereas we can say, sixteen year old voting ... there is a link to our children and young people in the community strategy because we are trying to get young people to participate and take leadership in their society (Interview 1, Process Manager, Bath NES)

we actually looked at whether the proposals fitted with the priorities in the sustainable community strategy, because if it was identified in there as something that was really high priority then it was something that you know the working group would say, well yes, that is

something that we should definitely put forward (Interview 61, Process Manager, South Somerset)

Community strategies were an important aspect of the approach to local governance promoted by New Labour and are closely related to Local Strategic Partnerships (LSP), which, as will be explained in section 5.2.3, were deemed by many respondents to provide a natural 'home' for the SCA locally. They are ostensibly developed through consultation with local citizens and stakeholders and thus respondents understood the degree to which an idea matched SCS priorities as a good measure of its local importance and thus its suitability for its development into a policy proposal to submit under the SCA.

Finally, some interviewees who proposed an idea through the SCA, especially where those ideas had come from established local agendas usually advocated by local associations, saw themselves as representing the people where they lived by promoting issues which they understood to be important to local citizens. For example, a participant in West Dorset noted that he was confident that his proposal to alleviate 'the chronic or acute shortage of affordable housing for local people' would gain a lot of support because it was 'an issue that concerns a huge number of people who live and work in West Dorset' (Interview 69, Participant, West Dorset). As section 5.2.4 will explain, in contrast to the views expressed by some respondents regarding the need to avoid the 'usual suspects', the knowledge and expertise held by members of civil organisations about the problems which affected local people was deemed by some process managers and participants to legitimate their involvement in proposing ideas.

5.1.4 Problems with Locality-based Constituencies?

These objects of representation are far from mutually exclusive. In fact, they were often related to each other. For example, as explained above, defining the 'local community' in terms of 'ordinary residents' (understood as those who do not usually participate in local politics), was often seen as a way to ensure that issues of local importance were being raised. Thus, they are all examples of, potentially complementary, understandings of what it is *within the local community* that is

being represented by the SCA process. This 'local' focus is something they have in common and thus before moving onto participant selection it is important to consider if there are any problems with 'locality-based' objects of representation. As explained in chapter 2, Parkinson (2006) and Smith (2009b: 261) have argued that limiting participatory governance to local issues is problematic because it leaves important issues off the agenda. However, this criticism does not necessarily apply to the SCA, for it is a process which although focused on the locality, is specifically designed to transcend local/national divisions. In the SCA people were being asked to think locally about problems which needed national action, and so the focus on locality does not lead to such an agenda limitation. Indeed, issues decidable at the local level do not meet the requirements of the legislation for a proposal to be put through the process.

It is still a possibility, however, that the local focus of SCA panels led to the development of policy proposals which are responsive to particular local contexts, but which could impinge negatively upon other areas if implemented at larger scales. This is clearly an issue which goes to the heart of the SCA. Interests might be excluded from the development of proposals that might nevertheless be affected by their implementation. This is one of the main reasons why the SCA was not intended to determine policy. It is the role of policy makers in representative institutions to take these considerations into account when deciding whether or not to accept policy proposals.

It might be argued that if this problem is to be avoided, local councils are perhaps not the appropriate agencies to resource public engagement and sponsor policy proposals. There are other possible approaches that could provide a more inclusive basis for problem definition. However, the consideration of these is left for the conclusion of the thesis (chapter eight). For now, it is necessary to focus specifically at what can be learnt from the selection processes implemented by local councils and the logic underpinning these.

Indeed, many councils using the SCA covered relatively large-scale areas with diverse populations which may mitigate these concerns. Thus, the extent to which panels might exclude certain interests shall therefore depend on participant selection methods, at least as much as upon the scale of the area which councils administer. It is therefore pertinent to give further consideration to which groups and/or individuals were identified as appropriate representatives of the locality and what processes were used to attract their participation in the local panels. The chapter now turns to these issues.

5.2 Participant Selection Forms: Raising Ideas and the Constitution of Panels

This section describes the different ways in which 'the locality' was represented. The lack of direct observation limits the ability to consider representative claims made *by* participants during the process of panel participation (see e.g. Marochi 2009), but greater consideration can be given to the strength of representation claims made *of* participants by process designers when making selection choices. Councils relied upon eclectic combinations of different approaches, and engaged different actors across different stages of the process, throwing into doubt the neat distinctions made between the different forms in chapter 2. The only way to present all configurations would be by describing processes on a case by case basis, however, this would be far too unwieldy. Instead the section is organised thematically in order to draw out more fully the contrasts between different approaches to constituting implementing the SCA. Since some councils drew upon various approaches some cases might appear in more than one section.

5.2.1 The SCA as a 'Lobbying Tool'

A small minority of councils saw the Act as an opportunity for them to advance campaigns which they had advocated for some time. In the case of Kent, a policy officer noted that the Local Works campaign had convinced the council's leadership to use the SCA by highlighting the devolutionary potential of the process. Kent thus saw the SCA principally as a mechanism through which to lobby for transfer of functions. In the words of a Kent process manager:

They [the leadership] saw the act as principally a mechanism by which they could seek and position themselves or lobby for transfer of functions from central government and its associated quangos and executive agencies implicated into Kent on the grounds that the authority is in a better strategic position to design policies and strategies on those service areas than national government (Interview 28, Process Manager, Kent)

In a similar fashion, Kettering decided to use the process to promote issues which either the council had identified or which had arisen through previous local consultations. Thus, a senior manager noted:

we were opportunistic in that we saw the act as an opportunity to try to solve a problem that we had already thought about (Interview 29, Senior Council Officer, Kettering)

In these cases there was minimal or no collaboration between citizens or between citizens and public officials in the raising, development or prioritisation of policy proposals. As noted in section 4.2, Kettering convened no local panel and relied instead on the provision of evidence that proposals had arisen through past consultations to justify submission of proposals. Kent put ideas to its demographically representative citizens panel in the form of a survey designed to measure the perceived importance of the proposals as well as the suitability of the SCA as the process through which to propose the ideas. In both cases, panel participants had no influence over the development of the proposal. Moreover, the exercise was entirely consultative, with the final decision on which policies to propose being taken by the council's leadership.

It is clear that these processes stray considerably from what the original advocates of the SCA intended (see section 5.1). Nevertheless, two arguments might be made in defence of these approaches. First, it might be argued that bonds of authorisation and accountability between local residents and elected members legitimise the use

of the process by the council in this way. Second, it might also be argued that, despite the low levels of civic influence, councils proposed ideas which are of great importance to those affected. A policy officer from the LGA put both these points well:

Q. But is it [the SCA] for local people or local councils?

A. I do not see them as necessarily different things, your local councillor is a resident, and he or she is your representative. So I do not see it as completely different, I see them as working together to do that. I do not see it as a confrontational type relationship but as a very collaborative relationship, so usually your local councillor is speaking on behalf of what his / her local residents want to say. So I do not think it is that different (Interview 37, LGA Policy Officer)

This opinion is perhaps to be expected from a policy officer at the LGA. The 'raison d'être' of this organisation is precisely to represent and champion local authorities. It is of course true that principal-agent bonds exist between councillors and the local electorate. However, claims of shared experience are more tenuous. There is a sense in which the very purpose of the SCA is to give representation to locally important issues at higher tiers of government. If it can be established that local councils are in the best position to understand and represent local problems, arguably this is a favourable approach. Nevertheless, chapter eight argues that proposing issues which are readily identifiable through the SCA is not a problem *as long as* panels are able to reject these or modify them in reflexive agenda setting processes and thus contribute to their development into SCA policy proposals. The idea being that panel deliberations might add something to proposal development. This clearly could not occur in councils using the SCA as a 'lobbying tool'. Finally, much of the 'democratic malaise' which innovations are seen as a potential 'cure' for (Geissel and Newton 2012) arises from the civic expectation that 'democracy' should mean more than electoral representation (Dalton 2004; Power Inquiry 2006). Democratic innovations will clearly not make a contribution to 'curing the malaise' if the opportunities to participate are limited to representatives. In fact, there is no reason to call them innovations at all!

5.2.2 The 'Mini-Public' Approach: Descriptive Representativeness and Random Selection

As argued above, the statutory duty placed by the Act upon councils to 'try to reach an agreement' with local panels implies a degree of interaction between local panels and decision makers in the council. Thus, local panels were mostly constituted by subsets of the local population. A popular way in which the 'legitimacy problems' (Parkinson 2003; 2006) associated with processes relying on the participation of unelected sub-sets of the population have been mitigated is through the use selection techniques that result in the formation of 'mini-publics'. To this end, random stratified sampling is used to identify and invite a group of participants which is in some way (depending on the variables used) descriptively representative of the make-up of the population from which they are drawn. This approach was present in six cases where officers identified constituting descriptively representative panels as a key aim. Within these, just Kent engaged a panel which could be said to meet standards of statistical representativeness. As seen in section 4.2, Kent used an electronic survey allowing its demographically representative citizen's panel to express preferences on policy proposals which had been formulated by the council itself.⁴⁸ Kent's approach gave no opportunities for the contribution of the panel to the development and formation of the ideas. Thus, the panel played a minor role in the proposal development process and for this reason the rest of this section focuses on the remaining five (Lewisham, Sheffield, Herefordshire, Kingston Upon Thames, Bristol).

The first objection that might be raised against these approaches is that the size of the panels fell way short of the numbers needed to guarantee statistical representativeness. Panels were composed of circa fifteen to thirty-five citizens, and thus statistical representativeness was replaced with the aim of recruiting a 'cross-section' of the local population. This was noted by some respondents as a problem:

⁴⁸ South Hams and South Somerset also involved consumer panels in the SCA process. However, they did not play the function of the main panel, instead the LSP subgroups debated ideas and formed recommendations which were vetted by surveying consumer panels.

I, for one, I don't know whether a panel of 15 people is necessarily that representative ... there were disabled people there and it did, I think, broadly represent the ethnic mix of the borough; it [the council] made an effort on that count. My main concern was the number 15 personally (Interview 35, Participant, Lewisham).

The other difficulty I suppose is to have a meeting that is small enough to manage and big enough to be representative (Interview 48, Participant, Sheffield).

I think getting a panel of 10 people is not that representative ... (Interview 60, Council Officer, South Hams).

In deliberative polls, for example, a 'microcosm' of the population is formed through quota sampling to ensure the statistical representation of the population, at least on the criteria which the group was chosen, and it is generally accepted that an appropriately selected sample of at least 200 is necessary to approach statistical representativeness, the general 'rule of thumb' being the bigger the sample, the better (Siu 2010). Thus, if full statistical representativeness is a crucial part of participation in 'mini-publics', the legitimacy of the processes in these cases might be said to be seriously lacking. Nevertheless, it should be noted that the sizes of the samples required to construct statistically representative groups are too high for deliberation to occur between all participants anyway. It was this trade-off which the Sheffield respondent referred to in terms of making panels 'manageable'. Thus, the importance of meeting statistical representativeness needs to be weighed against the requirements of discursive, or deliberative, interactions. One might argue that if it improves deliberation, recruiting a smaller panel which is broadly representative is an adequate compromise.

There are other more fundamental problems, however, with the approach taken by these councils. First, in the cases of Herefordshire and Sheffield there was a strong element of self-selection which may have undermined the representativeness of

panels. In Herefordshire, participants were invited from the councils' statistically representative and randomly selected sounding board (circa N1200). In Sheffield, process managers did constitute a panel which they deemed to be roughly descriptively representative, but the panel was constituted from a selection of volunteers from an initial open public meeting held to gain ideas. In both cases, although most acutely in Sheffield, these approaches to selecting participants are likely to have led to an over-representation of those with the disposition to participate in exercises like the SCA.

Second, a problem with descriptive representativeness which applies to all these cases is that if we understand the process of participation to be constitutive of preferences and identity (Barnes, Newman and Sullivan 2007), this might lead to representative claims being made which divert from the original criteria upon which different individuals were selected. Moreover, the random selection procedures through which mini-publics are constituted are seen as an important way to ensure that the 'usual suspects' are not over-represented. However, it has been found that the process of participation, especially in more intensive and continuous processes, can turn the 'mini-public' into a 'sub-elite' with similar features and trajectories to those of the 'usual suspects' (Talpin 2011). Although it is reasonable to assume that the one-off nature of the events which these councils implemented might have prevented this from occurring, this is likely to become a problem in more continuous processes.

There are, despite these problems, important things to be said in favour of these approaches. First, the fact that participants in Bristol, Lewisham and Kingston upon Thames,⁴⁹ were selected randomly might have increased the pluralism of panels, leading to a richer epistemic basis upon which to develop policy proposals. Second, as Parkinson (2006: 76) argues, 'randomness can have a circuit-breaker role, helping move debates on when politics as usual, conducted between competing interests

⁴⁹ Herefordshire is excluded because as noted above, the council invited members of its demographically representative consumer sounding board to participate and thus there is an important element of self-selection at play here.

and networks, has broken down'. Although deliberative theorists differ on this matter, there is evidence to suggest that partisan attachments can hamper deliberation (Hendriks, Dryzek and Hunold 2007; Muirhead 2010; Gaynor 2011). Indeed, as will be explained below, this was a concern to some respondents in cases where interest groups played an important role in panels. Thus random selection might be an important way in which to increase the quality of deliberation.

Finally, it is also noteworthy that descriptive representativeness seems to be deeply embedded as a 'common sense' legitimator of non-electoral forms of participation. Indeed, although designers of local processes in most cases did not implement processes which can make a strong claim to descriptive representativeness, references to the importance of 'representative panels' were made by council officers (interviews 1; 6 and 22) and participants (interviews 8; 35; 48 and 70) offering apologetic justifications for, or noting their frustration at, what they perceived to be panels which were unrepresentative of the local population. Thus, descriptive representativeness and random selection is arguably an important aspect of increasing the 'trust' necessary if a wider role is to be accepted for mini-publics in governance (McKenzie and Warren 2012).

5.2.3 LSP-Based Panels

In the majority of my cases (14/22) panels were constituted mainly by non-state actors closely related to the council through local strategic partnership bodies.⁵⁰ Using the LSP was seen as a relatively inexpensive way of implementing the SCA. Aware that constituting more inclusive panels and engaging participants in collaborative fashion would be beyond their means, officers affirmed the need to shape the SCA process based on existing governance structures, highlighting the importance of working with groups they already have relationships with (interviews 1; 3; 22; 23; 25; 60; 61; 68; 72). An officer in West Dorset articulated this logic well:

⁵⁰ Groups could be service delivery partners or other kinds of public, private and third sector organisations with a link to the council.

... the guidance was saying you must ask your local communities what their issues are, which we already do through our community planning processes. I am a community planning officer, so I coordinate our LSP. So I was very conscious that I did not want to set up anything in duplication, we have lots of people involved in our partnership and it made sense to link that process to the SCA (Interview 68, Process Manager, West Dorset)

Indeed, references to resource limitation or the need to avoid 'duplication' were made by most council officers interviewed across these fourteen cases. Interestingly, a few officers within this group noted that the council had based design choices on a 'cost-benefit' analysis. Local designers were aware that the SCA was an untried process, and were sceptical about the chances of achieving impact. As one officer in Bexley put it, 'we did not want to invest too much resource and not generate a return on investment' (Interview 3, Process Manager, Bexley). Relying on established structures was seen as a way to minimise potential losses associated with investing resources in an 'untested' process. Moreover, officers in six councils felt that the networks which the LSP had in place would provide a valuable resource for the SCA process and offered a good way to research community views (interviews 23; 43; 61; 62; 64; 25). A process manager in Stockton put this well:

We have representatives who have ... if you get my expression ... they have lots of 'hats' on, so they will go to one meeting and then they will pick information up, and go to another meeting, raise a point and pass the word on that way and we felt that was the really effective way of actually finding out what the community wants and what they would submit into the SCA (Interview 62, Process Manager, Stockton)

Thus, LSP representatives were deemed to have a good understanding of the problems and concerns faced by people in the local area. Moreover, LSP-based panels engaged highly active and aware citizens as well as other state and non-state actors with considerable levels of professional knowledge. Thus, process managers felt they could

trust these to 'keep up' with the process and not 'flood' them with poor ideas. For this reason, a policy officer in Wiltshire (Interview 75, Process Manager, Wiltshire) lamented not having limited the process more narrowly to professional groups arguing that such an approach would be more effective in terms of resource maximisation and would be more conducive to developing good quality proposals. Indeed, the high levels of 'expertise' present on LSP bodies was seen as a valuable asset to the SCA process in giving effective representation to the needs of the local community. As a participant in Wiltshire put it

I think it was just using the expertise of the people that were on that board and from their own experiences from within their own organisations just to make sure that anything that was put forward was, you know, was actually not just a kind of what a strong individual view and was actually that tied in with what we knew about the area and what was a priority (Interview 74, Participant, Wiltshire)

Essentially, the LSP and the community planning processes which they lead on were widely seen as the 'natural home' of the SCA at local level. Officers in this group of cases repeatedly justified their approach in reference to established ways of carrying out public engagement. Since it was often officers involved in community planning which were leading on the SCA in my case studies, it is not surprising that LSP's had such a prominent role. Nine officers across seven cases explicitly noted that the SCA was a natural complement to these processes, allowing councils to communicate to government obstacles they faced in realising their SCS priorities. As a council officer in West Dorset put it:

we'd already asked communities what their local issues are through our community planning process. But I guess the SCA process looked at more the issues that we could not deal with locally because we needed national changes (Interview 72, Process Manager, West Dorset)

Since the local SCS was developed through consultation with local citizens and stakeholders, linking the SCA to the SCS was seen as a way to ensure that policy proposals were responsive to the priorities of local citizens.

Some valuable ideas may have been raised by connecting nationally relevant outcomes of local community planning processes to the SCA. Although the campaigners advocating the process were critical of these approaches for not implementing what they understood to be appropriate levels of engagement, it could be argued that the SCA functions best as a process seeking to increase the flow of information between local participatory processes and higher tiers of government. If so, community planning teams within local councils and local LSP bodies may indeed have been an appropriate home for the SCA locally. There are however, some important problems with viewing the SCA as a means of communicating nationally relevant outcomes of SCS consultations to central government. The government's own evaluations of SCS's suggest that the quality of public engagement used in their formation is highly variable (Wells and Goudie 2005: 20-23) and the relationship between the evidence produced through consultation and the definition of local priorities has been found to be unclear in some cases (Wells 2006). Thus, the extent to which they provided an appropriate proxy for the priorities of local citizens is questionable.

Moreover, a distinction must be made between drawing on the LSP to raise initial ideas, and constituting a panel, where ideas are developed into policy proposals, which is made up mainly of LSP members. Although some clear advantages have been identified with the former, the latter is a questionable approach to implementing the SCA. LSP-based panels engaged actors with very close ties to the council and many argued that these could make poor claims to represent local citizens:

... a huge disadvantage was that it really wasn't rooted in the community. We have some really active groups and they are well networked, but they can't be said to be representative of the community (Interview 22, Process Manager, Doncaster)

... a lot of their work is about delivering public services, so there is a strong representation on there from public agencies and not so much from you know, community representatives (interview 1, Process Manager, Bath NES)

Thus claims to the effect that LSP-based panels were 'un-representative' (Interviews 1; 22; 33; 61), that they primarily involved the 'the usual suspects', (or words to that effect - interviews 8; 22; 57; 58; 61; 70; 72; 73) and that they failed to engage excluded groups (interviews 2; 65; 70) were common in these cases. This relatively low level of inclusiveness was deemed by some respondents to have impacted negatively upon the development of policy proposals. For example, a participant in South Hams explained the failure of the process to generate 'innovative ideas' in reference to the exclusive nature of the panels' make up:

... I think the people who came to the table were the people who had good ideas maybe, though not the new ideas, they are just the ideas of the moment ... I don't think that there was necessarily engagement to see if there was anything different that could be done (Interview 58, Participant, South Hams).

The make-up of LSP's is highly varied throughout the UK (Sullivan and Howard 2005). Where LSP structures leaned further towards more inclusive arrangements the SCA might have benefitted. However, according to my respondents, in most cases the opposite seems to have been the case, with local elites effectively dominating the opportunities which the SCA offered. LSP This is an important limitation, since, as shall be explained in chapter eight, it seems to have impinged negatively upon the collaborative dynamics within panels, preventing a more original and comprehensive exploration of problems faced by 'local persons'.

Citing urban regime theory literature (Stone 1989) Somerville (2005: 123) distinguishes between 'oligarchy' and a 'participatory democratic regime' based on the extent to which 'awareness of interdependence and common interest has been expanded – to an elite minority or to the community as a whole'. In LSP-based panels the exploration of

common interests and definition of local problems was limited to elites from public, private and voluntary sectors featuring on LSP networks. The development of LSPs can be viewed as an 'expansion of the ruling elite' (Somerville 2005: 124-28) and on this basis the SCA can be seen as an 'oligarchic', rather than a participatory, process in these cases.

5.2.4 Civil Society Representation

Interest groups and civic associations of many different kinds played an important role in the SCA process. As noted in chapter five, the SCA was advocated by a coalition of interest groups and civic associations led by the umbrella group 'Local Works'. Moreover, most councils raised ideas for consideration in local panels through 'passive' means, they did little to purposively seek out submissions from different parts of the population. This was done either through an open public meeting or through what were essentially petitioning processes – issuing press releases or placing ads in local newspapers and on the council's website. There is reason to believe that in councils which took these approaches local interest groups widely used the opportunity to submit ideas to the SCA. This was the case in both interviews carried out with idea proposers in Bristol (Interview 13) and in Lewisham (Interview 35). Moreover, as part of the campaign to implement the SCA process, Local Works specifically targeted local interest groups to promote the opportunities offered by the SCA to submit ideas to promote their campaigns.⁵¹ Indeed, a member of the selector panel described the SCA as 'a culmination of campaigns of changes people wanted to make' (Interview 47, Selector Panel Member) implying that many of the ideas developed through the process were pre-existing campaigns of groups interested in the process.

A high level of interest group involvement is a problem for the SCA. Those with greater organisational capacity can be expected to exploit opportunities to a greater extent and it might be argued that the fact that ideas reflect existing campaigns

⁵¹ One prominent example regards the involvement of the Campaign for Real Ale (CAMRA) in the first round of the process. CAMRA was interested in the for the opportunities it offered to protect independently owned pubs and local beer production. Thus, CAMRA promoted opportunities advanced by the SCA to propose policies restricting, or banning, the use of restrictive covenants in the first round (see CAMRA 2011).

limits opportunities for a more original exploration of problems. Thus, arguably councils should have been more proactive in ensuring that wider parts of the local population submitted ideas. However, for reasons that will be explained in chapter eight, there is space for permissiveness in terms of *where* ideas come from, as long as panels implement reflexive agenda setting processes, giving panel participants opportunities to reject, modify and come up with new ideas. Moreover, council officers often complained at being flooded by ideas submitted by individual citizens which had no relevance to the SCA. This was often to do with the un-interactive nature of petitioning processes meaning that citizens had given little thought to their submissions. Raising ideas through local interest groups (as well as LSP's) went some way towards ensuring that the initial submission of reasonably well thought through ideas. These provided a good basis upon which to focus deliberation in panels. Indeed, raising ideas by outcomes of SCS consultations and through local interest groups might provide an adequate kind of 'agenda filter' for local panels which scholars such as Bohman (1996: 139) have argued to be necessary for quality deliberation.

Of greater importance is the role of interest groups within local panels. Civic associations of many kinds are often present on LSP-based panels. Panels in five cases which carried out 'civil society representation' (Lewes, Brighton and Hove, Wiltshire, Cambridge and Sheffield) drew to some extent upon groups external to LSP structures to constitute panels. Interest group involvement was most acute in Cambridge where panel participants were selected from a list of volunteers taken from an initial open public meeting. Participants at the event could raise potential ideas and volunteer to participate in local panels, process managers then selected from the list of volunteers. A similar approach was taken in Sheffield, although officers here were also concerned with making the panel descriptively representative. Thus, group representatives participated alongside individual citizens acting as spokespeople for civic groups representing different demographic, ethnic and social positions. Cambridge, on the other hand, relied on group representation without focusing on maximising descriptive representativeness. The initial idea raising event was mainly attended by local groups with a specific interest in the SCA,

which were, according to the process manager, mainly environmentalist groups, and the panel was composed of activists and employees from these organisations.

These panels are open to similar objections to those raised in section 5.1.1 about the negative influence of partisanship upon deliberation. In this vein, one respondent from Bath criticised some of the panel members who 'were quite confrontational about the issues' and argued that this might be 'because they were lobbying for their issues, and weren't necessarily feeling that their issues were understood by the people they were talking to' (Interview 1, Process Manager, Bath NES). A process manager in Sheffield seemed to have been aware of this potential problem. He recalled highlighting to participants that 'no one is here to represent an organisation, but to represent yourselves as citizens of Sheffield'. He further noted that 'if people felt that there was lobby going on for certain action ... the group exercise stopped it' (Interview 54, Process Manager A, Sheffield). Thus, the potential partisanship of group representatives was understood by some respondents as potentially negative for the process, although in Sheffield process managers seemed to think that the group discussions managed to limit the influence of partisanship upon deliberations.

A final argument often made against group based representation is that the representation claims which interest group spokespeople make are often tenuous. For this reason Parkinson (2006: 89) concludes that interest group spokespeople should only play a legitimate role in the process of deliberation if they can demonstrate shared experience, or ideally, are bound by principal-agent bonds. Although data is limited to seven interviews out of the circa 65 participants in local panels across both cases, six out of the seven participants interviewed across Sheffield and Cambridge linked themselves to a voluntary organisation of some kind and three to interest groups. Out of these, just one had been elected to his position, the rest were self-appointed, nominated or had salaried managerial or administrative positions in the organisation. Thus, just one out of seven panel participants interviewed was bound by principal-agent links to his/her constituency. According to Parkinson's criteria, the strength of the claims made by these interviewees seems rather weak.

However, it is perhaps unfair to judge the representativeness of group spokespeople on standards of electoral representation (Buth 2013). According to council officers in Sheffield, one of the bases upon which interest group ‘spokespeople’ were targeted was maximising descriptive representativeness. Group members / supporters were identified as potential spokespeople for groups with which they shared demographic traits, thus maximising the descriptive representativeness of panels. Along similar lines to LSP-based panels, officers and participants also argued that group representatives often had knowledge which would be useful for the SCA. Indeed, process managers in South Hams and Cambridge argued that they felt it would be beneficial to engage people with a specific interest in the SCA and interest groups provided potential panel members who were readily identifiable in this respect. This was most pronounced in regard to ‘green’ or environmental sustainability issues:

There was lots of passion especially around certain areas, for example many parts of our community are passionate about green issues, so it is right that proposals came forward from that area of our community (Interview 60, South Hams, Process Manager)

we could also target groups that we felt would be particularly interested (Interview 18, Cambridge, Process Manager)

Fung (2003: 345) has argued that ‘hot’ deliberations (between partisan actors) might be appropriate in certain contexts because participants might be prepared to invest more time and commit more forcefully to oversee the implementation of the outcomes of deliberation. It is also possible that interest groups activists might have developed the kinds of experience and knowledge of ‘the rules of the game’ that provide a counter-weight to the potential for commissioning authorities to control ‘micro-deliberative’ process through framing and design.

This argument finds some support in in my data. Some respondents argued that panel participants failed to challenge what they perceived to be too a high degree of

influence by public officials over the structure and direction of the proposal development (Interview 51, Participant, Sheffield; Interview 8, Participant, Brighton and Hove). But it seems that the group activists that made up the Cambridge panel challenged attempts by the council to control the process. One participant in Cambridge recollects identifying an attempt by council actors to control the process through agenda setting, and remembers how the panel rejected this idea and being far too unambitious. She recollects that in response to the proposition that the panel should form a proposal calling for a banning of plastic bags:

there was a kind of snort from about 6 of us in the room, and I said I think, I was thinking we were going to be doing something much deeper than this, that we were going to look at really important issues, that we could take to government and tell them we want change in these areas ... so then about 3 or 4 other people who snorted at the same time as me, said yeah, yeah, yeah, that is what I was thinking! (Interview 15, Participant, Cambridge)

This suggests that 'usual suspects' might be able to participate on a more equal footing with public officials. Indeed, it is possible that process managers refer to these pejoratively as 'usual suspects', rather than positively as, for example, 'concerned citizens', because of this! One might speculate that had the Cambridge panel been composed of less experienced individuals, this reported attempt at agenda setting might have succeeded, leading to the development of a rather generic and unambitious proposal.

5.3 Conclusion

This chapter has explored the implications that the implementation of the SCA has regarding the question of whether and how deliberative agenda setting processes can overcome problems of elite control and participation bias. In the citizen initiative process the resource requirements associated with successfully developing a proposal mean that problem definition is usually the prerogative of social and political elites. Moreover, once a proposal is successful, differential turnout rates

across social groups mean that non-active groups are excluded from decision making. In the SCA context these problems were also present but manifested in different ways. One of the most valuable aspects of the 'full scale' citizen initiative is that, at least formally, it offers opportunities for universal participation in decision making. In the SCA decision making power remains with political elites in government. As explained in chapter one, however, the duty to 'try to reach an agreement' was intended to ensure a more meaningful influence for participants than in consultation. How it performed is a question left to chapter nine. This chapter has focused more specifically on determining to what extent participation bias and elite control affected problem definition, or the implementation of the SCA at local level.

It is important to begin by making a distinction between the actors involved in raising ideas, and the actors involved in developing these into policy proposals. In terms of raising ideas, the mostly 'passive' approaches taken by councils to attract submissions might have led to a bias in favour of the more motivated and organised parts of the local population. Indeed, anecdotal evidence suggests that local interest groups were especially involved in this aspect of the process. Moreover, those councils that actively sought out submissions limited opportunities to propose ideas to actors in local partnership governance networks. Overall, a degree of elite control and participation bias can be expected at idea raising stage and it seems the SCA would benefit from greater attempts by councils to target certain groups and purposively seek out submission. However, local associations can draw on existing campaigns to come up with relatively detailed ideas which can provide an agenda 'filter' (Bohman 1996: 139) that can give an important initial focus to deliberation and catalyse the further exploration of local problems in panels. I believe therefore that there is a potentially important role for LSP's and local associations to participate at idea raising stage, as long as local panels are then able to modify or reject these.

The constitution of panels, where these ideas are developed and decided upon is another matter. In this respect it is clear that many approaches did not overcome

problems of elite control or participation bias. This is definitely the case in those councils using the SCA as a lobbying tool, where it was essentially public officials that had the greatest influence over the development of policy proposals. It is also the case, even if to a lesser degree, in LSP-based panels. This approach was justified on the grounds that actors from LSPs can draw on organisational networks, expertise and understanding of local problems (arising from their involvement in leading community planning consultations) to represent the local area. However, there are problems with the assumption that the policy priorities derived from community planning processes provide a basis from which to understand local problems (Wells and Goudie 2005: 20-23; Wells 2006) and LSP based panels were heavily criticised for being unrepresentative of the local community, limiting opportunities to participate in problem definition to local elites.

It might be argued similar problems were present in panels which were composed by members of local associations and interest group activists. There are, however, some important things to be said in favour of interest group involvement. Activists can use their awareness of the 'rules of the game' to provide a counter-weight to the sometimes pejorative influence of actors from sponsoring bodies, and can draw upon substantial expertise and knowledge to represent and champion the interests of constituencies. Nevertheless, I think that constituting a panel with only activists might be problematic. Although Fung (2003) proposes that 'hot' deliberations could have advantages, empirical research suggests he is mistaken, deliberation has been found to suffer in 'hot' exchanges (Hendriks, Dryzek and Hunold 2007). Moreover, if interest group representatives are to participate alongside 'ordinary' citizens their presence might impact negatively upon dialogic dynamics. My evidence is limited here, but even if it is true that interest group activists can champion the interests of constituents and participate on an equal footing with public officials, it stands to reason that their involvement might introduce power asymmetries vis-à-vis less active or experienced members of local panels. Overall, therefore, I believe a general rule of thumb should be for interest group representatives to be excluded from panels, although if their participation is the only way to ensure the representation of important parts of the local population they might have a role to play. This does not

mean that they are to be excluded from other parts of the process. As noted above, groups can still propose ideas and might be even called upon to explain their merits to panel participants, acting as 'expert witnesses.'

It was the use of descriptive representativeness and random selection that seemed the most promising in terms of reducing problems of elite control and participation bias. This is because it is the selection form which minimises the influence of individual dispositions to participate the most. To be sure, invitations can be rejected and thus random selection procedures can have an element of self-selection. However, this problem can be mitigated through the provision of incentives, an approach taken by Kingston Upon Thames and Bristol. Moreover, although problems have been highlighted with this model regarding the conflation of representativeness and the substantive act of representation, descriptive representativeness is the best, even if imperfect, way to maximise the inclusion of different social groups and interests. As I will argue in the next chapter, as well as mitigating problems of participation bias and elite control, we can expect this to provide a richer epistemic basis upon which to define policy problems. Thus, local panels should be able to make a broad claim to 'mirroring' (Saward 2008: 13) the make-up of the local population and should be selected randomly. Finally, it is important to consider whether statistically reliable samples are preferable over weaker notions of descriptively representing a 'cross-section' of the target population. In this respect the analysis suggests that the benefits of statistical representativeness need to be weighed against the requirements for discursive interactions. If samples are to be broken up into smaller groups to deliberate, it is not clear what statistical representativeness adds which weaker forms of descriptive representativeness do not.

I want to close the chapter by noting that problems of elite control are not entirely solved through selection procedures, the dynamics of discursive interactions also have important consequences for the issue of elite control. Paraphrasing Escobar (2012a), one might say that this chapter has that descriptive representativeness and random selection offers the best way of ensuring that places 'at the table' are fairly

distributed, but the point is also to avoid exclusionary practices amongst voices 'around the table'. This issue shall be considered in the following chapter.

6. Division of Labour and Collaboration

In chapter one it was argued that an important aspect of the ‘deepening’ of democracy is the provision of opportunities for citizens to identify, define and articulate policy problems. This is related to the moral principle of equality, but it is also of instrumental importance. If ‘lay’ or ‘local’ understandings of social and political phenomena are excluded from policy development, ineffectual and even harmful policies can be expected (Sen 1992; Scott 1998). It is therefore important that governance and policy making processes mobilise what Lindblom (1965) referred to as the ‘intelligence of democracy’. As argued in chapter two, institutional design plays an important role here, by designing collaboration between citizens as well as between citizens and public officials PDPs can lead to the ‘co-production of expertise’. One of the primary reasons why the SCA was selected for analysis is due to the potential of its design to create a space where local knowledge and understandings can influence policy agendas. In order to explore what the SCA can teach us about the potential to integrate local knowledge within policy making. This chapter seeks to do this by exploring the two ‘how’ questions raised in chapter 2:

- (RQ 2a) Through what processes were proposals developed in the SCA?
- (RQ 2b) What forms of interaction were present between participating actors and which was most effective in co-producing expertise?

Drawing upon the different forms of division of labour and collaboration described in the analytical framework, section 6.1 compares the benefits and drawbacks of different approaches taken by my cases. The analysis suggests that a combination of ‘iterative’ and ‘convergent’ forms of collaboration (see chapter 2) are best suited to problem definition, especially in cases where inclusive panels were constituted. However, problems relating to power asymmetries between participants seemed especially pronounced in cases that followed this approach. It is therefore important also to consider how forms of division of labour and collaboration relate to issues of elite control. Section 6.2 the role of facilitation in mitigating problems of power asymmetries and elite control. Finally, the chapter ends in section 6.3 by considering what the analysis implies for the design of deliberative problem definition.

6.1 Forms of Collaboration

It is crucial to consider the different forms of collaboration at play between the actors involved in the SCA process at local level. These impinge strongly upon the fulfilment of the duty to 'try to reach agreement' and the extent to which local panels influenced the development of policy proposals. Moreover, the development of a fully formed proposal was, as an LGA policy officer put it, 'no mean feat' (Interview 37, LGA Policy Officer). As has been explained in chapter five, SCA guidance required that policy proposals submitted to government should be backed up with evidence of the problem being defined and clearly delineate the nature of proposed government action. This required detailed knowledge of relevant policy and legislative frameworks. Developing a 'quality' proposal was thus a relatively intense process which required competence in relevant areas. As explained in chapter 2, collaboration should lead to the 'co-production of expertise' between the actors involved (Sirianni 2009; Fischer 2009). This would be of great value to the proposals developed under the Sustainable Communities Act.

It is worth reiterating that the forms of collaboration outlined in chapter 2 are ideal types and by no means mutually exclusive. Indeed, they were often used simultaneously or across different stages of the engagement process. For this reason councils might appear in more than one category. For example, in Wiltshire ideas were raised by leaving leaflets in local spaces which citizens could fill in with their proposals. These were collated by council officers and put to a panel made up mainly of LSP group representatives that collaborated in their development and prioritisation. Wiltshire thus 'serialised' idea-raising with proposal development and prioritisation, but implemented convergent processes at proposal development stage. Moreover, iterative and convergent forms of collaboration were most often present simultaneously. For example, Cambridge's panel raised and developed ideas through discursive interaction between civic participants and a council officer who facilitated meetings but who also contributed substantially to the development of ideas within the panel. At the same time, the council officer would consult with policy colleagues and carry out research into issues emerging from discussions in panels and feed these results back into future panel meetings.

6.1.1 *The SCA as a 'Lobbying Tool': Minimal Participation*

As explained in section 4.1.1, a small minority of councils used the SCA to develop policy proposals on the basis of the issues which they had identified as being of great local importance. Councils such as Kettering and East Lindsey proposed ideas which they had identified from previous consultations at local level. Those designing the process therefore felt it would be unnecessary to implement a 'fresh' round of public engagement and they justified their limited approach to reaching agreement on this basis. As explained in the previously, the LGA selector panel deemed this to be sufficient legitimation for the acceptance of the policy proposals developed by these councils. However, this deviates too far from the 'spirit' of the legislation. The purpose of the SCA is not limited to developing 'good ideas', where ideas come from and how they are developed also matters. Reflecting upon the use of the SCA in this limited fashion, Local Works campaigners argued along these lines:

You are asking someone's opinion on an issue but not in the context of the SCA ... and that is almost certainly going to bring about new ideas, because you are asking a different question basically (Interview 42, Local Works Campaigner B)

What they do have to do, if they are going to use the existing structures, is ask the different and new question. (Interview 42, Local Works Campaigner A)

The notion of 'asking a new question' is crucial. It suggests a more original exploration of public problems and the potential development of more innovative ideas. The problem with relying solely on 'established agendas', or issues of local importance which are readily identifiable by councils, to represent the interests of the local people is that this leaves no room for an original exploration in panels. One of the most innovative aspects of the SCA is that it provided a space where problem definition is not preliminary to, but a fundamental part of participation: deliberation might *add* something to problem definition. However, the processes in Kettering and Kent clearly failed to live up to this. Even if locally poignant issues were

communicated to government, these were not developed through collaboration in local panels.

6.1.2 Serialised Collaboration

SCA engagement processes in councils that were classed in section 6.2 as implementing 'sophisticated consultations' (Herefordshire, Lewisham, Kingston Upon Thames, Bristol) were characterised by a 'serialised' division of labour. In these cases separate processes were used to raise ideas, constitute local panels and to decide which proposals to submit. Moreover, panels had no influence over the development of policy proposals and their role was limited to prioritising proposals which had been raised and developed elsewhere. Some serialisation between idea raising and proposal development stages was also evident in councils which relied on LSP structures to form panels, as described in chapter seven in the case of Wiltshire (see also 6.2).

The first objection to be made of these processes is that non-interactive idea raising methods did little to ensure sustained reflection or learning on the part of participants before submitting a proposal, and consequently officers expressed frustration at being 'flooded' by inappropriate proposals. An officer in Herefordshire noted that the SCA was a 'difficult Act to communicate on' (Interview 26, Process Manager, Herefordshire) and thus some of the participants had not understood which kinds of ideas were suitable to the process. This was a complaint made by many other process managers who argued that many citizens had used the process as an opportunity to raise *any* issue with the council,⁵² leading to a degree of frustration on the part of council officers who felt their time was being wasted sifting through hundreds of inappropriate policy proposals. In the words of policy officers in Lewisham and Wiltshire, respectively:

⁵² Especially, Interview 18, Process Manager, Cambridge; Interview 34, Process Manager, Lewisham; Interview 43, Process Manager, North Yorkshire; Interview 61, Process Manager, South Somerset; Interview 62, Process Manager, Stockton; Interview 68, Process Manager, West Dorset, Interview 75, Process Manager, Wiltshire

it was quite a difficult process actually because some of them were just completely crazy really, like genuinely never had a chance of ever happening ... you know, put another 20 billion into tackling 'X'. You have a limited budget and it would require quadrupling your council tax ... (Interview 36, Process Manager, Lewisham)

there was a requirement on the Act that you had to have a knowledge of, not only the issue, but of the legislation that is causing the issue and of course if you do not work in that environment unless some legislation or policy area has a direct impact upon you, like housing or planning, that means that you have as a result learnt about that legislation, the majority of people that submitted ideas just don't understand why a piece of legislation exists, or if it is legislation or just policy ... So there was quite a few ideas that came through, but although you could see the person's logic in what they were saying, actually to have submitted it as part of the act would have been really inappropriate (Interview 75, Process Manager, Wiltshire)

For these reasons, the process manager in Wiltshire lamented not limiting the idea raising process to professionals in local organisations that could draw upon their expertise to articulate ideas suitable to the SCA. References to poor ideas were mostly noted in councils that implemented non-interactive idea raising processes that were separate from, and preliminary to, proposal development and prioritisation. Non-interactive or 'passive' forms of idea raising were attractive to councils because they tended not to require substantial resource commitment; it costs a lot more to stage an event intended to explain to those attending the nature of the SCA process than to place an advert on the website or in the local paper. Nevertheless, it is possible that the resources saved by using non-interactive idea raising methods were offset by the substantial time being spent sifting through inappropriate ideas.

Developing a proposal was a complex endeavour and non-interactive idea raising methods seem to have provided insufficient support to participants thinking of submitting an idea, adding to the tally of inappropriate proposals. For example, a participant in Brighton and Hove became engaged with the SCA as an activist in a local housing cooperative movement which received the council's invitation. She took up the opportunity to propose an idea to give local councils control over future and accumulated capital receipts from the sale of council housing. Although she was convinced about the principle of her idea, she felt unsure about her knowledge of the legal background of the proposal:

I'm simply an activist, I've not got any specific training and I don't fully understand how the housing revenue account works ... I knew that what I was doing was the right thing to do, in terms of bringing back the revenue under local control, but the full legal background to whether that was going to be possible or not, I don't understand
(Interview 5, Participant, Brighton and Hove)

As it turned out, the idea submitted was one which had been advocated by the housing co-op to which she belonged and she could thus draw upon the collective expertise of this organisation to formulate it. Moreover, she had the time and ability to conduct considerable personal research, mainly using the internet, to develop her idea. She was therefore able to submit an idea which did not require major modifications to become a policy proposal which met SCA requirements. Nevertheless, she noted that she would have appreciated some 'mentoring' from a relevant policy specialist in the council when drafting her proposal. As will be argued in section 6.1.4, in councils implementing more collaborative approaches to the development of ideas, participants could draw upon the kinds of support structures which were missing in this case to ensure the development of 'technically' viable proposals.

Moreover, it seems plausible that the anxiety displayed by the participant in Brighton and Hove above regarding the necessary competence and knowledge

required to develop a worthy proposal might have led many other participants to opt out. Thus, it is possible that relying on what were essentially 'petitioning' processes for raising ideas places an expectation upon idea proposers that may have excluded significant parts of the community, favouring relatively knowledgeable and active individuals, who have the capacity, disposition and/or necessary networks to develop a proposal fit to put through the SCA process. Indeed, as pointed out in chapter seven, there is reason to believe that the more developed ideas had been put forward by highly active members of the community such as those involved in local interest groups seeking to use the Act to promote their campaigns, or LSP bodies promoting issues arising from community planning consultations. This did not bode well for the council in terms of meeting the requirement to engage 'under-represented' groups and it might be argued that the fact that ideas reflect existing campaigns limits opportunities for a more original exploration of problems.

In response to this criticism, it was argued in chapter seven that the involvement of interest or LSP groups at idea raising stage is not necessarily detrimental, as long as panels are not limited to expressing preferences and have the ability to contribute the development of proposals through reflexive agenda setting processes. This leads me to the most important problem with councils that serialised the process heavily; that in these cases non-interactive idea raising methods were serialised with panels whose role was limited to *expressing their preferences* on proposals which had been developed elsewhere.

This is a problem for a number of reasons. First, before being submitted for consideration by panels, proposals were often 'fleshed out' by policy officers with relevant policy expertise, in consultation with proposers. It is possible this gave council policy officers undue influence over the development of proposals. Second, panels then discussed the ideas and developed their preferences in regard to them in independently facilitated meetings. Participants only met on a one-off occasion for a few hours, and thus could not devote much time to the important stages of 'breaking down barriers, expressing emotions freely, and searching for mutual understanding that occur in longer, more intensive processes' (Parkinson 2006:78).

Thus, it is doubtful as to what extent panel participation, which was already limited to developing preferences on pre-structured themes, led to a comprehensive exploration of local problems and the development of innovative ideas. This would also have hampered the process even if the panel had had the ability to contribute to the development of proposals.

Finally, the one-off nature of the event limited the possibility for more collaborative processes that might have constituted a greater attempt to 'try to reach an agreement'. Indeed, apart from the prioritisation of proposals in local panels, neither idea proposers nor local panels were involved in any interactions with the council's leadership which might be said to constitute an attempt at agreement. In the end, the council's leadership either 'cherry picked' or 'rubber stamped' proposals. Reflecting on this limitation in Lewisham a participant who put an idea intended to restrict the proliferation of betting shops argued that 'it would be useful if someone could put some thinking ... into how can we make sure for example that there is a proper negotiation with residents, that we can empower residents to the extent that they feel they are in that position' (Interview 35, Participant, Lewisham).

In the following sections I shall argue that councils which implemented more continuous processes, characterised by a combination of 'iterative' and 'convergent' collaboration, were more likely to enable a collaborative exploration of problems within panels. This allowed the collective knowledge of the panel to inform the development of policy proposals to a greater extent and increased opportunities for attempts at agreement between the council and the panel to be made.

6.1.3 Iterative and Convergent Collaboration 1: 'Expert-Elite Problem Solving'

Chapter six argued that there was an important role for LSP bodies to play at idea raising stages of the SCA process. Councils which drew upon LSP networks to raise ideas tended to receive ideas which were inspired by issues arising from community planning consultations, but which the council could not act upon without some action from central government. These were usually well developed and relevant to

the SCA, and problems regarding poor quality ideas present in non-interactive processes were substantially mitigated.

Relying on LSP's to constitute panels, however, is another matter. LSP-based panels were composed of highly active state and non-state actors with considerable professional knowledge. This meant they could contribute positively to the development of proposals with minimal resource implications for local authorities. The relationship between officers and the panel operated smoothly. As a participant in Wiltshire recalls:

it was very much that the board was setting the strategic direction and kind of going 'Ok well, this is what should happen, this is how it should work and how we want to talk to people', and the officers were seen as the people who did the day to day work, who went out and designed the postcards, who went to set up panel meetings and contacted agencies and stuff. So it felt a little bit, and it was not like this really, but it felt a little bit like we were having board of trustees and team of managers. Like we do the general stuff and then they actually put the stuff into place (Interview 73, Participant, Wiltshire).

Thus, a division of labour emerged whereby panel participants set goals and public officials used technical expertise to design processes through which objectives could be achieved.

Reliance on the LSP was an attractive option for those in charge of designing public engagement processes for the SCA. LSP's offered a clear structure within which the SCA could be easily interpreted and accommodated. Meetings often ran according to the traditions and rules developed in LSP boards and SCA issues could be integrated within on-going LSP meetings. As a result, more continuous processes, which enabled iterative forms of collaboration between the council and the panel were present in these cases. Moreover, collaborative governance research suggests that a history of successful cooperation 'can create social capital and high levels of trust

that produce a virtuous cycle of collaboration' (Ansell and Gash 2007: 552) and thus the fact that organisations on the LSP have a history of co-operation on such tasks as community planning might be expected to have facilitated collaboration on the development of SCA proposals.

Nevertheless, the exclusive constitution of panels in most of these cases (depending on the make-up of the LSP) prioritised 'expertise' in a narrower, professional sense and it is doubtful whether policy proposals in these cases had been co-produced through a 'mix' (Sirianni 2009: 49) of professional expertise and local knowledge, especially of excluded groups. Essentially, in LSP-based panels, high levels of collaboration were enabled by limiting participation to individuals with very close ties to the council. This resembles the kind of collaborative governance that Fung and Wright (2003: 262) call 'expert-elite problem solving', which, unlike the more pluralist 'empowered participatory governance', shares many characteristics with traditional and technocratic forms of decision making. Lowndes and Squires (2012) have argued that 'respectful engagement from deep difference', is precisely what is missing from the partnership table. Thus, LSP-based panels might have thus lacked the 'agonist' dynamics necessary for a more original and comprehensive exploration of problems faced by local persons.

In fact, the exclusive constitution of panels exerted a strong influence on the kinds of proposals developed, creating suspicions that the SCA was being dominated by elites. Citing a proposal developed by South Gloucestershire to abolish the regional spatial strategy, a civil servant in DCLG noted:

there were a lot of proposals which seemed very 'Local Authority' based ... there is no way there has been a conversation started by the community ... so there was a little discrepancy in the aims of the Act and what actually came through in the proposals (Interview 19, DCLG Civil Servant)

Similarly, a DCLG minister expressed disappointment that more innovative ideas did not come up:

Q. What was your opinion of the ideas developed by the SCA?

A. They were a mixed bag of old agendas about local taxation or council tax or planning laws or things of that sort with things ... that seemed to me probably to have arisen genuinely from a local discussion ... What you did not tend to get ... [were] ... radical areas of social policy delivery ... the people engaged in the SCA did not seem to be terribly interested in those types of things.

Q. Why do you think that might have been?

A. Because of the people it attracted
(Interview 20, DCLG Minister)

Thus, national actors became suspicious that local elites were unduly influencing the SCA and that the SCA at local level did not necessarily represent the priorities of local persons. It is perhaps naive to take such comments at face value. Politicians and civil servants might have rejected proposals for reasons which they may not want to disclose. Nevertheless, the point remains that exclusive proposal development processes prevented an original exploration of local problems and substantially decreased the strength of the claim that the SCA can legitimately influence policy agendas. Panels need to be more inclusive.

6.1.4 Iterative and Convergent Collaboration 2: 'Analytic-Deliberative' Type Approaches

The cases of Sheffield and Cambridge are notable in so far as they implemented 'iterative' and 'convergent' forms of collaboration whilst constituting relatively inclusive panels. Panels were constituted by local interest group activists with a specific interest in the SCA (Cambridge), or a mixture of group activists, with self-selected representatives from local public, private and voluntary organisations and

individuals invited on the basis of demographic traits (Sheffield). There is a strong element of self-selection in both cases, which may have led to those more active sections of the population dominating the process. However, Sheffield committed considerable resource to raising awareness of the opportunities offered by the SCA, and most respondents praised Sheffield's panel for being relatively descriptively representative of the local population. The experience in Cambridge, on the other hand, suggests that reliance on interest group activists alone to constitute panels might have excluded important parts of the community.

This section focuses on the division of labour and forms of collaboration in these cases. In this respect, a key feature of what Fung and Wright (2003: 263) call 'empowered participatory governance' (EPG) is 'cooperation between parties and interests that frequently find themselves on opposite sides of political and social questions', and there is reason to believe that it was these cases that approximated EPG. Sheffield and Cambridge constituted relatively inclusive panels. Compounded by substantial resource commitment and provision of participant support structures, which councils carrying out 'serialised' processes were criticised for lacking, this enabled panels to approach the kinds of agonist dynamics valued by Fung and Wright to a greater extent than those that have been considered heretofore.

Thus, a key difference between these councils and those implementing 'elite problem solving' were deliberations carried out on a pluralist basis. The high degree of diversity in the panels was noted positively by respondents in both Sheffield and Cambridge.

I was coming in with environmental ideas ... but you know there were people from housing associations with a completely different 'hat' on, supporting people who need housing and there were groups like disability groups, so that meant that it was quite a thoughtful, active group (Interview 15, Participant, Cambridge).

It wasn't just one interest group lobbying for ideas. I think the interesting bit was we had to sort of wider group of people ... it

wasn't just a group of people involved in the refugees or people lobbying for the environment ... we wanted a balance of interest. So it wasn't like we want certain things for X community, something has got a wider implication to the whole of the city, that was quite interesting (Interview 52, Participant, Sheffield).

it's an opportunity to be involved with a group of people who are thinking constructively about their communities ... there were people from very different backgrounds and perspectives who were able to reach quite a level of agreement (Interview 55, Participant, Sheffield) .

It is not possible to judge from interview data alone to what extent panel discussions constituted the 'agonist' dynamics lacking in LSP-based panels. However, it is notable that it is precisely the kind of 'mix' of specialisation in different epistemic contexts alluded to by these respondents that scholars such as Sirianni (2009: 49) have argued is necessary for the 'co-production of expertise' (see also Fischer 2009).

Another difference between these cases and those carrying out mainly 'serialised' processes is that these engaged panels in more long term and continuous processes and provided substantial support structures for panel participants. This had some important consequences. First, when raising potential ideas, officers could ensure that participants understood the process, review ideas as they came up and, where appropriate, ask participants to modify them. For this reason, the problem of officers receiving inappropriately developed policy proposals was substantially mitigated. Second, participants in these cases also articulated concerns regarding their lack of knowledge about relevant legislative and policy frameworks. For example, a Sheffield panel member explained that although participants had clear ideas of the kinds of problems faced by their area, 'the practicalities of putting these into practice was something ... that the members of the panel were less knowledgeable about' (interview 48). However, a group of specialist policy officers was assigned to support the panel and their role was deemed by most respondents to be instrumental in

enabling lay citizens to effectively develop policy proposals.⁵³ Officers carried out important logistical duties, such as designing seating plans in ways that would maximise the inclusion of participants or drafting and disseminating reading material relevant to proposals. As well as providing 'on-the-spot' support for panel participants, where deemed necessary, council officers would carry out research into proposals in development. This involved drawing on the policy expertise of colleagues within the council, conducting desk based research and feeding the results into the agenda for the panel's next meeting.

Thus, Cambridge and especially Sheffield are instructive cases in so far as they implemented collaborative processes, with a relatively reflexive agenda, that allowed for a great deal of iteration between public officials and the panel in the development of policy proposals. This allowed participants and public officials to pool their knowledge and 'co-produce' policy proposals on this basis. Such processes are more likely to meet the challenge posed by the complexity of contemporary policy issues. Indeed, as argued above, one of the reasons why process managers drew upon LSP structures was the perception that LSP members, unlike lay citizens, would be able to 'keep up' with the process and make positive contributions at minimal resource expenditure. Nevertheless, a policy officer in Sheffield suggested that civic participants were not lacking in this sense:

... there is this assumption or feeling that members of the public are not able to deal with or handle complex issues, when actually, we found via the process that people were more than capable of doing that. Getting engaged in things like the post office submission that we put in, some of that is pretty complicated stuff about how the postal network works and people were challenging us and asking really usefully important questions. There was one discussion around

⁵³ Positive references to the importance and effectiveness of officer support structures in Sheffield were made by 7/8 people interviewed (2 council officers, 1 council leader, and 4 participants). However, it should be noted that two panel participants criticised the role of officers on the panel arguing that the structure of panel meetings might have intimidated participants and gave council officers too much influence over the development of ideas (interview # 51). These issues shall be subject to further consideration in section 6.2.

exclusive development zones and incremental financing some of that is incredibly complex, but the panel participants were more than capable of keeping up. (Interview 53, Process Manager, Sheffield).

This officers' comments suggests the possibility that civic political capacity is not a predetermined phenomenon, but that its manifestation and development depends on process. Collaborative designs, in ideal form, enable professional expertise to be deployed in ways that empower lay participants as decision makers (Sirianni 2009). This would be highly valuable to the SCA, with ideas being raised and developed in the context of a more inclusive and deliberative process, likely to enable a more original and comprehensive exploration of the problems faced by 'local persons'.

Without direct observation my evidence is limited in this respect. However, interviewee responses, especially in the case of Sheffield, alluded to the emergence of a sense of participant collective ownership of panel deliberations. For example, one respondent noted the resolve of the panel to develop 'quality' ideas was galvanised by the lack of guarantee of impact at national level:

... we felt quite strongly it was a worthwhile thing and it was therefore worthwhile making a good case [and we felt] ... that we need to be fairly clear and assertive in what we were saying because we needed to persuade someone at government level (Interview 48, Participant, Sheffield).

Another compared the SCA positively with his previous experiences of consultation:

... that's the first time I've ever felt truly engaged ... you could tell it's something happening there ... rather than just something that was 'oh yeah we'll listen but we're not really going to do anything about that' (Interview 50, Participant, Sheffield).

To conclude, the form of collaboration and division of labour in Cambridge and Sheffield is to be favoured over the rest for three main reasons. First, Sheffield constituted relatively inclusive panels which provided a richer and more plural epistemic basis upon which to develop proposals than in most other cases. Second, 'iterative' and 'convergent' forms of collaboration deepened the knowledge-production processes underpinning proposals, by giving greater opportunities to the actors involved to pool their knowledge and co-produce proposals. Third, Sheffield and Cambridge implemented reflexive agendas which allowed citizens on panels to exercise influence over problem definition, rather than to develop preferences on pre-defined proposals – as occurred in 'sophisticated consultations'. This enabled the development of considered judgment in panel deliberations to *add value* to proposals.

In the conclusion recommendations for changes to the SCA which might move panels in this direction will be made. Before doing so, however, it is important to consider the issue of the impact of power asymmetries upon collaboration. As will be explained below, although panels in Sheffield and Cambridge are to be valued, the different context in which civic participation occurred might have widened power asymmetries between panel participants and complicated the ability for facilitation to mitigate for their effects.

6.2 Power Asymmetries and the Role of Facilitation in Local Panels

One of the most common criticisms of deliberative democracy is that economic, social and cultural forms of inequality prevent *democratic* deliberation from developing because they may enable those with more experience, confidence and/or epistemic capacity to control deliberative processes (Sanders 1997; Young 2001). However, rather than dismissing the value of PDPs on this basis, it is important to consider ways in which participation can be organised in order to maximise 'equality of voice' (Smith 2009: 21). Facilitation is widely seen as an important mitigating strategy here (e.g. Fung 2005). Thus, in section 6.2.1 shall present the thoughts of my respondents regarding what 'good' facilitation constitutes, as well as its role in mitigating power asymmetries. Section 6.2.2

explains why the process in Sheffield and Cambridge might have exacerbated the effects of power asymmetries in panels and limited the capacity for facilitation to mitigate these. Finally, section 6.2.3 considers whether facilitation needs to be thought of differently in this context.

6.2.1 What Should Facilitators Do?

Issues relating to facilitation came through mainly in interviews with participants and public officials in ‘sophisticated consultations’ and ‘analytic-deliberative’ type processes.⁵⁴ That the issue of facilitation came up in these groups is not especially surprising. Most councils using the SCA as a ‘lobbying tool’ either did not create an SCA panel (Kettering) or provided no opportunities for discursive interaction between participants on the panel (Kent). LSP-based panels were made up of relatively active individuals who could draw on considerable experience of participation from their roles in local partnership governance processes. Thus, although meetings were often ‘chaired’, respondents in these cases generally did not give much importance to the facilitation of meetings. Most participants involved in ‘sophisticated consultation’ and ‘analytic-deliberative’ type panels, however, did not have this history of co-operation or experience of participation. It is perhaps for this reason discursive interactions were in greater need of facilitation. Although the data does not provide a basis upon which to confirm this, one might speculate that the relatively pluralist nature of these panels can be expected to have widened asymmetries between participants, a condition in which facilitation increases in importance.

There were three ways in which respondents felt that facilitation affected panel discussions. First, respondents often understood facilitation as preventing more confident individuals from dominating discussions, and providing opportunities for equal participation. Respondents’ accounts suggest that a relatively proactive role was required of the facilitator to ensure equal participation, lending some support

⁵⁴ The facilitation category emerged from coding transcripts of interviews with six public officials (interviews 27; 33; 36; 54; 55; 57) across five cases (Herefordshire, Lewisham, Sheffield, Lewes, South Hams) and seven participants (interviews 6; 15; 16; 17; 31; 48; 73) across five cases (Brighton and Hove, Cambridge, Lewes, Sheffield and Wiltshire).

for the hypothesis that more active kinds of facilitation are most appropriate for mitigating power asymmetries. For example, a participant in Sheffield (Interview 48) noted the facilitator's importance in intervening to ensure participants did not interrupt each other and that 'everyone felt heard'. Council officers in Lewisham (Interview 36,) highlighted the importance of facilitator interventions to make sure 'everyone had an opportunity to put their views across', and a participant in Cambridge (Interview 17) highlighted the importance of intervening directly to make 'sure that everyone had the chance to speak'. However, the data is thin on the precise levels of interference and specific kinds of discursive strategies which facilitators should use, since it is an aspect of collaboration which I, regrettably, did not probe much in interviews.

A second role for the facilitator was structuring deliberation and providing a point of support for participants. This involved summarising key points throughout the deliberative process, timekeeping, explaining the particularities of the SCA process and providing clarifications on any procedural issues which came up. In terms of structuring deliberation, some respondents deemed it important that the facilitator 'guide' discussion by asking prompting questions aimed at exploring new angles. Thus, interviewees often viewed 'good' facilitation as requiring a fairly high level of involvement to both mitigate power asymmetries and, more broadly, to structure and support the deliberative process. However, this 'active' role for the facilitator is tempered by the notion, expressed in some form by five interviewees (interviews 6; 15; 15; 54; 55), that those facilitating discussions, whilst they should be active, should also let participants 'take the lead' (Interview 16, Participant, Cambridge) and not 'control' the process. For example, a participant in Brighton and Hove spoke of the facilitators' 'genuine commitment to facilitate rather than doing controlling' (Interview 6, Participant, Brighton and Hove) Similarly, a participant in Sheffield recollected that the facilitator had 'made very clear that the important people in this process were not the council officers, they were the members of the panel ... he made it very clear that he wanted to hear our views' (Interview 55, Participant, Sheffield). In this respect, it seems the facilitator walks a thin line, between exercising the necessary levels of control in order to structure deliberation and avoid

more confident or experienced actors from dominating, whilst also allowing participants to 'take the lead'. Indeed, my respondents' opinions broadly cohere with an understanding of the facilitator as a 'designated driver' developed in other inductive studies (Mansbridge et al 2006).

6.2.2 Facilitating 'Deliberative-Analytic' Problem Definition

Section 6.1 concluded that the more iterative and convergent processes evident in 'analytic-deliberative' type panels are to be favoured over the sequenced dynamics present in 'sophisticated consultations'. This is because they allowed for reflexive agenda setting processes that enabled panels to exercise influence over the problem definitions underpinning proposals, rather than developing preferences on pre-defined proposals. Importantly, this also allowed a greater level of collaboration between public officials and participants, thus widening the 'knowledge-production' processes underpinning proposals. Nevertheless, there is a strong possibility that this approach exacerbated the effects of power asymmetries. These concerns relate especially to problems raised mainly by two respondents (Sheffield, interview 51; and Cambridge, Interview 16), who point to the possibility that the iterative processes through which proposals were developed gave council actors too much influence.

In Sheffield one participant argued that iteration between the articulation of potential ideas by panel participants and feedback based on officer-led research into these gave officers too much control and led to 'de-radicalisation'. It is worth quoting his words at length:

the particular issues that were being kind of raised and discussed at these events, then sort of disappeared into the council machine and came back out sort of sanitised and explained in a particular form of language that reflects a way of doing things that, you know, it doesn't always maintain the level of information or the subtlety that is often important when trying to put forward radical new ideas for things that are not being done in a particular way at that point that need

changing. And there is a tendency for that process to make things dilute or convolute them in various ways (Interview 51; Participant, Sheffield)

Another participant in Sheffield also argued that his proposal for legislation facilitating the transfer of derelict land for the specific purpose of local food production had been de-radicalised by the council:

My concept was similar to the 80's, when the government said any bits of local authority land weren't used could be sold on house builders or properties developers to build on ... We were pushing for similar things for derelict land, but the council's legal team diluted, so we finished up with a proposal that ... anybody who wanted it will get land to up to two years ... its quite attractive for someone who's got land to give it away for two years, for someone to come and tidy it up for them, and then they get it back again. For food growing, we'd want the land for about 5 years, so that we can plant an apple tree and get a crop (Interview 52, Participant, Sheffield).

In Cambridge, one participant felt that the council 'was trying to lead us [the panel] towards something they thought was easy and acceptable' (Interview 16, Participant, Cambridge). In reference to a proposal recommended by the council to ask the government to ban the use of plastic bags, which the respondent was disappointed by and saw as far too unambitious, she noted one instance in which she felt the council had attempted to control the process through agenda setting. Speaking of an open public meeting held in Cambridge to raise potential ideas for consideration in the panel, she said:

it's the general way the council kind of, they do a little presentation and they tell you what's (pause) and at the end you have a very brief opportunity for 5 or 10 minutes to speak and then maybe someone said something like 'oh, maybe we can get rid of plastic bags?', and

then they said 'OK well we need to have another meeting and we will discuss it in greater depth' and I think that is probably what happened (Interview 16, Participant, Cambridge).

I should note that although these are important concerns most participants spoke in broadly positive terms about their experience of participation. Thus, it is not clear how much weight should be given to these perspectives. However, interviewees 51 and 52 in Sheffield suggested that it was because of their previous experience in local politics that they were able to notice the influence of council officers. Indeed, interviewee 51 insinuated that less-experienced panel members, because they had failed to notice this, were naïvely positive about the process.

Cambridge put together a panel made up mainly of local interest group activists who seem to have been able to identify and reject the council's attempt at agenda setting. One respondent refers to this episode as 'the rebellion', and notes the importance of the facilitator's willingness to come up with new ideas 'after the rebellion':

most people seem to want some really quite radical changes and the government and our local authorities are really not picking up on that ... we sort of vetoed plastic bags, as being a bit woolly and superficial ... And he [the facilitating officer] tried to, he was saying after that, after the rebellion – which is what it felt like – complete and utter 'oh no! not plastic bags!', after that he was really quite excited, you could feel his excitement about us being really interested in wanting to do something much more radical (Interview 16, Participant, Cambridge)

Thus, participants gave what they saw as 'safe' or 'unambitious' ideas short shrift, and made demands to consider more ambitious proposals. Importantly, the facilitating officer was receptive to this. Again, an aspect of 'good' facilitation is a level of involvement which, whilst 'active', stops short of 'controlling' and lets participants develop ownership of the process (Mansbridge et al 2006).

Nevertheless, had the panel been composed of citizens with less experience this might not have occurred. Indeed, these problems are perhaps especially acute in the case of Sheffield because it brought citizens, interest group representatives and public officials into closer contact than in Cambridge. It also stands to reason that reflexive agendas in more continuous and iterative kinds of processes might complicate facilitation. This is because they increase the points at which those with experience and technical knowledge can influence framings and problem definitions. Moreover, the looser structure necessary for reflexivity in agenda setting can be expected to limit the facilitator's ability to identify important points at which to intervene.

Unfortunately, data limitations prevent me from drawing clearer conclusions here. These problems were raised by a minority of interviewees, but it is possible that, without the complement of direct observation, interview data does not pick up on more subtle effects of power asymmetries. I would note, however, that some interview evidence points to perceptions that the direction of the process in Sheffield was influenced to a great degree by public officials. For example, the policy officer who praised the ability of citizens to engage with complex issues spoke of how citizens were able to 'keep – up' with 'complex issues' on discussions around topics such as incremental financing zones by 'challenging' policy officers and 'asking important questions' (Interview 53, Process Manager, Sheffield). This suggests that the pace and tone of deliberations were being set primarily by policy experts and public officials. Policy officers praised the process for enabling participants to develop the necessary competence to be on a par with experts. This expectation that it is *citizens* who should 'keep up' has been found to be problematic in 'deliberative-analytic' approaches (Davies and Burgess 2004). One might argue that, in order for these processes to be democratic, experts also need to develop the capacity to be on a par with participants on their terms.

Nevertheless, I do not want to dismiss the value of these approaches. Although it seems likely that there was space for public officials and policy experts to influence the process, it is far from clear that they *dominated*. Moreover, despite these

problems, the approach remains preferable to the others. In cases categorised as ‘lobbying tools’ and ‘expert-elite problem solving’ panels were constituted by local elites, or at least very active sections of the population. In ‘sophisticated consultations’ participants developed preferences in response to problems which had already been defined. This was done through petitioning processes, or the gathering of initial ideas in open public meetings. Importantly, this was followed by the collation of ideas by policy officers, many of whom reported having to flesh out the ideas received. Thus, the problem of elite influence is still present in these cases, but affects another aspect of the process. Indeed, in ‘sophisticated consultation’ processes one might argue that policy officers were in a position to *control* problem definitions and agendas, whereas in Sheffield and Cambridge, they were in a position to *influence* these.

6.2.3 A Different Approach to Understanding Facilitation?

The discussion above raises the possibility ‘analytic-deliberative’ approaches created conditions under which facilitation met challenges which are not necessarily applicable to those implementing ‘sophisticated consultations’. Specifically, it is possible that the closer contact between public officials and citizens together with reflexive agendas increase the challenge facilitation faces in mitigating power asymmetries. This final section considers what impact this might have on the question of what constitutes ‘legitimate facilitation’.

Discussing facilitation in mini-publics, Smith (2012: 99) argues that ‘a degree of separation and freedom of operation for the facilitator is necessary as an initial step in avoiding the charge of elite manipulation’. At first sight we might expect this insight to apply to the SCA. Many ‘local panels’ were essentially mini-publics; subsets of the population who met on one, or more, occasions to think through and deliberate local problems and potential solutions to make recommendations to their councils. Indeed, Smith’s logic informed the design of SCA processes in those councils implementing ‘sophisticated consultations’. In the words of process managers in Lewisham:

PM 1: ... it would have been a distraction actually to have us doing it, it was easier for the facilitator to be completely neutral.

PM 2: Yes it would have been very difficult for us to ask those prompting questions without being accused of being biased
(Interview 36, Two Process Managers, Lewisham)

In this case an independent agency specialising in public engagement was contracted to constitute panels and conduct deliberations. Facilitation in Sheffield and Cambridge, on the other hand, was carried out by a council employee trained in public engagement (Cambridge) and by a senior local elected representative (Sheffield). It might be argued that this approach to facilitation increases space for manipulation by council actors, adding to the concerns raised about the process in these cases. Interestingly, however, a process manager in Sheffield suggested that the seniority of the facilitator, or 'chairman' (who was the leader of the council at the time) as well as the other policy officers involved, was valuable because it demonstrated to the panel that the council was taking the exercise seriously:

... the seniority of people who were involved from the council's perspective I think helped demonstrate the representatives we were very serious about it as well. It wasn't just something that wasn't important (interview 54, Two Process Managers, Sheffield)

One of the main problems with local participation initiatives is that they might frustrate participants if they feel they are being engaged in tokenistic processes (Lowndes, Pratchett and Stoker 2001). This is especially acute in the SCA because the outcome of participation ultimately relates to policy making at the national level. Indeed, many of the participants interviewed expressed concerns that, even if they felt in control of the local panel, they were unsure as to what impact they could expect proposals to have upon national policy. As a panel participant in Wiltshire put it:

I think it felt a lot more kind of woolly and undefined than that other stuff ... with the SCA it felt more like we were in control of it we can shape the direction but, actually ... you are putting a lot more faith into someone you do not know, because ... it felt like we

were almost more detached from it. Although we had more power over the process, we had more power over what we submitted ... it felt like something we were doing in Wiltshire which would feed into the big national government we did not know much about and hopefully they would listen (Interview 73, Panel Participant, Wiltshire).

Similar kinds of doubts were present across cases, but it is *possible* that the presence of a senior council figure in the case of Sheffield increased participants trust in the process and thus motivated them to spend more time and effort on the panel.

A final important difference between the process in Sheffield and Cambridge and those implementing 'sophisticated consultations' are the greater attempts made by the former councils to reach agreement with the panel on which proposals to make. In those councils that implemented 'sophisticated consultations' panel meetings resulted in the development of recommendations on proposals which had been formulated elsewhere; with the council leadership 'cherry picking' or 'rubber stamping' results. In Sheffield and Cambridge, panels were engaged in more iterative and continuous processes allowed participants to influence the *development* of proposals and also allowed greater opportunities for agreement to be reached between the council and the panel on which proposals to make. Indeed, in the case of Sheffield public officials made it clear from the start that whatever emerged from the panel would be sponsored by the council. This suggests that where the panel's decision were of *greater consequence* public authorities required some kind of council presence on the panel. This raises the possibility that a close association between participation and outcome creates a context that requires facilitation to be understood differently.

Facilitation is usually understood, explicitly or implicitly, as an independent variable which can explain the nature of deliberation (Dillard 2013). Although the data is admittedly thin on this aspect of the research, the experience of facilitation in the SCA suggests that the dynamics of the deliberative process itself might also impact

upon the role of facilitation. The variable nature of facilitation in the SCA might be explained by its position between the more structured consultative processes, where facilitation is usually carried out by an independent actor (Smith 2012: 99), and collaborative governance approaches which usually have more reflexive agendas and where the closeness between the outcome of deliberation and consequent action might require a closer relationship (Ansell and Gash 2007). The different groups of cases analysed took different approaches in this respect. Conventional wisdom suggests that in PDPs facilitation should be carried out by an independent actor. However, it is not clear to what extent this model is transferable to the more continuous and collaborative approaches taken by councils such as Sheffield because of the more reflexive agendas, the more direct involvement of public officials and the greater consequence associated with panel deliberations. Although this possibility cannot be explored further using data produced by this study, the question of the relationship between 'deliberative consequence' and facilitation is an important one for future research (Fulwider 2005: 3).

Literature on 'facilitative leadership' in collaborative governance might provide useful pointers here. Analyses of facilitation in collaborative governance have concluded that facilitation is highly context dependent (Ansell and Gash 2007), putting into the doubt to what extent it is even useful to talk of a 'model' of facilitation. Thus, Bussu and Bartels (2013: 14) argue that, rather than understanding facilitation as an institutional feature or a 'task' which can be carried out by one individual, 'facilitative leadership' should be understood as 'an *emergent property* of the practices and interactions of various key individuals, who had not deliberately planned to act as facilitative leaders'. In the more reflexive process implemented by Sheffield analysis of the emergent properties of facilitation might be more appropriate. One explanatory factor identified by Ansell and Gash (2007) is that the emergence of 'trust', which is itself dependent on a sense of 'interdependency' between actors, is key for successful 'facilitative leadership'. It is not clear, however, to what extent participation in the SCA context can be expected to encourage the development of 'interdependency' and 'trust' between participants. There might not

be enough at stake, or a close enough association between participation and outcome.

6.3 Conclusion

So, what can be learnt from the above analysis? First, *all* councils implemented idea raising processes separately to panel deliberations in order to develop initial agendas. This coheres with arguments made by deliberative theorists that deliberation requires some form of A key issue to consider is where these ideas come from. However, the processes through which these ideas are raised developed into proposals is a different question. In terms of raising ideas, approaches such as relying on local interest groups, council-linked organisational networks or using interactive idea raising methods such as public events are to be favoured because they limit the receipt of irrelevant or poorly thought through ideas. Regarding the development of ideas into proposals, the kinds of collaboration present in LSP-based and ‘deliberative-analytic’ panels offer the best basis. The greater intensity and continuity of the processes meant that participants had greater opportunities to develop considered judgement and add value to proposals.

However, in LSP-based panels, this was achieved by limiting the opportunities for participation to local elites. Those processes that have been labelled as ‘analytic-deliberative’ are to be favoured over these because they more effectively included ‘lay’ perspectives and knowledge in the process. They achieved this through the provision of participant support structures, which enabled participants on relatively plural panels to develop ‘considered judgement’. This is highly valuable to the SCA: enabling proposals to be developed in the context of a more inclusive process of deliberation which led to a deeper and more original exploration of local problems. Nevertheless, the experience in these cases brought up important questions regarding the relationship between the different actors and the role of facilitation. Those panels that implemented more continuous processes that allowed for a greater level of iteration between the council and the panel in the development of policy proposals seem to have generated greater opportunities for public officials to influence deliberations. Moreover, the kinds of reflexive agendas that these cases

have been valued for likely make it harder for the facilitator to act in ways which might be necessary to 'organise' (Levine, Fung and Gastil 2005: 275) the process effectively and, importantly, mitigate for power asymmetries.

These are important issues, but I do not believe we should discard the value of 'analytic-deliberative' type approaches on this basis. Indeed, it is possible that the greater interaction between public officials and participants increased the visibility of public officials' influence. Nevertheless, opportunities for process managers to control deliberations in 'sophisticated consultations' were also present in different ways, such as their framing influence associated with 'sifting' the ideas received prior to setting up the panel. Clearer conclusions cannot be drawn here. More research is needed on the dynamics of the interactions between experts, public officials and lay participants in 'deliberative analytic' processes (Burgess and Davies 2004).

Finally, the analysis has some implications for the study of facilitation: it challenges the conventional wisdom that independent facilitation is most appropriate. This may be so in 'mini-publics' (Smith 2012), and the SCA constituted panels which are similar to these. However, in those cases that deliberation had a greater consequence upon the council's actions facilitation was carried out by public officials. This might be said to increase perceptions of bias, and widens power asymmetries in panels, but it is also possible that deliberations had greater consequence *because* of the more direct involvement of public officials. I end this discussion with a call for more research: on the relationship between deliberative consequence and facilitation, a case also made by Fulwider (2005: 3). Understandings of facilitation in the collaborative governance literature as an emergent property of group interaction dynamics, rather than as a 'task' to be assigned to an individual, might be a fruitful perspective to develop (Bussu and Bartels 2013).

7. To What Effect: The SCA and Policy Development.

Chapters five and six evaluated the local participation processes implemented by councils using the SCA. This chapter moves onto considering the relationship between the outcomes of these and the policy process. The ways in which the outcomes of PDPs can be linked to policy development is a little explored aspects of institutional design (Smith 2011; Font and Smith 2013). In the 'full scale' (Setala and Schiller 2012) citizen initiative decision making is effected through a referendum. This is an aspect of the process which is especially valued because it provides universal opportunities for participation (Saward 1998; Parknison 2009). However, referendums suffer from the problem of differential turnout rates across social groups. Moreover, referendums fail to encourage deliberation amongst participants and leave little space for the consideration of alternatives as well as for adaptations to changes in circumstance (e.g. Garrett 1999). Thus, the full-scale initiative is a rather un-reflexive form of policy making. PDPs have some potential to overcome these problems, but they suffer from scalability issues meaning that when they apply to decision making at high tiers of government they are mostly consultative (Goodin and Dryzek 2006) and thus have problems in ensuring the responsiveness of public authorities to the outcomes of participation (Papadopoulos and Warin 2007a).

As I began to explain in chapter two it seems that whereas the full scale citizen initiative tend to ensure responsiveness, it does so at the cost of reflexivity. PDPs, on the other hand, ensure reflexivity at the cost of guaranteed responsiveness. This chapter explores how the processes through which SCA policy proposals were integrated within policy development balanced this apparent trade-off. Because it was not designed to determine policy, the SCA might be expected to ensure reflexivity at the cost of responsiveness. However, by placing a statutory requirement upon the government to 'try to reach agreement' with the LGA selector panel on which proposals to implement (see section 5.2), it was intended to ensure a

greater degree of responsiveness than that associated with traditional consultation.

This chapter therefore answers the following questions:

- (RQ 3a) How was the duty to try to reach agreement operationalised?
- (RQ 3b) What contributions did the SCA make to policy making?

This chapter evaluates how the SCA connected the results of participation to the policy process, building upon the process descriptions provided in the first and fourth chapters. It begins in section 7.1 by evaluating the role played by the LGA selector panel in filtering proposals. Section 7.2 moves onto the question of how the ‘try to reach an agreement’ process between government and the selector panel was operationalised. Throughout the discussion, the analysis shall consider how the SCA integration process negotiated a line between reflexivity and responsiveness, as well as what constraints and opportunities it faced in doing so. Finally, section 7.3 concludes by bringing the analysis together to answer the third research question.

7.1 The ‘Fine Line’ Walked by the LGA: Process and Substance Criteria

The ‘filtering’ role played by the selector panel is crucial to the SCA process. It acted as a conduit between local panels and central government, and by developing and applying criteria for the acceptance or elimination of policy proposals, it began to shape the contribution which the SCA makes to policy development. However, an important problem faced by the selector seems to have arisen from the delicate nature of the position in which the SCA process put the LGA in. The LGA’s mission and purpose is to represent the interests of local councils, but the selection role placed the LGA in the position of ‘de-facto judge and jury between councils (interview 45, Selector Panel Member). The compromising nature of this position was something that came through strongly in four out of the six interviews with LGA policy officers and selector panel members (Interviews 37 and 38; LGA Policy Officers; Interview 44; 45 and 46 Selector Panel Members). One respondent put this concern especially well:

... the LGA had always been very careful to avoid getting in a position such as that which could prove invidious. But this was in fact what it

was now doing. It was saying to Local Authority A ‘yes this can go forward’ and to Local Authority B ‘no your bid should not go forward’. I think getting into that sort of area was something that by the end of the process the LGA had become very much aware of what it was doing and beginning to wonder whether that was something it ought to be very careful about in future (Interview 44, Selector Panel Member).

This raises the possibility of a conflict of interests between meeting government expectations in the development and application of selection criteria and not damaging working relations with members. Thus an LGA policy officer supporting the selector panel argued that the LGA had to keep a ‘very fine balance’:

we are at the end of the day representatives for the local government sector so we need to be fighting their corner ... pushing agendas that they want to fill, that central government should take notice of ... [but we also] ... need to maintain our relationship with national government, and with our key politicians ... we are in a difficult position. We are always going to be in the middle of the two sides ... we also get funding from CLG in order to carry out the role as selector, so it is a very fine balance of keeping everybody happy (Interview 38, LGA Policy Officer).

The difficulties with keeping this ‘fine balance’ became evident in the development of selection criteria. Government and council expectations regarding the selector panel’s role pull in different directions. This section argues that this had important consequences for the way in which selection criteria were developed and applied. To this end, a distinction is made between the application of proposal ‘substance’ criteria, relating to the *content* of proposals, and proposal ‘process’ criteria, relating to the public participation processes through which proposals were developed. The aim is to explain how the application of these criteria impacted upon the SCA process.

7.1.1 Substance Criteria

Regarding proposal substance, the SCA legislation (SCA 2007) and associated guidance (DCLG 2008; 2008a) outlined that proposals should require some form of government action and make a reasonable case for the advancement of the economic, environmental and/or social 'well-being' of the local area. However, following consultation with government officials the selector panel added a 'viability and credibility' criterion to these, essentially considering their relation to existing policy frameworks and degree of institutional change they demanded. As table seven in section 6.3.2 demonstrated, 'viability and credibility' was the most popular basis upon which to reject proposals, (it was applied in 48.4% instances, sustainability in 31.6%, government assistance in 11.6 and consultation in 7.4%) reflecting sensitivity to government expectations.

The high application of the 'viability and credibility' criterion might be explained by the high LGA officer framing influence over the process. Selector panel members highlighted the importance of the background work which LGA officers had carried out, noting that it would have been impossible to carry out informed deliberations on over 300 proposals without such support. However, when developing these briefings, LGA officers had consulted relevant civil servants to seek the government's 'informal views' on proposals, especially on their relation to government policy, and thus their 'political realism'. One selector panel member described this as 'do they stand a chance of being implemented by the present government?' (Interview 44, Selector Panel Member). By framing proposals in this way, integration was being shaped to cohere with existing government policy, potentially limiting the extent to which the SCA exerted an original influence.

In the SCA, the selector panel acted as de-jure representatives of local councils and de-facto representatives of process participants. A key reason for the choice of the LGA as the agency to constitute the selector panel was that it could bring a degree of accountability to the process by staffing the panel with locally elected councillors. However, authorisation and accountability links between selector panel members and local participants were very weak and the high level of framing influence which

considerations of 'political realism' and 'viability and credibility' further undermined the selection process.

Local Works campaigners were critical of this aspect of the process, especially regarding the development of the 'viability and credibility' criterion. A Local Works campaigner argued that it seems to have been applied arbitrarily and that it undermined the democratic nature of the SCA:

There was maybe a slight discrepancy there in terms of democracy whereby they introduced a criterion which was 'viability', which basically seemed to be the criterion to apply when the panel did not like a proposal ... I would not say that was within the spirit of democracy in the Act (Interview 42, Local Works Campaigner A).

Suspensions arose that a dubious logic was being applied by the panel when considering the 'viability and credibility' of proposals. For example, the rejection on these grounds of Windsor and Maidenhead's proposal to allow secession for the local fire service (which was due to be shut down)⁵⁵ from the regional authority was contested by advocates of the proposal. The selector panel turned the proposal down on 'viability and credibility' grounds, arguing that localisation would lead to a lack of necessary resources to deliver the full range of fire and rescue services, and on 'sustainability' grounds, arguing it could not be financed locally and might also impact negatively on the strategic capacity of Berkshire fire authority. Advocates of the proposal on the other hand, argued in response that smaller fire and rescue services, such as that of the Isle of Wight, had been highly graded and were thus clearly not 'unviable'. Moreover, the proposal explained that Windsor had made preparations to resource localisation and would co-operate with Berkshire on a regional level. Thus, the 'sustainability' of the regional fire service would be maintained.

⁵⁵ see www.windsorfirestation.co.uk (accessed 20/08/13)

The reasons for rejection given by the selector panel seemed dubious to advocates of the proposal and important suspicions were raised that the selector panel had not considered the proposal on its merits, but had used the 'viability' criterion in self-interested fashion. As local Conservative Party MP Adam Afryie put it in a House of Commons debate on the matter:

The use of the SCA is perceived as a threat to those in locally appointed quangos such as combined fire, police and transport authorities, as they could lose their jobs to elected councils ... [through proposals seeking transfers of functions] ... there are strong suspicions that it [the dismissal] had more to do with politicking and the LGA's protection of its own interests as appointee than with the democratic wishes of the people of Windsor.⁵⁶

Afryie takes Local Works' criticism a step further by suggesting that rejection on 'viability' grounds were motivated by a conflict of interests. It is of course not possible to confirm whether this was the case. Barbara Follett, a Labour DCLG minister at the time, argued in response to Afryie's statement that the LGA applied a sound judgement. Moreover, it was within the scope of powers afforded to the selector panel by the legislation to develop additional criteria. Nevertheless, the perception remained amongst proponents of the proposal, and Local Works campaigners, that the selector panel had applied the criterion arbitrarily, damaging the integrity of the process. In their view, the selector panel had 'created a problem for itself' by developing additional criteria, and should have simply applied the criteria defined in the legislation:

... the duty is clear, the Act is so clear ... the act allows any council to put forward, so long as they reach agreement with their communities, any proposal that they can show promotes local sustainability as defined and that requires central government action (Interview 42 A,

⁵⁶ House of Commons Debate, 'Sustainable Communities', 11 March 2010, column 511.

Local Works Campaigner A).

Thus, according to Local Works and aggrieved Local Authorities, the incorporation of 'viability and credibility' in response to government concerns, reduced the integrity of the process.

However, indicating a rather different understanding of the selection role and of the purpose of the SCA, the government criticised the selector panel for not applying 'viability and credibility' strictly enough. A DCLG minister put this objection in the following terms:

I do not think the selector panel was helpful to us in filtering out ideas. ... some of them would have required the entire re-writing of national public policy on planning or finance or things of that sort ... I think I had understood this primarily as a process that was supposed to produce locally focused changes in the way that things were done ... but a very high proportion of what came through were actually entire existing national government policy or planning policy (Interview 20; DCLG Minister).

The 'viability and credibility' criterion was intended to take into account the scope and level of institutional change which the implementation of a proposal would involve. However, government actors argued that the selector panel had been too permissive in its application of this criterion, accepting too many proposals that went beyond what they understood to be the remit of the SCA process. Thus, government actors, advocates of policy proposals developed by councils and local works campaigners advance criticisms that portray directly opposed expectations of the selector panel's role in the process. The delicate nature of the LGA's position emerges as a key factor to consider in the selection process. As explained in the section below, these concerns are compounded by criticisms that the LGA was also too soft on 'process' requirements.

7.1.2 Process Criteria

A second area which stands out from table three in chapter four is the relatively low application of the 'consultation' criterion (just 7.1 % of instances). This is especially striking because, as has been demonstrated in chapters seven and eight, many proposals had been developed through relatively low levels of public participation. Indeed, compounding criticisms that the selector had been too lenient when applying viability and credibility, government actors also criticised the selector for failing to eliminate proposals which had been developed through low levels of public participation. This was especially the case in a series of proposals which indicated to government that the SCA had been instrumentalised by local elites. For example, citing a proposal developed by South Gloucestershire to abolish the regional spatial strategy, a civil servant in DCLG noted that:

there were a lot of proposals which seemed very 'Local Authority' based ... you looked at them and you thought there is no way there has been a conversation started by the community ... so there was a little discrepancy in the aims of the Act and what actually came through in the proposals (Interview 19, DCLG Civil Servant).

The abolition of the regional spatial strategy was at the time a 'hot' point of Conservative Party opposition to a well-established policy of the then Labour government. Thus, central government actors expressed suspicions that the SCA at local level did not necessarily represent the priorities of local communities, but had in too many cases been dominated by councils or local elites. When negotiating the design of the SCA process the government had initially argued for the creation of a selector precisely to mitigate the potential that the SCA process would be used in this fashion. In the eyes of actors in the then Labour government, the LGA selector panel had failed to carry out this role adequately, decreasing the legitimacy of the claim which the SCA could make to influence policy agendas.

There is much to this criticism. As demonstrated in chapters seven and eight, many councils that implemented the process made little attempt to reach agreement with

panels of local representatives that included representatives from excluded groups, as the SCA required. However, just 7.1% of proposals developed were rejected on basis of low consultation. Thus, it seems that at the very least, the ‘consultation’ criterion was underpinned by a weak definition of what meeting consultation requirements (i.e. attempting to reach agreement with panels and the inclusion of representatives from under-represented groups on these) might look like.

In fact, evidence from interviews with selector panel members and policy officers suggests that there was some confusion around what constituted appropriate levels of engagement. LGA policy officers and selector panel members expressed quite different, even contradictory, views on this point. For example, an LGA policy officer (interview 37) recalled that, because of the democratic mandate of council representatives, the scrutiny of consultation requirements was not an important aspect of the selection process:

We genuinely feel that councils are best placed to engage with local people. So the approach we took was that we asked the council to sign off that it was happy with the approach they had taken to the SCA overall and if, as an elected leader, you are happy that you genuinely engaged with local residents then it is not within our jurisdiction.

Q. So the mandate that the council has legitimates these decisions?

A. Exactly.

However, this is contradicted by a selector panel member who recollected his surprise at the number of times the panel had to send proposals back to councils on the grounds that they did not meet consultation requirements. He recalls that although there was no ‘ideal model’, the panel were looking for evidence of engagement in proposals:

... one would have expected something reasonably systematic in terms of gaging the need for or the support for the particular proposal considered by a variety of social science research type methods, I

guess. And one might expect some attempt to evaluate local public opinion, and maybe the opinion of relevant local community groups of one sort or another whether geographically based or functionally based or whatever (Interview 44)

As was discussed in chapters seven and eight, initial ideas for policy proposals were raised in many different ways by councils. However, selector panel members made different interpretations regarding the appropriate sources of ideas in the SCA process. The same panel member cited above recollected that the 'nature of the generators' (Interview 44, Selector Panel Member) did not preoccupy the panel, noting that it was more 'a question of once the idea had been generated to what extent was it then put before something that might be thought to represent local opinion more widely than amongst those who generated the idea' (Interview 44, Selector Panel Member). Nevertheless, another panel member interpreted the spirit of the legislation at local level rather differently:

There was always an issue around whether 'was this from the councils or was this from the people?'. The Act was designed to make it from the people with the council as intermediary (Interview 46, Selector Panel Member)

The confusion surrounding, appropriate forms of participation in proposal development is very problematic for the process. The legitimacy of the SCA in influencing policy agendas depends on the constitution of inclusive panels and attempts to reach agreement with these because it is through meeting these requirements that proposals can be said to reflect the problems encountered by ordinary local citizens. Thus, local participation processes are *the crux of the SCA*. However, such a low threshold in terms of consultation requirements sends out a poor indication to councils of what is required in terms of the processes through which proposals should be developed. If the SCA is to make a more significant contribution to democratising the policy process, improvements are required in this respect.

7.1.3 Selection Process Problems

To sum this section up, the selector panel is essentially a space where the LGA had to mediate between the different expectations and interests of the actors involved in the SCA. However, the different directions in which these pulled seems to have influenced the development and application of selection criteria in a negative way. Ultimately, the selector panel ended up disappointing the actors involved in ways which raise fundamental questions about the legitimacy of the SCA process. Of special concern are, first, the relatively high application of ‘viability and credibility’ criterion in response to government concerns regarding the ‘political realism’ of proposals. As a result integration was being shaped by the selection process to cohere with extant policy agendas, limiting the original influence which the SCA exerted. Second, the permissiveness of the selector panel regarding consultation criteria failed to guard against the what was the relatively widespread instrumentalisation of the process at local level. This is an important problem because it means that, although SCA was designed as a PDP, it is in danger of being institutionalised as a ‘lobbying tool’ for local councils.

7.2 The ‘Try to Reach Agreement’ Process

The duty placed by the SCA upon government to attempt agreement with the selector panel is an important, and unique, feature of the SCA. Of course, collaboration between government and external actors and organisations is a regular feature of policy making. However, to the best of my knowledge, the SCA is unique in so far as it *legislated* for collaboration. The statutorily defined link to policy development differentiates the process from consultative PDPs that have taken place at national level in the UK in the past (e.g. Rowe 2005; Parkinson 2006). As explained in chapter one when describing the design of the SCA, the duty was essentially a compromise between government concerns at securing freedom of manoeuvre, and advocates of the process seeking to ensure a more meaningful link to policy development than consultation. Thus, it is mainly through this duty that the SCA attempted to balance reflexivity and responsiveness.

Section 7.2.1 describes how the duty was operationalised and presents the main achievements made. During this discussion some of the main obstacles to effective

integration will be introduced. These are to be considered in more detail in separate subsections.

7.2.1 Operationalising the 'Try to Reach Agreement' Process

Policy proposals related to a wide variety of policy areas, spanning the competences of different government departments. However, DCLG had no delegated authority to decide on proposals outside its remit. Moreover, many proposals that did fall within the competency of DCLG required legislative change and thus agreement at executive level. For this reason, an important part of the process was the nodal role played by a team of DCLG civil servants. They mediated interaction between the selector panel and the government by engaging in policy discussions with colleagues in DCLG and other government departments (Interview 19, DCLG Civil Servant). An important aspect of this process was searching for windows of opportunity, comprising synergies between policy proposals and the governments' position on related issues, for the implementation of proposals.

This process intensified in the months leading up to, and the change in government following, the May 2010 general election. The SCA was given a degree of continuity by civil servants in DCLG who, during *purdah*, planned ahead for the likely change in government by 'scanning' through election manifestoes to in search of 'links' with proposals (Interview 19, DCLG Civil Servant). This process was stalled by the formation of a coalition government because the search for 'links' depended on the outcomes of the policy negotiations between coalition parties. Indeed, the formation of a coalition government following the election represented both an opportunity and a constraint for the SCA. On one hand, both coalition parties had strongly advocated the process prior to election and the SCA could be understood under both discourses of 'community politics', advanced by the Liberal Democrats (Kemp 2010; Pack 2011; 2013), and that of the Conservative 'big society' (Mabbutt 2010; Stott 2010).⁵⁷ The SCA thus broadly cohered with important aspects of both parties'

⁵⁷ In fact, anticipating the possible need to form a coalition government, an important aspects of David Cameron's (the Conservative Party Leader, and present Prime Minister) pre 2010 election strategy was to highlight areas of agreement between the Liberal Democrats and thus establish the possibility of a 'Tory-Lib Dem alliance'. The SCA offered an example of shared ground in this respect.

rhetoric and policy programmes. This provided ground for coalition building and the SCA was in a position to influence coalition government policy from a relatively early stage.

On the other hand, although the broad brush policy direction had been set in the coalition agreement, there was a low level of specificity especially in those areas that attract less public attention. Thus, government departments to which proposals related were not able to respond until more clearly defined positions had been developed. Moreover, respondents in DCLG (Interview 19, DCLG Civil Servant; Interview 20, DCLG Minister) recalled that the volume of proposals received exceeded expectations, placing considerable strain on the capacity of government to respond. Many proposals called for new legislation, but the processing capacity of legislative institutions is limited. Thus, respondents highlighted the importance of legislation 'in the pipeline' (interview 19, DCLG Civil Servant) or 'legislative vehicles' (interview 37, LGA Policy Officer) which could be used to 'piggy-back' (interview 61, South Somerset Process Manager) accepted proposals through the legislative process. These were important because it would simply not be possible to develop multiple pieces of fresh legislation. However, 'the pipeline' was empty in the months running up to and following the election and thus opportunities to find areas of agreement and move towards implementation were limited. As a result, participants who had engaged in the SCA process and developed proposals in early 2009, had to wait until December 2010 to receive a response (DCLG 2010), leading to a great deal of frustration at local level and perceptions that the SCA had been ineffective.

Extant policy agendas emerge as a key factor shaping integration, in terms of both coherence with policy priorities and contingency upon developments in the legislative process. As will be discussed further in section 7.2.3, this placed an important limitation on the extent to which the SCA exerted an original influence over policy development. However, for now, although it is beyond the scope of the thesis to carry out a full impact analysis, it is important to recognise that it was not

Thus, in an article of the left-leaning Guardian newspaper in September 2009, Cameron highlighted Lib-Dem and Conservative 'co-operation' on the Sustainable Communities Act (see Cameron 2009).

only those proposals which cohered with government policy that were accepted. Rather, the search for 'coherence' impacted upon the government response to proposals in different ways. Table 8 provides some examples of proposals, policy outcomes and rationales given in the government response document (DCLG 2010) to illustrate how this was so.

Type	Proposal Example	Policy Outcome	Rationale
1	Proposal to Establish Post Banks in Local Post Offices	Proposal Rejected	Establishment of state-backed bank counter to government austerity measures
2	Proposal to give local councils greater freedom to grant business rate discounts to local businesses	Proposals to be implemented as part of legislation in development (the 'Localism Bill')	Proposal coheres with government objectives (with caveat that discounts be funded locally).
3	One year extension of grant funding a community-led social enterprise delivering health and wellbeing services	Commitment to roll forward capital funding for one year	Proposal coheres with government 'Big Society' initiative
4	Give local authorities greater responsibilities and power to maintain and sustain local post office network. ⁵⁸	Pilot scheme being run to examine possibility of extending local authority involvement in future development of post office network	Locally run public services may better meet local needs
5	Prohibit the issuing of restrictive covenants preventing use of a property defined as a 'local service' (such as local pubs) by the Sustainable Communities Act. ⁵⁹	Commitment to undertake a public consultation on the issue of covenants, focusing on the impact they have on pubs and communities and seeking views on the necessity and form of powers to restrict their use.	Recognition of negative impacts of restrictive covenants as well as importance of amenities such as local pubs and fostering community relationships.

Table 10: Examples of Proposal Policy Outcomes and Rationales

To recap, one of the main findings from the content analysis presented in chapter five was that coherence with extant agendas was the most important factor shaping integration. Thus, most proposals that went against the grain of government policy, especially those making large scale demands in strategic policy areas, received a negative response, and those which 'mirrored' pre-existing objectives, were

⁵⁸ See <http://www.localworks.org/campaigns/achievements/entry/saving-local-post-offices> (last accessed 16/08/2013)

⁵⁹ See <http://www.localworks.org/campaigns/achievements/entry/helping-local-pubs> (last accessed 16/08/2013)

accepted and linked to policy already in development. However, there were opportunities for original influence in some cases where proposals cohered with the general aims and direction of government policy, but added to it in some way or communicated a problem which the government had been theretofore unaware of. First, there were a small minority of proposals were directly implemented which made small scale local-level demands and cohered with government policy whilst requiring no legislative change, that had communicated an original issue to the government (see section three of table eleven). More significantly, a popular positive response on larger scale proposals was to initiate a 'formal advisory processes' such as piloting implementation (see section four of table eleven) and initiating a consultation (see section five of table eleven). Thus, although the SCA did not determine policy, it did, in a minority of cases, exert a recommendatory influence by catalysing further rounds of policy development.

According to government actors, one of the main blockages to greater policy influence was the scale of change which many proposals called for. Despite the incorporation of the 'viability and credibility' criterion in the filtering process, government actors argued that far too many proposals making demands that went beyond the scope of the SCA process were developed accepted. In this vein a DCLG minister argued that he had expected the SCA to produce far more 'locally focused proposals', but instead received proposals which required an 'entire re-writing' of national policy in key areas such as planning (Interview 21, DCLG Minister). In some cases this problem was compounded by the suspicion that these proposals had been inappropriately developed, indicating that local elites opposed to government policy sought to instrumentalise the opportunities offered by the SCA. A DCLG civil servant articulated these concerns in the following way:

The way it panned out was that there were a lot of proposals which seemed very Local Authority based. And I think ministers were quite surprised at the number of political proposals that came forward ... bearing in mind this was under the Labour administration, there were a lot of proposals from conservative councils which promoted

ideas in what would become the conservative manifesto and would become conservative policy at the time ... there were some proposals to abolish the regional tier in planning, that stood out in my mind.

Despite frustration at receiving such proposals, respondents noted that these had been 'easy to deal with': they represented a diversion from the SCA's purpose by advancing 'old agendas' (Interview 20; DCLG Minister) that challenged central pillars of government policy. Developing the government's position was thus 'easy', there was no agreement to be had (Interview 19, DCLG Civil Servant). The 'harder' proposals to reach agreement on communicated original problems which policy makers wanted to help with, but were applicable to local contexts and made too great demands on change. The DCLG civil servant leading on the process recalls the response of other policy officials to these in the following terms:

The overriding sense I got from officials was ... 'it is working for everybody else, is there any circumstances in this particular council which are unique?', 'instead of changing the law for the entire country is there a particular thing we can work with this particular council?' (Interview 19, DCLG Civil Servant)

In these cases, it seems policy makers were reticent to making large scale changes, but open to considering alternative options or help in other ways. Thus, agreement was sought in these cases by separating the 'problems' underpinning proposals from the 'solutions' advocated. This kind of compromise was an approach to reaching agreement which an LGA policy officer recalls was encouraged by the selector panel:

What we were trying to do was to encourage the government to look beyond that [*unintelligible*] and then pick apart the answer to the proposal, the answer to the problem. We would try and encourage the government to try to ask, 'well how do we address this issue, how

do work with the council and local people to address this issue?’
(Interview 37, LGA Policy Officer).

This aspect of the ‘try to reach agreement’ process was highlighted as an especially positive aspect of integration by respondents. In the words of a selector panel member:

One thing that did strike me in a positive sense was the willingness of the LGA and the DCLG (pause) to offer further discussion, further advice, further suggestions, rather than simply saying no, go away ... I got the impression that both the LGA and the government were disposed to be helpful to those that had taken part in the exercise ... there was that element in the outcome which indicated a willingness in some way to be of further assistance as distinct from simply saying, yes you can do that anyway, or no you cannot do that because we are against it, or it would cost too much money (Interview 44, Selector Panel Member)

Thus, the separation of problems from solutions and the willingness to offer advice rather than a closed response can be understood as a way to ensure a degree of responsiveness when policy makers rejected policy measures advocated by proposals. Importantly, the DCLG civil servant cited above argued that, in his experience, this was ‘unique’ to the SCA and would not have occurred without the duty to ‘try to reach agreement’.

So instead of just saying ‘no’, they had to justify why they were saying ‘no’, they had to justify saying ‘yes’ and there was a discussion about, ‘hang on, if you cannot do this, when why don’t you look at it from this point of view’ ... that would not have happened if the trying to reach agreement had not been there ... we would have sent proposals off to policy colleagues, policy

colleagues would have come back with an answer and we would have presented that answer (Interview 19, DCLG Civil Servant).

Absent the duty it seems that proposals would have been considered in light of current policy by relevant departments and received a formulaic response, which would be 'presented' to the selector panel, with minimal opportunities for interaction. This contribution made by the requirement to attempt agreement, although modest, was important in ensuring a degree of responsiveness of integration. However, it is a form of responsiveness which differs from that achieved by the citizen initiative. In the citizen initiative, responsiveness is achieved according to what Chambers (2012: 67) calls, the input/output model, whereby outputs directly mirror inputs. However, the 'try to reach agreement' process institutionalised a link to policy development that realised a deliberative, rather than a causal, relation between inputs and outputs. Thus, responsive governance was not solely achieved to the extent that outcomes mirrored proposals, but to the extent that they communicated problems to, and informed deliberation by, policy makers. It is important to highlight that this would not have been the case in the absence of the duty.

7.2.2. The SCA and Whitehall: Bureaucratic Processes and Interdepartmental Politics.

The duty to 'try to reach agreement' did succeed in ensuring a degree of responsiveness which is not likely to have been present in its absence. However, this modest achievement is overshadowed by the substantial problems the SCA faced. The first to consider in this respect is the issues faced by proposals that cut across the competencies of different government departments. Although the Secretary of State for Communities and Local Government represented government in its entirety in the SCA process, he did not enjoy delegated authority to decide on proposals that fell beyond the jurisdiction of DCLG. For this reason the nodal work carried out by DCLG officials was an important aspect of the process. A DCLG civil servant recalls the painstaking nature of this task:

There was 100,000 of civil servants out there, each with a specific policy area ... it was a scrounge, the entire civil service. First you have got to work out which department it was related to and you have to find the bit of the department and then you have to find an individual that works on this piece of policy, which until yesterday you have never heard of (Interview 19, DCLG Civil Servant)

In fact, direct contact between DCLG civil servants and decision makers in other departments was a rare occurrence. Rather, communication was initiated with officials lower in the hierarchy. The process of co-ordinating the government response across departments was therefore a slow and bureaucratic, often paper-based, exercise. A Labour government DCLG minister was critical of the way in which proposals were integrated within policy development:

... it became a bit of paper exercise and maybe again that is civil service expertise drawing up a system, because they love systems, and actually they exercise control and power through systems ... it was like a precious child, because it was not nurtured properly, and the system did not like it, it did not achieve its potential (Interview 24, DCLG Minister)

The government minister involved in the design of the SCA recalled significant opposition to the original idea for the process. Advocates of the SCA in the Local Works campaign favoured the 'try to reach agreement' clause of the legislation precisely to mitigate for anticipated resistance to respond meaningfully to proposals on behalf of the civil service. However, the Labour government minister quoted above points to the possibility that the SCA was subsumed by the processes it intended to influence. Adding to these concerns selector panel members and LGA officials articulated suspicions that SCA proposals were received poorly across government departments. In the words of a selector panel member:

CLG doesn't or has not had much clout in Whitehall and they went through a mechanistic process of talking with the experts in departments and coming back ... my SCA officers felt that other departments out there were not hugely enthused about this, this was a funny bit of legislation, they were not sure of what it was, it was getting in the way of their day job (Interview 44, Selector Panel Member).

An LGA officer concurred on this point, noting that inter-departmental differences are a characteristic feature of 'dealing' with Whitehall:

I suspect that some departments viewed it as more of a useful tool than others and you find that generally dealing with government, there are different attitudes towards different policies (Interview 37, LGA Policy Officer)

It seems therefore that the SCA faced substantial problems in integrating proposals that cut across the competences of government departments, and often received an unenthusiastic response. The evidence is limited here since ministers and policy officials outside CLG were not interviewed. However, some experiences at local level provide anecdotal evidence indicating that these suspicions might be correct. The LGA attempted to keep local councils updated on the progress of proposals through their website but a policy officer in Kent reported frustration at receiving repeated updates indicating proposals were under consideration by relevant government departments, suggesting that government was rather unresponsive to proposals. He argued that that the SCA had failed to gain 'ministerial buy in' at cabinet level and had thus become 'siloed' within DCLG (Interview, 28, Process Manager, Kent). Moreover, a senior official in Kettering (Interview 29, Senior Council Officer, Kettering) recalls that despite receiving a positive response on a local transport related proposal it was necessary for the local MP to lobby government to follow through on commitments. This led to the council securing a meeting with Department for Transport (DfT) officials to consider further options: the action committed to by government in its response (DCLG 2010: 16). However, once this

meeting took place, the respondent recalls that DfT officials were 'completely unaware of the SCA process as far as the proposal was concerned'. It is therefore not clear what role, if any, the SCA played in ensuring this outcome. Indeed, in the case of Kettering's proposal the DfT seems to have been more responsive to traditional means of lobbying than to the SCA.

This suggests that the SCA faced substantial problems in co-ordinating the government response across departments and in ensuring that the commitments made by these were followed through. Compounded by the delays caused by the May 2010 election, this led to substantial frustration on the part of respondents at local level. Many respondents recalled upon receiving a response that they had forgotten proposals, or that they had lost significance. As a result perceptions of responsiveness at local level were generally low, with participants voicing complaints to the effect that policy proposal had disappeared into a 'black hole' (Interview 61, South Somerset Process Manager) had 'vaporised' (Interview 55, Sheffield Panel Participant), or that the SCA's influence was unclear, making it difficult to justify involvement in the process (Interview 2, Doncaster Process Manager).

7.2.3 Extant Agendas

Although in section 7.2.1 I noted some areas where the SCA had an original influence over policy development, it is important to highlight that the main factor shaping integration was that of coherence with extant policy agendas. Interview data coheres with that from the content analysis on this point. The contingency of many proposals on the outcomes of the 2010 election and negotiations following the formation of a coalition government, the importance of 'legislative vehicles' contributed to what seems to have been the subsuming of the SCA integration process within extant policy agendas.

This led to considerable frustrations by local respondents at receiving a 'positive' response which they felt departed from the terms set by proposals. Respondents complained that in many proposals the actions committed to were rather different to those called for, and often did not deal adequately with the issue underpinning

these. For example, South Hams submitted a proposal asking government legislate in order to give councils a *duty* to transfer poorly used local assets to community organisations. The government responded that it did not want to implement a 'duty', but that it would be making it easier, through the 'Localism Bill', for local communities to bid to take over assets and would place a duty on councils to publish lists of assets of community value (see DCLG 2010: 29). The impact of extant policy agendas is clear here: the government reconciled the proposal with a similar policy already in development which would tackle the problem in a different way. However, the policy committed to takes a much softer approach. The proposal essentially called for a *right* of community asset transfer, whereas the government committed to facilitate the process of tendering for such transfers, where community groups might have to compete with other bids. The SCA was not a determinant of policy, and it is right and proper that the government had freedom for manoeuvre when responding to proposals. However, the 'softness' of the government's policy and the fact that the response was presented as a 'proposal that the secretary of state will implement' (see DCLG 2010: 14) suggests placation through the 'try to reach agreement' process. Again, this places an important question mark over the extent to which the SCA exerted an original influence.

7.2.4 Generating 'Motivation': Countervailing Power and Deliberative Activism

In no small part due to the limitations outlined above, respondents from the LW campaign were quite critical of the 'try to reach agreement' process. A theme which often came up in interviews with campaigners was an expectation of resistance on part of central government towards proposals that challenged powerful and established interests (Interviews 40; 42, Local Works Campaigners). For this reason, they viewed their advocacy role to be of key importance in ensuring government responsiveness. Thus, whereas LGA actors and DCLG ministers understood 'try to reach agreement' in collaborative or 'un-politicised' terms, LW campaigners articulated a more strategic and confrontational understanding of the integration process. Respondents were especially critical of the perceived 'weakness' of the selector panel, understood as its failure to 'push' government harder, especially where policy commitments differed from proposals or dubious reasons were given

for rejection (Interview 42, Local Works Campaigners). As such, one of the main areas for improvement identified by campaigners was the generation of greater pressure and incentives for government to incorporate proposals more meaningfully into policy development. They understood the problem to be that the government was essentially not sufficiently 'motivated' to follow through on commitments to 'try to reach agreement' made in the legislation.

Since the duty to 'try to reach agreement' is statutorily defined, government decisions could, in theory, be challenged at the courts. However, considering the absence of any precedent as well as the fact that meetings between the selector and government ministers were closed, with minutes only available for officer-level discussions, this would proceed on shaky ground. Moreover, although there is no data to back this up, one could speculate that considering the high costs of losing an appeal, councils are unlikely to challenge decisions. As Parkinson (2012: 156) put it 'judicialisation empowers those who have the resources to access the referee'. This is exacerbated by the significant delays witnessed in developing a response. As noted above, several respondents at local level noted that proposals had lost significance, had been forgotten or nullified by developments in the policy process. As attention turns to new agendas the salience of the issue is likely to decrease, making an appeal less likely. Thus, the extent to which judicial institutions might act as an effective 'referee' seems limited.

Local Works campaigners argued that crucial to the success of the Act is for public authorities to feel that it may be politically damaging not to follow through on statutory obligations. Thus, their goal was to increase scrutiny of process by generating civic interest and / or conveying an impression of widespread 'grassroots support' for the SCA to local and national government (Interview 40 and 42 Local Works Campaigners). As such, they played a role equivalent to that of 'deliberative activists' (Fung 2005; Kadlec and Friedman 2007). Their advocacy efforts were fundamental in changing the government's initially sceptical position towards the private members' bill in which the process was advanced. Indeed, without Local Works, the SCA idea would likely have remained within the pages of the 'Ghost

Town' reports (Simms et al 2002; Oram, Connisbee and Simms 2003). However, their efforts to scrutinise government once the process was in place were considerably dampened by a series of factors relating to the nature of the SCA process as well as the organisational culture and structure of Local Works as well as its approach to campaigning.

Regarding the former, the SCA was relatively unpublicised, leaving it up to Local Works, an organisation with limited resources, to focus on promotion. It was therefore necessary for the organisation to prioritise resources across competing priorities, such as promoting the impact of the first round and ensuring the future of the SCA process. The original legislation (SCA 2007) did not guarantee future rounds of the process, thus Local Works focused resources on campaigning for an amendment, passed in April 2010, which would require future rounds. This meant that they were unable to focus upon scrutinising the 'try to reach agreement' process and maximising impact as fully as they would have liked. Compounding this problem, the low transparency of the integration process and made it harder for Local Works to track developments and identify pertinent points in the integration process at which to mobilise supporters. The publication of a response is an important aspect of PDPs. It makes decision a matter for public record, enabling government rationales to be more effectively contested by civil society actors. However, the significant time delays witnessed in integrating proposals within policy development undermined civic interest in the process. As noted above, respondents at the local level noted that by the time a response was received, interest in proposals had dwindled. This made it harder for Local Works to generate interest and mobilise supporters and process participants in support of their advocacy.

Regarding the Local Work's organisational structure and campaign strategy, Local Works is a professionalised and centrally directed advocacy organisation, with 'protest business' organisational characteristics (Jordan and Maloney, 1997; see also Skocpol 2003). As such, their approach relies upon the central co-ordination of advocacy by campaign supporters through one-off activities such as mail-based lobbying or attending public meetings, and using the power generated to improve

their position when bargaining with policy makers. This approach was very successful in the promotion of a specific policy such as the SCA. A government minister argued that Local Works were instrumental in changing the governments' attitude towards the process, specifically recalling that he had received more letters on the SCA than on the Iraq war! However, Local Work's civic support networks are relatively thin and non-committal when compared to those that have been deemed fundamental in the 'claiming' of state power through PDPs (e.g. Heller 2001; Fung and Wright 2003a). This meant that the organisation was not able to generate a base of more continuous civic support an interest for an on-going process such as the SCA, than that associated with 'one-off' lobbying. As a result, an important degree of 'countervailing power' was lacking from the SCA process. This may go some way towards explaining the relative ease with which public authorities were able to shape integration according to their interests, expectations and interpretations of the process, as supposed to those arising from the meaning and purpose which advocates originally ascribed to the SCA.

Finally, it is important to note that the strategy which Local Works took to campaigning arguably undermined the legitimacy of their advocacy role. Local Works focused on the maximisation of process 'use' and 'impact'. They understood this to be necessary in order to demonstrate 'teeth' and secure future interest. As such, their main preoccupation can be understood as generating a 'demonstration effect' (Abers 1998: 138) and they prioritised this objective over ensuring 'process quality'. However, it stands to reason that 'deliberative activists' must, first and foremost, seek to ensure participation process quality because, when it promotes the outcomes of well-run deliberative processes, advocacy eschews association with narrow interests and can make a more robust, even if necessarily imperfect, claim to be promoting the public good.

Thus, from a perspective of deliberative democracy, it seems that Local Works promoted the process from an illegitimate position. As noted in chapters seven and eight, many councils developed proposals through quite exclusive participation processes and / or sought to use the opportunities the SCA offered to lobby for

changes in government policy that reflected existing campaigns. Thus, at least in the first round, Local Works were promoting the impact of proposals which had often been inappropriately developed and could only make tenuous claims to represent the priorities of local citizens. The SCA process had failed to generate sufficient procedural legitimacy. For this reason, if Local Works are to perform as deliberative-activists, rather than as a traditional pressure group, one could argue that the improvement of SCA participation process quality should be given greater priority. In doing this, the legitimacy of their advocacy activity, as well as of the claim which the SCA can make to influence policy agendas, stands to be improved.

Further thoughts on Local Works' role in the process and what lessons it bears for deliberative activism are offered in the conclusion. Before moving on, however, the chapter ends by providing a summary of what has been established by this analysis regarding the trade-off between reflexivity and responsiveness in the integration process.

7.3 Conclusion

This chapter has sought to explore how the SCA negotiated a line between reflexivity and responsiveness in policy making. It should not be surprising that the SCA favoured 'reflexivity'. In fact, as explained in chapter one, it was not designed to determine policy, but rather to increase the flow of information between different governance tiers. Indeed, one of the main problems which actors involved in the integration process found was that locally developed proposals often called for nationally applicable changes. For this reason an important degree of reflexivity was necessary in order to allow government to consider alternative and perhaps more desirable policy options. There is therefore an important sense in which SCA proposals should be seen as messages communicating policy problems to government, so that it may mobilise resources in ways deemed appropriate, rather than proposals as demands for particular policy measures. One of the achievements made by the SCA was to engender a degree of responsiveness to the problems underpinning proposals - if not to the policy measures advocated by these. The duty to 'try to reach agreement' seems to have been important in this respect, ensuring

that policy proposals were given a deeper consideration than would have been the case in its absence. Actors involved in the process thus highlighted the importance of considering alternative options and 'helping' local councils tackle the problems informing policy proposals. It has been argued that this coheres with a deliberative, rather than a causal, understanding of the relation between input and output in achieving responsiveness (Chambers 2012).

Nevertheless, this achievement is overshadowed by what seems to have been, in a nutshell, the subsuming of the SCA within those processes it intended to influence. This was so for a series of reasons. First, sensitivity to government concerns regarding 'political realism' in the selection process is highly problematic for the SCA because this meant that integration was being shaped from the very beginning to cohere with extant policy agendas. This was compounded by the relatively low priority given to public participation requirements, meaning that the selector failed to filter for proposals which had been developed through low levels of participation. From a deliberative democratic perspective, this undercuts the legitimacy of the SCA process because it is through quality public participation and deliberation processes that proposals can be said to provide a more accurate reflection of considered local public opinion, rather than that of local elites. It is therefore important to improve selection process criteria. Some ways in which this might be done shall be considered in the concluding chapter.

Second, the influence of existing structures and extant agendas was especially pronounced upon the integration of proposals. The SCA was intended to influence central policy development processes with a view to making these more responsive to local contexts, but proposals faced substantial problems travelling between government departments. Moreover, they seem to have become entangled in the bureaucratic processes through which the government response was developed and presented. There was a space for original influence where SCA proposals went with the grain of government policy whilst adding to it in some way. In these cases SCA proposals catalysed further rounds of policy development. However, the main finding of this analysis is that the integration of policy proposals was mainly

contingent on coherence with extant agenda setting processes, especially to electoral outcomes and related policy development and legislative cycles. Local participants and public officials expressed frustration at commitments to policy action which diverted from the terms set by proposals and at the opaque and painfully slow nature of the integration process. Although the analysis suggests that the duty to try to reach an agreement did ensure a degree of responsiveness, low visibility and poor feedback mechanisms meant that *perceived* responsiveness was low.

The paragraphs directly above have pointed to a series of problematic areas in the SCA process. The concluding chapter shall consider the extent to which these might be mitigated by through changes in institutional design. However, it is important to end by highlighting that there is an important sense in which modifications in institutional design will not achieve much lacking the political will to follow through on the intentions of design. In this sense, Local Work's activities are important. They understood their role as generating civic interest in the SCA which could 'motivate' public authorities to follow through on commitments made in the legislation. The development of 'countervailing power' has been deemed fundamental to the successful implementation of participatory governance. For example, analysts of the Participatory Budget in Porto Alegre have argued that mass mobilisations keep public authorities responsive to participation (Santos 1998). Smith (2009: 42) argues that such impressive levels of civic mobilisation are facilitated by the incentive mechanisms in the design of the process. Equivalent sources of 'motivation', however, seem to have been lacking in the SCA. Their generation will be important if the responsiveness of the process is to be increased.

8. Conclusion

Citizen agenda setting is an important part of democratic governance. What issues reach the agenda and how they are defined has a huge influence upon political systems and thus democracy stands to be deepened if opportunities are provided for citizens to define problems and influence the development of policy agendas. This research has aimed to explore whether and how PDPs can contribute to problem definition and agenda setting. As argued in chapter one, because of its agenda setting function and the breadth of institutional scales it spanned, the SCA represents a departure from the norm. As well as being a rare example of a deliberative agenda setting process, it was an attempt at democratic innovation on a relatively large scale. For these reasons, an evaluation of its performance can expand our understanding of the potential for PDPs to contribute to the development of a more participatory and deliberative democratic system. The aim has been to analyse the innovative features of the SCA and highlight productive and problematic areas for institutional design. This final chapter brings the analysis together. It begins by revisiting the answer to each of the research questions outlined in chapter two. These have mainly been explored individually in separate chapters, but some aspects of the answers have also crossed chapters, so it will be useful to integrate these within individual sections (8.1, 8.2 and 8.3). Section 8.4 then considers the implications of the analysis for the prospects of democratising agenda setting through PDPs. In the process a more outline detailed outline of recommendations for the improvement of the SCA is given and other institutional forms which may be more desirable are considered.

8.1 Elite Control and Participation Bias

Saward (1998: 108) has valued the citizen initiative on grounds that it provides 'equal and regular opportunities for all adult citizens to set the public agenda'. However, it faces practical obstacles in realising this potential. Meeting quorum requirements involves substantial resource and organisational capacity and it is therefore social and political elites that have the most to gain from the opportunities offered (e.g. Garrett 1999). PDP designs can overcome these problems through the

use of different forms of participant selection. For this reason, this thesis has sought to answer the following question:

- (RQ 1a) Did the constitution of SCA panels overcome problems of participation bias?

It is important to note that underpinning participant selection choices are different assumptions regarding the constituencies to be represented (Saward 2008). It is important to consider these because in processes such as PDPs where universal participation is not possible inclusion is achieved through the representative claim-making of participants (Marochi 2009). Thus the second question:

- (RQ 1b) On what grounds were different participant selection choices made?

To answer these questions three design features have been considered: representation, participant selection and facilitation. Each of these is treated in turn. First, when opportunities for universal participation are limited, 'inclusion' is achieved through representation (Marochi 2009), so it is important to understand how different representation forms impacted upon elite control and participation bias in local panels. In the case of the SCA the main 'constituency' to be represented in local panels was that of 'the local community'. This was understood as individuals or groups within the *geographical area* governed by the local authority. Chapter five argued that this focus on the locality was problematic because it led to the development of policy proposals which were responsive to particular local contexts, but had national implications. Indeed, as explained in chapter seven, the integration of proposals within the policy process was discussed, this was a major obstacle to impact faced by the SCA. Section 8.4 considers other possible approaches to developing proposals that might avoid this problem. For now, the focus is upon describing the main ways in which appropriate membership *within* the local community was defined.

The most popular way in which respondents felt the 'local community' could be represented was by ensuring that the SCA process communicated 'locally important issues' to government. This priority sometimes led to the implementation of forms of public participation which have been criticised for being too exclusive. For example, drawing upon LSP networks to constitute panels was often justified on these terms, with process managers noting the importance of engaging actors which they felt had the necessary knowledge about local problems. However, this concern also underpinned the development of more inclusive processes where the presence of a greater plurality of actors was deemed to be important in enabling a more comprehensive exploration of local problems. Related to this concern was a preoccupation with engaging *ordinary members* of the local public. In a similar vein to Parkinson (2006), the analysis suggests that this was linked to the perceived need to avoid engaging highly active members of the population, the logic being that they would be too preoccupied with advancing narrow agendas, or lacked shared experiences with ordinary citizens and thus could not be expected to articulate 'real' priorities. Where the notion of avoiding the 'usual suspects' was underpinned by a concern with finding ways to engage those who do not usually participate, it is a worthy objective. However, where this concern was underpinned by a perceived need to represent 'ordinary' people it is problematic because, as Parkinson (2006: 70) has explained, it rests on a statistical impossibility.

Second, chapter five evaluated the extent to which different participant selection choices mitigated problems of participation bias and elite control. There are two areas to consider in this respect: (a) problem definition and (b) the definition of options. Regarding the former, as discussed in section 2.4, commentators have often argued that one of the ways in which elite control occurs in PDPs is through the framing power of process managers (Barnes, Newman and Sullivan 2007; Tucker 2008). For this reason, Parkinson (2006: 151) concludes that one of the most important ways in which the relationship between 'expert' and 'citizen' in participatory governance can be democratised is by having deliberation 'triggered' by another source, such as the informal public spheres or constitutional rules. The SCA provides an interesting example here, rather than by process managers, the

agendas for deliberation were, in most cases, set through different forms of participation.

Passive approaches created entry points to propose ideas (through means such as local press releases or open public meetings) and active approaches targeted submissions from different local groups. Although it was not possible to gather data on the *sources* of ideas submitted by councils, the evidence available suggests that local voluntary groups and LSP bodies were especially involved in both approaches, suggesting that idea raising processes tended towards a bias in favour of local elites. The SCA would benefit from more comprehensive attempts to promote opportunities to propose ideas. Having said this, the value of relying on local voluntary groups and partnership governance networks to propose ideas should not be entirely dismissed. These bodies can draw on existing campaigns and on-going consultations to come up with relatively well formulated proposals that can provide an 'agenda filter' (Bohman 1996: 139; Parkinson 2006: 132) and thus an initial focus for deliberation on local panels. Moreover, by communicating the nationally relevant outcomes of on-going local consultations, such as sustainable community strategies, to central government the SCA could play the positive role of increasing the flow of information between governance tiers. Thus, although their engagement should be complemented by greater opportunities for ordinary citizens to propose ideas, local interest groups and LSP's also provide a good source.

Regarding 'option formation', it is at this stage that PDPs differ most clearly from the most widely institutionalised citizen agenda setting process, the citizen initiative. Whereas opportunities for option formation in the citizen initiative are limited to initiators (as well as public authorities in 'mixed' models) it is viewed as a sign of good practice in PDPs that participants can challenge initial framings and/or raise and develop alternative options (Lang 2008). In the SCA, it was at this stage that councils sought to meet the requirements associated with setting up a panel of local representatives to discuss, or develop, policy proposals. However, it is clear from the analysis in chapter five that most cases suffered from problems of elite control and participation bias. In some cases panels were not able to modify or redefine

proposals - their participation was limited to recommending pre-determined options. Council officers often 'filtered' ideas raised through prior petitioning processes, potentially entailing an arbitrary framing influence. Furthermore, the most popular approach was to draw on LSP's to constitute panels, thus limiting opportunities to participate to local elites. Although drawing on LSP's to raise ideas is to be favoured, the analysis suggests it was necessary to engage at a 'deeper' level than this when constituting panels in order to enable a more original exploration of local problems.

On a more positive note, an approach present in a minority of cases was to use quota-based random selection to ensure broadly descriptively representative panels. This was most successful in avoiding problems of elite control and participation bias because it minimised the influence that strategic interests and individual dispositions to participate had upon panel constitution. As such it was most effective in minimising participation bias and maximising inclusion.

Finally, it is important to consider how the process of deliberation impacts upon elite control. The evidence presented in chapter six suggests that discursive inequalities were most acute in those panels labelled as being similar to 'analytic-deliberative' processes. These panels were more diverse, participants worked closely with public officials in longer term processes with a relatively open agenda. Although the evidence is inconclusive, it seems possible that this increased opportunities for public officials and local elites to influence deliberations. This supports Cornwall and Coelho's (2007: 9) finding that 'in contexts with highly asymmetrical resource distribution among participants, there is a very real danger of elite capture'. Moreover, it stands to reason that 'reflexive' agenda setting processes complicated the facilitators' ability to structure the process in ways that mitigate the effects of power asymmetries.

These are important problems but, for reasons that will be re-visited in section 8.2, the value of 'deliberative-analytic' approaches should not be dismissed. It is important to note, however, that the experience in 'analytic-deliberative' type cases

has some important implications for facilitation. In these cases ‘facilitation’, or, ‘chairing’ (as some respondents referred to it), was carried out by council officers or elected representatives. This goes against the grain of conventional wisdom that facilitation in ‘mini-publics’ should be independent (Smith 2012: 99). Nevertheless, a positive correlation was roughly identified between direct involvement of local decision makers on local panels and greater influence over decisions, pointing to the possibility that ‘deliberative consequence’ (Fulwider 2005: 3) affects facilitation. The data does not, however, permit drawing a clearer conclusion. More research is needed on the dynamics of the interactions between experts, public officials and lay participants in ‘analytic-deliberative’ processes (e.g. Burgess and Davies 2004) as well as on the relationship between ‘deliberative consequence’ and facilitation (Fulwider 2005: 3). One possibility is that in ‘consequent’ public deliberation it will be more fruitful to analyse facilitation as an ‘emergent’ property of group interaction, rather than as a ‘task’ to be assigned to an individual (Bussu and Bartels 2012).

8.2 How? Collaboration and Division of Labour

Interaction between participants in PDPs are ideally designed in ways that generate knowledge complementarities leading to the co-production of expertise (Sirianni 2009). To this end, this thesis seeks to answer the following sub-question:

- (RQ 2a) Through what processes were proposals developed in the SCA?
- (RQ 2b) What forms of interaction were present between participating actors and which was most effective in co-producing expertise?

There are two aspects which it is necessary to consider in answering this question: the processes through which agendas were set for local panels, and the processes through which proposals were developed. Regarding agenda setting, scholars have often proposed that deliberation requires some form of ‘agenda filter’, in order to provide an initial focus for deliberation (Bohman 1996: 139; Parkinson 2006: 132). The analysis in chapter six supports this hypothesis - *all* cases used some form of prior idea raising process to set agendas for local panels. A key issue to consider is where these ideas come from and how they were raised. As noted in section 8.1, a popular approach was to raise ideas essentially through the creation of petitioning

processes. The analysis suggests that these failed to encourage sustained reflection or provide adequate support for participants before submitting a proposal. It seems many people responding to petitioning processes had not understood the nature of the SCA, and used the process as an opportunity to raise *any* issue with the council, often leading to the submission of irrelevant and / or unrealistic proposals.

Many cases combined petitioning processes with promoting the process to local organisations and associated networks. Local interests groups and LSP networks were often involved in this aspect of the process. They submitted relatively well formulated ideas that reflected existing campaigns or the results of local community planning consultations, and thus the problem of inappropriate ideas was avoided. This form of idea raising was most often a 'paper-based' exercise. However, some councils, such as Sheffield, Cambridge and South Hams, held an idea raising event. In Cambridge and South Hams participants were asked specifically to propose ideas which they felt would advance the priorities determined in the council's Sustainable Community Strategy. In Sheffield, council officers trained in public engagement managed a meeting of about 150 participants. These more discursive approaches are to be favoured, since they provided greater opportunities for participants to develop an acquaintance with the SCA process and discuss different options before submitting.

Regarding the development of proposals and decision making, it has been argued that a key aspect of deliberative processes is the aim to 'integrate' or reconcile 'lay' or 'local' knowledge with more systematic and synoptic forms of 'professional' or 'expert' knowledge. In the analytical framework different ways in which collaboration and labour divisions can be organised to this end were described. The analysis in chapter six suggests that a combination of 'iterative' and 'convergent' forms of collaboration are to be favoured over 'serialised' processes. A characteristic feature of the 'serialised' processes considered in chapter six, was a clear separation between the raising of ideas, and their prioritisation. This meant that participants developed preferences and made recommendations regarding pre-determined proposals. 'Iterative' and 'convergent' processes, on the other hand, enabled more

reflexive agenda setting processes which provided longer term opportunities for participants to develop considered judgement, contribute to the development of proposals and add value to these through deliberation.

Such approaches were evident in LSP-based panels and analytic-deliberative type processes. In LSP-based panels limited participation opportunities to local elites present in council-linked organisational networks. These were identified as parts of the local population who could, at minimal resource expenditure, draw on substantial expertise and contribute to proposal development. Although LSP actors may have a good grasp of important issues affecting the local area, relying on LSP's exclusively to constitute panels prioritised a narrow understanding of local knowledge. It could be said that it was 'local professional knowledge' which was being incorporated into the process in these cases. PDPs are often advocated by scholars who are deeply critical of democratic elitist theories (e.g. Cohen and Fung 2004), however in these cases the SCA might be described as a 'deliberative-elitist process' (see Papadopoulos 2012: 146). Such an approach might be defended on epistemic grounds, but it did not entail an expansion of democracy. Rather, LSP-based panels might be seen as 'an expansion of the ruling elite itself' (Somerville 2005: 125).

Analytic-deliberative type processes are to be favoured because they more effectively included lay citizens in the production of proposals. Developing considered judgment was more challenging in these cases, but was ultimately enabled by the provision of participant support structures. There are important problems to tackle here, that relate to power asymmetries between the different participants on the panel. However, approaches to collaboration such as those taken in Cambridge and Sheffield are to be valued because ideas were raised and developed in the context of a more inclusive and deliberative process, enabling a more original and comprehensive exploration of local problems to take place.

8.3 To What Effect: Reflexivity and Responsiveness

One of the most innovative aspects of the SCA was the duty to 'try to reach agreement' on which proposals to implement. Especially where their outcomes relate to decisions at high governance tiers, PDPs have been overwhelmingly consultative and this has fed concerns of tokenism and placation (Hoppe 2010; Lee and Romano 2013). By answering the following questions, the thesis has sought to explore whether the design of the SCA avoided such issues@

- (RQ 3a) How was the duty to try to reach agreement operationalised?
- (RQ 3b) What contributions did the SCA make to policy making?

The analytical framework presented a trade-off between reflexivity and responsiveness and outlined a conceptual distinction between two institutional forms that negotiate this trade-off in different ways. In 'transmission', the outcomes of participation are directly binding. It should therefore be expected that responsiveness is maximised at the cost of reflexivity. 'Integration' is a weaker link that entails no guarantees of policy action. Nevertheless, even in entirely consultative processes measures such as requiring the publication of a response can ensure a degree of responsiveness. Links to policy development in the SCA, as in most PDPs, were a form of integration. However, the SCA attempted to ensure a greater degree of responsiveness than that usually associated with consultation through the statutory duty placed on government to 'try to reach agreement' with the selector panel on which proposals to implement.

One of the main obstacles which the SCA faced in achieving greater impact was the perception amongst policy makers that proposals impacted beyond the local contexts within which they were developed. It was to a great degree in anticipation of this problem that links to policy development were designed to be a form of 'transmission'. Those involved in the design of the SCA process were preoccupied with ensuring freedom of manoeuvre for the government in making decisions. As one minister put it, the SCA did not have a 'privileged position' in respect to the policy development processes it existed alongside (interview 21). Thus, the design of the SCA tended towards reflexivity. However, there was a space for original

influence in those areas that proposals went with the grain of government policy, but added to it in some way. In such cases, a popular response was to instigate a further round of policy development, such as piloting implementation, initiating a policy review or formal consultation. Thus, the SCA did exert a recommendatory influence in some cases.

Perhaps more importantly, the try to reach an agreement process did engender a greater degree of responsiveness than would have been the case in its absence. This was often not in relation to the solutions advocated by proposals, but to the problems underpinning these. Respondents noted the importance of considering alternative options and of 'helping' councils meet the objectives informing proposals. This is a different kind of contribution to responsive governance than that achieved by the initiative. In the initiative 'proposals' are demands for specific policy measures, and responsiveness can be understood in terms of what Chambers (2012: 67) calls the 'input/output' model: strong responsiveness means that policy output reflects opinion input'. However, in the SCA they can be understood as messages communicating problems, in response to which government mobilises resources at its disposal in ways deemed appropriate. This is an important contribution to responsive governance, that coheres with one of main reasons advanced by John Dewey (cited in Fung 2006: 68) for greater participation: that 'the *man* who *wears* the shoe knows best that it *pinches* and where it *pinches*, even if the expert *shoemaker* is the best judge of how the trouble is to be remedied'.

However, the analysis points to a series of important problems with the process that overshadow these achievements. Each is covered in turn. First, since it would be highly impracticable, if not impossible, for government to 'try to reach an agreement' with all idea proposers, a role for the LGA 'selector panel' was created. The SCA thus tackled the problem of scale, inherent in connecting locally developed proposals to national policy processes, through the de-facto representation of process participants by local councillors staffing the selector panel. The selector acted as the de-jure representative of councils, and de-facto representative of civic participants, in the 'try to reach agreement' process. Its first task was to 'filter' the

proposals developed by councils, ostensibly to eliminate those that failed to meet the requirements of the Act. However, the analysis in chapter nine suggests that the selector developed additional criteria that was too sensitive to government concerns regarding 'political realism', or 'viability and credibility', and gave too little importance to the participation requirements underpinning proposals.

Sensitivity to government concerns meant that the SCA was being shaped from the beginning to cohere with extant policy agendas, something that content analysis and interview evidence both suggest emerges as the main factor explaining integration. Moreover, the legitimacy of the SCA in influencing policy agendas is generated through the processes of participation underpinning proposals. It is because they are developed through this participation that proposals can be said to reflect the priorities of local citizens. However, the selector panel accepted far too many proposals which had been developed through negligible attempts at constituting inclusive panels and reaching agreement with these. Compounded by the instrumentalisation of the process at local level in many cases, the analysis suggests, as noted in chapter nine, that although the SCA was designed as a PDP, it is in danger of being institutionalised as a 'lobbying tool' for local elites.

Second, the integration of proposals within policy development became, to a great extent, hostage to those structures and processes which it was intended to influence. The process was blocked by the 2010 general election and, although the 'try to reach agreement' duty did achieve a somewhat greater responsiveness than would have been the case in its absence, it hardly led to a substantial departure from established ways of working. Integration was, to a great degree, contingent on coherence with agendas being formed through traditional means. Although there were some spaces for original influence, the influence of extant agendas upon implementation of proposals meant that in some cases their implementation departed too far from their initial intentions. Moreover, proposals seem to have travelled badly across government departments. Inter-departmental communication was a slow and bureaucratic process and the SCA seems to have received a rather unenthusiastic reception, especially outside DCLG. Alongside the onset of the May

2010 election, this led to substantial delays in coordinating and articulating the government response. Unsurprisingly, process managers and civic participants expressed substantial frustration at these delays, at the low levels of feedback received and the low visibility of the integration process.

Finally, for similar reasons to those summarised above, actors in the LW campaign were quite critical of the way in which integration was operationalised. However, their ambitions to increase scrutiny of the process and thus generate a greater degree of responsiveness were curtailed by a series of factors. In sum, low transparency and significant delays prevented Local Works from identifying important points at which to pressurise public authorities. Moreover, the centralised form of advocacy which LW carry out limited their ability to generate a more continuous and effective base of civil support for the process and, finally, the priorities of the LW organisation in ensuring maximisation of use came at the cost of scrutinising process quality, something which undermined the legitimacy of their advocacy activity.

Thus, overall, integration in the SCA fared rather poorly in terms of striking a balance between reflexivity and responsiveness. The analysis has highlighted a series of areas where it is important to consider potential forms of improvement. There are a number of possibilities here, which will be considered throughout section 8.4, where reflections are offered on what can be learnt from the SCA regarding the prospects for democratising the policy process through PDPs.

8.4 Discussion and Recommendations: Democratising Agenda Setting through PDPs

Deliberative and participatory democratic theorists have argued that public policy agenda setting needs to be opened up to greater civic influence (Cohen 1997; Barber 2003: 181; Parkinson 2006; Skelcher & Torfing 2010) and identified the need for institutional designs to be developed which move beyond the local (Parkinson 2006; Smith 2009b) and operate across governance levels (Gaventa 2004; Stoker 2006; Elstub 2013). The SCA is an interesting example of participatory governance because

it represents an attempt to fulfil these objectives. However, the analysis has shown that it came up against some important problems. In order to understand the implications of the analysis, it is important to separate those problems which are *intrinsic* to the attempt to democratise agenda setting through participatory governance from those that are *specific* to the SCA process. In this way it is possible to identify possible areas for improvement through institutional design. The following sub-section outlines the problems which this analysis suggests are intrinsic to participatory governance. The final three sub-sections then outline case-specific problems, considering possible reforms and alternative arrangements.

8.4.1 Intrinsic Problems

Many of the problems faced by the SCA arise from difficulties that are 'intrinsic' to the attempt to democratise the policy process through PDPs. The first problem intrinsic to participatory governance is characteristic of the attempt to institutionalise deliberation by small groups of citizens within the policy processes of large-scale polities (Parkinson 2006: 5-8): the viability for the subsets of citizens that usually participate in PDPs to make binding decisions decreases in proportion to the size of the constituency affected. As we have seen, the SCA attempted to tackle the problem of scale through a series of procedural layers operating at different levels that connected the results of local participation to central government policy making. At local level, processes were designed to enable citizens to define problems and develop policy proposals. At national level, actors from the LGA acted as intermediaries between local authorities and government, acting as de-facto representatives of process participants. Finally, binding decisions were ultimately made by actors in representative institutions. However, the analysis has highlighted some problems arising from the lack of mechanisms to ensure the selector panels' accountability to process participants, its high sensitivity to government concerns when filtering proposals and concerns that proposals went beyond the scope of the local contexts within which they were developed.

Second, the analysis has pointed to a series of limitations which essentially arise from difficulties surrounding the accommodation of participatory democracy within representative institutions. The SCA originated as a relatively radical proposal by research and advocacy organisations seeking to promote decentralised and participatory governance. However, as the SCA proceeded through the political agenda, the dynamics of ‘issue expansion’ (Baumgartner & Jones 2009) characteristic of agenda setting in representative systems affected its development. Policy makers were keen to make it cohere with previous and on-going attempts at institutional reform. The end result was the setting up of a participatory process which ‘fit’ the dynamics of the system, or, as a Local Works campaigner put it, had been ‘watered down’.⁶⁰ Once the process was implemented, institutional conflicts were also manifest in findings such as the instrumentalisation of the SCA by local authorities, the importance of coherence with extant policy agendas in the shaping of integration dynamics and the influence of electoral, policy development, and legislative cycles of representative institutions.

These limitations point to the fact that participatory governance provides no panacea for the ills of liberal-democratic capitalism. However, there are grounds for measured optimism. There are areas where the SCA was successful as well as those where there are opportunities for improvement. Limitations of scale and institutional conflict are real and considerable, but they are not absolute. They are, *to a degree*, contingent on design. In the rest of this section three ‘case-specific’ areas where the design of the SCA exacerbated problems of scale and institutional conflict are considered, and reforms which might improve the process suggested.

8.4.2 Rules and Regulations

Analysing the citizen initiative in California and Switzerland, Smith (2009: 141) concludes that many problems have more to do with the regulatory framework embedding the initiative than anything intrinsic to the process itself. This is also true of the SCA: limitations which might be overcome through changes in rules and

⁶⁰ Personal conversation.

regulations were evident in both the development of proposals and their integration within policy development. Some of the major problems with the SCA process arose from (a) the permissive nature of the legislation, as well as (b) the nature of the 'rules' (or lack thereof) governing interactions between local and national level actors. Each is considered in turn.

i. Proposal Development and Selection Criteria

The permissiveness of the SCA and associated regulations was especially problematic regarding the processes through which proposals should be developed. To be sure, there is a reason for the lack of prescription. Councils have different populations which face different issues and much of the value of the SCA is the provision of a channel to communicate this diversity to central policy development. Moreover it is questionable that much can be attained through more prescription. Local institutional cultures vary (Lowndes, Pratchett and Stoker 2006a), and, even with strict regulations, councils would likely implement the process in different ways. That being said, there is a need for more clearly defined minimum standards. The legislation, regulations and guidance documents provided some definitions, but essentially left it up to councils to decide whether requirements had been met. This led to many implementing the minimum necessary levels of engagement to get proposals through. In these cases the SCA failed to tap into the kinds of local knowledge which could enable a more original exploration of local problems, and was often dominated by local elites or instrumentalised as a 'lobbying tool' by local authorities.

Regarding the regulations governing the integration of proposals within policy development, it is important to highlight that the duty to 'try to reach agreement' did lead to a more intensive consideration of policy proposals, making an important contribution to responsiveness. However, the integration process was itself corrupted from the beginning by the low threshold in participation requirements underpinning the filtering role carried out by the selector panel. As a result, many proposals which were developed through dubious processes were accepted, damaging the strength of the claim which the SCA could make to influence policy

agendas. Thus, some minimum standards regarding inclusiveness of panels and their role within the proposal development process need to be established. These should be universally applicable, but flexible enough to allow response to local circumstance. If they are not met, then policy proposals should be discarded by the selector panel, or the equivalent body.

The recommendations made in chapters seven and eight form an adequate basis here. To recap, on the question of 'who participates', chapter five concluded that ideas might be raised from local voluntary groups and LSP-led consultations, but, as long as local panels have the ability to reject or modify ideas raised previously (as argued below) so that idea proposers cannot control outcomes of panel deliberations through agenda setting, the origins of ideas is not a central concern: as a respondent from Local Works noted 'good ideas can come from anywhere' (Interview 42, Local Works Campaigner A). Regarding the constitution of local panels, councils should be required to demonstrate that a representative cross-section of the population was randomly selected. A requirement to meet standards of descriptive representativeness through some form of random sampling will increase the inclusiveness of the panel and reduce partisanship, but the advantages of full statistical representativeness need to be weighed against the requirements of discursive interaction. Overall, it would not be necessary or productive to adhere to full statistical representativeness. Instead, smaller panels might use quota sampling to reduce chances of unrepresentative panels. If certain groups are under-represented following invitation, councils should be advised (as they currently are) to invite relevant spokespeople from voluntary groups.

Regarding the form of collaboration in local panels and the role of panel participants in proposal development, the process in Sheffield offers a good model to follow. It enabled ideas to be co-produced in a process which mixed lay and professional knowledge and made the most concerted attempt to reach agreement with the panel. The SCA currently leaves it up to councils to decide whether attempts at agreement have been made, allowing councils essentially to consult participants on pre-determined proposals. In order to avoid this, the requirement to reach

agreement should be compounded with a requirement that the panel participate in the development of ideas into proposals. As noted above, ideas may initially come from a variety of sources but panels should operate reflexive agendas whereby new proposals can be raised or existing ones rejected or modified, allowing the panel to add value to their development.

This permissiveness in terms of where ideas come from, a requirement that panels meet standards of descriptive representativeness, broadly defined, through random selection, plus the requirement that panels participate in the development of proposals, mixes the best aspects of the different approaches taken to implementation across the cases considered in chapters seven and eight.

ii. Communication and Feedback Mechanisms

One of the main problems with the SCA was that locally developed proposals could not be expected to lead to nationally applicable changes: an important degree of reflexivity was necessary in order for government to consider alternative, and perhaps more desirable, options. In this vein, proposals should be understood as messages communicating problems rather than demands for specific forms of action. As explained above, one of the achievements made by the operationalisation of the duty to 'try to reach agreement' was to engender a degree of responsiveness to the problems underpinning proposals, if not to the policy measures advocated by these. The analysis has suggested that the SCA's contribution to responsive governance should be understood in terms of a deliberative, rather than a causal, relation between input and output (Chambers 2012). Thus, responsive governance is not achieved to the extent that outcomes 'mirror' proposals, but to the extent that they communicated problems to, and informed deliberation by, policy makers. This is an important contribution that coheres with the understanding of democracy as being characterised by the 'flow of information between governors and the governed' (Hirst 1994: 24, see also Coleman 2005).

However, an important problem with the SCA is that information flowed upwards but not downwards. As explained in chapter seven, local participants complained at

lack of feedback, the low visibility of the SCA's influence and the long delay in receiving a response. Research into civic attitudes towards participation has found that it is not necessarily impact that participants expect, but an indication that they are not ignored and thus that their participation is meaningful and worthwhile (Lowndes, Pratchett and Stoker 2001, see also Coleman 2005). Lowndes, Pratchett and Stoker (2006: 289) have suggested that this can be provided by ensuring the provision of clear information and feedback regarding the role of participation within policy making. However, such mechanisms were lacking in the SCA process, leading to low perceived responsiveness and considerable disaffection by process participants and local process managers. Thus, rules governing the interactions between national and local actors should be established that create lines of communication between actors operating at different tiers of the process. This is especially important in the context of a deliberative understanding of responsiveness, where the influence of process outcomes upon policy can be very unclear. This is a key aspect of process design if PDPs are to succeed in bringing citizens into a closer 'conversation' (Coleman 2005) with representatives.

8.4.3 Redesign: Are Local Authorities and Whitehall the Appropriate 'home' for the SCA?

The SCA took a specific approach to developing proposals and integrating these within policy development: it relied on local councils to resource public engagement processes and upon central government to make binding decisions, through a process of collaboration / negotiation with other state actors acting as de-facto representatives of process participants (i.e. the selector panel). There are some problems with this approach. The first relates to the local limitation of the process, the second to the fact that decisions are made by central government, rather than some other body or process. Although it is beyond the scope of the thesis to provide a full account of possible alternatives, this section considers a few options for reforms that may improve the SCA.

i. Proposal Development Processes

Local development of proposals is problematic because it often led to the development of policy proposals which were responsive to particular local contexts, but could affect other areas negatively if implemented nationally. In fact, as explained in chapter seven, one of the main frustrations articulated by policy makers responding to SCA proposals was the relatively large scope of many proposals. Moreover, relying on local authorities to sponsor proposal development also led to a quite a fragmented view of local problems. Three hundred proposals were developed by one hundred councils, placing substantial strain on the processing capacity of government departments (Interview 19; 21). Finally, relying on local authorities to resource proposals increased the potential for institutional conflict, since the priorities and motivations of local representative institutions using the SCA often conflicted with the purpose of, and sometimes 'captured', the process. If these problems are to be avoided, it is important to consider whether local councils are the appropriate agencies to resource engagement processes and sponsor policy proposals.

Since most citizens' lived experience of the political system occurs in local contexts (Yanow 2003) it is arguably correct that opportunities to define problems are focused on the locality. But this does not mean that local authorities are the appropriate agencies, or that boundaries of political authority are the appropriate constituencies. Proposals might be developed in other ways. For example, Coleman and Blumler's (2009) call for the creation of a public agency responsible for managing an online process 'eliciting, gathering, and coordinating citizens' deliberations upon and reactions to problems faced and proposals issued by public bodies ... which would then be expected to react formally to whatever emerges from the public discussion'. This 'Online Civic Commons' (OCC) could randomly select citizens at national level and thus provide an improved basis upon which to avoid problems of exclusion. The agenda of the OCC could be opened up to submissions from citizens and civic associations and / or be 'triggered' by constitutional rules.

Parkinson (2006: 170-172) proposes a similar function for a parliamentary committee. He argues such a body could be set up to receive proposals from civil

society and, according to publicly defined criteria, determine whether or not to set up a policy making sequence in response. The possibility of setting up a parliamentary committee to receive proposals is considered below, the relevant aspect of Parkinson's discussion for current purposes is his suggestion that initial priorities could be set through the use of a process akin to the '21st Century Town Hall Meeting', as developed by 'AmericaSpeaks' (see also Fung 2003) is one of the few deliberative processes where an agenda is worked from the bottom-up. The 'AmericaSpeaks' model has operated at local or regional levels, but this is not a necessity (e.g. Dryzek 2009). Similarly to Blumler and Coleman's idea for an OCC, the use of information communication technology means that the process can involve thousands of people in real time interactions across multiple geographical sites (Napoli, Bingham and Nesbitt, 2006). A process operating across multiple local sites but with a single focus would enable a more synoptic view of local problems to take shape. The broader basis upon which proposals are developed would legitimise proposals that make larger scale demands. Although the 'AmericaSpeaks' model has mostly been used as a one-off event, it could be set up on an on-going basis. It could, even if it was limited to a number of proposals over a certain period, become a permanent feature of the UK's institutional architecture.

This proposition might be objected to on the grounds that more synoptic policy proposals would entail a loss of local nuance but this problem could be mitigated through a 'two-track' proposal raising processes. On one hand, higher profile and larger scale proposals, developing a more synoptic and coherent view of local problems around the country, might be developed through 'AmericaSpeaks' type processes. On the other hand, local councils might have opportunities to engage citizens on *local* problems which require relatively small degrees of change. These might seem menial in the broader view of things, but can be of great importance to those affected. Where proposals arise that make larger scale demands, they might be diverted to the co-ordinating agency of the larger scale branch of the process for consideration to feature on the agenda.

ii. Incorporation in Policy Development

The SCA tackled the problem of scale, inherent in connecting locally developed proposals to national policy processes, through the representation of process participants by the selector panel. However, authorisation and accountability links between selector panel members and local participants are almost non-existent and the low threshold in participation requirements and sensitivity to government concerns when shortlisting proposals undermined the integration of process. It is important to consider alternatives to this set up. As noted above, when discussing options to open central government policy agendas up to civic input, Parkinson (2006 p. 169-71) suggests that a parliamentary committee might be set up to receive and review proposals from civil society and respond to these according to publicly defined criteria. This could be an option for the SCA: since the SCA was a process essentially designed to propose changes in legislation and policy it makes sense that it should be linked to the parliamentary select committee system.

There is, however, some ground for scepticism on whether such arrangement would constitute an improvement. Various studies of legislative influence over policy making conclude that Britain's legislative chamber's powers are very weak and have declined in recent years (Richardson and Jordan 1979; Beetham et al 2003). Moreover, parliamentary committees in the UK are essentially reactive. Russel and Benton (2011) find that most committee recommendations respond to government initiatives, with just 1 in 10 being "agenda setting" in character. It is thus not clear how an agenda setting process like the SCA might relate to existing practice. There would have to be some broader reforms regarding the role of parliamentary committees in the policy process.

In response to such doubts two arguments can be made. First, recent studies have suggested that parliament's power is manifest in subtle and non-measurable ways such as through the "anticipated reactions" by policy makers to the proposals they make to the legislature (Russel and Benton 2009). Russel and Benton (2011) conclude that the influence of "anticipated reactions" is especially acute in parliamentary committees' influence. Second, a recent study of democratic decline in Britain, Australia and New Zealand (Marsh and Miller 2012) identifies the

contemporary importance of parliamentary committees in the UK and concludes in favour of a radically reformed committee system. Although it is not possible to give detailed consideration in this paper, the authors propose committees that enjoy “a substantive role in the policy process (particularly at the emergent or strategic end of the process), supported by powers and procedures that sustain this role” (Marsh and Miller 2012. p. 311). This would require radical reforms to the role parliamentary committees play in the policy process, something which according to their analysis would go some way towards reversing democratic decline in the UK. Should such a reform agenda gain purchase, a participatory-deliberative agenda-setting process like the SCA might well feature alongside Marsh and Miller’s proposals.

8.4.4 Generating Motivation: Countervailing Power and Deliberative Activism

It is important finally to note that recommendations for changes in design are not sufficient to make the SCA process ‘work’ if the political will to follow through on the purpose of design is not present. In institutional design there is a big gap between the intentions of designers and outcomes (Goodin 1996). In the case of the SCA, this gap is evident in the instrumentalisation of the process by local councils and the subsuming of policy proposals within the processes it intended to influence. The generation of ‘countervailing power’ (Fung and Wright 2003a) through civil society mobilisations has been found to be important in avoiding such problems in other PDPs (Abers 1998; Santos 1998: 502; Baiocchi 2001; Heller 2001). Similarly, one might argue that in the Swiss citizen initiative it is not a desire to be responsive that motivates government to engage in negotiations with initiators. It is the prospect of a referendum and the evidence of civic support underpinning the proposals that motivates public authorities to take the process seriously. However, the analysis has suggested that the SCA was lacking in mechanisms which motivated public authorities to implement the process in a fashion which met the ‘spirit’ of the legislation more closely. There are two areas to take into account in this respect, (a) the generation of ‘countervailing power’ and (b) the role of Local Works as ‘deliberative activists’ (Fung 2005).

i. Countervailing Power

Advocates of the SCA process in Local Works aimed to motivate public authorities to implement the SCA and follow through on the intentions of design. However, their efforts were considerably dampened by a series of factors. The first relates to limitations of the SCA process itself, including difficulties in scrutinising integration and sustaining civic interest arising from the lack of transparency in integration and the significant delays in forming a response. The second involve Local Works' organisational structure and approach to campaigning. It is a lobbying group with a managerial (or 'do for' rather than 'do with', Skocpol 2003) culture vis-à-vis membership, relying on centrally co-ordinated advocacy and relatively thin and non-committal support networks relative to those deemed fundamental in the capturing of state power through PDPs (Baiocchi 2001; Heller 2001). Thus, although it was very successful the promotion a specific policy such as the SCA, the campaign failed to generate a sufficient degree of 'countervailing power' (Fung and Wright 2003) that could 'motivate' public authorities to follow through on intentions of design. Changes to the process pointed to above, such as the establishment of clearer lines of communication between public authorities and participants might mitigate this issue. A harder problem to overcome will be the culture, resources and campaigning strategy of Local Works.

ii. Local Works as Deliberative Activists

Local Works played a key role in promoting the SCA process, scrutinising its implementation and promoting impact, which is equivalent to that which Fung (2005) refers to as 'deliberative activism'. However, their approach diverted somewhat from what we might expect from such actors. Local Works' prioritised maximising process use and impact. The campaign understood this approach to be necessary in order to ensure a 'demonstration effect' (Abers 1998) and thus secure the future of the SCA process. The problem is that the maximisation of use and impact came at the cost of focusing resources upon a closer scrutiny of the quality of the participation processes through which proposals were developed. It stands to reason that deliberative activism must be firstly preoccupied with ensuring the

quality of deliberative process, because it is the procedural legitimacy generated through well-run PDPs that legitimises the use of non-deliberative means to promote results. When it promotes the outcomes of deliberation, strategic activity eschews association with narrow interests and can make a more robust and less dogmatic, even if necessarily imperfect, claim to be promoting the public good. Thus, one might argue that Local Works advocated for impact from an illegitimate position, because, at least in the first round, they were promoting proposals which had often been inappropriately developed. Arguably, greater focus upon ensuring process quality is necessary if the SCA's claim to influence policy agendas is to be strengthened and Local Works' strategies in maximising impact are to be legitimised.

Local Works' approach reveals an important tension regarding how deliberative activism might contribute to the development of a more deliberative system. That is, deliberative activism may need to be thought of differently when it is involved in promoting more continuous processes, such as the SCA, rather than one-off events. Dryzek's (2010: 15) differentiation between 'categorical' and 'systemic' tests is pertinent here (see chapter 2). Local Works' activism fares poorly in categorical terms, but is justifiable if it produces systemically positive results. Does taking the *future* of more continuous processes like the SCA into account justify prioritising use and impact over process quality? Institutions change, and *if* this ensures the development and survival of a worthy process, then one might answer in the affirmative. This is an important question that relates directly to the problem of pursuing change 'from within'. The key issue is whether means will become ends: is it realistic to expect that putting off these objectives in the short term will ensure longer term success, or might it contribute to the subsuming of the SCA process within established ways of doing things?

It is clearly counter-intuitive to argue that the SCA might contribute to deliberative institutional change when its key advocates compromise scrutinising the quality of participation process for the sake of maximising process use. However, this must remain an open question in the context of this analysis. One problem with analyses of institutional change is that whilst processes of change develop slowly and need

careful tracing, constraints are more immediately manifest (Hoppe 2011). That being said, the prioritisation of process quality by Local Works may deliver the beneficial long-term results that campaigners associated with maximising use and impact. Although it is not likely to fully overcome the constraints identified in the thesis, it is worth considering because, as Baccaro and Papadakis (2005: 46, citing Habermas, 1996), explain, 'discourse is itself a source of power, which can be used to counterbalance or even neutralise other sources of non-communicative power' (see also Dryzek 1996: 107-115). Thus, quality participation processes might contribute to responsiveness by increasing the saliency attributed to proposals by policy makers. Perhaps more importantly, they may also do so by generating constituencies around salient local issues, leading to a more effective development of the kinds of countervailing power deemed lacking above.

8.5 Closing Summary

This thesis has sought to explore the prospects for democratising agenda setting by providing opportunities for citizens to define problems through PDPs and institutionalising links between process outcomes and the policy process. To this end, a theoretically informed empirical analysis of the SCA has been carried out. The SCA was selected for analysis due to its analytically relevant features. It differs from most PDPs for a combination of three reasons - (a) it was specifically designed to allow citizens to identify policy problems and influence policy agendas; (b) it operated across governance levels, connecting local participation to national policy development and (c) it institutionalised a link to the policy process. These are important objectives. Citizens have unique experiences of the political system and the effects of policy (Yanow 2003; Fischer 2009) but centralised policy making processes can be information poor and unresponsive to local circumstance (Scott 1998). PDPs are valued for their potential to increase the responsiveness of political systems to the experiences and problems encountered by citizens (Fischer 2009; Hoppe 2010). A degree of centralisation is necessary for resource maximisation and the enablement of strategic action, but centralisation need not necessarily imply 'distance'. If the SCA succeeded in improving the flow of information between public

authorities and citizens it will have made a valuable contribution to democracy and responsive governance.

This final section summarises the achievements made, and the obstacles faced, by the SCA as well as the implications and recommendations of the analysis. Two key achievements were made by the SCA process. First, implementation in a minority of local authorities is to be commended for developing proposals through reflexive agenda setting processes in relatively inclusive panels. These allowed panel participants to explore problems in the locality and add value to the development of policy proposals through deliberation. This marks an important departure from participation in other PDPs, where participation is subsequent to problem definition. In these cases, the SCA demonstrates that PDPs can make an important contribution to responsive governance by allowing citizens to identify and define policy problems and communicate these to central government. Second, despite some limitations (which will be outlined below) the analysis has found that the operationalisation of the 'try to reach agreement' (the process through which the SCA connected proposals to the policy process) contributed to the realisation of a deliberative, rather than a causal, form of responsive governance (Chambers 2012: 67), whereby responsiveness is achieved to the extent that inputs communicated problems to, and informed deliberation by, policy makers rather than the extent to which they 'mirror' outcomes. In this respect, the SCA suggests that agenda setting PDPs might contribute to the realisation of the normative model for a democratic division of labour proposed by scholars such as Dewey (2008: 264) and Christiano (2012: 33-34) whereby aims are defined by citizens and means by experts.

However, these achievements are modest in relation to the problems faced by the SCA process. These arise from 'intrinsic' obstacles of scale and institutional conflict that characterise attempts to integrate PDPs within representative democracy in large scale polities. First, the SCA tackled the problem of scale through the representation of process participants by state actors outside central government (the selector panel). However, authorisation and accountability links between representatives and local participants were very weak and the high level of

sensitivity on the part of the selector panel to government concerns regarding the 'viability' of proposals further undermined the strength with which this body played this role. Moreover, problems of scale were evident in concerns by policy makers that locally developed proposals were often too wide in scope. In these cases, policy makers expressed reticence at the prospect of granting the SCA a 'privileged' position in policy making, reducing the impact of the process.

Second, institutional conflicts were manifest in the influence which the priorities of local public authorities and partnership governance structures had over the SCA. In many cases, the opportunities offered by the process were limited to representatives from voluntary, public and private sector organisations featuring on council linked networks. In this respect, rather than a PDP, the SCA more closely resembled what Papadopoulos (2012: 131-137) calls an 'elitist-deliberative' process. Moreover, a minority of councils offered very limited opportunities for citizens to influence policy proposals and essentially instrumentalised the process to advance party-based and / or devolutionary agendas. Importantly, the selector panel was quite permissive in this respect, often failing to eliminate proposals which were developed with minimal civic input. Due to a combination of these factors, the analysis has suggested that the SCA, although designed as a PDP, is in danger of being institutionalised as a 'lobbying tool' for public authorities and local elites. Finally, the integration of proposals became hostage to the policy development processes, as well as the electoral and legislative cycles of representative institutions. Indeed, one of the main factors shaping integration was coherence with extant policy agendas, placing an important question mark over the extent to which the SCA exerted an original influence upon policy. Ultimately, the SCA seems to have been, to an important degree, subsumed within the processes it was designed to influence and reform.

However, 'intrinsic' limitations of scale and institutional conflict are not absolute. A series of areas where their manifestation is exacerbated, and might therefore also be mitigated, through institutional design has been highlighted and potential reforms subsequently proposed. First, there is a need for more clearly defined and strictly

enforced rules and regulations governing the processes used to develop proposals and to select these for government consideration. Second, the thesis has considered options for reforming the process, including designs which might legitimise the development of proposals that make larger scale demands, and mitigate institutional conflicts by setting up a decision sequence that does end 'within', but functions parallel to, representative institutions. Although it is beyond the scope of the thesis to provide a full account of alternative arrangements, the development of the SCA into the kind of institution sketched in section 8.4.3 would radically increase the availability of opportunities for citizens to influence political agendas.

Finally, the analysis suggests that, as well as attention to institutional design, greater motivation for public authorities to follow through on the intentions of design needs to be generated. Most importantly in this regard, the thesis concludes that the Local Works campaign lacked the capacity to generate a base of more continuous civic support and interest in the SCA than that associated with the lobbying activity that contributed to the development of the original legislation. The resulting lack of 'countervailing power' goes some way towards explaining some of the limitations faced by the SCA. Moreover, the focus of Local Works upon maximising process use and impact over quality did little to enhance the kind of procedural legitimacy that would have strengthened the claim of the SCA to influence policy agendas in a clearer, and more meaningful, fashion than consultation.

Attention to these issues will be crucial if the SCA is to develop into an institution which makes a more substantial contribution to democratising the political system. Although the limitations of the process are not to be taken lightly, there is some ground for optimism. I close with a remark made by one respondent:

... I'm cynical but I'm also a die-hard romantic ... The Act is saying we, the people, for the first time are driving through something in a political arena, to bring back community and sustainability together ... That is going to plant itself like a little seed. Then it depends on how it is nurtured and pruned, so maybe, in 50 years' time, the seed planted

now, the SCA, is just a tiny weeny seed right now, but what is it going to grow into?

(Interview 5, Participant, Brighton & Hove).

Appendices

Item 1: Example of Sheffield Proposal Form⁶¹



Local Government Association

The Sustainable Communities Act proposal form

Using this form

This form should be used to submit proposals under the Sustainable Communities Act to the LGA for short listing. Please complete all sections and then **email a copy to selector@lga.gov.uk**. These must be received by **July 31st 2009**, and you will receive confirmation that the form has been received. Once submitted, information within this form may be made publicly available, unless you request for it to be kept private. We will treat information submitted sensitively. If you wish to attach any relevant presentations or graphs etc. please attach them separately in the email. For questions regarding the act or the role of the Selector, please see our [FAQs](#). Any further questions can be directed to selector@lga.gov.uk.

Section 1: Proposal Summary

Proposing Authority

Under the terms of the Sustainable Communities Act, all proposals must be submitted by a local authority, or group of authorities, in England. Any group, organisation or individual may originate or develop a proposal. However all proposals will require Local Authority endorsement and submission to the Selector.

Parish councils and other organisations and agencies must seek support and formal endorsement from a proposing local authority (defined in the Act as county councils, district councils (including metropolitan, non-metropolitan and unitary authorities), the common council of the city of London or the Council of the Isles of Scilly).

1.1 Lead Authority name

Sheffield City Council

1.2 Is this proposal submitted by this authority alone, or is it a joint proposal with other local authorities? (If joint please list authorities)

Sheffield City Council alone

1.3 Who is the lead contact (s) in the authority for this proposal? Please provide email address and telephone number - *The LGA will direct any enquiries to this contact.*

⁶¹ For consultation requirements see especially sections 3.1 and 3.2

Supporting Organisations

Whilst proposals may only be submitted by a local authority, we acknowledge that local partners and outside organisations may wish to register support for the proposal. This is entirely voluntary.

1.4 Please provide details below of supporting organisations to your proposal. Please explain if the organisation is a charity, company, unincorporated association or other body. If a charity or company please provide registration numbers. If a local partnership please explain the relationship to the Local Strategic Partnership for the area.

Sheffield First, the Local Strategic Partnership for Sheffield fully supports this proposal.

Summary of your proposal

Please summarise your proposal. You may wish to include:

- The main elements of your proposal
- What issues your proposal is addressing and how it will promote the sustainability of the local community
- Who is affected by this proposal and how?
- Which public bodies might be affected?
- What are the main actions needed from Government?
- What do you expect this proposal to achieve?

1.5 Please enter your summary below *(word limit 1000 words)*

There are around 650 asylum seekers (plus dependants) in Sheffield, who have fled persecution from a range of countries across the globe. The current asylum system requires asylum seekers to claim asylum on entering the country – they are then dispersed to different towns and cities, including Sheffield, whilst their claim is being processed.

Since mid-2002, asylum seekers have not been allowed to work whilst their claim is being processed, unless they have waited for more than 12 months, at which point they may make an application to work. There is no presumption, even at this stage, that the application will be successful. Instead asylum seekers are reliant on cash support worth 70% of Income Support, which is paid by the United Kingdom Borders Agency (UKBA).

Although there is no evidence to suggest that asylum seekers come to the UK as economic migrants, asylum seekers are often highly skilled and want to contribute to the city's economy – for example there are 1100 medically qualified refugees (including over 300 asylum seekers) living in the United Kingdom, who would not have been allowed to practice whilst seeking asylum. As a city we are not able to make full use of the skills and qualifications of asylum seekers living in Sheffield.

Proposal

The proposal of the Sheffield Sustainable Communities Panel is to allow

asylum seekers the right to work in the city once their application for asylum has been received and they have been dispersed to the city, and to retain this right if they are unsuccessful so long as they remain in the country for reasons outside their control are meeting any requirements to report to the authorities. Asylum seekers who do not seek (or do not find) employment would still be eligible for the same support that is available at the moment. The right to seek employment would be open to any asylum seeker aged 16 or over.

For practical and ethical purposes this proposal is suggested to be implemented nationally, but those groups that would be most directly affected would be asylum seekers and employers.

The main actions required by Government are to provide employment concessions to enable asylum seekers who have lodged an application for asylum to make an application for permission to be legally employed, and except in exceptional circumstances to exercise discretion to grant such permission until any appeal against a negative decision on any application for asylum has been finally determined and the decision to refuse asylum upheld.

It is not anticipated that any public bodies would be directly affected by this proposal, apart from the United Kingdom Borders Agency, who would no longer have responsibility for administering Section 95 support for those asylum seekers who found employment.

This proposal would help the Council to achieve our vision for Sheffield, as set out in 'A City of Opportunity'. In particular, the proposal will ensure that asylum seekers are treated fairly and can achieve their full potential, and will have a good quality of life. It will also mean that asylum seeking children have the same opportunities as other children in the city, and will help people to get on well with one another and reduce community tensions.

Section 2: About your proposal

The form asks a set of questions to gather as much information as possible to allow for assessment and short-listing by the Selector. A word-limit is stated for each part of the form.

We appreciate that SCA proposals will vary in range and scope, and some questions will be more relevant than others for any one proposal. Please do not feel that answers are required for every questions or that the full word limit need be used in respect of each and every question box. If you are submitting a joint proposal, please include evidence for all areas.

Impact on sustainability (*word limit 2000 words*)

2.1 Please explain how your proposal promotes sustainability as defined locally (for example in your Sustainable Communities Strategy or LAA)

The Sheffield City Strategy, Sheffield's Sustainable Community Strategy, has as one of its five Big Ambitions for the city the commitment that everyone should be able to fulfil their full potential through learning and enterprise, whilst Sheffield City Council's vision is that Sheffield should be a city where everyone can achieve their full potential: this proposal would enable asylum seekers and failed asylum seekers to work towards achieving their full potential in a way that is not currently possible: through paid employment. This proposal would help to improve both the economic and social sustainability of Sheffield. It will help to improve the city's economic sustainability by utilising valuable skills that asylum seekers possess in a positive way for the city, and by helping to address the significant skills gap (particularly in higher level skills) that has been identified, reducing worklessness which is also a theme in the City Strategy.

The City Strategy also has an 'inclusive, healthy communities' theme: enabling asylum seekers to improve their standard of living, raising them out of poverty, can only help to reduce health inequalities. Most asylum seekers in the UK live in poverty, experiencing poor health and hunger,⁶² with a recent Joseph Rowntree Foundation report, *Still Destitute*, finding that more than a third of refused asylum seekers have been destitute for longer than a year, with two thirds of these coming from countries with ongoing unrest that could be difficult to return to. This is particularly profound for families with dependent children as a report produced by the children's charity Barnardo's in 2008 highlights: asylum seeker families with children receive less benefits, are not afforded the same guarantees in terms of appropriate accommodation as UK families and the children are likely to have to move schools repeatedly, interrupting their education and limiting their chance of success.⁶³ Giving asylum seekers the ability to work would help pull them out of poverty, improving their income and as a consequence, their health.

The proposal would also help to secure the city's social sustainability. It would help to end the perceived unfairness of the asylum system amongst local people, and would help to dispel the notion that asylum seekers were claiming support that had not been earned. It would also have a positive effect on local communities by improving cohesion, making neighbourhoods more welcoming and tolerant places, and by integrating asylum seekers fully into the local community.

The proposal is also in line with the city's role and commitments as a City of Sanctuary. The Council has endorsed the City of Sanctuary manifesto, which states that 'we are working to make Sheffield a city that takes pride in the welcome it offers to people in need of safety, and that enables asylum seekers and refugees to contribute fully to the lives of our communities'. This proposal will help us to achieve those commitments.

⁶² Refugee Council and Oxfam, *Poverty and Asylum in the UK*, 2002

2.2 Over which geographic area will your proposal impact? (e.g. neighbourhood, town, city, sub-region)?

This proposal would have a positive effect on the city as a whole. Specifically, it would have a particularly pronounced effect on those parts of the city where asylum seekers are housed, currently asylum seekers are living in 21 of the 28 wards of the city. However in order to be workable, any changes in the rights of employment for asylum seekers would need to apply equally across the country.

2.3 Who would benefit from your proposal?

Asylum seekers would benefit from the proposal by being able to support themselves and contribute more fully to the life of the city.

More generally, everybody living in Sheffield would benefit from this proposal as community tensions reduce and improvements occur the way in which people get on with one another. Residents living in those parts of the city where asylum seekers are housed would particularly benefit from this proposal.

Employers would also benefit from the proposal as they would have a wider pool of skills and qualified people to draw on, helping to address the skills gap that has been identified in the city.

2.4 What steps will you take to mitigate any adverse affects on sustainability from your proposal (if relevant)?

The key adverse effect on sustainability identified is that there may be a perception from existing residents that asylum seekers will take jobs that would otherwise have gone to local people. This would be mitigated by ensuring that employers have transparent recruitment practices which are based on clear skills-based criteria. We can also anticipate (principally from the evidence of migrants from A8 accession states) that asylum seekers would be likely to take up vacancies that have been unfilled for long periods of time because they are not attractive to the general population.

It would also be necessary to ensure that legislation was drafted tightly to make it unappealing for economic migrants to attempt to gain entry using the asylum legislation.

2.5 What project, activities and changes would take place in your area if your proposal was successful?

Because this proposal would change the rights of asylum seekers to seek employment, no specific projects or activities are planned. However, we would work with Jobcentre Plus, advice centres, voluntary organisations and other statutory partners to ensure they were prepared for the impact of the change in advance of it coming into effect. This might mean, for example, that we would work with advice centres to ensure that they were aware of the new rights to seek employment.

We would also work with employers, through the Chamber of Commerce, to ensure that employers in the area were aware of the changes in the right to seek employment, and of the benefits that employing an asylum seeker could bring. We would also use existing relationships (e.g. through the Refugee New Arrivals Project) with employers to ensure that asylum seekers were able to access employment opportunities in a fair and equitable way.

2.6 Does your proposal involve transfers of responsibilities between public bodies in the area? If so what are these? What budgetary implications might be involved?

This proposal does not involve transfers of responsibilities.

Local authorities are required to 'have regard' to a set of specific issues when deciding whether to support SCA proposals. These are matters listed in Schedule 1 of the Act, as passed by Parliament⁶⁴. It is worth noting that the issues listed in the Act are not supposed to be exhaustive and that ideas can cover anything that promotes the sustainability of the local area.

Many of these matters may not be relevant to any one proposal. If you are submitting a joint proposal please include evidence for all areas.

2.7 Please identify which, if any, of the issues authorities are required to have regard to, are relevant to this proposal and include any data and information which you feel would be helpful in the assessment process.

- a) the provision of local services
- b) the extent to which the volume and value of goods and services that are-
 - i) offered for sale, ii) procured by public bodies, and are produced within 30 miles (or any lesser distance as may be specified by a local authority in respect of its area) of their place of sale of the boundary of the public body.
- c) the rate of increase in the growth and marketing of organic forms of food production and the local economy

⁶⁴ The Sustainable Communities Act is available here : http://www.opsi.gov.uk/acts/acts2007/ukpga_20070023_en_1

- d) measures to promote reasonable access by all local people to a supply of food is adequate in terms of both amount and nutritional value
- e) the number of local jobs
- f) measures to conserve energy and increase the quantity of energy supplies which are produced from sustainable sources within a 30 mile radius of the region in which they are consumed
- g) measure taken to reduce the level of road traffic including, but not restricted to, local public transport provision, measures to promote walking and cycling and measures to decrease the amount of product miles
- h) the increase in social inclusion, including an increase in involvement in local democracy
- i) measures to increase mutual aid and other community projects
- j) measures designed to decrease emissions of greenhouse gases
- k) measures designed to increase community health and wellbeing
- l) planning policies which would assist with the purposes of this Act, including new arrangements for the provision of affordable housing
- m) measures to increase the use of local waste materials for the benefit of the community

There are three specific issues set out in the Act, which this proposal will help to address:

b) Measures to promote reasonable access by all local people to a supply of food that is adequate in terms of both amount and nutritional value

This proposal will help to ensure that asylum seekers living in the community have access to an adequate supply of food. The evidence under the current system is that many asylum seekers are forced to live in poverty without access to a suitable quantity of food, and Refugee Council research has indicated that many asylum seekers consequently suffer from malnutrition. This proposal would give asylum seekers a means to support themselves more adequately whilst waiting for a decision on their application.

The proposal will also have a positive beneficial effect on the children of asylum seekers who are also often forced to live in poverty because of the low financial level of Section 95 support provided to asylum seekers.

h) The increase in social inclusion, including an increase in involvement in local democracy

This proposal will help to improve social inclusion by reducing community tensions and by giving asylum seekers the means to contribute to their local community. This will lead to better integration and more tolerance of different groups of people within Sheffield.

k) Measures to increase community health and wellbeing

Giving asylum seekers the right to seek paid employment will also help to increase community health and wellbeing. Employment has been shown to be a key contributor to good health and wellbeing, with mental health conditions such as stress and depression associated with not being in work. This is especially the case with asylum seekers who may have fled war, conflict and human rights violations to come to this country.

Existing Barriers

(Please do not write more than 1000 words for 2.8 and 2.9)

2.8 What are the existing barriers to implementing your proposal?

The only barriers to this proposal are legislative – councils have no discretion to alter the right to seek employment as this is a national issue. It is therefore within the power of Government to put this proposal into practice.

2.9 What actions are needed by Government to make your proposal possible?

The Government could amend Rules laid before Parliament under section 3(2) of the Immigration Act 1971 with regard to the practice to be followed in the administration of the Immigration Acts for regulating entry into and the stay of persons in the United Kingdom and/or introduce or amend or revoke such other legislation as it considers may be required to minimise the employment restrictions and achieve the outcome.

Currently the right to request permission to take up employment states:

360 An asylum applicant may apply to the Secretary of State for permission to take up employment which shall not include permission to become self employed or to engage in a business or professional activity if a decision at first instance has not been taken on the applicant's asylum application within one year of the date on which it was recorded. The Secretary of State shall only consider such an application if, in his opinion, any delay in reaching a decision at first instance cannot be attributed to the applicant.

360A If an asylum applicant is granted permission to take up employment under rule 360 this shall only be until such time as his asylum application has been finally determined.

The Government could relax the provisions to allow for an application to be made within a much shorter time frame or immediately after lodging an application for asylum and to continue until any appeal against a negative

decision on any application for asylum has been finally determined and the decision to refuse asylum upheld. The 'Let them work' campaign is an existing and widely supported campaign headed by the Refugee Council which argues that asylum seekers should be allowed to work once their claim has been lodged for six months and for unsuccessful asylum seekers to be allowed to continue working if they are unable to return home immediately through no fault of their own, and are complying with instructions to report to authorities.

Part 3: Local Authority Endorsement

This section should be completed by the proposing local authority. (Under the terms of the act this means a county council in England, a district council (including metropolitan, non metropolitan and unitary authorities), a London borough council, the Common Council of the City of London or the Council of the isles of Scilly)

3.1 Have consultation requirements been met? (500 words max)

Please confirm that your authority has met the statutory requirements for consultation on this proposal, via one or more panels of local representatives and persons from under-represented groups constituted in accordance with the Act and statutory guidance as set out in [Strong Safe and Prosperous Communities](#).

You may wish to describe who has been involved in discussions and development of the proposal (*e.g. council, local community organisations and residents groups, parish or town councils, local partnership bodies, local or national organisations, political parties, church and faith organisations, local businesses or chambers of commerce and others*).

If you have not done so already please give brief details of relevant panel meetings.

Please note if you are submitting a joint application please provide details of consultation and local support across all areas.

This proposal has been discussed by the Sheffield Sustainable Communities Panel at its meetings on 19th March 2009 and 20th April 2009, was the fourth most popular of ten previously agreed proposals at a vote at the meeting on 21st May 2009 and was officially agreed by the Panel on 11th June 2009. The Panel is comprised of 36 members of the community who have been appointed by Sheffield City Council. In accordance with statutory guidance, the Panel has been chosen with the intention of being representative of a wide range of those living and working in Sheffield including black and minority ethnic people, disabled people, young people, older people, employed people and unemployed people. In the majority of cases Panel members are appointed to act in their own capacity rather than as representatives of any particular group, although officers of the Federation of Small Businesses, the Sheffield Chamber of Commerce and Voluntary Action Sheffield were invited to attend in their official capacity. During discussions, strong support was given to the economic and moral arguments for changing the rules on asylum to allow asylum seekers to take

up paid employment and make a contribution to the communities in which they live.

3.2 What are the views from this consultation? You may wish to provide evidence of local support for your proposal? This might include petitions or letters of support from the public, local councillors, Members of Parliament, businesses, public bodies and agencies? Please describe this evidence below. *(The local authority submitting the proposal is likely to wish to review such material and to summarise its content. Onward submission to the Selector of all original documentation will not normally be required).*

In discussion, the Panel agreed that the current rules were not morally defensible; did not support the city's aspirations as a City of Sanctuary; and did not help to achieve community cohesion. In fact the Panel held the view that the current rules may contribute to community tensions, and therefore act as a problem and challenge to the continued wellbeing and sustainability of Sheffield.

In particular, the Panel were concerned that denying asylum seekers the right to work meant that they could not integrate effectively with the host community, and that there may be longer-term effects in terms of de-skilling which would have a negative impact on the individuals and on the city if asylum seekers are granted refugee status. The Panel were also concerned that the city was missing out on utilising the valuable skills that many asylum seekers possess.

The Sheffield Refugee Forum has fully endorsed the proposal on 9th June 2009. The Sheffield Refugee Forum is a multi-agency group including representatives from South Yorkshire Police, Voluntary Action Sheffield, Northern Refugee Council, Places for People, Refugee New Arrivals Project, Refugee Support, Community Training Services, Voluntary Action Sheffield and other local organisations. The proposal also has the support of Sheffield's Youth Council.

Proposals may include a change/transfer of functions from one person to another. If this is relevant to your proposal please confirm that the duties under clause 2, subsection 3 of the act (consulting with organisations affected by a change in location of a function) have been carried out.

3.3 Please give brief details of consultation with any affected organisations

No bodies are affected in terms of having powers or budgets transferred, and therefore there is no requirement to carry out consultation under the terms of the Act. The UKBA, as the administering body for asylum seeker support, have been consulted on the proposal by letter but no response has been received.

3.4 Confirmation of council support

The process for formal endorsement is a matter for local discretion; however we anticipate that authorities will wish to gain political endorsement and

clearance for the proposal through the relevant processes at local level. Please give details of how formal approval has been attained.

This proposal has been endorsed by Sheffield City Council Cabinet on 22nd July 2009 and has been taken to Full Council for information on 29th July 2009.

3.5 General comments

This is an opportunity for the local authority to express any additional comments or views on the proposal: This may include: (1500 words max)

- the council's view of levels of local support for the proposal
- any local opposition or objections that the Selector should be aware of
- relevance of the proposal to the area's Sustainable Community Strategy and Local Area Agreement
- outcome of any local authority discussions with agencies or public bodies affected
- potential regional/national significance of the proposal, if replicated elsewhere
- any major resource implications for the council or its local partners
- any other factors influencing viability and achievability of the proposal

It is proposed that if this proposal is successful it should be implemented nationally. This is because the nature of the change being proposed could not equitably or practically be implemented on a local basis. We believe that the case nationally is as strong as that for Sheffield and this is a view which is shared by many: there is a national *Let them work* campaign organised by the Refugee Council which is almost identical to this proposal and is supported by a number of MPs, religious leaders and major organisations and charities including the Trades Union Congress, Barnardos and the Immigration Advisory Service.

Support for the proposal within organisations working with refugees and asylum seekers in Sheffield is strong.

There are no major resource implications arising from this proposal. Sheffield in 2007 became the UK's first City of Sanctuary after the City of Sanctuary movement began in Sheffield in 2005. Sheffield, along with other towns and cities with City of Sanctuary Status are proud to be places of safety, and which include people seeking sanctuary fully in the life of their communities. Sheffield City Council believes that to be fully included in the life of their communities, and to contribute to their communities, asylum seekers need the right to work.

Part 4: Assessment by the Selector

SCA proposals will be assessed by the LGA as Selector. This will include consideration, short listing and negotiation with the Secretary of State via the LGA Selector panel made up of councillors from the four parties represented on the LGA

The LGA Selector Panel is committed to undertaking the role in a transparent manner; as such reasons for decisions on proposals will be made available. There will be no appeals process in relation to decisions of the Selector Panel.

4.1 Do you confirm your agreement to abide by the outcome of the Selector's assessment and decision-making processes?

Sheffield City Council will abide by the outcome of the Selector's assessment and decision-making process.

4.2 Would your council, accompanied by the originators of the proposal, wish to make a short verbal presentation to the Selector Panel, should this opportunity be available?

Yes.

Thank you for completing this form.
Please email it to selector@lga.gov.uk by 31 July 2009.

Item 2: Coding Dictionary for Content Analysis of Response Document

Code 1 - 'Council'

Council sponsoring proposal.

Code 2 – 'Action Relation to Request'

Actions are split into four categories determined by their relationship to the request – action inspired by request, action in spite of request, past action and no action.

(1) Action inspired by request

Response document indicates that the request is the cause of government action.

Example

Proposal Summary: Prohibit restrictive covenants that prevent any future use of a property as a 'local service' as defined by the Sustainable Communities Act.

Response Summary: We recognise that restrictive covenants can have a large impact on local communities. Therefore the Government has agreed to look into the issues raised by Darlington [and will] undertake a public consultation on the issue of covenants.

request.

Example

Proposal Summary: Government transfer a proportion (£50,000) of the Low Carbon Buildings Programme funding direct to Brighton & Hove City Council.

Response Summary: The Low Carbon Buildings Programme ended in 2010. It has been replaced by a scheme of feed-in tariffs for small scale renewable and low carbon electricity, in a scheme which started in April 2010.

proposal deadline, specified - request de facto rejected.

Example

Proposal Summary: Repeal the 'Right to Buy'

Response Summary: The Government supports the principle of Right to Buy ... There are no plans to reduce the right of eligible tenants to purchase their home under the Right to Buy scheme.

(1) Direct action or new Legislation

Commitment to implement changes directly or to pass fresh legislation / changes already implemented legislation already passed / in development.

Example

Proposal Summary: Amend Planning Policy Statement 3: Housing (PPS3) to exclude gardens from the definition of brownfield land.

Response Summary: The Government has taken decisive action to implement Chorley's proposal and has amended PPS3 to remove gardens from the classification of 'previously developed land'.

(2) 'Consultation'

Request considered as part of / linked to a consultation process, policy review or pilot project.

Example

Proposal Summary: *That Sheffield City Council should be given responsibility for maintaining and sustaining the local Post Office network in our local area.*

(3) Response Summary: The Government will examine whether it is possible to implement the proposal to give them [councils] more involvement in the future development of the Post Office network in light of the results of the pilot scheme being run with Sheffield.

committing to 1, 2 or 4.

Example

Proposal Summary: *Remove the exemption criteria contained within The Housing Order 2006 for all dwellings that have been empty, unfurnished and un-maintained for more than five years.*

(1) Response Summary: Ministers are currently looking at the nature of the problem, and the civil liberty implications, and potential solutions including the operation of interim empty dwelling management orders

request, offer to advise council on how to solve problem underpinning request or to participate in some activity with a view to implementing the request.

Example

Proposal Summary: *Change the statutory guidance to allow local authorities to employ single teams of wardens capable of dealing with all civil enforcement issues.*

Response Summary: The Government recognises the difficulties faced, especially by smaller districts, in trying to implement entirely separate law enforcement regimes efficiently. We will work with Kettering to address the issues they have raised.

no forthcoming action specified (no response specified, request either nullified by past action or request rejected).

Example

Proposal Summary: *Provide the council with the power to ban plastic bags*

Response Summary: Our policy on carrier bags is based on a voluntary approach and this approach has been effective so far. Banning solely plastic bags is also likely to run counter to the EU Packaging Directive.

In the response document a rationale was provided in support of the decision.

(1) Government Learns:

Response states that proposal has communicated an original issue and / or the is reason for action.

Example

Proposal Summary: *Allow the council to retain a proportion of revenue generated via non-domestic rates.*

Response Summary: The Government has noted the number of proposals which ask for a proportion of business rates to be retained locally, and we have considered the proposals as work on decentralisation and the Spending Review has progressed.

implemented, the same or a similar policy. In these cases, developments in the

Example

Proposal Summary: *City of York council should be able to keep all of its council housing rental income.*

Response Summary: On 5 October the Minister for Housing announced that the Government will replace

policy process since the proposal was made have resulted in the government developing or implementing policy which acts along the same lines as request.

(3) 'Keep on Radar'

In these cases government indicates it is in the process of finding solutions for the issue raised by the 'request' (E.G. waiting for results of consultation, pilot project, policy review etc) and will consider the proposal as part of this.

Example

Proposal Summary: *Make recycling of waste a condition of a trading area*

Response Summary: The Government is reviewing all its waste policies and will consider the proposals from the councils above as part of that.

act upon part of the problem raised in the proposal with no need for government action. Or, the government has acted or plans to act in a different way, thus

Example

Proposal Summary: *Legislate to give Councils a duty to transfer any inefficiently utilised asset*

Response Summary: The Government does not wish to impose a duty in the precise way that South Hams suggest, as we believe it would unacceptably restrict the freedom of local authorities to manage their assets strategically. However we will be making it easier, through the Localism Bill, for communities to bid to take over assets, and will instead place a duty on local authorities to list Assets of Community Value ... The Localism Bill ... will set out the broad framework for introducing the Community Right to Buy scheme referred to above.

The government expresses that the proposing authority is already fully empowered (excluding minutiae) to implement the proposal, there is thus no need to undertake action specified in request.

Example

Proposal Summary: *Change the Allotment Act to enable the sale of grown produce to allow holders to sell their surplus product to local shops.*

Response Summary: A change in the law is not required as there is no legal restriction on allotment holders selling genuine surplus product to local shops, but we would be happy to discuss this further with Brighton.

registration, departmental prerogative (e.g. tax questions need to be handled by chancellor).

Example

Proposal Summary: *Amend legislation which restricts the freedom of the council to require its contractors to pay the London Living Wage.*

Response Summary: The Government is unable to implement this proposal as it would not comply with European Union law

Example

Proposal Summary: *Introduce a universal concessionary pass for young people implemented across the country, enabling unrestricted movement for young people.*

Response Summary: An England-wide young people's pass would be very expensive and unaffordable in the current climate where the Government's priority is to reduce the fiscal deficit.

(8) Government Unconvinced

Response states request provides poor course of action due to foreseen negative external effects; impracticality; or failure to improve upon existing arrangements.

Example

Proposal Summary: Allow asylum seekers the right to work in the city once their application for asylum has been received.

Response Summary: The Government's priority is to ensure that those who apply for asylum have their applications processed as quickly as possible. Giving asylum seekers permission to work would be likely to encourage asylum applications from those without a well-founded fear of persecution, thus slowing down the processing of applications made by genuine refugees.

the problem.

Example

Proposal Summary: Amend the Local Government and Housing Act to support the employment of young people and people with learning difficulties, specifically within local authorities

Response Summary: The Government believes it is right that local authorities should employ people based on merit, and we do not wish to change this fundamental principle of local government employment policy.

NO GOVERNMENT RATIONALE GIVEN. In some cases (especially where a response is given to a group of proposals) there is not direct response to policy requests.

Example

Proposal Summary: Government should make it mandatory for utility companies to publish or make available aggregate figures for utility usage on a community basis.

Response Summary: The Government does not want to impose this requirement on private companies. The Department of Energy and Climate Change (DECC) already publishes gas and electricity usage on an annual basis for local authorities and below this for middle layer super output areas/intermediate geography zones.

Item 3: SCA Regulations

This appendix section defines the key regulations in the SCA legislation and guidance documents.

- Policy Proposals

Regarding the nature of appropriate proposals, the legislation and associated regulations require firstly that they should be demonstrably likely to improve the economic, social or environmental ‘well-being’ of the local area. Proposals would thus benefit from presenting evidence in support of the nature of the problem being defined and the solution proposed. Secondly, proposals should specify the nature of action to be taken by government, such as a change in legislation, a transfer of responsibilities from one body to another, a new national policy or a change or strengthening of policy, to facilitate implementation of the proposal. Thus, policies which could be implemented by councils under existing powers would not be appropriate for the SCA.

- Representatives of Local Persons

‘Local person’ is defined in the SCA as ‘a person who is likely to be affected by, or interested in, the proposal’ (SCA, 2007: 3). The statutory guidance expands upon this definition noting that panels should be made up of ‘a balanced selection of the individuals, groups or organisations the authority considers likely to be affected by, or have an interest in the proposal’ (DCLG 2008: 8). This is not strictly a geographically bounded or locality-based definition, and is analogous the principle of including all affected interests (Goodin 2007), common to deliberative democratic theory. To this end, government advice regarding the constitution of local panels in the statutory guidance to a 2006 White Paper (DCLG 2006) was to ‘identify communities of interest in their area and ensure that people who are broadly representative of these groups are invited to join the panel’ (DCLG 2008a: 42).

- Under-Represented Groups

The regulations defined ‘under-represented groups’ as ‘those groups of local persons who in the opinion of a local authority are under-represented in civic and political activity in the authority’s area’ (SI 2008 No. 2694). Thus the legislation is relatively

non prescriptive, leaving it to the councils to establish their own criteria to determine if this commitment has been met. This non-prescriptive guidance was reiterated within the 2008 'Communities in Control' White Paper (DCLG 2008a). However, the White Paper did recommend that councils should 'identify communities of interest in their area and ensure that people who are broadly representative of these groups are invited to join the panel' as well as 'work with council colleagues, third sector representative groups and other agencies providing services to individuals and groups to take a view on which communities of interest may be underrepresented in civic and political activity, in particular those who are hardest to reach, and invite people who are representative of these communities to join the panel'. Finally, the statutory guidance document further recommended that third sector organisations are especially well placed to act as advocates for marginalised groups and may provide 'relevant expertise and knowledge that might help the authority reach out to marginalised and vulnerable groups' (DCLG 2008a: 24).

- 'Try to Reach Agreement'

Hazel Blears, the then Secretary of State for Communities and Local Government, defined 'try to reach an agreement' as a 'decision by a dialogue where you say 'I can do this and I can't do that' and then have a dialogue about the final decision to be taken together.'⁶⁵ However, the Act does not specify how this might be operationalised. Indeed, the guidance makes it clear that councils might take different approaches, 'because circumstances vary between each area and local authorities are best placed to determine how to engage local people.' (DCLG 2008a: 55). Moreover, little specification is given of the kinds of processes through which agreement might be reached at national level. The guidance refers to 'trying to reach agreement' at national level as 'co-operation' between the selector and the government, and makes it clear that 'although the Secretary of State and the selector must try to reach agreement, the final decision on whether or not to implement any proposal rests with the Secretary of State' (DCLG 2008: 7). The legislation also placed a requirement on the government to publish a document

⁶⁵ Speech at a Local Government Association conference, October 2008.

outlining decisions, giving reasons for each decision and proposing a plan of action to implement accepted proposals (see DCLG 2010), and also provide a yearly report to parliament on the progress being made on actions plans.

Abbreviations

BCCA– British Columbia Citizen’s Assembly
DCLG– Department for Communities and Local Government
LSP– Local Strategic Partnership
NEF– New Economics Foundation
PBPA– Participatory Budget in Porto Alegre
PDP(s)– Participatory Deliberative Process(es)
PEP(s)– Public Engagement Practitioner(s)
SCA– Sustainable Communities Act
SCB– Sustainable Communities Bill
SCS(s)– Sustainable Community Strategie(s)
SoS– Secretary of State

List of Interviews

- (1) Process Manager, Bath & NES, (Personal Interview, Local Works)
- (2) Process Participant, Bath & NES, (Personal Interview, Local Works)
- (3) Process Manager, Bexley, (Telephone Interview, Adrian Bua)
- (4) Local Councillor, Brighton and Hove, (Personal Interview, Local Works)
- (5) Process Participant, Brighton and Hove, (Personal Interview, Local Works)
- (6) Process Participant, Brighton and Hove, (Personal Interview, Local Works)
- (7) Process Participant, Brighton and Hove, (Personal Interview, Local Works)
- (8) Process Participant, Brighton and Hove, (Personal Interview, Local Works)
- (9) Process Manager, Brighton and Hove, (Personal Interview, Local Works)
- (10) Process Manager, Bristol, (First Telephone Interview, Adrian Bua)
- (11) Process Manager, Bristol, (Personal Interview, Local Works)
- (12) Process Manager, Bristol, (Second Telephone Interview, Adrian Bua)
- (13) Process Participant, Bristol, (Personal Interview, Local Works)
- (14) Local Councillor, Bristol, (Personal Interview, Local Works)
- (15) Process Participant, Cambridge, (Telephone Interview, Adrian Bua)
- (16) Process Participant, Cambridge, (Personal Interview, Local Works)
- (17) Process Participant, Cambridge, (Personal Interview, Local Works)
- (18) Process Manager, Cambridge, (Telephone Interview, Adrian Bua)
- (19) DCLG Civil Servant, (Personal Interview, Adrian Bua)
- (20) DCLG Minister, (Telephone Interview, Adrian Bua)
- (21) DCLG Minister, (Personal Interview, Adrian Bua)
- (22) Process Manager, Doncaster, (Telephone Interview, Adrian Bua)
- (23) Process Manager, East Lindsey, (Telephone Interview, Adrian Bua)
- (24) DCLG Minister, (Personal Interview, Adrian Bua)
- (25) Process Manager, Wirral, (Telephone Interview, Adrian Bua)
- (26) Process Manager, Herefordshire, (First Telephone Interview, Adrian Bua)
- (27) Process Manager, Herefordshire, (Second Telephone Interview, Adrian Bua)
- (28) Process Manager, Kent, (Telephone Interview, Adrian Bua)
- (29) Senior Council Officer, Kettering, (Telephone Interview, Adrian Bua)
- (30) Process Manager, Kingston Upon Thames, (Personal Interview, Adrian Bua)

- (31) Process Participant, Lewes, (Personal Interview, Local Works)
- (32) Local Councillor, Lewes, (Personal Interview, Local Works)
- (33) Process Manager, Lewes, (Personal Interview, Local Works)
- (34) Process Manager, Lewisham, (Telephone Interview, Adrian Bua)
- (35) Process Participant, Lewisham, (Personal Interview, Local Works)
- (36) Process Managers, Lewisham, (Personal Double Interview, Adrian Bua)
- (37) LGA Panel Support Officer, (Personal Interview, Adrian Bua)
- (38) LGA Panel Support Officer, (Personal Interview, Adrian Bua)
- (39) Liberal Democrat, Member of Parliament, (Telephone Interview, Adrian Bua)
- (40) Local Works Campaigner, (Personal Interview, Adrian Bua)
- (41) Local Works Coalition Member, (Personal Interview, Adrian Bua)
- (42) Local Works Campaigners, (Double Personal Interview, Adrian Bua)
- (43) Process Manager, North Yorkshire, (Telephone Interview, Adrian Bua)
- (44) Selector Panel Member, (Telephone Interview, Adrian Bua)
- (45) Selector Panel Member, (Personal Interview, Adrian Bua)
- (46) Selector Panel Member, (Personal Interview, Adrian Bua)
- (47) Selector Panel Member, (Telephone Interview, Adrian Bua)
- (48) Process Participant, Sheffield, (Telephone Interview, Adrian Bua)
- (49) Process Participant, Sheffield, (Personal Interview, Local Works)
- (50) Process Participant, Sheffield, (Personal Interview, Local Works)
- (51) Process Participant, Sheffield, (Telephone Interview, Adrian Bua)
- (52) Process Participant, Sheffield, (Personal Interview, Local Works)
- (53) Process Manager, Sheffield, (Telephone Interview, Adrian Bua)
- (54) Process Managers, Sheffield, (Personal Double Interview, Local Works)
- (55) Process Participant, Sheffield, (Personal Interview, Local Works)
- (56) Local Councillor, Sheffield, (Personal Interview, Local Works)
- (57) Local Councillor, South Hams, (Personal Interview, Local Works)
- (58) Process Participant, South Hams, (Personal Interview, Local Works)
- (59) Process Manager, South Hams, (Personal Interview, Local Works)
- (60) Process Manager, South Hams, (Telephone Interview, Adrian Bua)
- (61) Process Manager, South Somerset, (Telephone Interview, Adrian Bua)
- (62) Process Manager, Stockton, (Telephone Interview, Adrian Bua)

- (63) Process Manager, Torridge, (Telephone Interview, Adrian Bua)
- (64) Process Participant, West Dorset, (Telephone Interview, Adrian Bua)
- (65) Process Participant, West Dorset, (Telephone Interview, Adrian Bua)
- (66) Process Participant, West Dorset, (Personal Interview, Local Works)
- (67) Local Councillor, West Dorset, (Personal Interview, Local Works)
- (68) Process Manager, West Dorset, (First Telephone Interview, Adrian Bua)
- (69) Process Participant, West Dorset, (Telephone Interview, Adrian Bua)
- (70) Process Participant, West Dorset, (Telephone Interview, Adrian Bua)
- (71) Process Participant, West Dorset, (Telephone Interview, Adrian Bua)
- (72) Process Manager, West Dorset (Second Telephone Interview, Adrian Bua)
- (73) Process Participant, Wiltshire, (Telephone Interview, Adrian Bua)
- (74) Process Participant, Wiltshire, (Telephone Interview, Adrian Bua)
- (75) Process Manager, Wiltshire, (Telephone Interview, Adrian Bua)

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