



Critical analysis of the Victoria City Council Consultation Framework (VCCCF): Case Study

Introduction

It is debatable as to why there is an increase in the use of participatory frameworks such as the Victoria City Council Consultation Framework (VCCCF). Whether such frameworks are effective or not is also a matter of controversy. Bobbio (2003) argues that in deliberative democracy, discussions or arguments carried out with impartiality produce better citizens, strengthen dialogue and tolerance, and increase citizens' trust of one another, while, at the same time, decreasing their prejudices against one another. Barnes and Prior (1996) cited in Coulson (1998) observe that frameworks such as the VCCCF are intended to increase public participation. Often, such frameworks are created as a response to the public's decreased faith and trust in official politics and public programmes. Frameworks such as the VCCCF are also meant to give service users a way to hold providers accountable.

This case study analysis will describe, examine, and evaluate why and how the VCCCF was developed. By applying or testing the discourses of public participation on the VCCCF, it will be possible to highlight the advantages of such frameworks, and to expose the gaps and challenges that stakeholders are likely to face in the pre, during and post implementation stages of the framework. In addition, this case study analysis will also examine why the consultation framework approach was rejected by the community and voluntary sector groups. It is worth mentioning that because knowledge of how the consultation framework would work in practice is limited, some arguments will be based on assumptions.

One of the first considerations one should take into account when analyzing a participatory framework such as the VCCCF, is to define a *community*. Barnes et al (2007) argue that the term *community* is overly used in public discourses and often inappropriately hence it confuses. Perhaps one of the best definitions of the word comes from Taylor (2003), who says that 'community' as a *descriptive* term, means people who share common interests.



In this case study, 'community' is used as a *descriptive* term.

Origins of the VCCCF

The VCCCF was developed as a response to 'The 2006 Corporate Assessment Report' that identified a number of good areas of consultation within Victoria City Council (for example, how the City Council engages with Lesbian Gay Bisexual and Transgender community on housing, community safety and cultural issues). However, the report also found fault with the council's inconsistency in involving other minority groups, such as Black and Minority Ethnic (BME) groups.

In addition, the Independent Evaluation of the Racial Harassment Forum (2006) of Victoria Council City concluded that it (the forum) was often expected to facilitate consultations that were not within its jurisdiction. Therefore, the report recommended that the city develop a new framework where consultations with BME and other groups could be more effectively co-ordinated; piloted for twelve months and then evaluated.

How the VCCCF was developed

Having identified the need to develop the consultation framework, it is necessary to explore its development process. The council hired an external consultant to take on the task of consulting the key community groups about the development of the framework and coordinate the project. The partners involved were initially representatives from community and voluntary sector groups including those from the Racial Harassment Forum, and the public sector representatives were only from the council and the Primary Care Trust (PCT). An *over-arching steering group* was suggested to be established so as to track the progress of all the consultation projects and to evaluate the success of the pilot framework after twelve months as already mentioned. It was agreed that the council should provide secretariat to this cross-sector steering group and also write the terms of reference for approval by all the partners.

The consultant suggested that the development process should involve the identification of a range of different projects (approximately ten) being undertaken in 2007/8. In addition, a *project group* of appropriate community and statutory partners at the start of each of the ten consultations was to be established to guide the delivery and evaluate the

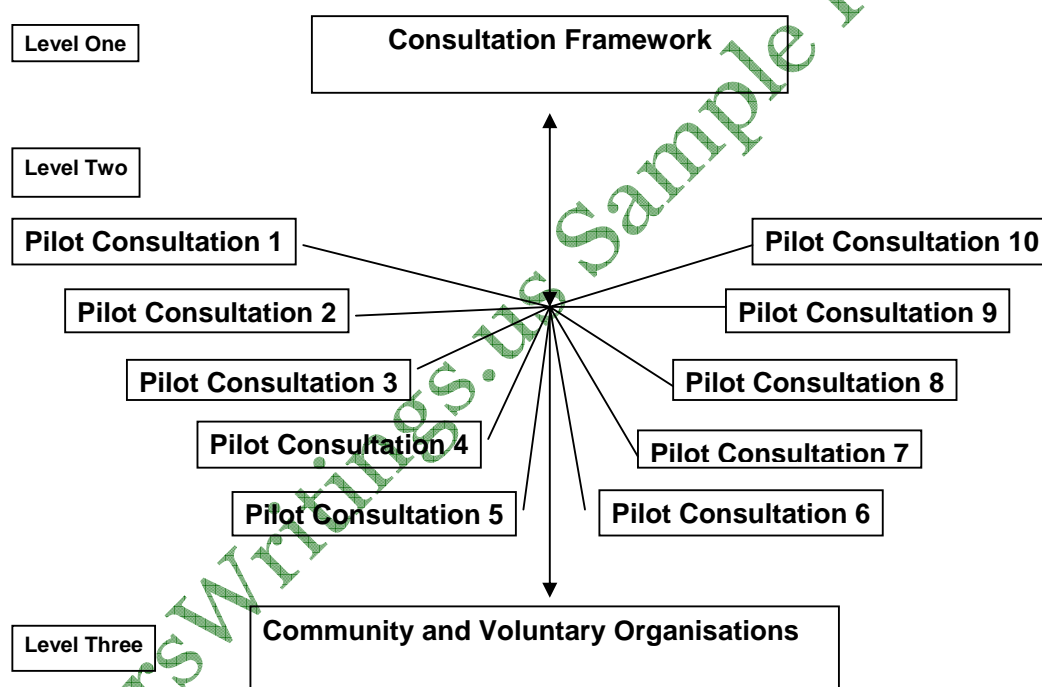


effectiveness of each consultation. Since this was a pilot project, all partners agreed that all players had to be patient and flexible in their approach.

The approach of the proposed VCCCF

The VCCCF was proposed to coordinate and improve the quality of consultations.

Figure I



Source: Smith, P. (2007) p.5

Case study analysis

From a governance perspective, participation tools such as the VCCCF are intended to be inclusive and offer opportunities for influencing decision making on public policies and



services. This is seen as a way by which cities can increase the legitimacy of decisions. Bobbio (2003) argues that “deliberative arenas” are more legitimate than traditional methods of consultation, because, unlike traditional methods, deliberative arenas give participants decision making power, rather than separating participants and institutions. Meanwhile, Barnes and Prior (1996) cited in Coulson (1998) state that the creation of participatory frameworks (like the VCCCF) were a response to signs of the public’s lost faith in formal politics and of declining trust in public services. Yet, some question how legitimate deliberative arenas are in practice. For instance, Parkinson (2006: 73) quotes one NHS official as saying that deliberative arenas were “utterly unrepresentative.”

How representative, legitimate, and effective might the VCCCF be, then? Is it what Bobbio (2003) calls a true deliberative arena? According to Bobbio,

‘true deliberative arenas are set up in which all those who are directly involved take part in a collective decision making process, based on the use of arguments’ (Bobbio, 2003: 344).

From Bobbio’s description above, it can be argued that the VCCCF is a true deliberative arena because theoretically partners are directly involved in deciding how consultations should be carried out.

Bobbio (2003) further argues that deliberative arenas are more legitimate than traditional methods of consultation, because, unlike traditional methods, deliberative arenas give participants decision-making power, rather than separating participants and institutions. Although the VCCCF does not grant citizens the power of law, it does grant them the power to influence governmental bodies. Perhaps this lack of real power makes the VCCCF less legitimate, yet it is a step in the right direction.

The VCCCF and the discourses of participation

The VCCCF seems to have all the elements of the four official discourses of participation Barnes describes, namely, ‘stakeholder public’, ‘consumer public’, ‘responsible public’ and ‘empowered public’ discourses of participation (Barnes et al 2007: 23).



‘Stakeholder public’ discourse

Regarding the ‘stakeholder public’ discourse, the public or community and voluntary organisations of Victoria City Council have a “stake” in being governed well, because they use the governments services and benefit – either directly or indirectly from them. They also pay for the services in taxes. Therefore, there is good reason for governments to listen to their views and/or comments on policies and issues that affect them. Hirst (1997) observes that having a stake in a programme and having a say in how it runs gives someone an obligation to use their power. He compares stakeholders to stewards of land, with their democracy the equivalent of that land. If people think of things in this manner, says Hirst, they will help restore the health and strength of freedom and democracy (Hirst 1997 cited in Barnes et al 2007: 17).

Hirst (1994) cited in Barnes et al (2007) commenting on ‘stakeholder public’ as a discourse of participation takes a collectivist, rather than an individualistic stance. For instance, he says it paves the way for representative democracy, by putting limits on the state’s executive power, without getting rid of the benefits governments offer society. It lets markets thrive in society, while still following the rules of the institutions that regulate them. Government becomes a sort of voluntary social program, that lets institutions compete for the support of individuals (Hirst 1994 cited in Barnes et al 2007:18).

So for some of those who support the idea of a ‘stakeholder public’, frameworks like the VCCCF are entirely in line with the workings of representative democracies. They provide a channel for new ‘voices’ and forms of participation in public decision making. Indeed ‘New Labour’ has utilised this discourse in its programmes for democratic and civil renewal. For example the establishment of Community Empowerment Networks (CEN) and the Community Empowerment Fund (CEF) that were both designed to help the community and voluntary sector organisations to engage and influence Local Strategic Partnerships. Yet, there are sometimes problems in the selection of “new” voices. According to Parkinson, in the UK, involvement initiatives usually focus on people who are somehow, ‘ordinary’. This, Parkinson says, means people who do not belong to the usual organized groups or who are not specially trained. Parkinson (2006: 69) also quotes one NHS official as saying the following:



‘I suppose part of our problem always as a public servant is that you don't know to whom you are talking, and what weight to put on anybody's opinion, because anybody is only one of 650,000 bodies, and so always at that back of your mind you felt that it was those who talked loud, the people who speak often, the doers in the community who get heard’.

So it can be argued that taking random samples of the population is a good way to ensure fairness, on the other hand however “ordinary” people may find participation too costly in terms of time. In such circumstances activists are necessary representatives of others, who cannot always represent themselves.

But the VCCCF does not allow for random selection, rather, it opens expert knowledge to lay scrutiny when the different community groups are invited on to its steering and project groups. In addition, the VCCCF presents opportunities for citizens to access expert knowledge as well as exposing ‘experts’ to local knowledge. As Yanow explains:

‘The very mundane, but still expert, understanding of and practical reasoning about local conditions derives from lived experience’ (Yanow 2003 cited in Barnes et al 2007: 33)

Nonetheless it is likely that there will be struggles between the interpretation of the local knowledge presented by the consultant and the community groups during the use of the VCCCF as a tool for influencing policy making. But ideally in deliberative democracy representatives should concentrate on coming up with solutions or decisions that are likely to work for the common good rather than compete for dominance.

‘Responsible public’ discourse

As far as the ‘responsible public’ discourse is concerned, the VCCCF stresses the importance of individuals and community groups to owe a duty of consultation to others and the state. These stakeholders are trusted to participate in council consultations on behalf of the general public as responsible citizens.

However the VCCCF is based on the assumption that voluntary groups as consultees



will work for the common good as opposed to individual interests in trying to create stronger and more cohesive communities. It is debatable as to whether working collectively enables the breakdown of suspicion between different cultures. Nonetheless the expectation is that such groups will work for cohesion to reveal shared values, rather than to strengthen separate identities.

On the other hand, it can be argued that this is unlikely to be achieved because the inequalities that exist within the community mean that each group is more likely to be more interested in consultations that seek to address their own problems or strengthen their political advocacy. For example, the problems that affect the homeless groups might not necessarily be the same problems that affect the disabled groups. So the different groups' interests (self-interest and self-preservation) are likely to affect the level of commitment to the consultation process or responsible citizenry. The evidence of this so far has been where some community representatives have been reluctant to engage in the early discussions around the process, arguing that they would rather attend consultations around the issues that are affecting them. In other words they prefer targeted consultations for the different communities as opposed to 'one size fits all' approach or rather an approach that seeks to develop dialogue amongst different groups.

The VCCCF indicates that the different community and voluntary groups will have a choice in choosing to attend any pilot consultation groups. However this carries risks for example, where a consultation on parking might be attended by six community groups and the consultation on the measures against racism attended by two usual groups. In this instance questions are likely to be raised as to how credible and representative the consultation process is. As Parkinson (2006: 72) commenting on representation noted:

'Given the problem of time, four interviewees speculated that the new 'lay' representatives on the various health boards were more than likely to be the same individuals criticized by the bureaucracy as being 'unrepresentative' because they were generally retired, upper-middle class, white and male'.

'Empowered public' discourse

Considering the 'empowered public' discourse of participation, the assumption is that



action taken at local level can inspire and empower citizens, especially the marginalised groups like in this case the Black and Minority Ethnic groups (BME). In such instances, the state-sponsored empowerment is targeted to address institutionalised discrimination or neglect through policy initiatives and resources such as the VCCCF. Barnes et al (2007) argue that the 'empowered public' discourse is a site of struggle between different views of power, inequality and political agency. Indeed the core problem in Victoria council is the *unequal power relationships* that exist among the different community and voluntary organisations as well as having *unequal* power relationships with the city council itself. Having participatory structures like the VCCCF in place does not necessarily mean they will reduce/prevent discrimination, the political will among other variables must exist for such a structure to be successful.

They are many reasons suggested for the lack of political will but Cornwall and Coelho (2007) argue that in contexts like the UK, India, South Africa and Brazil where the state is relatively strong, there is the following:

'A fear of letting go of control, high levels of bureaucratization and embedded aspects of political culture provide potent obstacles to the participation of traditionally excluded citizens'. (Cornwall and Coelho 2007:22)

Gaventa (2004) cited in Barnes et al (2007) argues that if governments are going to improve public participation, citizens have to be not only able, but also willing to participate in the opportunities they are given. Furthermore, the public need to be prepared to address institutional inertia and tackle the power imbalances within the community groups as well as improving their relationship with public participants. Indeed during meetings and discussions with some members of the BME community they complained that the Lesbian Gay Bisexual Transgender (LGBT) community gets first preference. Apparently this comes in form of more funding and more representation in the council. Some BME citizens pointed out that the last two chief executives of the council have been from the LGBT community and so this favoured the LBGT community in terms of lobbying and influencing the council policy makers. It can be argued that the BME community feels there is little the new consultation framework can offer unless the city council tackles such power imbalances and wider issues such as institutional racism.



During interviews with the BME Workers Forum members, the more recruitment of BME staff in higher managerial positions especially in the 'Equalities and Inclusion' team was suggested as a possible solution to institutional racism. The Equalities and Inclusion team currently trains, oversees and monitors how directorates conduct their impact assessments on all the major policies so as to reduce discrimination against all the equality groups. So employing BME staff in this team might build trust among the BME communities as well as improving openness in the council. However these solutions alone are unlikely to work unless there is political will to bring about the necessary changes as already mentioned.

According to Barnes et al (2007), public participation in local service improvement is dominated by discourses on the 'consumer public' and 'stakeholder public'. This is evinced by the introduction of *best value discourse* in local government, which Barnes et al describe as 'a duty that local authorities.... owe to local people'. The best value in services was intended to be garnered by the active participation of citizens (as taxpayers, business people, service users and community representatives) in local services reviews and the consideration of other delivery modes, like partnerships. The goal of public participation in this context is to raise standards and to make sure that the best practice approaches are balanced between local services and local needs. However, the ability of 'best value' discourse to achieve this in practice is controversial (Martin and Davis, 2001; Barnes 2007 pp7-31).

Meanwhile, Parkinson also points out that citizens are more willing to accept the ideas of local residents than they are to accept the plans of outsiders. For instance, when officials came from England to set up community juries in Scotland the Scots resented the interference. Therefore, he argues that maintaining local originality helps legitimize democratic dialogue (Parkinson 2006: 72).

Comparing the four discourses, 'empowered public' and the 'stakeholder public' both emphasise the role of the collective, while the 'consuming public' focus primary on the individual and the 'responsible public' provides coverage for both. Each discourse claims a different role for the state, with the 'empowered public' and the 'stakeholder public' identifying the state as having a vital role in generating public participation, compared to the 'consuming public and the 'responsible public' discourse. Barnes et al (2007) argue that balance of power between the state and the citizen are tested in the 'empowered public' and



the 'stakeholder public' discourses, but that it rarely plays a role in the 'consuming public' and the 'responsible public' discourses.

Since the VCCCF seems to have a mixture of all the discourses, but more of a 'responsible public', some view it as a confused tool for participation. To reduce the confusion and make it more open, fair and effective, the VCCCF should be owned by the community rather than the statutory bodies especially the council. In practice, the community should own and lead the consultation process by having greater control on how they would like to be consulted, when and on which issues. The statutory sector's role would then be to provide the 'expert' knowledge and advice where necessary. The interpretation of the intelligence or data collected to inform policies should be carried out by all parties that is, the public sector bodies, private sector and the community and voluntary sector representatives. This can be done through the Local Strategic Partnership where most of the partnerships are represented. The role of politicians should be to mobilise their constituents to engage in the process as opposed to interpreting the data.

Although the VCCCF was recommended after some members of the community complained of being marginalised, the BME leadership stress that they still have less influence in the decision making process of the council as compared to other groups. However one has to understand that the consultation framework has not been fully developed. It is in its early stages of implementation. So it is too early to see its full impact on the consultation process.

However one of the council research officers commented that 'similar consultation frameworks have been conducted in the past but yielded little results'. Indeed the available national evidence on the benefits of such participatory frameworks is mixed. According to Rogers and Robinson, (2004) cited in Barnes et al, (2007) , one study for the Active Citizenship Centre evaluated the evidence of the benefits of *community engagement*¹ for community safety, health, education, among other services. The evaluation showed that, even though there was some evidence of good practice, particularly in the delivery of main

¹ *Community engagement* – they are various definitions of *community engagement* but it has been used in this analysis to mean the relationship and the standards that inform the way the public, private and the community and voluntary sectors collaborate, inform, involve, empower and consult amongst themselves. Therefore *consultation* is just part of community engagement.



services or policies and such as ‘compacts’² in housing. Evidence for good practices was the exception, rather than the rule for community engagement. Nevertheless, the study’s authors concluded the following:

‘At its best community engagement can empower citizens; make a significant difference to the way services are designed and run and secure widely valued policy outcomes’. (Rogers and Robinson 2004 cited in Barnes et al 2007: 28).

Evidence from other research evaluations such as Burton et al (2004) and Barnes et al. (2005) suggests otherwise. That is, often attempts at public participation do not influence services and outcomes in the way participants wished.

One of the reasons given for this is that there is ‘ambiguity’ as far as the aims, purposes and targets of community involvement are concerned. Indeed Barnes et al (2005) in their study of community involvement in Health Action Zones³ (HAZ) found that despite some ‘good practice’, evidence for public benefit, due to the adoption of HAZ was minimal. The public had little influence over the important strategic direction of HAZ, partially because attention of the project stretched upwards, rather than outwards. Of this situation, Barnes et al said the following:

‘HAZ became more of a top-down initiative than initial hopes and aspirations might have suggested. Priorities were set centrally in a way that was not originally anticipated; the need to respond to changes in the structure of the NHS and other policy and governance initiatives meant that more energy was spent negotiating the place of HAZ in the context of the statutory system than in establishing community objectives and priorities’. (Barnes et al 2005: 112 cited in Barnes 2007: 29)

Considering the VCCCF, the community and voluntary groups, through their chairman, might have control over the agenda. This would reduce the ‘top-down’ effect, as

² ‘Compact’-this is an agreement between the community, voluntary sector and statutory bodies on how best they can work together to establish a more co-ordinated planning and actions to deliver solutions, innovations, continuous service improvement and renewed local democracy.

³ An Area Based Initiative seeking to improve health and reduce inequalities through partnership and community-based interventions.



well as the dominance of the public sector. It can be argued that the VCCCF is a bottom-up participatory approach. However since the framework has not been implemented yet, one can only speculate as to whether the community groups will, in practice, have control over the agenda. But what is clear at the moment is that the council and the politicians might be unwilling to delegate too much power to the community groups. Nonetheless, Fung (2004) argues that, under the bottom-up participatory approach, it is possible for residents, parents, and community members to monitor the activities of local officials thereby holding them accountable.

Why the VCCCF was suspended

Power imbalances amongst the partners

As with most frameworks, the VCCCF has its own draft terms of reference which can be argued to be fair depending on the stakeholder's position and interest. Barnes (2007) argues, drawing from research carried out by Hastings (1996), that in the UK, local communities have been seen as partners in efforts for neighbourhood regeneration. Meanwhile, those who use the services have been called partners in the development of services. Nevertheless, in practice, the lack of resource power makes them less than equal. Indeed some interviewed community group representatives complained that the council was too dominant in the VCCCF developmental process. This dominance was shown through every meeting commencing at council headquarters, as opposed to some meetings being held at community venues. That, together with the council's research manager as the chairman of the meetings, the community groups felt that the council was too dominant and enjoyed tremendous power compared to other partners. Hence the community groups lost faith in the openness of the framework and withdrew their participation support.

Problems with membership, inclusion and legitimacy

Furthermore, community groups felt that the VCCCF steering group was not inclusive enough; the project team failed to engage the private sector. In addition, some public sector organisations such as the Environmental Agency were not even consulted or represented. Consequently the legitimacy of the VCCCF was doubted and questioned by some community



groups. Bobbio (2003) agrees along similar lines:

‘Deliberative experiences involve a very small number of people; the majority of citizens have a very small chance of ever taking part. Consequently, these experiences generally have low political visibility’ (Bobbio 2003: 355).

In addition, the steering group membership or criterion was not defined and hence not clear enough. It can be argued that the council (as the project leader) was planning to include only those group representatives that they are used to working with as the starting point. In fact those who were on the steering group can be said to be the ‘usual suspects’. Yet however if any of these groups is undemocratic or not representative enough, this would affect the legitimacy of the whole framework. Taylor (2003) argues that civil servants can create obstacles for themselves in the creation of flourishing public participation opportunities, through resisting change and reliance on habit. This is true of Victoria council as the same representatives of the same groups are over depended on for consultation purposes thereby not widening the spectrum of representation and participation.

On the other hand however the council cannot include every voluntary group on the VCCCF steering group. The council has over five hundred community groups therefore it is imperative that only umbrella groups are included for easy management and monitoring of the pilot process. So it is a myth that everyone must have a voice. However Victoria council must develop a clear understanding of who are legitimately able to participate and at what degree are they able to contribute. This needs to be well balanced because initiatives that do not get the backing of the local community groups normally fail. As Wilson and Charlton (1997: 28) comment:

‘It is natural for people to feel suspicious of , and hostile towards, an initiative that is trying to change things in a particular area without any reference to the people living and working in that area’.

Poor consultations

The council's research manager acting on advice from some of the key dominant community groups and the consultant selected the community groups to be consulted. However, some of the key groups were not consulted, and these include Local Action Groups



(LATs) and the Neighbourhood Action Groups (NAGs) which are forums for community safety among others. This caused a lot of resentment for the whole project management team. Some community groups felt that the decisions were already made on how the framework should take shape and hence were reluctant to engage in the process.

For some community group representatives, the fact that they were not consulted on how they would like to be consulted in the first place was enough for them to refrain from taking part. In other words it can be argued that the project had failed from the start. Other local groups during the supposed framework launch meeting (which failed) argued that the council ignored local knowledge and expertise by hiring an external consultant to coordinate the project. For the community groups, the consultant was not very conversant with the working dynamics of the stake holders. Consequently he did not engage all the key players in the community which led to the project being undermined.

It was not clear as to whether all the consultations will be co-ordinated through the VCCCF when it is fully implemented. This uncertainty posed a huge problem as some community groups felt that the consultation framework was tokenism. Some voluntary group members have also complained that the council needs to stop patronising, disuniting and seeing them as consultees instead of researchers or partners that deserve respect and need to be treated as equals.

Kabeer (ed) (2005) on studying inclusiveness and citizenship in Bangladesh asserts the following:

‘The pervasiveness of such patron client- relationships serves to fragment and disunite such groups, and prevents the emergency of horizontal, class- based solidarities that could be mobilised to defend and promote their interests. Kabeer, (ed) (2005: 181)

Revisiting and improving the VCCCF

If the framework is revisited, representation is one of the key issues to get right which is of course hard sometimes almost impossible. However it is very important that the council looks to be letting the community own the consultation process to avoid tension between ‘official’ and user/citizen led initiatives. In other words the council should do whatever is



necessary to make the process as fair, representative and transparent as possible. This may be done in the form of random selection, or activist representation. Neither method will be perfect, nor will it be perfectly flawed. As Parkinson (2006, 98) points out:

“No one representative can claim perfect legitimacy, because every kind has flaws.”

Partners should agree on standards of engagement

A key element of the framework is community engagement and participation both to provide support and to ensure a robust approach to developing improvement.

Community engagement in this analysis can be interpreted to mean informing, involving, consulting, collaborating and empowering citizens to take part in decision making on issues that affect their lives. *Participation* on the other hand means the actual taking part in the decision making process. Therefore, for participation to be possible, an effective community engagement framework must be already in place. However Victoria council has not yet fully developed a community engagement framework. This has meant that there's poor or lack of agreed standards of engagement among the private, statutory and the community and voluntary sectors. Consequently, this has made the improvement of participatory democracy and the tackling of complex issues such as poverty, crime and social exclusion harder to achieve among other interrelated challenges facing our society today that need the different agencies to be working together to be solved.

Conclusion

It is debatable as to whether the VCCCF can empower citizens; make a significant difference to the way services are designed and run and secure widely valued policy outcomes. Nonetheless the VCCCF was developed as a new system of public participation that was intended to be more inclusive and improve the coordination of consultations. However this never materialised as the community and voluntary sector groups rejected the framework. This was because it was not clear and the steering group was not representative enough among other reasons.

There is no doubt that improving public participation is inherently difficult. Indeed, having participatory structures like the VCCCF does not mean will reduce discrimination or



empower marginalised citizens. The political will and enough resources among other variables must exist for such a structure to be effective. Additionally citizens must have confidence in the project team, the framework must be inclusive and citizens must be willing and able to participate. Likewise public bodies must be prepared to engage fully in the participation process and address institutional inertia as well as tackling the unequal power relationships between them and other partners.

The VCCCF seems to have a mixture of all the participation discourses, but more of a 'responsible public'; therefore it can be argued that it is a confused framework which is unlikely to be effective. If revisited, public bodies should let the community and voluntary sector own and coordinate the consultation framework so as to build confidence in the community. In other words, the consultation framework should take a *bottom-up* rather than the *top-down* approach if it is to be effective. Yet, because as Bobbio (2003) points out, deliberative arenas need official support to stay strong, officials ought to be willing to support the community in its efforts. The aims and objectives of community engagement and participation must be clear and understood by all the stakeholders taking part so as to reduce confusion. Finally, all the stakeholders must agree on the standards of engagement in the city. This will create better relationships and bring about more joined up working amongst the partners to solve complex issues and achieve more shared goals.



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