



Fairness Commission members

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In attendance:

Mike Nicholson	Strategic Director (People), Newport City Council
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¹ For ease of reading and the general manageability of this document, if you are reading an electronic copy of this report then links to the appendices found on the Fairness Commission’s website are imbedded in the text, where these Appendices are referenced. If you are reading a hard copy of this report then the web addresses are provided , again where these appendices are referenced.

Acknowledgements from the chair

As well as being very grateful for the hard work of Commission members in the production of both the interim and final reports, the Chair of the Commission would also like to thank the officers of Newport City Council, most notably, Huw Williams and Sarah Hopkins, for their commitment to the Commission and its endeavours. Without their professionalism and thoroughness in the administration of meetings, their prompt sending of data and documents, and the setting-up of appropriate contacts outside of the Commission and so on, our job would have been made much more difficult. I would also like to thank the now retired strategic director (People) of Newport City Council, Stewart Greenwell, and his successor Mike Nicholson, for their steadfast support. Their depth of experience and knowledge provided invaluable insights concerning Newport City, and, in particular, the work of Newport City Council. I would also like to thank all those who participated in the survey the Commission conducted across Newport on fairness, both individual citizens and organisations, as well as the Newport City Council *Partnership Support Team* who conducted the citizens' survey. These inputs have been, and will continue to be, an essential part of our work, encouraging public discussions and debates on fairness, and examining the implications these discussions and debates have for Council policy and practice. Finally, I would also like to thank the University of Wales, Newport – and, subsequently, the University of South Wales – for hosting our meetings, and providing the refreshments and parking free of charge.

Executive Summary

Summary of processes, role and work of the Fairness Commission

- On the 25th September 2012 Newport City Council established an independent *Fairness Commission (FC)* to monitor key Council decisions, according to the criterion of fairness.
- Newport's FC, being the first in Wales, follows similar Commissions which were already established in England at the time – in Islington, Liverpool, Newcastle-upon-Tyne, Sheffield, and York. Others have been set-up in the meantime, for example, in Bristol and Exeter.
- During October 2012 fourteen members were recruited to Newport's FC and its first meeting was held on the 12th November 2012.
- A key role of the FC is to *set the public agenda* on fairness, and to raise the profile of fairness itself as an issue.
- The FC acknowledges and has outlined here how *'fairness' is a contested notion* at all times, but in ways which are accentuated in periods of economic austerity.
- The FC also take *'fairness' to be multi-layered, complex and often conflicting*, rather than lending itself to a simple, non-conflicting all-purpose definition.
- Consistent with the practices of other FCs, Newport's FC provided an 'interim report' in February 2013 and consistent with Council timelines for the setting of budgets for 2013-14.
- Consistent with the practices of other FCs, it has also produced here a full report approximately a year after the setting-up of the FC, in October 2013, and which was formally presented to the head of the Council in November 2013.
- The 'interim report' was based on two working papers produced from within the FC (and after the November 2012 meeting) for the December 2012 and January 2013 meetings, outlining the main parameters and focal points of issues concerning fairness, and leading to general criteria for assessing fairness.
- The FC identifies *four parameters* of fairness as laid-out in the interim report, from which key questions arise concerning, what is termed, the *focal points* of fairness. These parameters and focal points, in turn, lead to general criteria for assessing the fairness of Council policy for both the interim and full reports.
- These parameters and focal points of fairness were then used as broad frameworks for *assessing* Council budgetary proposals for 2013/14 (and mindful of other budgetary considerations for the medium-long term), by four working groups which were set-up from within the Commission at the January 2013 meeting. The outcomes of these assessments are included in the interim and full reports and are summarised below.

Summary of the four parameters and focal points of fairness

- *Parameter 1 Equal treatment while recognising difference*
Main focal points of debate: When is it fair to treat people the same, and when is it fair to treat people differently? What groups have priority in Newport, and why? And, if trade-offs and compromises are to be made between different group interests', how should these trade-offs be balanced?
- *Parameter 2 Mutual obligations between citizens and local government*
Main focal points of debate: What is the responsibility of local government to meet certain needs, and what conditions should apply to citizens, if any? And, which needs are to be provided universally (i.e. to all citizens) and which needs are to be met, in part or wholly, by citizens?
- *Parameter 3 Interdependency and reciprocity within community relations*
Main focal points of debate: What is the value of participation in community life? How are citizens enabled to positively participate in the life of the community over periods of time, for their own and others' benefit? And, how and when are equal opportunities and 'life chances' facilitated, so enabling citizens to participate effectively?
- *Parameter 4 Transparency and accountability in decision-making*
Main focal points of debate: How does Council ensure that the procedures for decision-making are fair, consistent and transparent? How does Council convey clearly and concisely to citizens the main decisions being considered and made? And, how are mature and meaningful channels of communication and exchange of views facilitated between the NCC and citizens?

Summary of assessment of fairness for Newport by the FC concerning Council budget allocations for 2013-14

Despite expected differences in emphasis and agendas between the four working groups within the FC (reflecting the four parameters of fairness outlined above), the most fundamental principle guiding all four working groups was attending to the needs of those social groupings considered vulnerable or disadvantaged across the city, and as a matter of first and immediate priority. The following summary of the specific assessments made by the working groups should, therefore, be read with this understanding. Assessments have been divided into three broad categories in an attempt to identify main points of consensus between them, but recognising that at the edges of each category there are bound to be 'grey areas' and so degrees of disagreement, both within and between the working groups.

*General consensus across the four working groups as to what are fair cuts and/or reorganisations of Council services (i.e. with **little or no reservation**)*

- Funding for ‘Twinning’ activities - although some benefits to Newport would be lost as a result of reducing these activities, the impact on vulnerable or disadvantaged groups was thought likely to be minimal and so these cuts were generally seen as justified.
- Funding for Mayoralty and civic events - though there were some reservations expressed that these cuts may threaten the access and engagement between the mayor and the wider community, there was general agreement that these cuts were justified.
- Funding for Neighbourhood Allowances for Councillors - designed to give Councillors discretionary funds to distribute to ‘good causes’ in their wards, the subjective and possibly arbitrary character of these awards were subject to question, in any event. However, there were some concerns voiced regarding the impact on charities and the extent to which affected organisations were consulted. In general though, the cuts were thought justified.

*General consensus across the four working groups as to what are fair cuts and/or re-organisation of services, but with **some substantial degree of reservation or concern***

- Shared social services collaboration – was in some respects welcomed, but there were some substantial concern over the potential detrimental effects on vulnerable groups who access services, which need to be monitored.
- Removal of floral displays was accepted reluctantly (given the austerity measures) but there were concerns raised about the threat to universal civic pride, and that any removals need to be considered strategically – i.e. to take account of the needs of more disadvantaged areas, and the importance of maintaining the aesthetic quality of the more commercial areas of the city for visitors and potential investors. Floral displays being maintained at the Civic Centre were thought to be of relatively low priority.
- The very substantial cut in funding for Gwent Music Support Service was generally *very* reluctantly accepted - i.e. given the austerity measures, and the priority that must be given to national curriculum subject areas for children. However, substantial reservations were raised concerning the detrimental effect on the overall cultural health and well-being of the city, and in particular on disadvantaged groups/families who may have previously accessed these services but who otherwise could not afford to engage in this kind of cultural activity – and despite often the false public perception that this kind of service is elitist and only benefits the better-off.
- Cuts in the maintenance of public art were generally *very* reluctantly accepted with concerns that the arts are under considerable threat as a result of the cuts. However, the view also expressed was that a legitimate role for Council might be to set-up, or encourage, local volunteer support groups to help in public art’s continued maintenance.

*General consensus across the four working groups as to the **clear risks to fairness** as a result of cuts and/or reorganisation of services*

- While the aims of social services to re-organise its facilities so as to encourage choice and control of service-users and carers was very much welcomed, the sheer scale of the cuts proposed (most especially, but not exclusively, to residential provision) was viewed as a clear risk to fairness, and in need of close monitoring. This is especially bearing in mind the vulnerability of those groups affected.
- While priority to statutory services should be maintained by Council, the clear risk to fairness concerns those cuts in non-mandatory services, and to the voluntary sector, such as the youth service, universal available recreational facilities, and so on.
- While economic regeneration in Wales is being reviewed by the Welsh Government, the cut in funds to Newport Unlimited (NU) is still seen as a potential risk to fairness, given that any re-distribution of wealth and prosperity is predicated on the continued economic regeneration of Newport City. There was also concern about some of the services of NU being brought 'in-house' and the degree to which the Council had the resources and skills required to deliver these services.
- While it is acknowledged that the expanding use of web-site facilities for customer services has many advantages for customers and service-users (most especially as these have been improved and developed in recent years), the concern is for those vulnerable and disadvantaged groups who may not have access to broadband, and/or are not comfortable or sufficiently skilled using the internet.
- In the light of the severity of cuts, considerable concern was also raised about the impact of the cuts on those who work for the Council and other related caring industries and services.
- Finally, concerns were also raised from all groups about the extent of information/consultation over the changes and cuts proposed. While it is recognised that there is difficult balance between being transparent, and providing all relevant information, and 'swamping' the public with inaccessible and over-detailed information, questions were still raised over the information provided on the website concerning Categories 1 and 2 proposals – i.e. those proposals deemed less likely to prove politically controversial but which may nevertheless have a considerable impact on issues of fairness; the information provided and consultation regarding what are appropriate *levels* of Council Tax, most notably the impact any increase in Council Tax might have on the maintenance of services; the consultation over precisely how Newport City is being redeveloped; and the extent to which carers, and service-users have been consulted over the proposed cuts and reorganisation of social services.

Summary of the public survey on fairness – citizens and organisations

- The final report also includes a public survey of attitudes to fairness in the explicit context of Newport city facing severe cuts in local government spending. In its role to set the public agenda on fairness, and to raise the profile of fairness itself as an issue, the FC felt it was important to engage with and elicit public attitudes to fairness directly. Consequently, two similar surveys were conducted of individual residents/citizens of Newport, and of relevant organisations and interest groups, concerning (a) what is meant by fairness (b) what the priorities of Council spending should be given its budget constraints, and (c) the justifications or otherwise for increasing Council Tax in times of economic austerity. The survey in total attracted over 260 responses from across the city (mainly from individual residents), which were subsequently analysed by the Newport City Council *Partnership Support Team*, on behalf of the FC.
- Inevitably perhaps, the very wide range of responses to the question of what is *meant* by fairness, variously reflect the four parameters of fairness and focal points of debate identified by the FC, but *especially* parameter 1 (equal treatment while recognising diversity) and parameter 4 (transparency and accountability in decision-making).
- The other two parameters – parameter 2 (mutual obligations between citizens and local government) and parameter 3 (interdependency and reciprocity within community) were referred to, but often only by implication – most notably, concerning the prioritisation of Council spending, and the reasons given for increasing or not increasing Council Tax.
- Regarding the prioritisation of Council spending, there were seven areas considered *most* important (and in order of priority) – schools and education, adult services (for older people), the development of the city centre, social services, health, disabled people, and housing.
- There were two other areas most frequently identified by respondents as important, but not frequently identified as the *most* important – namely, highways, transport and parking; and leisure, sports and culture.
- Slightly more than 56% of the residents surveyed stated that there was no justification in increasing Council Taxes, often citing further efficiencies that could be made by Council without cutting front-line services. The remaining 44% respondents stated that there was a justification in increasing Council Tax, but often with qualifications, such as “only in line with inflation” and “as long as inefficiencies have been eliminated from Council spending”.
- In addition to the above residents’ survey, selected organisations were also asked to complete a similar survey on fairness, reflecting a range of interests across the Commission and elsewhere. However, in the event, only two

organisations responded – namely, the Newport Equality Group (NEG), and The Newport Trade Union Council (NTUC).

- Unsurprisingly perhaps, (given these groups’ interests), both these organisations stressed the importance of examining income inequalities and the protection of Council workers’ pay and conditions, in the face of austerity measures being implemented.
- More surprisingly perhaps, there was a disagreement between these organisations concerning whether Council Taxes should be raised, with the NEG arguing that Council Taxes should be raised on the grounds that it was a further way of enforcing a rough redistribution from the better-off to the worst-off; while the NTUC argued not to raise Council Taxes, on the grounds that other Government fund-raising activities should be focused on instead, such as the diminishment of income/corporation tax evasion, especially those tax evasions committed by ‘Big Business’.

Summary of the case-study, the reversal of the decision to close Maindee library

- The budgetary assessments provided by the four working groups summarised above were, in turn, used for a more detailed examination of the reversal of the decision by Council to close Maindee library.
- The main reason for focusing on this decision for the full report was that the provision of library facilities *in general* raises a number of interesting issues concerning fairness as explored in the ‘interim report’ – most especially relating to the universal nature of the facility and that libraries are said to provide a sense of community cohesion, including a focal point or ‘community hub’ for valuable activities and widening citizen participation.
- That the Council had decided to continue funding Maindee library *in particular* also raises important issues concerning how and why disadvantaged areas are targeted for provision, so leading to various debates and questions relating to the *priorities* of Council spending and its justification for keeping this facility open in a clearly identified disadvantaged area of Newport.
- While all the working groups were generally in favour of reversing the decision for closure, a number of questions arise concerning both the future provision in Maindee, and the subsequent development of this facility, consistent with the concerns of each parameter of fairness. Most notably, there are conflicts and tensions which occur, both within and between each of the parameters of fairness, as a result of targeting a particular area of Newport for provision, to the *potential* (but *not* inevitable) detriment of other areas.
- More specifically, concerning each parameter:
- When considering Parameter 1 (equal treatment while recognising difference), the working group concluded, amongst other things, that there are strong

general reasons in support of the decision to keep open Maindee Library. Chief among these are: fairness with regard to different social groups, and the particular worth of library services to those disadvantaged according to five prioritised criteria: (a) age (b) disability (c) religion and belief (d) ‘race’ (e) social class, and level of income. Plus, there are issues raised concerning fairness with regard to different areas of Newport – most notably, the fact that the local community served by Maindee Library has higher levels of disadvantage and deprivation than that served by Stow Hill Library (the latter facility *was* closed). However, the working group also concluded that a fine-grained analysis of the impact of this decision, in light of Parameter 1, would require further research, both qualitative and quantitative, to provide data which is currently unavailable. Such research would need to address in detail, the uptake of library services in Maindee by members of disadvantaged groups, and the tangible differences that such services make to the lives of these individuals and groups.

- When considering parameter 2 (mutual obligations between citizens and local government), the working group concluded, amongst other things, that on the grounds that access to the wide variety of resources available through libraries is non-means tested and a universal benefit, continued public library provision in Maindee meets one of the main focuses of parameter 2. Moreover, this facility can meet some of the needs of the city’s residents, including those from other areas, providing level access to the building, and recognising that it is on a well-serviced public transport route for the collection of ordered items and their return (albeit offering a smaller range of stock than Central Library). Consequently, information and guidance on all aspects of reading and exploring culture, for learning and enjoyment, can be continued in one of the most deprived and densely populated areas of the city. Nevertheless, it is also important to note that within the terms of parameter 2, reversing the decision to close Maindee library has not been implemented to address the needs of the *general* Newport population or the wider expectations, perhaps, of the majority of citizens. The implications of explicit and targeted funding is that less support is given to achieving the hoped for maintained, or improved quality of life for people outside these protected groups, who may also have high levels of need. This targeting, therefore, has the potential of producing a tension with the public’s perception that most libraries should provide services which are free (or are provided at little cost), and are a universal amenity open to *all* people.
- When considering parameter 3 (interdependency and reciprocity within community relations), the working group concluded, amongst other things, that the priority of the NCC should be to support those most in need. Given closure would be detrimental to the welfare of the relatively disadvantaged citizens of Maindee, the decision was therefore supported. More generally, libraries should enable citizens to participate in their own community *and*

society more widely. In short, closure would undermine the ability of members of this community to participate productively and to develop healthy reciprocal and interdependent relations with others, both across Maindee and elsewhere throughout the city. Following this analysis, libraries are a 'stepping-stone' to achieving greater social integration, encouraging higher levels of participation in mainstream community life through the development of communication and other skills. However, the working group also concluded that an efficient and imaginative use of library facilities is centrally important in targeting particular groups' needs, allowing for the cutting across of social categories such as gender, class, ethnicity, age, and disability. The latter outcome depends on precisely how the Maindee facility is used and developed in the future and, as such, is not guaranteed *merely* by keeping this facility open.

- When considering parameter 4 (transparency and accountability in decision-making), the working group concluded, amongst other things, that what is not in dispute is that the decision to keep open Maindee Library is fair to the users and community surrounding it. In a deprived area of Newport, with a paucity of community facilities, the benefit to maintaining this facility would be difficult to argue against (assuming the principle of prioritising need). However, the decision could easily be viewed as unfair when seen in the wider context *across* Newport, where preferential treatment given to Maindee is regarded as unfair, particularly if (and when) other communities outside of Maindee have to suffer hardship because of cuts to those facilities or services which they also use. Consequently, difficult issues arise concerning the wider democratic process directly reflecting the concerns of parameter 4. The electorate of Newport voted their representatives onto Newport City Council to represent their particular communities, *as well as* the city as a whole. Given this dual-role and the tensions this role produces, it is inevitable perhaps that any proposed cuts will lead to unequal outcomes across the city, *even if* Councillors have acted fairly and democratically in the lobbying and representation of their particular wards. The main point made by the working group is that these unequal outcomes, as a result, will reflect a range of factors which may be irrelevant to the fair *provision* of library facilities, but very relevant in regards to legitimate democratic decision-making, concerning for example political allegiances, the relative power of political parties, the lobbying abilities of local Councillors, and so on. This conflict or 'policy dilemma' is made particularly salient in times of economic austerity, when legitimate decision-making processes lead to demands that some groups across communities have their needs met, where others (by implication) do not.

Full report of the Newport Fairness Commission

1. The background, independence, composition, and remit of the Fairness Commission

1.1 The political background to setting-up the Fairness Commission

On the 25th September 2012 Newport City Council voted for establishing an independent *Fairness Commission* to monitor key Council decisions, according to the criterion of fairness. Consistent with its manifesto pledge, the Commission was set-up by the Labour leadership as part of a “New Charter for Newport”². Newport’s Fairness Commission, being the first in Wales, follows similar Commissions which were already established in England at the time – in Islington, Liverpool, Newcastle-upon-Tyne, Sheffield, and York. As well as addressing specific concerns about how to assess the impact of extensive cuts in public expenditure and the monitoring of budget spending and trends, these Commissions have raised wider political debates about the *meaning* of fairness and how local government policies and practices are able to promote this as a coherent social value.

1.2 The independence and composition of the fairness Commission

Following from 1.1 above, it’s no accident, of course, that in times of severe economic austerity, politicians are keen to demonstrate that their policies, despite reductions in public expenditure, are still adhering to the principle of fairness. “We can’t do anything about the cuts, but at least we can still use our limited resources fairly”, is the plea, no doubt, that politicians of all hues, will make to electorates at impending elections. Fairness Commissions, therefore, have to address the potential criticism that they are mere covers for these austerity measures, with difficult and problematic policy outcomes being ‘sold’ to the electorate as fair, having received the so-called ‘fairness’ rubber-stamp from the local Commission. Consequently, if Fairness Commissions are to be effective, and, moreover, if they are *seen* to be effective, it is imperative that they act independently from local government – that they are bold enough to constructively but critically engage with Council policies, *and* that this

² Labour Party, *Standing up for Newport: Labour’s Manifesto for Our City 2012*, p 3.

critical engagement is visible to the public, as pertinent policy issues, are raised and discussed in public debate.

Following from the above, it is important to specify how Newport's FC is composed, but recognising that specific compositions of FCs vary considerably across the UK.

First, according to the terms of reference report submitted to and agreed by Newport City Council on September 25th 2012, the Chair of the FC would need to be, and be seen to be, independent. Expectations of the Chair would include being: "Impartial; Credible locally/nationally (Wales); a good communicator; and (having) explicit connection with Newport" (4.1).

With these criteria in mind, Professor Steve Smith was approached, and he accepted the invitation to be chair. He is Professor of Political Philosophy and Social Policy, at the University of South Wales, and has an international academic reputation, having published various material concerning the meaning and application of social values such as fairness, equality, diversity, and social justice – most notably as related to the development of welfare states, and other government policies and services. He also has practical experience working for the social and psychiatric services, having trained as a social worker in the 1980s, and three years experience working as a political lobbyist and researcher in London on policy issues concerning disability in the 1990s.

Second, according to the terms of reference a number of criteria are also specified for FC members, and include: "being knowledgeable; [and that they] could bring to the FC a particular perspective e.g. political, business, voluntary sector, academic; and [have] experience tackling complex issues" (4.1). The terms of reference also make it clear that "individuals serving on the Fairness Commission should not represent specific interests, but should help the City become as fair and prosperous as possible and a place in which *all* residents feel included" (5.1 – emphasis added). From the membership list at the opening of this report, and the general approach to the FC's work, the FC believes all these criteria have been met.

Thirdly, according to the terms of reference, the membership should be no more than 15 people and with "all three political groups at the Council [taking] part in the Commission" (5.1). The FC acknowledges that the latter condition of membership is probably the most controversial and does not necessarily reflect the composition of other Fairness Commissions. In the event, two Council members accepted invitations to the Commission with justifications for this inclusion being based on two assumptions, that (i) having two Council members only on the FC, means that any decisions made by the FC will not be unduly affected by particular political perspectives, and (ii) it is important to have Newport Council represented, most especially, because of the rich experience these members can bring concerning the workings of the Council, and given the seriousness of the problems which need to be addressed by the City *as a whole* – namely of administering severe cuts in local

government funding, exacerbated by rising local demand due to demographic and other budgetary pressures (also see [Appendix 2](#) and [Appendix 3](#) for more details).

1.3 The fairness Commission as ‘agenda-setter’ in public debates on fairness

Following from 1.2 above, one of the main roles of the FC is to keep on the *public agenda* (i.e. those agendas which exist *outside* of Council meetings and committees) issues concerning fairness, and how principles of fairness are both decided upon, and acted upon, in public and other policies. The FC anticipates that this agenda-raising will be facilitated in a number of ways, as the FC develops its role, and would include eliciting views and opinions via surveys and questionnaires, producing press releases and other publicity forums regarding its work (including developing a Fairness Commission website), examining the results of already existing consultation processes, and so on. This full report has been published and will be publically launched – with the view to it being another springboard for public debate on fairness in the media, and in other contexts.

Having said all this, it should be openly acknowledged in the *first* place that the very notion of fairness is a ‘hurrah’ word which everyone, from whatever political quarter, cheers about and champions. Consequently, using the word ‘fairness’ risks turning debate into empty platitudes; as no-one claims they are *against* a fair society, as this is akin to arguing against apple-pie and motherhood!

Moreover, public agenda-raising, if it is to be done effectively, will inevitably highlight the wider and deeper problems of promoting fairness in any political, social, and economic context, but most especially in times when resources are being very severely restricted. In addition, other pressures on budgets have led, and *will* lead, to increases in demand on the ‘public purse’ (relating, for example, to changes in demography across Newport and elsewhere³). Consequently, it seems inevitable

³ The problem of demographic change in Newport is particularly acute, as the younger population is increasing, putting pressures on education and other young people’s services, while the older population is also increasing putting pressure on social and health services - meanwhile the working age population, in the medium-long-term is decreasing. See, for example, (2012) *Newport’s Unified Needs Assessment*, published by Newport City Council in May 2012 and reports to Council Scrutiny Committees in January 2013 presented in [Appendix 3](#). Regarding the facilitation of mature and meaningful public debate between the NCC and citizens, it is important therefore to acknowledge the increased demand on services due to these changes in the City’s demography and population needs; and that Council operates within a wider political context, concerning, for example, expectations from the Welsh Government (most especially concerning increased spending on education despite other reductions) – both of these factors lead to serious restrictions on any other activities of Council, and most especially in times of extreme austerity (again, see [Appendix 3](#) for more details).

that increasing demands, as well as restrictions in budget allocations, will lead to large shortfalls in Council spending,⁴ which, in turn, complicates further how any notion of ‘fairness’ is both understood and implemented.

Therefore, the central job of any Fairness Commission, is to move *beyond* political platitudes and start raising in public debate the more difficult questions and issues concerning fairness – so openly exploring the difficulties of implementing policies and budgets while living in a period of government austerity, but also acknowledging the different and conflicting substantial ‘parameters’ of debate and ‘focal points’ of fairness, *whatever* resources are made available to local communities, and in more prosperous economic times.

Finally, and summarising this section, it is also important to acknowledge (and re-emphasise) that the Fairness Commission is not an elected body and is not a special interest group, and therefore, in our view, its role is *not* to make specific policy and practice recommendations.⁵ Rather, the Fairness Commission’s role is to help provide, what we have called, a ‘critical lens’ for Council to view its policies; so, hopefully, better enabling elected representatives to more thoroughly examine fairness as a value, when they assess their policies and practices. It is to this end that this report is written principally, with the subsequent aim of encouraging more mature and meaningful public debate on the highly contested concept of fairness. In short then, we believe that it is the Newport’s Fairness Commission’s main job to lead the way in us all taking the value of fairness seriously.

⁴ For example, see Report to NCC cabinet 12th November 2012 – update to Medium Term Financial Plan & The Draft 13/14 settlement. And see [Appendices 2](#) and [3](#) relating to the NCC website concerning the most controversial budget proposals for 2013/14, and the more detailed proposals presented to the three scrutiny committees in January 2013, respectively.

⁵ We fully recognise and respect, that some Fairness Commissions have made particular policy recommendations to their Councils, and that, in any case, the line is blurred between providing critical evaluations of policy and recommending policy. However, in general terms, the Commission sees its role primarily as facilitating a critical reflection *on* policy, rather than as recommenders *of* policy.

2. Producing the interim and full reports

2.1 The process and purpose of producing the interim report

The Fairness Commission's 'interim report' (which was published in February 2013) laid-out the general criteria used for assessing and evaluating Council policies, in anticipation of the full report being published in October 2013.⁶ The former attempted to capture some of the central issues explored at the three meetings held by the FC (in November 2012, December 2012 and January 2013) concerning the various issues raised, and the aspirations FC members have regarding the activities of the Commission, as well as reports provided by four working groups from the FC assessing the 2013/14 budget proposals. Written feedback from FC members in-between these meetings was also provided to the chair regarding two working papers prepared by the chair and presented to the meetings, and recognising the FC's terms of reference as laid-out by the Council. During this period, other relevant information was sent to members regarding the FCs set-up in England, and an hour-long Skype discussion also took place between FC members and key members from York's Fairness Commission at the December meeting. In addition, various Council reports were sent to the FC from NCC serving officers, concerning the allocation of 2012-13 Council budgets, and budget consideration and projections for 2013-14 and in the next five years until 2017/18 (also see [Appendix 2](#) and [Appendix 3](#) for more details).

Concerning the production and writing of the interim report, after the conclusions and recommendations at the FC's first meeting on the 12th November 2012, Working Paper 1 was prepared by the Chair of the Commission for discussion at the 11th December meeting 2012. After the December meeting, members were also invited to send any further comments to the chair which were then incorporated into the Second Working Paper prepared by the Chair for the 15th January 2013 meeting. Working Paper 2 then formed the basis of the 'interim report', but also included assessments by the four working groups set-up from within the FC at the January 2013 meeting. These groups provided assessments of Council proposals, reflecting the *four parameters* and *focal points* of debate concerning fairness identified, and as identified in the two working papers (see section 2.3 below).

The interim report, then, was divided into four broad areas: (i) a brief summary of the background to setting-up the Commission, (ii) a justificatory outline of why the

⁶ Providing an interim report of this kind is consistent with the practices of other Fairness Commissions, such as York for example, in order to 'flag' to Council what issues and questions are being considered by the FC, and in preparation for a full or final report which is commonly published approximately a year after the FC is set-up. This is consistent with the timing of the full report presented here.

FC should be acting independently from the Council and the member composition of the FC, (iii) the role of the FC as ‘agenda-setter’ in public debates on ‘fairness’, and (iv) (the bulk of the report) an outline of what are the four main ‘parameters’ and ‘focal points’ of issues relating to fairness, and including the summaries of the four working groups’ assessments of Council budget proposals for 2013/14.

Three detailed Appendices were also provided to the interim report, which included some of the key information used and referred to in the report. [Appendix 1](#) comprised the four reports submitted to the chair for analysis and summary. [Appendix 2](#) was taken from the NCC website concerning the 2013/14 budget proposals as part of the Council’s public consultation process. [Appendix 3](#) was taken from reports presented to the three Council Scrutiny Committees in January 2013, to consider the 2013/14 budget proposals and the NCC’s Five Year Medium Term Financial Plan. These committees are (in alphabetical order) – Community Planning and Development; Learning, Caring and Leisure; Street Scene, Regeneration and Safety. These Appendices are referenced and hyperlinked here in the final report; however, for ease of reading and the overall manageability of the final document, it was decided at the October 2013 meeting, to separate these out from the full report, but with links and addresses made available to the Appendices on the Fairness Commission’s website.

2.2 The process and purpose of producing the full report

In addition to the above contents, the full report as presented here *also* includes the results of a public survey on fairness of individual residents of Newport, and of organisations and interest groups. Following what has been outlined in 1.3 above, and the discussions had with members of the York Commission at the December 2012 meeting, the FC concluded that it was important for the Newport Commission to conduct such a survey in an attempt to elicit different views of fairness across the city, and in order to raise public awareness and debates about the meaning of fairness (i.e. consistent with the FC’s remit outlined in 1.3 above).

The questions used in the survey were devised and approved by all FC members and were mainly qualitative and ‘open question’ based, with the intention to give fluid and open expression to those various views and opinions concerning the meaning of fairness and, more specifically, concerning the prioritisation of Council spending. The analysis made and reported in the full report here identifies common themes to these responses, and summarises the main findings, but with [Appendix 4](#) providing *all* responses to the questions as analysed. These findings were also discussed and analysed further at the August and October 2013 meetings of the FC, and have additionally informed the analysis made in the full report.

More specifically, the residents' survey (or citizens' survey as we are calling it here) was carried out via the Newport City Council *Partnership Support Team* on behalf of the Fairness Commission, to gain insight concerning local perceptions of fairness in relation to Council policy and decision-making. A residents' panel is regularly used to seek the opinions of 1,000 local people, being drawn from across the city, and is broadly representative of gender, ethnicity, language, and age. A total of 260 completed questionnaires were received, which amounts to a 26% return (which, encouragingly for the FC, is a very high response rate for this kind of survey and indicates the high interest generated around fairness and how this value is applied to Council policy and practice). The organisational survey asked similar questions and was distributed via the Commission members' contacts. The response rate for the latter was more disappointing, with only two organisations completing and returning the survey.

Finally, the full report also includes a more in-depth case study of one key decision made by Newport City Council as a result of budgetary allocations for 2013-14 – namely, the reversal of the decision to close Maindee library (Maindee being a district in Newport). After extensive discussion at the 9th April 2013 meeting of the FC it was decided that each working group (representing each of the four parameters identified in the interim report) should focus on a *shared* case study in order to highlight issues which are especially pertinent to each working group's parameter. The overall aim for each working group was to explore the implications of Council decision-making in relation to the shared case study, and to assess the likely impact this decision-making has had/will have in Newport on any aspect, or aspects, of the parameter of fairness the working group is responsible for examining.

A number of potential case-studies were considered at the meeting, but eventually members of the Commission settled unanimously on the decision by Council not to close Maindee library. While recognising the inevitable arbitrary character of choosing a case-study, this particular choice for a shared case-study was justified by the FC on three main grounds: (i) if all the working groups focus on one case-study then the FC will hopefully generate different perspectives on the same issue, reflecting the different parameters of fairness, while also providing a multi-dimensional and in-depth account of fairness *as applied* to the particular case-study (ii) the provision of library facilities in general raises a number of interesting issues concerning fairness as explored in the 'interim report' – most especially, relating to the universal nature of the facility and that libraries are said to provide a sense of community cohesion, including a focal point for valuable activities and citizen participation (iii) that the Council has decided to continue funding Maindee library in particular also raises interesting issues concerning how and why disadvantaged areas are targeted for provision, so leading to various debates (and as reflected in the public survey reported in section 5 below), relating to the priorities of Council spending and its justification for keeping this facility open in a clearly identified disadvantaged area of Newport.

3. Defining the criteria of fairness for Newport

3.1 Reaching a consensus over the parameters and focal points of fairness

Following sections 1 and 2 above, it is centrally important for any fairness Commission to explore how fairness might be usefully and substantially defined, with the view to reaching some agreement or consensus regarding the ‘parameters’ of fairness – *the parameters of fairness are defined here as the general areas of debate and concern relating to the overall character of fairness*. Plus, it is also important to identify the ‘focal points’ of fairness – *the focal points of fairness are defined here as the more specific questions of fairness relating to particular groups and community-based issues*. This task of establishing some agreement over the parameters and focal points of fairness has been difficult for sure, but is not impossible, providing a conceptual ‘tool-kit’ for producing general criteria for assessing policies and practices (i.e. as outlined by the reports provided by the four working groups – see [Appendix 1](#) and summarised in 3.3 below).

More specifically, and as will be seen in the remainder of this section, even though there will be disagreements (both within and outside the FC) over the precise *ways* these parameters and focal points relate to each other, and are precisely defined, it is important to establish some broad agreement over what these parameters and focal points are: (i) to ensure that the FC can articulate the general areas of concern regarding the substantial *meaning* of fairness (so establishing the parameters for debate), and (ii) to provide the FC with agreed criteria for assessing fairness according to these parameters and subsequent focal points for discussion.

For example, one broad criteria of fairness, in the context of the Commission’s considerations – and where an action is to be carried out against a background of withdrawing resources – can be interpreted as referring to the existence of (or degrees of) disadvantage or advantage relating to certain groups or areas. However, given this interpretation, the specific characteristics, which define those groups or areas, need also to be identified, leading to various questions and issues relating to the parameters and focal points of fairness identified here. These characteristics can be defined by data collected by, say, Local Government officials, and/or academic researchers, which in turn may lead to questions concerning its objectivity and the validity of responses concerning how the data is collected. Alternatively, the group or area’s population can be asked to identify their own specific characteristics. However, the results generated in the latter context will be dependent on self-perception and possibly more subjective comparators which the populations themselves employ. Nevertheless, despite often widespread disinterest in engaging in democratic processes, using local engagement to enable people to feed-in to what *they* perceive as fair or unfair, the Commission believes will provide an important dimension for the public debate on fairness (and as reflected in the survey findings

detailed in section 5 below). The anticipation being that this, in turn, not only raises the profile of the Commission's work, but also most importantly will allow people to 'have a say' concerning issues of fairness. This wider process is seen as adding to, rather than supplementing, the public consultation process already set-up by the NCC regarding budget allocations (for example see [Appendix 2](#)).

Bearing in mind the above, and given the complexities and disagreements that are bound to arise from examining the subsequent parameters and focal points of issues concerning fairness, any assessment from the FC concerning Council policies, according to its terms of reference, will inevitably be presented as 'matters of degree' (i.e. according to each parameter and focal point of fairness) rather than simple 'yes/no' answers. Also, the criteria for assessing fairness will not only change according to the different parameters and focal points listed below, but will also change according to the particular *context* in which policy and practice is being assessed. And to repeat, this context will include having to address the realities of the Council operating within severe budgetary constraints, and likely increased demands of the population profile.

The following, then, is an attempt to define what is outlined here as four broad *parameters* of fairness; from which is identified a series of key questions concerning, what are the main *focal points* of fairness issues – with these both leading to general criteria of fairness for assessing policies and practices which the FC has applied in the reports made by the four working groups covering each parameter. These parameters also provide the broad framework for analysis in the case study outlined in section 6 below – namely, the Council's decision not to close Maindee library.

3.2 Parameter 1: Equal treatment while recognising difference

As stated in 3.1 above, the notion of fairness is bound to be multi-layered and complex. Moreover, reflecting this *pluralistic* understanding of fairness inevitably exposes these layers as being often conflicting. Perhaps most fundamentally, the principle of equal treatment for like cases is often, quite rightly, regarded as a principle of fairness.⁷ However, this immediately raises issues concerning what is a like or *unlike* case, as this principle must also acknowledge the importance of treating people at times differently *and so* fairly. Most pertinently, it is within these latter debates where disagreements are likely to persist.⁸ These controversies, in

⁷ It is also important to note that 50% of respondents to the residents' survey (who referred to this parameter) also defined fairness in roughly these terms (see section 5 below).

⁸ Again, as illustrated by the survey these disagreements were also particularly pronounced in relation to this parameter (and again see section 5 below). Nevertheless, it is important to note that even in these latter controversial debates some substantial agreement can still be reached. For example, most people would agree that in matters relating to job selection, *ability to do the job* is the relevant difference between cases, ignoring irrelevant differences based on, say, gender, skin colour, unrelated impairments, sexuality and so on.

turn, reflect the many legitimately recognised differences between individuals and groups across communities, relating, for example, to need, ability, ethnicity, age, first language, gender, and the unequal possession of social and economic resources.⁹ The central controversy being that these social categories, and more beside, lead to various demands on resources, which may imply some sort of ‘trade-off’ and/or ‘prioritisation list’, between competing demands, especially when scarce resources are allocated.

Therefore, following the above considerations of ‘trade-off’ and ‘prioritisation’, it should be established what the broad *aims* of introducing a policy of fairness should be. For example, a popular interpretation of fairness is likely to be ‘equity’ (reflecting the principle of ‘equal treatment for all’ as the general aim of fairness) but there is a danger that this will unfairly discriminate for or against one group or another given the differences in, say, need or advantage between groups and areas. So, simplistically, the most equitable way of imposing cuts would be to divide the total amount needing to be saved by Council and withdraw services of that value from every citizen equally. However, clearly that would result in considerable hardship to substantial numbers of already disadvantaged and/or vulnerable groups or areas. Contrary to some elements of popular opinion, and as reflected in the survey detailed in section 6 below, the Commission considers this recommendation of equal treatment outside the realms of fairness, and indeed would generally be seen to add weight to arguments for progressive income taxation, and other forms of unequal distribution, as *one* means of addressing financial inequality and fairness.

Finally, in this parameter of fairness, it is also important to acknowledge that the needs of diverse populations of the *whole of the UK* are not being directly considered by the FC in any exercise examining current spending considerations and subsequent cuts, but rather the impact on Newport City and its citizens. In this context, the FC will be making its assessment specific to Newport recognising the above pressures and demands.¹⁰

Consequently, if two people have the *same* ability to perform a particular job then they should be viewed as ‘like cases’ and so should have an *equal chance* of getting this job. Indeed, this interpretation of equal treatment is enshrined in UK-wide anti-discrimination legislation. In addition, most people would agree that if two people, defined, say, as similarly ‘in need’ with other similar circumstances (relating, for example, to their income), then they should receive similar services from the Council (assuming it was the Council’s obligation to provide these services) – and so ignoring what would again be seen as irrelevant differences, based on, for example, postcode locations, or the ability of one to be more effectively vocal than the other when dealing with the Council.

⁹ For example, see G. Calder and E. Ceva (eds) (2011) *Diversity in Europe: Dilemmas of Differential Treatment in Theory and Practice*. London: Routledge. Also see G. Calder and S.R. Smith (2011) ‘Differential treatment and employability: a UK case study of veil-wearing in Schools’ in Calder and Ceva, *ibid* – and see S.R. Smith (2011) *Equality and Diversity: Value Incommensurability and the Politics of Recognition*. (Bristol: Policy Press).

¹⁰ However, it is also important to acknowledge that introducing cuts depending on individual’s financial resilience would possibly require not only legislation but also

Summary Box 1 Equal treatment while recognising difference

The broad area of debate in Parameter 1, is precisely when and how is it fair to treat people the same in Newport, and when and how is it fair to treat people differently?

The key questions concerning the subsequent focal points of fairness are: what groups have priority in Newport, and why? And, if trade-offs are to be made between different group interests', how should these trade-offs be balanced, and why?¹¹

The general assessment criteria, following from the above, are that persons and groups who are relevantly similar should be treated the same, so ignoring irrelevant differences. And persons who are relevantly different should be treated differently, ignoring irrelevant similarities. The main issue for fairness concerns what criteria is used to judge relevance and irrelevance in both cases. These criteria have been outlined by the FC and applied to policy and practice accordingly, recognising that what might count as relevant and irrelevant in one context will not necessarily hold in another.

3.3 Parameter 2: Mutual obligations between citizens and local government

The relationship between citizens and government is also complex and conflicting, where various cross-cutting social expectations expose again the multilayered and plural character of fairness. For example, legitimate expectations on government to provide for citizens' needs may conflict with expectations on individual citizens to be responsible and law-abiding, and to, more generally, positively participate in the life of the community, which may include relatively well-off citizens meeting their *own* needs. However, this is not to say that needs, should only be provided if, and when, citizens conform to the latter expectations. For example, other expectations on local

considerably subtler assessment tools. The Commission is also keen to highlight, and is all too aware, that wealthy individuals have successfully avoided and evaded financial accountability to the wider community, their tactics having included, for example, the use of tax havens, which, if recovered, would reduce considerably the need to make austerity cuts of the kinds faced by Newport City Council. This was a point made too by Newport Trade Union Council in its response to the organisational survey on fairness - see below.

¹¹ For example, it is clear from budgetary decisions made in 2011/12 and 2012/13 that, while most service areas have had resources reduced, due to the various austerity measures being introduced, some have not (see [Appendix 1](#) report to NCC Medium-Term Financial Plan and 2012/13 budget – also see [Appendices 2](#) and [3](#) here). It is also clear that for those areas which have had reductions, some have been reduced much more extensively than others (regarding percentage losses most notably). The question for the FC is whether justifications can be made for these type of decisions according to the general criteria stated above – and if so, why, and if not, why not? Also see the detailed case study of the decision not to close Maindee library in section 6 below.

government services to protect those who are vulnerable (because needs are left unmet), may hold greater weight when assessing the principles of fairness, than expectations on citizens to behave in certain ways.¹² Plus, some services may be provided to everyone regardless of whether these needs can be met by individual relatively well-off citizens.

Regarding the latter especially, the FC has also considered the question that when/if services are universally provided, as to whether (or the degree to which) those which benefit are the whole population or just parts, and if the latter, which parts? (Also see the case study concerning the reversal to close Maindee library in section 6 below). Moreover, if there is a loss of universal provision, whether (or the degree to which) this would disadvantage the whole community, or would *eventually* disadvantage that community if some groups, through reasons of individual financial advantage, were able to procure these same services? For example, if rubbish collection or police services were procured on the grounds of financial advantage and not provided universally, most people would consider this not only as unfair, but also that it would lead to other very undesirable social consequences. Consequently, while there might be a legitimate targeting of selective resources on some sections of the community over others, there may also be obligations on local government to provide a range of services universally, even in times of austerity – the overall question for the FC is when this distinction between ‘universal’ and ‘selective’ provision is appropriately made and why?¹³

¹² For example, see R. Goodin (1985) *Protecting the Vulnerable: A Re-Analysis of our Social Responsibilities* (Chicago: Chicago University Press).

¹³ It is also important for the FC to recognise that some obligations of local government are based on statutory duties (and so *must* be fulfilled) while others are based on *powers* of spending which remain more optional or voluntary. Given this distinction, it is highly likely that when cuts are made these will be deepest in relation to the latter areas, given the statutory obligations of the former (again see [Appendices 1, 2](#) and [3](#), and the issues discussed in section 4 below). The question as to whether, or the degree to which, this particular response to cuts is fair, is also considered by the FC. It is important to acknowledge that the general obligations on Councils to provide library facilities are notoriously weak and vague, and have left many local libraries vulnerable to closure (again see section 6 below for a more detailed discussion of this issue).

Summary Box 2 Mutual obligations between citizens and local government

The broad area of debate in Parameter 2, is precisely how and when these expectations and obligations are defined and met between Newport citizens and local government.

The key questions concerning the subsequent focal points of fairness are: which needs are provided unconditionally and which are not, and why? And, which needs are to be provided universally (i.e. to all citizens) and which are needs are to be met, in part or wholly, by citizens, and why?¹⁴

The general assessment criteria, following from the above, are that there exist expectations and obligations on citizens, to participate and contribute to the life of the community, in order to enjoy the full benefits of living in Newport City. The main issue for fairness concerns what criteria are used to withdraw or enhance these benefits accordingly. These criteria are addressed by the FC and applied to policy and practice accordingly, recognising that what might count as expectations and obligations in one context will not necessarily hold in another.

¹⁴ These questions, in turn, raises issues, which were, arguably, somewhat muted in the reports to cabinets concerning budget allocations for 2012/13 and the budget proposals for 2013/14 – that is, concerning the obligations on relatively well-off citizens to contribute to service provision. For example, while it is the case that savings have been made in some areas as a result of charges being made to relatively well-off citizens, Councils are often reluctant to increase Council Tax as a way of saving money. The thorny issue of how/whether Council Tax should be raised to make-up for some of the resource shortfalls, and most importantly for the FC, whether and how Council Tax levies are a vehicle for delivering *fairness*, need to be addressed (given national government constraints in this regard). It is also the case that increasing Council Tax, while also reducing universal service provision, can increase resentment and undermine community cohesion – these are additional and related issues which are also considered by the FC according to the above criteria. For example, it is interesting to note that over 50% of the residents surveyed in Newport did not think that an increase in Council Tax was justifiable.

3.4 Parameter 3: Interdependency and reciprocity within community relations

The interdependency of social relations is apparent when examining the social and economic conditions of fairness. Individuals do not live in isolation, especially in modern industrial societies. Consequently, we are variously dependent on each other for meeting our needs, wants, and aspirations, so mutually promoting our well-being and prosperity over time, as related to, for example, our education, employment (including those who are employed either directly or indirectly by the NCC¹⁵), social services, health, culture and leisure, economic regeneration, community safety, the sustainability of the environment, and the durability of policy and practices over relatively long periods.

According to the FC, a thriving community would encourage two-way reciprocal engagements of ‘mutual benefit’ between individuals and groups concerning all these activities and areas. However, highlighting interdependency and reciprocity in fairness also highlights issues concerning the *social and economic conditions of fairness*. For example, according to the FC, it makes a difference to how ‘fair’ something is, as to how long that state of affairs will last and how wide-reaching it is. In other words, a policy which delivers what would be understood as a fair result at one particular time but which has only a very marginal, short-lived effect might be regarded as having less of an impact, in terms of *long-term* fairness, compared with a policy which delivers what might be perceived as a less fair result at any one time, but which benefits more people over a longer period. This issue of the sustainability and durability of policy, is perhaps particularly important when considering the impact on disadvantaged communities, and when exposing the extent to which citizens are able (as well as willing) to reciprocate through the opportunities and ‘life-chances’ made available to them over long periods of time.¹⁶

¹⁵ It is important to acknowledge that the impact of the cuts in expenditure has also been born by employees of the Council through the various Business Improvement Plans (BIPS) implemented by service areas – adversely affecting pay and working conditions. It would be remiss of the FC not to consider this issue too under its remit. For example, in [Appendix 2](#) it can be seen that NCC has to make savings of 8.4 million for the 2013/14 budget. However, those controversial cuts in services laid out in [Appendix 2](#), amount to approximately 2.7 million as outlined by the NCC. Of course, some of the shortfall can be accounted for by less controversial decisions which have not been included in the web-site consultation process, and other efficiency savings, which affect neither service-users nor Council employees, but presumably much of the savings will have a detrimental impact on staff pay and working conditions, in addition to the 2.7 million cuts listed in the Appendix. It is also interesting to note that all decisions are considered by Council via, for example, detailed reports made to its scrutiny committees – see [Appendix 3](#) – but which in turn raise difficult issues about the transparency and accountability of decision-making, outlined in parameter 4 below.

¹⁶ For example, see S.R. Smith (2002) *Defending Justice as Reciprocity: An Essay on Social Policy and Political Philosophy* (Lampeter: Edwin Mellen); S.R. Smith (2002) ‘Fraternal Learning and interdependency: Celebrating Differences within Reciprocal Commitments’ *Policy and Politics* Vol. 30, No. 1, pp. 47-60; S.R. Smith (2001) ‘Distorted Ideals: The

Following from the above, ‘fairness’ could, in part at least, be related to the facilitation of ‘access to equality of outcome over sustainable periods of time, and *including* individual lifetimes’. This understanding, though, recognises that some individuals (and indeed communities) may be systemically disadvantaged and so are unable to optimise their life-chances to the same degree as other more advantaged and enabled citizens. In practical terms recent government legislation, most notably perhaps, the Single Equality Act 2010, has sought to recognise, broadly, the challenges these former groups and individuals face.¹⁷ In addition, other government provision has given extra services to some groups on the grounds that this will help tackle these ‘systemic’ disadvantages. For example, enhanced state benefits have been provided to those with disabilities while protecting other disabled people from discrimination through anti-discrimination law. However, it is arguable how effective or durable these various strategies have been in enhancing participation for disabled people in the life of the community. In addition, a further question arises as to how much accountability the government or local authority have previously accepted for provision, beyond delivering base-line financial stability (including reasonable accommodation and protection from harassment) for people with disabilities.

Finally, the Welsh Government has attempted to foster reciprocity and interdependency between individuals and groups through the ‘Communities First Programmes’ in disadvantaged areas. Fundamental to these programmes has been the proactive engagement with communities, and the direction and decisions they have been encouraged to take for themselves in establishing their own priorities in matters concerning community resourcing. The FC recognises that individuals in communities who have engaged in this process, have found a voice, established identities, fostered community spirit, encouraged interdependence and participation, and enabled self-determination. Moreover, the FC recognises that this model is

‘problem of dependency’ and the Mythology of Independent Living’ *Social Theory and Practice: An International and Interdisciplinary Journal of Social Philosophy* Vol. 27, No. 4, pp. 579-98.

¹⁷ On the 1st October 2010 the UK Government introduced the Equality Act 2010. The Act is the largest overhaul of UK anti discrimination law for around 35 years and affects organisations of all sizes, including local government. For many, the Equality Act 2010 is one of the most important pieces of legislation concerning equality, affecting everything from how an organisation recruits people to how it provides its services and how it buys and sells products and services. The Act consolidates existing legislation on sex, race, disability, sexual orientation, religion or belief and age and brings together over 116 separate pieces of legislation into one Single Act. The intention of the Act is to remove inconsistencies and makes it easier for people to understand and comply with it. Whether, or the extent to which, it has/will succeed in these endeavours, of course, remains to be seen. It is also important to recognise that other national legislation will have an important effect on communities, individuals, and groups, such as the raft of welfare reform being implemented in 2013 and beyond. Although strictly outside of the remit of the FC, these legislative frameworks, and others beside, provide a wider policy context in which issues of fairness need to be considered concerning Council budgetary allocations, given these policies will have a profound effect on the demand for Council services, and the expectation on Council to provide for additional services (also see [Appendix 3](#) for more details).

potentially sustainable and advantageous for local populations over time, and has established a process of identifying which communities have the most need. However, these programmes were relatively expensive to set-up, and are now undergoing redesign and some funding will be lost as a result.

Summary Box 3 Interdependency and reciprocity within community relations

The broad area of debate in Parameter 3, is precisely how and when equal opportunities and 'life chances' are facilitated in Newport, so enabling citizens to participate effectively in the life of the community, and most notably, for sustainable and durable periods of time.

The key questions concerning the subsequent focal points of fairness are: how to enable citizens to positively participate in the life of the community over periods of time, for their own and others' benefit? And, in what ways do Council policies and practices variously facilitate and/or hinder this process?¹⁸

The general assessment criteria, following from the above, are that there exist expectations and obligations on government to foster reciprocity and interdependency between individuals and groups, which help to underpin the social and economic conditions of fairness. The main issue for fairness concerns what criteria are used to establish these conditions of fairness, as a basis for developing and enhancing sustainable and durable well-being and prosperity across Newport. These criteria are assessed by the FC and applied to policy and practice accordingly, recognising that what might count as conditions of fairness in one context will not necessarily hold in another.

3.5 Parameter 4: Transparency and accountability in decision-making

¹⁸ It is in the above context, especially, where issues concerning not only the distribution of resources are considered concerning what groups receive what amount, but also *how* resources are distributed. It is important to note, for example, that considerable resources are proposed as savings from the social services budget, with a view to encouraging less dependency of certain citizens traditionally defined as 'vulnerable' and 'dependent' – see policy changes proposed by social services for adult services report for the 2012/13 budget proposals, and see [Appendices 2](#) and [3](#). It is also the case that Council policies for sustainable economic regeneration, which can benefit all citizens, provide numerous arenas for reciprocal exchange and interdependencies over time. However, it is important to acknowledge the potential, under these conditions, for gaps between the better-off and the worse-off increasing rather than decreasing as a result. Consequently, the FC is attentive to matters relating to issues of equality of resources as it considers matters of fairness. That is, it is mindful of the considerable international evidence demonstrating that increased material inequalities in any given society makes it worse-off for everyone, including those with the most resources – for example, see R. Wilkinson and K. Pickett (2010) *The Spirit Level: Why Equality is Better for Everyone* (London: Penguin).

Finally, local government should also ensure that procedures of decision-making are transparent, and accountable, also enabling the effective democratic participation of citizens. In other words, conditions of fairness, not only relate to certain *outcomes* of the kinds outlined in parameters 1-3 above leading to a particular allocation of services and resources, but also concern the *just procedure* for allocating these resources. So, the content of a decision, although might be thought of as unfair relating to the outcome (according to particular criteria), might be thought of as fair or just concerning the way the decision was made (according to particular criteria). Conversely, the content of a decision, although might be thought of as fair relating to the outcome (according to particular criteria), may be thought of as unfair or unjust concerning the way the decision was made (according to particular criteria).¹⁹

For example, it is important for the NCC to present budgetary considerations and decisions in an accessible and easily understandable manner. It is unclear why, for example, [Appendix 1](#) for the report to NCC Medium-Term Financial Plan and 2012/13 budget, and the NCC's website outline of budgetary proposals for 2013/14 (see [Appendix 2](#)) does not include percentage reductions and increases for all service areas, as well as the total figures allocated and/or cut. Percentages would give a much clearer and more direct indication of the *impact* of austerity measures for each service area, and if presented this way would also provide more transparency for debates concerning the above issues.

However, the FC also recognises that when the Council consults public opinion, there is a difficult balance to be made between transparency (which may involve making available considerable detailed information) and ease of access to information (which may involve giving abridged information for simplicity sake). For example, what is understood by Council as the most controversial considerations are laid out clearly to

¹⁹ For example, see J. Rawls (1971) *A Theory of Justice* (Oxford: Oxford University Press); J. Rawls (1993) *Political Liberalism* (New York: Columbia University Press). Again, it is important to note that the residents' survey also frequently highlighted parameter 4 as a principle issue of fairness, with 50 respondents mentioning explicitly issues concerning the transparency and accountability of Council decision-making (see section 5 below)

the public via the Council website for public comment (see [Appendix 2](#)); whereas, the supposed *less* controversial decisions are considered by Council via very detailed reports made to its Scrutiny Committees (see [Appendix 3](#)). Certainly, the latter is an important part of the democratic process and the work of a democratically elected Council, and as such reflects fair decision-making procedures, but the public consultation process still seems to ‘miss-out’ large areas of proposed budget allocations. For example, the Council website proposals accounts for approximately 2.7 million pounds of cuts, while the Council states that it needs to find 8.4 million of cuts for 2013/14, leaving 5.7 million outside the remit of those controversial decisions listed on the website. One solution would be to have *both* kinds of information available for comment by the public, albeit with abridged information taking the lead in terms of website presence and other publicity (but making it clear to the public that the latter is not necessarily the whole of ‘the story’ and that the other more detailed documentation can be examined accordingly).

Finally, it is also important to acknowledge that NCC does not operate in political isolation, and is part of a wider national democratic decision-making process. For example, some of the NCC’s decisions may be *legitimately* constrained by recommendations from the Welsh Government – for example, concerning the maintenance of education budgets – but which, in turn, puts pressures on other budget areas and populations (see [Appendix 3](#)). The issue of fairness in this context are again complex and multi-layered, as it concerns the conflict or trade-off between national decision-making and local decision-making, either of which might be thought to be based on fair procedures, but leading to possibly unfair outcomes for the local community or communities concerned.

Summary Box 4 Transparency and accountability in decision-making

The broad area of debate in Parameter 4, is precisely how and when decision-making procedures are considered transparent and accountable?

The key questions concerning the subsequent domains of fairness are: how to convey clearly and concisely to citizens the main decisions being considered and made by the NCC? And, how mature and meaningful channels of communication and exchange of views and opinions between the NCC and citizens are opened and facilitated?²⁰

The general assessment criteria following from the above, are that there exist expectations on government to make decision-making transparent and accountable, recognising that community cohesion is not only produced by implementing the parameters of fairness highlighted in 1-3 above, but also through a clear understanding of how and why policies and practices are made and implemented. The main issue for fairness concerns what criteria are used to establish conditions of transparency and democratic accountability. These criteria are assessed by the FC and applied to policy and practice accordingly, recognising that what might count as conditions of transparency and accountability in one context will not necessarily hold in another.

²⁰ Also see 1.2 above and the role of the FC to encourage public debate and elicit public opinion and views concerning the meaning of fairness, its value and application. In this context too, the FC recognises the positive role that the media might play – while recognising that the media might also skew debates on fairness in the process. For example, considerable negative attention was given in local newspapers leading up to the budgetary decisions for 2013/14, to city car parking charges proposed by Council. Whilst no doubt this is an important issue for many – especially perhaps for local business and the economic regeneration of Newport – and it raises legitimate concerns about general ease of access to the city, there is a danger that debates about the general promotion and meaning of fairness get lost when these kind of single issues are focussed on. What perhaps would be more constructive and useful, in this kind of media coverage, is that questions are raised concerning what *other* spending areas should be cut (and/or, what other taxes could be raised), *if* car parking charges remained the same (and given the large cuts which need to be administered by Council).

4. Assessing the criteria of fairness for Newport

This section offers a summary of the key issues highlighted by the four working groups covering the four parameters and focal points of fairness outlined in 3 above – namely, working group 1 (wg1) ‘Equal treatment while recognising difference’; working group 2 (wg2) ‘Mutual obligations between citizens and local government’; working group 3 (wg3) ‘Interdependency and reciprocity within community relations’; working group 4 (wg4) ‘Transparency and accountability in decision-making’. Each working group was asked to consider which proposals it generally supported and which proposals put at risk their parameter of fairness. The following identifies the main areas of general agreement between the groups, recognising that there may not be *total* agreement concerning the issues listed below, and highlighting (by way of example) which of the working groups had raised particular concerns or points. The complete reports submitted to the chair of the FC for analysis and summary can also be found in [Appendix 1](#).

Summary Box 5

It is important to first stress that probably the most fundamental principle which guided all the working groups was attending to the needs of those groups considered vulnerable or disadvantaged, as a matter of first and immediate priority. The following specific assessments made should, therefore, be read with this principle in mind.

4.1 General consensus across the four working groups as to what are fair cuts and/or reorganisations of Council services (i.e. with little or no reservations), given the austerity measures imposed on the Council

- Funding for ‘Twinning’ activities – although some benefits to Newport would be lost as a result of reducing these activities (wg1; wg2; wg4), the impact on vulnerable or disadvantaged groups is likely to be minimal and so the cuts were generally seen as justified by all the working groups.
- Funding for Mayoralty and civic events – though there were some reservations expressed that these cuts may threaten the access and engagement between the mayor and citizens (wg1), there was general agreement that these cuts were justified.
- Funding for Neighbourhood Allowances for Councillors – this fund is designed to give Councillors discretionary funds to distribute to ‘good causes’ in their wards. The subjective and possibly arbitrary character of these awards is subject to question in any event (wg2). However, there were some concerns

voiced regarding the impact on charities and the extent to which affected organisations were consulted (e.g. wg4). In general though, these cuts were thought to be justified.

4.2 General consensus across the four working groups as to what are fair cuts and/or re-organisation of services, given the austerity measures imposed on the Council, but with some substantial degree of reservation or concern

- Shared social services collaboration was in some respects welcomed (wg1), but there were some substantial concern over the potential detrimental effects on vulnerable groups (wg1; wg4), and what degree of consultation has occurred with interested parties (wg4).
- Removal of floral displays is generally accepted as fair, given the cuts, but concerns were raised concerning the threat to universal civic pride (wg1), and that any removal needs to be considered strategically – i.e. to take account of the needs of more disadvantaged areas (wg1), and the importance of maintaining the aesthetic quality of the more commercial areas of the city for visitors and potential investors (wg2). Floral areas being maintained at the Civic Centre was thought to be of relatively low priority (wg2).
- The cut in funding for Gwent Music Support Service was generally *very* reluctantly accepted – i.e. given the austerity measures, and the priority that needs to be given to national curriculum subject areas for children (wg2; wg4). There was also some concern raised that this kind of service should be funded nationally and not locally, in any event (wg2). However, substantial reservations were also raised concerning the detrimental effect on the cultural health and well-being of the city, and in particular on disadvantaged groups/families who may have previously accessed these services and who otherwise could not afford to engage in this kind of activity (wg2) – and despite often the false public perception that this type of service is elitist and only benefits the better-off (wg2; wg3; wg4). Concerns regarding the adequate consultation with parents/children affected were also raised, particularly given the international reputation of this provision (wg4).
- Cuts in the maintenance of public art was also generally *very* reluctantly accepted by the groups (with concerns that ‘the arts’ are under considerable threat as a result of the cuts; wg2). However, the view was also expressed that possibly a legitimate role for Council is to set-up or encourage local volunteer support groups to help in public art’s continued maintenance (wg2; wg3).

4.3 General consensus across the four working groups as to the clear risks to fairness as a result of cuts and/or reorganisation of services

- While the aims of social services to re-organise in order to encourage choice and control of service-users and carers was welcomed (wg2), the sheer scale of the cuts proposed (most especially, but not exclusively, to residential provision) was viewed as a clear risk to fairness, and in need of close monitoring. The transition made to more ‘independent living’ for those groups which are most vulnerable require particularly close scrutiny (wg2).
- While priority to statutory services should be maintained by Council, the clear risk to fairness concerns those cuts in non-mandatory services. Many of the latter areas have already been highlighted in 4.1 and 4.2 above, but in addition, include significant concerns about cuts in youth provision and the subsequent detriment to community relations and the relationship between generations in Newport (wg3), and the closure of other universal community facilities which facilitate citizen’s quality of life (wg4).
- While economic regeneration in Wales is being reviewed by the Welsh Government, the cut in funds to Newport Unlimited (NU) is still seen as a potential risk to fairness, given that any re-distribution of wealth and prosperity is predicated on the continued economic regeneration of Newport City. Concerns were also raised about the ability of Newport City Council to absorb ‘in-house’ some of the activities of NU as proposed (wg4).
- While it is acknowledged that the expanding use of web-site facilities for customer services has many advantages for customers and service-users (most especially as these have been continually developed and improved in recent years), and that this will produce various economic efficiencies and savings – again the concern is for those vulnerable and disadvantaged groups who may not have access to broadband, and/or are not comfortable or sufficiently skilled using the internet (wg1; wg2; wg4). It is imperative, then, that as these services are developed, websites are made as user-friendly as possible, are kept up-to-date, and that appropriate training is provided and made accessible for citizens, most notably in these groups. Concerns were also raised about the lack of Welsh bilingual facilities on the Council website, plus the absence of other community languages, and links to further language provision (wg2).
- In the light of the severity of cuts, concerns were also raised by all the working groups (either directly or indirectly) about the impact on those who work for the Council and other related caring industries and services. Moreover, it is likely that poorly paid workers and those on the lowest pay scales will be most adversely affected by the above changes, exacerbating the risk to fairness.

- Finally, concerns were also raised from all working groups about the extent of information/consultation in certain areas. Some of these concerns have been highlighted in 4.1 and 4.2 above, but in addition include the degree of information provided on the website concerning Categories 1 and 2 proposals – i.e. those proposals deemed less likely to prove politically controversial (wg1); the degree of information and consultation regarding what are the appropriate levels of Council Tax and, most notably, the impact any increase in Council Tax might have on the maintenance of services (wg1); the degree of consultation concerning how Newport City is being redeveloped (wg2); and the extent to which carers, and service-users have been consulted over the proposed cuts and reorganisation of social services (wg4).

5. Public survey on fairness – Newport citizens and organisations

5.1 Background to the citizens' survey

The following survey questions were devised by the Fairness Commission and the survey of citizens was carried out by the Newport City Council *Partnership Support Team* on behalf of the Fairness Commission, to gain insight into local perceptions of fairness in relation to Council policy and decision-making. The 'Residents Panel' was used to seek the opinions of 1,000 local people, drawn from across the city, and sampled to be broadly representative of gender, ethnicity, language, and age. A total of 260 responses were received, which amounts to a 26% return rate, although not all respondents answered all questions. The survey was in the main qualitative and 'open question' based, and as such each response speaks for itself; however, the following analysis aims to identify common themes of the survey and to summarise the main findings (also see [Appendix 4](#) for the full results of the survey).

5.2 Analysis of citizens' survey

Question 1

When thinking about how Newport City Council uses its resources and spends its money, complete the following sentence telling us what you think it means to say the Council is 'being fair'. The Council is being fair when.....

There were 232 responses to question 1.

As this was a very open question each response was individual and unsurprisingly no single definition of 'being fair' emerged. However, there were three main 'schools of thought' reflected in the responses, the first two of which exhibit the contrasting tensions outlined in Parameter 1 above (equal treatment while recognising difference):

1. Fairness is about treating everyone/all areas the same which means not prioritising certain groups/needs (reflecting parameter 1) – 50% of responses.
2. Fairness is about balancing spending and focusing resources to tackle disadvantage and assisting vulnerable groups to create equalities (reflecting parameter 1) – 40% of responses.
3. Fairness is dependent on community engagement, communication and evidence-based decision-making and spending – 53% of responses.

(Moreover, this theme was often mentioned by respondents *in addition* to 1 and 2 above)

- Question 1 focused on Council resource allocation and spending and it was found that Parameter 1 was reflected in 94 responses. However, Parameter 4 was also reflected in 50 responses (transparency and accountability in decision-making), with parameter 2 (mutual obligations between citizens and local government) being reflected in 7 responses; and Parameter 3 (Interdependency and reciprocity within community relations) reflected in 8 responses (it is also important to note that many of the responses covered more than one parameter).
- The balance between treating people the same and treating people differently clearly splits opinion. For example, of the 94 responses reflecting parameter 1 (equal treatment while recognising difference), 47 (50%) suggest that fairness is mainly concerned with treating everyone the same, whereas 38 (40%) responses imply that an approach is required which recognises difference and prioritises assistance to disadvantaged groups. (9 responses relating to Parameter 1 were not so clearly differentiated and so not categorised in this way).
- A relatively small number of responses (10) were openly critical of prioritising disadvantaged groups e.g. minority groups, immigrants, or welfare recipients.
- The need for the Council to engage, communicate and demonstrate transparency and accountability in decision-making, and as reflected in Parameter 4 (transparency and accountability in decision-making) was reflected in 50 of the responses.
- There were a relatively small number of comments (16) that were explicitly critical of *specific* Council policy and spending decisions in relation to fairness. The majority of responses answered the question positively rather than identifying what they saw as *unfair* Council policies.
- There were 11 responses which indicated that fairness means putting decision-making above party politics, as if it is a politically uncontested concept.

Q1 responses reflecting the principle (in Parameter 1) that fairness is about recognising difference and prioritising needs



This Word Cloud above shows the most commonly used terms. The larger text represents those terms which were used most frequently.

Reflecting this Word Cloud, “being fair” according to many of those surveyed, means, in part at least, recognising difference, emphasising the importance of prioritising certain groups, usually those groups which were considered vulnerable, or disadvantaged.

- Of these responses the majority did not, however, specify *which* groups should be recognised as different, instead they used general terms like “in need”, the “disadvantaged” (individuals and areas) and the “vulnerable”.
- When specific groups were mentioned, age (young and older people), ‘race’, and disability were the most commonly identified.

Groups identified as priorities	No. of references in Q1.
Older people	9
Young people	3
Disabled people	3
Race²¹	3
No specified group, instead referring to general terms such as need, vulnerable, at risk, disadvantage, hardship	23

²¹ To allow for a more consistent analysis of similar terms used, various responses under this heading were grouped together by this category. So, for example, the terms “creed”, “multicultural”, “ethnicity” were grouped under the heading of ‘race’. We acknowledge that the term ‘race’ is a social construct and so has no biological basis; and that, sociologically, this grouping is running rather roughshod over these other social distinctions, but in relation to the findings of this survey it was felt justified to more readily understand the variety of responses made.

Q1 responses reflecting the principle (in Parameter 1) that fairness is about treating people the same

Examining in more depth those responses which suggested people should be treated the same (reflecting parameter 1 – equal treatment while recognising difference), the Word Cloud below shows the words and terms most commonly used.



Selected responses which suggest all people/groups/areas should be treated the same

- “All benefit equally from expenditure, not single interest or minority groups.”
- “Irrelevant of your postcode you get the same level of services, care and attention.”
- “It considers all people in its decisions, not those it considers to be needy.”
- “No one section of the community/ward is favoured above others.”
- “Money is spread across all areas, so that all benefit.”
- “It spends the same amount of money on private estates as on housing estates.”
- “The cuts are spread evenly rather than targeted.”

Finally, there was a geographical dynamic to these responses, with 18 responses suggesting resources should be allocated more fairly across neighbourhoods, with only 2 responses to Q2 below suggesting a targeted approach to tackling geographical

deprivation. Of these 18 responses, the predominant suggestion was that certain areas were losing out in relation to investment and service provision. 4 of these responses also stated that former Council Estates (now *Newport City Homes*) receive *more* than their fair share of investment, when compared to neighbourhoods with higher levels of owner occupancy.

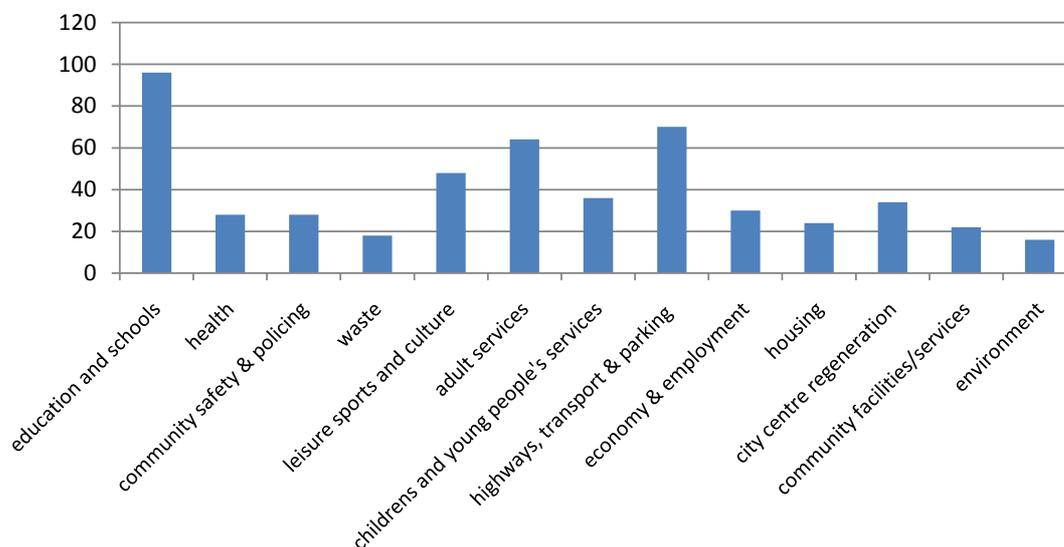
Question 2a - What areas of Council spending do you think should have the most priority for being fair?

There were 222 responses to this question

Responses to this question have been split into ‘service group’ categories, as set out in the bar chart below. The responses covered the main spread of Council services but also services which are either delivered in partnership with non-government agencies, or are led by other public service providers e.g. community safety, health and policing. Consequently, a number of the responses also revealed a limited awareness of which services the Council does and does not provide – in relation to the latter, most notably referring to health provision. It is important to also highlight that Council services with close links to health were counted separately e.g. leisure and sports, adult services, children and young people’s services.

Whilst a wide variety of services were identified as ‘priorities’, education and schooling was by far the most frequent response (being mentioned 96 times). Interestingly, the second most frequent response category was ‘highways, transport and parking’, (road maintenance was also mentioned in over 50 responses). These areas might not be an obvious high priority for fairness, but it is important to stress that ‘highways, transport and parking’ were twice as likely to be mentioned as housing and economy/employment. Adult Services were the third most common category (being mentioned 64 times), with the majority of these responses specifying services for elderly people. Leisure, sports and culture was the fourth most common category, with support for public libraries being mentioned 16 times.

Question 2a What areas of Council spending do you think should have the most priority for being fair?



Question 2b: If you have listed more than one area of spending in 2(a) above, which one area for you is the most important for being fair?

There were 173 responses to this question

The following Word Cloud and table show common responses to this question in which respondents were asked to pick their *single* most important service.

As for Question 2a, Education and Schools was the most common response as the single most important service. Adult services (mainly for older adults) were the second most common, followed by regeneration of the city centre, social services and health. It is important to stress that highlighting the importance of funding for education and schools is consistent with Welsh Government and Newport City Council policy to ensure this service area is protected from cuts, and that spending even increases, at least in line with inflation. It is also interesting to highlight that when citizens are asked what they consider to be the *single* most important service, 'highways, transport, and parking' seem to drop out of the picture.



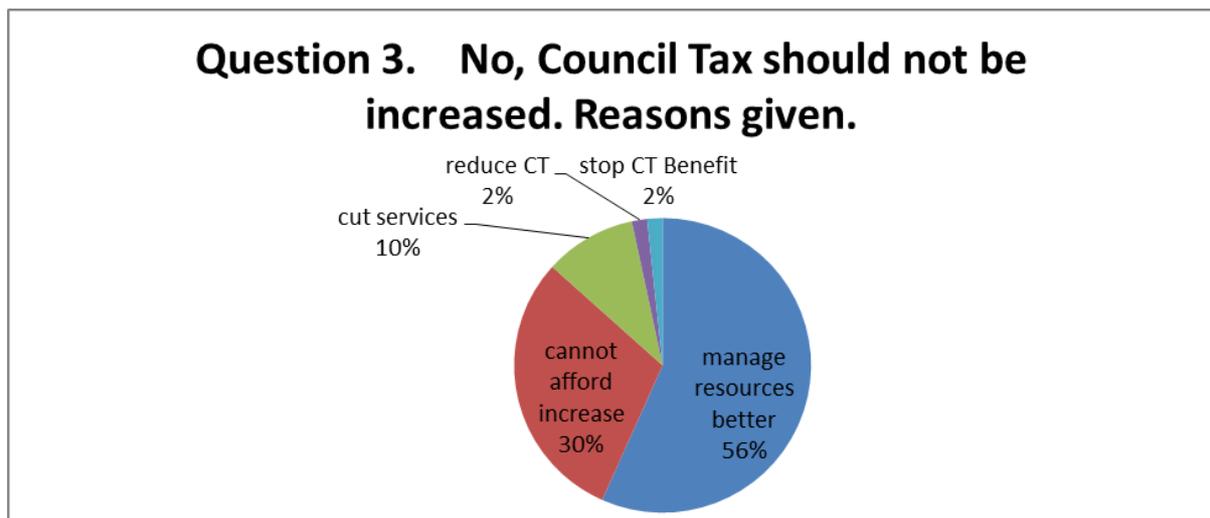
Most common responses	No. of references in Q2b.
Education and schools	33
Adult Services (older people)	14
City Centre	14
Social Services (not specified whether children or adults)	13
Health	12
Disabled people	12
Housing	11

Question 3a: Do you think it is fair to increase Council Tax to avoid some of the cuts that have to be made in Council spending due to Government austerity measures? & Question 3b: Please explain your answer

	Number of respondents	Percentage of respondents
Yes	103	43.5%
No	134	56.5%

Q3b “No” responses

A relatively narrow majority of respondents answered “No” to this question (56.5%) – that they did not think it fair to increase Council Tax to avoid service cuts. In addition, over 50% of the “No” responses suggested that the Council needs to work harder to find further efficiencies within existing resources, and that these savings would avoid cutting services. Common responses in this category included: spending on the wrong priorities, that resources are wasted, comparisons were also made with what is perceived as the “more efficient” private sector, perceived perks for Council staff and Councillors, and excessively high management overheads. A further 30% of “No” responses stated that Council Tax increases would be unaffordable for many local households. Only 10% of the “No” responses explicitly acknowledged that any cuts made subsequently were actually acceptable in relation to the value of fairness.



Selected “No” responses

- “People are struggling to feed their families and pay bills already”
- “Council Tax is already high, it’s all very well telling us that it’s one of the lowest in the country, but it still goes up every year and my wages don’t. So now we get fewer services and pay more for them which means I can no longer afford to go out and use the leisure centre or go shopping which in turn impacts on Newport.”
- “We cannot keep spending beyond our means. This goes for the national government, regional government, Councils and individuals.”
- “Those who pay Council Tax are already contributing substantially to counteracting the effects of Government austerity measures. The Council needs to look at other areas of their operations in a new and innovative way. They need to look at cutting waste (and it still goes on), collaboration with neighbouring authorities for provision of common services, and ensuring that those who are receiving Council money are spending it in appropriate, evaluated ways.”
- “Cut wastage, cut management posts and spend money on service users.”
- “Some of the shortfall in central funding could be made up from the capital/contingency/savings funds held by the Council.”

Q3b “Yes” Responses

43.5% of responses said “Yes” they would support an increase in Council Tax in order to avoid cuts to services on grounds of fairness.

Many “Yes” respondents added that this increase would be acceptable if it meant sustaining “essential” services and many also stressed that increases were justifiable, *only if* all efficiency measures had already been taken.

Approximately 33% of “Yes” responses stated that any increase should be limited – for example, “below inflation”, “small”, “minimal” etc.

Some responses mentioned specific services that needed to be supported and these were broadly consistent with the answers to question 2 and includes services for older people, disabled people, child protection, schools, transport, ‘vulnerable’ groups and people with low incomes.

A small number of responses suggested that increasing Council Tax was in keeping with principles of local democracy; if the money was used to reduce a reliance on benefits; or that increases are simply an inevitable part of rises to living costs.

Selected “Yes” responses

- “Rather than see a spiral of decline, I would be willing to pay a small increase in Council Tax.”
- “As long as all Council spending has been looked at very carefully.”
- “Too many cuts are making life miserable for many households, and those with reasonable income should take up some of the losses imposed.”
- “Provided it is proportionate to the local needs of community, i.e. education or child protection issues.”
- “Some extra funds may need to be raised to ensure the most vulnerable in society are not disadvantaged.”
- “Difficult decision but if the income is not generated even more services would have to be cut.”

Examination of the survey sample

Although the FC was very pleased with the response rate (26%) and that over 260 questionnaires were completed and returned, it is still important to acknowledge some of the limitations of the sample, and how these limitations could affect the findings. It is also important to acknowledge that membership of the residents’ panel is voluntary as is the completion of questionnaires.

Age Profile of Survey The following table shows the response profile was heavily skewed towards older age groups, which does though make it especially pertinent that education and schooling was generally considered such a high priority.

	Number of people	Percentage of people
18-24 years old	-	-
25-34 years old	2	0.77%
35-44 years old	25	9.65%
45-54 years old	45	17.37%
55-64 years old	67	25.87%
65-74 years old	78	30.12%
75+ years old	42	16.22%

Geographic Profile

Responses were received from all areas with the Council boundaries, with all Wards returning at least one response. While response rates varied significantly across neighbourhoods, coverage is considered to be *broadly* representative of views from across the city e.g. by urban/rural split, housing tenure, relative affluence, political representation etc.



5.3 Results of organisational survey

In addition to the above residents or citizens' survey, selected organisations were also asked to complete a similar survey on fairness, reflecting a range of interests across the Commission and elsewhere. However, in the event only two of these organisations responded – namely the Newport Equality Group (NEG), and The Newport Trade Union Council (NTUC). Unsurprisingly, one of the common themes highlighted from both these organisations was the importance of examining income inequalities and the protection of Council workers' pay and conditions in the face of austerity measures. More surprisingly perhaps, there was disagreement between these organisations concerning whether Council Taxes should be raised; the NEG argued that taxes should be raised on the grounds that it further reinforced a rough redistribution from the better-off to the worst-off; while NTUC argued that there was no justification for raising Council Taxes, on the grounds that other fund-raising activities should be focused on instead by Government, such as mitigating against tax evasion, especially those evasions committed by "Big Business". The following reproduces the entire response from each organisation according to the questions posed, and roughly following the citizens' survey's format.

Please give the full name of your organisation and a brief statement of its purpose:

A. Newport Equality Group

A local group affiliated to the Equality Trust, serving Newport and the surrounding area. Our objective is to raise awareness of the negative and harmful impacts of income inequality and to advocate proposals for reducing it. This work is informed by extensive research showing that a larger gap between rich and poor harms all in society, not just the worse off. While we regard other forms of inequality – for example, along lines of gender, ethnicity and disability – as often intertwined with income inequality, it is the latter which provides our focus.

- 1. When thinking about how Newport City Council uses its resources and spends its money, complete the following sentence telling us what *your organisation* thinks it means to say the Council is ‘being fair’ (maximum 150 words)?**

The Council is being fair when.....

In its provision of services, its distribution of resources, and in its arrangement of pay scales, it puts a priority on minimizing income inequality and the harmful effects of the gap between rich and poor. This means assessing the likely impact of any measure in these terms, and also thinking about how patterns of income distribution themselves often reflect patterns of unfair privilege and disadvantage. This is often self-reinforcing, so that we find a widening chasm between those in the community with the most resources (however secured) and those with the least. While a local authority is not in a position to fundamentally redistribute wealth, it does have it within its power – for example, through the levying of Council Tax, through the protection and enhancement of services of most value to those least well off, and through the wage structure of its own employees – to mitigate against some of the more drastic, and unfair, effects of income inequality.

2. should have the most priority for being fair (list up to five areas)?

Wage structure for Council employees

Housing

Parks and public spaces

Leisure services

Libraries

(All identified on the basis that decisions about these have a high potential either to reduce or exacerbate the harmful effects of income inequality in the community of Newport.)

(b) If you have listed more than one area of spending in (a) above, which one area for *your organisation* is the most important for being fair?

Wage structure for Council employees (e.g. introduction of living wage, limits on payments to top executives, contraction of gap between lowest and highest paid to a maximum ration of 1:10)

3. (a) Do you think it is fair to increase Council Tax to avoid some of the cuts that have to be made in Council spending due to Government austerity measures (tick one box)? Yes

(b) Please explain your answer to (a) above (maximum 150 words)

The setting of the Council Tax is one of the most direct ways in which a local Council can act to reduce the harmful effects of income inequality. We know that in times of austerity, there is a tendency for those effects to be exacerbated, and for lines of division within communities to be widened, and compassion for the hardest hit to diminish. While the reasons for austerity itself do not lie within the Council's control, it is in a position to compensate to some extent for its most potentially damaging effects. This is partly because in itself, while not perfectly so because based on property value, it is roughly a form of progressive taxation. It is also because services funded by Council Tax may potentially serve a redistributive function. We would recommend that the gap between highest and lowest Council Tax bands be expanded, and that Council Tax for the lower bands be held or reduced.

Please give the full name of your organisation and a brief statement of its purpose:

B. Newport Trades Union Council

The Newport Trades Union Council co-ordinates, supports and represents unions across Newport.

- 1. When thinking about how Newport City Council uses its resources and spends its money, complete the following sentence telling us what *your organisation* thinks it means to say the Council is ‘being fair’ (maximum 150 words)?**

The Council is being fair when it balances the needs of delivering value for the tax payer as well as rewarding the staff who work for NCC. We believe that this could be achieved by NCC introducing a living wage for its staff and also stipulating this requirement for any business or organisation that it engages to carry out any function for it. We also believe that NCC or any business or organisation it contracts to or from should not engage employees on zero-hours contracts.

- 2. (a) What area(s) of Council spending does *your organisation* think should have the most priority for being fair (list up to five areas)?**

We do not believe that it is fair to create a league table of services that should be protected but there is a need to protect the front line services that exist to look after the most vulnerable members of our communities. This means safeguarding the budgets for social services, education, and the environment.

- (b) If you have listed more than one area of spending in (a) above, which one area for *your organisation* is the most important for being fair?**

See answer (a) above

- 3. (a) Do you think it is fair to increase Council Tax to avoid some of the cuts that have to be made in Council spending due to Government austerity measures (tick one box)? No**

- (b) Please explain your answer to (a) above (maximum 150 words)**

As an organisation representing working people we do not believe it is fair to ask Council Tax payers to pay for a financial crisis caused by big business, unregulated banks, and self-serving politicians. When there is at least £150 billion a year lost through tax evasion, avoidance and lack of resources to collect it then it is wrong to make those not responsible pay more.

6. A case-study of fairness – The reversal of the decision to close Maindee library

6.1 Background

After extensive discussion at the 9th April 2013 meeting of the FC it was decided that each working group (covering the four parameters of fairness outlined in section 2 above) should focus on a shared case study in order to highlight issues which are especially pertinent to each working group's parameter of fairness. The overall aim for each working group being to explore the implications of Council decision-making in relation to the shared case study, and to assess the likely impact this decision-making has had/will have in Newport on any aspect or aspects of the parameter of fairness the working group is responsible for examining.

A number of potential case-studies were considered, but eventually members of the Commission settled unanimously on the decision by Council not to close Maindee library. While recognising the inevitable arbitrary character of choosing any case-study, this particular choice for a shared case-study was justified on three main grounds: (i) if all the working groups focus on one case-study then it will hopefully generate different perspectives on the same issue, reflecting the different parameters of fairness, while also providing a multi-dimensional and relatively in-depth account of fairness as applied to the particular case-study; (ii) the provision of library facilities *in general* raises a number of interesting issues concerning fairness as explored in the 'interim report' – most especially perhaps, relating to the universal nature of the facility and that libraries are said to provide a sense of community cohesion, including a focal point for valuable activities and citizen participation; (iii) that the Council had decided to continue funding Maindee library in particular also raises interesting issues concerning how and why disadvantaged areas are targeted for provision, so leading to various debates relating to the priorities of Council spending and its justification for keeping this facility open in a clearly identified disadvantaged area of Newport.

6.2 Parameter 1 – *Equal treatment while recognising difference*

Aspects of parameter to be examined

We take ‘equality and difference’ to apply to the decision to keep Maindee Library open under two general headings: (1) fairness with regard to different social groups; (2) fairness with regard to different areas of Newport. In identifying different groups for consideration under (1), we have begun with the nine ‘protected characteristics’ specified in the 2010 Equality Act:

- Age
- Disability
- Gender reassignment
- Marriage and civil partnership
- Pregnancy and maternity
- Race
- Religion and belief
- Sex
- Sexual orientation

To these, we added a 10th category deemed central to understandings of equality (for example, of access to public services) even if not specified in current UK law as a potential focal point for discrimination:

- Social class and level of income

In considering areas of Newport under (2), we began by including in our perspective all 21 Council wards.

For both (1) and (2), however, we sought to narrow down the focus in light of the specific issues at stake in the case-study in question. Of the protected characteristics, we take it that these are the most significant in light of issues of potential library closure:

- a) Age
- b) Disability
- c) Race
- d) Religion and belief
- e) Social class and level of income

This narrowing-down does not reflect any assumption that the other factors – gender reassignment, marriage, pregnancy, sex and sexuality – are somehow irrelevant when it comes to considering the roles, usage and value of public libraries. However, we felt the specified factors to be *prima facie* most relevant in this case – basing this judgement in large part on the feedback received via the public consultation on the original proposal to close two libraries in the November 2012 report (Cabinet Member for Leisure and Culture, 2012 – also see [Appendix 5](#) and [Appendix 6](#) here). Of the Council wards, we felt it most relevant to focus on those housing the two libraries in question:

- Stow Hill (location of Stow Hill Library)
- Victoria (location of Maindee Library)

Library facilities and fairness in Newport generally, and in light of this parameter

As has been well-publicised, current library provision is under threat across the UK, as local authorities seek savings in response to the withdrawal of central government funding (Flood 2012; Gentleman 2013; Voices for the Library 2013 – see reference list at the end of wg1 response). This has clear implications in terms of equality. Library facilities play a range of roles in the community, as a public service – as is reflected in the statutory duty of local authorities under the Public Libraries and Museums Act 1964 to offer a ‘comprehensive and efficient library service for all persons desiring to make use thereof’ (HMSO 1964). The role and value of library facilities in Newport will be typical in these respects, providing (to all members of the public):

- Access to books and periodicals in a public space
- Computer and internet access, and printing facilities
- A hub for community information
- A space in which educational and creative activities may be provided

As is the case with all universally accessible services, these will be used to varying degrees, and be relied upon for these services more or less heavily, by different social groups (also see [Appendix 7](#)). It is safe to assume that the services will be of proportionately greater value to those social groups who would have either no or very restricted access to them without the provision of library facilities. This is one reason why the characteristic ‘Social class and level of income’ can be deemed of primary significance under heading (1). But we can also assume that each characteristic (a) – (f) may intersect with one another, in the case of different individuals. On the one hand, individuals within certain age ranges are more likely to be reliant on the library than others; people with disabilities may be particularly reliant on some aspects of library provision; libraries may be used more or less by individuals according to ‘racial’ or religious background; and library use may vary according to sex. On the

other hand, any one individual will occupy a different place at the ‘intersection’ between these different characteristics. A disabled person on a low income, for example, may be in a different position with regard to reliance on library services, and affected in different ways by their removal, compared to a disabled person on a high income.

Similarly, those living in different areas of Newport (heading 2) will be differently affected by the removal of library services, insofar as they will have more or less far to travel to make use of the replacement service. This factor was explicitly recognised in the November 2012 Report. The original decision to close both Maindee and Stow Hill libraries was rationalized in part on the basis of their proximity to the Central library, and others remaining in operation. Thus their closure was deemed consistent with the maintenance of library and learning provision ‘within the heart of the individual community it serves’ (Cabinet Member for Leisure and Culture 2012 – and see [Appendices 5](#) and [6](#) here). Feedback via the consultation process suggested that many local residents in Stow Hill and Victoria held a different point of view on this. One factor to note is that while the decision to close these two libraries might be rationalised in terms of their relative proximity to the Central library, Maindee and Stow Hill are substantially different demographically, as areas – with the former being both more ethnically diverse and also with a lower *per capita* income than the latter. Thus the decision not to close Maindee library may be defended on equality and fairness grounds, in this respect at least.

Having said this, it is not clear from the 5th November report on what basis the different libraries in Newport were ‘banded’ with regard to their proposed opening hours – why the weekly hours for St Julian’s Library should be reduced from 49 to 30, for example, while Rogerstone is raised from 28 to 43. This also applies to the decision not to close Maindee, but then to place it on 36 hours. In short, we are not clear what criteria may have guided this decision. In the aftermath of the decision Councillor Debbie Wilcox (Newport City Council 2013) stated as a reason for its reprieve that Maindee Library ‘contributes to the wider community life of the area’ – and we have found a good deal of evidence for this (also see [Appendix 6](#)). However, if the implication is that Stow Hill Library contributes less in this respect, then no direct case is made for this conclusion. It is not clear whether there is any intention to monitor the ‘opportunity costs’ of saving Maindee library in terms of the impact on other areas of the city, including (of course) Stow Hill.

Library facilities in Maindee, in light of this parameter

As mentioned, we have found a good deal of evidence – both in feedback via the public consultation, and from discussions in the community – that Maindee Library holds a particular importance for the residents of Victoria, Beechwood and areas beyond. It is at the heart of a community which has seen a depletion of key local services and shops – in ways which affect most detrimentally those most disadvantaged. In these circumstances, the value placed by local residents on the role played by a public library is likely to increase. While there is no official analysis of footfall in Maindee Library, or of its usage by different social groups, observational evidence suggests that it is relied upon most heavily by schoolchildren of varying ages (for example, on the way home from school), older people, and recent immigrants and asylum seekers. It also provides a vital service (for these and other groups) in offering facilities through which members of the public may seek and apply for work, and access information about local services. For all these reasons, when the impact of the decision to keep Maindee Library open is viewed from within the local community itself, there is a clear ‘fairness dividend’. The library’s services are of particular value to those who would otherwise be excluded from access to them, in the local area. This also extends to those who, for reasons either of income or restricted mobility, would struggle to access services in Central Library as an alternative, had Maindee Library closed.

However, important questions remain:

- Are there plans for an Equality Impact Assessment of the decision to keep Maindee Library open?
- To what extent are community groups making use of the library on the day (Tuesday) on which it is closed and reserved for their use?
- Are current classes/events being targeted towards the disadvantaged – i.e., those most likely to be excluded from library-related services on the basis of age, disability, race, religion, sex, or sexual orientation.
- Why is there no actual monitoring of library use by different groups, e.g. by ethnicity or age?
- To what extent are older people encouraged to make use of the library’s services, in light of their potential to be less ‘internet-savvy’, and less able to access services outside of the locality?
- Will the take-up of services offered by Maindee Library be monitored – and if low, will steps be taken to boost this?

We have not been able to ascertain clear answers to these questions. This does not mean that they will not be answered in the future – but we do think that these answers will be crucial elements of a final evaluation with regard to Parameter 1 of the decision to save Maindee Library.

Overall evaluation of the decision to keep Maindee library open

We conclude that on balance, when considering Parameter 1, there are strong general reasons in support of the decision to keep open Maindee Library. Chief among these are:

- (Heading 1: fairness with regard to different social groups) The particular worth of library services to those disadvantaged according to our 5 prioritised criteria: (a) age; (b) disability; (c) religion and belief; (d) race; (e) social class and level of income.
- (Heading 2: fairness with regard to different areas of Newport) The fact that the local community served by Maindee Library has higher levels of disadvantage and deprivation than that served by Stow Hill Library.

However, we also conclude that a fine-grained analysis of the impact of this decision, in light of Parameter 1, would require further research, both qualitative and quantitative, to provide data which is currently unavailable. Such research would need to address in detail:

- The uptake of library services in Maindee by members of disadvantaged groups.
- The differences which such services make in the lives of those individuals.

On the evidence available to us, we believe that there is a high probability that keeping Maindee Library open will promote fairness with regard to characteristics (a) – (f). Yet the evidence as it stands is not conclusive. We would recommend that Newport City Council offer their support for the kind of research which would allow a more detailed judgement as to the potential contribution to equality (with due recognition of difference) made by this decision (also see [Appendix 7](#)).

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6.2 Parameter 2 – *Mutual obligations between citizens and local government*

Aspects of parameter to be examined

Under whatever configuration, in UK democracies, local authorities have been established to act independently, and mutually, with central government. They should enable the democratic representation of citizens' views to be carried forward into the services and facilities provided by Councils, recognising that Councils are providing an increasingly costly range of statutory provision – and, in the process, protecting certain provisions to citizens who fall into 'protected' categories of 'severe and substantial' need. The baseline of services has been laid-out against an unprecedented reduction in funding from National Government, over which few local individuals in Newport have had any influence. Nevertheless, local authorities are decision-makers who are accountable to National Government for their fiscal conduct. They should act within certain regulations and within the governance processes that all citizens would reasonably expect of their Council. However, individual members of the public have a widely differing appreciation of what is under the jurisdiction of National Government, Welsh Government and their local authority; consequently, mistaken expectations of certain levels of services being provided are often exhibited in public opinion, even where there are no obligations to provide these services by Council at all (see also the Citizens' survey reported above).

In broader terms, though, we believe that there is, rightly so, some *general consensus* that the provision of Council services should optimise (as much as possible), the quality of life of all citizens and enhance their future prospects – that is, for a satisfying life and the provision for their own well-being and personal achievements, for their own benefit, for their families, and for other members of their community. Consequently, we believe that there would also be a *general consensus* that libraries are 'community assets' in this regard, so helping to underpin the mutuality of obligations between citizens and local government.

Thinking about the provision of library facilities *in general*, how do the aspect or aspects of the parameter of fairness outlined above impact on issues of fairness in Newport?

Libraries can be viewed as forming important components of both learning and leisure services. Moreover, there are many stakeholders in these 'learning services', not just local authorities and individual service-users. Libraries, therefore, when seen as 'community assets' further the values of equality and fairness, by providing services to people of all ages and backgrounds. In the wider 'public interest', libraries can also promote and contribute to supporting those priorities which have been set nationally, and which are committed to by local authorities, intended to promote

‘national well-being’ – for example, encouraging health, and social inclusion, and addressing some of the damage caused by social isolation and exclusion.

It is important to also highlight that the stream of funding and provision that supports the creation of more thriving communities in deprived areas of Wales is *Communities First*. This programme has general priorities too articulated on similar lines; to enhance prosperity, learning, and healthy communities. In addition, there exists a parallel policy theme addressing child poverty, and incorporated under the *Families First* programme. Both these programmes are also intended to address the needs of specific deprived or ‘at risk’ groups, but with the implication being that less support is given to people outside these protected groups, though they may also have high levels of need.

From the above analysis, we can see tensions emerging for fairness concerning the provision of universal and selective provision, with the reversal of the decision to close Maindee especially highlighting this tension. In response though, it is worth considering what would be for many be the worst-case scenario, where no discrete library services are provided for anyone. All library provision could be removed as a collection of amenities under ‘one roof’, where ‘what libraries do’ are shoe-horned into other services. This policy would by-pass the above tension within this parameter of fairness, for sure, given that it would not be treating any *particular* group unfairly, as all groups would be having these services withdrawn equally. However, we believe that it is a policy which would not properly meet or fulfill the mutual obligations between citizens and local government concerning these types of facilities. In addition, we contend that public opinion would likely appreciate that most library facilities provided are free, or are provided at little cost, and *most* significantly, should be a universal amenity open to all people.

It is important to acknowledge, too, that, in recent years, there has been a development of library use as community venues for local groups, which in turn also provides a ‘positive arena’ in which the obligations between citizens and local government are properly met. This developing role played by libraries is maybe the most difficult to replicate, as not all areas have community centres, run either by community or voluntary sector provision or Council. Libraries are also often centrally placed within communities which better allows informal and formal access for specific population groups – for example, mother and baby activities, older peoples’ reading groups, and so on. In this context, we also believe that supporting the provision of Customer Service should be prioritised as a result, and not the generation of income as is the direction of many library facilities across the country (a recent survey by the union Unison also confirmed that one third of library staff respondents agreed with this prioritisation).

Given the above, we recognise that threats concerning the loss of these services have motivated some communities to ‘find voice’ and express opposition, forming local

groups to lobby Council, and consider alternative ways of maintaining these facilities (also see [Appendix 6](#)).

More specifically, and consistent with our parameter of fairness, those libraries which remain open should help ensure that:

- All young people have basic skills and are fit for employment, and have widening access to further and higher education.
- Activities and resources for children and babies, and their mothers, are made available.
- A continued role in providing forums for accessing information and communications technologies; and that digitization allows further access to countrywide library resources.
- Access to general and specific health advice is enhanced. We recognise that currently library facilities support general well-being through, for example, GP book prescriptions for mental health conditions and now also books and information providing support for the role of carers. These facilities should be developed further.
- Access to the expansion of cultural appreciation is increased.
- Self-led reading and access to music and other digital media for enjoyment and entertainment is enhanced. Libraries also offer universal benefits with the potential to inspire, innovate, collaborate, and enable the optimisation of individuals' potential, regardless of age and other social differentiations.

How do the aspect or aspects of the parameter of fairness outlined in 2 above impact on issues of fairness in Newport?

The reprieve of Maindee Library has allowed the maintenance of the learning and leisure services outlined above, and so can help deliver aspects of wider health and well-being so leading to various social benefits. It has also opened-up further room for the use of community groups of library facilities. (However, we also note that there have been no statistics collected to indicate any particular *extra* use of library services since the reprieve.)

It is also important to consider the wider *social factors* of keeping Maindee library open. Maindee has been identified as an area of high deprivation which in turn has led to a number of social problems associated with issues of social isolation and exclusion. There are also *practical considerations* regarding its location, and that it is easy to access for people with disabilities, and mothers with pushchairs (and see [Appendix 7](#) and [8](#)). The location is also relatively central, with parking, also on the flat (with lower charges for parking than the city centre area). Moreover, it is served by regular bus services in an area with a wide variety of busy shops. The facility has also allowed for an alternative site for the return of items loaned, in one of the more densely populated areas of the city. This, we believe, is a valuable alternative provision to the Central Library or the remaining libraries, particularly as the 'Information Station' has withdrawn the facility of renewing items over the phone.

In addition, Newport city has seen a declining number of bookshops in the centre. There are no bookshops in Maindee, neither are there any music shops. The only alternative would be the stock available in charity shops. (But recognising, too, that this scenario is also the case in Stow Hill where the library is being closed)

The Council has stated its reluctance to cause hardship or a sense of 'loss' to Newport communities by removing services which people have not only got used to but that they would ideally like to see expanded (see [Appendices 5](#) and [6](#)). The working group recognises that it is part of the unpalatable process of implementing National Government's current policies, that were not endorsed across Wales, that much has to be delivered with less funding, and will effect ordinary people. There are many such services that any citizen, regardless of their personal resources, has long considered reasonable to be provided to them as a universal benefit. Many unpopular suggestions as to where to make cuts have been, subsequently, considered by Council. As a result, many have been accepted, with some being rejected by Council, recognising too its attempt to avoid substantial increases in Council Tax. Regarding the latter, the predominant view in Council is that significant increases in taxes would cause financial difficulties for a substantial proportion of people and may also be considered unfair. (It is also important to emphasise that only 12% of the total of Newport City spending is raised by Council Tax).

It is in this wider political context, that the survival of this particularly library appears to reflect considerations that the loss of a portion of the library service would reinforce the social disadvantage already experienced by this particular geographic area, recognising also that the building has more suitable features to provide a sustainable service (compared with Stow Hill library). Also, it is in less need of substantial repairs to the fabric of the building (plus, the provision of library stock does not appear to be a consideration as 5,000 books were offered to Stow Hill if a non-statutory alternative could be found for this facility).

Finally, it is important in our view that Maindee library staff fully understands the additional contribution that their services can provide for their community; and how their facility has the potential to significantly enable an improvement in public health and well-being across Maindee, and, indeed, in other areas of the city too.

Overall *evaluation* of the Council decision to keep open Maindee library open, according to this parameter of fairness

On the grounds that access to the wide variety of resources available through libraries is non-means tested and a universal benefit, continued public library provision in Maindee meets the general focus of parameter 2 concerning the obligations local government have to its citizens. Moreover, this facility can meet some of the needs of the wider city's residents, providing level access to the facility

and it being on a well-serviced public transport route for the collection of ordered items and their return. However, it is also important to acknowledge that it offers a smaller range of stock than the Central Library. Nevertheless, that information and guidance on all aspects of reading and exploring culture, for learning and enjoyment, can be continued in one of the most deprived and densely populated areas of the city is generally supported by this working group. Finally, the British Library has set out five key themes that set out its strategic priorities:

1. Guarantee access for future generations.
2. Enable access to everyone who wants to do research.
3. Support research communities in key areas for social and economic benefit.
4. Enrich the cultural life of the nation.
5. Lead and collaborate in growing the world's knowledge base

It is our view that these themes and strategic priorities are consistent with the Council decision to keep Maindee library open.

6.3 Parameter 3 – <i>Interdependency and reciprocity within community relations</i>
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Briefly outline what aspects of your parameter of fairness you will be examining

We will be looking at the social and economic conditions of fairness within the community, with the central premise being that people should not live in isolation or in conditions of social exclusion as this has a serious effect on their communication skills, also their physical and mental health and well-being.

Thinking about the provision of library facilities in general, explore how the aspects of your parameter of fairness impacts on issues of fairness in Newport.

Our assumption is that all libraries should provide a wide range of material in a variety of formats, and these resources should be made available for all citizens. Awareness must be given to the requirements of those from various age groups, cultures and abilities, recognising differences (so overlapping with the concerns of parameter 1 above).

Access to up-to-date information is very important, in order to give citizens their independence, extend their education and learning, and to enhance their potential and ‘usefulness’ within their community. These attributes, in turn, will facilitate reciprocal social relations as citizens become more able to participate in the life of the community.

Any knowledge equips people to ‘progress in their life’, and gives them greater confidence in themselves, and can also address feelings of social inadequacy and exclusion. Libraries are fundamental in addressing these issues.

The benefits of library facilities does not stop with age; moreover, the older generation can support the education of younger people via reading groups and story-telling thus forming inter-generational links, and so creating a ‘cultural space’ for reciprocal exchanges based on the principle of establishing interdependence and solidarity in social relations. This interest and link across the community can also keep older citizens active, healthier and prolong life-expectancy.

When educational standards are enhanced the opportunities for further education can be opened-up leading to personal advancement, a fuller life and other benefits such as employment. It is also important, then, to highlight not just the importance of keeping open of Maindee library but also the *type* of provision made available. The use of a library (and potential of using) as a wider community facility cannot be

overlooked, given the latter concern (and see [Appendices 7](#) and [8](#)). For example, school groups should be able to extend their resources for their students and introduce them to all the material available in the library, plus other services offered there. In any community, access to the resources of a library should be available to all citizens. Moreover, travelling to a library can be difficult for some people and impossible for others, such as the house-bound and those in residential care. The NCC's provision of a mobile service can help to ensure that this problem is addressed.

Access to a computer is important for all age groups. This is particularly so when seeking employment and making claims for benefits. Overall, then, libraries can meet the needs of individuals and the community and, in the process, facilitate interdependent and reciprocal relations, with the aim to facilitate participation *for all*.

Thinking about the provision of library facilities in Maindee, explore how the aspects of this parameter of fairness impacts on fairness in Newport.

The ward of Maindee is an economically disadvantaged area of Newport, where many of the citizens are on low income, have poor health, and claim social benefits. This ward also has a large concentration of people in a relatively small area, leading to two different, and in some ways, opposing social phenomena. A disadvantaged community can be mutually supportive partly *in response* to the disadvantage experienced, recognising the importance of community action and cohesion for meeting the many needs of residents; whereas, social exclusion and isolation can also lead to social divisions and entrenchment as disadvantage reinforces the marginalization of citizens both within and between communities.

Given this tension, it might be said that libraries can, potentially at least, provide a 'stepping stone' to achieving greater social integration and cohesion encouraging higher levels of participation in mainstream community life through the development of communication and other skills. The working group also notes that an efficient and imaginative use of library facilities is important in targeting particular groups' needs, cutting across gender, class, ethnicity, disability, and other social categories. The latter outcome though depends, in large part, on how the Maindee facility is used *and* developed in the future and, as such, is not an outcome which is guaranteed *merely* by keeping this facility open.

An overall evaluation of the Council decision to keep Maindee library open, according to this parameter of fairness

If it is the NCC's statutory duty to provide a library service, then the controversial question for issue of fairness is; how exactly and who for? It is our view that the priority of the NCC should be to support those defined as the most needy and

disadvantaged. Closure, therefore, would be detrimental to the welfare of the citizens of Maindee which is clearly defined as a disadvantaged area, and would lead to a high level of loss concerning the area's educational facilities, advice on health, and so on. In addition, there are some citizens living in Maindee who do not want to or, most importantly perhaps, are *unable* to travel to the centre of Newport. The Central Library and the Information Station are often unfamiliar areas and facilities to these citizens and they are therefore reluctant to visit these venues.

In summary, then, libraries enable citizens to participate in their own community and society more widely. Any closure of this amenity, with the support and advice issued by a library, would therefore have an adverse effect on the integration of the residents and on the social cohesion of different groups within the area. Its closure would undermine the ability of communities to participate productively and to develop healthy reciprocal and interdependent relations with others, both across Maindee and elsewhere throughout the city.

5.4	Parameter 4 – Transparency and accountability in decision-making
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Briefly outline of what aspect or aspects of your parameter of fairness being examined

This working group is examining the way in which Newport City Council arrived at its final decision to keep Maindee library open (and see [Appendices 5](#) and [6](#)). The initial decision was to close Maindee Library but that decision was reversed as a result of community consultation and other democratic processes of decision-making. The working group is looking at whether this decision reflects a victory for *so-called* ‘commonsense’ (insofar as library-closures are concerned and the generally uncontroversial character of this type of provision) or of ‘political expediency’ (given the public pressure and lobbying ability of certain Councillors not to close this particular facility)? We will also be considering whether, or the extent to which, forms of ‘people power’ (via processes of consultation) should be allowed to frustrate political decision-making arrived at in other more formal democratic forums – most notably in the Council Chamber or Committees?

Thinking about the provision of library facilities *in general*, how does the aspect or aspects of this parameter of fairness impact on issues of fairness in Newport?

In November 2012 a Report to the Cabinet Member for Leisure and Culture set out the need to rationalise library provision as follows (also see [Appendix 5](#) and [6](#)):

“Newport in common with every local authority has a statutory duty through the 1964 Libraries and Museums Act to provide a “comprehensive and efficient” public library service. While the Welsh Public Library Standards were established in 2002 to assess the quality of public library services provided by each local authority there has never been a clear definition of what constitutes a “comprehensive and efficient” service. As a result for many years public libraries across the UK have tried to be everything to everyone. In the current climate libraries need to make difficult decisions and refocus their services.

The recent DCMS review of public libraries in England has recommended that a library core offer is established which is then supplemented by a local offer ... The local offer would provide the local context for the priorities of service delivery and provide transparency as to what customers across the City could expect from the public library service. Libraries are not simply about lending books; they have a vital role in helping people get online both for communication and information, improving literacy, providing services for families, providing information to enable

people to make informed choices in their lives, signposting initiatives and services and aiding community cohesion. However, these roles have not always been recognised. Public libraries need to change in order to meet the challenges of the 21st Century including raised customer expectations, improved and advanced technology and the difficult financial times we are working in.”

It is against this background that Newport sought to meet these requirements within its 2013-2014 Budget proposals but through a process of proposed closures, changed opening hours and the concentration of resources at the Central Library.

The working group also notes that the expanded role, from the traditional one of lending and borrowing of books, to that of ‘community hub’ has profound implications for the Council and notions of fairness, leading to the question:

Is it incumbent on the Council to provide this level of provision across Newport to all in their particular communities, providing equal provision for all (see also parameter 2 above)? And, is this financially realistic, particularly in times of economic austerity?

If the answer to these questions is ‘No’, then the next question is how to provide a service *given* this answer – so, should the NCC provide just one centre of excellence at the Central Library or just a good level of services and facilities provided at the Central Library supplemented by satellite provision across Newport? If the ‘centre of excellence’ policy aim is rejected then the NCC is faced with deciding *where* the satellite facilities are to be placed, and *how* these are resourced, which in turn leads to the question; what specific criteria is applied for deciding where and how these facilities are resourced? For example, is the criteria footfall at a particular facility or the environment and make-up of the community where it is sited (also see [Appendix 7](#))? These are very difficult decisions to make but which need to be addressed as a necessary *part* of the transparency and accountability in decision-making. In short, it seems, then, that the Council must make a *political* decision of how to allocate resources but facilitating this decision through the proper consultation with those affected. The problem is that ‘those affected’ (in this case) will have varying needs and expectations and will not necessarily be confined to the district of Maindee.

Following from the above analysis, the working group has concluded that Newport City Council through publicity via its own publication, *Newport Matters*, website, articles in the ‘South Wales Argus’ and limited polling, and so on, has allowed the issues of budgetary decisions and fairness to at least be *raised* within public debate (and see [Appendices 5](#) and [6](#)). However, we have concerns that more could have been done to elicit public opinion further and we recommend that Newport City Council should be looking to engage more widely with the people of Newport, fully recognising and *openly exploring* the above very difficult issues and questions.

Thinking about the provision of library facilities in Maindee, how do the aspect or aspects of this parameter of fairness impact on issues of fairness in Newport?

The proposal to close Maindee Library (along with Stow Hill Library) was first made in November 2012 and then announced in January 2013 (and see [Appendix 5](#)). This was then rescinded in February 2013 with only the closure of Stow Hill Library going ahead (see [Appendix 6](#)). This may be considered good sensible local government 'listening to the people' – but is it? What changed in the intervening period?

First, it might be argued that Newport City Council already had all the necessary data on use of its library facilities, and under this set of criteria decided that Maindee must close along with Stow Hill. But, correspondingly, why did NCC reverse the decision? Is it a result *merely* of political pressure or of 'people power' which often fix on relatively uncontroversial issues, or a more systematic and rational reflection on the effective community campaigning based on full and proper consultation with the public? Second, in addressing these questions it is important to highlight that there are many variables in the democratic decision-making process, including the lobbying abilities of Councillors, and the political allegiance of certain wards, which are likely to affect the decision-making process. As is usual in these situations, the working group conjectures that it is probably an amalgam of all of these and more factors, so considerably complicating any analysis of the decision-making process.

What is clear though is that *all* these questions reflect other more general questions in 'the fairness' debate. For example, are people disproportionately, and therefore, unfairly influencing policy because they have the loudest voice and are the most effective advocates for their case? Or is local government simply performing a legitimate role of having their policies effectively scrutinised and endorsed within Newport City Council's more general democratic processes, when exposing its decisions to these processes of advocacy?

An overall *evaluation* of the Council decision to keep open Maindee library open, according to this parameter of fairness

What is not in dispute is that the decision to keep open Maindee Library seems fair to the users and community surrounding it. In a deprived area of Newport, with a paucity of community facilities, the benefit to maintaining this 'community hub' would be difficult to argue against.

But the decision could be viewed as unfair when seen across Newport. Other communities within the Newport City boundaries may interpret the preferential treatment given to this group of people as unfair, particularly if these communities have to suffer hardship because of cuts to facilities or services that *they* use (and see the citizens' survey above).

Following this analysis, important issues are raised about the wider democratic process. The electorate of Newport voted their representatives onto Newport City Council to represent their particular communities. To this end, it might be argued that Councillors have met this requirement and the decision is fair regarding the way this particular decision was *made*. However, others might counter that it is unfair insofar as the set of proposed cuts leads to unequal *outcomes*. These unequal outcomes, subsequently, reflect a range of factors which could be seen as irrelevant to the fair provision of library facilities, but relevant in regards to legitimate democratic decision-making, concerning for example political allegiances, the relative power of political parties, and so on. These latter factors, moreover, are made particularly salient in times of economic austerity, when legitimate decision-making processes lead to some groups across communities having their needs met, where others clearly do not (this issue concerning the relationship between equality treatment and the legitimate targeting of resources is also raised in the citizen' survey above, and in the analysis offered by the working group for Parameter 1 – 'equal treatment while recognising difference').

Finally, this problem in turn, highlights what the working group here calls 'the paradox of the cuts agenda' leading to basic policy dilemmas for Council. If the budget reductions by the UK Coalition Government via the Welsh Government to local authorities lead to unfair *outcomes*, then local authorities like Newport City Council who may implement decisions fairly (through accountable and transparent decision-making) will still perpetuate unfairness *in relation to* these outcomes. In effect, one parameter of fairness (parameter 4) is being maintained while being traded-off against the demands of the other parameters of fairness.

7. Conclusions and recommendations

Before outlining our conclusions and recommendations it is important to reiterate what has already been stated in 1.3 above – that the Fairness Commission is not an elected body and is not a special interest group, and therefore, in our view, its role is not to make specific policy and practice recommendations. We fully recognise and respect, that some Fairness Commissions across the UK have made particular policy recommendations to their Councils, and that, in any case, the line is often blurred between providing critical evaluations of policy and recommending policy. However, in broad terms, the Commission sees its role primarily as facilitating a critical reflection *on* policy, rather than it being a recommender *of* policy. It is through maintaining this distinction, that the following conclusions and recommendations have been made:

- The Fairness Commission’s role is to help provide, what we have called, a ‘critical lens’ for Council to view its policies and practices – that is, hopefully, better enabling elected representatives to more thoroughly examine fairness as a value, most notably when Council policies and practices are being formulated, evaluated and assessed.
- It is to this end that this report has been written principally, with the further aim of encouraging more mature and meaningful public debate on the highly contested concept of fairness. In short, we believe that it is the Newport’s Fairness Commission’s main job to lead the way in us all taking the value of fairness seriously.
- Given these general conclusions, we therefore recommend that Council: (i) gives an initial response to the full report presented here, so contributing to the public debate on fairness (ii) outline plans for how it will use the four parameters and focal points of fairness identified in this report, and as a part of its considerations for devising and implementing future Council policy, and (iii) set-up mechanisms which will monitor, via (ii), the effects of those Council policies identified by the Commission as leading to ‘some substantial degree of reservation or concern’, and (most importantly) as indicating ‘clear risks to fairness’ (and as laid-out in the Executive Summary here).
- Finally, we also recommend that Council (alongside the Commission): (iv) develop ways of further consulting and dialoguing with Newport citizens’ concerning Council spending and service provision as related to the value of fairness, and (v) develop ways of disseminating the work of the Commission (both across Wales and other parts of the UK), with a view to raising the profile of ‘fairness’ as a social value informing policy development, while again recognising the highly contested character of this value.