

Agenda Item

Executive Board

15 March 2006

MW



Local Government Review

Summary

To update the Executive Board on the possibility of further local government review to be outlined in a White Paper scheduled for the Summer.

Recommendation

To note the contents of the report and to consider:

- a. Whether the Council wishes to express any support for the declared intention of Exeter City Council to pursue a case for becoming a unitary council and/or
- b. whether to indicate to the Devon County Council that the District Council wishes to pursue or present a case for enhanced two-tier working and/or
- c. whether at this stage the Executive Board considers that no further action is appropriate pending publication of the White Paper.

a) Reasons for Recommendation

As set out in the report.

b) Alternative Options

These are canvassed in the recommendation.

c) Risk Considerations

At this stage it is too early to identify any specific risk considerations with any sufficient degree of certainty.

d) Policy and Budgetary Considerations

None at this stage.

e) Date for Review of Decision

Upon publication of the White Paper.

1 Background

- 1.1 The Communities and Local Government Minister (Mr David Miliband) has indicated in a number of recent speeches and articles that he regards the three-tier structure of local government in Shire areas (County, District and Town and Parish Councils) as not necessarily being the best for delivering efficiently run local services which meet local needs and engage local communities.
- 1.2 Although the messages currently emanating from the ODPM lack a certain consistency this is probably because the Government is still trying to ascertain what degree of consensus there may be for further change. The basic premise appears to be however that the three-

tier structure of local government in shire areas should be abolished with the idea of unitary councils replacing county and district councils and 'neighbourhood empowerment' acting as a community level area of influence – at this stage no indication has been given that the idea of empowering neighbourhoods is necessarily the same as giving greater powers to or devolving responsibilities to town and parish councils as 'neighbourhoods' may well be smaller units than a town or parish. Preliminary indications are also that if local government review is to take place it will not involve a Local Government Commission – rather it will be a 'quick and dirty' review using existing district/county boundaries as the building blocks.

- 1.3 There are attached to this report as Appendices A and B summaries of roundtable meetings that Mr Miliband has held in both Shropshire and Gloucestershire. Insofar as clear indications can be gleaned from these summaries it would appear that the position may now be that changes to the current structures will not be forced upon county and district councils. Mr Miliband is reported as saying at the Labour Party Spring Conference: "we have made clear that we want to do this in partnership with local government, not to local government". Furthermore, indications are that he has stated a view that there should not be 'a one size fits all' mentality.
- 1.4 If the White Paper does propose the restructuring of local government, indications are that a possible timetable might involve a Bill being laid before Parliament in the Spring and Summer of 2007 with Royal Assent by October 2007. This would enable shadow authority elections for May 2008 with new authorities up and running by May 2009. Members may recall that there was recent publicity in the local press that this might involve the suspension or abolition of the programmed district elections for May 2007 but the Department for Constitutional Affairs has said that this is not presently proposed by the Government.

2. Issues

- 2.1 Officials of the ODPM have suggested that there is a debate to be had regarding the issues of governance and reorganisation with a view of determining what is the best form of governance for a local area in the 21st Century. It is not intended to be a sterile unitary versus three-tier debate – rather the ODPM is looking at innovative governance options. Whatever the precise form of governance options that emerge it is expected that the arrangements for a local area will need to:
 - a. Provide strong visible and accountable leadership.
 - b. Empower people as individuals, communities of place and communities of interest.
 - c. Deliver efficiently integrated and co-ordinated high quality public services – no matter who provides this service.
- 2.2 A mooted future approach for local government could be four year terms for executives to run an authority with a clearer role for ward councillors and representatives. This role may be as leaders of communities, engaging community stakeholders and individuals; representing the communities to the executive; with support being provided by a council in the form of neighbourhood managers. There is also a suggestion that wards should be aligned with "natural communities represented by a single member" rather than is the case with some wards.
- 2.3 The particular issues that the ODPM is grappling with relate to size of the local area; coterminosity with other delivery partners; efficiency and value for money; financial issues; empowerment and participation.

3 The local picture

- 3.1 Most of the publicity locally has been around the decision of Exeter City Council to pursue the possibility of it becoming a unitary

authority based on its existing boundaries. It has agreed to present a case and has budgeted £50,000 for the process.

- 3.2 I have attached as Appendix C a report to the Exeter Executive on 13 February 2006. In essence, although Exeter is likely to make great play of the historical reasons why it should be considered to be master of its own house there is clearly an issue that generally speaking the minimum size for a unitary council is suggested to be in the region of serving a population of around 250 – 300,000. In that sense Exeter’s decision to go it alone at this early stage is intended to influence the contents of the White Paper to try and ensure within the White Paper that Exeter’s relatively small size should not mean that it can not be considered as a unitary council.
- 3.3 From an East Devon perspective the decision of Exeter is disappointing for many reasons not least those referred to in Appendix D. Members will be well aware that much if not all of Exeter’s growth over the next 10 – 15 years is to be within East Devon rather than the existing boundaries of Exeter itself. Thus all the work that the Council is doing with regard to Cranbrook, Skypark, the science park and other developments in the “Exeter growth area” directly arise from Exeter’s ambitions to be a regional capital. It is tempting to comment that perhaps Exeter should seek to embrace the implications of its ambitions rather than turn its back on them.
- 3.4 At the Devon Districts Forum, Exeter has requested that East Devon consider supporting Exeter’s case. It has also suggested that we join with Mid Devon District Council to work up a joint EDDC/MDDC case for a rural district based unitary government. Hitherto, our approach has been that we do not support Exeter’s case as we believe it is primarily politically motivated and furthermore we have indicated that we see no benefit in joining with Mid Devon District Council to work up a case for a joint unitary council. However, Member’s views are sought with regard to this.
- 3.5 With regard to Devon County Council, the Leader of Devon County Council has written to the Council confirming that the County Council does not have any structural position agreed at this time. Indeed, the Leader has confirmed that he has been trying hard not to get engaged in the debate about possible structures ahead of the White Paper. The County Council has indicated its willingness to take part in roundtable discussions with all Devon districts about possible local government review and has furthermore indicated its willingness to discuss enhanced two-tier working if an interest is shown at district level. Our position to date has been that we would support discussions around enhanced two-tier working since it is likely that developing a shared services agenda with the County Council and other districts in Devon is most likely to lead to sustainable and tangible improvements for service delivery across the whole of the County.

4 Conclusions/summary

- 4.1 This report has been prepared on the basis of the information that is available to date. It is expected that members of the Executive Board and of the Council will have their own views about the appropriateness of further local government reorganisation. From a broad perspective, there is evidence to suggest that the case for unitary local government is not as compelling as some might suggest. There are as many “dysfunctional” unitary councils as there are alleged to be deficiencies in the existing structure. Certainly, in large rural areas broadly speaking the three-tier system works well, offers considerable benefits and facilitates a filtering of respective duties, powers and responsibilities. Indeed, where the existing three-tier system is alleged not to work it seems to be more a reflection of political or personal considerations rather than real experience of working on the ground. Indeed even with Exeter’s expressed views that the two-tier system in Exeter doesn’t work it is tempting to pose the question what hasn’t been achieved as a result of partnership working between the County Council, Exeter City Council and others. For many, the argument for unitary government boils down to a belief that it is more effective because one Council will have “control of

everything". In fact this is far from being the case since all in the public sector realise the need for collaborative working and effective partnerships. The existing structure is explicit recognition of this whereas perhaps the unitary case might suggest a yearning for the contrary. That being said, however, Members views are sought on what if any action the Council wishes to take at this stage.

Legal Implications

None at this stage.

Financial Implications

None at this stage.

Consultation on Reports to the Executive

None has taken place hitherto since this is in the nature of an informative report to the Executive Board.

Background Papers

See appendices.

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Executive Board
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