

Council – 14 May 2009

LOCAL GOVERNMENT REVIEW WORKING GROUP FEEDBACK ON RESPONSE SUBMITTED TO THE BOUNDARY COMMITTEE

Report of the Strategic Director (Community)

Statutory Powers: Local Government and Public Involvement in Health Act 2007

Financial Implications: The direct cost of publicity to support the response to the Boundary Committee's latest report has been £1,700. This has been funded from the Strategic Issues Reserve.

Purpose:

This report updates Members about the Council's formal response to the further draft proposals for unitary local government in Devon published by the Boundary Committee on 19 March 2009.

RECOMMENDATION

That the Council notes the formal response to the Boundary Committee's recommendations.

Background

1. On 6 February 2008 the Boundary Committee was asked to provide advice on whether there could be an alternative proposal for a single tier of local government for Exeter, and the whole or part of the surrounding Devon County area that would have the capacity to meet the five criteria set out by the Secretary of State.
2. The five criteria used to assess unitary proposals are as follows;
 - provide for strong, effective and accountable strategic leadership
 - attract a broad cross-section of support
 - deliver the empowerment of citizens and communities, so that all communities have power and resources to influence the decisions that affect them in their localities
 - provide value-for-money services – services should be provided effectively, efficiently and in an integrated and coherent way, ultimately driving up customer satisfaction
 - be affordable – the change to a unitary structure should deliver value for money and be self-financing, with transitional costs being capable of being paid back within a five-year period.

3. The seven stages of the review are set out in the table below and stage 6 is the current phase;

Stage	Dates	Description
One	3 March – 11 April 2008	Commencement of review and submission of concepts for unitary patterns of local government
Two	14 April – 4 July 2008	The Committee considers concepts, seeks further information and prepares draft proposal
Three	7 July – 26 September 2008	The Committee publishes draft proposal report and invites representations
Four	29 September 2008	The Committee publishes financial workbooks completed by local authorities and invites representations
Five	21 November – 24 December 2008	The Committee publishes analysis of its independent financial consultants on the extent to which unitary patterns meet the affordability criterion and invites comments
Six	19 March – 14 May 2009	The Committee publishes further draft proposals report and invites representations
Seven	15 May – 15 July 2009	The Committee considers representations, reaches conclusions and submits advice to the Secretary of State

4. Following the receipt of the report, the Secretary of State is required to allow a minimum of four weeks to receive further representations. After a minimum period of a further two weeks, the Secretary of State may accept, reject, or modify the recommendation, or request further information from the Boundary Committee. Assuming the Boundary Committee do not submit the final report until 15 July, the earliest date for the Secretary of State decision is 26 August. The parliamentary break runs from 21 July to 12 October, therefore it is anticipated that formal orders would be laid in late Autumn/early winter. Any change to local government is likely to be introduced in April 2011, but recent correspondence from DCLG has not ruled out an April 2010 start.

Boundary Committee's Further Draft Proposals for Devon

5. The Boundary Committee's draft proposals are:
- Pattern A – a Devon unitary authority comprising the existing county of Devon, with no changes to Plymouth and Torbay (this was the draft proposal in the July 2008 report)
 - Pattern B – an Exeter and Exmouth unitary authority, and a unitary authority covering the remainder of the county, with no changes to Plymouth and Torbay (this was the pattern of merit in the July 2008 report).

6. The Boundary Committee's report can be viewed on the website at www.southhams.gov.uk.
7. In paragraph 1.30 of their report the Boundary Committee acknowledges that during the course of the review, it has received a great deal of support for the current pattern of local government in Devon. However the Committee has not compared the merits of the existing structure with their two proposals for unitary government and retention of the existing arrangements do not form part of their consultation. Members will however recall that retention of the current two tier system is an option open to the Secretary of State.
8. On 26 March, the Council unanimously resolved that:
 1. the Council has no confidence in the Boundary Committee;
 2. the Council is opposed to the further draft proposals as published by the Boundary Committee in March 2009;
 3. consideration has been given to an initial response to the Boundary Committee recommendations to guide the work of officers during the consultation period;
 4. the Local Government Review Member Working Group steer the on-going work associated with responding to the Boundary Committee's recommendation;
 5. authority be delegated to the Working Group to consider and submit a response to the Boundary Committee by 14 May 2009;
 6. the Working Group report back to Council at its Annual Meeting on 14 May 2009 on the outcome of this process; and
 7. the limited costs associated with responding to the Boundary Committee's consultation, including informing local people, be funded from the Strategic Issues Reserve.

Consultation

9. The Boundary Committee requested views on which proposal is preferred, how one or both could be made better, or how neighbourhood empowerment arrangements could work better. There has been an 8 week consultation period which ran from 19 March to 14 May. To increase awareness of the Boundary Committee report, in particular the opportunity to make representations in support of retaining the existing pattern of local government in Devon, publicity material, such as leaflets (nearly £800), posters (£130) and signs on council vehicles (£640) have been produced at a total cost of nearly £1,700. The leaflets and posters have been produced as joint South Hams and West Devon documents as both Councils have similar views, and joint work has provided an opportunity to save money on preparation and printing costs.

10. Since the Council meeting on 26 March, the Member Working Group has met regularly to prepare the attached response which has been sent to the Boundary Committee. Members have also attended a range of town and parish meetings to hear the views of local people and these views have been taken into account in the submission.

Strategic Risk Assessment

11. The following are the significant risks and opportunities identified:

Opportunity	Issues / Obstacles	Benefits
To respond to the Boundary Committee with the best possible solution for the people and communities of the South Hams.	The review process has resulted in limited options for the people of South Hams to consider.	<p>To ensure the longer term interests of the residents of South Hams are fully protected in any resulting re-organisation.</p> <p>Using effective publicity material that represents the almost unanimous and cross-party views of the Council in a way that encourages the public to remain engaged in a process that has become protracted and complex.</p>

Conclusion

12. This document provides the background to the next phase of the Local Government Review Process.

Alan Robinson
Strategic Director (Community)

Council
 14 May 2009

Background Documents:

Further draft proposal for unitary local in Government in Devon – March 2009
 (The Boundary Committee for England)