



REPORT TO EXECUTIVE

PORTFOLIO AREA: The Leader

Date of Meeting: 7 JULY 2003

Public

Key Decision: No

Recorded in Forward Plan:

No

Inside/Outside Policy Framework

Title: REGIONAL ASSEMBLIES AND LOCAL GOVERNMENT REVIEW

Report of: HEAD OF LEGAL AND DEMOCRATIC SERVICES

Report reference: LDS.41/03

Summary:

The Boundary Committee for England has been directed to carry out reviews of the structure of local authorities in the North West, North East and the Yorkshire and the Humber in advance of proposed referenda on the establishment of regional assemblies in those regions.

The reviews commenced on 17 June and initial proposals to replace existing two-tier authorities with unitary authorities in affected areas are required to be submitted to the Boundary Committee by 8 September 2003. This brief report outlines the review process and includes as, Appendices, a note of a presentation given by the Boundary Committee to relevant authorities in Widnes on 20 June last and also a summary of Guidance issued by ODPM and the Boundary Committee on the conduct of the reviews.

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Note: in compliance with section 100d of the Local Government (Access to Information) Act 1985 the report has been prepared in part from the following papers: Guidance and Procedural Advice for the Local Government Reviews published by the Boundary Committee

Recommendations:

1. The review timetable is extremely tight and the Committee's guidance itself says that "the degree of member and officer input ... is likely to be considerable and should not be underestimated" and will be "resource intensive". There is much to do, therefore, in a very short timeframe.
2. In order to comply with the review timetable, proposals for the establishment of a unitary authority or authorities to replace the current two-tier system will need to be prepared and submitted to the Boundary Committee by 8 September.
3. The Executive are therefore recommended:
 - 3.1 To note that a multi-disciplinary officer group will be set up immediately to begin work on the response to the Boundary Committee.
 - 3.2 To indicate how they see the matter being processed. Members will be aware that the Council at its meetings in August 2002 and March 2003 have previously considered the position and a full text of those decisions is set out in Appendix 3. It may be, for example, that the preparation of the Council's submission should be dealt with as though it were a strategy document of the authority, with proposals being worked up by the Executive with appropriate consultative input from Overview and Scrutiny and (as time allows) other interested consultees. If this route were to be followed, it would necessitate possibly a special Council meeting in early September and special Executive and (potentially) Overview and Scrutiny meetings over the coming months.
 - 3.3 To note that the Deputy Leader has requested virement in the sum of £30,000 from 2002/2003 carry forwards (Best Value) to undertake a research study into the Council's stated preferred option and to establish information to support any future option(s).
 - 3.4 To consider the request from the Cumbria Branch of the LGA to enter into the concordat set out at Appendix 4.
 - 3.5 To note that meetings at officer and member level are likely to be required with other authorities in Cumbria over the coming months to exchange statistical information and, where possible, agree common proposals to be put forward to the Boundary Committee.

1. INTRODUCTION

- 1.1 The Deputy Prime Minister announced on 16 June that he intends to exercise his statutory powers under the Regional Assemblies (Preparations) Bill 2003 to order referenda to be held in the North West, North East and the Yorkshire and the Humber on the establishment of elected assemblies in those three regions. Before referenda can take place, however, the Boundary Committee for England must carry out a review of the structure of local government in each of the regions affected and submit at least two options (and more if it so determines) to the Deputy Prime Minister for the creation of unitary authorities in place of any existing two-tier arrangements.
- 1.2 The Deputy Prime Minister has therefore directed the Boundary Committee to undertake immediate reviews in the three regions concerned and submit its final recommendations no later than 25 May 2004. Following completion of these reviews, referenda will be held shortly thereafter in each county area about the form of unitary local government that should be implemented should a regional assembly be established. The local government referendum will be held at the same time as that about regional assemblies. The options for structural change to be put to the electorate will be such of the Committee's recommendations (with or without modifications) as the government sees fit. It is open to the Secretary of State to accept the Committee's recommendations but he may require further information from the Committee, and he may reject one or more of the Committee's recommendations, in which case he may direct the Committee to make different recommendations, or to carry out a further review. It is the Deputy Prime Minister's intention that the referenda be held in the autumn of 2004.
- 1.3 Any local government re-organisation would not be implemented before 2006 or 2007 at the earliest and the government intends to proceed only if there is a "yes" vote in a referendum for an elected regional assembly.
- 1.4 The Boundary Committee, however, has started the reviews and will be seeking initial proposals for unitary arrangements from local authorities in two-tier areas by not later than 8 September 2003. It has also requested certain background information on the current workings of authorities in the review areas immediately, and detailed financial information on current authority running costs by 31 July next. The timetable, then, is extremely tight.

2. SUMMARY OF REVIEW PROCESS

2.1 In conducting reviews, the Boundary Committee will follow a four-stage consultation process as follows:

Stage One	17 June to 8 September 2003	Commencement of review and submission of proposals for wholly unitary pattern of local authorities
Stage Two	9 September to 1 December 2003	The Committee considers proposals, determines draft recommendations and prepares draft recommendations report
Stage Three	2 December 2003 to 23 February 2004	The Committee publishes draft recommendations report and invites representations
Stage Four	24 February to 25 May 2004	The Committee considers representations, reaches conclusions on final recommendations and submits a final report to the Secretary of State

2.2 At the start of the review, the Committee will:

- Write to all the principal authorities affected and all MPs in the region.
- Write to other persons and relevant organisations as seems appropriate.
- Publish press advertisements and take other steps to publicise the reviews, including encouraging local press, radio and television coverage of the review.
- Visit each Council affected.

2.3 The Committee has powers to require authorities to supply information it reasonably requires in connection with the review eg the pattern of service delivery and the costs of services delivered by the authorities in the region's two-tier areas. The Committee may also wish to meet representatives of local authorities rather than rely solely on written representations.

- 2.4 The Committee is keen to use public opinion research to inform the reviews and to ensure that its proposals take public opinion and local preferences into account. It has therefore commissioned MORI to carry out interviews and surveys to find out people's attitudes towards the areas where they live; how people feel they belong and identify with existing communities and their knowledge of and engagement with local government. This research will be carried out during Stage One and the results should be available in autumn 2003. During later stages, the Committee intend sending a leaflet setting out their draft proposals to every household in the area under review.

3. STATUTORY FRAMEWORK

- 3.1 A review under the 2003 Act must recommend unitary authorities to replace two-tiers of local government in non-metropolitan areas and may recommend associated boundary changes. The areas covering existing unitary authorities may be enlarged but the boundaries of the regions themselves cannot be altered. The Boundary Committee cannot recommend changes to electoral arrangements as part of the review but if any region secures a "yes" vote in the referendum, the Committee will then carry out a review of the electoral arrangements for the elected regional assembly and the new unitary authorities.
- 3.2 In carrying out the reviews, the Boundary Committee is required by the 2003 Act to:
- (a) Assume that there is an elected assembly for the region.
 - (b) Recommend structural change for two-tier authorities.
 - (c) Have regard to the need to reflect the identities and interests of local communities.
 - (d) Have regard to the need to secure effective and convenient local government and
 - (e) Have regard to guidance issued by the Secretary of State.

4. REVIEW GUIDANCE

- 4.1 The Office of the Deputy Prime Minister has issued policy and procedure guidance which sets out the government's approach to the review and highlights the matters to be taken into account by the Committee when conducting the review and formulating its recommendations. The Boundary Committee has also issued its own guidance, based on that issued by ODPM, setting out how it intends to proceed. The combined guidance is summarised in Appendix 1 to this report and also in the notes of the meeting with the Committee on 20 June last in Appendix 2.

1. THE REVIEW CONTEXT

- 1.1 The White Paper “Your Region, Your Choice: Revitalising the English Regions” sets out the government’s plans to strengthen regional government to reflect the different opportunities and challenges faced in individual regions and to ensure that functions are carried out at an appropriate level in England.
- 1.2 The government’s proposals for directly elected regional assemblies, where people want them, will provide regions with the opportunity to take control of the strategic priorities and decisions that affect them by:
 - (a) decentralising power from central government; and
 - (b) increasing accountability to people in the region.
- 1.3 The role and functions of regional assemblies will not duplicate those of local authorities but will be those which would otherwise be largely carried out by central government, its agencies and non-departmental public bodies, or existing regional chambers. (The government intends to publish a draft Bill setting out the precise powers and functions of the new assemblies.) The functions and responsibilities of local government will not be affected by implementation of the new regional tier in regions that opt for directly elected regional assemblies.

2. THE APPROACH TO THE REVIEW

- 2.1 The government considers that in order to respond to local needs and circumstances, local authorities need to be able to deliver high quality public services and to engage, lead and empower local communities through an effective process of preparing and implementing community strategies and working with partner organisations to improve the economic, social and environmental well-being of their areas.
- 2.2 The government therefore believes that in considering the requirements of community identity and interest and the need to secure effective and convenient local government, the Boundary Committee will want to place most weight on those factors which significantly impact on the ability of authorities to deliver quality services and effective community leadership. The government is of the view that appropriate structural change for an area will be that which results in local

authorities that are well able to deliver the agenda for quality services, community leadership and for the building of sustainable, thriving communities.

2.3 There is evidence to suggest that the ability of authorities to deliver this agenda is strongly affected by the quality of their political and corporate management, their willingness to innovate, and a sound corporate structure and capacity. However, the ability of authorities to develop or sustain those attributes may be affected by their geography, structure and size. With this in mind, the government believes the Boundary Committee will need to consider the impact on the organisational and managerial capacity of authorities of

- (a) existing district council functions being carried out by larger local government units including as appropriate a unit of a size comparable to the existing county council;
- (b) county functions being undertaken by smaller units but at least of a size that would have the capacity to deliver effectively the full range of county functions; and
- (c) any increase in joint arrangements that exist in the area concerned at present.

In order to do this, the government believes that the Committee will want to look at:

- (d) the track record of existing two-tier local authorities as evidenced by published best value and comprehensive performance assessment data;
- (e) the nature and effectiveness of community engagement and existing partnership arrangements; and
- (f) the view it reaches of the capacity and resources likely to be available to the new unitary authorities.

3. COMMUNITY IDENTITY AND INTERESTS

3.1 The government takes the view that in the consideration of community identities and interests, the Boundary Committee may want to give particular weight to those factors which impact on local authorities' ability to deliver effective community leadership, democratic engagement and partnership working. Effective community leadership has the capacity to ensure that the identities and interests of local communities are properly reflected in the decisions which authorities make about service provision.

- 3.2 The government does not believe that affinity solely with a particular locality is a good basis for drawing-up the administrative boundaries of local authorities. While such feelings can be strong, the patterns of people's working and social lives and the complex pattern of community that they engender, require a local authority structure that can recognise and respond to the various 'communities' that use local services.
- 3.3 The government recognises that many people attach importance to long-established connections and fully understands the affection in which, in particular, traditional counties are widely held. The government would therefore hope that the Committee, when recommending change, would endeavour to reflect tradition where possible and suggest names for the new authorities that reflect local people's feelings about historic and county connections. Such considerations, however, should not be seen as preventing recommendations for new unitary authorities that would cross existing county boundaries.
- 3.4 In the government's view, however, the Committee should give greater weight to the wider pattern of community within an area and to the economic links between authorities. This would ensure that the geographical reach of the new authorities would allow the communities of place and interest who use local authority services to have a say in the decisions which councils take about those services.
- 3.5 The government believes that any consideration of community interests and identities best begins with an examination of the extent to which the structure, geography and size of an authority might influence its ability to exercise community leadership, engage with local communities and work effectively with partner organisations. The government feels that the Committee should look not only at the impact of geography, size and structure on the authorities in the region, but on their partner organisations, including other key strategic planning and delivery bodies, and the business, voluntary and community sector.
- 3.6 There is increasing evidence that sustaining effective arrangements for community engagement and partnership working involves the commitment of considerable resources, particularly at senior management level. The government advises the Committee to consider whether there are capacity constraints that limit the number

of effective partnerships that can be sustained and which, therefore, have a bearing on the effective size and geography of the new unitary authorities.

- 3.7 The Committee may also want to look at whether the alignment of local authority boundaries with those of other significant partners might be helpful in creating the climate for effective partnership and inter-agency working. This becomes easier where the boundaries of authorities and other key agencies are coterminous.

4. EFFECTIVE AND CONVENIENT LOCAL GOVERNMENT

- 4.1 The government suggests that the Boundary Committee may want to give most weight to an understanding of effectiveness and convenience formed by reference to and compatible with local authorities' present role of delivering quality public services and community leadership. On this basis, the government believes that the effectiveness and convenience of local government is best understood in the context of a local authorities' ability to:

- (a) deliver quality local services economically, efficiently and effectively; and
- (b) give the users of services a democratic voice in the decisions that affect them.

Quality Public Services

- 4.2 The size of an authority may have a bearing on its ability to develop or sustain the factors which high performing authorities appear to have in common - high quality political leadership, good managerial skills, adequate corporate capacity, a willingness to innovate and good relationships with external organisations. In the government's view, therefore, the Committee should consider carefully the extent to which the structure, geography and size of the new unitaries might assist the creation of high-performing authorities. To do this, the Committee may want to consider whether their structure, geography and size has contributed to their performance in particular services. (To this end, the guidance to the Committee details current national and shared priorities for local services and the links with central government departments.)

Economy , Efficiency and Effectiveness

- 4.3 It can be argued that the larger units of government should deliver efficiency gains and cost savings through:

- the removal of duplication;
 - more streamlined and integrated decision-making and resource allocation;
 - reductions in overall management and support services; and
 - increases in purchasing power.
- 4.4 On the other hand, the counter-argument is that smaller units of government will improve economy, efficiency and effectiveness through their capacity to
- be more responsive to the needs of local people;
 - lead to improved democratic scrutiny by local service users and taxpayers, and, hence;
 - inspire greater public confidence in local government.
- 4.5 In practice there seems to be little hard evidence to support either of these propositions. Any re-arrangement of boundaries and functions will necessarily have an impact on the resources available to authorities through alterations to council tax bases, non-domestic rate income and Revenue Support Grant. Similarly the costs that authorities incur will be affected by the move to unitary status and the re-configuration of services. Ultimately the relationship of revenues and costs will result in changes to service levels and/or council taxes.
- 4.6 Attempts to quantify the costs and savings of structural change are notoriously difficult, not least because actual costs are driven by decisions that can only be taken by the new authorities, but the Committee will nevertheless need to attempt to quantify the potential cost of the various options that it considers and the government has prepared a model for this purpose. In the final analysis, however, the capacity of authorities to deliver strong local leadership and quality public services may be seen as more important than a necessarily imperfect assessment of costs. The evidence of the cost model might only be a determining factor where the Committee is judging between options which in all other respects appear to deliver equal advantages in terms of the modernisation agenda.

Democratic Accountability

- 4.7 Another key element of any consideration of effective and convenient local government is the extent to which the structure, geography and size of an authority

lend themselves to democratic self-government and the ability of service users to influence the provision of those services that affect them.

- 4.8 Given the wide range of services which local authorities deliver, it is inevitable that some have a strictly 'local' focus. Others have to be looked at in terms of their impact over wider areas and their strategic effect on a larger number of communities. Moreover, the funding of services and decisions about the allocation of scarce resources inevitably mean that decisions about even the most 'local' services will be of interest to wider communities.
- 4.9 It has been suggested that smaller units of government deliver advantages in terms of responsiveness, democratic scrutiny and public confidence by ensuring that decisions are taken by the elected representatives of the areas most closely affected by the decision. In the government's view, this underestimates the potential for larger authorities to deliver effective democratic scrutiny through devolved arrangements, effective working with parish councils and improved democratic representation. The government sees the development of community strategies as the primary way in which community views can be represented in the decision-making process and through which conflicting priorities can be resolved.
- 4.10 The government's plans for 'Quality Parishes' are another way in which local communities can make their voices heard. The government intends to strengthen the most local tier of administration and give it a bigger role.
- 4.11 Another important aspect of democratic accountability is the transparency of the arrangements. In the government's view, the Committee should consider the evidence that smaller authorities rely more heavily on joint arrangements to deliver quality public services and that these serve to confuse lines of accountability.
5. MISCELLANEOUS POINTS FROM THE BOUNDARY COMMISSION GUIDANCE
- 5.1 It is important for authorities and interested parties to work together in formulating jointly agreed proposals where possible. Proposals based on consensus are likely "to carry particular weight" with the Committee and would be "likely to have a significant influence" on their recommendations.

- 5.2 Proposals must make provision for the whole of the two-tier county area, not just part of it, and must be evidenced based, not simply mere assertions. The lack of cogent argument reduces the value of a submission.
- 5.3 The views of various partnership agencies and bodies will be relevant to assessing proposals. Where possible, these views should be canvassed in the development of the proposals prior to submission to the Committee.
- 5.4 The Committee would hope to receive a single document – agreed between all authorities in the area – which addresses realistic options for change in the review area as a whole and the Committee therefore encourage authorities to work together to develop joint proposals. They acknowledge, however, that it may not be possible for all authorities to agree their preferred options and where agreement is not possible the dissenting authorities may want to submit separate reports.
- 5.5 Ideally, partnership organisations eg parish councils; public bodies; voluntary sector and business sectors, are encouraged to submit a single proposal which represents the view(s) of a relevant sector.
- 5.6 Authorities should make their submissions at the various stages available to other local authorities in the review area and place them on deposit for public information.
- 5.7 The Committee will take account of how the new styles of political management have affected the performance of an authority and assess the impact that management structures, executive and scrutiny functions and community engagement have on an authority's performance. They will consider available performance data, including CPA, BVPI and peer review results.
- 5.8 There has been no definitive evidence that smaller authorities perform better than larger authorities, or vice versa. The Government's priority is to improve local authorities' performance in delivering high quality services. The Committee expect to receive convincing arguments as to how issues such as community engagement and economics of scale would be addressed, whatever the size of the proposed authority. The Government's view is that any increase in joint arrangements may

serve to confuse lines of accountability for local people and these should be avoided where possible, but it does not preclude authorities providing evidence of alternative ways of working with other authorities to ensure the effective provision of services.

- 5.9 There should be no need for authorities to undertake public opinion research as the Committee will be undertaking their own.

BOUNDARY COMMITTEE PRESENTATION - WIDNES

20 JUNE 2003

OFFICIALS DERECK BODEN, LEADER OF THE NWRA
PRESENT: PAMELA GORDON, CHAIR OF THE BOUNDARY COMMITTEE
ARCHIE GALL, BOUNDARY COMMITTEE
EMMA BROWN, REVIEW MANAGER WITH
THE BOUNDARY COMMITTEE
PATRICIA PENA, HEAD OF GOVERNMENT REVIEWS,
BOUNDARY COMMITTEE
PROFESSOR COLIN MELLORS, BRADFORD UNIVERSITY,
MEMBER OF BOUNDARY COMMITTEE
STEVE MACHIN, NWRA
COUNCILLOR TONY McDERMOT, NWRA

**SUMMARY OF MAIN POINTS MADE BY PAMELA GORDON
CHAIR OF THE BOUNDARY COMMITTEE**

- The timeframe which the Committee are working to is extremely short but those are the deadlines which they have been set by ODPM and they must work to them.
- The reviews are a product of the Regional Assemblies (Preparations) Act 2003. The Act provides for Reviews in the North West, the North East and Yorkshire and Humberside. It also proposes to ask electors a question about their preferred structure in the current two-tier areas.
- The review will be undertaken similarly to the last review carried out under the Local Government Act 1992, but with one significant difference. Under the previous review the then Local Government Commission for England were asked to say whether change was needed and status quo was then an option; this time the Boundary Committee have to come up with two or more options for unitary local

government. No change is not therefore an option under this review. There needs to be at least two options but the Committee may decide that there should be more than two.

- The Committee have now started their work in Cheshire, Cumbria and Lancashire. They will be issuing their own guidance to local authorities. The legislation was changed in its final stages to allow the Committee to look across boundaries of two-tier areas with a view to increasing if necessary (but not decreasing) the size of existing unitary authorities.
- The Electoral Commission will run the referenda but will not take part in the reviews. The Boundary Committee have been asked to report by 25 April 2004 which is less time than they would have liked but it is the timetable set by ODPM.
- The Committee appreciate that it is a sensitive issue, both in respect of the yes/no campaigns for Regional Assemblies and also on the question of what two-tier structure is the most appropriate. The Committee are independent of central government and they want to be as consultative as possible and to work in partnership with local authorities and other stakeholders. They will be open and accessible to all views and want to be responsive to the feelings of local people. They are already doing work in the regions concerned in order to get a feel of where the community interest lies.
- The Committee would like, if possible, some joint responses from a variety of interest groups which all the groups concerned could sign up to. However, the fact that a proposal has collective backing from a number of authorities/interest groups does not avoid the necessity of the proposition having to be well argued and compliant with the guidance under which the Committee have to work. The Committee will have regard to:
 - (i) The performance of existing local authorities (and they are working with the Audit Commission on this)

- (ii) The size of any proposed unitary authorities. Although no specific size is defined in the guidance it does lean towards “larger than smaller” authorities but does not define what “large” and “small” means.
- (iii) The marginal cost of the proposals put forward (and ODPM have prepared a model on this) but cost will only count as a determining factor if all other factors eg community interest, efficient and effective local government etc are equal. The Committee therefore have to balance all the above factors and they need arguments and evidence to support a particular proposition, not simply “impassioned pleas”.
- The Committee already have two teams looking at the North West region. Pamela Gordon again emphasised that if two or three authorities got together to put forward a joint proposition then the Committee would “take a lot of notice” of that approach.

**MAIN POINTS MADE BY PATRICIA PENA
HEAD OF GOVERNMENT REVIEWS
WITH THE BOUNDARY COMMITTEE**

The review process will be a four stage exercise as follows:

- Stage 1 began on 17 June 2003 and will last until 8 September 2003. The first stage is essentially a consultation process during which the Committee will give local authorities as much information as possible and meet with them. The Committee will also put public notices about the review in the press during the next week. They have also commissioned Mori to conduct research into the views of local people. They intend to do qualitative research by way of a questionnaire (probably 300 to residents in each district) to ascertain the extent of travel to work areas and the local populations feeling on community identity. The Committee will make the results publicly available. A further milestone date in the first phase is 31 July 2003, when financial information as per the ODPM model needs to be submitted by authorities. This involves a number of spreadsheets being pulled together in the course of the next six to eight weeks and the Committee will contact

local authorities during the week commencing 7 July 2003 to discuss these matters, probably with Price Waterhouse Coopers who have been commissioned to assist. The second milestone date during the first phase is 8 September 2003 which is the last date for the Committee to receive proposals from local authorities. The Committee will not be able to take account of proposals received after that date so it represents a sharp cut-off point.

- The second stage runs from 9 September 2003 to 1 December 2003. The Committee will analyse the arguments and the evidence submitted, look at the public opinion returns and the financial information provided and then formulate their draft options.
- The third stage runs from 2 December 2003 to 28 February 2004. The Committee will publish their draft recommendations; advertise the recommendations in the local press seeking a response from the public and they will also send a summary leaflet to every household, with a return slip asking for views. They also intend to conduct further research on their proposals with the public using a variety of methods.
- The final phase runs from 21 February 2004 to 25 May 2004. During this period the Committee will finalise their recommendations (following the public consultation mentioned above) and will then send recommendations to the Secretary of State.
- ODPM has given the Committee guidance on the issues which they need to consider. Some of these are:
 - Performance. Some CPA evidence on authorities' performance will be available to the Committee (although they accept that this will be in its early stages as far as districts are concerned). The Committee will take CPA results into account and also evidence from Best Value Reviews and any other performance information that authorities have available. They will also liaise with the Audit Commission in terms of putting together a profile for existing authorities. Performance is only one factor because the Committee accept that the existing performance of current authorities is not necessarily a prediction for future performance of a restructured authority.

- Community Leadership. The question here is how will the new authorities be able to engage with the local community?
- The relationship between geography/structure/size. The Committee do not believe that there is any conclusive evidence either way about whether a small authority is better than a large authority or vice versa. It is for authorities when submitting proposals to make their case as to why they believe the size of the solution which they put forward is workable. However, the guidance does “point away” from smaller Councils as this may require too many joint arrangements to deliver services effectively and this, in turn, will blur accountability as far as the public are concerned.
- The Committee believe that cost/savings in respect of any proposal are very difficult to define. The ODPM model therefore looks at a limited set of costs only and they relate to the essential costs of “being in business”. They will give the Committee capacity to compare one option as against another if the same base set of costs are used, but they emphasised again that cost will not be the determining factor unless two options are exactly equal in terms of their capacity to meet the rest of the ODPM guidance.
- The Committee will have a help line set aside for local authorities. Any information provided by authorities will be sent to the Audit Commission for verification so that its accuracy can be tested.
- The Committee would, if possible, like to have meetings with groups of authorities on a county wide basis to answer any queries etc but recognise that this may not be possible and that they may need to meet local authorities on a one to one basis as well.
- The Committee want to work in partnership with local authorities and stress that they are an independent organisation and are not linked to central government.

QUESTION AND ANSWER SESSION

- Q. What is the scale of change likely to be to existing boundaries and who triggers a review if, say, an existing unitary authority is dissatisfied with the position in respect of its own boundaries?
- A. The Committee have to have regard to all representations made to them and they don't give precedence to one representation as opposed to another. What carries weight is the evidence and argument strength put to them. The scale of potential change to boundaries is not defined or limited in any way, so they cannot say in advance what sort of changes will be in or out. They will simply look at any propositions put to them. If an existing unitary authority wants to change its boundaries then the Committee will take into account the views of all interested parties before deciding what to do.
- Q. To what extent will the Committee look more favourably on proposals submitted by a group of authorities (say two or three existing authorities)?
- A. The Committee will look seriously at proposals put forward by, say, two authorities but it will finally boil down to the evidence put forward in support of those proposals and it must be remembered that the Committee have to look at a favourable solution for the whole area concerned, not just part of it, so any proposals put forward should address how the whole area would work and not simply deal with the authority or authorities making the submission. All the area under review has to fit together and work properly.
- Q. Can the Committee put forward recommendations to reduce the size of existing unitary authorities?
- A. No. The legislation precludes this.

- Q. Would the local authorities be able to determine the questions to be sent to the public and what is the position in respect of consulting eg staff and Trades Unions as “stakeholders” in the process?
- A. A questionnaire has already been drawn up and shown to the Local Government Association and letters have already been sent to all the main Unions as part of the consultation process. The Committee wants to get a feel, in the first stage, as to where people feel they belong in terms of community identity.
- Q. Is there no chance of persuading the government to look at existing unitary boundaries and why has the timetable been put forward which involves consultation during the month of August?
- A. The Committee are familiar with the problems of some metropolitan unitary boundaries and they are discussing with ODPM as to whether they can review metropolitan boundaries in future, but this current review will only relate to two-tier areas. The bill made no reference to unitary authority boundaries, but a late amendment which was incorporated into the Act said the Committee could look at metropolitan unitary authorities bordering two-tier areas with a view to possibly expanding the unitary area, but essentially this review was about looking at two-tier area boundaries only and not examining one metropolitan unitary boundary as against another metropolitan boundary. As to the consultation period, it is driven entirely by the ODPM direction which says that the review must start on 17 June 2003 and finish by 20 May 2004. The Committee are driven by this timetable even though, in some cases, they will be consulting the public over the Christmas period! Their hands are tied. They would like longer but they have to work within the timeframe they have been set.
- Q. Do the Committee want the two options put to the public to be different or similar eg do they want a county and a district option or, say, two district based options?
- A. The Committee said they could be either. They expect that county based options would be likely to come from County Councils and district based options from district councils. It should be noted that the Committee can look across county

boundaries eg across Cumbria and Lancashire in the search for the correct solution.

- Q. In the limited timescale available, authorities may only be able to put forward the main “building blocks” of a proposal in stage 1. Can they then subsequently put forward the detail at a later date?
- A. The review process itself is, unfortunately, set out in statute in terms of what has to be taken into account at what particular stage and, strictly, the Committee cannot run information from one stage to be considered in another later stage, so this sort of slippage may be difficult to accommodate within the current review framework.
- Q. What is the position if there are contradictory answers on the questions of regional government and the appropriate unitary structures?
- A. The Committee do not see this happening. In all areas, the question will be do you want a regional assembly and then, in two-tier areas, what unitary solution do you want? The Secretary of State may, however, be able to take into account a very low turnout or a close tie before coming to a view on whether there is true support for a regional assembly.
- Q. Would it be advantageous if, say, two districts put forward merger proposals for them also to suggest how the other authorities in the county might be likely to work?
- A. The Committee have to have regard to how the whole of the area under review would work. The message they have is that the more work that local authorities in each area can do together, then all the better. The Committee are looking to local authorities to come up with options; if it could be done by all local authorities on a county wide basis then this would be all the better. Nonetheless, the Committee would still then have to test the legitimacy of the proposals as against the framework within which they have been given to work by ODPM.
- Q. The last review was bedevilled through lack of guidance on size. Why cannot the Committee issue guidance this time?

- A. The Committee do not believe that there is any firm evidence of what the optimum size for a particular unitary authority might be. It will depend on geography and the particular characteristics of each area. The ODPM guidance says that the new authority should have the capacity to run the full range of local authority functions, without increasing the need for joint arrangements, but the exact size will be a matter of judgement in each case for the Committee to make.
- Q. Do the Committee have a view about local authorities campaigning on the merits of any structure?
- A. The Committee or the Audit Commission will be contacting authorities drawing attention to the current rules and regulations relating to campaigning by Councils.
- Q. Will the second question be on the ballot paper (ie what form of unitary structure do the electors prefer) regardless of how they might vote on the question of Regional Assemblies?
- A. The Committee do not know what form the ballot paper will take yet. There may be two separate ballot papers but no decision has yet been made by ODPM. However, it should be that, whatever people vote in respect of the Regional Assembly question, they should still be able to express their preference as to the local structure which they would want to see put in place.

**EXCERPT FROM THE MINUTES OF THE
COUNCIL MEETING
HELD ON 29 AUGUST 2002**

C.137/02 DEVELOPMENT OF REGIONAL GOVERNANCE

Pursuant to Minute EX.224/02 and Minute EX.239/02 of the Executive, the Town Clerk and Chief Executive submitted report TC.133/02 summarising the recently published White Paper "Your Region, Your Choice - Revitalising the English Regions" and which highlighted the moves towards an elected Regional Assembly. The Government was inviting comments on the White Paper by the end of August 2002.

It was moved by Councillor Mitchelson and seconded by Councillor L Fisher:-

1. The Council accepts the inevitability of elected Regional Government and strongly supports the proposition that the size of the Assembly should be set to ensure fair representation to all areas.
2. Carlisle City Council supports the principle of unitary Local Government and proposes that this should be based upon the successful partnership working being developed under the Carlisle and Eden Local Strategic Partnership and the Allerdale and Copeland Local Strategic Partnership together with the merger of South Lakeland District Council and Barrow Borough Council administrative and local strategic partnership areas.
3. The City Council supports the involvement of key stakeholders in regional affairs and this involvement should be determined locally however it firmly believes that only democratically elected representatives should be full Members of the Regional Assembly.
4. The Office of the Deputy Prime Minister, Government Office North West and the North West Regional Assembly be informed of the Council's views and that the City Council asks the Executive to lobby in support of the Council's stated position.

Councillor Bradley moved an amendment to the above motion as follows:-

"Delete at 1 "the inevitability" and substitute "the principle".

Add after paragraph 1, a new recommendation 2 "that the Council further accepts that Regional Government would only be set up after a referendum supporting that proposal".

Amend recommendation numbers accordingly with 2 becoming 3 etc.

Delete at new 3 all words after "proposes" and insert "that before the Council takes a view on the shape and size of any unitary authority, the views of the residents of Carlisle should be sought through a full public consultation, outlining all options".

Councillor Bradley's amendment was seconded by Councillor Weber.

Following debate on the amendment of Councillor Bradley it was resolved that Councillor Bradley's amendment be not agreed.

Following further discussion, it was

RESOLVED - That the motion of Councillor Mitchelson be agreed.

**EXCERPT FROM THE MINUTES OF THE
COUNCIL MEETING
HELD ON 4 MARCH 2003**

C.50/03 REGIONAL GOVERNMENT CONSULTATION DOCUMENT

Pursuant to Minute EX.8/03 consideration was given to a Report on the City Council's response to the Consultation document on Regional Government. A copy of the excerpt from the Minutes of the Corporate Resources Overview and Scrutiny Committee held on 20 February was circulated, together with a copy of the minute extract from the Executive held on 3 March 2003. The Report outlined the issues raised by both the "soundings" exercise which was being undertaken by the Office of the Deputy Prime Minister, together with the draft guidance to the Boundary Committee for England on the issues surrounding the preparation for Regional Government.

Councillor Mitchelson moved, Councillor Firth seconded and, it was

AGREED that the Council agree to submit the following views to the Office of the Deputy Prime Minister :

(i) **The "Soundings" Exercise**

"Whilst Carlisle City Council accepts the inevitability of Regional Government it has concerns about the level of accountability which can be achieved for the people of Cumbria. It has already made the ODPM aware of this view. However, it considers that the best way of deciding on the issue is to hold a referendum and allow people within the North West to decide for themselves. For the referendum to be effective then people need to fully understand what they are being asked to consider, this means providing full and objective information on the proposals. Carlisle City Council believes that this issue should be clarified."

(ii) **Timetable**

"If the North West Region is to be included in the first tranche Carlisle City Council considers it important that Authorities are given sufficient time to consider properly all the options and to provide timely and objective information for the Citizens of Carlisle before a referendum takes place."

(iii) **Raising Public Awareness**

"There is very little in the guidance, which looks at the issue of Public Awareness. If people are being asked to vote in a referendum then they need to be aware of all the issues and implications of a proposed Regional Assembly and Local

Government Review. Carlisle City Council requests that there is enough time to do this properly.

Cumbria Concordat

on Local Authority conduct in the event of a referendum on Elected Regional Assemblies

The Cumbria Local Authorities of Allerdale Borough Council, Barrow Borough Council, Carlisle City Council, Copeland Borough Council, Eden District Council, South Lakeland District Council and Cumbria County Council agree to the following principles in the event of a referendum on Elected Regional Assemblies in the North West of England.

These principles comprise of:

- A recognition that partnership working will need to continue to allow progress on priorities where partnerships working is essential in the public interest.
- An acknowledgement that Cumbrian Local Authorities may be advocating different models of unitary local government now that the ODPM has called for a referendum for the North West region
- A recognition that there are at least seven possible models for unitary local government in Cumbria, based on existing contiguous boundaries, with the Boundary Committee being bound to select at least two models to present to the electorate in a referendum.
- An agreement that in the event that the North West Region adopts an Elected Regional Assembly, the unitary structure adopted should reflect the best possible mechanism for delivering local services.
- An agreement that the Cumbria Branch of the Local Government Association should be one of the principle forums of inter-council debate on this issue should a referendum occur.

**Rex Toft,
Leader of Cumbria CC**

**Jim Musgrave,
Leader of Allerdale BC**

**Terry Waiting,
Leader of Barrow BC**

**Mike Mitchelson,
Leader of Carlisle CC**

**Elaine Woodburn,
Leader of Copeland BC**

**John Moffat,
Joint Leader of Eden DC**

**Colin Hodgson,
Leader of South Lakeland DC**

Seven possible Unitary models for Cumbria

Unitary Authority Models for Cumbria	Model (based on minimum population size of 150,000 and on existing contiguous boundaries)
Option 1 : (3 Unitary Authorities)	1. Carlisle/Eden 2. Copeland/Allerdale 3. Barrow/South Lakes
Option 2 : (3 Unitary Authorities)	1. Carlisle/Allerdale 2. Copeland/Barrow 3. Eden/South Lakes
Option 3 : (2 Unitary Authorities)	1. Allerdale/Carlisle/Eden 2. Barrow/Copeland/South Lakes
Option 4 : (2 Unitary Authorities)	1. Copeland/Allerdale/Carlisle 2. Eden/South Lakes/Barrow
Option 5 : (2 Unitary Authorities)	1. Barrow/Copeland/Allerdale 2. Carlisle/Eden/South Lakes
Option 6 : (Cumberland/Morecambe Bay)	1. Copeland/Allerdale/Carlisle/Eden 2. Barrow/South Lakes/North Lancashire
Option 7 : (Unitary Cumbria)	1. Allerdale/Barrow/Carlisle/Copeland/Eden/South Lakes