

SUMMARY OF DISCUSSION AND OUTCOME FROM THE MEETING OF THE WORKING PARTY CONSIDERING A UNITARY STRUCTURE FOR LEICESTERSHIRE HELD ON 14TH DECEMBER 2018

DECLARATION OF INTEREST

Advice was provided on predetermination and predisposition. A member who was predisposed to a particular outcome could still participate in discussions on the basis that they had not made up their mind on the matter. This was not the case for someone who had predetermined the issue.

Given the number of dual-hatted members (i.e. Councillors who are members of both the County Council and a District Council) it was likely that dispensation would need to be given to allow dual-hatted members to participate.

{NOTE ON DISPENSATION:-

A dispensation may be given to a member who has a Personal Interest that might lead to bias in certain circumstances to permit that member to take part in the business of the Authority even though they have such an interest relating to that business. In the circumstances relating to discussions on unitary government in Leicestershire a dispensation might be appropriate because without it :

- (i) the number of persons prohibited from participating in any particular business as a result of them having a Disclosable Pecuniary Interest/Personal Interest that might lead to bias, would be so great as to 'impede the transaction of the business';*
- (ii) the representation of different political groups on the body transacting the business would be so upset as to alter the likely outcome of any vote relating to the business.}*

LEGISLATION REGARDING LOCAL GOVERNMENT STRUCTURAL CHANGE

The Working Party was advised that the County Council was continuing with the development of a business case on the basis that it would have in place an agreed position should the Secretary of State invite Authorities to submit bids for unitary status or the Council chooses to do so due to financial pressures. The Secretary of State in presenting the Local Government Finance Settlement had indicated that he would be publishing guidance on this in the near future.

PROJECTED SAVINGS

A paper to be considered by the Scrutiny Commission in January (date to be confirmed) was presented to the Working Party.

The key assumption underlying the savings was that all services and fees would continue as at present and it would be for the new Authority to determine how services and fees are to be reconfigured.

With regard to financial resilience of unitary authorities there were a number of different reasons why authorities failed but the research indicated that larger authorities were more resilient. The key reason for failure was poor strategic leadership and poor management.

RISKS

The Working Party noted the key risks arising from proposals to develop a unitary structure. Risks arise from both national and local decisions.

If no progress is made on proposals for unitary government the impact would be in terms of:

- Additional savings mostly from frontline services
- Loss of opportunity to benefit for NHS commissioning reorganisation
- On-going weakening of regional influence

TOWN AND PARISH COUNCILS

The Working Party noted a paper on the process for establishing new Town or Parish Councils which was set out in statute. It also noted that there was no specified maximum size for a parish or town council and as such it would be possible to establish town councils for market towns if it could be demonstrated that they formed a cohesive area in terms of community identity and interest.

With regard to devolving matters to town or parish councils the Working Party noted that there was no intention of asking them to take on additional responsibilities if they did not wish to. There were however a number of parish councils that had expressed an interest and to that end a Parish/Town Councils Focus Group had been set up which would work with officers on this matter. To date broad principles have been agreed (set out below) which would guide the future relationship:

- enhance service quality and to respond to the wishes of the community

- recognise a one size fits all is not appropriate and should not be an imposition on local councils
- provide an opportunity to empower ambitious local councils
- provide an opportunity to devolve services that reflect the demands of local communities
- devolve services only when value for money can be demonstrated and a business case is agreed
- provide support to local councils to achieve the qualifications and access the training and support required to take on more responsibility
- take the opportunity to be ambitious, bold, risk aware (not risk averse)
- co-design all stages of the process

Members recognised that unless parish and town councils are at the heart of the development and design of the devolution framework its success will be limited. The detailed work on identification of services to be devolved, infrastructure and support mechanisms for parish and town councils and the governance arrangements will now be explored.

Date of next meeting

The next meeting of the Working Party will be held on 18th January 2019.