

## **EXETER CITY COUNCIL**

**EXECUTIVE  
18 SEPTEMBER 2007**

### **GOVERNMENT'S PROPOSED APPROACH TO IMPLEMENTING UNITARY COUNCILS**

#### **1 PURPOSE OF REPORT**

- 1.1 This report provides Members with a summary of the Government's proposed approach to implementing unitary councils and seeks Members' views on the response by the Council.

#### **2 BACKGROUND**

- 2.1 On 25 July 2007 the Government announced that it was minded to implement 9 unitary proposals, including Exeter. When the Local Government and Public Involvement in Health Bill is enacted the Secretary of State will take final decisions as to which unitary proposals are to be implemented. For proposals related to the creation of District-based unitary councils, Government, seeking clarification on various issues related to finances, has created an additional stage to the approval process. For Exeter, details of the additional work required are expected by 7 September. The Council will have until 25 September to provide the required information.
- 2.2 On 22 August the Government published a discussion paper entitled "Councils' Proposals for Unitary Local Government: An Approach to Implementation". This sets out the Government's current intention as to the approach to be adopted in implementing any proposals for unitary local government. Responses from councils and other stakeholders are requested by 28 September 2007.
- 2.3 Although clarification is being sought on some technical issues, officers generally support the proposals contained with discussion paper.

#### **3 SUMMARY OF CONTENT OF THE DISCUSSION PAPER**

- 3.1 The full paper (43pp) is available from the following link to the Communities and Local Government website at <http://www.communities.gov.uk/publications/localgovernment/unitarycouncilsimplementation>.  
A summary of the discussion paper is set out below.

***Preparatory work:*** The Government is encouraging all affected local authorities to begin to work together without delay in order that "the necessary transitional measures can be quickly effected, protecting the interests of service users and residents and providing both staff and stakeholders with the reassurance and certainty they need."

***New authorities:*** The Government is clear that the current restructuring of local government is about creating new authorities – "authorities with new functions and responsibilities but just as importantly with revitalised and strengthened local leadership and governance arrangements with a new innovative approach to service delivery in their area."

The paper also states that "it will be essential to put in place from the outset the engagement arrangements, the strengthened leadership models and devolved service responsibilities envisaged in the unitary proposals."

***Transitional authorities rather than shadow authorities:*** The Government will not, except where unavoidable, opt for the establishment of shadow authorities to take on unitary functions on the reorganisation date. Instead the existing authority will become the transitional authority, overseeing the development of the new unitary authority for the area. This has the benefit of significantly simplifying transfer arrangements. Exeter City Council would therefore oversee the transition to a new authority which will take on the relevant county functions from 1 April 2009.

***Political representation:*** It is intended that the transitional authority will be required to establish a Joint Committee to prepare for reorganisation with councillors from the city and county councils.

***Elections to the new (or transitional) authorities:*** Two options are proposed including the one identified in Exeter's Business Case where in 2009, existing councillors stand down and a whole council election takes place. Subsequent elections return to the district (by thirds) cycle in 2010, 2011 and 2012. A further option identified by the Government is whole council elections in May 2008 to the transitional authority. Again existing councillors would stand down. There would be a return to election by thirds cycle from 2010.

***Co-operation and continuity:*** The paper sets out measures for avoiding any disruption to the work of existing local authorities and highlights the need to share information. Also highlighted is the need to reach agreement with respect to incidental property, income, rights, liabilities, expenses and financial relations. Letting of contracts, disposal of land, and the allocation of reserves are also covered.

***Joint Implementation Teams:*** The paper identifies the need for a Joint Implementation Team (JIT), chaired by the Chief Executive of the bidding authority. The role of the JIT will include:

- Drawing up accurate and comprehensive records of assets, and liabilities, staffing and IT;
- Sharing information on new acquisitions or disposals of property;
- Reporting to the existing authorities and to the transitional authority on progress made in the preparations for the reorganisation, including support and progress on finance and service delivery issues;
- Negotiating with the relevant trade unions;
- Agreeing the content of the Local Area Agreement; and
- Ensuring that representatives of the key local partners (public, private and the third sectors) are given opportunities to influence the priorities determined.

The Chief Executives of Exeter City Council and Devon County Council along with senior staff from both authorities have already met several times, as a shadow JIT, to begin to develop a framework to address the role of the JIT.

***Staffing and Finance Issues:*** The paper also covers HR issues (including staff transfers and redundancy arrangements) and provisions for financial arrangements (including budgets, council tax and Government grants)

***Ceremonial Arrangements:*** It is intended that historic traditions and privileges belonging to existing cities are preserved.

#### **4 PROPOSAL**

- 4.1 A full response to the Discussion Paper will be submitted to the Government by the 28 September deadline. Recommendations will be made to Members at the Executive meeting on the proposed points for inclusion in the council's response.

#### **5 RECOMMENDED**

- 5.1 That Members note the content of the Government's Discussion Paper and agree the Council's response to the Government.

CHIEF EXECUTIVE

Local Government (Access to Information) Act 1985 (as amended)  
 Background papers used in compiling this report: "Councils' Proposals for Unitary Local Government: An Approach to Implementation" (DCLG, August 2007)