



Exeter City Council

## **Response to CLG Discussion Paper 'Council's Proposals for Unitary Local Government: An Approach to Implementation'**

### **General Comments**

The Council welcomes the discussion paper's broad approach to establishing new unitary authorities, which has been factored into our early discussions and preparatory work with Devon County Council. The proposed flexibility and opportunity to adopt different solutions in different places is critical for effective and streamlined implementation.

Our detailed comments on specific paragraphs in the paper are set out below.

### **Implementation Orders and General Regulations (Paras 12 - 14)**

We welcome proposals for a degree of central coordination, agreement on common issues and appropriate coverage in regulations and orders, especially where this allows for local discretion to negotiate and tailor local solutions.

### **Transitional Authorities (paras 22-26)**

In view of the tightening implementation timescale, and in order to ensure a streamlined transition with minimal disruption and duplication, the Council has cross-party support for the proposal to implement change by means of a transitional authority.

### **Representation (Chapter 3)**

Appointed Joint Committee (para 28) - Point of clarification: this paragraph states that "the body (the joint committee) should be formed of representatives of all the existing local authorities in the area concerned". In the case of Exeter we assume that this refers to Devon County Council and Exeter City Council only and not other district councils in the Devon administrative area.

## **Membership of the Transitional Authority (Para 32)**

Members of the City Council and Devon County Council have reached early consensus about appropriate, representative structural arrangements and terms of reference. Further details are set out at Annex A (*not attached to draft*). In essence the arrangements provide for a Joint Transition Board, comprising senior politicians from both Councils. Political accountability and representation is then further enhanced, over and above proposals in the discussion paper, by including a number of Devon County Council members who represent Exeter on the City Council's Implementation Committee (the 'Joint implementation Committee'.)

para 33 - Point of clarification: this paragraph states that "... the transitional authority will be required to establish a Joint Committee ... upon which other affected local authorities should be invited to sit." We assume that this refers to the formation of County unitaries and that other Devon authorities are not included in the definition of "other affected local authorities".

## **Scrutiny Arrangements for Joint Committee (Para 37)**

The Exeter Unitary Implementation Committee is politically balanced and we do not consider that a formal scrutiny mechanism is appropriate.

## **Elections (Paras 38-47)**

As set out in our business case, the Council has a very strong preference for elections in May 2009 and welcomes the inclusion of this option in the Implementation Paper. We would re-iterate the following grounds for 2009 elections in Exeter:

***A democratic mandate and representative governance*** - Inclusion of Devon County Council members who represent Exeter on the City Council's Implementation Committee, ensures that key decisions will be made by a broad cross-section of members who will, very probably, stand for election to a unitary Exeter Council.

***Stable and effective leadership*** - The timetable for implementation has been, and continues to be, condensed to such a degree that by May 2008 a significant amount of key decisions will need to have been made and preparatory work completed by both the Joint Transition Board and the Exeter Implementation Committee so as to avoid a potential "dead period". As councillors of all political groups will have been involved in those decisions, and they will have been subject to appropriate scrutiny, there is a very low risk that a new May 2008 administration would wish to reappraise decisions and

set a different blueprint for the unitary authority. From members' perspective, pre-election canvassing would distract resources and energy from the critical unitary implementation path and the induction and appointment of a new cohort of councillors would add further delay.

Exeter elects by thirds which means that the Council membership is refreshed 3 years out of 4. So the possible claim that the transition would be decided by a group of councillors that may not be on the new unitary authority, so diminishing accountability and 'buy-in', is itself greatly diminished. The new council would, initially, continue with elections by thirds so the normal cycle for such elections can be easily returned to with elections in 2010, 2011 and 2012. Although there is an initial term of one year, in reality, it is likely that the majority of members will be the same as before so the chances of anyone only serving for one year is limited. It is always possible to have elections by halves in 2011 and 2012 if a one-year term had to be avoided, returning to the normal cycle after that.

**Electoral reviews** - May 2009 elections provide an opportunity for the Electoral Commission to undertake a more timely, effective review of arrangements for the elections in 2009

**Streamlined electoral arrangements** - We would highlight the opportunities that 2009 elections offer for convenience/reduced bureaucracy:

- There will be a European Parliamentary election in June 2009 and there is talk of combining that election with the May local elections i.e. hold both in June (although the CLG paper does refer to elections in May 2009).
- County elections will also take place in the remainder of Devon in 2009

### **Referral to an arbitrator (Para 53)**

The Council supports the joint appointment of an arbitrator or arbitrators.

### **Local Area Agreements (Para 88)**

The Exeter Vision Partnership (local strategic partnership) has given careful consideration to the transition arrangements for the Local Area Agreement (LAA) and looks forward to engaging with Government Office South West on this issue. The option of a 'hybrid' Exeter LAA for 2008-09 is being explored on the basis that this can be detached from the Devon LAA for 2009-10.

### **Staffing (Chapter 5)**

We support the tenor of the staffing proposals and recognise that the options for staff transfers will demand equitable and open discussion through the Joint

Transition Board and Trades Unions. In particular severance arrangements will need careful consideration and reference to local circumstances.

**Assets (Paras 153-156)**

We expect that all assets within the city boundary, including non-operational property will transfer to the transitional authority.

We are unclear about the application of paragraphs 153 to 156 to the Exeter model and we would welcome clarification.

Exeter City Council  
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Draft