

Report to the Council

Date: 19 December 2006

Item No: 9

Subject: The Local Government White Paper

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Purpose of Report: To set out the implications and determine an appropriate course of action in respect of those aspects of the White Paper in relation to unitary status/an enhanced two-tier structure and to prepare for future discussions on the leadership model options.

Recommendations:

- (1) That the Council determine its policy on the following:**
 - (a) submission of a proposal to the Government for the establishment of unitary authority structures covering the Epping Forest District;**
 - (b) participation in any partnership application on behalf of Essex County and all Essex districts for "pathfinder" status in respect of:**
 - (i) unified service delivery across the tiers of local government;**
 - (ii) stronger leadership;**
 - (iii) effective accountability arrangements;**
 - (iv) shared "back office" functions and integrated service delivery mechanisms.**
- (2) That the Council reserves its position on proposals for unitary status affecting this District which may arise from outside the Council, with a view to assessing the business case on its merits;**
- (3) That the Council considers the following ideas regarding its response to the White Paper "Strong and Prosperous Communities" published by the Council:**
 - (a) an informal briefing for all members of the Council in January 2007;**
 - (b) a themed Council debate (if necessary at an extraordinary meeting) on the key issues raised by the White Paper to establish its position in advance of the publication of the legislation; and**
 - (c) ways in which members of the Council can be involved in preparing the basis for the debate and decision making at the Council meeting.**

Report

Introduction

1. The Local Government White Paper: Strong and Prosperous Communities was published on 26 October 2006. Its aim is to give local people and local communities more influence and power to improve their lives. It is about creating strong, prosperous communities and delivering better public services through a rebalancing of the relationship between central government, local government and local people.
2. Volume One sets out the Government's proposals for empowering local government, local partners and local people through the following:
 - responsive services and empowered communities
 - effective, accountable and responsive local government
 - strong cities, strategic regions
 - local government as a strategic leader and place-shaper
 - a new performance framework
 - efficiency - transforming local services
 - community cohesion
3. Volume Two exemplifies how the proposals will apply to the following major local public service areas and cross-cutting issues:
 - community safety
 - health and well-being
 - vulnerable people
 - children, young people and families
 - economic development, housing and planning
 - climate change
 - the third sector (the voluntary sector)
4. There are particular issues arising out of the White Paper for which the District Council will need to determine a course of action in the near future. This report provides a summary of and a course of action in respect of the issues concerned which are, namely, those relating to unitary status vis-à-vis an enhanced two-tier structure and the new models for executive arrangements.

Opportunities to Create Unitary Local Government

5. In some county areas there is a widely held view that moving to unitary structures would be the best way of overcoming the risks and challenges of two-tier

arrangements, in that it would improve accountability and leadership, increase efficiency and improve outcomes for local people. Local authorities in shire areas are therefore invited to make proposals for unitary local government that:

- enhance strategic leadership, neighbourhood empowerment, value for money and equity;
 - command a broad cross-section of support; and
 - are affordable, representing value for money and meeting any costs of change from councils' existing resources.
6. Proposals will also need to reflect the diverse communities which may be found in the area of a proposed unitary ranging, for example, from small villages, through market towns, to a major urban centre with its own neighbourhoods. Proposals will need to show the contribution that councillors, town, parish and community councils, and community forums can make to representing, leading and empowering local communities within the unitary's area.
7. The deadline for receipt of proposals is 25 January 2007. The proposals will then be assessed against the criteria, with preliminary decisions by the end of March 2007 and local decisions by July 2007, following consultation with stakeholders.
8. Even in local authority areas where there are no moves towards creating unitary authorities, the Government expectation is for an enhanced system of two-tier working. The local authorities concerned will be expected to find new governance arrangements which overcome the risks of confusion, duplication and inefficiency between tiers and can meet the particular challenges faced by small districts with small budgets or tightly constrained boundaries. It will also be important for councils to develop new models of working, which should also involve collaboration between local authorities and other public bodies, if they are to achieve ambitious further efficiency improvements.
9. The District Council may choose not to seek unitary status either in isolation or in conjunction with other neighbouring authorities. It should be noted, however, that other local authorities could, at least in theory, put forward proposals of their own for unitary status which involve the current Epping Forest district as part of a new wider unitary district. Even if there are no proposals for unitary status put forward, this is an opportune moment for the Epping Forest district to restate its case for recognition.

Strong Leadership

10. The intention is to legislate so that in future there will be three models of executive arrangements:
- a directly elected mayor with a four year term;
 - a directly elected executive with a four year term;
 - an indirectly elected leader with a four year term.

11. Under all circumstances the directly elected Mayor or Executive will have a fixed four-year term. In local authorities where the indirectly elected Leader model applies, councils will appoint their Leader for a four-year term.
12. It will continue to be for councils to decide, through their constitutions, under what circumstances the Leader might be removed during the four-year term. In addition, where a council elects by thirds the Leader would stand down if their term as a councillor ends.
13. All local authorities with Leader and cabinet executives will therefore have to adopt new executive arrangements. The timetable for this is dependent on the timing of the legislation for implementation, which the Government intends to seek at the earliest opportunity.

Recommended Courses of Action

14. The Council is recommended to determine its policy on the question of unitary status and whether to participate in any partnership application on behalf of the County Council and all Essex districts for 'pathfinder' status in respect of unified service delivery, stronger leadership, effective accountability arrangements and integrated service delivery.
15. It is also recommended that there be an informal briefing for all members of Council on the key issues raised by the White Paper (Friday 12 January 2007 has been 'earmarked' as a potential date and has been set aside in the Council diary for this purpose), with the potential for themed Council debates on these issues at future meetings under the 'State of the District' and other enhanced procedures recently agreed.