

Report to: Extraordinary District Council of Easington

Date: 28th June 2007

Report of: Chief Executive

Subject : Proposals for a Single Council for County Durham

Ward : All

Purpose of the Report

The purpose of this report is to inform members of the work of the Council in responding to the Government's consultation on the proposal to establish a single unitary council for County Durham.

The report also sets out the Government's intended next steps and timescale in considering the responses to the consultation which closed on 22nd June 2007.

Consultation

Following the announcement of the 'preferred' bid for County Durham on 27th March 2007, the Department for Communities and Local Government issued further guidance in relation to the formal consultation process. Councils in affected areas, such as the District of Easington Council, were charged with raising awareness of the proposals and soliciting the views of stakeholders, including residents, through the use of polls, surveys or referenda.

This council has, therefore, consulted widely with residents and stakeholders on the proposal to abolish all eight existing councils in County Durham and replace them with a single council. We have worked closely with all of our colleague District and Borough Councils in County Durham, as well as other district councils across the country.

Members, staff and Trades Unions have also been heavily engaged in discussion. The advice of the Council's Monitoring Officer has been followed in all actions undertaken in carrying out consultation.

Background

The Local Government White Paper contained within it an invitation for local authorities in Shire areas to make proposals for Unitary Local Government, or to establish partnerships of a County and all District Councils in the County area to pioneer as pathfinders new models of two tier working.

Two bids were subsequently submitted by the deadline date of 25 January 2007 covering the County Durham area – one bid from 6 of the Durham Districts proposing a Pathfinder to Unitary approach and the other bid from the County Council for a single unitary authority.

Following a “stage one” evaluation by CLG, the Government decided to consult stakeholders on only one proposal for County Durham, the creation of a single unitary authority, proposed by Durham County Council. On April 4th, this Council issued a Freedom of Information request to CLG seeking the detail and methodology of the assessment of the County Council’s proposal against 5 specified criteria. On 15th June I received a response from CLG declining to release the material in question as the Department considered it exempt from FOI.

Details of the “stage 2” Stakeholder Consultation process was released on 27th March, with the consultation period running to 22nd June.

Position Statement and Option Appraisal

Members will recall that at the Full Council on 25th April 2007 I was given authority to lead a team of officers in preparing a formal response to the proposals, in consultation with the Leader of the Council and incur appropriate expenditure in the collation of stakeholder views on the proposals.

A series of actions have been undertaken to ensure that this Council was able to respond effectively to the Government’s consultation, reflecting the views of the people and stakeholders of the District of Easington.

These actions have included:-

- Full Referendum of the electorate of County Durham
- Stakeholder consultation exercise
- Meetings with Ministers and CLG officials
- Launch of Referendum results, simultaneously in County Durham and Westminster
- Formal response to CLG on behalf of District of Easington Council and the Durham Districts Forum

The Views of Stakeholders

The Durham District Councils commissioned Electoral Reform Services, the specialist balloting arm of the Electoral Reform Society, to undertake a full referendum across all countywide electors. Full ballot packs were sent to almost 393,000 registered electors throughout the County.

The referendum closed on 14th June, with ERS releasing the result to the Durham Districts following full validation. The results show that, with a turnout of 40%, almost 160,000 electors used their vote; deciding between:-

- Option A: Retain and improve the current arrangement of County and District Councils
- Option B: Establish a single unitary council for the whole of County Durham

Some 76.4%, almost 120,000 electors, voted for Option A, to retain and improve the two tier arrangement. Only 23.6%, roughly 37,000 electors, voted for Option B, the establishment of a single unitary council for County Durham.

In the District of Easington, almost 43% of electors used their vote, with a massive 83.8% preferring to retain and improve the existing arrangements of district and county councils.

Individual results, District by District, show that electors in all 7 Districts issued a resounding 'NO' to a single council for County Durham:-

| | Option A % | Option B % | Return Rate % | Eligible Voters |
|--------------------------|-----------------------|-----------------------|------------------------------|----------------------------|
| City of Durham | 72.4 | 27.6 | 36.4 | 68,290 |
| Chester-le-Street | 74.4 | 25.6 | 39.4 | 42,866 |
| Derwentside | 74.8 | 25.2 | 38.7 | 69,983 |
| Teesdale | 73.3 | 26.7 | 45.2 | 20,128 |
| Easington | 83.8 | 16.2 | 42.7 | 72,814 |
| Sedgefield | 74.3 | 25.7 | 40.3 | 68,899 |
| Wear Valley | 78.1 | 21.9 | 39.9 | 49,694 |
| Overall | 76.4 | 23.6 | 39.9 | 392,674 |

In addition to undertaking the referendum of the County's electorate, the Durham District Councils contacted local stakeholder groups to raise awareness of the proposal and to seek their views. Stakeholders included community associations, community partnerships, residents associations, regeneration partnerships, town and parish councils and businesses.

Stakeholders were asked to comment on the proposed timescale, the extent to which the proposal addresses the '5 tests' and whether stakeholders support the single council proposal.

Over 300 responses were received. Of these, almost 250 stakeholders are opposed to a single council for County Durham, some 81% of those responding to the Durham Districts.

| Stakeholder | Total No. Received | No. against a single council | % against a single council | No. in support of single council | % in support of single council |
|-----------------------------------------|---------------------------|-------------------------------------|-----------------------------------|-----------------------------------------|---------------------------------------|
| Business | 138 | 107 | 78% | 31 | 22% |
| Community & Residents Groups | 93 | 80 | 86% | 13 | 14% |
| Town and Parish Councils | 32 | 27 | 84% | 5 | 16% |
| Others | 39 | 32 | 82% | 7 | 18% |
| Total | 302 | 246 | 81% | 56 | 19% |

It is clear from an analysis of the detailed responses that stakeholders consider a single unitary would be too large, remote, further from the people it is supposed to be serving and unable to deal flexibly with the needs of diverse communities across the County. They also cast considerable doubt on whether the financial promises will ever be met.

The Council's Response

The Council's response to the consultation was completed and submitted as the collective response of the Durham District and Borough Councils. It assessed, in detail, the County Council's proposal against each of the 5 tests laid down by the Government – Affordability, Support, Strategic Leadership, Neighbourhood Empowerment and Value for Money. In addition to the assessment of the District Council officers and members, it included independent financial analysis undertaken by Prof. Chisholm of Cambridge University and an assessment of the neighbourhood model undertaken by the Tavistock Institute.

The response provided substantial, and independent, evidence that the proposal:-

- Is not affordable
- Is not supported
- Will lead to inertia in leadership, made worse by the removal of local leadership
- Will not empower neighbourhoods, making services further from the people, not closer
- Will lead to service disruption and a 'one size fits all' approach, dealing inadequately with the needs of diverse communities.

This was submitted, to Government, by the deadline of 22nd June. The proposal will now be assessed further against the criteria and taking account of the comments submitted by all responders to the consultation exercise. The Government intend to announce decisions on which of the 16 proposals will proceed to implementation at the end of July.

Financial Implications

There are no financial implications as a result of this report.

Legal Implications

There are no legal implications arising from this report.

Members will be aware, however, that three councils, Shrewsbury and Atcham Borough Council, Harrogate Borough Council and Congleton Borough Council, have been given permission to proceed with a hearing of their application for judicial review of the Secretary of State's powers to progress such change. Members will be kept aware of developments.

Policy Implications

There are no policy implications as a result of this report.

Risk

The report is primarily for information and there are no material risks in the recommendations.

Communications Implications

A Communications Plan is in place.

Recommendations

That members confirm the actions of the Chief Executive, in consultation with the Leader of the Council, in responding to the consultation proposing a single council for County Durham.

Background Papers/Documents Referred to in the Preparation of this Report

Durham County Council Single Unitary Authority Submission
Durham Districts Pathfinder to Unitary Submission
Stakeholder Consultation Process
Letter from CLG 19 April 2007
Government Consultation June 2007 – Collective Response of the District Councils within County Durham