

Hambleton District Council

Report To: Council
Date: 13 April 2021
From: Chief Executive
Subject: **Local Government Reorganisation**
Wards Affected: All Wards

Scrutiny Committee

1.0 Purpose and Background

- 1.1 The purpose of this report is to enable the Council to consider the consultation launched by the Secretary of State on proposals for unitary local government in York and North Yorkshire and decide how the Council should respond.
- 1.2 On 9 October 2020 in response to a request from North Yorkshire County Council the Secretary of State invited proposals for unitary local government for the York and North Yorkshire area. Initial proposals were required by 9 November 2020 and final proposals by 9 December 2020. The Secretary of State received two proposals from Councils in North Yorkshire:
- North Yorkshire District Councils, apart from this Council, submitted a joint proposal for two unitary councils covering the whole of North Yorkshire and the whole of the City of York; one unitary in the east comprising the districts of Ryedale, Scarborough, Selby and the City of York unitary; and one in the west comprising the districts of Craven, Hambleton, Harrogate and Richmondshire.
 - North Yorkshire County Council submitted a proposal for a single unitary council for the whole of the county of North Yorkshire with no changes to the existing City of York unitary.
- 1.3 This Council's resolved position was not to support the submission of the "Case for Change" document prepared on behalf of the District Councils and to make representations to the Secretary of State for retaining the status quo (Minute CA.5). A copy of the Council's letter to the Secretary of State is at Annex A. However, the consultation is not seeking views on retaining the current two-tier system of local government, so the Council must decide whether to support one of the unitary options and, if so, which one, or whether to maintain its position on the status quo.

2.0 The Consultation

- 2.1 Before implementing a proposal, the Secretary of State is required to consult any local authority that is affected by the proposal (but which has not submitted it) and any other persons he considers appropriate. The Secretary has a broad discretion on who to consult.

- 2.2 The consultation period runs for eight weeks until Monday, 19 April 2021.
- 2.3 Rather than selecting a preferred option the Secretary of State has consulted on both the options in paragraph 1.2. Views have been invited from any interested persons, including residents, and a full list of the specific bodies consulted is shown at Annex B.
- 2.4 The Council has brought the consultation to the attention of residents, businesses and organisations in Hambleton by including it in a prominent position on its website, by making twice weekly posts on its social media accounts and including it in the weekly briefing note to Parish and Town Councils.
- 2.5 The consultation asks six questions about each proposal to help inform the Secretary of State's assessment, these are included in Annex C. The outcome of the consultation could result in the Secretary of State implementing plans for local government reorganisation in North Yorkshire. This is of such significance that a consultation response approved by the Full Council is deemed necessary.
- 2.6 Once the consultation is concluded the Secretary of State will decide which proposal, if any to implement, subject to Parliamentary approval. The Secretary of State will assess the proposals against the three criteria set out in Annex D, which are summarised below, and also regard to all the representations received, including responses to the consultation, and all other relevant information available to him:
- Whether the proposal will improve local government?
 - Whether there is a good deal of local support "in the round" for the proposal?
 - Whether the proposed new Council area covers a credible geography?

3.0 Consideration of the Proposals

- 3.1 The full submissions the Secretary of State received from the six North Yorkshire District Councils and from North Yorkshire County Council can be viewed on the Council's website. Members have also received a presentation on both options; on 8 September 2020 by Dr Justin Ives, Chief Executive (East/West model) and on 2 November 2020 by Mr Richard Flinton, Chief Executive North Yorkshire County Council (Single Unitary model).
- 3.2 Both submissions claim they will deliver the best option for unitary government and make broadly similar claims about the quality of local services, financial sustainability, economic growth, delivering devolution and levelling up, delivering a carbon-negative region, improving partnership working and providing greater powers and funding for parish and town councils.
- 3.3 A summary of the key points taken directly from each bid is set out below:

Single Unitary Model for North Yorkshire

- Strong unified model of local government

- No disaggregation of current services delivered by NYCC, thereby minimising disruption.
- Simpler for customers to understand with a single point of contact for all services, delivered through 30 local access points.
- Local area offices in each of the former districts.
- Local delivery and accountability, with six area Committees discharging services and making decisions at a local level; dealing with issues such as planning, licencing and local highways.
- Protects and builds on the identity of North Yorkshire.
- Provides economies of scale and efficiencies; removing duplication and improving the financial sustainability.
- Savings of £30m per annum, up to £260m in five years, to support frontline services.
- Stepping stone to devolution with a mayoral combined authority in North Yorkshire and York bringing additional money and powers; potentially around £2.4bn of investment over 30 years.
- Achieves stronger local partnerships.

East/West Unitary Model

Creates two new councils of similar size and with similar broad features of urban and rural areas and a National Park in each area.

- The proposed East Unitary Authority has a population of 465,000 and the proposed West Unitary Authority has a population of 363,000.
- Reflects the economic “footprints” of the area by reflecting the way residents move and work.
- Delivers devolution with a well-balanced mayoral combined authority in York and North Yorkshire, with two authorities with similar populations, demography and economic power.
- Unlocks the growth potential of York by enabling housing provision and economic growth to be matched.
- Local delivery and accountability through a minimum of 8 Locality Committees, 4 in each unitary, with budgets and ability to make decisions at a local level on matters such as planning, licencing and local highways.
- Supports local democracy through a good ratio between councillors and electors with each councillor representing between 3,000 and 4,000 electors.
- Improved partnership working with greater integration of public services.
- Estimated budget savings of between £33m and £56m which could be reinvested into services.
- Protects local connections between councils and businesses.

3.4 In forming a view on which, if any, proposal to support, Members should take into account which would best meet the criteria in Annex D. These criteria are general, looking across the entire area of the proposals; on a more local level Members may wish to consider which proposal could be best for the residents and businesses in Hambleton in terms of services, access and jobs.

4.0 Next Steps

- 4.1 The Secretary of State has consulted on the proposals before he has made any assessment of their merits. Next he will need to consider each proposal, all the responses and representations received and all other relevant information against the criteria in Annex D.
- 4.2 The Secretary could then decide, subject to Parliamentary approval, to implement a proposal with or without modifications or to leave things as they are. A decision is expected by Summer 2021.
- 4.3 The consultation document states that if any proposal is to be implemented it is expected that the new unitary council(s) will take on the role from April 2023, with transitional arrangements in 2022-23 to support a smooth implementation. At this point the nature of any transitional arrangements is unclear.

5.0 Link to Council Priorities

- 5.1 The proposals for unitary local government directly impact on all of the Council's priorities.

6.0 Risk Assessment

- 6.1 The risk in the Council not agreeing to submit a response:

| Risk | Implication | Gross Prob | Gross Imp | Gross Total | Preventative action | Net Prob | Net Imp | Net Total |
|--|---|------------|-----------|-------------|---------------------|----------|---------|-----------|
| Failure to submit a response by the deadline | The Council's view is not considered by Government. Negative impact on the Council's reputation. The Council does not demonstrate leadership. | 4 | 4 | 16 | Submit a response | 1 | 1 | 2 |

- 6.2 There are no significant risks in the Council submitting a response.

7.0 Financial Implications

- 7.1 There are no financial implications arising from the Council responding to the consultation.

8.0 Legal Implications

- 8.1 The Secretary of State's powers for restructuring local government come from the Local Government and Public Health Act 2007 (the Act").

8.2 The Secretary of State's invitation under Section 2 of the Act for proposals for unitary local government started the legislative process for restructuring local government in North Yorkshire. There was no legal obligation on a council(s) to submit proposals, but once they did, then the Secretary of State's further powers are engaged.

8.3 Section 7 of the Act requires that before a proposal for local government reorganisation can be implemented, the Secretary of State must first consult any council that is affected by a proposal (but which has not submitted it) and any such other persons as he considers appropriate.

8.5 Once the Secretary of State has consulted he may by order (i.e. statutory instrument) implement a proposal with or without modification or take no action.

9.0 Equality Impact Assessment

9.1 There are no direct equality implications arising out of the Council responding to the consultations. Implementation of any proposal to reorganise local government in York and North Yorkshire should incorporate detailed consideration of these issues.

10.0 Recommendation

10.1 It is recommended that:

- (1) The Council determines its response to the Secretary of State's consultation on proposals for unitary local government in York and North Yorkshire.
- (2) The Council authorises the Chief Executive, in consultation with the Leader of the Council, to finalise and submit the Council's response to the Secretary of State's consultation including completion and submission of responses to the consultation questions.

Dr Justin Ives
Chief Executive

Background papers: None

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from the Leaders Office

HAMBLETON
DISTRICT COUNCIL

The Rt Hon Robert Jenrick MP
Secretary of State for Housing,
Communities and Local Government
Ministry of Housing, Communities and
Local Government
4th Floor, Fry Building
2 Marsham Street
LONDON SW1P 4DF

Typetalk: 18001 01609 779977

Date: 9 November 2020

Dear Mr Jenrick

Local Government Reorganisation North Yorkshire

I am writing on behalf of Hambleton District Council to once again make representations on how vehemently the Council does not believe that Local Government Reorganisation is in the best interest of its residents or businesses. At an extraordinary meeting of Council held on 5th November 2020, it was resolved that representation would be made to yourself to retain the current 2 tier structure of Local Government in North Yorkshire.

North Yorkshire is unique as a County due to its size and geography, which we believe is not suited to one or even 2 Unitary Councils. Each District Council area has a unique character and identity and any unitary model would eradicate this local distinctiveness. As a Council we firmly believe that the current structure is best placed to serve our residents and retain decision making at a truly local level.

You said in your invitation to bid for a unitary structure of local government in North Yorkshire that it is required to be locally led with a broad level of local support. I must stress that although it is being pushed by North Yorkshire County Council it certainly does not have broad local support. I have in excess of 300 letters from businesses stating that this is not the correct structure of local government for Hambleton. Also, as part of the consultation, that I presume will happen next year, I intend to have a local poll, once legislation allows, with all residents to gauge their support for Local Government Reorganisation. However, I must say from conversation with residents and Parish Councils there is no consensus or support for this, particularly at a time when we should be concentrating on helping our residents and businesses through the current pandemic and supporting recovery.

As a District Council, Hambleton punches above its weight in all the services it delivers. If we consider Economic Development a great example is the Treadmills development in Northallerton, in 2014 the Council purchased HMP Northallerton from the Ministry of Justice and in partnership with a private developer we are transforming it into a multi-use development with, shops, bars, restaurants and a cinema. In terms of Planning and housing delivery we exceed our house building targets year on year, including the affordable homes element. Our Leisure Centres are amongst the best in the region, indeed in 2018 we opened the first gym to be operated 24/7 by a Local Authority in the UK, this is something we are looking to roll out across all our centres. We are also meeting the challenge of providing new services, that our residents need, that is why we have just started construction on what could be the UK's first carbon neutral crematorium.

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Hambleton District Council

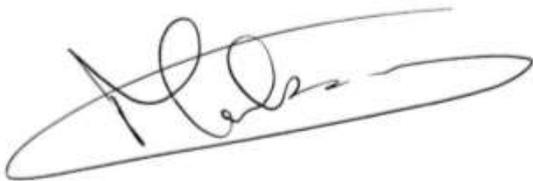
Civic Centre, Stone Cross, Rotary Way, Northallerton, North Yorkshire DL6 2UU

01609 779977 hambleton.gov.uk

Financially, we have not only weathered austerity we have embraced it, in 2014 our Auditors Deloitte went on record to state that we were one of the most financially resilient Councils in the country. Hambleton has the third lowest Council Tax in England, it is likely that whatever shape of Unitary Council you select council tax for Hambleton residents will increase significantly through the equalisation mechanism. This could mean our residents having to find an additional £180 per year for a Band D property, at a time when they can least afford it.

Taking all of this into consideration I feel compelled to ask you once again to stop Local Government Re-organisation because not only is it completely at the wrong time given the current pandemic it is also not in the best interest of our residents or businesses.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Mark Robson', enclosed within a large, horizontal oval shape.

Councillor Mark Robson
Leader - Hambleton District Council
cllr.mark.robson@hambleton.gov.uk 01609 767105

Named Consultees

Principal councils in the area

- City of York Unitary Council
- Craven District Council
- Hambleton District Council
- Harrogate Borough Council
- North Yorkshire County Council
- Richmondshire District Council
- Ryedale District Council
- Scarborough Borough Council
- Selby District Council

Neighbouring principal councils

- Bradford Metropolitan District Council
- Cumbria County Council and the district councils within Cumbria County
- Darlington Borough Council
- Doncaster Metropolitan Borough Council
- Durham County Council
- East Riding of Yorkshire Council
- Lancashire County Council, the district councils within Lancashire County
- Leeds City Council
- Middlesbrough Council
- Redcar and Cleveland Borough Council
- Stockton on Tees Borough Council
- Wakefield Metropolitan District Council
- Sheffield City Region Combined Authority
- Tees Valley Combined Authority
- West Yorkshire Combined Authority

Other named consultees

Public Service Bodies

Health Bodies: Bradford and Craven CCG, Morecambe Bay CCG, North Yorkshire CCG, Vale of York CCG, Airedale NHS Trust Hospital, Bradford District Care Trust, Harrogate and District NHS Foundation Trust, Humber Coast and Vale ICS, Humber Teaching Foundation Trust, South Tees Foundation Trust, Tees, Esk and Wear Valleys NHS Foundation Trust, York Teaching Hospitals NHS Foundation Trust, Yorkshire Ambulance Service NHS Trust.

Policing, Fire and Rescue Bodies: North Yorkshire Police, Fire and Crime Commissioner (Julia Mulligan), Chief Constable of North Yorkshire Police, Chief Fire Officer of North Yorkshire Fire and Rescue Service.

Other Public Sector Bodies: Howardian Hills Area of Outstanding Natural Beauty, Forest of Bowland Area of Outstanding Natural Beauty, Nidderdale Area of Outstanding Natural Beauty, North Yorkshire Moors National Park Authority, Yorkshire Dales National Park Authority, Independent Chair of the North Yorkshire Safeguarding Adults Board, Independent Chair and Scrutineer of the North Yorkshire Safeguarding Children's Board, Transport for the North.

Business Bodies: Federation of Small Business (Yorkshire, Humber and the North East), West and North Yorkshire Chambers of Commerce, York and North Yorkshire Local Enterprise Partnership, Yorkshire & Humber CBI.

Voluntary Sector Bodies: Community First Yorkshire, York CVS.

Education Bodies: University of York, York St John's University.

Other Bodies: Lord-Lieutenant for North Yorkshire, Welcome to Yorkshire.

National Bodies: Environment Agency, Highways England, Local Government Association, National Housing Federation, National Association of Local Councils, Public Health England.

CONSULTATION QUESTIONS

This consultation seeks views on the North Yorkshire councils' proposal and in particular on the following questions in relation to each proposal:

- 1) Is the councils' proposal likely to improve local government and service delivery across each area? Specifically, is it likely to improve council services, give greater value for money, generate savings, provide stronger strategic and local leadership, and create more sustainable structures?
- 2) Where it is proposed that services will be delivered on a different geographic footprint to currently, or through some form of joint arrangements is this likely to improve those services? Such services may for example be children's services, waste collection and disposal, adult health and social care, planning and transport.
- 3) Is the councils' proposal likely to impact local public services delivered by others, such as police, fire and rescue, and health services?
- 4) Do you support the proposal from the councils?
- 5) Do the unitary councils proposed by the councils represent a credible geography?
- 6) Do you have any other comments with regards to the proposed reorganisation of local government in each area?

Please indicate reasons for your answers.

CRITERIA FOR ASSESSING PROPOSALS

The criteria for assessing unitary proposals are that – a proposal should seek to achieve for the area concerned the establishment of a single tier of local government, that is the establishment of one or more unitary authorities.

- a) which are likely to improve local government and service delivery across the area of the proposal, giving greater value for money, generating savings, providing stronger strategic and local leadership, and which are more sustainable structures;
- b) which command a good deal of local support as assessed in the round overall across the whole of the area of the proposal; and
- c) where the area of each unitary authority is a credible geography consisting of one or more existing local government areas with an aggregate population which is either within the range 300,000 to 600,000, or such other figure that, having regard to the circumstances of the authority, including local identity and geography, could be considered substantial.