



Report Reference Number: C/20/16

To:	Council
Date:	13 April 2021
Ward(s) Affected:	All
Author:	Janet Waggott, Chief Executive
Lead Officer:	Janet Waggott, Chief Executive

Title: Consultation relating to the structure of local government in North Yorkshire

Summary:

To inform Council of the Secretary of State's Consultation on Local Government Review Proposals; to seek a response to the invitation to Selby District Council to comment on the North Yorkshire Proposal as Consultee and to consider making any further comment on the East/West proposal that Selby District Council resolved to submit to the Secretary of State which is now under consultation.

Recommendations:

That Council :

- i) **Notes that the Secretary of State is inviting a response from Selby District Council to his Consultation on two proposals for re-organisation in the North Yorkshire area.**
- ii) **Notes that the consultation exercise is not a vote for one proposal over another. It is an opportunity to comment on the merits of both proposals and how they do (or do not) meet the Secretary of State's guidance criteria. Specific consultation questions are posed by the Secretary of State.**
- iii) **Notes that ultimately this is a decision for the Secretary of State who has indicated that the approach to local government reorganisation should be locally led.**
- iv) **Notes that Members can respond in their individual capacity as an elected member at**
<https://www.gov.uk/government/consultations/proposals-for-locally-led-reorganisation-of-local-government-in-cumbria-north-yorkshire-and-somerset/consultation-on-proposals-for-locally-led-reorganisation-of-local-government-in-cumbria-north-yorkshire-and-somerset>

v) Decides whether to:

- (a) Respond to the consultation questions in relation to the district council East/West proposals or whether they feel that the existing submission has already addressed the consultation questions; and/or**
- (b) Respond to the consultation questions in relation to the North Yorkshire County Council proposals; and/or**
- (c) Respond to neither and inform the Secretary of State that the Council resolved to submit the East/West proposal to ensure that an alternative proposal to the NYCC was available for consultation to maximise choice and has nothing further to add**

In the event that Council chooses to respond to the consultation questions at (a) and/or (b) in resolution five above, Council is invited to consider the draft responses at Appendices A and B prepared by officers and decide whether they wish to submit the same to the Secretary of State on behalf of Selby District Council. Council may also consider delegating authority to the Chief Executive to finalise any response in consultation with the Leader of the Council in order to meet the deadline of 19th April 2021.

Reasons for recommendation

Following invitation from the Secretary of State in 2020, the Council resolved to submit an East/West x2 Unitary proposal (as an alternative proposal to a large North Yorkshire Unitary and small City of York Unitary), for consideration by the Secretary of State. Members were clear that the reason for doing so was to provide for a wider choice of reorganisation proposals for consultation. The Secretary of State is now consulting on those proposals. Selby District Council has been formally invited to respond and therefore the matter of responding is brought to Council for consideration.

1 Introduction and background

- 1.1 On 9 October 2020, the Secretary of State invited the councils in North Yorkshire to submit locally led proposals for unitary local government. The invitations were for proposals for a single tier of local government and could be submitted by a council individually or jointly with other councils receiving the invitation. The invitation required outline proposals to be submitted by 9 November 2020 and if a full proposal had not been submitted by that date, it required that it be submitted as soon as practicable thereafter and in any event by 9 December 2020.
- 1.2 Importantly the invitation included guidance on what the proposals should seek to achieve, to which the councils were required to have regard. These invitations started the legislative process for restructuring local government in the North Yorkshire area, which is set out in the Local Government and Public Involvement in Health Act 2007 (the 2007 Act).

- 1.3 On 4 November 2020 this Council resolved to submit the Case for Change to the Secretary of State in response to the invitation. The Case for Change having been developed by the seven Districts with the support of KPMG. Council recognises that further work would be required to finalise the Case for Change. The Council therefore submitted the Case for Change on 9 November 2020 and the district councils (except Hambleton) collaborated in completing the further work to finalise the Case for Change to ensure that the specific issues set out in the guidance in were addressed and this was submitted in accordance with the Council's agreed delegation on 9 December 2020.
- 1.4 When reaching the decision on the submission members had been advised that North Yorkshire County Council had prepared a proposal to be submitted which suggested that the existing North Yorkshire County Council should be merged with the seven District Councils to form one unitary authority and that City of York Council remain as a unitary Council. Members were also advised that the research undertaken in conjunction with KPMG indicated that this would not deliver the best solution for the communities and businesses in York and North Yorkshire.

2 Consultation

- 2.1 Before implementing a proposal for reorganisation, 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 such other persons as he considers appropriate. The Secretary of State is therefore now consulting the councils which made the proposals, other councils affected by the proposals and the councils in neighbouring areas which may be affected by the proposals.
- 2.2 On 22 February 2021 members were advised by the Chief Executive Officer that the Secretary of State was commencing formal consultation seeking the views on the locally-led proposals that the Secretary of State had received following his invitation to councils to submit proposals for local government reorganisation. The two proposals in this consultation being those submitted by:
- Craven District Council, Harrogate Borough Council Richmondshire District Council, Ryedale District Council, Scarborough Borough Council and Selby District Council; and
 - North Yorkshire County Council

A copy of the written ministerial statement of 22 February 2021 is at Appendix C. It is an 8 week consultation which will run until the 19 April 2021. A copy of the full list of consultees which the Secretary of State has contacted can be found at Appendix D.

- 2.3 The consultation asks a number of specific questions about each proposal to help inform the Secretary of State's assessment of the proposals. The questions being asked in the consultation document are:
1. Is the proposal likely to improve local government and service delivery across each area? Specifically, is it likely to improve council services, will it 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 than currently, 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 proposal also 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 this council?
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.

2.4 As this is not a referendum it is possible to support both proposals; support one proposal; or support neither proposal whilst answering the specific consultation questions set out above.

2.5 In deciding which proposal, if any, to implement in an area, subject to Parliamentary approval, the Secretary of State has advised that he will make a balanced judgement assessing the proposals against the three criteria set out in the statutory guidance accompanying the invitation, and having regard to all representations received, including responses to this consultation, and to all other relevant information available to him. These criteria, which reflect longstanding 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:

- 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;
- which command a good deal of local support as assessed in the round overall across the whole area of the proposal; and
- 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.

- 3.1 The Secretary of State has allowed until 19 April 2021 for representations to be made in response to the consultations, after which he will make his minded-to decision and presuming that he decides that a unitary proposal should go ahead, then parliamentary orders will be drafted. These are anticipated to be finalised by summer of 2021 and would give the powers required to establish the new unitary authorities
- 3.2 The Secretary of State has made it clear that the consultation is not a referendum so it is not a vote for one proposal over another. Rather the Secretary of State is seeking local views on the specific questions set out above in relation to each proposal.
- 3.3 Officers across the district councils of Harrogate, Craven, Richmondshire, Scarborough, Selby and Ryedale have collaborated in assessing the proposals as against the Secretary of State's guidance and at Appendices A (East/West) and B (NYCC) further information is provided for members consideration against each of the consultation questions posed. The purpose of appending this document is to inform members deliberations as to how, if at all, they wish a further response on local government reorganisation to be submitted to the Secretary of State on behalf of Selby District Council.

4 **Alternative Options Considered**

N/A

5 **Implications**

Legal Implications

5.1

None as a consequence of the recommendations in this report.

Financial Implications

5.2

None as a consequence of the recommendations in this report.

Policy and Risk Implications

5.4

None as a consequence of the recommendations in this report.

Corporate Plan Implications

5.5

Consideration of the recommendation supports all of the Council's priorities

Resource Implications

5.6

None as a consequence of the recommendations in this report.

Other Implications

5.7

None as a consequence of the recommendations in this report.

Equalities Impact Assessment

5.8

None as a consequence of the recommendations in this report.

Conclusion

6.1

Following invitation from the Secretary of State in 2020, the Council resolved to submit an East/West x2 Unitary proposal (as an alternative proposal to a large North Yorkshire Unitary and small City of York Unitary), for consideration by the Secretary of State. Members were clear that the reason for doing so was to provide for a wider choice of reorganisation proposals for consultation. The Secretary of State is now consulting on those proposals. Selby District Council has been formally invited to respond and therefore the matter of responding is brought to Council for consideration.

Background Documents

Appendices

Appendix A – Draft officer response to questions on East/West proposal – To Follow

Appendix B – Draft officer response to questions on NYCC – To Follow

Appendix C – Written ministerial statement of 22 February 2021

Appendix D – List of Consultees the Secretary of State has contacted

Contact Officer:

Janet Waggott,
Chief Executive
jwaggott@selby.gov.uk