

## Devolution and the White Paper -Larger Council Meeting

Thursday 23 January 2025

Liz Brookes-Hocking, Chair of DALC opened the meeting and mentioned the open letter sent to the government from Cllr Keith Stevens, Chair of NALC. Justin from NALC joined the meeting and gave a short presentation regarding NALC's current position with the proposed changes, and what is known to-date. See slides.

In summary, Cllr Stevens/Justin advised the following.

- The initial response from NALC re the White Paper is that it is positive.
- It could be an important opportunity for councils to play a bigger role in their respective communities.
- We need to nurture neighbourhood governance to ensure the success of the white paper.
- Effective devolution must recognise the role of the town and parish councils.
- Town and parish councils are well placed to meet the needs of their communities.
- We need to make things simpler, such as permitting an element of remote meetings.
- Thirty-nine principal councils have initially expressed an interest in being involved in the first tranche, Devon being one.
- All districts have been meeting together since 16.12.24 – DALC has not been invited.
- **From Liz:** We understand that the districts will be doing some work with DCC later this month. Town and Parish councils do not currently have a forum to express thoughts. We hope we will know more by the end of January 2025.

The meeting was opened to the representatives of the larger councils attending to give feedback. This has been summarized as a question or a consideration around devolution.

### Questions

1. When districts and county look to transfer services to town and parish councils, do they understand about precepting arrangements?
2. Can DALC have conversations with DCC about when precepts are set (they don't seem to be aware) and also to push for 'costed business plans' regarding assets/services that are being considered to be devolved.
3. What will the government do if the principal councils and the town and parish councils cannot reach an agreement regarding the transfer of an asset/service?
4. Are we looking at previous examples of devolution having taken place at the same pace as currently intended? Somerset was "rushed" which had severe negative outcomes.
5. Timelines for transferring services – Is it understood that different councils will work at different paces?
6. Has the government considered "double taxation" as part of devolution?
7. How are town and parish sizes to be calculated/determined?
8. What is Devon's proposal – There appears to be confusion.
9. Will there be a funding package to help pay for the actual transfer of a service? E.g. legal fees?
10. Does the government appreciate what town and parish councils already do? It appears not!

11. Will there be a framework which will include time deadlines and funding available for services being transferred?
12. Will there was the option for the government to impose finer details if we cannot agree?
13. How do we promote to Government what parishes and towns actually do? (This is where evidence is needed to show what is important to our members, which we have asked for) – is this something that NALC will take forward?
14. DALC to ask NALC to lobby for funding to help town and parish councils with the processes – a member said that this should include processes regarding possible staff transfers too (TUPE)

## **Observations**

### **Learning from the past**

1. The devolution project is not a new phenomenon (déjà vu) and there are already areas with unitary councils. There are examples of large town councils struggling in a unitary arrangement because they have been passed services to run without adequate funding.
2. The LGA produced a document several years ago to support this process, local service delivery and place-shaping: A framework to support parish and town councils.

### **Uncertainty**

3. There is uncertainty around the timelines and the place of town and parish councils.

### **Services and asset transfer**

4. Justin said that NALC will 'point the government' to where things do work well and where they don't from experiences of devolved authorities, as most of England is already unitary or two tier.
5. Timescales – and the example of Somerset being 'rushed' into devolution, with the impact being that a lot of councils found it hard to say 'no' to some things as these were forced on them at very short notice, and they had not had sufficient time to explore them fully before committing. It was mentioned that assets were transferred in Somerset almost immediately after becoming a unitary authority, whereas other counties have devolved at different rates. One of the questions asked was how quickly is the transfer of assets/services going to be and can we establish this? (as part of this the suggested action was that councils start service/asset mapping now and consider what they would want to take on, or not).
6. The key will be what Town and Parish councils end up with, both in assets and funding. One of the larger councils said that they have been working on an 'Asset Transfer Policy' and could share this with members
7. The cost of running a service for county and/or district councils may be different to that of a town and parish council because the latter will not have the advantage of applying economies of scale considerations.
8. Any service being transferred must have a robust business plan along with realistic costing. The principal councils must scope a service properly.
9. There is serious concern that the county/district councils will keep the money-making services such as car parks.

10. Just because a town and parish council may be offered a service transfer, it does not mean that they must agree.
11. If local services do not take on a service offered and the service then closes, (e.g. closing a toilet block) the town and parish councils will get the blame for not having taken the service on.
12. Smaller town and parish councils cannot benefit from economies of scale.
13. Excellent partnership working is crucial.
14. When assets are transferred, appropriate diligence will be needed both formally and informally.
15. Some town and parish councils will be better placed than others due to already having taken on some services.
16. It will be difficult to establish the cost of running a particular service. 1 The district may not have this information and 2. The district will benefit from economies of scale whereas it is unlikely a town/parish council will.

### **The part of town and parish councils**

17. Town and Parish councils must be taken seriously from the start of these projects.

### **Opportunity for town and parish councils and what can be done now.**

18. Town and parish councils have a window of opportunity for each council to establish what is of value to their community. This will inform later discussions when assets and services may be considered to “pass down” – Do community engagement now to ascertain community views.
19. Establish what assets did your town and parish have prior to the reorganization of local government in the 70’s – These should be repatriated to the town/parish council if services are transferred.
20. Create relationships with district and county now.
21. Town and parish councils to produce an asset and service map now.
22. Establish your town and parish council’s priorities NOW. Especially so when they are “discretionary services” – DALC encourages all town and parish councils to undertake asset and service a mapping now so that they will be in a strong position when discussing with districts, specifically to include ‘discretionary’ services: those that are essential in their community. Members said that this information needs to be passed on to the District Councils.

### **Representation**

23. We need county organisations to have a voice.
24. Lobby your local MP’s.

### **Other**

25. The precept should be spent on matters pertaining to your elector, but this does not always happen as other people come into your parish and benefit.
26. Some town and parish councils will be richer than others due to assets retained historical.
27. Election pressure in 2027.

28. Town and parish councils are not currently appropriately staffed to take on more services.
29. The University of Exeter study (2019) looking at Cornwall and unitisation is a useful document apparently. Also mentioned was the LGA 'Local Service Delivery and place-shaping' framework to support parish and town councils. Apparently, it contains useful examples and has been used by a number of authorities that have devolved.

### **Follow-up actions**

#### **Members to:**

- create a statement about what is important in their communities, what you already do, and what would be missed. Send that to DALC to help Liz build an evidence basis
- undertake assets/services mapping and start considering what they will want to take on and what they don't. This might including consulting with the community about what's important as well as looking at what used to be in place prior to 1972.

#### **DALC to**

- ask DCC if there's any way of them sharing details of the fixed assets they own
- reach out to districts where possible to request engagement
- to keep members updated
- circulate slides from Justin, Cornish devo report, and more information as we have it (I don't have slides yet).

#### **DALC to ask NALC:**

- to lobby for funding for local councils to help them with the process
- to produce an advice note on asset transfers and associated legal matters
- Justin to return to a later meeting, perhaps in February
- Some examples of best practice in devolution/local government reorganisation.