

**BOLSOVER DISTRICT COUNCIL**

**Meeting of Council on 29<sup>th</sup> January 2025**

**English Devolution White Paper**

**Report of the Chief Executive**

<b>Classification</b>	This report is Public
<b>Contact Officer</b>	Karen Hanson Chief Executive

**PURPOSE/SUMMARY OF REPORT**

To inform Council of the publication of the Government's English Devolution White Paper.

To advise Council of the emerging implications for Bolsover District Council and residents following publication of the White Paper.

To seek delegated authority for the Chief Executive, in consultation with the Leader of the Council, to participate in discussions with authorities across Derbyshire, Nottinghamshire and Derby City Council regarding any local government reorganisation proposals and present an update report to Council as appropriate.

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**REPORT DETAILS**

**1. Background**

- 1.1 Members will be aware that the government published its English Devolution White Paper on 16 December 2024, which can be found at: <https://www.gov.uk/government/publications/english-devolution-white-paper-power-and-partnership-foundations-for-growth> . In addition to setting out proposals for how the government intends to devolve decision making and powers from Whitehall to local areas through Strategic Authorities (Combined Authorities), the White Paper also details proposals for local government reorganisation in two tier areas.

- 1.2 Following the publication of the White Paper, two letters have been received from the Minister of State for Housing, Communities and Local Government (see Appendices 1 and 2), and a number of webinars have been held with Councils, including one for District Councils focusing on reorganisation proposals. Despite the letters and webinars, there is still a lack of clear information at the time of writing on the process and timetable. However, it is nonetheless possible to detail the proposals within the White Paper and the emerging implications for the District Council and its residents.

## **Devolution**

- 1.3 The White Paper details a new framework for devolution and the powers that will be devolved to local areas. As part of a revised framework, Combined Authorities will in future be referred to as Strategic Authorities. The government wishes Strategic Authorities to serve a population of at least 1.5 million and initially there will be three different arrangements, these being:
- Foundation Strategic Authorities – These will be non-mayoral Combined Authorities and Combined County Authorities and will have the least range of powers.
  - Mayoral Strategic Authorities – These will consist of the Greater London Authority, Mayoral Combined Authorities and Mayoral Combined County Authorities. The East Midlands Combined County Authority (EMCCA), will fall within this group at the current time.
  - Established Mayoral Strategic Authorities – These will be Mayoral Strategic Authorities that meet specific criteria, and which have had an elected Mayor for at least 18 months. Examples include Greater Manchester, South Yorkshire and Liverpool City Region.
- 1.4 The White Paper details the government's desire for all areas of England to eventually be covered by a Mayoral Strategic Authority, and as such it seems likely that Foundation Strategic Authorities are viewed as an interim measure. The government is also clear that it does not wish to see any areas left behind i.e. there should be no areas that are surrounded by Strategic Authorities, but which are too small to form a standalone Strategic Authority. Depending on proposals for the rest of the East Midlands, this could conceivably lead to a future expansion of EMCCA, particularly given the government's stated population threshold.
- 1.5 The government also intends to legislate to provide the Secretary of State with the power to create a Strategic Authority by ministerial directive where local consensus cannot be achieved.
- 1.6 Areas of competence where the government would like to engage with Strategic Authorities may include:
- Transport and local infrastructure
  - Skills and employment support
  - Housing and strategic planning

- Economic development and regeneration
  - Environment and climate change
  - Health, wellbeing and public service reform
  - Public safety
- 1.7 All Strategic Authorities will be required to produce a spatial development strategy and a local growth plan.
- 1.8 The White Paper also sets out a longer-term ambition for a move to place based public service delivery, including aligning borders of other areas of public service delivery.
- 1.9 One early implication for the District Council within the White Paper, is the government's intention to consult on moving the licensing of private hire vehicles from district councils to the Local Transport Authority (EMCCA).

### **Local Government Reorganisation**

- 1.10 Currently there are 21 County Councils and 164 District Councils remaining across England. The White Paper and subsequent correspondence details the government's intention to reorganise all of these authorities in a phased approach within the current parliament to form new large unitary authorities, with a population of at least 500,000 (smaller authorities may be considered in exceptional circumstances). The government also intends to include small unitary councils that border two tier areas where the population is below the threshold, or where the unitary council is failing. Given Derby City's population of approximately 261,000, it is believed that the City Council will be included in any discussions regarding local government reorganisation in Derbyshire.
- 1.11 The White Paper also provides details of a Devolution Priority Programme for areas that are able to proceed quickly towards the creation of Strategic Authorities and local government reorganisation. In order to facilitate these, the government has invited upper tier areas to request a postponement of elections due in May 2025. Under this scenario it is believed that elections to the new shadow unitary councils will take place in May 2026, along with elections to the new Strategic Authorities. The existing district and county councils would then be abolished on 31 March 2027. The government details two scenarios where it would be willing to postpone elections, these being:
- Areas who are minded to join the devolution priority programme, where they will be invited to submit reorganisation proposals to government by autumn 2025.
  - Areas who need reorganisation to unlock devolution, where they will be invited to submit reorganisation proposals to government by May 2025.

- 1.12 During a webinar on 9 January 2025, it was stated that the priority programme relates to the establishment of Strategic Authorities. However, it is unclear whether requests from upper tier authorities to postpone elections in order to join the first tranche of local government reorganisation will be considered where a Strategic Authority already exists, as is the case in Derbyshire.
- 1.13 The request to postpone elections had to be submitted by the upper tier authority that is subject to the election by 10 January 2025.
- 1.14 On the 9 January 2025, a meeting of the D2 Strategic Leadership Board took place at which all Leaders and Chief Executives of Derbyshire and Derby City were present. At that meeting, the Leader of the County Council confirmed that he would be submitting a request to government for a postponement of the County elections, as well as the establishment of a unitary authority on the existing County boundaries. At the same meeting Leaders of District and Borough Councils detailed their belief that more time is required to consider the best way forward for Derbyshire and that the County Council elections should therefore go ahead in May 2025. Consequently, it was proposed to send a joint letter to the Minister of State, open to District and Borough Leaders to sign stating opposition to the postponement of the County elections.
- 1.15 During the recent webinars, further clarification has been sought from civil servants as to how the postponement requests will be assessed, but unfortunately this remains unclear at the time of writing.
- 1.16 For any areas that do not see their elections postponed, it is understood that the government envisages a second tranche of reorganisation with an ambition for the remaining district and county councils to be abolished on 31 March 2028. However, there also seems to be acknowledgement that this date may not be achievable for all areas.
- 1.17 Unfortunately, there is a lack of clarity as to the timelines. In the letter received from the Minister of State on 16 December 2024 (Appendix 2), it states *“For any area in which elections are postponed, we will work with areas to move to elections to new ‘shadow’ unitary councils as soon as possible as is the usual arrangement in the process of local government reorganisation. For all other areas elections will take place as scheduled in May 2025, and I will invite in January proposals for reorganisation to be submitted to government by autumn 2025”*. However, in a webinar on 7 January 2025, civil servants stated that Council Leaders will receive a letter by the end of January 2025 inviting proposals for reorganisation, with outline proposals required by March 2025, and further detailed proposals required by either May 2025 or autumn 2025, depending on whether they are within the first or second tranche.
- 1.18 The government has also stated that it wishes to see councils working together to submit a single proposal for their area, rather than the submission of competing proposals. Given the ambitious scale of the proposed devolution and reorganisation, it seems likely that the government is not wishing to see resources within the civil service taken up by having to consider competing proposals. However, it equally seems unrealistic to expect all areas to have a single vision of a best model for their council and local residents.

- 1.19 Whilst the Leader of the County Council has stated his intention to request a unitary council on the existing county boundaries, this does not seem to meet the government's stated criteria, as it would require the government to make an exception as to the population requirements to retain the City Council within its current boundaries.
- 1.20 During a webinar that took place on 7 January 2025, it was confirmed that there is no upper limit to the size of a unitary council. Given this and the other published criteria, it would suggest there are a number of potential models that may be open to Derbyshire: one being a whole county unitary, a second being two unitary councils.
- 1.21 Another potential option could be if the government were to permit the formation of new unitary authorities across county boundaries. This option would allow the formation of economic areas across Derbyshire and Nottinghamshire borders. Civil servants have said this option has not been ruled out, but would be very complex and time consuming, potentially causing delays to the government's preferred timetable. The Boundaries Commission would be required to consider any such proposals coming forward.
- 1.22 Council will need to consider the implications of the functioning of the District Council pending its future abolition, as a number of risks are likely to emerge, which may include:
- Increased difficulties in recruiting staff and retention of current skilled and capable employees.
  - Reorganisation discussions and arrangements draining capacity, particularly at senior officer level.
  - Employee morale, whilst it is anticipated that the vast majority of employees will transfer to the new council, any change of this scale will inevitably be unsettling.
  - Difficulties in undertaking financial planning.
  - Decision making and how decisions taken by Bolsover District Council may impact on the new authority.
  - The lack of clarity on timetable and whether 2027 or 2028 is likely, or even achievable for reorganisation.
  - Impacts on transformation efforts and project delivery e.g. simpler recycling implementation

## **2. Details of Proposal or Information**

- 2.1 To authorise the Chief Executive, in consultation with the Leader of the Council to participate in discussions with authorities across Derbyshire, Nottinghamshire and Derby City Council regarding any local government reorganisation proposals and present an update report to Council as appropriate.

2.2 That the report and Government's English Devolution White Paper be noted.

**3. Reasons for Recommendation**

3.1 To ensure that Council is aware of the publication of the Government's English Devolution White Paper and the emerging implications for Bolsover District Council and local residents.

3.2 To ensure that the District Council can participate in the shaping of any local government reorganisation proposals for Derbyshire and Derby City.

**4 Alternative Options and Reasons for Rejection**

4.1 Not to engage is not an option as Bolsover District Council must participate in shaping of any local government reorganisation proposals.

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**RECOMMENDATION(S)**

1. That the report be noted.

2. That delegated authority be given to the Chief Executive, in consultation with the Leader of the Council, to participate in discussions with authorities across Derbyshire, Nottinghamshire and Derby City Council, regarding any local government reorganisation proposals and present an update report to Council as appropriate.

Approved by Councillor Fritchley.

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**IMPLICATIONS:**

<b><u>Finance and Risk</u></b> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		
<b>Details:</b>		
None arising directly as a result of this paper. The costs associated with any reorganisation will be determined and reported to Council at the appropriate time.		
On behalf of the Section 151 Officer		
<b><u>Legal (including Data Protection)</u></b> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		
<b>Details:</b>		

Any proposed reorganisation of Local Government will require primary legislation to be passed through the Houses of Parliament.

On behalf of the Solicitor to the Council

**Staffing**      Yes       No

**Details:**

None at the current time. Any future staffing implications will be presented in future reports to Council.

On behalf of the Head of Paid Service

**Equality and Diversity, and Consultation**      Yes       No

**Details:**

Not applicable.

**Environment**      Yes       No

**Details:**

Not applicable.

**DECISION INFORMATION:**

***Please indicate which threshold applies:***

**Is the decision a Key Decision?**

A Key Decision is an Executive decision which has a significant impact on two or more wards in the District or which results in income or expenditure to the Council above the following thresholds:

**Revenue (a)** Results in the Council making Revenue Savings of £75,000 or more or **(b)** Results in the Council incurring Revenue Expenditure of £75,000 or more.

**Capital (a)** Results in the Council making Capital Income of £150,000 or more or **(b)** Results in the Council incurring Capital Expenditure of £150,000 or more.

**District Wards Significantly Affected:**

Yes       No

(a)       (b)

(a)       (b)

<p><i>(to be significant in terms of its effects on communities living or working in an area comprising two or more wards in the District)</i></p> <p>Please state below which wards are affected or tick <b>All</b> if all wards are affected:</p>	<p><b>All</b> <input type="checkbox"/></p>
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<p><b>Is the decision subject to Call-In?</b>  <i>(Only Key Decisions are subject to Call-In)</i></p> <p>If No, is the call-in period to be waived in respect of the decision(s) proposed within this report? <i>(decisions may only be classified as exempt from call-in with the agreement of the Monitoring Officer)</i></p> <p><b>Consultation carried out:</b>  <i>(this is any consultation carried out prior to the report being presented for approval)</i></p> <p> <b>Leader</b> <input checked="" type="checkbox"/>   <b>Deputy Leader</b> <input checked="" type="checkbox"/>   <b>Executive</b> <input checked="" type="checkbox"/>   <b>SLT</b> <input checked="" type="checkbox"/>  <b>Relevant Service Manager</b> <input type="checkbox"/>   <b>Members</b> <input type="checkbox"/>   <b>Public</b> <input type="checkbox"/>  <b>Other</b> <input type="checkbox"/> </p>	<p><b>Yes</b> <input type="checkbox"/>    <b>No</b> <input checked="" type="checkbox"/></p> <p><b>Yes</b> <input type="checkbox"/>    <b>No</b> <input type="checkbox"/></p> <p><b>Yes</b> <input type="checkbox"/>    <b>No</b> <input type="checkbox"/></p>
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<p><b>Links to Council Ambition: Customers, Economy, Environment, Housing</b></p>

**DOCUMENT INFORMATION:**

Appendix No	Title
A	Minister’s Letter – Publication of the English Devolution White Paper
B	Minister’s Letter – Leaders of all two-tier councils and neighbouring unitary authorities

<p><b>Background Papers</b></p> <p><i>(These are unpublished works which have been relied on to a material extent when preparing the report. They must be listed in the section below. If the report is going to Executive, you must provide copies of the background papers).</i></p>
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English Devolution White Paper

English Devolution White Paper DCN Member Briefing

Minister's Letter – Publication of the English Devolution White Paper

Minister's Letter – Leaders of all two-tier councils and neighbouring unitary authorities