



Local government reorganisation in Cumbria Interim position - August 2020

The purpose of this paper is to clarify CALC's current position on the future of local government in Cumbria and the role of town and parish councils.

Summary of Cumbria Association of Local Councils' interim position

1. Cumbria Association of Local Councils (CALC) welcomes in principle the aim of delivering better public services through a local government reorganisation in Cumbria.
2. CALC feels that local government in two tier areas like Cumbria faces additional challenges that can sometimes make it harder to achieve the strong leadership and clear accountability which our communities need. There are risks of duplication and inefficiency between tiers resulting in confusion for local residents and the stretching of limited resources for small districts.
3. CALC agrees with the government's view that in two tier local government areas like Cumbria, maintaining the status quo is no longer an option. Our view is that the people of Cumbria are not as well served by existing local government as they could be and the time has come to make significant changes in the way local government operates within the county.
4. The best prospect of achieving high quality local government in Cumbria in the future lies in the replacement of the present two tier local government structure with one or more unitary authorities delivering services and the creation of a combined authority to receive the additional powers. We understand that any new model of local government will be subject to consultation but the decision will be made by ministers.
5. CALC will consider and take a position on any proposals submitted to the government and hopes that the present county and district councils will produce practical proposals for a unitary local authority structure in Cumbria by the government's deadline.
6. In any reorganisation, CALC would expect to see arrangements in place which allow communities, through their elected town and parish councils, greater influence over what happens in their areas. We are looking for decentralised decision making which enables service planning and delivery to be sensitive to local aspirations and circumstances. CALC is looking for this level of community influence to be integral to any new arrangements.

Empowered communities

7. CALC's particular interest in any future local government arrangements is focussed on how town and parish councils and a principle authority could work together to achieve empowered communities. The following paragraphs are a contribution to debate on how this may be achieved.
8. Some general principles are:
 - a. The empowerment of local communities should be an explicit objective of the principle authority. It will need to organise itself appropriately and allocate adequate resources to achieve the objective.

- b. Governance at the local community level should be led by elected town and parish councils in partnership with the principle authority and other community groups. This means town or parish councils should be created in those areas where they currently do not exist.
 - c. The principle authority should not micro-manage at the community level itself but should empower town and parish councils and others to do so.
 - d. Arrangements for community governance and empowerment should be flexible to allow for variations in capacity and aspirations amongst town and parish councils. Communities should be free to choose the nature and extent of their involvement.
 - e. Local diversity should be viewed as an opportunity, not a problem. There should be no 'one size fits all' solutions.
9. The interest of town and parish councils in empowerment covers:
- a. Influencing principle authority decisions before they are made
 - b. The opportunity to take on responsibility for the management of local services, facilities and land
 - c. scrutinising and challenging principle authority performance

Influencing decisions

10. Influencing decisions is about town and parish councils collectively influencing broader policy decisions and also about individual councils influencing decisions affecting their specific area.
11. Currently decisions are taken at local level within the framework of policies that have been decided at a more strategic level. This presents a dilemma for town and parish councils – their forté is handling detailed local matters yet they need to find time and resources to participate at the strategic level to ensure the options at local level are not closed down. This means that individual council representatives or CALC representatives need to commit, often over lengthy time scales, to debates, discussions and consultations. Sometimes representatives with sufficient expertise and free time are difficult to find. A way will need to be found to resource community participation in strategic policy making.
12. At the individual parish level, councils want consultation and participation processes to leave them with the feeling that they have been listened to and their views actually taken into account. This is particularly important in town and country planning where the current process leaves local councillors feeling that sometimes decisions have been taken without their views being properly heard or considered. The 'neighbourhood plan' initiative has helped in recent years but many smaller communities are not in a position to develop their own neighbourhood planning strategy.
13. Town and parish councils have been increasingly working with their communities to prepare and adopt a 'community plan', which is a constructive contribution to place shaping by the community. It is increasingly the main way that a community will seek to highlight and prioritise matters of importance to them. The principle authority should actively engage in the preparation of community plans and establish protocols which enable them to influence policy decisions and initiate actions. In particular, there needs to be arrangements that enable all aspects of a parish plan to influence community strategies and local development frameworks.

Devolution of service responsibility

14. A town or parish council's interest in taking on a service responsibility from the principle authority will depend on whether the council believes it can provide a better service or better value for money, the benefits of the service or facility to the community and the adequacy of resources and officer support from the principle authority. It will also depend on the council's preferences and its assessment of its own capacity.
15. A principle authority should not think in terms of either 'we' do it or 'they' do it. Often the combination of local resources, local knowledge and sensitivity to local considerations provided by the town or parish council, coupled with the professional officer expertise and support provided by the principle authority will provide the best arrangement.
16. The initiative to encourage town and parish councils to take on ownership and management of services, facilities and land should come in the first instance from the principle authority. The principle authority is in the best position to shape some possibilities for discussion, enabling town and parish councils to explore the specific opportunities.
17. Proposals for the devolution of service responsibility should be accompanied by the necessary financial resources from the principle authority to deliver the service. This does not mean that town and parish councils are always looking to undertake service provisions at no cost to themselves and their communities. In fact they will sometimes be prepared to provide some form of 'added value' from their own resources.
18. Arrangements to enable town and parish councils to take on the ownership and management of services, facilities and land will need to be flexible to allow for the variations in capacity and aspirations. Allowances will need to be made for the likely increase in capacity and aspirations over time. It is anticipated that in the future, more councils will be recognised under the Local Council Award Scheme (LCAS) and as more clerks qualify with the Certificate in Local Council Administration (CiLCA), an increasing number of councils will also become eligible to implement the General Power of Competence. However until that time, fixed long term contractual arrangements will not always be appropriate.
19. Although town and parish councils will resist being pushed into geographical 'clusters' where a loss of identity will be feared, they recognise that working in groups on cross boundary service provisions will often be the only practical arrangement. This can also deliver economies of scale.

Scrutinising performance

20. The 2000+ town and parish councillors across the county have considerable knowledge and experience of principle authority performance in the delivery of services. At present feedback to the principle authority is random, partial and most commonly in the form of complaints. There needs to be a mechanism for this wealth of experience to be gathered in a more systematic and constructive manner. There should be a clear role for town and parish councils (perhaps via CALC) in formal scrutiny and review of activities, as well as more informal mechanisms through the principle authority's own front line councillors.
21. Arrangements which enable town and parish councils to hold principle authorities to account are of no value unless they also enable town and parish councils to influence change. Following the scrutiny and review of existing performance, processes need to be in place to either implement change or give full explanations of why change is not possible.

Capacity of town and parish councils and availability of resources

22. A review by CALC indicates that in relation to 'good practice' the performance of town and parish councils has improved in recent years. There is good attendance at CALC training courses, there was an encouraging cross section of councillors from across the county at the 2019 summer conference, there is a more professional approach amongst parish clerks with a growing number serving more than one council, there is widespread interest in the preparation of community plans, the use of IT and the internet is now universal despite variations in availability of Broadband, most councils have recently embraced virtual meetings as routine and there is a willingness to raise money through the precept to implement projects.
23. However there remain differences in capacity across the parish sector which will need to be taken into account if empowerment of communities through town and parish councils is to be a reality across the county. A variety of measures will need to be implemented with the support of the principle authority.
24. CALC and other organisations will need to continue to provide basic training for councillors and clerks. This work may include a mix of traditional courses, workshops and conferences (Covid-19 restrictions permitting), discussions and coaching via virtual meeting platforms and webinars. The Local Council Award Scheme will need to be promoted more actively, alongside the Certificate in Local Council Administration qualification course.
25. Efforts will need to be made to attract new people to local council activities and this will require a higher profile for parish elections without the fear of the financial burden of a poll. It is acknowledged that some parish councils are too small to generate sufficient capacity and should be encouraged to join with an adjacent council, while many other councils should be encouraged to reduce their number of councillors to improve decision making.
26. Town and parish councils have to raise their income from the parish precept. There is an understandable reluctance amongst town and parish councillors to add to the council tax burden and face the disapproval of their neighbours. All town and parish councils have considerable 'back office' costs, including salaries, insurance, audit fees, health and safety inspections, subscriptions and IT costs. As a consequence, financial allocations for training and parish elections are often lower down the list of annual budget priorities and there is a wariness about taking on new responsibilities unless the financial consequences are small.
27. Town and parish councils' natural caution about spending will constrain efforts to empower them unless the principle authority is prepared to help find economies of scale in meeting their 'back office' costs and where appropriate fund or subsidise specific expenditure such as training costs, election costs, IT costs etc.
28. CALC is capable of helping to facilitate change and assist in the empowerment of town and parish councils but has limited income provided by its member councils and grants from county and district councils. In view of the potential contribution CALC could make to successfully implementing an agreed local government reorganisation in Cumbria, CALC will be seeking principle authority assistance to promote and support the key training and development programmes of Local Council Award Scheme and Certificate in Local Council Administration.

CALC Executive Committee
August 2020