

BCFE (09) 4th Meeting

Minutes of meeting held on 18 February at Broadway House,
Tothill Street, London, SW1H 9NQ

Present:

Max Caller CBE (Chair)
Joan Jones CBE
Professor Ron Johnston
Jane Earl
Professor Colin Mellors

Also present:

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| Elizabeth Morrow | Senior Lawyer |
| Gareth Nicholson | Media Relations Officer |
| Graham Essex-Crosby | Local Government Advisor |
| Alison Wildig | Review Manager |
| Tim Bowden | Review Officer |
| Kalim Anwer | Review Officer |
| William Morrison | Review Officer |
| Megan Bayford | Review Assistant |

Apologies:

Dr Peter Knight CBE DL

1. Consideration of the independent financial consultants' consolidated report provided to the Committee on 20 January

- 1.1 The Review Manager referred to minor amendments made to the report since presented to the Committee on 20 January.
- 1.2 The Committee noted the report, which would be published on the web page in due course. The Committee also noted that new financial workbooks had been issued to relevant local authorities in Norfolk.

2. Structural reviews decision-making

- 2.1 The Review Manager presented a paper on the decision-making process.
- 2.2 The Committee discussed the paper and its approach to decision-making concerning the further draft proposals to be published in March. The Committee confirmed that if one part of a pattern failed one of the three criteria in isolation (strategic leadership, value for money and neighbourhood empowerment), then the entire pattern would be taken to have failed – even if the rest of the pattern could have the capacity to meeting all five criteria.
- 2.3 All original concepts, draft proposals, patterns of merit and other patterns drawn to the Committee's attention during the July 2008 consultation would be revisited.

3. Consideration of patterns in aggregate – Devon

- 3.1 In discussion, the following conclusions, based on all the evidence currently available, were reached:
- 3.2 The proposed six unitary pattern in Devon failed on value for money, in that three rural unitary authorities were unlikely to have the capacity to provide this.
- 3.3 The Committee considered that a four unitary authority pattern -'Concept G' – involving changes to the boundaries of Plymouth and Torbay, was not essential in achieving a unitary solution for Devon and therefore not within the scope of the request for the Committee's advice.
- 3.4 'Concept F', a three unitary pattern which also sought to enlarge the boundaries of Plymouth and Torbay failed for the same reason as 'Concept G'.
- 3.5 The 3 unitary pattern involving a rural South Devon & Dartmoor/Northern Devon/Exeter & East Devon failed on issues of strategic leadership. The Committee felt that the authorities in such a pattern would not have a

sufficient sense of 'outward orientation' in representing the community at different levels of government and would fail to give a coherent approach to an increasing complex landscape of local players and partnerships.

- 3.6 'Concept D' failed on value for money and strategic leadership. Transport linkages within the two authorities would be poor and the delivery of services would be difficult. The Committee also considered that the western authority would fail to give a coherent approach to an increasing complex landscape of local players and partnerships
- 3.7 A two unitary pattern for North/South Devon failed on value for money and strategic leadership. The Committee felt that the authorities in such a pattern would have considerable difficulties in promoting their areas' prosperity.
- 3.8 'Concept B', an Exeter authority based on existing boundaries, failed on affordability and strategic leadership. The Committee considered that in light of the independent financial consultant's findings on the Exeter and Exmouth pattern it was unlikely that this pattern of unitary local government would meet the affordability criterion 'in aggregate'. The Committee also considered that such a small Exeter unitary authority would fail to have sufficient outward orientation.
- 3.9 'Concept C', an Exeter authority on expanded boundaries failed on strategic leadership, as the Committee had similar concerns to that of concept B in that such a small Exeter unitary authority would fail to have sufficient outward orientation.
- 3.10 The Committee confirmed that the patterns remaining that could have the capacity to meet the five criteria were its draft proposal and the pattern of merit: Exeter & Exmouth/rural Devon.

4. Consideration of patterns in aggregate – Suffolk

- 4.1 In discussion, the following conclusions, based on all the evidence currently available, were reached:
- 4.2 A four unitary pattern of East/West/Yarftoft/Ipswich would be unlikely to meet the five criteria, because an East Suffolk unitary authority would be unable to provide value for money.
- 4.3 A four unitary pattern consisting of authorities around the existing district boundaries of Suffolk Coastal & Waveney/Babergh & Mid Suffolk/St Edmundsbury & Forest Heath/Ipswich was considered. The Committee felt that such a pattern would fail on strategic leadership, as such a group was more about the existing district councils rather than a vision for unitary government – a lack of outward orientation.
- 4.4 The Committee considered a three unitary pattern of East/West/Ipswich (with Felixstowe) was unlikely to meet the five criteria because an East

Suffolk authority was unlikely to provide strategic leadership - in that it would fail to give a coherent approach to an increasing complex landscape of local players and partnerships. The Committee felt that this pattern would fail even if Felixstowe was moved to an East Suffolk authority.

- 4.5 The Committee felt that a two unitary East/West Suffolk pattern would fail to meet the criteria because there was no strategic leadership provided for the centre of Suffolk, leaving the centre with no clear strategic vision. The Committee also felt that to draw such a boundary would divide communities, as there was no consensus on where a practical boundary should be drawn.
- 4.6 The Committee confirmed that the two patterns in Suffolk which could have the capacity to meet the 5 criteria were its draft proposals and a single county unitary.

5 Considerations of patterns in aggregate – Norfolk

- 5.1 In discussion, the following conclusions, based on all the evidence currently available, were reached:
- 5.2 The Committee considered that a five unitary pattern in Norfolk was unlikely to meet the value for money criterion.
- 5.3 The Committee considered that ‘Concept F’ and ‘Concept G’ were unlikely to meet the criteria on the grounds that the North and South components were unlikely to meet the value for money criterion.
- 5.4 The Committee considered a three unitary pattern of Greater Norwich/Yarftoft/rest of Norfolk. The Committee decided that the Yarftoft authority would be unlikely to meet the value for money criterion.
- 5.5 The Committee concluded that ‘Concept D’ was unlikely to meet the criteria in that the Great Yarmouth authority would fail on value for money.
- 5.6 A two unitary pattern of Yarftoft/rest of Norfolk was likely to fail for the same reasons as the three unitary pattern of Greater Norwich/Yarftoft/rest of Norfolk pattern.
- 5.7 The 2 unitary pattern containing Norwich, Great Yarmouth & Lowestoft and Rural Norfolk authorities failed because it did not pass the affordability criterion in aggregate and separately. The Committee confirmed that it had not received any representations challenging this conclusion.
- 5.8 The Committee consider a 2 unitary pattern of East/West Norfolk. The Committee felt that the West Norfolk authority would not meet the strategic leadership criterion, as it would be difficult to find a “voice” for

the whole of the west. As with Suffolk, this pattern struggled in that there would again be no strategic vision for the centre of the county.

- 5.9 The Committee confirmed that its draft proposal for a single unitary authority is the only pattern that could have the capacity to meet the five criteria until the Greater Norwich/rural Norfolk can be evaluated on 12 March. This two unitary pattern was not considered, as the Committee will wait until the new workbooks provided by Norwich City Council and Norfolk County Council are evaluated by the independent financial consultants and the report is presented to the Committee on 12 March.
- 5.10 The Committee then discussed its considerations of Lowestoft. It decided that including Lowestoft in a pattern of unitary authorities in Norfolk could have the capacity to meet all five criteria. However, in light of the responses received to date it intended to exercise its discretion and not consult further on moving any parts of the borough of Great Yarmouth in Norfolk into the district of Waveney in Suffolk and vice versa. In the Committee's judgement, the evidence points to this being something that the Committee would not recommend to the Secretary of State and that there are better patterns of unitary local government for each county alone and taken together.

6. AOB

- 6.1 The Senior Lawyer gave an update on the Court of Appeal hearing which had started that day.
- 6.2 The Review Manager reported that at the 2 March meeting, the new project consultant for the separation of the Boundary Committee from the Electoral Commission will be attending with Andrew Scallan. There will also be a discussion about corporate governance.
- 6.3 The Committee agreed to have an extra meeting in June, date TBC when Dr Knight returns from abroad.
- 6.4 The Committee discussed its desire to compose an article for publication in trade press.

February 2009