

REPORT PROPOSED FOR WITHDRAWAL
Executive Board – 20 October 2020

Subject:	Local Government Reorganisation in Nottingham and Nottinghamshire
Corporate Director(s)/Director(s):	Chris Henning, Corporate Director of Development and Growth Colin Monckton, Director of Strategy and Policy
Portfolio Holder(s):	Councillor David Mellen, Leader/Portfolio Holder for Regeneration, Schools and Communications Portfolio
Report author and contact details:	James Schrodell, Policy & Performance Manager
Other colleagues who have provided input:	
Subject to call-in:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Key Decision:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Criteria for Key Decision:	
(a)	<input type="checkbox"/> Expenditure <input type="checkbox"/> Income <input type="checkbox"/> Savings of £1,000,000 or more taking account of the overall impact of the decision
and/or	
(b)	Significant impact on communities living or working in two or more wards in the City <input type="checkbox"/> Yes <input type="checkbox"/> No
Type of expenditure:	<input type="checkbox"/> Revenue <input type="checkbox"/> Capital
Total value of the decision:	Nil
Wards affected:	Nil
Date of consultation with Portfolio Holder(s):	Various / 21 September 2020
Relevant Council Plan Key Theme:	
Nottingham People	<input checked="" type="checkbox"/>
Living in Nottingham	<input checked="" type="checkbox"/>
Growing Nottingham	<input checked="" type="checkbox"/>
Respect for Nottingham	<input checked="" type="checkbox"/>
Serving Nottingham Better	<input checked="" type="checkbox"/>
Summary of issues (including benefits to citizens/service users):	
<p>Nottingham City Council is clear that Local Government Reorganisation (LGR) should not be a priority in a time of national crisis and global pandemic. The COVID-19 pandemic creates clear priorities for Local Government in Nottingham and Nottinghamshire that should lead resource and drive delivery. However, an LGR process driven by Nottinghamshire County Council following recent letters to Government, is likely to have such significant and long term impacts on Nottingham, the wider conurbation and Nottinghamshire, that the City Council must begin work in collaboration with partners now, so that it can formally respond – should a formal response become necessary.</p> <p>On 16 September 2020 Nottinghamshire County Council formally took the decision to write to the Secretary of State for Housing, Communities and Local Government. Their letter requested an invite for the County Council to come forward with proposals for unitary local government for the County Council's administrative area.</p> <p>Formulated in this way, the County Council's LGR request would explicitly exclude the City Council in any such process despite the very real economic, social, retail and cultural role that Nottingham plays in the lives of so many County residents.</p> <p>The County Council's plans have been brought forward in advance of the anticipated White Paper and without effective consultation with neighbouring local authorities such as Nottingham.</p>	

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If the County Council were to achieve its aim of unitarisation across the entire administrative County of Nottinghamshire, then Nottingham City would be left as an under-bounded island within a much larger unitary for generations to come. This would mean that the real conurbation of Greater Nottingham would be increasingly split between two separate unitary Councils leading to worse outcomes for residents, businesses and decision making in general.

The Government had committed to the launch of a 'Devolution and Local Recovery' white paper in the autumn. It was believed that this would explicitly link LGR with further devolution in England. It is now reported in the press that this white paper is delayed. However, the current legislation is sufficient for the County to progress its plans – subject to the decisions of the Secretary of State.

If LGR must go ahead locally, it should be on the basis of strategic proposals developed collaboratively, and not to arbitrary deadlines during a global pandemic.

Approval is sought to engage with other local authorities and to work up plans as a contingency. This would allow Nottingham City Council to respond to the risk that such plans may be needed urgently in order for the City Council to make its case to the Secretary of State.

Exempt information:

None.

Recommendation(s):

- 1** To note the urgent progress made to date in responding to the County Council's LGR agenda and the Government's proposed white paper. In particular noting that we have lodged a request for invitation with the Secretary of State both with and alongside districts in order for Nottingham's voice to be heard.
- 2** Nottingham City Council is authorised to respond further by:
 - Prioritising partnership working with the districts and where possible the County Council where we share similar aims.
 - Opposing proposals to create a single unitary Nottinghamshire over the administrative area of Nottinghamshire County Council.
 - Working to ensure that any proposals that do come forward should do so in full consultation with all Nottinghamshire councils, and should only be supported if in the best interests of Nottingham people.

1 Reasons for recommendations

- 1.1** A new unitary Nottinghamshire County Council - one that continued to cover the suburbs of the wider conurbation of Greater Nottingham – would stretch from Harworth on the border of Yorkshire to East Leake at Leicestershire's border – over an hour's drive via the M1. It would be responsible for over 800,000 residents in rural and suburban settings plus significant market towns. Such a body would inevitably lack the focus on the wider conurbation of Greater Nottingham that Nottingham's surrounding districts - Rushcliffe, Broxtowe, Ashfield and Gedling - have to date ably provided.
- 1.2** Officers to take forward relevant discussions with the Nottinghamshire districts while there remains a risk that the County Council's decision to pursue LGR while excluding the city could result in a new single unitary surrounding Nottingham.

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- 1.3 Nottingham City Council believes that the interests of the residents and businesses are best served by a collaborative and inclusive approach, hence the reason for the recommendations.

2 Background (including outcomes of consultation)

- 2.1 On 16 September Nottinghamshire County Council formally took the decision to write to the Secretary of State for Housing, Communities and Local Government. Their letter requested an invite for the County Council to come forward with proposals for unitary local government for the County Council's administrative area. Formulated in this way, the County Council's Local Government Reorganisation (LGR) request would explicitly exclude the City Council in any such process despite the very real economic, social, retail and cultural role that Nottingham plays in the lives of so many County residents.
- 2.2 The County also agreed to develop draft proposals for unitary government (in anticipation of an invite) and received approval for funding of £100,000 to be spent on the development of LGR proposals and for public and stakeholder research.
- 2.3 In the knowledge that the County's decision was imminent, the seven Nottinghamshire districts asked the City Council to join in writing to Ministers on 8 September and again on 18 September. These district and city letters set out the shared position that:
- We are opposed to a single unitary being the only option on the table.
 - The County Council disregarding the existence of Nottingham City would be a mistake.
 - Arbitrary deadlines are unnecessary and should be avoided.
 - We need meaningful engagement as part of a collaborative and strategic approach to LGR in Nottingham and Nottinghamshire.
 - We sought Government's support to invite us to develop alternative proposals to a single County wide unitary, making clear that this should be developed over the forthcoming year and that any rushed, and adversarial approach would waste public money.
 - Nottingham and Nottinghamshire should not be a part of any first wave review of local government structures as responding to COVID-19 must remain our priority.
 - We want to consider LGR and wider public service reform in light of the white paper - after it arrives.
 - The County Council's plan to undertake its own public engagement exercise adds unnecessary cost and duplication.
- 2.4 The Government had committed to the launch of a 'Devolution and Local Recovery' white paper in the autumn. It was believed that this would explicitly link LGR with further devolution in England. It is now reported in the press that this white paper is delayed. However, the current legislation is sufficient for the County to progress its plans – subject to the decisions of the Secretary of State.
- 2.5 Nottingham remains keen to maintain a position of collaboration with our partners in the districts and the County Council and are seeking to communicate this point where we can. We do not believe that this work should be progressed during the pandemic, but instead recognise that Nottingham may be forced to respond to the actions of others.

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3 Other options considered in making recommendations

- 3.1 The option of not responding to the County Council's LGR plans was rejected as would risk Nottingham City Council being under-bounded for generations with significant and unavoidable implications for strategic decision making across the Greater Nottingham conurbation. There would be two spatial, economic, transport and cultural policies for a single conurbation. Increasingly, as the conurbation expands, more and more of the population of Greater Nottingham would live outside of the City administrative area in a unitary County Council that would also be responsible for large rural areas, significant market towns and new strategic projects such as HS2 in Broxtowe and other major regeneration schemes.
- 3.2 Proactively pushing for LGR in Greater Nottingham and Nottinghamshire. This is rejected because whilst there are potential benefits from LGR, we believe the current pandemic is too great a priority to pursue LGR at the same time, and strategic decisions around reorganisation should not be rushed through on arbitrary timescales

4 Finance colleague comments (including implications and value for money/VAT)

- 4.1 There are no financial implication from the recommendations in this report. Potential financial implications will need to be considered following the outcomes of any review which will be the subject of further reports.

Theresa Channell, Head of Strategic Finance, 5 October 2020

5 Legal and Procurement colleague comments (including risk management issues, and legal, Crime and Disorder Act and procurement implications)

- 5.1 The procedure for the creation of a unitary authority can be found in sections 1-7 of the Local Government and Public Involvement in Health Act 2007. The Secretary of State can 'invite' a proposal from a local authority to make a proposal for a county or district or group of districts, to become unitary. The Local Government Boundary Commission for England (LGBCE) can be, but need not be, asked for advice on any matter related to the proposal. Regulations may be made covering how local authorities should go about preparing their proposal. The Secretary of State may then make an order implementing the proposal, or s/he may reject the proposal. The Regulations must be approved by both Houses of Parliament.

Connie Green, Solicitor, 5 October 2020

- 5.2 As there is no intention to buy anything no comments from procurement are required.

6 Strategic Assets & Property colleague comments (for decisions relating to all property assets and associated infrastructure)

- 6.1 No specific observations.

7 Social value considerations

- 7.1 None.

8 Regard to the NHS Constitution

8.1 Not applicable.

9 Equality Impact Assessment (EIA)

9.1 Has the equality impact of the proposals in this report been assessed?

No



An EIA is not required because:

(Please explain why an EIA is not necessary)

An EIA is not required because no changes to Nottingham City Council functions, policies or services are proposed in this report.

10 List of background papers relied upon in writing this report (not including published documents or confidential or exempt information)

10.1 None.

11 Published documents referred to in this report

11.1 Nottinghamshire County Council's report to Policy Committee of 16 September 2020 "Devolution and Local Government in Nottinghamshire".