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Our Reference: SRJ/JH

Review Manager (Devon Review)  
The Boundary Committee for England  
Trevelyan House  
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Dear Sir

Draft proposal for unitary local government in Devon – July 2008

On behalf of East Devon District Council I am writing to you with the Council's formal response to the draft proposal and your request that comments are submitted to you by 26 September 2008.

### **Summary**

I can confirm that after having carefully considered and debated all the matters arising from the publication of your draft report and indeed information and evidence that has come to light since the publication of the draft report East Devon District Council does not agree with your draft proposal.

It is my Council's considered view that the draft proposal neither adequately addresses the Boundary Committee's request for advice from the Secretary of State or indeed the 5 unitary criteria. We believe that there are alternative models for unitary local government within Devon (be it the current administrative boundary of Devon or indeed historical Devon including Plymouth and Torbay) which should be revisited and investigated, failing which we actually consider that the existing local government structure in Devon better delivers the Secretary of State's unitary criteria in aggregate than your draft proposal.

It is due to the short, medium and long term dangers inherent in the draft proposal that we consider the current structure and system of local government in Devon is better placed to achieve the 5 criteria. In case you have not previously been made party to the 'integrated Devon' submission made to the Secretary of State on 25 January 2007 a copy is attached. Indeed, noting in particular your paragraph 2.24 which emphasises the diversity of the areas under review, in terms of geography and population, together with the social and economic issues they face, all those with a passionate interest in seeing 'new' Devon survive and thrive would understand and endorse the sentiments that I am expressing on behalf of the Council.

I can also confirm for the avoidance of doubt that bearing in mind in particular the contents of the Pre-Action Protocol Letter that the Council sent to the Director of the Boundary Committee for England on 7 August 2008 that the comments that the Council makes in this letter are without prejudice to the legal issues that have already been raised with the Boundary Committee and which are to be the subject of further consideration through an application for judicial review.

Finally I have seen and read the objections submitted by many of the District Councils in Devon, the Town and Parish Councils of East Devon and endorse their concerns.

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### **Preliminary considerations**

I have noted in particular the contents of pages 6 – 8 of the draft proposal and your summary of the general considerations affecting the context of modern local government. It is tempting to conclude that these contextual considerations have almost inevitably led to the draft proposal. On this basis I would wish to highlight the somewhat short-term nature of both legislative and policy approaches to local government and the consequential dangers of designing or recommending a radically different structure of local government based on these considerations. In particular I would highlight the legislative initiatives of Compulsory Competitive Tendering, Best Value, and Comprehensive Performance Assessment – all of which have had a relatively short shelf life and are now superseded. By analogy I see particular dangers in relying on Local Area Agreements, Multi Area Agreements, Comprehensive Area Assessment, Public Service Agreements and indeed White Paper proposals as necessarily providing a firm and fixed foundation for the design of the draft proposal.

### **The unitary criteria**

I shall address these individually but noting in particular paragraph 4.4 of your report that the draft proposal is subject to consideration of its affordability and whether it will receive a broad cross section of support I deal with these matters first.

### **Affordability**

As you are aware and indeed as you have explicitly intended, we only have a short period of less than 2 weeks to give a preliminary cursory consideration to the affordability proposals which have now been prepared by Devon County Council and submitted to you. The initial conclusion is that the draft proposal is affordable and that it could deliver future annual savings of approximately £18 million net from 2015. I would however make the following specific comments regarding the affordability details that have been provided:

- A period of only two weeks is woefully insufficient to fulfil your statutory obligation and to allow consultees to comment meaningfully on the detail and content.
- The affordability proposals include a 'policy aim' to reduce the level of Council Tax to that of the lowest in Devon, currently Exeter City Council. If this proves to be achievable then in the context of the residents of East Devon District Council it means in effect that the only tangible benefit they will see from all the change that will result from implementation of the draft proposal is the financial equivalent of £3.00 per calendar year (based on a Band D property). I raise the obvious question of whether it should be a proud boast of the Boundary Committee that it has recommended a saving of a penny a day for the 62,000 households within the current administrative boundary of East Devon.
- Achieving the intimated savings assumes that there will be a total of some 460 redundancies. Whilst all public sector organisations need to ensure that they operate in a businesslike and cost effective manner I query the resolve and commitment of a future unitary authority to deliver this level of redundancy, particularly bearing in mind that because of the centralising nature of the unitary proposal on Exeter itself it will likely mean that the redundancies will take place in the more disadvantaged rural remote areas of Devon rather than the relatively prosperous and affluent county centre.
- Affordability proposals also rely heavily on achieving information technology based savings of some £16 million. Whilst no doubt laudable, the majority of recent experience suggests that such assumptions should be treated with a heavy degree of scepticism and concern.

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- An analysis of the overall effect of these savings is that they will achieve a net saving of some £18 million over a gross combined revenue budget of £517 million. In effect, this equates to slightly more than a 3% saving which is suspiciously similar to the Gershon efficiency target which the County Council would have to face and therefore it is concerning to conclude that the abolition of the eight district councils within Devon is providing this opportunity to achieve an efficiency saving for the County Council in a way that is unlikely to challenge its organisational ethos and ability to address the particular challenges of being a unitary council.

### **Broad cross section of support**

We are all aware that we are living in times when there is increasing disengagement and dissatisfaction as regards not just the public sector but many areas of authority. This is not helped by the public experience of alleged 'genuine open consultations' which rarely if ever seem to influence the final outcome of the original draft proposal. Indeed your paragraph 2.38 highlights this issue and in particular the aim of the 2006 White Paper to attempt to redress the balance. The relevant and concerning point regarding this is that whereas in paragraph 4.4 of the draft proposal you raise the question of whether the draft proposal will receive a broad cross section of support we both know that even if a clear majority of stakeholders or respondents to the consultation process express concern or objection to the draft proposal nevertheless this would not constrain you from selecting what limited support is received and interpreting that as a 'broad cross section of support'. I can confirm that the Council has encouraged people to write to the Boundary Committee expressing their views on the draft proposal. My analysis of the representations received and published on your website suggests an overwhelming majority of correspondents indicating that they do not support your draft proposal. Furthermore I can also confirm that having provided households within East Devon the opportunity to express their views an overwhelming 99% of those who replied (some 15884 households) said that they did not wish to see a change to the current local government structure and did not support your draft proposal. Details of this have already been provided to you.

### **Leadership**

I note and endorse the comments in paragraph 2.30 of the draft proposal but would take them further and say that good leadership brings with it the power and ability to inspire and engage those whom the new unitary council will purport to lead. It brings with it an understanding or acceptance that concerns are shared and understood and that the leaders are not so far removed from those that they govern that a sense of alienation and disempowerment or irrelevance is experienced. On this basis it is my genuine belief that a unitary County Council would be too big and too remote to provide effective leadership (albeit one would inevitably accept it would have the ability to 'do strategy').

### **Empowerment of citizens and communities**

I can but note with regard to this key criterion the concerns that the Boundary Committee raised in its draft proposal (summarised in paragraph 4.33) with the fact that we have received no further information in this consultation regarding the queries that have been raised about the Community Board arrangements and the service delivery arrangements. For many, including this Council, it is a fundamental flaw which demonstrates that there can be no confidence that this criterion will be adequately addressed. Differing assertions and costings have been provided across the county, depending on which representative of the County Council has been speaking at any particular meeting.

In your report, particularly in paragraphs 2.39 to 2.41, you set a 'high bar' regarding the empowerment of citizens and communities. Bearing this in mind I would ask you to reflect whether the proposed Community Boards, with their unclear and uncertain purpose, lack of legal status and likely revolving membership can adequately address this criterion. I know that much is made of the

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## Letter to Boundary Committee

alleged confusion and duplication of the current system. However in such a large geographical it actually delivers the best of both worlds and I would challenge you to find a substantial proportion of residents who do in fact find the current system confusing.

It is the districts who are the first port of call for resolving queries or concerns. We may not be able to resolve all matters ourselves but actually we are a more certain and secure means of citizen and community empowerment than the untried and untested (and unknown) concept that your draft proposal seeks to favour.

With regard to the issue raised in paragraph 4.32 of your report and your request that all respondents give serious consideration to how any model of governance employed might be reflected in the number of councillors on the whole council you will be aware of the agreement in Cornwall for there to be 123 unitary councillors. One would assume based on the assumption that a ratio of approximately 1 councillor to 4000 residents is an appropriate figure then a Devon unitary council would have somewhere in the region of 170 councillors. I leave it for you to consider whether this is a manageable number in terms of allowing a unitary county council to deliver effective leadership as against the complimentary requirement that there is adequate representation in order to effectively deliver representation and neighbourhood engagement.

### **Value for Money**

I note in particular the comments you make regarding this criteria in paragraphs 2.45 to 2.52 of the draft proposal and in essence the assumption that any local authority will take the requirement to deliver effective and efficient services in an integrated and coherent way, maximising collaboration and technology, seriously and therefore this is a criteria that would be addressed properly whether by the draft proposal or indeed any other unitary proposal that the Boundary Committee might subsequently decide to publicise or endorse. I would only comment that in the light of all that is currently unknown (and even if provided not binding) how you can have the confidence that this draft proposal will satisfy this criterion.

### **The two unitary authority pattern**

We have very little to say regarding this idea set out in section 5 of the draft proposal document. We fail to see in what way it has merit since all that precedes it in the draft proposal document damns its likelihood of being able to meet the 5 unitary criteria. The only purpose it seems to have served through being included in the draft proposal document is to have caused genuine confusion amongst potential respondents as to what is being proposed for consultation purposes.

### **Conclusion**

I recognise that the Boundary Committee has a difficult job to do. Nevertheless it accepted the request from the Secretary of State to undertake a structural review within a very short period of time whilst its resources have been stretched through structural reviews in other parts of the country together with the other 'normal' workload of the Boundary Committee. For all these considerations it is tempting to conclude that the recommendation of a unitary county council has been far more influenced by issues of practical politics; particularly what is (relatively speaking) the simplest and quickest way of implementing unitary government before the next general election. I hesitate to include the word 'local' since the general consensus of all those that I have engaged with during this consultation process is that whatever the review is about it is not about 'local' government.

Yours faithfully



Cllr. Miss Sara Randall Johnson  
Leader of the Council

Copied to: Hugo Swire MP  
Angela Browning MP

# **Transforming Public Services in Devon – a submission on behalf of the local authorities in the Devon two-tier (county) area**

## **Closer, Better Services in Devon**

### **1. Introduction**

The October 2006 Local Government White Paper, “Strong and Prosperous Communities”, provides a platform to reform local government and challenges local councils to make significant transformational change. This submission has been prepared by the local authorities in the Devon two-tier (county) area in response to Government’s invitation to come forward with innovative proposals for improved ways of working. Sections 3 and 4 set out our vision, ambitions and guiding principles.

For some time now all tiers of local government in Devon have been working effectively together for the benefit of the community. The Local Strategic Partnerships and other local partnership arrangements have brought about real, tangible change and improvement. Section 5 provides evidence of successful partnership working.

The range and extent of improvements which have been achieved are a reflection of a range of historical, geographical and political differences between authorities. In the last year a mutual understanding of the need for more significant and accelerated change has emerged. The Leaders of Devon’s district and county authorities are committed to a collaborative approach to transform services and improve quality of life for Devon’s communities. They have also committed themselves to involving our unitary neighbours, parish and town councils, national park authorities and other partners in that work, so bringing together the Devon family of authorities. This will be a long term programme. Leaders recognise the need to create capacity and trust and to motivate and empower Members and staff to deliver.

***There is a now real opportunity for a step change in Devon and a commitment to achieve it. This submission is the springboard for change.***

We have already started work on developing the detail but wish to prepare a realistic and achievable proposal for further discussion. Section 6 sets out our next steps for focussed work to:

- Understand local needs and priorities
- Provide clear leadership through place-shaping
- Transform and integrate local services
- Deliver efficiencies

### **2. Geography**

Devon is a large county – the third largest in the country, and one of the most sparsely populated. The three principal urban areas within the historic county are Plymouth, Exeter and Torbay which, in addition to the north Devon arc, shape the

economy of the county. The county's main sub regional centres are Barnstaple and Newton Abbot. However, a distinctive feature of Devon is the large number of market and coastal towns spread across the county and its districts. These towns can act as focal points for many of the surrounding villages and rural communities and in areas of greatest sparsity smaller settlements also provide local focus.

Devon is also a changing county. The population of Devon is growing at over twice the national average and the county is becoming more diverse. The county's size and diversity mean that the solutions to problems and challenges will reflect local circumstances and context. The variations in our demographic, economic and social geography will inevitably shape the way in which the innovations to which we are committed are implemented.

Exeter City Council has put forward its case for a unitary structure for Exeter. The City Council is continuing to work in partnership with the other local authorities, building on its successful experience of partnership working in the county and region.

### **3. Vision and Ambition**

Our shared Vision for public services in Devon is that *through a new and innovative model, we will provide cost-effective services which are designed around the needs of the people who use them and address the priorities of local communities.* We are committed to working across organisational and administrative boundaries in order to improve outcomes and pursue efficiency through a unified approach.

Our shared ambitions are to

- Support, empower and respond to the aspirations and needs of the people and communities of Devon
- Strengthen communities through closer engagement with local people
- Work together to rationalise functions; remove duplication of effort; simplify systems and processes and maximise economies of scale and flow
- Seek to integrate related services and simplify access to them
- Work in partnership with other public, private, voluntary and community sector agencies and organisations
- Deliver quality and value for money services to all Devon's communities and, to address the particular difficulties facing some communities, work to focus additional resources.

The benefits that will be seen from working together with our communities will be improved outcomes in quality of life and service delivery across the whole of the county. People in Devon will notice a difference, and experience the cost and quality improvements from our joint working. They will find their access to and understanding of our services easier. They will be able to identify and influence their local democratic leaders more effectively so improving accountability.

The district and county councils in Devon collectively spend over £1.3billion per year. We recognise that the Comprehensive Spending Review (CSR) 2007, due later this year, will increase the pressure to deliver efficiency savings. The CSR 2007 targets for cashable efficiency savings are likely to at least double from current levels for the period 2008/9 to 2010/11. By working together on the development of the proposals in this submission we will be able, collectively, to make a substantial contribution to towards those targets.

**Case study: Efficiency Savings**

A scoping study for the provision of shared services, commissioned in 2006 by South Hams District Council and Teignbridge District Council, which considered the potential benefits to be realised from delivering services jointly, found that approximately £1.2m savings could be realised per year. However, the benefits need to be set against shared services implementation costs, which were estimated to be in the region of £1.0m, with a payback period of between three and five years<sup>1</sup>.

**4. Principles**

In delivering our shared Vision, we will have regard to the following guiding principles:

- Improvements to the customer – all joint working initiatives will be considered in terms of the benefit to customers both in terms of improved access to services and the quality of those services measured in terms of outcomes.
- Evidence based – all joint working decisions will be supported by a sound evidence base with respect to the needs of local communities.
- Improving Value for Money – all partners are committed to improving the Value for Money arising from transforming local services. Initiatives will be measured in terms of cost effectiveness.
- Local accountability and involvement – arrangements will place a heavy emphasis on community involvement and engagement and solutions will be sought which promote local accountability and support local democracy
- Diversity – Devon and its districts are very diverse and any future arrangements will respect this diversity and seek to build upon existing successful local arrangements such as recognised economic zones.
- Inclusiveness – all arrangements will include all relevant interested parties including Plymouth and Torbay Unitary authorities and all authorities are committed to joint working and will respond to the consequences of Exeter City Council's unitary bid when the outcome is known. All initiatives will seek active engagement with other public bodies as well as organisations from the private, voluntary and charitable sectors.
- Flexibility – it is accepted that one size does not fit all in Devon and therefore initiatives will be considered in respect of the most appropriate scale. This means that whilst some projects will be carried out across the whole of Devon, there will be others focussed on one particular area or sector.
- Governance – all partners are committed equally to effective governance and the avoidance of unnecessary bureaucracy and will work to ensure that appropriate frameworks for governance are developed that strike the optimum balance, and deliver a stronger connection between local action and strategic decision making.

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<sup>1</sup> Scoping Study for Provision of Shared Services, Cornwell Management Consultants Plc., July 2006.

## 5. Evidence of Existing Partnership Working

The Devon local authorities are already working together to improve the experience of accessing local services for the customer, to make things better for communities than is presently the case and to ensure that internal practices are effective and efficient. The following case studies give an overview of some of the partnership working currently taking place.

The successful delivery of the Devon Improvement Programme laid the foundations for even stronger partnership working across the tiers of local government and shows that the Devon authorities have the commitment to work together and can deliver.

### **Case study: The Devon Improvement Programme**

The Devon Improvement Programme was established in 2004 to strengthen the collective capacity of local organisations to respond to the needs of Devon's communities. It was one of the first improvement partnerships in the country and all local authorities in Devon including our unitary neighbours, Dartmoor National Park Authority and Devon Fire and Rescue have been involved from the outset. Robust and effective governance structures were established and £1.13m capacity-building funding was secured to deliver the programme. The programme has been successfully delivered through a wide range of projects. Outcomes include improved arrangements for publicising and sharing the results of consultation activity; joint leadership and management development programmes for senior staff; and strengthened strategic planning and performance management through better sharing of data.

The Devon Portal Partnership demonstrates the authorities' willingness to make use of technology to provide joined-up service delivery and comprehensive information.

### **Case study: Devon Portal Partnership**

The Devon Portal Partnership promotes joined-up partnership working and provides an opportunity to combine resources to deliver greater value. The website [www.devonline.gov.uk](http://www.devonline.gov.uk) provides access to a wide range of information and services from the Devon local authorities and other public sector partners. The website supports a Devon-wide search and A-Z facility, integrated into partner websites, and common content relating to Land Charges and Environmental Health. A Devon-wide Community Directory, linking to nearly 10,000 community and voluntary organisations, is being developed and the portal hosts various partner websites.

The Devon Procurement Partnership is an example of successful joint working that has resulted in increased efficiency and capacity building.

### **Case study: Devon Procurement Partnership**

The Devon Procurement Partnership includes all 11 local authorities in Devon and wider public sector organisations including Devon and Cornwall Police, Devon Fire and Rescue, Exeter University, Dartmoor National Park and Plymouth Land Registry. The aim of the partnership is joint working, capacity building, creating efficiencies and procurement excellence. Collaborative exercises include procurement of gas and electricity, building and plumbing materials, telecoms and desktop computers. The partnership creates common procurement frameworks and tools, such as Equality Monitoring in Supply Chains and Terms and Conditions of contract, for use by all partners. Examples of projects undertaken include measuring procurement impact on the local economy and supporting professional development in procurement training.

Authorities are already working to identify areas where improved service delivery could be achieved, particularly in relation to District and County Council functions.

**Case study: North Devon Economic Partnership**

The North Devon Economic Partnership brings the public and private sector together to agree what is needed to develop the economy of the north of the County. It includes representatives from North Devon, Torridge and West Somerset District Councils, Devon County Council and Exmoor National Park. Over the last twelve years the Partnership has overseen the preparation of three successive economic strategies. During that period it has also seen the creation of the North Devon Chamber of Commerce and Industry the North Devon Marketing Bureau and the North Devon and Exmoor Regeneration Company. These have delivered substantial improvement but much remains to be done. The delivery of economic and community development in the area is to be further strengthened by bringing agencies together under one roof to form North Devon+. The Board of the new company will be private sector led but with substantial local government presence and funding. The challenges remain but the opportunities are considerable. Working in partnership remains the key to fulfilling them.

**Case Study: Three tier working in action**

A true partnership approach is securing innovative customer service centres for two of North Devon's major towns. The new centres will bring a number of essential service providers under one roof, making it easier for customers to access services in a seamless way.

A new centre in Ilfracombe will house North Devon District Council, Devon County Council, Ilfracombe Town Council and the Citizens Advice Bureau. There will also be meeting rooms, training facilities and information points for voluntary agencies and community groups – all for the benefit of local residents and businesses. Funding has come from the European Regional Development Fund, South West Regional Development Agency, Ilfracombe Town Council, North Devon District Council and Devon County Council. The designs are based on principles of accessibility, sustainability and energy efficiency, combining existing, historic features of the buildings with 21st century technology.

Amory House, East Street will be the new one-stop-shop for South Molton. The new centre will provide access to South Molton Town Council, North Devon District Council and Devon County Council. There will be a library and information centre, weekly surgery from the Citizens Advice Centre and public meeting rooms. There will also be outreach facilities for other organisations, such as the Pensions Agency, Job Centre and Social Services.

We are now exploring opportunities of closer working between the District, County Council and other partners, to provide a single point of access to front line services in a central location in the main town of Barnstaple, whilst relocating the back office services as part of major plans to regenerate the town.

Innovative solutions are sought by the Devon authorities, as evidenced below.

**Case study: Leading by Example to Reduce Carbon Emissions**

Teignbridge District Council and Devon County Council have signed up to Phase 4 of the Local Authority Carbon Management Programme and are working in partnership to develop a programme to reduce carbon emissions from sources such as buildings, street-lighting and landfill sites. Both councils will be looking to work with local communities and businesses to achieve a joint aim of improved energy efficiency and reduced costs. The 35 local authorities taking part in Phase 4 of the programme are set to save over £8m per year on their collective energy bill. Solar power car-park pay and display machines and fuel efficient vehicles are some of the ways in which Teignbridge is already acting to cut carbon emissions.

Planning for the new communities in Devon shows a commitment to sustainability, forward planning and evidence of successful joined-up working in practice. Two new communities are planned: one in the South Hams, the other in East Devon.

**Case study: New Communities in Devon – The Sherford New Community**

The Sherford new community will deliver at least 4,000 new dwellings by 2016, and will be planned in such a way to allow for further development. The scale and complexity of the project necessitated a partnership approach to delivery between South Hams District Council, Plymouth City Council and Devon County Council, together with the Highways Agency and a range of other public agencies. In order to present a joined-up message a collaborative approach with landowners and representatives was agreed. In addition, the promoters of the new community have been working closely with the relevant local planning authorities and other public agencies to prepare a coherent and joint vision for Sherford. Local people, groups and business have also been involved in the development of the proposals. This has ensured that the proposals for a truly sustainable new community strike the right balance between the various social, economic and environmental needs of the area.

**Case study: Steering Board for the East of Exeter Growth Area Delivery Team**

A Steering Board has been formed to drive the delivery of the major schemes taking place to the east of Exeter. The Steering Board is a natural progression of the partnership work that has been seen to date from East Devon District Council, Devon County Council and Exeter City Council. The Board is made up of high-level members and officers from all of the key players in the planning and delivery process. The changes that are set to take place in Exeter and East Devon up to 2016 and beyond will need to be carefully synchronised and integrated and partners agreed that this could be achieved only by working closely as a team. The projects for the area include planning for the new community at Cranbrook, Exeter Airport improvements, an Inter-Modal Freight Depot, Skypark business park and Exeter University Science Park.

## **6. Next Steps**

This submission demonstrates that we are well placed to transform local government in Devon and fulfil Government's expectations of local councils. Our proposals show that a step change can be achieved by tapping into the potential that already exists - we will harness existing capacity and build on our track record of achievements. Our proposals will minimise structural and organisation reform and provide a cost effective solution whilst ensuring continuity.

In the three months since the publication of the White Paper we have done a significant amount of work to establish an agreement about our shared goals and priorities. We have worked together to generate many practical options for action building on our existing good practice and responding to the White Paper's expectations. These require further development in work which we will be starting immediately. We would welcome the support and advice of the Government Office for the South West and the Department of Communities and Local Government in exploring the best ways to take these priorities forward.

This submission is a serious and long-term commitment to a programme of activity which needs further development. This submission is not a formal pathfinder bid. We will however, by the end of July 2007 have devised a comprehensive project plan which identifies actions, timescales, responsibilities, measurable outcomes and resources. As part of the process we will identify objectives, scope, expected outcomes, constraints and risks. We will do this work in consultation with the wider Devon family.

The priorities in our project management plan will relate to:

- Engagement and participation with local communities
- Voluntary and Community
- Performance management
- Leadership and place-shaping through local strategic partnerships
- Local and Multi Area Agreements
- Governance arrangements
- Joint programme of work to transform services

Where we can identify quick wins we will tackle these as soon as possible to build confidence and momentum between ourselves and demonstrate our commitment to others.

## **7. Our commitment**

The Devon authorities will seize the opportunity to improve the way local government works and to deliver improved outcomes for the people and communities of Devon. We are committed to working together and with partners to achieve that. We will create the capacity to do so and work with openness and trust.