

'STRONG AND PROSPEROUS LOCAL COMMUNITIES'

A commentary on the White Paper of October 2006 by Professor Stanley Henig

INTRODUCTION

"The last 25 years have been marked by increased centralization of decision making and the scope for local choice has, as a result, been significantly reduced" (Lyons Enquiry into Local Government – interim report, May 2006)

"Overall – a significant step on the long road to devolution" (Local Government Association)

As long ago as July 2004 Sir Michael Lyons was asked to lead an enquiry into local government finance. Within the umbrella of considering possible changes in current funding arrangements Lyons would look at ways of reforming council tax as well as alternative or additional forms of local taxation. The enquiry was to report by the end of 2005. However, in September 2005 the brief was extended to look at the wider role of local government and issues of devolution and decentralization. Enquiry reports would be published prior to the 2007 Comprehensive Spending Review. In the interim between issuing the two sets of terms of reference, the Labour government had been returned at a third successive general election, following which David Milliband had been appointed as Minister of Communities and Local Government. During what was a brief tenure he set in motion work leading to the White Paper, 'Strong and Prosperous Communities'. The respective timings of the White Paper publication and revised date for the Lyons enquiry to report may seem to suggest muddled thinking at the heart of government. This has hardly been dissipated by the publication of an interim report from the enquiry arguing that the predominant theme of the last quarter century had been growing centralization. By way of contrast, for its part the government clearly does not accept that process as in any way characterizing the last decade. The White Paper claims that "since 1997, we have put in place a range of reforms, changing the relationship between central and local government".

'Talking the talk' can seem like a primary vocation for governing elites and their allies in what is often described as the establishment. The government claims that devolution is a central part of its vision for local government and that a commitment to extending devolution lies at the heart of the White Paper: - "we propose to legislate to embed the systemic reforms that devolution requires but in implementing the new system we will aim to keep guidance to a minimum". This view of the White Paper is certainly echoed in the muted praise from the conservative dominated Local Government Association. This could portend a new consensus on the importance of devolution – so often espoused by political parties in opposition at national level – or, alternatively, a basic misunderstanding of its nature and purpose. Once they gain national office, political parties are often somewhat less enthusiastic for extending devolution – Conservatives from 1979 to 1997 and Labour since that latter date.

DEVOLUTION OR DECENTRALIZATION

The essence of devolution is a structure of governance in which powers and competences are devolved from the centre to what are sometimes described as sub-national institutions. Certainly there is a parallel with federalism: each tier of government has specific powers and competences including financial resources. However, there is also a major difference. Under federalism the details – who does what – are enshrined in a formal constitutional arrangement. The legal term is entrenchment. Devolved governance has far more limited implications, implying no more than a degree of political or quasi-legal 'embedding' - specific word used by the government in connection with the current White Paper and quoted in the previous section. Parliamentary sovereignty – the concept that no UK Parliament can bind its successors – in the context of our unwritten and un-codified constitution lays open the possibility that measures of devolution can simply be repealed at a later date under a different government. In the 1980s the then Conservative

government was able to pass legislation abolishing the Greater London Council and the other Metropolitan counties. There was no checking mechanism – the abolished authorities had no legal say in the decision making process and there was no vetting on the part of any constitutional or other court. It can be argued that back in 1997 the incoming Labour government understood that constitutional entrenchment for any devolved authorities in Northern Ireland, Scotland and Wales would not be possible. However, side by side with significant transfers of powers and competences and a guaranteed financial resource, the new authorities did in practice gain a modest degree of political, if not legal, entrenchment. It would be impossible to imagine a situation in practice whereby the UK government and the Westminster Parliament could act unilaterally to abolish the devolved authorities or significantly modify their powers.

When it came to the English regions, the thinking behind the 2002 White Paper 'Your Region, Your Choice' was very different. The powers and competences transferred were miniscule and there was little by way of independent finance: it was impossible to claim that the projected regional authorities would enjoy any kind of embedment, political or legal. The one regional referendum – held in autumn 2004 in the Northern region – resulted in an overwhelming 'no' vote. It should perhaps be recognized that throughout this controversy there were voices both within and without the Labour party arguing for alternative ways of promoting some kind of devolution within England. A new deal for local government offered one such route and it would also enable central government to demonstrate a continued commitment to the concept of devolution.

Before examining the White Paper in detail, it is important to emphasize the difference between devolution and decentralization. The former involves sub-national or sub-central authorities holding or 'owning' certain powers and competences. By way of contrast, decentralization – itself a blanket term - leaves the ownership at national government level: this remains the locus for making policy and establishing rules. Within that context sections of the administration are decentralized: sub-national or sub-central institutions are responsible for implementation of central government policy. Administrative decentralization can take several institutional forms. Central government may establish its own offices to carry out administration within a region or a locality – job centres, inland revenue offices, government offices (of the regions) are examples. De-concentration may be a useful term to describe this process. An alternative mode of decentralization is where national government uses elected local authorities as, in effect, an executive and administrative arm to implement central policy. This may involve giving new executive functions to local authorities without any corresponding policy or rule making role or, alternatively, actually imposing new policies and rules – possibly through the medium of what are euphemistically described as guidance notes - within areas supposedly devolved to those local authorities. Michael Lyons believes this process has been happening: "the last 25 years have been marked by increased centralization of decision making so that the scope for local choice has been significantly reduced". By way of contrast, the mantra apparently underpinning the new white paper would seem to be the concept of local choice: local authorities will have new roles and powers to implement. This would indeed amount to genuine devolution, and it offers a yardstick with which to measure and evaluate the white paper.

BACKGROUND TO THE WHITE PAPER

In the world of politics there are frequent differences between appearance and reality. The White Paper certainly 'talks the talk' of devolution and this may be the result of any subsequent legislation. However, it is not the government's prime purpose in reviewing local government – previously visited as recently in the year 2000 with a major legislative shake up in its modes of operation. Some of the details of those changes will be discussed later in this paper, but the crucial fact is that central government remains disappointed with the performance of local government. This certainly explains both the creation of the Lyons Enquiry and the appointment of David Milliband after the May 2005 general election to the post of Minister of Communities and Local Government in the then Office of the Deputy Prime Minister. It was Milliband who undertook the initial work of reviewing the role and structure of local government. Formerly Head of the Downing Street Policy Unit,

he was elected to Parliament in 2001, received a government appointment the following year, and is generally regarded as a 'high flyer'. In his new role he was given cabinet rank. Perhaps all this could be construed as an apparent indication of the importance attached to the new post and the local government review, but both in retrospect and in the light of subsequent events, ad hominem factors may have been equally or even more important.

Milliband's philosophy was set out in a speech on empowerment in January 2006 in which he argued that the driving principle for reform should be 'subsidiarity' – a term often used in discussion about the European Union, but very rarely in regard to our domestic political structures. Specifically on local government, he pointed out that the lowest principal tier of local government (the districts) tended to cater for a minimum population of 100,000 – a far higher figure than in other Western democracies *1. In a series of meetings with local authorities Milliband both encouraged a review of two tier structures in shire counties and began a serious examination of the role of city regions. Quite how this thinking might hang together was perhaps not totally clear, but in May 2006 in the context of a ministerial reshuffle the Office of the Deputy Prime Minister lost its departmental responsibilities. A new Department for Communities and Local Government was established under Ruth Kelly – previously in charge of Education for just seventeen months; Milliband – mission underway but uncompleted – was promoted/despached to the role of Secretary of State for Environment, Food and Rural Affairs.

THE WHITE PAPER

The White Paper – specifically geared to local government in England*2 - is published in two volumes with, alongside, a separate invitation to local councils to make proposals for structural change. Like most recent government reports it is replete with multi-coloured photographs, illustrative charts and tables: presumably to encourage wider access. As ever this is to an extent vitiated by its length, the complexity of the language and the constant use of acronyms, to say nothing of the price – at £32 unlikely to be purchased by many apart from those with a professional interest. It is disappointing, if not surprising, that the White Paper does not in any way follow the approach adopted by the Redcliffe-Maude Royal Commission on Local Government when it reported in 1969. It initially posed the question 'what is it (local government) for'. The answer to that question would help determine the amount of finance needed and the best structures for delivery. The 2006 White Paper makes no pretence of essaying such a logical approach. Instead it proclaims a vision of "revitalized local authorities, working with their partners, to reshape public service around the citizens and communities that use them". Most of the remaining documentation is geared to describing that vision in detail. Emphasis is given to a new and simplified performance framework within which there "will be around 35 priorities for each area" and central government will limit itself to requiring of local authorities information for "a single set of about 200 outcome based indicators covering all important national priorities". This is reinforced by a "new regime for dealing with monitoring, support, assessment and intervention". The vision will in future be reinforced by what is termed a Comprehensive Area Assessment, replacing a variety of existing forms of assessment.

From a federal perspective none of this equates to the 'significant step on the long road to devolution' detected by the Local Government Association. The vision, as set out in the White Paper, is, arguably, appealing: but it is a vision inspired and set out by central government. It is not necessarily that of local government in general or of any local authorities in particular. Central government is determining the shape of that vision: it intends to monitor progress in delivering the substance of that vision against its own yardsticks. What is, or will be, the precise legal force of that vision? What will be the procedures for changing or adjusting the vision? Local government is to be "effective, accountable and responsive". At the same time central government will "put in place a new regime for dealing with monitoring, support, assessment and intervention". The two are simply not compatible.

Federal perspectives are concerned with the ways in which powers are distributed between different tiers of governance and their inter-relationship – vertical distribution of power – and the mode of operation at any specific level – horizontal distribution. The rest of this

paper will accordingly concentrate on proposals contained in 'Strong and Prosperous Communities' relating to these major themes.

NEW POWERS FOR LOCAL AUTHORITIES

The specific new powers are numerically very few: they do not in any way change the basic relationship between central and local government. The new powers include: - enabling district and unitary councils to create parish councils within their area without reference to central government; removing the need to refer proposed bye-laws to central government and enabling local authorities to impose fixed-penalty notices for enforcement; allowing those district and unitary councils currently partially elected on an annual basis to move to all out elections without approval from central government; new powers to influence the provision of bus services; widening and strengthening the scrutiny role in relation to other local service providers.

Two pages of the white paper are devoted to the last of these. As a result of legislation passed during Labour's first term of office and discussed in greater detail in the next section of this paper, the role of the majority of local councillors has changed. No longer directly involved in most areas of decision-making (the annual budget an obvious exception) they took on a monitoring and scrutiny role. Unsurprisingly – and to quote the white paper - "only 12% of councillors, 9% of officials and 12% of stakeholders believe that non-executive councillors are more engaged under the new arrangements".

This is the background to a commitment to legislate to widen the role of overview and scrutiny committees and thus "enhance the ability of councillors to champion the interests of local people across a wide range of local issues". The committees will be able to consider specific matters regarding the action of local public service providers and the actions of key public bodies operating in a local authority area. Quite what this will mean in practice is extremely unclear. Key services include health authorities, the police, gas, water and electricity. At one time all of these were actually run by local authorities themselves. The first two – health and police – are still defined as being within the public sector, although lines of public accountability are by no means clear. The other three – gas, water, electricity – were sold into private ownership by previous Conservative governments. Does the current government include these within its understanding of 'public service'? Interestingly, a number of councils, particularly in Wales, have been pathfinders in establishing dialogues with the private companies in question. It is obviously desirable that all service providers should have to answer to local concerns or criticisms – hopefully in public. But the local authorities will have no direct powers to bring about change. Indirectly they may at best influence the climate of opinion, galvanize the media and perhaps have some impact on central government. Under the very best of circumstances such influence can equate to power: at this time the jury is 'out' A final consideration relates specifically to the two tier council structures in some shire counties (discussed in detail below). Would both tiers be involved in any scrutiny or monitoring of public services. There is reason to believe that this function would go to the more remote county councils rather than the districts.

In summary and balancing these 'new' powers against the weight of requirements on, and expectations of, local government, it becomes ever more difficult to visualize the White Paper as any real of step towards devolution. Indeed the concept as revealed in the White Paper looks ever more like the smile on the face of the Cheshire Cat as seen by Alice in Wonderland.

MAYORS, LEADERS, EXECUTIVES

At the heart of the Local Government Act of 2000 was a requirement that councils changed the way in which they had traditionally operated. The committee system – collective decision making involving all councillors – was swept away for all but the smallest councils. All others were required to opt for one of three models – directly elected mayor, directly elected mayor with 'town' manager, and leader with cabinet. Executive powers would be concentrated on the mayor or leader and cabinet. To quote the white paper, "central to

these reforms was the clear separation between executive councillors and the majority of council members". The government view is that under the new regime "decision making was speeded up and it became clearer who was responsible for making which decisions". In the run up to the Act the general view within local government was that the role of the average councillor would become less important: as discussed in the previous section, practical experience would confirm that view for most councillors, officers and the general public.

Despite considerable pressure from central government few local authorities opted for directly elected mayors – only one, Stoke on Trent, coupled with a town manager. All others chose the model in which the council selected or elected a leader and cabinet. The white paper expresses government disappointment that few councils gave the leader authority to act alone. There can be little doubt that in both this choice and the general rejection of directly elected mayors, local councils and the public – each having the power to call a referendum on the latter option – were reflecting the norms of British political culture. Formal concentration of executive power in the hands of a single individual and direct elections presidential style are simply not part of that culture: given the choice few devolved authorities wish to go down such routes. The government intention is to circumvent what it sees as resistance to modernization and change. In reality, it is actually seeking to reform political culture, in itself a much more difficult task and one unlikely to be achieved without the legislation promised in the White Paper. Henceforth there will be three executive models – a directly elected mayor, a directly elected executive with leader, an indirectly elected leader (i.e. elected by the elected councillors) – all with a four year term. Whatever the model chosen, all executive power will be vested in the mayor or leader.

The entire thrust of this section of the White Paper suggests that the directly elected mayor remains the government's favoured choice: indeed local councils may opt for this model or that of the directly elected executive without the need for referendum. There will be no room for trial and error: – "once an authority has opted for a directly elected mayor or executive the presumption will be that it should not move back to an indirectly elected model". Like so much else in the White Paper, the choice of phrase leaves unclear whether this constitutes wish, guidance or requirement. In any event it is hardly the language of genuine devolution.

Clearly none of these executive models fits easily with councils holding partial elections on a year by year basis, but, curiously, the government has shied away from enforcing a uniform four-year cycle with all councillors being elected at the same time – the natural concomitant of a four year cycle for the executive. As mentioned above, councils currently partially elected on an annual basis will be free to move to 'all out elections' every four years, but there will be no requirement to do so. Co-existence of an executive appointed for four years with a council, the members of which are elected partially on an annual cycle, could well be a recipe for confusion and deadlock. In councils not having 'all out elections', the mayor, directly elected executive or an indirectly elected leader may well lose support over the course of a four-year term of office. There is provision for 'no confidence' votes where the council has elected the leader, but not in the case of the other two models. It is unclear whether a 'no confidence' vote would automatically remove the leader. As a result of the 2000 Act there are several instances of directly elected mayors working alongside councils dominated by another political party. It could, though, be more difficult to achieve the same modus vivendi with a leader elected (indirectly) by the council having to work alongside that council if the party composition changed as a result of a partial election during his/her four year term.

It is also unclear what happens in the event of a member of a directly elected executive ceasing to be a member of the council as a result of death, resignation or electoral defeat during the four years. Of course, in many council elections no party wins an overall majority of votes. Would the executive slate with the largest number of votes 'win' the election or would there be a run off or a system of preference or transferable vote? Either way the elected council might not offer majority support to such executive. At the time of writing around 30% of councils in Britain are 'hung' or balanced. Two thirds of these

councils have coalition cabinets: it is virtually impossible to envisage such coalition actually seeking direct election. It is also worth bearing in mind that post-election coalition building depends on agreement between different political parties. Giving the leader formal responsibility for appointing cabinet members can only obfuscate the actual process. Similar considerations apply in the case of a directly elected executive. The candidate for Leader has to agree the slate for the executive. Given that most slates will be party lists, he/she is also unlikely to have been given much option by the party in question. It would also seem that the directly elected Leader would not be able to make any changes to the composition of the directly elected executive during the four year term of office.

At an even more fundamental level it is unclear whether members of a directly elected executive are required to, allowed to, or forbidden to be at the same time ordinary councillors. If required, what would be the consequences of defeat in a council election during a four-year executive term? On the basis that individuals were required or even allowed to be both councillors and members of the executive, there is a scenario in which councillors from a minority party form the executive. Political tension and fall out would be much greater than where a single individual such as a directly elected mayor is working alongside a council controlled by a different party. The alternative scenario where members of the executive are prohibited from simultaneously being members of the council raises equally serious if different problems. Would all members of a potential executive slate seek election for the council at the same time, immediately resigning if their party were victorious in the executive election? Alternatively would it be an 'all or nothing situation' – individuals could seek election either as councillors or as members of an executive slate. The consequence for the defeated party or parties is that their leading members would not even be on the council.

Of course, all the above scenarios are speculative and complex: in the abstract of limited interest to those not directly involved in local government. However, they raise issues which require explanation. The details of any parliamentary bill and the consequent debate should be interesting! Meanwhile, the White Paper leaves far too many questions unanswered: it is difficult to resist the conclusion that in its enthusiasm for concentrating executive power, the government has simply not done its homework. The proposed new arrangements ignore British political culture: their imposition is totally at odds with the notion of devolution.

LOCAL GOVERNMENT STRUCTURES

Previous publications within the ambit of the 'Federal Britain' project have commented on two different types of local government structure – unitary authorities in Scotland, Wales, major urban areas and some shire counties in England outside London; two tier – county and district – in some of the English shires. London is divided into boroughs which can for most purposes be equated to the other English unitary authorities. However, there is also a form of governance for all of London: probably best characterized as a regional authority and the only one of its kind in England. Any institution needs to have a rationale for its existence. The number of tiers within the overall ambit of local governance equally requires a clear rationale. It is perfectly possible to argue in favour of asymmetric arrangements with differing structures in different regions or areas. However, this too needs a rationale. There was a rationale to the uniform system for Great Britain established in 1974. Throughout the United Kingdom there were two tiers of local government – counties (or in Scotland regions) and districts (in London boroughs). The exact distribution of powers between the two tiers varied, but the principle of division of local authority was the same. However, the system lasted little more than a decade before the then Conservative government began a gradual process of dismemberment, starting with the abolition of the Greater London and other Metropolitan County Councils in 1986. Exactly a decade later new systems came into effect in both Scotland and Wales. In Scotland 32 unitary authorities replaced the previous 9 regional and 53 district councils; in Wales 22 unitary authorities replaced 8 county and 37 district councils. The net effect of these changes was to double the average size of population covered by individual Scottish and Welsh Councils.

The changes in Scotland and Wales were largely determined by ministerial diktat; the legislation essentially carried on the votes of Conservative MPs representing English constituencies. The 1992 Conservative manifesto gave a commitment to establish a commission to examine England area by area to ascertain whether a unitary system would ensure better accountability and greater efficiency – a phraseology more or less repeated in the current 2006 White Paper. It seems probable that the government was looking to create a unitary system throughout England, but what became known as the Banham Commission faltered in the face of concerted opposition from the remaining English county councils. At the end of the process 46 new unitary authorities were created, most of them in urban areas which had in some cases enjoyed a similar status before the 1974 reforms. Overall the bulk of the British population was now covered by a unitary system, whilst the majority of the land area remained in the traditional county/district mode.

When Labour took office in 1997 - almost before the new asymmetric system could bed in – there was some expectation that these structural issues might be revisited. Prima facie there seemed to be uncompleted business and Labour had a long commitment to unitary local government. However, the government had other more important priorities; there was little desire to re-open the controversy; and perhaps most importantly the effect of the long period of Conservative government had been that Labour was in control of a majority of the County councils.

From a federalist perspective there is certainly no ideal recipe for the number of tiers. However, where there are two tiers there must be a clear role separation. In any one area, each tier of local governance needs a clear rationale; there needs to be demonstrable evidence that within its sphere of responsibility it is fulfilling functions which could not be so effectively undertaken by the other tier. Equally each unit of devolved governance should have its own financial resource: where there is any form of taxation there should be a clear line of accountability and responsibility. Certainly this is not the case when district councils levy taxation on behalf of county councils. What ought to be an obvious linkage between function and finance does not feature in the White Paper.

The government clearly envisages that two tier structures will continue in some parts of the country without offering any rationale. There is an opportunity for unitary to replace existing two tier structures without any suggestion of any moves in the opposite direction. Considered logically, this implies government preference for a unitary structure. However, in this case the centre will not be prescriptive: the impetus for change has to come from below.

In a separate document, standing slightly aside from the White Paper itself, existing councils are now invited “to make proposals for future unitary structures” or “to pioneer, as pathfinders, new two tier models”. This ‘invitation’ is not extended either to the wider public or to stakeholders, although existing councils will be required to demonstrate wider support for their proposals. Most of the rather scant philosophy underpinning such invitation is to be found in the White Paper itself. There is a strong critique of two-tier local governance, arguing that it results in there being too many councillors in such areas and that many districts have artificial boundaries. This could be construed as a pointer towards unitary shire counties. In this context it may be appropriate to recall David Milliband’s critique of council size mentioned earlier in this paper. Given that the average population of councils in Britain is very high by Western European standards, it is equally the case that per head of population there are fewer councillors. A general move towards unitary counties, reducing that number still further, would hardly enhance the representative function. Yet again there seems to be muddled thinking at the heart of government.

Proposals for unitary authorities are to be submitted before the end of January 2007 – an incredibly short time span. They can be based on an existing county, individual districts or a grouping of the latter. Any new unitary council must demonstrate that it will “enhance strategic leadership, neighbourhood empowerment, value for money and equity”. Councils making proposals will inter alia need to demonstrate that transitional costs can be ‘paid back’ over no more than a five-year period and that in each year of the five those transitional costs can be met out of revenue without increasing council tax. Capital

resources cannot be used for such purpose whilst recourse to revenue reserves can only be a final option. Whilst many local treasurers will be able to demonstrate that the conditions can be met, one suspects that the Treasury – should it be so minded – will have little difficulty in casting doubt on any projections. The final requirement is that any district or group of districts proposing to form a new unitary authority will need also to set out “arrangements which are to apply in the remainder of the affected county area or areas”. It is, of course, quite likely that the county council will object not only to the proposed new unitary or unitaries based on existing districts but also to the nature of the arrangements for the remainder. If central government is expecting to find an easy route to local consensus it may be disappointed.

Whilst these various caveats and qualifications may make it unlikely that many new unitary authorities will be created, the government does seem intent on promoting closer working between counties and districts in all remaining two-tier shires. The White Paper proclaims an expectation of “similar levels of improvement and efficiency gains to those we are expecting of the new unitaries”. This will in part be brought about by “unified service delivery, with service users having no need to understand whether the county, district, or indeed any other service provider is responsible”. This mantra – extraordinary for an official document published by a government in an advanced democracy – appears in both the White Paper itself as an expectation of all councils and in the separate invitation as a key element for pathfinders. With what amounts to breath-taking optimism, the text of the invitation also calls for “effective accountability arrangements so that people know who is responsible for what decision”. The white paper offers a way in which this might be achieved – “one innovative model of governance might be the creation within a county area of a common group of employees or a single cadre of councillors”.

It is perhaps worth re-iterating that the major criticism of two-tier local governance is lack of transparency as to who does what – enhanced by the fact that districts collect taxation on behalf of counties. A central government statement, which has the effect of claiming that this lack of transparency does not even matter, may be an honest statement of opinion but it cannot under any circumstances be conducive to accountability. Even the least sophisticated citizens, however confused they may be over lines of responsibility, want to know where and to whom to complain when things go wrong.

In contrast to the sections of the White Paper dealing with decision-making within local authorities, the government seems to have no clear view with regard to external structural issues. There is some suggestion of incomplete business with regard to English shire counties coupled with a realization that there are conceptual weaknesses in the current operation of two tier structures. There is no further analysis: the government offers no rationale for a continuing asymmetric system. The government is also insufficiently interested to run too much risk of being embroiled in local controversies. The vision as to what councils should do and their internal leadership arrangements are high priority; local government restructuring as such is not.

CONCLUSION: WHITHER DEVOLUTION?

In assessing the overall impact of the White Paper it is difficult not to revert to the very beginning of this analysis. For the present government, the vision is all-important: how, and by whom, it is implemented is secondary. There is space in the White Paper to praise so-called ‘innovative’ authorities and it is certainly generously laced with examples of good practice. Even so it is hard not to detect a certain note of disappointment with local government as a whole running throughout the White Paper and indeed providing one rationale for its publication.

Few additional powers are to be devolved; there is no hint of greater budgetary freedom; local authorities will still be basically accountable, via a new performance regime, to central government rather than to their own electorates; revised internal structures for alternative leadership models will be dictated by central government. At the same time government is also looking to a variety of arrangements by which in effect competences are actually moved away from the formal political institutions of local governance. The

longest chapter in the white paper is entitled 'Strong cities, strategic regions'. Eight so-called 'core cities' are identified of which six – Birmingham, Leeds, Liverpool, Manchester and Newcastle were once the centres of Metropolitan counties (the others are Bristol and Nottingham). These eight, and indeed some other cities, have a major influence on the sub-regional economy but strategic decision-making may be hampered by boundary considerations. Unwilling either to re-open a major debate on local government structures and boundaries or to revisit issues concerned with regional government, the discussion in the White Paper wanders around and through a large number of themes – praising creativity and enterprise, searching for collaborative working in a variety of areas. All of this is very laudable, but scarcely seems worthy of a central place in a major White Paper. A major drawback of all these ad hoc arrangements is that they are extremely weak on both transparency and accountability.

The White Paper also gives much emphasis to what might be termed 'community empowerment' and especially the concept of the neighbourhood. The object is to enhance people's sense of control over their lives and ownership of local services. Initiatives to implement such concepts will be taken by local authorities, but there will be a "stronger legal framework to require local authorities and other best value authorities to secure the participation of local citizens and communities". The initiatives are a local discretion, but they are 'required'. The government may simply be confused as to what constitutes devolution; the alternative explanation is that distrust of local government remains endemic in Whitehall.

Local government has been the subject of countless reports and ceaseless change over the last half century. The very fact that the White Paper could be published in the middle of the ongoing Lyons enquiry into finance and function could be yet another indication of confusion at the heart of government. Alternatively, it could betray a certain cynicism. Is there any real prospect of major change in the way in which local government is financed whatever Lyons may say? It is difficult to imagine any change being implemented prior to the financial year 2009-10 which is likely to coincide with the next general election. Given the absence of any significant devolution of powers and competences and a failure adequately to address certain structural issues, the whole exercise could seem to resemble a kind of game played by government and Whitehall. Is it possible that some at least in the Westminster/Whitehall nexus simply see local government as a necessary nuisance for which no overall or coherent strategy is needed? There was a rumour that at one time the Thatcher government actually considered doing away with local government altogether. True or false, the salvation of local government as an institution is based on the realization that somebody or something has to carry out a shoal of administrative tasks on behalf of central government and be blamed when things went wrong. Perhaps this too is a rather cynical reflection, but it seems certain that even if the changes proposed in the White Paper are implemented, the new regime – like its recent predecessors - will not be long lasting.

**1 The average population covered by a local government council in Great Britain is 128,000 (see Wilson & Game; Local Government in the United Kingdom; 4th ed 2006; Palgrave Macmillan)*

**2 The structure of Scottish local government and the modus operandi of local authorities are issues devolved to the Scottish Parliament. The white paper Better Governance for Wales published in 2005 gave a commitment to increasing the powers of the Welsh Assembly with regard to policy implementation in Wales. There is a commitment in the local government white paper to giving the Assembly additional legal competence over various aspects of local government in Wales.*