

Local Government Series

Volume 1

INTRODUCING LOCAL GOVERNMENT

Local government is about how decisions are made in our communities. It is about who makes these decisions, how they decide what to do and how the results are implemented. It is about how vital public services are designed, funded and delivered. And it is about how those who make these decisions and deliver these services are held to account.

When we talk about local government, what we are usually talking about is ‘the council’, which provides services for the residents and businesses in a defined geographical area, such as a town, a city, a district or a county. These are known as ‘local authorities’, because they have the power to make decisions in specific areas of policy.

There is no such thing, though, as a typical local authority. The structure of local government in any given area, and the nature and role of the individual local authorities within that structure, depends on a number of factors, including where it is in the country, whether it is urban or rural, the quirks of history and the impact of decisions made in the past.

Tiers of local government

Local government in any given part of the country has either a single-tier structure or a two-tier structure. As the names suggest, single-tier areas have one ‘principal’ local authority and two-tier areas have two. The term ‘principal’ is used here to differentiate these local authorities from lower-level parish councils.

Where a single-tier structure exists, there is one principal local authority for any given area, which performs all of the functions required of local government and delivers a complete range of public services. In a two-tier structure, however, there are two principal local authorities, each of which has a clearly defined role and range of services to deliver.

Single-tier authorities

There are several different types of single-tier authority. Unitary authorities, for example, frequently cover a large town or city and its surrounding rural areas. Some have more recently been created to encompass entire counties. And the Council of the Isles of Scilly is the unitary authority for these tiny islands off the west coast of Cornwall.

Metropolitan district councils are similar to unitary authorities in terms of what they do, but exist solely within the counties of Greater Manchester, Merseyside, South Yorkshire, Tyne & Wear, West Midlands and West Yorkshire. Few of them are actually referred to as metropolitan district councils, though, as all metropolitan districts have, through royal charter, been granted the status of a borough or a city and are referred to as metropolitan borough councils or city councils respectively.

And while local government in London is a little more complex, each of the city's boroughs has its own principal local authority, known collectively – and perhaps unsurprisingly – as the London borough councils. In addition, the Court of Common Council of the City of London Corporation performs a similar role for the Square Mile.

Two-tier local authority areas

In areas with a two-tier local authority structure, there is usually a county council and a small number of (non-metropolitan) district councils. Each district council covers a part of the area covered by the county council, so that everywhere in the county is covered by the county council and one of the district councils. Like metropolitan district councils, some non-metropolitan district councils are also permitted to call themselves borough or city councils.

So Devon, for example, is governed by Devon County Council and eight district councils: Exeter, East Devon, Mid-Devon, North Devon, Torridge, West Devon, South Hams and Teignbridge. Six of them are district councils, while West Devon is a borough council and Exeter is a city council. In addition to the county council and the eight districts, Devon is also home to Plymouth City Council and Torbay Council, both of which are unitary authorities and have the powers of a non-metropolitan county council and a district council combined.

At the time of writing, there are 343 principal local authorities in England, which are made up as follows:

Single-tier	
Unitary authorities	55
Metropolitan districts	36
London Boroughs	32
Common Council of the City of London Corporation	1
Council of the Isles of Scilly	1
Two-tier	
County councils	26
Non-metropolitan district councils	192
Total	343

Table 1: Numbers of principal local authorities in England, by type

Parish and town councils

There are also around nine thousand parish and town councils across England, which operate at a level below the principal local authorities discussed above.

Parish and town councils (known collectively as ‘local’ councils) do not generally have statutory functions (i.e. things they must do by law), but seek to represent the local community and to improve the quality of life in their area. They may, however, provide certain services with the agreement of the relevant principal local authorities, such as allotments, litter bins, leisure facilities, open spaces and car parks.

In a rather excellent quirk of things, a small number of parish councils serve entire (although rather small) cities, so are known as city councils. Examples are Wells City Council in Somerset and Lichfield City Council in Staffordshire. So the tiny cities of Wells (population: 12,000) and Lichfield (population: 33,800) are – in this tiny way – on a par with the metropolitan behemoths of Manchester (population: 511,000) and Birmingham (population: 1.1 million).

In fact, any council that serves an area that has been granted city status by the reigning monarch can be called a city council. So we also have, for example, Sheffield City Council (a metropolitan

borough), Cambridge City Council (a non-metropolitan district) and Westminster City Council (a London borough).

Local councils tend to exist only in non-metropolitan areas, but there is nothing to stop them from being set up in more urban areas, too. Unitary and district councils can establish them through a review of community governance or in response to enough local people signing a petition calling for one to be set up. Queens Park Community Council, for example, was set up in 2014 to serve the 12,500 residents of this small part of London, following a vote by local people.

Services for local people

Local authorities are responsible for providing a broad range of services to people and to businesses in their areas, from animal control to public health and from crematoria to trading standards enforcement. Across the different tiers of local government, councils provide more than eight hundred different services to their local communities.

For example, local authorities run schools for the education of our young people, they provide libraries in our communities, they manage much of our local road network, they support those who are in need of housing, they collect and dispose of our refuse, they register births and deaths, and they provide vital support to the elderly and the vulnerable.

While a single-tier council provides the full range of local authority services, the two councils in a two-tier structure divide the provision of services between them. Here are some examples of the services provided and which authorities provide them. In areas where there is a single tier of local government, though, the sole local authority is responsible for providing all services.

Upper tier authority	Lower tier authority
Schools and education	Housing
Libraries	Council tax collection
Social services	Licensing
Transport	Cemeteries and crematoria
Waste management	Refuse collection
Economic development	Local planning

Table 2: Examples of services provided by local authorities in England, by tier

Services provided by local authorities are either statutory or discretionary. Statutory services are those that the council is obliged by law to provide, such as safeguarding the welfare of vulnerable children, managing planning and licensing applications, and ensuring that children of school age are receiving a suitable education.

In 2011, some poor soul at the Ministry of Housing, Communities and Local Government was tasked (presumably on pain of something unpleasant) with compiling the definitive list of statutory functions that local authorities are required to fulfil.

The list runs to 1,338 individual obligations. These range from the more obvious, like a duty to send out council tax bills, to the less-than-obvious, such as maintaining a list of scrap metal dealers, enforcing regulations on aerosol dispensers, maintaining ancient monuments, licensing charity street collections and consulting on the creation of new public rights of way.

Discretionary services are those that local authorities are not legally obliged to provide, but which they provide because such services are of benefit to local people and businesses. Discretionary services include things like leisure centres, museums, concert venues and parks. They also include advice services relating to a council's statutory functions, like providing advice on a planning application.

In the past, local authorities could only do things that the law or an Act of Parliament allowed them explicitly to do. Since 2011, though, councils have a 'general power of competence' that allows them to do whatever they like, as long as the law does not expressly forbid them from doing it.

Although local authorities are responsible for providing various services to businesses and to members of the public, they do not necessarily need to provide these services themselves. So rather than providing services in-house, they can commission other public bodies, the voluntary sector or the private sector to provide them on the council's behalf.

However such services are delivered, though, the relevant local authority remains responsible for ensuring that they are delivered effectively.