



The local government system in

United Kingdom

Key facts

POPULATION (Census 2001): 58,789,194
AREA: 242 900 sq km
CAPITAL: London
LOCAL GOVERNMENT CONTRIBUTION TO GDP: -
CURRENCY: pound sterling (GBP)
HEAD OF STATE: HM Queen Elizabeth II
HEAD OF GOVERNMENT: Prime Minister David Cameron
FORM OF GOVERNMENT: constitutional monarchy with parliamentary democracy
PARLIAMENTARY SYSTEM: bicameral
STATE STRUCTURE: unitary
LANGUAGES: English (official), Welsh (recognised), Scottish Gaelic, Cornish, Irish, Scots and Ulster Scots
NATIONAL ELECTIONS: last: 2010; turnout: 65.1%; next: 2015
LOCAL ELECTIONS:
England: last and next: various see below; turnout: 39.2% (2009)
Wales: last: 2008; turnout: 44.8%; next: 2012
Scotland: last: 2007; turnout: 52.8%; next: 2011 (postponed to 2012)
Northern Ireland: last: 2005; turnout: 62.8%; next: 2009 (postponed to 2011)



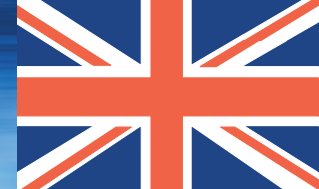
SUMMARY

The United Kingdom is a union of four countries: England, Scotland, Wales and Northern Ireland. There is no written constitution but there are a number of local government Acts for each country of the UK. There are also Acts pertaining to the devolved governments of Scotland, Wales and Northern Ireland which have single-tier principle local government. England has no devolved government and there are both two-tier authorities made up of counties and districts (or boroughs), and single-tier councils known as unitary authorities. The

lower tiers of local government in England, Scotland and Wales are known as civic parishes or community councils, there are no equivalent lower tiers in Northern Ireland.

The government departments with responsibility for local government are: the Department for Communities and Local Government (DCLG) in England; the Director General for Governance and Communities in the Scottish Government; the Department of culture, media and sport (DCMS), Welsh Assembly Government; and the Department of the Environment within the Northern Ireland

Executive. Over half of local government revenue comes via transfers from central government and a further quarter comes from a property-based local council tax. Responsibility for various functions is split in the two-tier system between county and district, whilst unitary authorities have sole responsibility for implementing all functions of local government. Parishes and community councils may manage community facilities such as village halls, war memorials, cemeteries, leisure facilities and playgrounds.



1. CENTRAL GOVERNMENT

The United Kingdom of Great Britain and Northern Ireland (UK) is a union of four countries: England, Scotland, Wales and Northern Ireland. It has a central bicameral parliament based in the UK capital of London, England and devolved national governments in Scotland, Wales and Northern Ireland. The UK parliament comprises the House of Commons and the House of Lords. The former, known also as the lower house, has 659 members elected using the first-past-the-post system and each representing an individual constituency for terms of up to five years. The Lords of the upper house, or House of Lords, are appointed. There is no fixed number of members for the House of Lords, which currently has 753 active members, the majority of whom are life peers appointed by the monarch on the advice of the prime minister. The House of Lords includes 26 senior bishops of the Church of England and 92 members elected by the Lords to represent hereditary peers. The prime minister, who is generally the leader of the majority party in the House of Commons, is head of government and has the power to appoint a cabinet from members of either house.

2. LEGAL BASIS FOR LOCAL GOVERNMENT

2.1 Constitutional provisions:

There is no constitutional provision for local government.

2.2 Main legislative texts:

England: Local Government Acts 1992, 1999, 2000, 2003, 2010; Greater London Authority Acts 1999, 2007; Regional Assemblies (Preparations) Act 2003.

Local Government and Public Involvement in Health Act 2007; Local Democracy, Economic Development and Construction Act 2009. The Localism Bill is currently going through parliament and is expected to be enacted in 2011.

Wales: Local Government (Wales) Act 1994; Government of Wales Acts 1998 and 2006.

Scotland: Local Government (Scotland) Acts 1973, 1994, 2003; Scotland Act 1998; Scottish Local Government (Elections) Act 2002; Local Governance (Scotland) Act 2004.

Northern Ireland: Northern Ireland Acts 2000 and 2006 (St Andrews Agreement); Local Government (Best Value) Act (Northern Ireland) 2002; The Local Government (Northern Ireland) Order 2005.

3. STRUCTURE OF LOCAL GOVERNMENT

3.1 Local government within the state:

Scotland, Wales and Northern Ireland have a unitary, single-tier system of local government. England has a mixed system of either single-tier local government in the form of unitary authorities, London boroughs and metropolitan district councils; or two-tier local government with county councils as the upper tier and district or borough councils as the lower tier. In England, Wales and Scotland there are smaller units of local representation, known as parishes in England and community councils in Wales and Scotland, but these are not uniform and do not cover the whole population.

3.2 Ministerial oversight:

The government departments with primary policy responsibility for local government are: CLG for England; the Director General for Governance and Communities in the Scottish Government; DCMS, Welsh Assembly Government; and the Department of the Environment within the Northern Ireland Executive. The ministers with local government portfolios are responsible for local government legislation and the monitoring of policy implementation. Within this framework, local authorities are independently elected, autonomous bodies largely independent of central government. Central government does not have the power to intervene in their day-to-day affairs except where specific provision has been made in an Act (see below).

In England, the relevant secretary of state has powers of intervention under the Local Government Act 1999 'where there are serious failures in the delivery of certain local services'. In extreme cases the secretary of state may direct a local authority to take action, including the transfer of responsibilities to another authority or third party. A similar range of powers is also available via their nation-specific Acts to the Scottish, Welsh and Northern Irish ministers responsible for local government.

3.3 Council types:

In England, areas outside London either have a single-tier unitary authority, or a two-tier system of a larger county authority and smaller district or borough councils. London has 32 borough councils and the City of London Corporation with

Table 1. Distribution of councils and population (Census 2001)

Country/region	Number of authorities				Population	% rural
	County/borough	District	Unitary authority	Parish/community council		
England	33	236	80	10,397*	49,138,831	n/a
North East	1	5	1	n/a	2,515,479	n/a
North West	4	33	6	n/a	6,729,800	n/a
Yorkshire & Humber	3	16	5	n/a	4,964,838	n/a
East Midlands	5	36	4	n/a	4,172,179	n/a
West Midlands	4	26	4	n/a	5,267,337	n/a
East	5	41	6	n/a	5,388,154	n/a
London			33**	n/a	7,172,036	n/a
South East	6	51	11	n/a	8,000,550	n/a
South West	5	28	10	n/a	4,928,458	n/a
Northern Ireland	-	-	26	-	1,685,267	197
Scotland	-	-	32	>1,200	5,062,011	n/a
Wales	-	-	22	868	2,903,085	n/a
TOTAL	33	236	160	11,417	58,789,194	n/a
Largest population	1,394,700	202,800	1,010,200	31,609	-	-
Smallest population	290,900	24,800	38,400	<200	-	-

*as of 1 April 2003 ** inc. the City of London Corporation



a further strategic authority the Greater London. In Scotland, Northern Ireland and Wales, there are single-tier unitary authorities.

3.3.1 Devolved national government: The devolved administrations of Scotland, Wales and Northern Ireland can be considered the uppermost level of regional self-governance, even though they are not referred to as local governments. The first ministers of Scotland and Wales are nominated by their parliament and assembly respectively and appoint their own cabinets. In the Northern Ireland Assembly, the first ministers and deputy first ministers and ten further ministers are nominated by the political parties of the Northern Island Assembly in accordance with their relative numerical representation. The posts of departmental ministers are allocated to parties based on the d'Hondt system, by reference to the number of seats each party has in the assembly. England does not have an exclusive legislature and is governed directly by the UK parliament in London.

3.3.2 Regional governance: In England there are eight administrative regions outside London. Government offices in each of these regions bring together key departments to implement centrally determined policies at a regional level. There are also regional development agencies (RDAs) responsible for developing regional economies by supporting businesses and managing large-scale regeneration programmes, with the membership and support of local authorities within their boundaries. The RDAs will be abolished in 2012 as part of a public sector savings drive; they will be replaced by local economic partnerships, composed of local business leaders, local authorities and other economic stakeholders. The Greater London Authority is a regional strategic body headed by the directly elected mayor of London and an elected assembly with responsibility for matters such as transport, culture, planning and development.

3.3.3 The county and district or borough council system is two-tiered and exists in some parts of England. Counties are either metropolitan, ie including a large city such as Manchester or Birmingham, or non-metropolitan. There are currently 33 county councils. The number of lower-tier councils within the county area varies depending on the size, geography and specific requirements of the area. Responsibilities for the county-wide area are shared between county councils and the lower tiers, known as district or borough councils. County councils lead on county-wide policy and strategy but implementation of some services is

shared between the two. District/borough, councils have limited policy responsibility within their localised functions and manage a discrete set of services. Councillors are directly elected and serve a term of four years.

3.3.4 Unitary, metropolitan and London borough councils operate within a unitary structure and have the combined areas of responsibility of the county and district councils in all four countries of the UK. In 2007 16 English county councils and their lower tiers, wishing to better align their service provision and share back office functions, made a bid to become unitary authorities as part of a structural review of council demarcations. Not all bids were successful but nine new county-wide unitary authorities were created in 2009. There are 33 London boroughs and they are not subordinate to the Greater London Authority (GLA).

3.3.5 Parishes and community councils are the lowest tier of local government in England, Scotland and Wales; there are no equivalent bodies in Northern Ireland. Within the local government system, there are just over 10,000 civic parishes in England⁵ (these should be distinguished from ecclesiastical parishes). Civic parishes cover only approximately a third of the population of England and there are currently no parishes in London. The Local Government and Public Involvement in Health Act 2007 however, does allow for the establishment of parish councils in London. As a sphere of local government they are elected bodies with limited discretionary powers and rights. In Scotland and Wales there are 1164 and 868 community councils respectively. In Wales, the community councils play an administrative role and as in England they do not cover the whole of the Welsh population. In Scotland community councils act as a forum for local opinions to influence the higher authorities rather than as administrations in their own right. In Eilean Siar, Orkney and Shetland however, community councils are a more important tier in the administrative structure and at the local authority's discretion, may have a correspondingly larger budget. The legislative framework under which community council schemes in Scotland are established, gives local authorities the freedom to determine for themselves the appropriate level of funding and support for community councils in their area.

4. ELECTIONS

4.1 Recent local elections:

The last local council elections for all 22 Welsh authorities were held in 2008, turnout 44.8%, the next will be held in 2012. In Scotland the last

council elections for all 32 authorities was held in 2007, turnout 52.8%. The next election was due in 2011 though this has been postponed to 2012 to avoid clashing with the Scottish parliamentary elections and the council term will then again be extended by a year and so the following election will take place in 2017 after which the cycle will return to four years. The last local government elections held in Northern Ireland were in 2005, turnout 62.8%, and the next were due in 2009 though this has been postponed to 2011 to allow for some reorganisation of Northern Ireland local government.

In England, there are various election cycles which councils use. Some elect by thirds, which means a third of the councillors are elected every year over a four year cycle, and no election occurs in the fourth year. Some councils elect by halves where half of councillors are elected every two years. Other local authorities, such as the London boroughs, elect all of their councillors every four years. The turnout for all local elections held in England in 2008 was 45%.

4.2 Voting system:

At present all councillors are elected for four years by the first-past-the-post system, except in multi-member constituencies in Scotland and Northern Ireland where election is by single transferable vote. Registered voters must be over 18 years, a resident of the local authority and a citizen of the UK, the European Union or a Commonwealth country.

4.3 Elected representatives:

Councillors are elected for four years to represent their constituent wards at district or borough level and divisions at county level. The number of councillors per ward or division is as follows: England: one or two per county council, three for metropolitan districts, and one to three for all other authorities depending on the population. Unitary authorities in Scotland have three or four councillors per ward or division, those in Wales one to five and those in Northern Ireland five to seven. Any person who is 21 years or over (18 or over for Scotland) and is eligible to vote may stand for election. Local authorities in England can adopt one of three systems: a directly elected executive mayor and cabinet; a leader and cabinet; and alternative arrangements which are only available to small shire authorities in two-tier areas. The electorate is consulted on which option it wishes to adopt. Any model involving a directly elected mayor must be approved in a binding referendum.

The position is similar in Wales, except that there are fewer restrictions on local authorities



adopting 'alternative arrangements'. A non-statutory approach has been adopted in Scotland resulting in councils adopting one of three forms: streamlined committee structures, cabinet-style executives and locally-devolved structures. In England and Wales the forthcoming Localism Act will enable councils to choose whether or not they wish to return a committee system of governance. It will also allow certain councils to hold referenda on whether they wish to have a directly elected mayor as leader of the council.

4.4 Women's representation:

The percentage of female councillors in 2008 was 29% in England and Wales, 21.6% in Scotland and in Northern Ireland in 2010, 22%.

5. SYSTEMS FOR COMMUNITY INVOLVEMENT

5.1 Legal requirement:

The Local Government Act 1999 requires councils in England and Wales to carry out consultation with residents for the continuous improvement of service provision. Local authorities are required to give public notice of all planning applications and residents are invited to comment on planning proposals. The Local Government in Scotland Act 2003 requires that local authorities demonstrate open consultation arrangements and a responsive ongoing dialogue with their communities. In England and Wales the Localism Bill will give residents the power to instigate local referenda on any local issue and the power to veto excessive council tax increases. Voluntary and community groups will also have the right to challenge local authorities over their services.

5.2 Implementation:

Councils throughout the UK are experimenting with ways to enhance citizen participation in the democratic decision-making process. In England and Wales, 90% of councils reported that they had consulted their citizens during the preparation of their budgets for the 2001/2002 financial year, using a range of techniques including travelling roadshows, referenda, citizen panels and/or business consultation.

5.3 E-government:

The 'Local e-government programme' is a partnership between councils in England and Wales and the DCLG which has brought about major changes in the quality and accessibility of services. The range of online services now available includes submitting a planning application, renewing library books, calculating benefit entitlements, checking your council tax balance, reporting anti-social behaviour and

applying for a school place. The Scottish Executive has also developed a number of programmes that assist local government in e-services including a standardised citizen's records infrastructure called Customer First and a secure sensitive data transfer system called e-Care. To date there is no similar initiative in Northern Ireland.

6. ORGANISED LOCAL GOVERNMENT

6.1 National local government associations:

National local government associations exist as voluntary membership organisations in each of the four countries of the UK. The Local Government Association (LGA) covers all local authorities in England and Wales, the latter through the Welsh Local Government Association (WLGA), which is a constituent part of the LGA but retains full autonomy in dealing with Welsh affairs. In Scotland, the Convention of Scottish Local Authorities (COSLA) represents all 32 Scottish local authorities. The Northern Ireland Local Government Association (NILGA) represents local councils in Northern Ireland, while London Councils represents the 32 London boroughs and the City of London.

Among lower-level councils, the National Association of Local Councils (NALC) represents over 80% of the community, parish and town councils in England and Wales, providing specialist advice and dealing with national issues. There are also 52 affiliated county associations providing more general support. In Wales most town and community councils are members of One Voice Wales while in Scotland just over half of the community councils are represented by the Association of Scottish Community Councils (ASCC).

7. INTERGOVERNMENTAL RELATIONS

In England a 'Central-Local Partnership' was established in 1997 between central government and the LGA, aiming to 'strengthen and sustain local elected government in England'. The partnership agreement establishes working arrangements and commits both partners to consult one another on issues of common concern. In Wales there is a statutory Partnership Council comprising the Welsh Assembly Government and local government representatives and in Scotland the Convention of Scottish Local Authorities and the Scottish Executive have signed a partnership framework. The Northern Ireland Executive has given recognition to NILGA.

8. MONITORING SYSTEMS

Financial supervision, including the examination of local authority procurement practices, is coordinated by the following authorities: the

Accounts Commission for Scotland; the Wales Audit Office and in Northern Ireland, the Local Government Auditor. In England, the Audit Commission currently has responsibility for monitoring and measuring the performance of councils though is due to close in December 2012 and private sector firms will be invited to bid competitively for council auditing contracts. The auditing body is also required to review and report on the arrangements that the authority has developed to publish performance information. Where a service user feels s/he has suffered from local government maladministration, s/he may seek an administrative review of the relevant decisions through one of the following bodies: the Local Government Ombudsman in England and Northern Ireland; the Public Service Ombudsman of Wales; or the Scotland Public Services Ombudsman. The Local Government Act 2000 also introduced a new ethical framework for council members and officials, and established the Independent Standards Board to investigate alleged breaches of the code of conduct which each authority must have in place. The Localism Bill calls for abolition of the Standards Board regime and the model code of conduct and makes the failure to declare a personal interest in a matter a criminal offence. The Ethical Standards in Public Life etc. (Scotland) Act 2000 provided for the establishment of the Councillors' Code of Conduct and for the establishment of the Office of the Chief Investigating Officer to receive complaints about non-compliance with the Code. It also established the Standards Commission for Scotland to hold hearings into alleged breaches of the Code. The role of the Chief Investigating Officer will be subsumed into the new post of Public Standards Commissioner for Scotland in April 2011 through implementation of the Scottish Parliamentary Commissions and Commissioners Bill.

9. FINANCE, STAFFING AND RESOURCES

9.1 Locally raised revenue:

Local authorities in England and Wales set council tax rates but central government can cap increases it considers excessive. Local authorities in Scotland have not been subject to specific spending limits, and have voluntarily agreed with the Scottish Government, through the concordat, to freeze council tax rates over the period 2008 to 2012. The district councils, unitary authorities, metropolitan districts and London boroughs collect taxes including the precept taxes set by county councils, parish councils, police authorities and fire authorities. In Northern Ireland there is no council tax, but a system of rates which is property-

Table 2. Aggregate local government revenue and expenditure for England & Wales (E&W) 2007/2008 and for Scotland (Sc) 2008/2009 (no information for Northern Ireland)

Revenue (in local currency)	Expenditure (in local currency)	
	E&W	Sc
Government transfer		
Specific & special grants & general/revenue grants*	44,486	10,845
Redistributed non-domestic rates	18,506	2,165
Grants outside AEF	14,112	
Capital expenditure grants	9,027	
Capital income	n/a	1,105
other	7,173	
Locally raised revenue		
Council tax	23,608	1,910
Sales, fees, rents and charges	18,163	2,287
Other	5,855	676
TOTAL	151,834	18,988

Expenditure (in local currency)	Revenue (in local currency)	
	E&W	Sc
Staff costs	inc. below	8,149
Operating costs	inc. below	7,084
Central services	3,695	
Education	40,135	
Highways and transport	5,636	
Social care	18,587	
Housing	15,844	
Cultural, environment& planning	10,139	
Police, fire & rescue	13,937	
Other	430	3,247
TOTAL	108,249	18,480

*Aggregate external finance

based. Community councils in Scotland receive local authority funding for running costs only; they can however obtain grants for specific initiatives.

9.2 Transfers:

The national non-domestic rate (called the uniform poundage rate in Scotland) is a rate for businesses set centrally (in Scotland by Scottish ministers), collected locally and pooled centrally for redistribution on the basis of where the income is generated. However, in Northern Ireland there are two business rates – the regional rate set by the Northern Ireland Executive, and the district rate set by each of the 26 district councils. The revenue support grant (RSG) is a grant distributed by central government to local authorities each year to provide financial support to carry out their functions. The RSG is unconditional and may be used for any purpose within the competence of the authority. Hypothecated or specific grants are made to enable local authorities to fulfil central government policy objectives. Local authorities may raise capital finance on the open market. Most long-term borrowing is sourced from the Public Works Loan Board.

9.3 Local authority staff:

Local authorities determine their own staffing structure and accordingly, employees are recruited, managed and dismissed at the discretion of the local authority. The head official is normally the chief executive. There are a few statutory roles, including a named officer responsible for the proper administration of the council's financial affairs, known as the S151 officer and usually but not necessarily the chief financial officer or director of finance. This individual has the power in exceptional cases to immediately suspend all

business of the council if s/he suspects serious financial misconduct. All local authority members of staff have the opportunity to join public sector employment unions and a national local government pension scheme.

10. DISTRIBUTION OF SERVICE DELIVERY RESPONSIBILITY

The services a council provides vary according to the type of council it is and its location in the UK. Single-tier or unitary authorities including metropolitan councils and London boroughs are responsible for the provision of all local government functions within their area. They have responsibility for fire and civil defence, waste disposal and transport, especially within cities, and these are provided through joint authorities.

In two-tier local authorities, responsibilities are split between the county councils and the district or borough councils. County councils in England are responsible for managing statutory services and strategic-level functions. The main statutory services are social services for vulnerable and elderly adults and for children in the care of the state ('looked after children'), fostering, adoption and schools. Other statutory services include the management of waste, the maintenance of roads, environmental management and emergency and disaster planning. More strategic services such as local economic development (LED) and community development or wellbeing are considered discretionary services.

District or borough councils, the lower-tier councils of the county system in England, provide many local services and have responsibility for some distinct areas outside the remit of county such as housing, cemeteries and crematoria and the electoral register. They also deliver services that are managed and determined by the county

council such as collecting waste and the county manages it, they collect taxes at a level determined by the county, and they work to develop businesses within the framework of an LED policy set by the county council. Local authorities in Northern Ireland are responsible for a restricted number of services: street cleaning; refuse collection and disposal; recreational, social and cultural facilities; promotion of economic development; tourism development; burial grounds and crematoria. They also have a number of regulatory functions.

Parishes and community councils across England, Wales and Northern Ireland manage community facilities such as village halls, war memorials, cemeteries, leisure facilities and playgrounds.

The Scottish Government has derived 15 priorities known as 'National Outcomes' to be addressed over a ten year period and have outcome agreements with all 32 local authorities. These priorities include employment opportunities, healthier lives, sustainable places and public services.



Annex A. Summary of service provision in two tier local government

Service	Delivering authority		Remarks
	Central Government	Local Government County District	
GENERAL ADMINISTRATION			
Police	■		Fire and police come under separate authorities
Fire protection			
Civil protection		■	■
Criminal justice	■		
Civil justice	■		
Civil status register		■	
Statistical office	■		
Electoral register			■
EDUCATION			
Pre-school		■	
Primary		■	
Secondary		■	
Vocational and technical		■	
Higher education			
Adult education		■	
SOCIAL WELFARE			
Kindergarten and nursery		■	
Family welfare services		■	
Welfare homes		■	
Social security		■	
PUBLIC HEALTH			
Primary care	■		
Hospitals	■		
Health Protection			■
HOUSING AND TOWN PLANNING			
Housing			■
Town planning		■	■
Regional planning		■	
TRANSPORT			
Roads		■	
Transport		■	■
Urban roads			■
Urban rail			
Ports			
Airports			■
The metropolitan districts may provide airport services.			
ENVIRONMENT AND PUBLIC SANITATION			
Water and sanitation			■
Refuse collection and disposal		■	■
Cemeteries and crematoria			■
Slaughterhouses			
Environmental protection		■	■
Consumer protection		■	
In two tier areas, districts are responsible for collection while counties are responsible for disposal			
CULTURE, LEISURE AND SPORTS			
Theatre and concerts		■	■
Museums and libraries		■	■
Parks and open spaces		■	■
Sports and leisure		■	■
Religious facilities			
Library services lie with the county			
UTILITIES			
Gas services			
District heating			
Water supply			
Electricity			
ECONOMIC			
Agriculture, forests and fisheries			■
Economic promotion		■	■
Trade and industry		■	■
Tourism	■		■

The unitary authorities in England, Wales and Scotland are responsible for all the services provided by local government. In Northern Ireland the range of services is much more restricted.