

Local Government Reorganisation (LGR) and Devolution

Background

The government published its devolution white paper on 16th December. The White paper outlines the future structure for local government in the UK, with a series of regional mayoral authorities being created, which will be responsible for strategic matters across wide geographic areas. Responsibilities devolved to mayoral authorities will include issues such as strategic planning, policing, transport, public health and skills.

Below the strategic mayoral authorities, the government will require the establishment (where they do not currently exist) of unitary authorities. These are expected to represent populations of not less than 500,000 residents and where possible should reflect existing cultural boundaries (e.g. existing or historic counties, etc).

Under the proposed reorganisation, district and borough counties will be abolished.

Areas had until 10th January 2025 to apply to join the government Devolution Priority Programme, which aims to hold mayoral elections for newly created strategic authorities in May 2026. West Sussex, East Sussex and Brighton and Hove City Council have applied to join the priority programme, with a view to creating a 'Greater Sussex' strategic mayoral authority, which will be comprised of three unitary authority members, East Sussex, West Sussex and Brighton & Hove.

Regardless of the outcome of the application to create a Greater Sussex strategic mayoralty, the creation of the new unitary authorities will continue to go ahead. The new unitary authorities are expected to be in place by April 2027, with District and Borough Councils amalgamated into the new authorities at this time.

The White Paper makes limited references to Town and Parish Councils and the need for hyper-local governance, although it does not explicitly put forward any proposals for how this will be delivered and how local accountability will be maintained within the new unitary authorities.

West Sussex County Council have applied to delay the planned May 2025 elections whilst the new strategic authority is created, and electoral wards are finalised.

Previous rounds of unitary creation were undertaken in 1995–98 and 2007–09.

Recent rounds of unitary authority creation in 2019 (Somerset, Cumberland, Westmoreland & Furness, North Yorkshire) resulted in fewer elected members in the new unitary than in the previous County Councils, so it is likely that electoral boundaries will be reviewed as a part of the process.

Opportunities for Local Service Delivery

Devolution offers opportunities for the City Council to take on local assets or services, although this will clearly have a financial impact in local residents.

A reminder of the Powers, Duties and Functions available to parish Councils is summarised here:

Function	Powers & Duties	Statutory Provisions
Allotments	Duty to provide allotments.	Small Holding & Allotments Act 1908, ss. 23, 26, and 42

Function	Powers & Duties	Statutory Provisions
	Power to improve and adapt land for allotments, and to let grazing rights	
Baths and washhouses	Power to provide public baths and washhouses	Public Health Act 1936, ss. 221, 222, 223 and 227
Burial grounds, cemeteries and crematoria	Power to acquire and maintain. Power to provide. Power to agree to maintain monuments and memorials. Power to contribute towards expenses of cemeteries	Open Spaces Act 1906, Ss 9 and 10; Local Government Act 1972, s. 214; Parish Councils and Burial Authorities (Miscellaneous Provisions) Act 1970, s. 1 Local Government Act 1972, s. 214(6)
Bus shelters	Power to provide and maintain shelters	Local Government (Miscellaneous Provision) Act 1953, s. 4
Byelaws	Power to make byelaws in regard to pleasure grounds. Cycle parks Baths and washhouses Open spaces and burial grounds Mortuaries and post-mortem rooms	Public Health Act 1875, s. 164 Road Traffic Regulation Act 1984, s.57(7) Public Health Act 1936, s.223 Open Spaces Act 1906, s.15 Public Health Act 1936, s.198
Clocks	Power to provide public clocks	Parish Councils Act 1957, s.2
Closed churchyards	Powers as to maintenance	Local Government Act 1972, s.215
Common pastures	Powers in relation to providing common pasture	Smallholdings and Allotments Act 1908, s.34
Conference facilities	Power to provide and encourage the use of facilities	Local Government Act 1972, s.144
Community centres	Power to provide and equip buildings for use of clubs having athletic, social or recreational objectives	Local Government (Miscellaneous Provisions) Act 1976 s.19
Crime prevention	Powers to install and maintain equipment and establish and maintain a scheme for detection or prevention of crime. Power to contribute to police services e.g., PCSOs. Duty on Parish Councils to consider crime reduction in every policy and action	Local Government and Rating Act 1997, s.31 Police Act 1996, s.92 s17 Crime and Disorder Act 1998 (as amended)
Drainage	Power to deal with ponds and ditches	Public Health Act 1936, s.260

Function	Powers & Duties	Statutory Provisions
Dogs	Power to make a Dog Control Order Power to take enforcement action against those who commit an offence against a Dog Control Order	Cleaner Neighbourhoods and Environment Act 2005
Entertainment and the arts	Provision of entertainment and support of the arts	Local Government Act 1972, s.145
Flyposting and Graffiti	Power to take enforcement action against those that flypost or graffiti	Cleaner Neighbourhoods and Environment Act 2005
Gifts	Power to accept	Local Government Act 1972, s.139
Highways	Power to maintain footpaths and bridleways. Power to light roads and public places Provision of litter bins Powers to provide parking places for bicycles and motorcycles, and other vehicles. Power to enter into agreement as to dedication and widening. Power to provide roadside seats and shelters. Consent of parish council required for ending maintenance of highway at public expense, or for stopping up or diversion of highway. Power to complain to highway authority as to unlawful stopping up or obstruction of highway or unlawful encroachment on roadside wastes. Power to provide traffic signs and other objects or devices warning of danger. Power to plant trees and lay out grass verges etc. and to maintain them	Highways Act 1980, ss.43,50 Parish Councils Act 1957, s.3; Highways Act 1980, s.301 Litter Act 1983, ss.5,6 Road Traffic Regulation Act 1984, ss.57,63 Highways Act 1980, ss.30,72 Parish Councils Act 1957, s.1 Highways Act 1980, ss.47,116 Highways Act 1980, s.130 Road Traffic Regulation Act 1984, s.72 Highways Act 1980, s.96
Investments	Power to participate in schemes of collective investment	Trustee Investments Act 1961, s.11
Land	Power to acquire by agreement, to appropriate, to dispose of Power to accept gifts of land	Local Government Act 1972, ss.124, 126, 127 Local Government Act 1972, s.139
Litter	Provision of receptacles	Litter Act 1983, ss.5,6

Function	Powers & Duties	Statutory Provisions
	Power to take enforcement action against those that litter	Cleaner Neighbourhoods and Environment Act 2005
Lotteries	Powers to promote	Lotteries and Amusements Act 1976, s.7
Mortuaries and post mortem rooms	Powers to provide mortuaries and post mortem rooms	Public Health Act 1936, s.198
Open spaces	Power to acquire land and maintain	Public Health Act 1875, s.164 Open Spaces Act 1906, ss.9 and 10
Parish documents	Powers to direct as to their custody	Local Government Act 1972, s.226
Telecommunications facilities	Power to pay public telecommunications operators any loss sustained providing telecommunication facilities	Telecommunications Act 1984, s.97
Public buildings and village hall	Power to provide buildings for public meetings and assemblies	Local Government Act 1972, s.133
Public conveniences	Power to provide	Public Health Act 1936, s.87
Sustainable communities	Able to be represented on a panel of representatives to be consulted on proposals that would contribute to sustainable communities	Sustainable Communities Act 2007
Town and country planning	Right to be notified of planning applications	Town and Country Planning Act 1990, Sched.1, para. 8
Tourism	Power to encourage visitors and provide conference and other facilities	Local Government Act 1972, s.144
Traffic calming	Powers to contribute financially to traffic calming schemes	Highways Act 1980, s.274A
Transport	Powers in relation to car-sharing schemes, taxi fare concessions and information about transport Powers to make grants for bus services	Local Government and Rating Act 1997, s.26, 28 and 29 Transport Act 1985, s.106A
War memorials	Power to maintain, repair, protect and alter war memorials	War Memorials (Local Authorities' Powers) Act 1923, s.1; as extended by Local Government Act 1948, s.133

Function	Powers & Duties	Statutory Provisions
Water supply	Power to utilise well, spring or stream and to provide facilities for obtaining water from them	Public Health Act 1936, s.125
Well-Being	Power to well-being of the area (for eligible councils)	s2 and 4 of the Local Government Act 2000

Early engagement with both West Sussex County Council and Chichester District Council to discuss the range of assets and services that may be best delivered locally and the mechanisms by which any transfers take place is strongly advised.

Transfer of assets and/or service delivery could be achieved by several legislative means, although the most relevant will probably be:

Local Government Act 1972 s. 123 & the General Disposal Consent (England) 2003), which allow a local authority to make disposals of land or assets worth less than £2 million at below market rate if the economic, social, environmental or well-being benefits to the community can be evidenced.

Local Government Act 1972 s. 101 which allows a local authority to authorise the discharge of any of their functions by another local authority.

Localism Act (2011) Part 5, Ch2, the Community Right to Challenge, which allows a community organisation to request that certain functions be devolved to them for delivery.

Recommendations:

That a 'holding' letter is sent to the local MP, Leader of WSCC, Leader of CDC, CEO of WSCC and CEO of CDC advising of the role that local councils can play in local government reform, particularly in hyper-local delivery of services and ensuring local representation and accountability.

That Council swiftly identify assets or services that they believe it is in the interests of residents to deliver and manage locally and write to WSCC and CDC expressing an interest in taking on these functions.

That the City Council model the potential costs, income and liabilities of any asset transfers and service delivery so that the impacts upon the precept can be understood.

That we develop an engagement strategy to understand residents appetite for local service delivery vs. the likely impacts this will have on the parish precept.

Case studies

Previous experiences of Town/Parish Councils during past rounds of devolution show that there are generally opportunities to take on local service delivery from the Unitary Authority.

Salisbury City Council took on a large range of local services following the creation of the unitary authority in Wiltshire in 2009 and now manages or provides or offers the following local services:

- [Cemeteries](#)
- [Crematorium](#)
- [Camping and Caravanning Club](#)
- [Services and Amenities](#)
- [Hire an Outdoor Space](#)
- [Apply for Events and Markets](#)
- [Parks and Open Spaces](#)
- [Community Activities](#)
- [Your Salisbury Pantry](#)
- [Community Development](#)
- [Community Spaces](#)
- [Grants & Funding](#)
- [Allotments](#)
- [The Salisbury Place Partnership](#)
- [Climate Change](#)
- [Neighbourhood Plan](#)

Their tax base is 15553.49 households, which is larger than the 12,517.40 of Chichester City Council, but provides a useful comparison.

Their adopted budget for 2025/26 includes a precept demand of £5,943,766 (band D equivalent of £382.15.)

A review of their [budget briefing](#) for this year shows that they have encountered financial pressures and are making significant cuts to some services.

Chippenham Town Council was also created in the 2009 reorganisation of Wiltshire and now run the following facilities and services:

- [The Neeld](#)
- [Chippenham Town Hall](#)
- [Stanley Park Sports Ground](#)
- [Chippenham Museum](#)
- [Yelde Hall](#)
- [Friday & Saturday Market](#)
- [London Road Cemetery](#)
- [Parks and Outdoor Spaces](#)
- [Environmental Services](#)
- [Chippenham Neighbourhood Plan](#)

- [CCTV](#)
- [Christmas in Chippenham](#)

Their tax base is 13635.75 households, which is comparable to the 12,517.40 of Chichester City Council.

Their adopted budget for 2025/26 includes a precept demand of £4,380,925 (band D equivalent of £321.28.)

A review of their [budget briefing](#) for this year shows that they have encountered similar (although less critical) financial pressures with regards to their general reserves and are hoping to manage this via revenue increases, some cost savings and some transfers from other reserves.

[Bridgwater Town Council](#) was created in 2019 as a result of LGR in Somerset and now provide the following services and facilities:

- Ten allotment sites across Bridgwater – for more information [Allotments – Bridgwater Town Council \(bridgwater-tc.gov.uk\)](#)
- Bridgwater Town Hall. The Town Hall consists of a theatre, meeting rooms and offices. The theatre and meeting rooms are available for hire and offices available to rent. For more information [Town Hall – Bridgwater Town Council \(bridgwater-tc.gov.uk\)](#). The Council also owns three commercial units adjacent to the Town Hall, which are leased to tenants.
- Trinity Hall (on a long term lease to On Your Bike).
- Land adjacent to 13 Friarn Avenue -used as a community garden. Location for Civic Society blue plaque (Franciscan Friary).
- 14 Bus shelters around Bridgwater.
- 26 Play areas
- Principal Parks (Blake Gardens, Victoria park, Eastover/Cranleigh Gardens, Mansfield, Coronation
- King Square
- St Matthews Field
- Provides Somerset Council funding for Blake Gardens Toilets.
- Owns and operates Blake Museum and the Old Mill with the assistance of volunteers.
- Re Creation Community Hamp located at Rhode Lane, Hamp.
- [Cemeteries at Quantock Road and Bristol Road](#).
- Responsibility for street cleaning, including road sweeping, drain and gully clearing and fly tipping
- Hosting of Bridgwater Town Team.
- Creation and publication of various tourism leaflets and annual calendar.
- Provide grant funding to local organisations and community centres in Bridgwater.
- Comment on local planning applications
- Organise Bridgwater Fair and West Street Market
- Own and organise the Christmas lights in Bridgwater Town centre and organises the Christmas lights annual switch on and Christmas Market ‘Snowflakes’
- Organise community events

- Liaise with local groups and other local authorities, such as the local police, neighbouring Parish Councils, and Somerset Council
- Look after the community's interests generally, such as renewing the town signs

Their tax base is 10,399.12 households, which is comparable to the 12,517.40 of Chichester City Council.

Their proposed budget for 2025/26 includes a precept demand of £4,295,401 (band D equivalent of £413.05.)

A review of their [budget briefing \(p. 38\)](#) for this year shows that they have also encountered financial pressures with regards to their general reserves and are cutting some services and budgets in response to this. The reason for the shortfall seems to stem largely from the creation of the Council and transfer of assets process, when inadequate budgetary provision was made by the Unitary authority for the costs and liabilities that the new council would be incurring.

[Taunton Town Council](#) was also created in 2019 as a result of LGR in Somerset and now provide the following services and facilities:

- [Allotments](#)
- [Parks and Play Areas](#)
- [Public Conveniences](#)
- [Promo Space](#)
- [Pitch Bookings](#)

Their tax base is 20,186.95 households, significantly larger than Chichester City Council.

Their proposed budget for 2025/26 includes a precept demand of £6,571,886 (band D equivalent of £325.55.)

A review of their [budget briefing \(p.19\)](#) for this year shows that they have also encountered financial pressures with regards to their general reserves and cutting some services and budgets in response to this. The reason for the shortfall seems to stem partially from the creation of the Council and transfer of assets process, when inadequate budgetary provision was made by the Unitary authority for the costs and liabilities that the new council would be incurring, combined with the fact that the services devolved to Taunton Town Council did not include sufficient functions and assets that generated an income. This leaves them largely reliant upon their precept to cover the vast majority of their running costs.

Proposed letter to be sent to local MP, leaders and CEO's of WSCC and CDC.

This response has been developed by the Large Town Councils Clerks forum, an informal national grouping of Clerks representing parishes with precepts over £1million per year.

The Case for Strengthening Parish and Town Councils in Response to the Government's Devolution White Paper

The recent publication of the government's English Devolution White Paper marks a pivotal moment in reshaping the balance of power across England's communities. Angela Rayner, Minister for Homes and Communities, articulated this ambition clearly when she stated:

"Our English Devolution White Paper will be a turning point when we finally see communities, people and places across England begin to take back control over the things that matter to them."¹

While the focus on devolving powers is to be welcomed, this process mustn't overlook the fundamental role parish and town councils already play, will continue to play, and could play in representing the needs of local people. These councils are uniquely placed to provide communities with a direct, democratic voice and ensure that decision-making is genuinely 'local,' delivering control over the issues that matter most to residents.

The Value of Parish and Town Councils

Parish and town councils are the closest tier of government to the people. They are agile, responsive, and deeply embedded in their communities. Unlike district, unitary, and county authorities, which can be remote and unfamiliar with the nuances of smaller localities, parish councils operate at a scale that allows them to deliver services and advocate for their areas with unmatched local knowledge.

Parish and town councils are the only tier of authority where residents contribute funding directly to services within their own communities and can see for themselves how that funding is being spent. By contrast, principal authorities pool resources across much larger areas. While this can provide scale for strategic services, it often results in decisions that fail to reflect the priorities of smaller, distinct communities. On the other hand, parish councils operate with precision and value for money, targeting resources exactly where they are needed and avoiding inefficiencies inherent in larger governance structures.

At the same time, it is important to acknowledge that parish and town councils vary widely in size, capacity, and budget. Some excel in their responsibilities, while others face challenges related to performance and perceptions of lack of capacity to deliver more. These disparities must be addressed for devolution to the lowest tier to be successful. The National Association of Local Councils' (NALC) Local Council Award Scheme provides a useful benchmark, recognizing high-performing councils and instilling confidence in their ability to take on devolved powers. Legislation could grant additional powers to councils that demonstrate efficacy under such frameworks, encouraging others to improve and creating a more level playing field across the sector.

¹ <https://www.gov.uk/government/news/devolution-by-default-to-create-new-era-of-local-power>

Additionally, the use of national buying frameworks could facilitate opportunities for parish and town councils to deliver more effectively by improving access to competitive procurement options for services and assets.

Local Issues and the Struggle for Representation

There are countless examples across the country where local communities have struggled to have their voices heard by higher tiers of government. All too often, local issues are escalated to districts or counties where decision-makers lack the local knowledge required to act effectively. Whether it's a dispute over a planning matter, a boundary change, or infrastructure investment, distant authorities often struggle to grasp the specifics of place-based needs.

For instance, communities have faced frustration with the process of forming new parish and town councils, where decisions on the creation of new councils are made at district level, sometimes without regard for local wishes. Examples have seen campaigns covering many months undertaken to acquire the support of local people for a truly representative tier, only for this community right to be dismissed with often trivial justification. Similarly, the right to bid under the Localism Act, designed to enable communities to save assets of community value, such as public houses, has often proven toothless in practice, with freeholders stonewalling or simply riding out moratorium periods. The government's move to make this a right to buy instead of a right to bid is therefore most welcome, as it would provide communities with greater power and certainty in securing valued local assets. Without stronger community representation, local councils risk remaining powerless in the face of decisions at unitary level that impact residents directly.

Reframing the issue of Double Taxation

The issue of service overlap and accountability is often vocalised as “double taxation.”, particularly noticeable between large parishes and small districts. In reality, the challenge lies in clarifying roles and responsibilities between parish and principal councils to avoid duplication and ensure fair contributions at the most appropriate level. Parish services have invariably grown out of local demand or articulation of the needs of that distinct community. This is a compelling example of true devolution at work and enables each parish to decide at a local level what support they require to help their community thrive. However, ‘special expenses’ for initiatives could ensure that key resources are distributed equitably and transparently. Moving to a fully parished model in areas without parish councils would ensure consistent representation and accountability at the most local level.

The Importance of the Community Infrastructure Levy to support local infrastructure

The provision of 15% of the Community Infrastructure Levy (CIL) to parish and town councils, enhanced to 25% on the completion of a Neighbourhood Plan, has been instrumental in delivering vital infrastructure investments related to local developments. This mechanism ensures that resources generated by development activity are reinvested in the communities most affected, enabling the creation or improvement of community facilities, parks, and other essential services. As the government considers the introduction of a Mayoral Levy, it is crucial that town and parish councils retain their local proportion of CIL to continue addressing the specific needs of their communities. Furthermore, this mechanism should be uniformly extended to all parishes across the country to ensure equitable access to funds for local infrastructure development.

A Solution to Housing Development Management Companies

The reliance on private management companies for new housing developments presents a growing concern. These companies frequently levy service charges that exceed council tax while failing to deliver both accountability and value for money. Parish and town councils offer a viable, democratically accountable alternative for maintaining public spaces and amenities in such developments. By transferring responsibility to parish councils, potentially supported by unitary councils in urban areas, residents would benefit from improved service delivery and greater financial transparency.

Additionally, enabling parish and town councils to manage affordable housing within these developments could prioritize local needs and help retain younger generations within their communities. Establishing a legal framework that gives parish councils first refusal on public amenities and green spaces in new developments would also ensure these resources remain accessible and well-maintained.

Looking Back but Moving Forward: A Fully Parished England

Historically, parishes have played an essential role in local governance. While there may have been a decline in parish coverage in some areas, such as London, the number of parishes and the proportion of the population they serve have increased in many areas since the 1974 Local Government Act. This growth demonstrates the enduring relevance and adaptability of parish councils in meeting community needs. Indeed, in some areas, the emergence of large town councils has filled the void left by the abolition of Urban Borough and Rural District Councils in 1974, where towns, places, and communities lost their local representation. If the government is serious about continuing the trend toward larger unitary authorities, the solution to ensuring effective representation for local people and places must rest in creating a two-tier system of local government. This would involve second-tier unitary councils representing large populations, based on the ideologically preferred model of around 500,000 residents, with parish and town councils as the first tier, representing distinct towns, places, and communities at a hyper-local level.

As a properly acknowledged first tier of local government, a fully-parished country would ensure that every community has access to representation, accountability, and local focus. It would empower local people to influence decisions that affect them most and ensure that no community is left behind. This approach could also reinvigorate local governance, helping to reverse increasing frustration and apathy toward politics by reconnecting people with decisions that directly impact their lives.

A Turning Point for Local Democracy

The government's devolution agenda represents a real opportunity to redefine local governance in England. However, this opportunity will only be fully realised if parish and town councils are recognised as integral to the solution. Strengthening and expanding parish councils would enable communities to make decisions locally, delivering on the promise of subsidiarity and empowering residents to shape the places where they live.

If the government is serious about creating a turning point for local democracy, parish and town councils must be at the heart of its vision. Communities know best what their priorities are and empowering them through their parish councils will ensure that England's devolution journey truly delivers for people, places, and communities.