

Proposed Decision to be made under the Council's Urgency Procedure by the Leader on 10 January 2025 English Devolution White Paper - County Council elections 2025

Portfolio Holder	Leader of the Council
Date of decision	10th January 2025
	Signed

1. Decision taken

That the Leader of the Council responds to the Minister of State for Local Government and English Devolution signalling the County Council's willingness to be considered for delivering local government reorganisation and devolution to the Government's ambitious timeframe and recognising that, as a consequence, the Government may decide that it is necessary to postpone the May 2025 County Council elections.

2. Reasons for decision

- 2.1 On 16th December 2024, the Government published a policy paper entitled 'English Devolution White Paper'. The White Paper focuses on two aspects of reform (i) widening devolution across England through, where necessary, the creation of new Strategic Authorities to which centrally held Government powers would be devolved and (ii) a programme of local government reorganisation to create new unitary Councils, both of which are considered by the Government to be essential to driving its growth mission and delivering better outcomes for residents. The White Paper confirms that the Government intends to work at pace and to ambitious timeframes in the delivery of devolution and local government reorganisation.
- 2.2 Recognising that County Councils in England are scheduled to have elections in May 2025, the White Paper indicates that the Government would consider taking decisions to postpone local elections. This is particularly the case where the timing of elections affects planning for devolution, particularly alongside local government reorganisation proposals.
- 2.3 The Minister of State for Local Government and English Devolution therefore wrote to Warwickshire County Council on 16th December 2024, along with other upper

tier Councils across the Country, asking for a view on or before Friday 10th January 2025 regarding the potential postponement of the May 2025 County Council elections. A response is requested by this date to enable the laying of the secondary legislation necessary to affect a postponement with sufficient time for the legislation to be passed and come into force before the local elections are due to be announced in March 2025.

- 2.4 There are two options open to the Council in considering the request from the Minister of State for Local Government and English Devolution (i) Not to respond and await an indication from Government in the New Year as to which Councils it intends prioritising for devolution and local government reorganisation (ii) To respond to the Minister of State setting out whether the County Council would wish for Warwickshire to be considered for delivering local government reorganisation and devolution to the Government's ambitious timeframe and as a result whether it would be open to the postponement of the elections.
- 2.5 Not to respond to the letter from the Minister would mean that Warwickshire would be unlikely to be considered in the first tranche of Councils moving forward at pace with devolution and local government reorganisation. It would also mean that Warwickshire would be less well placed to influence the Government's proposed timescales and would have less opportunity to influence and shape the geographical landscape of devolution and reorganisation within which Warwickshire sits. Given that Warwickshire has already secured a Level 2 Devolution Deal with Government, Warwickshire is well placed to amplify and accelerate its devolution aspirations for the County, delivering growth for the local economy and benefits for residents. Not to respond would potentially be a lost opportunity for Warwickshire to be part of and benefit from deeper devolution arrangements with Government, through alignment with a Strategic Authority, which reorganisation could help to drive, and which could optimise the benefits for Warwickshire. Being part of early dialogue in relation to this would also provide the opportunity to influence and shape future arrangements at a strategic level. The options for Warwickshire would likely be more limited if Warwickshire moves at a slower pace, by which time arrangements in surrounding areas will likely have been already settled and implementation underway.
- 2.6 Responding proactively and positively to the Minister places Warwickshire in an optimal position in that it retains options for Warwickshire to move forward at a faster pace and with the opportunity to shape and influence future decisions at an early stage.
- 2.7 It is recognised that decisions as to future devolution and local government reorganisation will require significant engagement with the District and Borough Councils, local partners and other local stakeholders, in addition to further member decisions being required. However, at this stage, indicating a willingness to move forward and an openness to the postponement of the 2025 County Council elections preserves Warwickshire's position should Government be minded to prioritise Warwickshire for reorganisation and devolution. Should the Minister decide to implement legislation to postpone the elections, this would place

Warwickshire in a strong position to respond most swiftly to the Government's agenda as set out in the White Paper.

3. Reasons for urgency

- 3.1 In light of the timescale set by the Government for a response (on or before 10th January 2025) the proposed decision is urgent and cannot reasonably be deferred. For the reasons set out below, it is considered to be impracticable to comply with Council Standing Orders 16 and 17 and to also meet the Government's deadline for a response.
- 3.2 It is of note that the Government's correspondence was received on 16th December 2024, following which it has been necessary to engage in dialogue and to seek advice from officers before a decision could be taken. This, together with the public holidays over the period, has meant that it has not been possible for a Leader report to be prepared in sufficient time for a key decision to be added to the Forward Plan in the usual way.
- 3.3 Although the decision to postpone elections is a matter for Government, by not responding by the Government deadline of 10th January 2025, Warwickshire would be unlikely to be considered in the first tranche for devolution and local government reorganisation. This could be disadvantageous to Warwickshire's economic growth, residents, local communities and businesses.
- 3.4 To meet the Government's timeframe for a response, an urgent decision pursuant to Standing Order 18 is therefore needed. The decision is urgent because if the Council were not able to implement the proposed decision with immediate effect, this would seriously prejudice the Council and the public interest in that it would not afford Warwickshire the best chance of securing advantage through early implementation of the Government's White Paper policies.

4. Background information

- 4.1 The Minister of State for Local Government and English Devolution has requested a response regarding the issue of the local elections on or by 10th January 2025. In submitting a response, the Government has asked the Council to set out how postponing the election would enable the Council to make progress with reorganisation and devolution in parallel on the Devolution Priority Programme or would speed up reorganisation and enable the area to benefit from devolution as quickly as possible once new unitary structures are in place.
- 4.2 The decision whether to postpone the elections falls to the Government and is not a decision for the County Council. Based on the County Council's response, the Government will decide whether to postpone the County Council elections in Warwickshire taking into account the extent of the County Council's commitment to devolution and reorganisation. If such a decision is taken, it is envisaged that the

elections would be postponed for a year to May 2026, however it would be open to the Government to postpone the County Council elections for a longer period.

- 4.3 Under the Equality Act 2010 public sector bodies have a duty to consider the public sector equality duty (PSED) in their decision making. The purpose of the PSED is to ensure that bodies carrying out public functions think about how they can promote equality in every aspect of their day-to-day business. The PSED has been considered in the context of the proposed decision set out in this report. Given that the issue under consideration (i.e. whether to postpone the County Council elections in 2025) affects all those of voting age to the same extent and has no greater or lesser impact on the proportion of the electorate who have a protected characteristic, it is not considered that there are any equalities implications that have a particular bearing on this decision. A detailed Equalities Impact Assessment is attached to this report at Appendix 1.

5. Financial Implications

- 5.1 The District and Borough Councils in Warwickshire deliver the elections for and on behalf of the County Council. The County Council meets the costs of the elections and reimburses the District and Borough Councils for the costs incurred which include costs such as printing, postage, the hiring of venues and reimbursement of Returning Officers and polling staff.
- 5.2 Preparations for the 2025 County Council elections are already underway across the District and Borough Councils in Warwickshire with certain costs having already been incurred and others expected to be incurred in advance of the election being called in March 2025.
- 5.3 Therefore, there may be abortive costs arising in the event that the Government decides to postpone the elections. At this point in time, and without further engagement with the District and Borough Councils, it is difficult to assess what those costs would be. Should it become necessary, the Council will engage with the District and Borough Councils regarding the level of any abortive costs and how they might be met, taking into account the available budget at that time and the expected profile of elections expenditure moving forward. In the meantime, this matter will be kept under careful review in line with any Government direction on the issue, which will affect a number of counties, and with a view to minimising such costs should the Government decision be to postpone the elections.

6. Environmental Implications

There are no environmental implications associated with this report.

Report Author

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Urgent matter?	Yes
Confidential or exempt?	No
Is the decision contrary to the budget and policy framework?	No

List of appendices

Appendix 1 - Equalities Impact Assessment
Appendix 2 – Consent to Urgent Decision Notice

List of background papers

None

Members and officers consulted and informed

Leader of the Council – Councillor Izzi Seccombe

Corporate Board

Legal – Nic Vine – Head of Legal and Governance

Finance – Liz Firmstone - Head of Operational Finance Services

Equality – Lucy Gillings – Service Manager – Workforce Development

Democratic Services – Deb Moseley - Team Manager - Democratic Services

Councillors – Group Leaders of the political parties

Local Member(s): N/a. This is a county wide matter