

LOCAL GOVERNMENT: THE BEGINNING OR THE END?

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Having given considerable thought to this paper, I decided to call it “Local Government, the Beginning or the End?” Over many years those of us involved in local government have seen all over the world the effects of national government modifying, amending, re-organising or tinkering with local government. In the main this has proved a recipe for disaster.

In this paper today I want to address British local government, its impact on the people it serves, its potential, its excesses and its failures. Local government in England has, of course, evolved. In the City of London, the most ancient British municipality, for example, we know that the first office was that of Sheriff, dating back from before the Norman Conquest. He was a royal official responsible for the maintenance of peace and the collection of taxes and, until the twelfth century, he was appointed by the King. In 1199 the citizens of London acquired the right to elect their own Sheriffs and, about the same time, it acquired a new officer known as the Mayor, the head of the sworn association of citizens known as the Commune. This was almost certainly based on models of certain European cities, particularly in France and Italy. The first Mayor of London, as we all know, took office about 1189. In 1215 the citizens of London acquired the right to choose a Mayor annually, subject to royal approval. The Mayor was one of the Aldermen of the City, originally twenty-four in number, who each governed a ward of the City and collectively formed a body known as the Court of Aldermen which effectively ruled the medieval City. Occasionally a larger group of citizens was summoned to assist them and this was the basis of the Court of Common Council, which evolved to become the leading unit of local government in the City, although the Court of Aldermen still continues, with its members fully represented in Common Council.

As the Council developed, full-time staff had to be appointed to carry out the decisions of its members. In the medieval City, the Chamberlain was the most important official with a wide range of financial, administrative and legal responsibilities. However he was soon joined by the Town Clerk. It is interesting to note that in King Henry VIII's reign in 1540, the Town Clerk's fee was £20, but, additionally the medieval Town Clerk had his money supplemented with many fees and rewards, many of which are not recorded. Although still known in the City as the Town Clerk, the duties of the office at the present day have expanded to embrace those of City Manager and Chief Executive.

Over the centuries, local government in England continued to grow in a haphazard way well into the 19th century. In 1835 the Municipal Corporations Act put legislation in place to define the constitution, powers and duties of local government. This was done after a Royal Commission had been established and had reported. It is interesting, of course, to note how many times Royal Commissions have been appointed to look into local government over the years, particularly recent years.

Even in the 1830s the City of London emerged almost entirely untouched as it was seen as being democratic. Our resident population at that time was over 130,000, but this reduced rapidly to 27,000 by 1901. One of the reasons that legislation became necessary in London was because of the development need for urban transport, still of course one of our major problems today. London had expanded rapidly outwards into the countryside around it, where the only vestiges of local government were run through the vestries of the Parish Council. This was totally inadequate when having to deal with urban areas which included, for example, the London docks, where housing, roads, lighting and sewage were needed, so that it was in 1855 that the Government set up a body called the Metropolitan Board of Works. This was an appointed body, a quango which lasted until 1888.

It was in that year that the first real stage of local government was introduced with the creation of a local authority called the London County Council. This was an elected body delegated to carry out strategic functions for the whole area of London - how many times have we heard that phrase used! Twelve years later, in 1900, the metropolitan boroughs were created, twenty-eight in all, to render services such as road sweeping, refuse disposal and the like directly to the residents. Thus the system of two-tier local government came into being which is, of course, what we have today. This has been a recipe for conflict between the larger and the smaller.

After the Second World War, for various reasons, the National Government in 1957 appointed a Royal Commission to look into local government for Greater London, the Herbert Commission. Its terms of reference were "to examine the existing system and working of local government in the Greater London area and to recommend any necessary changes in local government structure and the distribution of local authority functions in that area in order to secure effective and convenient local government". It reported in 1960. The conclusions of the Commissioners were that, as London had gone on growing throughout the century, this had to be recognised in its government. A line was drawn around the built-up area and this was called Greater London. It covered approximately 610 square miles and within its boundary was a third of the rateable value for the whole of England and within it lived one sixth of the total population.

For us in the City it was highly relevant because it was in that report where it described the City of London and I quote:

"If we were to be strictly logical we should recommend the amalgamation of the City and Westminster but logic has its limits and the position of the City lies outside them. ... The City is in other respects unlike any other municipality. Its wealth, its antiquity, the enormous part it has played in the history of the nation, its dignity, its traditions and its historical ceremonial make the City of London an institution of national importance".

It then went on to comment on such things as the Lord Mayor's Banquet being a traditional occasion, with speeches of world importance. The presentation of the Freedom of the City was one of the highest compliments England can show to distinguished visitors, heads of state and heads of government and its traditions could not be more needed. Praise indeed for the City and, I would add, as relevant today as it was then in 1960.

Following the Herbert Report, one hundred and seventeen different units of local government, such as metropolitan boroughs, rural district councils, county boroughs and parish councils, were joined together. In their place, but retaining a two tier structure, was created the Greater London Council as the strategic authority, together with the thirty-two London Boroughs and the City, all of whom would provide direct services. The primary units came into being on the first of April 1965, a significant date. Another Royal Commission followed in the 1960s, the Redcliffe Maud Commission, following which local government for the rest of England and Wales was re-organised on a similar two-tier basis in 1974, with shire counties over district councils in the rural areas and metropolitan counties with metropolitan districts in the larger conurbations, such as Merseyside and the West Midlands. In all fourteen hundred local authorities were replaced by three hundred and seventy-six.

As this was all happening, another phenomenon had occurred in England. Party politics had firmly arrived in local government. Local government elections were now dominated by political parties. Councillors were elected under a party label and were much more highly politically motivated, particularly in the conurbations. Council elections were now starting to reflect not just local events but also national politics. Swings in control of local authorities reflected swings in the popularity of the National Government and, indeed, some very violent swings took place. Non-party local government had gone for ever, except in the City. This, of course, led to an inevitable clash between a National Government of one political persuasion and a local authority of another. This was evident so clearly under the Thatcher administration with the Greater London Council. In a way this really might not have mattered terribly, but for the amount of money and resources that local government was by then using. In 1958, for example, total local government expenditure was £1,732 million. By 1985 it had risen to £31,475 million and in the year 2002 to £69,600 million. In man-power terms, the numbers that were being employed in local government had risen from 1.63 million in 1958 to 2.2 million in the year 2000, making local government the largest single employer of labour of any sector within England.

So now the crunch was approaching very rapidly. Did National Government control local government or was local government controlling National Government and, indeed, a National Government of any political persuasion? It was then, for example, that a Labour Secretary of State for local government, Tony Crossland, used the phrase now famous in local government circles "the party is over" when he started to apply spending curbs, and it was in London that the focus and confrontation became apparent.

It is worth recalling that the Greater London Council, which had been formed with what was then an attractive concept of being a strategic authority, similar to the old London County Council, responsible for such matters as overall transportation and overall planning infrastructure, had suddenly turned itself into a day to day authority dealing with such mundane matters as pedestrian crossings, grants to diverse groups such as sports and arts organisations, women and ethnic groups etc. By 1985 it had an annual budget of £745 million, bigger than that of many countries. It is also worth recalling that the Council regularly called in for referral, almost at will, planning

applications from the boroughs below it. Is this what we are going to see with the Greater London Authority, I wonder?

Concurrent with all these events in the 1980s was government legislation which forced local government in England to become enablers rather than providers of a service and we saw compulsory competitive tendering for a large range of services, such as street cleansing, refuse collection and the maintenance of public open spaces, being brought in. Competitive tendering was made compulsory to prevent political authorities from sabotaging the principle. Certain guidelines and rules were laid down to ensure that both in-house and private firms competed on equal terms. Now, of course, the process has been re-labelled "Best Value".

Local government managers had to cope with all this and, in addition, a stream of legislation and erosion of powers, not to mention the infamous poll tax. Although the principle behind the tax was ideologically sound - everyone should pay something towards the local services which they use - it could not be translated into practicality. The cost of collecting the tax went up by over 100% and, in some areas, only 50% was collected. It led to riots and cost the then government a lot of support in the country. Eventually there was a return to a property based tax.

In 1986 we had the Widdecombe Committee Enquiry which was set up to look into the problems of politics and indeed scandals in local government. Even today its report makes fascinating reading, dealing as it did with delegation of decisions to Chairmen of Committees, rights of minority parties, a code of conduct, remuneration and, perhaps the most important then, the question of twin-tracking. At that time it was highly prevalent that a politically elected member of one authority would be a paid non-political official at another. Perhaps Edmund Burke's words are indeed appropriate- "As you have been once intoxicated with power and have derived any kind of emolument from it, even though but for one year, can never willingly abandon it".

As I have said already, National Government interference with local government is endemic and has continued until this day. This is clearly reflected in the percentage of local government expenditure coming by direct grant. In 1958 it was 66% and by 2001 it was 81%. In that time therefore locally controlled expenditure dropped from 34% to 19%, clearly showing who is paying the piper.

After the abolition of the Greater London Council we then saw the introduction of the Government Office for London, various boards and quangos. Now the wheel has turned full circle to the election of a new strategic authority, the Greater London Authority, only this time with an elected Mayor, instead of a self-elected Chairman. Here again we see the impact of National Government policies on local government. Cabinet government or elected Mayors is now the alternative which local government is being offered, leading to a sidelining of the locally elected councillor, What does he or she do? What is he or she meant to do? Scrutinise.

The question is now being discussed of a further re-organisation with regional local government. But then, what of Europe? If we become part of federal Europe, will the national parliament be demoted? Will it have enough work to do? Will it want to take over more functions of local government? Will the wheel turn even further to see a

resurgence of smaller councils, able to react quickly to local needs? Will local government become more relevant to local people so that we shall see a higher turnout at elections and local people taking more interest in local government -back in time to the old parish council to which I referred earlier.

Underlining all this is the question of resources and, indeed, government legislation. With more and more legislation, putting more and more duties and responsibilities on local authorities without proper funding, local government is put into an almost impossible situation, with less control over its own monies and with more central grants.

But even with all this national government interference over many years, local government has served its residents well. In the end I would quote the famous words Winston Churchill uttered in 1942, namely "This is not the end, it is not even the beginning of the end - it is perhaps the end of the beginning".