**Council of Europe Peer Review of Local Democracy in the UK**

**Purpose**

For information and discussion.

**Summary**

This report summarises the recommendations of the Council of Europe regarding local democracy in the UK.

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| **Recommendation**  Members are asked to note the report.  **Action**  Officers to take action as directed by Members. |

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**Council of Europe Peer Review of Local Democracy in the UK**

**Background**

1. This Board has discussed the Congress “peer review” of UK local and regional democracy on several occasions. To briefly recall, the purpose of the European Charter of Local Self-Government is to identify common European standards for measuring and safeguarding local democracy. The Charter commits central governments to applying basic rules guaranteeing the political, administrative and financial independence of local authorities.
2. Specifically, the Charter sets out the principles of local self-government: it defines the concept and establishes principles governing the nature and scope of local authorities' powers; ensures that they have autonomy as regards their administrative structures and access to competent staff and defines conditions for the holding of local elective office.
3. Two major articles aim at limiting administrative supervision of the activities of local authorities and ensuring that they have adequate financial resources at their disposal on terms which do not impair their basic autonomy.
4. As a long-established democratic state, the UK has only been evaluated once before (in 1998), whereas the newer democracies of Central and Eastern Europe are assessed more frequently. Assessment is on the basis of peer review, and likewise compliance with Congress recommendations is based on peer pressure.

**2014 report**

1. In March 2014, the Congress adopted its report on the situation of local and regional democracy in the United Kingdom. Their report was drafted by elected politicians from outside the UK and was based on two fact-finding visits to London, Leeds, Scotland and Wales, involving meetings with LGA members, local councils, Ministers and peers, and civil servants.
2. The LGA commissioned an external evaluation by Jeremy Smith, a barrister by profession and with extensive knowledge of UK local government, the Council of Europe and the Charter. His findings were largely consistent with LGA policy on for greater localism, and were adopted by the LGA as its submission to the Congress Review.
3. The Congress report expresses satisfaction that the UK is - in general - in compliance with the obligations taken under the Charter and that compared to the last evaluation in 1998 the situation has improved, notably through the devolution process. As regards consultation procedures, the report welcomes the successful partnership approach adopted in Scotland, Wales and Northern Ireland.
4. The Congress notes some areas of concern, particularly as regards the financial resources of local authorities in England, their limited taxing powers and their dependence on government grants. It also underlines that there are ambiguities that need to be addressed in areas such as the lack of recognition in law of the right to local self-government, and the limitation of local authorities’ discretion to manage local affairs through the intervention by various ministries of central government.
5. The Congress therefore invites the Government to consider the various existing codification proposals for local government in England in order to strengthen the position of local authorities. They recommend that the Government takes measures to reduce the financial burden on local authorities arising from budget cuts and indebtedness, and reinforce the role of elected office holders by improving their status. They encourage the UK authorities to update their declaration concerning the scope of the application of the Charter to include the Greater London Authority (GLA) as well as Northern Ireland.
6. The Congress peer review provides an independent evaluation of a number of the objectives in the LGA’s *Rewiring* campaign.
7. The Congress recommendations are not binding on the UK Government; however their compliance with them will be assessed in a future report. The Congress recommendations can be accessed here: [www.coe.int/t/Congress/](http://www.coe.int/t/Congress/).

**Next steps**

1. Two Board Members, Cllr Reid and Cllr Batson, are also Members of the Congress delegation. They were present in the Congress Chamber when the report was agreed and they will report back at the Board meeting.
2. Members may wish to discuss how the recommendations of the report can be pursued with the Department of Communities and Local Government (DCLG) and through discussions with partners and LGA Vice Presidents.