

## **A Unitary Council for Buckinghamshire: implications for the Authority**

### **Background**

The current structure of local government in Buckinghamshire dates back to 1974 when the provisions of the Local Government Act 1972 came into force establishing a two tier system comprising of a county council and five district councils. This was subject to further modification in 1997 following implementation of recommendations made by the Banham Commission<sup>1</sup>. This led to the formation of a unitary council for Milton Keynes district which took responsibility for services previously provided by Buckinghamshire County Council (BCC), leaving a county and four district councils structure in place for the remainder of Buckinghamshire. The change also resulted in the formation of Buckinghamshire and Milton Keynes Fire Authority (BMKFA)<sup>2</sup> to provide fire and rescue services across the two 'top tier' local government areas that were previously provided by BCC.

A number of factors are creating an impetus for further changes to the organisation of local government both locally and nationally. These include:

- Substantial and continuing reductions in central government grant funding for local government bodies as part of the Government's fiscal consolidation strategy to deal with the budget deficit that emerged in the wake of the 2008 banking crisis. This has led to the long term financial sustainability of two tier local government arrangements being questioned in the search for more efficient and economical ways of providing local public services;
- Increasing demand for local government services arising from demographic changes, in particular a growing and ageing population profile in many local government areas;
- The political and legislative impetus to devolve power from central to local government in England;
- The creation of new local government entities to facilitate the transfer of power from national to local government level and / or consolidate existing powers and services already held at local level e.g. Local Enterprise Partnerships (LEPs), Police and Crime Commissioners (PCCs), Combined Authorities;
- Recent devolution 'deals' already agreed between central government and new or existing local government bodies (e.g. the formation of new 'combined authorities' in metropolitan areas such as Greater Manchester and Merseyside).

### **The case for a unitary council for Buckinghamshire**

A number of studies into the potential benefits of reorganising local government in Buckinghamshire have been produced in recent years. In September 2014

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<sup>1</sup> Local Government Commission for England, chaired by John Banham

<sup>2</sup> Established by the Buckinghamshire Fire Services(Combination Scheme) Order 1996 which requires member appointments to BMKFA to be made from councillors from BCC and Milton Keynes Council <http://bucksfire.gov.uk/files/5414/0439/0308/CombinationSchemeOrder.pdf>

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'Bucks Business First' commissioned Ernst & Young to identify the potential savings that could arise from consolidating the existing district and county councils into either a single or multi-unitary model<sup>3</sup>. Aylesbury Vale District Council (AVDC) has also published a study, undertaken by LG Futures, making the case for a two unitary council model in place of the existing county and districts<sup>4</sup>.

In May 2016 Buckinghamshire County Council (BCC)'s Leader invited the four district councils to work with the County Council to explore and evaluate all potential options for local government reorganisation including ones based on a district level unitary model. However, the districts declined the invitation to participate and instead commissioned Deloitte to undertake a separate study on their own behalf - the outcome of which is pending publication. In the meantime BCC has published the findings of its own evaluation<sup>5</sup> which favour the establishment of a single unitary authority for the county. The findings received the backing of BCC's Cabinet on 19 September 2016 who also agreed to write to the four district councils informing them of the Business Case and to seek a consensus from them on its conclusions. The case for a single unitary authority was also approved by the full council on 22 September 2016 and the Council Leader given authority to approve minor amendments to the document and submit the Business Case to the Secretary of State for Communities and Local Government for a decision.

### **Implications for BMKFA**

BCC's study does not identify any specific implications for the organisation of fire and rescue services within the county and it is not envisaged that the creation of a unitary structure at either county or district level would, of themselves, necessitate any fundamental changes to the existing governance and organisational arrangements for fire and rescue services which could be accommodated by the Fire Authority in much its present form<sup>6</sup>.

However, the creation and transition to a new unitary structure would present potential opportunities and risks to the Authority in relation to its operations. These largely arise from changes to the organisation and delivery of related services currently provided at county or district level. The current configuration of council services is summarised overleaf.

<sup>3</sup>[http://www.communityimpactbucks.org.uk/data/files/Strategic\\_Financial\\_Case\\_for\\_Local\\_Government\\_Reorganisation\\_in\\_Buckinghamshire\\_v1.0.pdf](http://www.communityimpactbucks.org.uk/data/files/Strategic_Financial_Case_for_Local_Government_Reorganisation_in_Buckinghamshire_v1.0.pdf)

<sup>4</sup><http://democracy.aylesburyvaledc.gov.uk/documents/s4014/Aylesbury%20Vale%20-%20Unitary%20business%20case.pdf>

<sup>5</sup><https://democracy.buckscc.gov.uk/documents/s85760/MLGBusinessCaseExecSummaryFINAL.pdf>

<sup>6</sup> However, these could be triggered by changes elsewhere in the Thames Valley such as the potential formation of a unitary council for Oxfordshire at county or district level which could have implications for the governance and provision of fire and rescue services currently operated by the county council. These arrangements are currently the subject of debate within Oxfordshire with the County Council and district councils presenting differing visions for the future of local government within the county based on a unitary model at county or district level respectively: [Independent study of public service reform options](#), OCC, April 2016.

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### Current Distribution of Service Responsibilities

Buckinghamshire County Council	District Councils
Adult Social Care	Leisure
Children's Services	Waste Collection
Highways and Transport Planning	Housing & Planning
Education (schools admission and transport, special educational needs)	Environmental Health
Emergency Planning	Emergency Planning
Libraries	Council Tax Collection
Waste Management	Street Cleaning
Public Health	Benefits Payments
Trading Standards	Homeless Support
Strategic Planning	Voter Registration

#### Current or potential areas for fire and rescue service collaboration

Although the BCC business case for consolidating all of these services within a single unitary structure does not identify many specific implications for services provided by BMKFA, it does consider potential benefits for a range of stakeholders including partner organisations as shown below.

- Less complex partnership working landscape, with aligned boundaries;
- Single local government authority to talk to;
- Efficiencies through collaboration at scale on a Buckinghamshire platform;
- Consistent set of messages from local government in Buckinghamshire about priorities;
- Single voice to represent Buckinghamshire's interests at national and regional levels<sup>7</sup>.

However, the BCC study does identify the advantages of a "single county-wide team for Emergency Planning, Resilience and Business Continuity with better links to the Fire and Rescue Service through one stronger partnership"<sup>8</sup>.

Whilst not consulted by BCC in advance of drafting its business case, BMKFA officers recognise these potential benefits and have also identified a number of

<sup>7</sup> Modernising Local Government in Buckinghamshire: Business Case, September 2016, p.13

<https://www.buckscc.gov.uk/media/4340690/Draft-Business-Case.pdf>

<sup>8</sup> Ibid. P.76

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other opportunities for more efficient and effective working which fall out of these. These are considered below and, at this early stage, are indicative rather than definitive of the sorts of opportunities and benefits that may arise in the event that approval is given to BCC to proceed with implementation of the proposals for a single county level unitary council.

### Potential Benefits and Opportunities for BMKFA

- A single vision for Buckinghamshire that integrates strategic and local planning would provide the Authority with a clearer context in which to undertake its own strategic planning;
- Potential harmonisation of approaches to policy and decision making in areas such as licensing, planning, building control and regulation, and environmental health leading to a simpler and more predictable operating environment.
- The streamlining of data sharing arrangements with the potential to consolidate these into a single framework of agreements. This could:
  - improve our ability to identify and help vulnerable people falling within the scope of our prevention strategy through consolidation of data currently held by multiple agencies;
  - enable regulators to work together better potentially leading to efficiencies through sharing enforcing officers, training and implementation of legal interventions;
  - reduce the administrative ‘overhead’ associated with maintaining data sharing systems and processes enabling capacity and resources to be released to improve frontline service delivery.
- Potential organisational benefits for the Local Resilience Forum. The Thames Valley Local Resilience Forum is one of the most complex in terms of the number of “category 1 organisations”<sup>9</sup> and a rationalisation of these numbers would potentially enable more efficient operation of this body. It would also streamline and improve consistency of response to events such as wide area flooding. In 2014 there were some issues between local authorities offering varying degrees of support to residents and conflicting messages.
- New premises opportunities arising from rationalisation of existing premises which could include new sites and / or opportunities to co-locate Authority functions with related functions in the new unitary council structure.
- New opportunities for sharing service support systems and functions where the Authority is able to benefit from economies of scale offered by a larger organisation.

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<sup>9</sup> Defined by the Civil Contingencies Act 2004 which makes “Category 1 organisations” (the emergency services, local authorities, NHS bodies) subject to the full set of civil protection duties

**A Unitary Council for Buckinghamshire: implications for the Authority**Potential Risks and Issues

Most of the risks and issues are likely to arise during the period of transition from the current state to the point where the new structure is fully established and embedded (the outline implementation plan contained within the business case currently envisages that the phased integration of services would begin from May 2019). These are likely to include:

- Potential disruption to service delivery as structures and processes are rationalised potentially affecting partner organisations and members of the public;
- Potential loss of or diversion of key personnel leading to loss of contacts, expertise and / or local knowledge;
- The need to reconfigure Authority service delivery structures and processes to align with the new council's creating the potential for additional costs and discontinuity in service delivery e.g. to align with the proposed 19 local, multi-agency, Community 'Hub' / Board structure.

Overall Assessment

BCC's business case outlines a structure for governing, planning and managing the implementation of the transition to the proposed unitary structure. "*Strong collaboration with key stakeholders*" is identified as being "*critical throughout the programme, and the detail of these arrangements would be developed with key partners*". This includes the establishment of a 'Transition Programme Management Office'. Also the transition programme comprises a comprehensive range of 'work-strands' which includes 'External Communications & Stakeholder engagement'. These arrangements should provide for the effective mitigation of the risks identified above and our engagement with the programme would be informed by our own detailed risk assessment should the proposal be approved by the Secretary of State.

Our initial assessment of the potential opportunities and benefits arising from implementation of the proposal suggests that they are likely to outweigh the short term effects of any disruption to service delivery and cohesive working with Council functions during the transitional period.