



Ministry of Housing,
Communities &
Local Government

Rt Hon James Brokenshire
*Secretary of State for Housing, Communities
and Local Government*

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Dear Councillor Tett,

On 3 January you met my officials and Special Adviser Lee Scott. In this meeting, my decision on the details of the structural change legislation was communicated and I am now writing to confirm this. I have considered all the information available to me, including that from your earlier discussions with Lee Scott and the written representations I have received. I intend to lay the legislation before Parliament as soon as is practicable.

Before I turn to the details of the structural change legislation, I want to express my gratitude for the constructive way in which everyone has engaged with this process. I remain confident that implementing the proposal from Buckinghamshire County Council, for a single unitary district council, is the right course of action and that it will be a successful implementation, which will significantly benefit those who live or work in Buckinghamshire.

My approach with respect to these details has been to seek consensus between all the Buckinghamshire councils, as I believe that you are best placed to determine these local arrangements.

You have all agreed the following points which will be provided for in the legislation: that the name of the new council should be Buckinghamshire Council; that following the first elections for the new Buckinghamshire Council in 2020, the second elections should follow in 2025 and subsequent elections every four years thereafter; and that where councillors on the shadow authority represent both a district council and a county council, they will have only one vote.

With respect to the makeup of the shadow authority, I have decided in the interests of local democratic accountability that the membership of the shadow authority will include all councillors currently serving a Buckinghamshire council. I understand this means that the shadow Buckinghamshire Council will have a maximum membership of 236, which in practice will be reduced by the number of twin hatters on the authority.

It will be the responsibility of the shadow executive to discharge the functions of the shadow authority and prepare the implementation plan, except as otherwise

provided. Principally, it will be for the shadow authority to set the 2020/21 council tax and budget, which it will be the responsibility of the executive to prepare. On the make-up of the shadow executive, I have decided that this will be formed of 17 members of the shadow Buckinghamshire Council, and that the Chair and Leader of the shadow executive will be the current Leader of Buckinghamshire County Council. The chair of the executive will be a full voting member of the executive, but will have no casting vote. There will be eight further members to represent the county council and eight further members to represent the district councils, two from each. As you have agreed, the nominations will be made by the councils, who will also nominate substitute members (in the case of the county council this will include a substitute for leader). However, the leader's substitute will not take the role of deputy leader of the executive, nor will the leader's substitute chair the executive. There will be a deputy leader of the shadow executive, elected by the district council nominated members of the shadow executive at its first meeting, who would chair the meeting of the shadow executive if the Leader is absent.

I have decided to implement the county council single unitary proposal, and the shadow authority and executive must have regard to that proposal in discharging the functions for transitioning to the single unitary authority set out in the Structural Change Order. Given the importance of children's services, the structural change legislation will also require the shadow authority and executive to have regard to the June 2018 report from the Children's Commissioner and advice from Hampshire County Council as improvement advisers for Buckinghamshire Children's Services. It is important that the progress that has been made within children's services is not adversely affected by the significant change programme that the executive will be implementing.

The structural change legislation will also specify the following: the first meeting of the shadow authority should be convened by the proper officer of the county council, with the Wycombe proper officer as a deputy; the leader of the implementation team will also be the chief executive of the county council; and the appointment of the interim statutory officers will be the responsibility of the shadow executive, following consultation with the members of the shadow authority.

With regard to the size of the new unitary authority, the structural change legislation will specify that each ward (existing county electoral divisions) will return 3 members, giving a total of 147 members on the new council.

I am writing in similar terms to all the Buckinghamshire council leaders. I am copying this letter to the Buckinghamshire MPs and to Rt Hon Brandon Lewis MP.

Thank you again for your co-operation and hard work in recent weeks. We will continue to provide whatever support we can as you undertake this implementation of a new single unitary district council, for the benefit of the people of Buckinghamshire.

Yours sincerely,


RT HON JAMES BROKESHIRE MP