

Report to Cabinet

Title:	Unitary Transition Arrangements
Date:	Thursday 10 January 2019
Date can be implemented:	Thursday 10 January 2019
Author:	Leader of the Council
Contact officer:	Sarah Ashmead
Local members affected:	All
Portfolio areas affected:	All

For press enquiries concerning this report, please contact the media office on 01296 382444

Urgency provisions

This decision is being taken under special urgency provisions as set out in the Council's Constitution because the Ministry of Housing, Communities and Local Government require the Council's decision on consent to proposed structural change in Buckinghamshire by 10 January 2019, to enable the necessary legislation to be laid in Parliament.

Summary

This report seeks a decision on giving the Council's consent to the making of regulations, as proposed by the Secretary of State for Housing, Communities and Local Government, to replace the existing five councils in Buckinghamshire with a single unitary council.

Recommendation

The Cabinet is recommended to confirm that the County Council gives consent to the making of regulations, as proposed by the Secretary of State for Housing, Communities and Local Government, to replace the existing five councils in Buckinghamshire with a single unitary council.

A. Narrative setting out the reasons for the decision

1. In September 2016, the County Council submitted to Government a proposal for a single unitary council for Buckinghamshire, to replace the existing five councils. On 1 November 2018, the Secretary of State for Housing, Communities and Local Government confirmed his decision, subject to parliamentary approval, to implement the proposal for a new single unitary council for Buckinghamshire to replace all five existing councils. The Secretary of State indicated that he was considering one modification to the proposal in relation to councillor numbers, possibly providing for three-member electoral wards, which would result in 147 elected members for the new council.
2. The Secretary of State will now lay a Structural Changes Order which will set out the detailed arrangements for the transition to the new council. The content of the draft Order is expected to be confirmed by the Ministry of Housing, Communities and Local Government (MHCLG) in the next few days and a supplementary report will therefore be published for consideration by the Cabinet at the meeting. The Order is due to be laid in Parliament in January, and to take effect in March.
3. Orders have already been laid by MHCLG which have the effect of cancelling the local District and Parish Council elections which had been due to take place in May 2019. Instead, elections for the new unitary council and parish councils will take place in May 2020.
4. In accordance with Section 15 of the Cities and Local Government Devolution 2016 Act, regulations to implement the Secretary of State's decision require the consent of at least one of the relevant local authorities. In order to enable the Secretary of State to proceed with the establishment of the new unitary council, it is therefore recommended that the Cabinet formally confirms the County Council's consent.

B. Other options available, and their pros and cons

5. The County Council could choose not to give consent. However, this option would not be in accordance with Council policy to support the establishment of a new unitary council.

C. Resource implications

6. Since the Secretary of State's announcement in November, work has been taking place across the County and District Councils in order to develop the detailed programme planning arrangements to manage the transition to the new council.
7. Given that the business case for a single unitary council was submitted to government over two years ago, the new shadow authority will want to assure itself that there is a robust financial strategy for the transition period as well as for the new council from April 2020. Work is currently taking place by the County and District Finance officers to update the financial assumptions in the business case and develop a resourcing plan for the transition to the new council.

E. Legal implications

8. The provisions of the Cities and Local Government Devolution Act 2016 have not been specified as non-executive functions in the Local Authorities (Functions and Responsibilities) (England) Regulations 2000/2853. Accordingly, decisions to support the re-organisation and give consent to the Order are to be taken by the Cabinet.
-

Background Papers

Report to County Council on 22 September 2016

Report to Cabinet on 12 November 2018

Your questions and views

If you have any questions about the matters contained in this paper please get in touch with the Contact Officer whose telephone number is given at the head of the paper.

If you have any views on this paper that you would like the Cabinet Member to consider, or if you wish to object to the proposed decision, please inform the Democratic Services Team by 5.00pm on Wednesday 9 January. This can be done by telephone (to 01296 382343), or e-mail to democracy@buckscc.gov.uk