

Report to Cabinet

Title:	Unitary Transition Arrangements – Shadow Executive
Date:	Monday 4 February 2019
Date can be implemented:	Monday 4 February 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

Summary

1. Following the decision by Cabinet on 10 January 2019 to delegate to the Leader, responsibility for appointing the County Council's nominees to the Shadow Executive as detailed within the draft Structural Changes Order for the implementation of the new Buckinghamshire Council, this report confirms who these nominees are.

Recommendation

Cabinet should note the nominations chosen by the Leader for the Shadow Executive.

A. Narrative setting out the reasons for the decision

2. 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.

3. The Secretary of State has provided a draft Structural Changes Order which set out the detailed arrangements for the transition to the new council.
4. A draft of the structural change legislation - The Buckinghamshire (Structural Changes) Order 2019 and The Buckinghamshire (Structural Changes) (Modification of the Local Government *and Public Involvement in Health Act 2007*) Regulations 2019, has been sent to the county and district councils, together with a letter from the Secretary of State outlining the changes. A copy of the letter to this council is attached as Appendix 1.
5. These draft orders propose a Shadow Executive of 17 county and district members. It further details that this will consist of the Leader of the County Council, eight members nominated by the County Council and two members nominated by each of the four District Councils. The chair of this group will be the Leader of the County Council. The draft order also allows for substitute members to be nominated for each permanent member of the Shadow Executive.
6. The Shadow Executive is created as part of the creation of a Shadow Authority to establish and manage the implementation process to ensure the successful and timely implementation of the new council, bringing together the existing county and district councils.
7. The councils and cabinets of the five existing councils will continue to exist until 1st April 2020 and be responsible for the decisions required by these councils in the period up until the new council is created.
8. The Shadow Executive has a number of functions including the preparation of the budget and council tax provision for the new council for approval by the Shadow Authority, the appointment of an interim Head of Paid Service, Monitoring Officer and Chief Finance Officer for the Shadow Authority after consultation with the Shadow Authority and to oversee the implementation activity required to create the new council.
9. The Shadow Executive as well as the Shadow Authority will be replaced by the cabinet and council for the new council following the elections in May 2020.
10. Cabinet agreed on 10 January 2019 to delegate authority to the Leader for appointing the County Council's nominees to the Shadow Executive. The Leader has following this nominated the following Members to attend the Shadow Executive as core members:
 - Cllr Bill Chapple
 - Cllr John Chilver
 - Cllr Anita Cranmer
 - Cllr Clive Harriss
 - Cllr David Martin
 - Cllr Mark Shaw
 - Cllr Warren Whyte
 - Cllr Gareth Williams
11. In addition the following Members have been nominated to attend as substitutes (deputies) in the event any of the Members above cannot attend a meeting of the Shadow Executive:
 - Cllr Mike Appleyard
 - Cllr Noel Brown
 - Cllr Tim Butcher
 - Cllr David Carroll

- Cllr Dev Dhillon
- Cllr Netta Glover
- Cllr Lin Hazell
- Cllr Roger Reed

12. The draft order allows for 9 substitutes to be nominated, as 8 have been nominated we will carry forward a vacancy to be filled at a later date.
13. The Members nominated reflect a need to maintain a focus on 'business as usual' activity within the County Council, a geographic balance and to include a significant proportion of 'twin hatters' to ensure the Shadow Executive has a detailed knowledge and perspective on both county and district council services to complement and support the Members of the Shadow Executive who will represent the District Councils.

B. Other options available, and their pros and cons

14. The nominations followed the process agreed by Cabinet when it met on 10 January 2019.

C. Resource implications

15. At this stage the full resource implications are unknown. Members nominated to the Shadow Executive will continue to receive any allowances they currently receive as Members of the County and District Councils. Once the Shadow Authority is established it will need to decide on a scheme of Member Allowances for the Shadow Authority, but at this stage it is not known what this will be.

E. Legal implications

16. The duties of members of the Shadow Executive are detailed in the draft orders - The Buckinghamshire (Structural Changes) (Modification of the Local Government and Public Involvement in Health Act 2007) Regulations 2019.

Background Papers

Report to Cabinet on 10 January 2019

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 Friday 1 February . This can be done by telephone (to 01296 382343), or e-mail to democracy@buckscc.gov.uk