

## **SOUTH BUCKS DISTRICT COUNCIL**

**Council - 28 November 2018**

Present: Councillors D Anthony, R Bagge, M Bezzant, S Chhokar, D Dhillon, B Gibbs, P Griffin, B Harding, P Hogan, G Hollis, J Jordan, P Kelly, M Lewis, Dr W Matthews, N Naylor, D Pepler, J Read, R Sangster, D Smith and L Sullivan

Apologies: Councillors P Bastiman, M Bradford, T Egleton, L Hazell, J Lowen-Cooper, R Reed, G Sandy and D Saunders

### **39. DECLARATIONS OF INTEREST**

Councillors R Bagge, D Dhillon, B Gibbs and L Sullivan declared a personal interest in item 4: Implementation of the New Unitary District Council being Members of Buckinghamshire County Council.

### **40. IMPLEMENTATION OF THE NEW DISTRICT UNITARY COUNCIL**

On 1 November 2018, the Secretary of State for the Ministry of Housing, Communities and Local Government (MHCLG), James Brokenshire, announced a decision in favour of a single new District Unitary Council, for the whole of the current administrative area of Buckinghamshire County Council, in a Written Ministerial Statement (WMS). The new authority would be implemented on 1st April 2020 and elections to the Council would take place on 7th May 2020. The statement included some matters already decided and others which he intended to consult on before reaching a decision.

The report sought approval to the process for agreeing the wording of representations to be made in response to the WMS. It also sought to ensure that sufficient resources were available to enable the authority to respond to the requirements of the proposed Structural Change Orders, which would set out how the new Council would be created, and to support transition within the Council.

The Leader, whilst presenting the report, proposed that the recommendations in the report be agreed, subject to the words "other District Leaders" being inserted after the word "Leader" in recommendation 2. This was seconded by Councillor Read.

The timescales for its implementation, set out by the MHCLG, were very short. The Orders were due to be laid in Parliament on 14 January 2019 which meant that the final content needed to be agreed in early December, and representations from Councils on the detail of those Orders were required by 30 November 2018, at the latest. A Joint Submission would be sent to the Secretary of State by all four District Authorities. Delegated authority was required for the Chief Executive in consultation with the Leader as there would not be enough time to call meetings.

Members were then asked for their views on specific items in the proposed Orders which were considered in turn.

The first proposal considered was the District and Parish Council elections, due to be held on 2 May 2019, being postponed to 7 May 2020, to avoid a term of office of only 1 year. The proposal was that the following elections would be held in 2025 to align all the election cycles. Members were in agreement on this proposal.

The Secretary of State suggested in the WMS that there could be 3 Members per Electoral Division (totalling 147 Members), rather than the 2 Members per Electoral Division (totalling 98 Members) proposed by the County Council. Members discussed the size (number of Councillors) of the new District Unitary Council, and during which the following points were made:

- A Member referred to the Bucks County Council business case for a single unitary Council which was based on 98 Members, and felt that 147 Members would result in a large number of Members who were not Cabinet Members or Committee Chairmen which raised the question of what those Members would do. He commented that 98 Members represented best value for money.
- 147 Members was too large a number and it would be difficult to manage a Council of this size and also would be expensive. Two councillors per ward was more appropriate.
- 98 Members was not enough for representation, democratic representation was an important issue and a democratic deficit should be avoided by ensuring that there were sufficient Members to represent residents, with three Members per ward. This was important also in terms of taking on the work that would be required at the start of the new Authority.
- In terms of having enough democratic representation, an example was given with the Denham Ward, taking into account the County Council representation and the three Members representing the District Wards, which could be reduced to two. A Boundary Review would be required anyway to look at the number of councillors after the new Council had formed in 2020. Three per ward would ensure that the democratic representation was in line with the guidance from the Boundary Commission.
- There would be a significant reduction in costs reducing from 206 councillors (30 being twin hatters) to 147.
- It would take time for Councillors to build knowledge required for the new authority therefore 147 Members would be a more appropriate number of Councillors to start with. A Member also made reference to the need for a number of Members to sit on Area Planning Committees and other Committees, particularly when the number of residents and demand for services would not reduce.

In spring 2019 a Shadow Authority would be set up comprising of all District and County Councillors to carry out transition powers. A smaller Shadow Executive would

be responsible for making day to day transition decisions. The representation of each Council on the Shadow Executive would be set out in the Order, and the view of the District Leaders was that there should be equal representation on the Shadow Executive from each of the 5 Councils. This approach was endorsed by Members.

Members were then asked for their views on the process for electing a Leader of the Shadow Executive. This could be decided by the Shadow Executive, by the Shadow Authority, or the MHLG could specify the Leader in the Order. Members felt that the Shadow Authority should elect the Leader as this was considered more democratic because all Councillors would have a say on this issue. This also reflected the arrangement for electing the Leader at the existing Councils. Members felt that it was not appropriate for this decision to be left to the Secretary of State.

The Leader advised that there were "twin hatted" Members who were both District and County Councillors. Members' views were sought on whether those Members should be entitled to 1 or 2 votes on the Shadow Authority. No strong views were expressed by Members on this point.

There was a discussion on the name of the new Council. The proposals were "Bucks Council" or "Buckinghamshire Council", with District Leaders giving a preference for Bucks Council, since the new District Council was not co-terminus with the original Shire County, which includes Milton Keynes. A Member commented that a pragmatic approach should be taken when agreeing the name which should be clear to residents.

The Leader commented that the advice from Government was that the Shadow Authority would need to have regard to the County Council's bid but might possibly also need to have regard to the District Council's submission and any proposals should therefore be carefully considered as part of the implementation programme.

Members were thanked for their comments, which would be taken into account when formulating the representations in response to the WMS and following which it was

**RESOLVED:**

1. That the wording of the representations to be made in response to the Written Ministerial Statement and the proposed content of the Structural Change Orders on single tier arrangements for Buckinghamshire be delegated to the Chief Executive in consultation with the Cabinet Leader.
2. It be noted that the Leader will continue to take part in discussions with the County Leader, other District Leaders, Ministers and other parties with a view to taking forward the implementation provided that where decisions are required from this authority these will be made in accordance with existing governance requirements.

**Council - 28 November 2018**

3. That a provisional budget be set aside in 2019/20 for the delivery of the implementation to include the proportion of the costs of the Shadow Authority as may be required, project management resource and provision for potential redundancy costs in 2019/20 that may fall directly to South Bucks District Council subject to a review at year end by the Director of Resources in consultation with the Portfolio Holder for Support Services.

*Note: Councillor G Hollis entered the meeting at 6.04pm and Councillors Anthony and Lewis at 6.07pm, due to traffic difficulties in the surrounding area.*

The meeting terminated at 6.25 pm