



Report for Leader decision

Decision Date:	9 April 2024
Title:	Buckinghamshire Devolution Deal
Reference No:	L03.24
Cabinet Member(s):	Martin Tett, Leader of the Council
Contact officer:	Steve Bambrick
Ward(s) affected:	All
Recommendations:	<p>Support progressing a Level 2 devolution deal Buckinghamshire as offered by government and set out in the Spring Budget</p> <p>Delegate authority to the Chief Executive in consultation with the Leader to negotiate with government and agree the final terms of the devolution agreement and report back to Cabinet</p> <p>Ensure appropriate Council approvals are in place to enable the deal to be set out in secondary legislation</p>
Reason for recommendation:	Buckinghamshire has been offered the opportunity to enter into a Devolution Deal with government. This was announced in the Spring Budget on 6 March and requires ratification.

1. Executive summary

- 1.1 Buckinghamshire has been keen to secure an ambitious devolution deal for a number of years and working through the Buckinghamshire Growth Board has lobbied ministers on our proposition.

- 1.2 In the 2023 Autumn Statement, government set out their intention to expand level 2 non-mayoral county deals. Alongside a number of other shire county authorities Government is now offering the Council an 'off the shelf' level 2 devolution deal.
- 1.3 This report sets out the scope of the offer from government and seeks support for officers in consultation with the Leader to progress discussions to agree a finalised deal agreement with DLUHC which will be subject to secondary legislation to confer the devolved functions on the council. This is expected to come later in the year.
- 1.4 The principal opportunity offered through the deal is the potential for devolution of the Adult Education Budget from the Department for Education from the 2026/27 academic year.
- 1.5 The deal also offers the opportunity for additional freedoms and devolution of services as outlined in the report.

2. Main body of report

- 2.1 In February 2022 the government published its Levelling Up White Paper which set out its approach to tackling inequality across the country. It outlined the future landscape for devolution in the UK with a commitment to bring devolution in the form of county deals 'to every part of England that wants one by 2030'. It also included the government's devolution framework which details the functions and powers available to local authorities.
- 2.2 Devolution deals vary considerably and are usually led by local circumstances and need. The Levelling Up Framework for Devolution sets out three levels of deal available; level 1, 2 and 3. In order to access the full devolution menu offered at level 3 including investment, local areas are required to adopt a directly elected mayor model of governance.
- 2.3 This not being a priority for Buckinghamshire we have been unable to access negotiations with government to progress this agenda. However in recent weeks government has actively encouraged the Council to enter into a level 2 devolution deal.
- 2.4 As DLUHC is looking to agree a single deal with the cohort of counties in this wave of devolution it is anticipated that this single deal will include only the powers detailed as available for level 2 in the devolution framework.
- 2.5 As a unitary council already, a level 2 deal offers limited benefits to the Council however it is still seen as a desirable option to progress our strategic ambitions for the county.
- 2.6 The main benefits of a level 2 deal for Buckinghamshire are,

- **Skills and Education** - Full devolution of the Adult Education Budget (AEB) from 26/27. This will allow skills programmes and delivery to meet local economic and resident needs, helping to grow a sustainable economy so everyone can benefit.
- **Housing and Land** – access to additional land assembly and compulsory purchase powers for housing and regeneration purposes currently led by Homes England.
- **Transport** – the potential for bus franchising although we are not currently actively seeking this as we already have an enhanced partnership with our bus operators.
- **Trade and investment** – closer working with DBT to make it easier for businesses to access the information, advice and support they need.

2.7 Additionally, by taking this deal it demonstrates that the Council is trusted to deliver and creates a platform for us to build on for future devolution discussions with government.

2.8 The Buckinghamshire Level 2 devolution framework agreement presented as part of the Spring Budget is included in appendix A.

3. Other options considered

3.1 We could choose not to proceed with development of the government offer of this deal if we do not see the benefits as being sufficiently attractive or want to press for a more significant deal including investment. However all indications from government are that a larger deal will not be available and any future deal would put requirements upon the Council for additional governance changes.

4. Legal and financial implications

4.1 In entering into this agreement we will maintain our current governance arrangements and elections will continue to take place on the same cycle. There is no statutory requirement to issue a proposal and consult upon it.

4.2 The decision to enter into a devolution deal with government is an executive decision. It will be underpinned by secondary legislation under the Cities and Local Government Devolution Act 2016 (as amended by the Levelling Up and Regeneration Act 2023).

4.3 The devolution of the Adult Education Budget and the Homes England Compulsory Purchase Powers, require legislative change to be devolved. As such, following the agreement of a level 2 county deal, the process of devolving these powers will require Council consent to the legislative change and parliamentary approval. The extent of and approach to engagement on these matters will be developed following conclusion of a Framework Agreement.

4.4 It is proposed that delegated authority is given to officers, in consultation with the Leader, to negotiate and agree the details of the agreement.

- 4.5 It is anticipated that the focus of our devolution deal will be the Adult Education Budget which is in the region of £5.9M per annum. This is expected to be from September 2026. The majority of this funding is currently passed to the council to deliver the Adult Education programme with the rest allocated to the Bucks College Group. Delegation of this funding will be subject to the approval of an implementation plan that will be required to be submitted to the Department for Education by May 2025.
- 4.6 Management funding is expected as part of the AEB devolution to cover the additional costs in managing this budget locally. Additionally it is anticipated that there will be some implementation funding to enable us to prepare for our new responsibilities for this funding.
- 4.7 Given the proposed scale of the devolution offered through this agreement the level of risk for the council is less than it would be if other powers were being devolved.

4a Director of Legal & Democratic Services comment

- 4.8 Director's nominee notes the legal implications are included in the report and has no additional comments.

4b Section 151 Officer comment

- 4.9 The S151 has read and noted the report.

5. Corporate implications

- 5.1 The county deal is one mechanism to support delivery of the council's local levelling up programme, Opportunity Bucks and through the Adult Education Budget gives local control over a key funding stream to help tackle inequalities in our priority areas of the county.
- 5.2 The county deal supports the Buckinghamshire Growth Board's Strategic Vision as well as the council's corporate plan objectives to increase prosperity and the Skills Strategy by enhancing skills levels and reducing unemployment.

6. Local councillors & community boards consultation & views

- 6.1 This proposal covers the whole of the county. It is anticipated that there could be benefits to local communities from the local prioritisation and allocation of adult education funding. Local need will be assessed when commissioning services devolved as a result of this agreement in future.
- 6.2 Scrutiny arrangements will put in place alongside agreement of the devolution deal to ensure that all elements of devolution are undertaken from the point of agreement to implementation.

7. Communication, engagement & further consultation

- 7.1 As no legislative or governance changes are required to secure a level 2 deal, there is no statutory requirement to conduct a public consultation prior to agreeing a deal.
- 7.2 Partners through the Buckinghamshire Growth Board have been involved in developing devolution proposals over a number of years and are supportive of the devolution of the services offered through this deal opportunity. They will continue to be engaged as the negotiations progress.
- 7.3 MPs have been involved in our ambitions for devolution including at an event to promote our ambitions for devolution and growth at the British Grand Prix at Silverstone in 2022.
- 7.4 Letters of support from Buckinghamshire MPs have been secured as their endorsement of devolution proposals is considered by government as a prerequisite for all devolution deals.
- 7.5 Stakeholders who will be impacted by, or who will be involved in the implementation of, specific functions expected to be devolved as part of a level 2 deal have also been engaged, principally affected is the Bucks College Group.

8. Next steps and review

- 8.1 It is anticipated that the detailed discussions with government departments and principally the Department for Education will begin immediately to enable the secondary legislation required for the deal to be presented this year.
- 8.2 It is recommended that the Chief Executive is delegated authority to conclude the discussions with government and agree the final terms of the devolution agreement.

9. Background papers

- 9.1 None

10. Your questions and views (for key decisions)

- 10.1 If you have any questions about the matters contained in this report, please contact the author of this report. If you have any views that you would like the cabinet member to consider, please inform the democratic services team. This can be done by email to democracy@buckinghamshire.gov.uk by 5pm on 5 April 2024.