

## SOUTH LAKELAND DISTRICT COUNCIL

Minutes of the proceedings at a meeting of the Council held in the District Council Chamber, South Lakeland House, Kendal, on Wednesday, 10 October 2018, at 6.30 p.m.

Present

Councillors

Eric Morrell (Chairman)  
Stephen Coleman (Vice-Chairman)

Caroline Airey	Tom Harvey	Kevin Lancaster
James Airey	Eamonn Hennessy	Pete McSweeney
Giles Archibald	Hazel Hodgson	Ian Mitchell
Robin Ashcroft	Chris Hogg	Jon Owen
Rupert Audland	Rachael Hogg	Doug Rathbone
Pat Bell	John Holmes	Amanda Rigg
Ben Berry	Kevin Holmes	Matt Severn
Roger Bingham	Vicky Hughes	Ian Stewart
Jonathan Brook	Anne Hutton	Peter Thornton
Andrew Butcher	Helen Irving	Graham Vincent
Sheila Capstick	Andrew Jarvis	David Webster
Tracy Coward	Janette Jenkinson	Mark Wilson
Philip Dixon	Dyan Jones	Shirley-Anne Wilson
Alvin Finch	Dave Khan	
Gill Gardner	Helen Ladhams	

Apologies for absence were received from Councillors Matt Brereton, Brian Cooper, Michael Cornah, Anne Hall, Vivienne Rees and David Williams.

Also in attendance at the meeting was Jonathan Holden, Legal Adviser.

Officers

Inge Booth	Senior Committee Services Officer
Hardeep Burnley	Principal Food, Licensing and Safety Officer
Lawrence Conway	Chief Executive
Dan Hudson	Development Strategy and Housing Manager
Anthea Lowe	Solicitor to the Council
Richard Machin	Senior Communications Officer
Shelagh McGregor	Assistant Director Resources (Section 151 Officer)
Simon Rowley	Assistant Director Neighbourhood Services
Debbie Storr	Director of Policy and Resources (Monitoring Officer)
David Sykes	Director People and Places

**C/35**

### **MINUTES**

RESOLVED – That the Chairman be authorised to sign, as a correct record, the minutes of the meeting of the Council held on 24 July 2018.

C/36

**PUBLIC PARTICIPATION****Questions and Representations**

Three members of the public addressed Council with regard to the Ulverston Leisure Site Masterplan project development work which had been considered by Cabinet on 10 September 2018 (CEX/35 (2018/19) refers).

Caroline Clutterbuck explained that she had played tennis for 35 years. She had moved to Ulverston 14 years ago as a newly qualified tennis coach and had chosen Ulverston to live in, particularly for its tennis facilities. She pointed out that, over recent years, the number of public tennis courts in the Furness area had reduced significantly, with no public courts in Barrow, and the Leisure Centre providing the only ones in Ulverston. Ulverston Tennis Club had played tennis for over 60 years on this land and, having recently lost three courts at the Leisure Centre to a 3G pitch, its membership had decreased. Ms Clutterbuck referred to the various groups of tennis players using the courts throughout the year, often using two or three courts at least, and referred to competitions which involved use of four courts for up to four hours. There was a good amount of usage overall and demand from the local community. Ms Clutterbuck pointed out that it was vital that all age groups were given the opportunity to play the game that was proven to be beneficial to health and wellbeing. She asked if the current facility could be maintained, whether the air hall was really feasible and if a sauna was an essential addition to the pool as recently added in the latest proposals. She wished for the latest proposals to be revised and for fair consideration to be given to tennis.

Peter Barton, resident of Rosside, near Ulverston, addressed Members on behalf of the Furness tennis community. They believed that in one key respect the new plan needed a re-think and was fundamentally flawed. They felt that further consultation needed to take place before the Council sanctioned a £100,000 contribution to fund further development work on the Ulverston Leisure Site Masterplan, because the new plan potentially took the proposals in the wrong direction. Mr Barton said that, in 2016, FMG had produced a report in conjunction with GSK to propose a facilities mix and layout for a leisure complex to meet the needs of the Ulverston and district area for the 21st Century. Four options had been proposed which included new facilities such as a new swimming pool, new sports hall and gym, and retention of existing facilities such as the tennis centre, AstroTurf pitch, etc. Crucially, all four options had included the provision of a minimum of two indoor tennis courts, as well as the outdoor existing courts. More recently a revised report, proposing reduced facilities had been published in September 2018, which took into account the reduced contribution that GSK was proposing to make. The revised proposal contained within the report was that the indoor tennis courts be scrapped altogether – the exact term used was ‘not provided’. Crucially, the report claimed that this proposal, to decimate the indoor tennis facilities was, “a key part of the consultation with strong representation from existing user groups.” Mr Barton was of the opinion that the idea that existing user groups had been consulted on, and had agreed to their facilities being scrapped, was untrue. He pointed out that Ulverston Tennis Club had not known until last month that the revised plan was to provide no indoor tennis courts. Mr Barton had also been in touch with the local secondary school, UVHS, and it had been confirmed that the school had not been consulted about the proposal to scrap the existing tennis facilities and that they were completely against the new plan. It seemed, therefore, that the statement that there had been, “strong representation from existing user groups,” in the proposal to scrap the facilities was not correct. Mr Barton pointed out that the first paragraph of the 2018 report referred to the, “ageing indoor facilities at Priory Road.” He felt that it seemed

reasonable to assume that a swimming pool that was built in the 70s and had not been significantly upgraded needed replacing, but pointed out that this was being grouped together with a tennis centre that had only been built in 2001. In the 2016 report the only lifecycle costs for tennis had been £40,000 in the next five years, whereas it was at least £170,000 for the pool and £100,000 for the artificial pitch. In 2015, the revenue for the pitch had been only £18,000, whereas the revenue for the tennis centre had been four times that, at over £73,000. The revised plan had an estimated capital cost of £9.2m. The tennis community would settle for a significantly smaller budget, but one that preserved the existing much loved and much used tennis facility. Mr Barton said that the principle of enhancing the sports facilities for the Furness area was to be applauded. Enhancing the community's ability to engage in more physical activity was a core way to improve the health and wellbeing of the local community. In addition, with an ageing UK population with more leisure time, it was clear that improving the facilities for all was a fundamental way to improve the quality of life for all ages, making the Furness peninsula an even more desirable place in which to live. As a local employer who was constantly facing the challenge of recruitment, Mr Barton felt that anything that made Ulverston a more attractive place to live and work was to be encouraged. However, to conclude, Mr Barton stressed that what the tennis community was objecting to was the direction of travel in the September 2018 report. The Council's own stated objective in 2016 had been to, "improve the quality of life and deliver a strategic sporting and leisure destination for Ulverston." What the Furness community needed was a plan that enhanced the facilities for all. Before £100,000 of taxpayers' money was spent on more development work, Mr Barton strongly recommend that all interested parties were consulted to ensure that the revised plan was one that benefitted the community as a whole and provided enhanced, not merely different, facilities.

Annette Foot read out a representation on behalf of David Foot who was a tennis player at Ulverston Tennis Centre and who shared many others' concern regarding the agenda item recently presented to Cabinet which appeared to give a steer as to how the overall cost of a new Leisure Centre could be reduced, primarily by reducing the tennis facilities. The revisions to the proposed facilities mix had also been summarised within the report. Mr Foot sought assurances that, despite the suggested revised mix, specifically the removal of the two indoor tennis courts, further development work and the consultation promised with players would consider all options to aim to retain at least two indoor and two outdoor courts. Mr Foot also requested that the original Consultant's report be made available to the public and if not, why not?

The Chairman thanked the speakers and advised that a written response would be provided within seven working days.

### **Deputations and Petitions**

M/s Pamela Parker, on behalf of the Save Grange Lido Campaign Group, presented a petition containing 3,135 signatures, "we want GRANGE LIDO restoration to include the SWIMMING POOL, and South Lakeland District Council to confirm that any option without a swimming pool will be ruled out."

The Chairman thanked M/s Parker and explained that officers would consider the petition in accordance with the Council's Petitions Scheme. M/s Parker would be contacted by officers, within ten working days, with acknowledgement of the petition. Once the verification process had been completed, M/s Parker would be advised of the outcome and, if 1,000 signatures or more had been verified, the date of the Full Council meeting at which the matter would be debated. In the event that there were less than 1,000 verified signatures to the petition, officers would confirm the response to the petition.

**C/37 DECLARATIONS OF INTEREST**

RESOLVED – That it be noted that no declarations of interest were raised.

**C/38 LOCAL GOVERNMENT ACT 1972 - EXCLUDED ITEMS**

RESOLVED – That it be noted that there are no excluded items on the agenda.

**C/39 CHAIRMAN'S ANNOUNCEMENTS**

A list of engagements which the Chairman had attended since the last meeting had been circulated at the commencement of the meeting.

**C/40 THE GAMBLING ACT 2005 - REVISED STATEMENT OF GAMBLING POLICY**

Councillor Chris Hogg, Culture and Leisure Portfolio Holder, presented a report recommending the adoption of a revised Statement of Gambling Policy. Licensing authorities were required to determine and publish a statement of their Gambling Policies once every three years. The statement set out the basis on which decisions under the Gambling Act 2005 would be made and strove to achieve a local balance between the commercial interest of the licensing trade and the communities they served and affected. Changes which had taken place in national and legislative policy since the policy had last been amended in 2015 were reflected in the updated revision.

Following public consultation, the draft Policy had been considered and recommended to Council for adoption by the Licensing Regulatory Committee on 20 August 2018.

The Principal Food, Licensing and Safety Officer would shortly be leaving the Council's employment, and Councillor Hogg expressed thanks for her hard work and commitment.

Councillor Hogg moved the recommendation contained within the report and was seconded by Councillor Tom Harvey.

RESOLVED – That the revised Statement of Gambling Policy, as attached at Appendix 1 to the report, be adopted.

**C/41 REVISED STATEMENT OF COMMUNITY INVOLVEMENT**

Councillor Jonathan Brook, Deputy Leader and Housing, People and Innovation Portfolio Holder, presented a report recommending the adoption of a revised Statement of Community Involvement (SCI) as Council policy. The purpose of the revision was to update the current SCI to enable changes to Development Management consultation processes in preparation for the Council's Customer Connect Programme and to update the document with regard to the Neighbourhood Planning Act 2017 Regulations 2018. The updated document set out how the Council intended to consult with communities and stakeholders on statutory planning documents, planning guidance and planning applications.

The draft revised SCI had been reported to Cabinet on 8 July 2018 and approved for public consultation.

Councillor Brook moved the recommendation contained within the report and was seconded by Councillor Andrew Jarvis.

RESOLVED – That the revised Statement of Community Involvement, as attached at Appendix 1 to the report, be adopted as Council policy.

**C/42****LOCAL DEVELOPMENT SCHEME OCTOBER 2018 UPDATE**

The Council's Local Development Scheme (LDS) was the Council's project plan for bringing future Local Plan documents forward. It included a timetable that set out when Local Plan documents would be prepared from commencement to adoption. Councillor Jonathan Brook, Deputy Leader and Housing, People and Innovation Portfolio Holder, moved the recommendations contained within the report and informed Members that the most current LDS 2018-2021 had been adopted in February 2018. It guided the final stages of current plan-making in 2018/19 (for the 2003-2025 period) and set out the stages for preparing the single replacement Local Plan in place by 2021 covering the period 2016-36. The Government was placing increasing emphasis on local planning authorities having up-to-date local plans and intended to introduce regulations to require the review of plans every five years.

In accordance with the Planning and Compulsory Purchase Act 2004, Development Plan Documents (DPDs) were examined to assess whether their preparation had been conducted in a manner which satisfies legal requirements and tests of soundness. DPDs could only be recommended for adoption subject to demonstrating the relevant legal requirements had been satisfied. Under Section 19 of the Act, a DPD had to be prepared in accordance with the LDS. Therefore, one element of meeting legal requirements related to the extent to which preparation of any DPD was in accordance with the timetable prescribed for it as set out in the LDS. Local planning authorities had to ensure that the adoption of any DPDs accorded with the timescales set out in the LDS and so the progress of the DPDs had to be monitored against the LDS. If there was a need for the timescales to be altered, the LDS would need to be updated to reflect the updated timetable.

The current South Lakeland LDS 2018-2021 set out that the Arnside and Silverdale Area of Outstanding Natural Beauty (AONB) DPD and the Development Management Policies DPD would be adopted by September 2018. Since the adoption of the current LDS, the DPDs had been subject to an examination in public. In response to recommendations made by the Inspector appointed to examine the DPDs, the Council had proposed a number of main modifications to the DPDs and these had to be subject to a six week consultation. Alongside this, further work as required to the Habitats Regulations Assessments for each DPD as a result of a judgment of the Court of Justice of the European Union concerning Article 6(3) of the Habitats Directive. Taking account of the need to undertake such consultation and subsequent Inspector Reporting timescales, it was considered the Council would not be in a position to adopt the DPDs until February 2019 subject to the outcomes and receipt of the Inspector's report. In light of this, the Inspector had confirmed in letters written to the Council that the LDS required to be refreshed to reflect the updated timescale to adoption. This would ensure the DPDs could be found to satisfy the relevant legal requirements

Accordingly, the LDS had been updated and was attached at Appendix 1 to the report. It updated the timescales for adoption of the DPDs and also included a number of less significant amendments in respect to the preparation of other Local Plan Documents, details of which were provided.

Members were advised that, in order to continue to maintain an up to date LDS, it would be beneficial for delegated powers to be given to the Director People and Places in consultation with the relevant portfolio holder to amend the timetable for preparing documents identified in the LDS as and when required. It was also being recommended that delegated authority be given to the Director People and Places to add or withdraw Supplementary Planning Documents in the LDS.

Councillor Graham Vincent seconded the proposals.

RESOLVED – That

(1) the Local Development Scheme 2018/2021 (October 2018 Update), as attached at Appendix 1 to the report, be adopted; and

(2) the Director People and Places be delegated authority to amend the timetable for preparing documents identified in the Local Development Scheme, and to add or withdraw Supplementary Planning Documents in consultation with the relevant portfolio holder, with any such additions or withdrawals being reported to Council.

#### **C/43**

#### **LEADER'S ANNOUNCEMENTS AND CABINET QUESTION TIME (30 MINUTES)**

The Leader referred to the recent announcement by GSK of the impending closure of its sterile injectables manufacturing unit at Ulverston and 191 job losses. He reported that, together with the Director People and Places, he had attended a meeting involving local MPs, Ulverston Town Council representatives, trade unions and GSK managers at which concern had been expressed for staff, the community and the blow to the local economy. GSK had been asked to work with the local community to ensure that appropriate training and support was on offer and to assist in restoring the economic viability of the area. A further meeting would be held in November and GSK had agreed to arrange a meeting between GSK senior managers and Local MPs and Council Leaders to provide the reasons for the closure of the unit and to confirm the commitments made at the last meeting. The Leader pointed out that GSK had already confirmed that the tablet manufacturing unit was to stay in Ulverston and that the £2m commitment towards the Ulverston Leisure Facilities remained.

The Leader mentioned the representations and questions made by members of the public earlier in the meeting in relation to the Ulverston Leisure Facilities. Appropriate responses would be given to the speakers, however, the Leader was pleased at the cross party support shown to date in working to establish a new leisure centre. Although £100,000 had been committed by Cabinet on 10 September 2018 to development work, no final decision on the building of a new facility had been made at this stage.

The Leader raised the issue of anthropogenic climate change, to the recent disaster in Florida and the hurricanes to date this season. He reported that he and Councillor Dyan Jones, Environment Portfolio Holder, had been out in the District discussing the subject with local residents. They had come away with many suggestions which had been refined down resulting in a final list of actions on which it was proposed to engage on in the coming months.

In closing, the Leader reminded those Members who had not yet completed Personal Development Plans to do so.

In accordance with paragraphs 10.2 and 10.3 of the Council's Rules of Procedure, the following written question had been submitted to the meeting:-

From Councillor Tom Harvey to Councillor Giles Archibald, Leader and Promoting South Lakeland Portfolio Holder - *What steps has the leader of the council made in his efforts to access available central government resources, out-with the annual grant settlement, for local government-related expenditure in South Lakeland.*

Councillor Archibald was pleased to be able to highlight the work carried out to attract additional funding beyond normal support grants. He referred to new burdens funding, where the Government had introduced new responsibilities for local authorities and allocated funding to Councils outside the main finance settlement, and to other Government announcements, for example the Community Housing Fund. Councillor Archibald also highlighted a number of other areas where bids had or were being made for funding for specific projects, for example, approximately £7.5m in relation to Storm Desmond; discussion currently in progress for additional funding from Homes England for affordable housing in rural areas; an application to Homes England/Highways England for the Cross-a-Moor roundabout proposals; an application for ERDF funding towards Mintsfeet Kendal Flood Alleviation Scheme; £120,000 had been allocated from Historic England for the Burton-in-Kendal conservation scheme; and the Cumbria Business Rate Pool which had brought in over £1m as a result of working together with other Cumbrian councils.

Councillor Harvey posed a supplementary question - In 2016, South Lakeland District Council was one of five local authorities in Cumbria which chose to reject a devolution settlement for the County which would have secured £300m for transport, housing, skills and health and transferred extra power and responsibility locally. In light of the Leader of Cumbria County Council's recent commitment to my colleague, Councillor James Airey, that the Country Council is open to getting back around the table to hammer out a devolution deal that will unlock this funding, will the leader of South Lakeland District Council now commit to supporting this cross-party initiative by reconsidering his previous opposition to this important reform and our area's future success and prosperity?

Councillor Archibald undertook to provide a written response.

The written question having been presented and answered, the following verbal questions were then taken from the floor:-

Councillor Ben Berry referred Councillor Giles Archibald, Leader and Promoting South Lakeland Portfolio Holder to documentation released by the Lake District National Park Authority in relation to a Freedom of Information request regarding the Royalty Cinema in Bowness for which the whole site was marked for redevelopment for leisure and retail in the Lake District Local Plan call for sites. He referred in particular to email correspondence between National Park Authority and South Lakeland District Council officers and suggested that the Council had been urged to withdraw the proposed allocation site of the site from the Lake District Local Plan call for sites. He suggested that the site had not subsequently been withdrawn in order to avoid a political u-turn.

Councillor Archibald responded by saying that any politician should be willing to accept mistakes. He explained that Cabinet had felt that inclusion of the site within the document provided better protection for the current status of the Royalty than no reference at all within the document. Councillor Archibald stressed that officers had not urged Members to withdraw the site and asked Councillor Berry either to retract his comment or to provide him with the relevant information. He also undertook, on receipt of the relevant information, to provide a written response.

Councillor Berry undertook to provide the relevant information.

Councillor Ian Stewart drew attention to the significant contribution made to South Lakeland District Council's by GSK through business rates and the potential for the company to downsize as a result of the recent announcement to close its sterile injectables manufacturing unit. He expressed concern should there be a request for revaluation due to downsizing of the site and enquired from Councillor Archibald, Leader and Promoting South Lakeland Portfolio Holder, if there were any early indications of potential financial implications.

Councillor Archibald acknowledged Councillor Stewart's relevant concern and explained the need to ensure that the site was used for other industrial uses.

Councillor Stewart asked if Members could be updated as necessary and Councillor Archibald undertook to ensure that details would be provided.

Councillor Matt Severn referred to the recent Intergovernmental Panel report on Climate Change which stated that there were 12 years left to prevent temperatures from rising. He asked Councillor Giles Archibald, Leader and Promoting South Lakeland Portfolio Holder, what steps South Lakeland District Council and Cumbria County Council could take to address this issue.

Councillor Archibald believed that local authorities had a role to play in mitigating climate change. A list of proposals based on consultation with local residents was soon to be circulated. The Council needed to ensure that every decision it took examined its potential effect on climate change. The Council would look at its buildings with regard sustainability and seek to use fuel-efficient vehicles. The Council would work with the National Park Authorities to plant trees. Policy makers would be urged to require sustainable housing developments. Councillor Archibald felt strongly that South Lakeland District Council, together with other authorities, could make a difference and help to keep climate change to within at least 3 degrees.

Councillor Matt Severn asked Councillor Chris Hogg, Culture and Leisure Portfolio Holder, if he was looking forward to the Lakes International Comic Art Festival at the weekend.

Councillor Hogg referred to the significant contribution made by Arts Council England to the Festival over the last four years and expressed thanks to Kendal Town Council and the Kendal Business Improvement District who had also provided funding. He informed Members of the potential for the Festival to expand to Ulverston and Barrow. Councillor Hogg highlighted the fact that Traces of the Great War, part of 14-18 NOW, the UK's arts programme for the First World War centenary, would be launched at the Festival. Traces of the Great War was an anthology of illustrated short stories featuring over twenty internationally acclaimed comic book artists, graphic novelists and writers. Councillor Hogg also drew attention to many other artists whose work would feature at the Festival. This International Festival was an example of the class of events held in South Lakeland.

Councillor Kevin Lancaster referred to Ash trees showing signs of dieback disease on the A65, A683 and A684 and asked Councillor Dyan Jones, Environment Portfolio Holder, what South Lakeland District Council was doing to work with national government to mitigate the effect.

Councillor Dyan Jones undertook to provide a written response.

Councillor Peter Thornton asked Councillor Chris Hogg, Culture and Leisure Portfolio Holder, if he agreed that the best way in which to support the Royalty was to attend and watch a film.

Councillor Chris Hogg stressed that he was available to answer questions any time with regard to the Royalty which was neither being closed nor redeveloped. He agreed with Councillor Thornton and also reminded Members that the Royalty housed a Wurlitzer.

#### **C/44 MINUTES OF MEETINGS**

RESOLVED – That it be noted that no comments or questions have been received in respect of the minutes of committee meetings held between 24 June and 14 September 2018.

#### **C/45 QUESTIONS TO CHAIRMAN OF THE COUNCIL OR CHAIRMAN OF ANY COMMITTEE OR SUB-COMMITTEE**

RESOLVED – That it be noted that no questions have been received under Rule 10.6 of the Council's Rules of Procedure.

#### **C/46 URGENT DECISIONS**

Details of an urgent Executive Decision (CEX/33 (2018/19)), which had been taken with regard to the delegation of the final decision on whether the Council should join the Cumbria 75% business rate pilot pool and the content of any such bid, were reported, in accordance with paragraph 17.3 of the Overview and Scrutiny Procedural Rules.

RESOLVED - That the urgent Executive Decision (CEX/33 (2018/19)) be noted.

#### **C/47 SENIOR MANAGEMENT RESTRUCTURE**

***Note – Due to the fact that their roles were subject to review under the proposals for restructure, with the exception of the Chief Executive, the Senior Committee Services Officer and Jonathan Holden, Legal Adviser, all those officers taking part in the meeting, left the Chamber for this item of business.***

Further to C/26 (2018/19), Councillor Jonathan Brook, Deputy Leader and Housing, People and Innovation Portfolio Holder, introduced a report seeking approval for the revised senior management structure of the Council, to be implemented with effect from 1 April 2019. Councillor Brook moved the recommendations contained within the report, stating that the significant savings to be made were not the primary driving factor for the proposals, rather the adoption of a new way of working for the delivery of improved services for the people of South Lakeland. He was seconded by Councillor Giles Archibald.

In presenting the details of the report, the Chief Executive first expressed his pride in, and offered his thanks to, staff, the Council's greatest asset, for their unwavering commitment in challenging circumstances. He explained that it was with the staff in mind and the need to ensure wide and fulsome consultation that the process had taken so long. He referred to a recent article in the Local Government Chronicle by Dominic Campbell about the time being taken for local government to move into 21<sup>st</sup> century digital government. The article concluded that, "The future is owned by those with the

vision, leadership, creativity, political guile and guts to both imagine a different world and drive us towards it.” He referred to his foreword in the consultation packs to be presented to staff which explained that the Council was moving into the first phase of the Customer Connect Programme and made reference to the opportunity for staff to provide feedback and suggestions. The Chief Executive also referred to the latest issue of Inside Story which had been a Customer Connect special. The Council’s External Auditors, Grant Thornton, had also been asked for their opinion on Customer Connect. They had indicated that South Lakeland District Council was the first authority in the northwest to move forward with such a fundamental change. A report written by Grant Thornton a number of years previously had indicated that those authorities at the forefront of transformation would be the ones that would survive and prosper.

The Chief Executive reported that the key aims of the proposals around the revised senior management team were designed to provide the corporate, operational and functional leadership and management necessary to ensure that the Council delivered its priority outcomes and services and derived the benefits of the Customer Connect Programme, within the scope and intent of the approved business plan.

The proposed senior management structure, details of which were shown at Appendix 1 to the report, would operate within three tiers, rather than the existing four:-

Tier 1 Chief Executive.

Tier 2 Director of Strategy, Innovation and Resources, responsible for the Council’s strategic direction based on the Council Plan objectives, all aspects of resourcing and governance.

Director of Customer and Commercial Services, responsible for the delivery of front line services, corporate initiatives, customer service and commercialisation.

The Chief Executive and two Directors would make up the Corporate Management Team (CMT) of the Organisation.

Tier 3 Lead Specialist Officers and Operational Lead Officers, composed of the Council’s most knowledgeable and senior advisors, along with their ability to manage resource and performance with regard to their specific functional and operational areas of the Council’s activities. They will also provide the senior leadership to those tiers of officer below in subsequent phases of the restructure programme.

It was proposed that the three tiers together would make up an Extended Leadership Team (ELT).

The draft role and job descriptions for the Directors were shown at Appendix 5(a) to the report, along with the new competency framework at Appendix 5(b).

One of the consequences of implementing the new structure was that some current post holders, possibly including Chief Officers, may not remain. In accordance with the Local Authorities (Standing Orders) (England) Regulations 2001 (as amended), the steps that needed to be taken with regards Chief Officers and Deputy Chief Officers in order to give effect to the proposals as contained within the Council’s Constitution. Full Council had, through the Constitution, delegated the function of dismissal and appointment of Chief Officers and Deputy Chief Officers to a five member sub-committee (to include at least one cabinet member), drawn from the Human Resources Committee.

The Council had a legal requirement to employ the following statutory roles:-

- Head of Paid Service – currently held by the Chief Executive
- Monitoring Officer – currently held by the Director of Policy and Resources
- Section 151 Officer – currently held by the Assistant Director (Resources)
- Returning Officer – currently held by the Director of Policy and Resources

All of the statutory Officer roles above had direct access to the Chief Executive, irrespective of line management responsibilities, and this would continue to be the case in the new senior management structure. The Council also currently had a deputy for both Monitoring Officer and Section 151 Officer roles.

It was proposed for the new senior management structure, that the role and reporting lines to the Chief Executive of Monitoring Officer and Section 151 Officer would be maintained, and the responsibilities adjusted accordingly to the most appropriate position within the new proposed structure. These responsibilities would now be allocated as follows:-

- Head of Paid Service – Chief Executive
- Monitoring Officer – Legal, Governance and Democracy Lead Specialist
- Section 151 Officer – Finance Lead Specialist
- Returning Officer – Appropriate responsible Officer to be appointed once the recruitment exercise is completed.

There was no set legal requirement that these statutory roles should rest with one or more individual positions, within a set hierarchy. It was, however, good practice that they (with the exception of the Returning Officer) continued to offer support to the Corporate Management Team of the Council and these new proposals would ensure the maximum effectiveness of these posts in an operational setting, whilst ensuring the continued good governance and financial standing of the authority.

The report provided details of the consultation process, which was a key element to the success of the Programme.

Subject to approval in principle, it was intended that the formal consultation on Phase 1 would commence on 16 October 2018. Following the close of the formal consultation, the Chief Executive would take into consideration all proposals submitted and respond accordingly, reporting back to Council and seeking further approvals, if necessary.

A lengthy discussion ensued during which Councillor Brook and the Chief Executive provided clarification and responded to questions raised by Members as follows:-

- Members were advised that all Members of the Executive had been closely involved in the development of the Programme, with Members providing strategic direction and officers dealing with operational detail.
- A panel of Members chosen from the Human Resources Committee would carry out the interviews for the new director posts.
- With regard to any substantial changes following the consultation period, the Customer Connect Steering Group would consider whether these should be brought back to Council for further approval.

- In relation to the Council's interest in shared services and the potential for a shared Chief Executive, Members were advised that it was necessary for only one person, being the Chief Executive, to carry out the restructure of the Council. It would be difficult for the Chief Executive to consider their own role. The Leader and Promoting South Lakeland Portfolio Holder added that it had been his decision to retain the Chief Executive role. In addition, it was pointed out that, although the Customer Connect Programme was being developed together with Eden District Council, that authority had chosen not to progress to the extent that South Lakeland intended to. In addition, the other district authorities within the County did not have the operating model to deliver such a change at present.
- It was confirmed that the Membership of any Human Resources Sub-Committee convened for the dismissal of any chief officer or deputy chief officer should be politically balanced.
- Expanding on the advantages in creation a third tier of lead specialists and the new way of working, Members were advised that it was difficult to compare the old with the new roles. The competencies and work requirements would be different, as well as the customer focus.
- Whilst 35% of responses to whether staff felt worried about what transformation would mean for them had been neutral, this was to be expected at this stage, particularly pending provision to employees of finer detail following approval by Council of the structure. Further surveys would be carried out and changes monitored.
- It was acknowledged that this was a difficult time for staff and reiterated that compassion and empathy would be shown throughout the process.
- Members were reminded about the job roles falling within the job families of Customer Service Advisor, Case Management, Locality Working and Specialist. The difficulties in recruiting to specialist posts, such as Planning or Licensing, was recognised, however, it was stressed that the right people with the right skills and competencies would be recruited to each post.

Members expressed broad support for the proposals.

Councillor Giles Archibald, as seconder of the proposals, thanked the Chief Executive and Senior Management Team for their work on the Customer Connect Project, also recognising the efforts made by Councillors Brook and Peter Thornton, as well as former Councillor Sue Sanderson and all Members of the Project Board.

It was, subsequently, unanimously

RESOLVED – That

- (1) the proposed senior management structure as set out at Appendix 1 to the report be approved for consultation;
- (2) save for the Chief Officers and Deputy Chief Officers, and subject to the outcome of the formal consultation with trade unions and any affected employees, the principle be agreed for steps to be taken in line with the redundancy policy to give notice of potential redundancy to affected staff and to undertake recruitment to the proposed senior management structure with any redundancies to take effect by 31 March 2019 and the new posts to take effect on 1 April 2019, as per Appendix 1 to the report and in accordance with the Council's legal responsibilities;

- (3) the remainder of the consequential new structure be introduced as soon as practical thereafter;
- (4) it be confirmed that the Head of Paid Service can consider and approve any applications for voluntary redundancy;
- (5) in relation to Chief Officers and Deputy Chief Officers:-
- (a) the function of dismissal of any Chief Officer and Deputy Chief Officer authority be delegated to a sub-committee, to be drawn from the membership of the existing Human Resources Committee, and one member of Cabinet, ensuring that any dismissals are conducted in accordance with the Chief Officers' terms and conditions and the Council's Employment Procedure Rules;
  - (b) approval be given for the creation of a sub-committee, to be drawn from the membership of the existing Human Resources Committee, in accordance with the Council's Constitution, for the purpose of dealing with any appeals against dismissal;
  - (c) if necessary, the requirement for the Council to be notified of the dismissal of the Section 151 Officer, Monitoring Officer, Chief Officers or Deputy Chief Officers be dispensed with, for the purpose of the Customer Connect programme only; and
  - (d) the Head of Paid Service be delegated authority to take the necessary steps to appoint to those roles within the proposed Senior Management Structure, with notification of those appointments being reported to a future Council meeting; and
- (3) the salary of the proposed Director posts as detailed in Appendix 5(a) to the report be approved.

The meeting ended at 8.50 p.m.