

SOUTH LAKELAND DISTRICT COUNCIL

Minutes of the proceedings at a virtual meeting of the Council held on Thursday,
5 November 2020, at 6.30 p.m.

Present

Councillors

Stephen Coleman (Chairman)
Pete McSweeney (Vice-Chairman)

Caroline Airey	Alvin Finch	Kevin Lancaster
James Airey	Gill Gardner	Susanne Long
Giles Archibald	Tom Harvey	Ian Mitchell
Robin Ashcroft	Eamonn Hennessy	Jon Owen
Rupert Audland	Hazel Hodgson	Suzie Pye
Pat Bell	Chris Hogg	Doug Rathbone
Ben Berry	Rachael Hogg	Brian Rendell
Roger Bingham	John Holmes	Matt Severn
Jonathan Brook	Kevin Holmes	Peter Thornton
Helen Chaffey	Vicky Hughes	David Webster
Brian Cooper	Andrew Jarvis	Ian Wharton
Michael Cornah	Janette Jenkinson	Janet Willis
Tracy Coward	Dyan Jones	Mark Wilson
Philip Dixon	Helen Ladhams	Shirley-Anne Wilson
Judy Filmore	Malcolm Lamb	

Apologies for absence were received from Councillors Helen Irving and Dave Khan.

Officers

Courage Aiguobasimwin	Legal, Governance and Democracy Specialist
Lawrence Conway	Chief Executive
Linda Fisher	Legal, Governance and Democracy Lead Specialist (Monitoring Officer)
Simon McVey	Operational Lead Support Services
Simon Rowley	Director of Customer and Commercial Services
Helen Smith	Finance Lead Specialist (Section 151 Officer)
David Sykes	Director of Strategy, Innovation and Resources

C/59

CHAIRMAN'S INTRODUCTION

Following confirmation that the live stream of the meeting had commenced, the Chairman welcomed everyone to the virtual meeting. He referred to the new Government legislation allowing councils to conduct remote meetings and explained in detail to all taking part, and for the benefit of members of the public observing, the procedures for the meeting. The Chairman then asked the Legal, Governance and Democracy Lead Specialist (Monitoring Officer) to carry out a roll call, during which all Members present indicated by which means they were taking part and confirmed that they were able to see (where practicable) and hear all Members participating in the meeting. The Chairman referred to officers present who would introduce themselves when asked to address the meeting.

C/60 MINUTES

No Member having raised concern when asked by the Chairman, it was

RESOLVED – That the Chairman be authorised to sign, as a correct record, the minutes of the meeting of Council held on 6 October 2020.

C/61 ACT OF REMEMBRANCE

Members observed a two minute silence to remember those who had lost their lives in conflict following which Councillor Brian Cooper, a Member of the Royal British Legion, recited the Exhortation.

C/62 PUBLIC PARTICIPATION

No questions, representations, deputations or petitions had been received from members of the public in respect of this meeting.

C/63 DECLARATIONS OF INTEREST AND DISPENSATIONS

The Legal, Governance and Democracy Lead Specialist (Monitoring Officer) reminded Members that a dispensation had been granted to all Members with regard to allowances in respect of matters relating to Local Government Reform and Devolution for a period of four years. For Agenda Item No.5, councillors who were dual-hatted, i.e. District Councillors and County Councillors, would have an Other Registrable Interest under the Code of Conduct. The Other Registrable Interest would be recorded and, unless any Member considered themselves to be biased or predetermined, they could speak and vote on both items.

RESOLVED – That the following be noted:-

- (1) that the following were dual-hatted Members with Other Registrable Interests:-
 - (a) Councillor James Airey;
 - (b) Councillor Ben Berry;
 - (c) Councillor Roger Bingham;
 - (d) Councillor Chris Hogg;
 - (e) Councillor Pete McSweeney;;
 - (f) Councillor Peter Thornton;
 - (g) Councillor Mark Wilson; and
 - (h) Councillor Janet Willis; and
- (2) that the following declarations of interest were also raised in respect of Agenda Item No.5 – Local Government Reform – Proposal for Bay Area:-
 - (a) Councillor Tracy Coward by virtue of being an employee of Cumbria County Council, although not biased or predetermined (and having taken advice from the Legal, Governance and Democracy Lead Specialist (Monitoring Officer));
 - (b) Councillor Gill Gardner by virtue of being an employee of Cumbria County Council, although not biased or predetermined;
 - (c) Councillor Alvin Finch by virtue of being an employee of Cumbria County Council, although not biased or predetermined; and
 - (d) Councillor Jon Owen by virtue of being an employee of Cumbria County Council, although not biased or predetermined.

C/64 LOCAL GOVERNMENT ACT 1972 - EXCLUDED ITEMS

There were no excluded items on the agenda.

C/65 LOCAL GOVERNMENT REFORM - PROPOSAL FOR BAY AREA

Copies of Appendix 1 to the report, which had been marked “to follow” on the agenda, had been circulated to Members and published on the Council’s Website on 2 November 2020.

Councillor Archibald, Leader and Promoting South Lakeland Portfolio Holder, updated Members on the matter of representations made by him and other District Council Leaders (in Cumbria and North Yorkshire) to the Government on the issue of local government re-organisation and the response recently received from Luke Hall, Minister for Regional Growth and Local Government at the Ministry of Housing, Communities and Local Government (the Minister). Councillor Archibald had co-signed a letter to the Minister regarding the timing of the invitation and the absence of an agreed proposal across Cumbria. The letter would be made available to Members on the Council’s intranet. The Minister’s response confirmed that the process of local government re-organisation was now underway and that the Councils had the option to either submit a proposal, or not.

Turning to recommendations contained within the report, Councillor Giles Archibald, reported that, at its meeting on 6 October 2020, Council had authorised himself and the Chief Executive to work with Barrow Borough and Lancaster City Council to explore devolution, including the development of a high level case for a new unitary council for the area comprising the three districts. It had also been noted that the Secretary of State may then invite the Council to put forward a formal proposal which would be subject to future agreement.

Prior to consideration of a high level case, on the 9 October 2020, the Secretary of State for Housing, Communities and Local Government, in exercise of his powers under Part 1 of the Local Government and Public Involvement in Health Act 2007, had invited any principal authority in the area of the county of Cumbria to submit a proposal for a single tier of local government, in accordance with the following criteria:-

- by 9 November 2020, authorities must at least submit an outline proposal, and if a full proposal had not been submitted by that date, the full proposal must be submitted as soon as practicable thereafter and by no later than 9 December 2020;
- authorities must have regard to the guidance from the Secretary of State; and
- an authority may either make its own proposal or make a proposal jointly.

In exploring devolution around the Bay area, Barrow, Lancaster and South Lakeland councils had now developed the initial work to prepare an outline proposal to meet the guidance set out by the Secretary of State in responding to an invitation.

The draft Outline Proposal formed Appendix 1 to the report. The Outline Proposal set out the rationale for developing a new unitary council. The Proposal indicated the opportunities, strengths and strategic needs of the area’s communities and economy and how they may best be addressed through the leadership and resources of local government based on the geography of the functioning economic area and health services footprint.

In addition to structural change, the Proposal indicated the benefits which could be realised through public service reform, within local government and collaboratively with other service providers. The area offered the population scale envisaged by the Government's invite, with a population circa 320,000.

The Proposal acknowledged the historic and current associations between places and communities across the Morecambe Bay area. This strengthened the rationale for the organisation of local government at a scale and footprint readily identified by residents and businesses. This enabled locally based, accessible and engaged local government.

The development of further information, proposal and detail would be identified and set out in an action plan to establish the Full Proposal. This would include, for example, further assessment of:-

- the degree of local support for the proposal;
- functions currently performed by the County Councils and modelling their delivery in the unitary arrangement;
- proposals regarding Police, Fire and Rescue services;
- opportunities for service reform with regards to health and care services;
- options for complementary arrangement of Combined Authorities and powers and resources which may be devolved to them;
- financial modelling:-
 - o the operational costs of the new council, including comparison with alternative proposals and implications for costs to Council Tax payers; and
 - o the costs and funding of transition from the existing to future arrangements; and
- proposals with regard to the structure of local government in the remainder of Cumbria should the Proposal be implemented.

Members were being asked to consider and agree the Outline Proposal for submission to Government by 9 November 2020.

Subject to Council approval, work would continue on the Full Proposal, with a report to be presented back to Cabinet and Council prior to the deadline date of 9 December 2020.

Members were informed that the Council would continue to engage with all interested parties to seek their views. Councillor Archibald welcomed individual or group meetings with Members who wished to contribute to the process. He explained that there would also be engagement with parishes, town councils and key stakeholders in Cumbria. A consultation would be conducted in the time available. Members were informed that consultants had been appointed to assist with the presentation of the business case.

It was expected that Cumbria County Council would submit a proposal for a single unitary council for Cumbria. As an alternative to the single unitary proposal, it was likely that options would be proposed by other district councils for two unitary councils based on combinations of the geographic footprints of the existing district councils. The range of the other proposals would not become clear until 9 November 2020.

Councillor Archibald considered that a proposed single unitary model, based in Carlisle, would be too remote from South Lakeland residents and that it was vital that residents had the option to consider a unitary based on the Morecambe Bay footprint.

Councillor Archibald noted that there were arguments in favour of such a proposal (including cultural history, the health footprint, shared 'LA' postcode and the functioning economic area) which were further detailed in the Outline Proposal. Councillor Archibald further highlighted that a move to a single unitary model across Cumbria would affect Members' abilities to deal with casework because there would be one quarter of the existing number of councillors, thereby quadrupling casework.

With regard to the proposed financial savings arising out of a single unitary model, Councillor Archibald referred Members to a paper summarising independent research on the matter which indicated that savings projected for large unitary authorities often did not materialise and were not guaranteed to materialise. The research suggested that a move to large authorities had the effect of reducing turnout and engagement. In conversation with Conservative and Liberal Democrat MPs, Councillor Archibald understood that the vast majority of MPs in the county were opposed to a single unitary Cumbria.

Councillor Archibald noted that matters such as the treatment of adult social care, children's services, care homes, and the financial implications were being worked on urgently and would be covered in detail in the business case, which Cabinet and Council would have the opportunity to review in due course. He further encouraged Members to raise any issues within the timeframe available to them and noted that it was essential to allow residents the opportunity to consider the proposal.

Councillor Archibald informed Members that the report had been considered by Cabinet earlier in the day, with the recommendations having been approved unanimously.

Councillor Archibald having moved the recommendations within the report was seconded by Councillor Tom Harvey, Shadow Cabinet Leader (Climate Emergency and Localism Portfolio).

Councillor Harvey acknowledged there were alternative proposals on the table for Cumbria in relation to local government re-organisation and expressed a hope that engagement would continue with other options. It was noted that there had been discussions about reorganisation for some time and that residents wished to progress with some form of reform. Councillor Harvey informed Members that, for now, he was content to move forward and to receive the firm proposal next month.

Debate commenced on the recommendation. It was noted that the proposal for a Bay Authority did not remedy or acknowledge existing deficiencies in relation to the ward and district boundaries within Cumbria (and the overlap with the Yorkshire Dales National Park) caused by the Local Government Act 1972. It was noted that the parishes of Orton, Tebay, Ravenstonedale, Kirkby Stephen and Appleby had more in common with some South Lakeland wards than with Carlisle or Penrith. There was concern that such boundary defects would not be corrected by a new Morecambe Bay Authority. Some Members expressed a desire to see more detail regarding community engagement. There was concern that the focus of the Council and the Government should be urgently directed to other matters including fighting the pandemic and the effects of COVID-19, the impact of Brexit and climate change emergency, rather than local government's reorganisation. Attention was drawn to the demographic differences between Lancaster, Barrow and South Lakeland, particularly with regard to differing levels of unemployment and poverty and the potential challenges that this may introduce. A number of questions were raised including: What alternative course of action would be open to the Council should the proposal for a Bay Authority be rejected by the Government? What were the views of Lancashire County Council in relation to

the proposal for Lancaster City Council to join a Bay Authority? How would residents' appetite for the proposal be gauged? Where would the headquarters of the proposed Bay Authority be based? Would the local elections due to take place in May 2021 be going ahead?

Members speaking in favour praised the Outline Proposal and acknowledged the hard work of all involved. It was suggested that the Outline Proposal provided the next logical step and the best way forward. Members noted that South Lakeland, Lancaster and Barrow-in-Furness had strong and effective cross-border links and assets including two universities, a remarkable business sector, visitor economy, creative and digital economy and the potential to address climate change with renewable energy across the Bay. Members expressed concerns that an alternative single unitary model for Cumbria may bring democratic deficit and may lead to a less agile authority and a less responsive service for residents. It was recognised that alternative proposals may be submitted to the Government by the County Council and other District Councils and it was suggested that the proposal for a Bay Authority represented a logical grouping focusing on existing links.

A number of Members spoke against or suggesting that they would abstain from voting on the proposal, raising matters such as the lack of sufficient time for proper consideration and engagement with residents and an insufficient level of detail. Some Members felt that a large unitary authority in Cumbria would be beneficial for the county.

Councillor Archibald thanked Members for their comments and referred to questions raised. He acknowledged concerns regarding boundaries and timing, noting that the Council had to play with the hand it had been dealt in the circumstances. He stressed the commonality of purpose that the three districts could bring to tackle issues of poverty, deprivation, climate change and biodiversity loss. He welcomed regular discussions with Members regarding the development of the business case and reiterated the importance of engagement with residents in the time available.

Eight Members present having requested a recorded vote on the recommendation in accordance with Rule 15.5 of the Council's Rules of Procedure, a recorded vote was taken as follows:–

The following Members voted in favour (37) – Councillors Giles Archibald, Robin Ashcroft, Rupert Audland, Ben Berry, Jonathan Brook, Helen Chaffey, Stephen Coleman, Brian Cooper, Tracy Coward, Philip Dixon, Judy Filmore, Alvin Finch, Gill Gardner, Tom Harvey, Eamonn Hennessy, Hazel Hodgson, Chris Hogg, Rachael Hogg, John Holmes, Kevin Holmes, Vicky Hughes, Andrew Jarvis, Janette Jenkinson, Dyan Jones, Helen Ladhams, Malcolm Lamb, Susanne Long, Pete McSweeney, Ian Mitchell, Jon Owen, Suzie Pye, Doug Rathbone, Brian Rendell, Matt Severn, Peter Thornton, Ian Wharton, Janet Willis.

The following Members voted against (2) – Councillors James Airey and Roger Bingham.

The following Members abstained (7) – Councillors Caroline Airey, Pat Bell, Michael Cornah, Kevin Lancaster, David Webster, Mark Wilson and Shirley-Anne Wilson.

RESOLVED – That

(1) the outline proposal as attached at Appendix 1 to the report be agreed for submission to the Ministry of Housing, Communities and Local Government by 9 November 2020;

(2) the Chief Executive and Leader be authorised to approve any minor amendments that may arise following consideration by Barrow Borough and Lancaster City councils prior to submission and to continue with the work on the final proposal; and

(3) a Final Proposal be submitted to a future meeting of Cabinet and Council prior to the requested deadline from Government of 9 December 2020 and it be noted that a date of 8 December has been scheduled for this purpose.

The meeting ended at 8.13 p.m.