

South Lakeland District Council
Full Council
Tuesday 27th July 2021
Local Government Reorganisation

Portfolio: Cllr Jonathan Brook, Leader and Promoting South Lakeland Portfolio
Report from: Chief Executive
Report Author: David Sykes – Director of Strategy, Innovation and Resources
Wards: All
Forward Plan: Not applicable

Links to Council Plan Priorities:

The Council will ensure Local Government Reorganisation will lead to the improvement of public services and delivery of stronger benefits for residents, businesses and the environment of the South Lakeland area. This will enable progress in the delivery of the Council's priorities of

Working across boundaries

Delivering a balanced community

A fairer South Lakeland

Addressing the climate emergency

1.0 Expected Outcome and Measures of Success.

1.1 Council are informed of the decision of the Secretary of State with regard to Local Government Reorganisation in Cumbria. Work will commence with Cumbrian authorities and MHCLG in readiness for the implementation of reorganisation.

2.0 Recommendation

2.1 It is recommended that Council:-

- (1) Note the Secretary of State's decision with regards to Local Government Reorganisation as it impacts this Council;**
- (2) Authorise the Chief Executive and appropriate officers, in consultation with the Leader and Deputy Leader, to commence work with Cumbrian authorities in readiness for the implementation of reorganisation.**
- (3) To note that further reports will be brought to Cabinet and/or Council as appropriate, once there is further detail on the order and how reorganisation is to be implemented. The timetable of implementation may require meetings of Cabinet and Council to be held outside of the approved schedule of meetings.**

3.0 Background and Proposals

3.1 At the meetings on 8 December Cabinet and full Council approved the full proposal for a unitary council for the Bay area for submission to the Secretary of State for

Housing, Communities and Local Government. The proposal was also agreed by Lancaster City and Barrow Borough Councils, and submitted by the required deadline of 9 December 2020.

- 3.2 The Secretary of State has now concluded the consultation process and has announced his decision, subject to Parliamentary approval, to implement the proposal for two unitary councils on an East-West geography for the whole of the administrative county of Cumbria, and not to implement the proposal for a single unitary council nor the two other proposals for two unitary councils for the area, which included our Bay proposal. The decision will mean the replacement of the County Council and all District/Borough Councils with a new unitary Council for the area comprising Barrow, South Lakeland and Eden and one for the area comprising Copeland, Allerdale and Carlisle. A copy of the Ministerial Statement announcing the decisions to Parliament and a copy of the accompanying letter from MHCLG officials is attached as Appendix 1.
- 3.3 The Secretary of State now intends to seek Parliamentary approval for the necessary secondary legislation to implement this two unitary East-West proposal and it is intended that a draft Structural Changes Order will be laid in Parliament “around the turn of the year” and that it will include provision for the appropriate transitional arrangements, including for elections in May 2022 for the future unitary councils, and for those councils to assume the full range of local authority responsibilities on 1 April 2023. Elections to existing councils scheduled for May 2022, including those postponed from May 2021 will be cancelled.
- 3.4 The focus is now for Chief Executives and senior Officers in Cumbria to discuss with Government officials the scope of matters to be included in the Structural Changes Order and how the programme of transition will be managed. Work will progress on the Structural Changes Order and transition planning which will shape the design of the new authority(s). As arrangements and proposals develop, further reporting will take place to Cabinet and/or Council as appropriate.
- 3.5 Members are asked to receive the update and that the Chief Executive in consultation with the Leader and Deputy Leader will work with all Cumbrian authorities in readiness for implementation and transition to a new authority.

4.0 Appendices Attached to this Report

Appendix No.	Name of Appendix
1	Written Ministerial Statement and letter from MHCLG officials

5.0 Consultation

- 5.1 Not applicable, this report updates Council on the Government’s consultation and decision on Local Government Reorganisation.

6.0 Alternative Options

- 6.1 There are no alternative options, the report is to update on the Government’s decision and consider implementation of the decision.

7.0 Implications

Financial, Resources and Procurement

- 7.1 There are no financial, resource or procurement implications in this report which is to provide Council with an update. Previous reports to Council on the Council’s proposal have set out the implications as they are currently and future reports will identify the

financial, resource and procurement implications of implementing the Transition Programme and Change Order.

- 7.1.2 Through another item on this agenda, the Council is being recommended to make provision of £250k for Local Government Reorganisation which will bring capacity for initial consultancy support and consideration of backfilling the establishment to enable key staff to work on transition. The work with all Cumbria authorities will develop proposals on how the costs of reorganisation will be apportioned between the existing authorities.

Human Resources

- 7.2 There are no direct human resources issues from this report. As work progresses, the human resources requirements and implications will be assessed and addressed. This will include requirement to enable key staff to work on transition and the continued delivery of the Council's services.
- 7.2.1 Staff briefings on the decision have taken place, building on those undertaken throughout the period of development and submission of proposals. Regular briefings will continue through which employees are able to discuss the implications of change. Employee representatives will be engaged.
- 7.2.2 The employee support provisions in place for the Customer Connect programme and addressing the Covid pandemic will continue.
- 7.2.3 Regular updates will be provided for members.

Legal

- 7.3 There is reference in the report to a draft Structural Change Order. The Structural Change Order is made by the Secretary of State for Housing, Communities and Local Government in the exercise of the powers conferred by sections, 7,11,12 and 13 of the Local Government and Public Involvement in Health Act 2007 (a) ("the 2007 Act"). A draft of the order would be laid before, and need to be approved by a resolution of, each of House of Parliament in accordance with section 240 (6) of the 2007 Act. Reports will be brought back to Cabinet and Council as required.
- 7.3.1 There are no legal issues to raise in this report but working groups will be tasked in looking at implementation, including but not limited to elections, Joint Committees and the draft Structural Changes Order and will be considering appropriate legal advice as progress is made towards transition to a new Council.
- 7.3.2 The use of consultancy support and/or managing the resources required will follow the process set out in the Constitution at the appropriate time.
- 7.3.3 Legal advice will be provided as the detail emerges.

Health and Sustainability Impact Assessment

- 7.4 Have you completed a Health and Sustainability Impact Assessment? No
- 7.5 If you have not completed an Impact Assessment, please explain your reasons: This report is informing Council of the Secretary of State's decision.

Equality and Diversity

- 7.7 Have you completed an Equality Impact Analysis? No
- 7.8 If you have not completed an Impact Analysis, please explain your reasons: This report is informing Council of the Secretary of State's decision.

Risk Management	Consequence	Controls required
Resource required to progress implementation	Challenging timescales/decision making Ensuring influence in the development of the new Council Ensuring continued operation of services through the transition	Programme design and resourcing to ensure programme implementation and continued operations
Proposal does not gain support of local bodies and other public sector organisations	Lack of engagement with transition and benefits of reorganisation not realised	Position the proposal with local communities, bodies and organisations and gather expressed support

Contact Officers

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Background Documents Available

Name of Background document	Where it is available
Report to Cabinet and Council 5.11.20	https://democracy.southlakeland.gov.uk/ieListDocuments.aspx?CId=120&MId=5057&Ver=4
Report to Cabinet and Council 08.12.20	https://democracy.southlakeland.gov.uk/ieListDocuments.aspx?CId=120&MId=5058&Ver=4
Link to Cumbria proposals	https://www.gov.uk/government/consultations/proposals-for-locally-led-reorganisation-of-local-government-in-cumbria-north-yorkshire-and-somerset/consultation-on-proposals-for-locally-led-reorganisation-of-local-government-in-cumbria-north-yorkshire-and-somerset

Tracking Information

Signed off by	Date sent	Date Signed off
Section 151 Officer	24/07/21	26/07/21
Monitoring Officer	24/07/21	26/07/21
CMT	24/07/21	26/07/21

Circulated to	Date sent
Lead Specialist	N/A
Human Resources Lead Specialist	N/A
Communications Team	N/A
Leader and Deputy Leader	24/07/21
Committee Chairman	N/A
Portfolio Holder	N/A
Ward Councillor(s)	N/A

Circulated to	Date sent
Committee	N/A
Executive (Cabinet)	N/A
Council	N/A