

South Lakeland District Council
10th November 2021 Cabinet
Local Government Reorganisation
Structural Changes Order

Portfolio: Leader of the Council
Report from: Chief Executive
Report Author: Linda Fisher Lead Specialist Legal Governance and Democracy
Wards: (All Wards);
Forward Plan: Key Decision

Links to Council Plan Priorities: The Structural Changes will impact upon the Council and all its priorities. 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 To update Members with regards to the structural changes order for Local Government Reorganisation.

2.0 Recommendation

2.1 It is recommended that Cabinet

- (1) Receive and note the update; and**
- (2) Note that a Member briefing will be arranged following receipt of further information around the Structural Changes Order**

3.0 Background and Proposals

3.1 Following the decision of the Secretary of State to implement two new Unitary Councils on an East-West geography for the whole of the administrative county of Cumbria work has been ongoing with Cumbrian colleagues on implementation and the draft Structure Changes Order. The Secretary of State now intends as part of the legal process to seek Parliamentary approval for the necessary secondary legislation to implement this proposal. 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 addressing the timing of elections District and Parish and Town Council elections, and for the transfer of the full range of local authority responsibilities on 1 April 2023 to the two new Unitary Councils.

3.2 Council resolved at its meeting in July 2021 to note the Secretary of State's decision with regards to Local Government Reorganisation as it impacts this Council. Council authorised 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; and noted that further reports would be brought to Cabinet and/or Council, and all Members once there is further detail on the Order and how reorganisation is to be implemented. The Cabinet resolved at its meeting in September 2021 to endorse the Leaders proposal to allocate executive decision making work with the Cumbria Authorities in readiness for the implementation of Local Government Reorganisation to the Leader in consultation with the Chief Executive and noted that further reports would be brought to Cabinet and/or Council and all members as appropriate once there is further detail on the Structural Changes Order and how reorganisation is to be implemented.

3.3 At the date of writing this report we are still awaiting details from the Secretary of State of their intentions for the Order.

3.4 Members will be updated at the meeting as to any further information received and further decisions that may be needed and are asked to note that arrangements will be made for an all Member briefing once the draft content has been received.

3.5 **Next Steps**

3.5.1. It is expected that the Order will be laid before Parliament at the turn of the year and brought into force in March 2022.

4.0 Appendices (None)

5.0 Consultation

5.1 The Council awaits information from the Secretary of State.

6.0 Alternative Options

6.1 There are no alternative options recommended.

7.0 Implications

Financial, Resources and Procurement

7.1 There are no costs associated with this report.

Human Resources

7.2 At the time of writing the report we have not seen the detail so cannot comment further on the Human Resources implications.

Legal

7.3 The Structural Change Order is made by the Secretary of State 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.

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: It is not considered that an Impact Assessment is required to be carried out by the Council.

7.6 Summary of Health and Sustainability Impacts

		Positive	Neutral	Negative	Unknown
Environment and Health	Greenhouse gases emissions		x		
	Air Quality		x		
	Biodiversity		x		
	Impacts of Climate Change		x		
	Reduced or zero requirement for energy, building space, materials or travel				
	Active Travel		x		
	Economy and Culture	Inclusive and sustainable development		x	
	Jobs and levels of pay		x		
	Healthier high streets		x		
	Culture, creativity and heritage		x		
Housing and Communities	Standard of housing		x		
	Access to housing		x		
	Crime		x		
	Social connectedness		x		

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: It is not considered that an Equality Impact Assessment is required at this stage.

7.9 Summary of Equality and Diversity impacts

Please indicate: P = Positive impact; 0 = Neutral; N = Negative; Enter "X"				
Age			0	
Disability			0	
Gender reassignment (transgender)			0	
Marriage & civil partnership			0	
Pregnancy & maternity			0	
Race/ethnicity			0	
Religion or belief			0	
Sex/gender			0	
Sexual orientation			0	
Armed forces families			0	
Rurality			0	
Socio-economic disadvantage			0	

Risk Management	Consequence	Controls required
<p>The primary risk to this Council associated with the drafting of the SCO is that the Secretary of State overrides local preferences for some of the content.</p> <p>Risks will be reassessed on receipt of the structural changes order.</p>	<p>The Secretary of State overrides or does not take into account local preferences and position's</p>	<p>Delegation of authority as recommended will enable speedy responses to any queries and enable the local perspective to be strongly argued.</p>

Contact Officers linda.fisher@southlakeland.gov.uk

Background Documents Available

Name of Background document	Where it is available
Cabinet Minute 1 st September 2021	https://democracy.southlakeland.gov.uk/ieListDocuments.aspx?CId=121&MId=5119&Ver=4
Council Minute 27 th July 2021	https://democracy.southlakeland.gov.uk/ieListDocuments.aspx?CId=120&MId=5113&Ver=4

Tracking Information

Signed off by	Date sent	Date Signed off
Section 151 Officer	01/11/2021	01/11/2021
Monitoring Officer	Report author	
CMT	01/11/2021	01/11/2021

Circulated to	Date sent
Lead Specialist	N/A
Human Resources Lead Specialist	N/A
Communications Team	N/A
Leader	01/11/2021
Committee Chairman	N/A
Portfolio Holder	N/A
Ward Councillor(s)	N/A
Committee	N/A
Executive (Cabinet)	10/11/2021
Council	N/A