

WESTMORLAND AND FURNESS SHADOW CABINET

Minutes of a Meeting of the **Shadow Cabinet** held on **Friday, 10 June 2022 at 10.00 am at Barrow Town Hall, Duke Street, Barrow-in-Furness**

PRESENT:

Cllr G Archibald
Cllr P Bell (Vice-Chair)
Cllr J Derbyshire
Cllr N Hughes
Cllr A Jarvis
Cllr D Jones
Cllr S Sanderson
Cllr V Taylor

Officers in attendance:

Interim Head of Paid Service, Interim Monitoring Officer, Interim Head of Paid Service, LGR Programme Manager, Interim Section 151 Officer and the Democratic Services Manager from Barrow.

The Chair welcomed everyone to the meeting and made members aware that an item on Declarations of Interest/Dispensations had been inadvertently missed off the agenda. She asked members to note this would be taken after Apologies for Absence as item 2.

PART 1 ITEMS CONSIDERED IN THE PRESENCE OF THE PUBLIC AND PRESS

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors J Brook and P Thornton.

2. DECLARATIONS OF INTEREST AND DISPENSATIONS

RESOLVED, that there were no disclosures of interest made on this occasion.

The Interim Monitoring Officer reported that she had exercised the discretion under rule 12 (2) of the Constitution to issue a dispensation to Cabinet members. This related to Item 7 on the agenda the majority of members of the Cabinet present having a conflict of interest as they were members of other sovereign authorities.

3. EXCLUSION OF PRESS AND PUBLIC

RESOLVED, that there were no items on the agenda which require the exclusion of the press and public.

4. PUBLIC PARTICIPATION

RESOLVED, that there were no questions or petitions submitted on this occasion.

5. IMPLEMENTATION TEAM

Sam Plum, the Interim Head of Paid Services reported that Kim Rennie, LGR Programme Director was to leave the programme next month and thanked her for the work that she had done since January getting the programme in the shape that it was in. She reassured members that negotiations were concluding with KPMG who were the Council's strategic partner to ensure that there was a transition from the LGR Programme Director to KPMG. Members considered a report from the LGR Programme Director which informed them about the Implementation Team that had been established to support the Local Government Reorganisation process.

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The report provided details of the "Implementation Team", a single team of officers from the seven sovereign Councils. The Implementation Team had been made up of all Chief Executives of sovereign Councils, the Chairs of the thematic groups (where these were not Chief Executives), the Programme Finance Lead and Programme Director. The Interim Heads of Paid Service would form part of the Implementation Team alongside the existing membership of Chief Executives, Senior Responsible Officers and thematic group Chairs.

Councillor Jones then moved the recommendation, which was seconded by Councillor Sanderson.

This recommendation was then put to a vote, which was unanimous.

RESOLVED, that Shadow Cabinet confirms the requirement to be supported by the Implementation Team arrangements that were in place to support the LGR Programme.

6. IMPLEMENTATION PLAN

Members considered a report from the LGR Programme Director that was reported to the Shadow Authority on 17 May 2022.

Since that time the Plan had continued to be developed, to ensure an effective transition to the new unitary Councils for Cumberland and Westmorland and Furness on Vesting Day, 1 April 2023. That reflected the requirements in The Cumbria (Structural Changes) Order 2022.

At its first meeting, the Westmorland and Furness Joint Committee felt that it was necessary to get an update on the process around the blue prints and sought reassurance of Member involvement in the process and requested that an update be provided at the May meeting. At the May meeting of the Joint Committee, Members received an update from the Programme Director which set out the process for agreeing blue prints, the Joint Committee emphasised the importance of Member involvement in this process.

As part of the Order two separate Joint Committees were established, one for Cumberland and one for Westmorland and Furness, along with an Implementation Team for the purposes of assisting the Joint Committees in the discharge of its functions, and if required also to assist the Shadow Authority

With the dissolution of the Joint Committees, (the day following that on which the Shadow Authorities for each area held its first meeting), the Shadow Authorities then assumed responsibility for keeping the Implementation Plan that had been prepared under review and revised as necessary. The advice was that matters relating to the Implementation Plan were an executive function of the Shadow Authorities, and as a consequence this report was presented for information and noting by Members, with the intention that a further report on the Implementation Plan be presented to the meeting of the Shadow Executive in June for decision.

The Implementation Plan that had been prepared (at April 2022) described the approach that had been developed to deliver two sustainable Unitary Councils, and a sustainable Fire and Rescue service, in a safe, legal, and seamless fashion, delivering both benefits from day 1 and the foundation for further transformation in the future.

Councillor Derbyshire proposed and moved the recommendations in the report and this was seconded by Councillor Archibald.

This recommendation was then put to a vote, which was unanimous.

RESOLVED,

- (1) That the Implementation Plan attached at Appendix 1 be adopted;
- (2) That the Terms of Reference for the LGR Members' Liaison Group attached at Appendix 2 be agreed; and
- (3) That the Shadow Cabinet agreed to receive updates on the Implementation Plan as part of the regular reporting on the status of the LGR Programme.

7. AGREEMENT OF GENERAL CONSENT IN RESPONSE TO DIRECTION ISSUED UNDER SECTIONS 24 OF THE LOCAL GOVERNMENT AND PUBLIC INVOLVEMENT IN HEALTH ACT 2007

Members considered a report from Councillor Andrew Jarvis, Finance Portfolio Holder the purpose of which was to consider the Secretary of State's Direction restricting certain transactions and made under the Local Government and Public Involvement in Health Act 2007 (the 2007 Act).

He stated that the Secretary of State's had issued a Direction under S24 restricting certain transaction. The intention of the direction was to give the Shadow Executive oversight of significant contracts and projects of the Barrow Borough, Eden District, South Lakeland District and Cumbria County Councils from 30 June 2022 that would have an impact on the financial position of Westmorland and Furness Council after 1 April 2023.

The statute set very low limits which could prevent the efficient functioning of the existing Councils if approval were to be sought for each contract. The Shadow Cabinet could consider granting a series of General Consents to the District Councils and County Council to enable the business of existing District Councils and County Council to continue to proceed in the run up to Vesting Day. The levels at which the consent was proposed balances the need for political oversight by the Shadow Cabinet without creating significant additional bureaucracy in needing to approval may individual decisions. To avoid delay the General Consent would be a standing item on all Shadow Cabinet meetings and there were delegations to the Finance Portfolio Holder for smaller value contracts.

A schedule of future contracts was attached at Schedule 1 to Appendix 2 asking for approval of twelve contracts today.

Councillor Jarvis then moved the recommendation, which was seconded by Councillor Taylor.

This recommendation was then put to a vote, which was unanimous.

RESOLVED, that Shadow Cabinet

- (1) approve the General Consents to the District Councils and County Council under the Direction made under Section 24 of the Local Government and Public Involvement in Health Act 2007 as attached in Appendix 2; and
- (2) endorse the Leaders decision to delegate authority to the Finance Portfolio Holder in consultation with the S151 Officer and Monitoring Officer for all subsequent matters requiring consent which fall within the range £2m to £5m and other matters as delegated within the Consent.

8. LGR PROGRAMME STATUS UPDATE REPORT

Members considered a report from the LGR Programme Director which updated Cabinet Members on the current Local Government Re-organisation Programme Status Update Reports (to Mid - May 2022) which were in place to support the Local Government Re-organisation process.

Detail was also included about how the Status Update Reports would be developed as more information became available throughout delivery of the programme up to Vesting Day, 1 April 2023.

Councillor Archibald then moved the recommendation, which was seconded by Councillor Hughes.

This recommendation was then put to a vote, which was unanimous.

RESOLVED, that Shadow Cabinet

- (1) note the report details and key points included in section 3 of the report; and
- (2) note that Status Update Reports would be presented periodically to keep Cabinet Members informed of programme delivery progress and that the format would be updated as more information became available.

9. URGENT ITEMS

There were no urgent items of business for this meeting.

The meeting ended at 10.34 am