

Westmorland and Furness Shadow Authority Meeting

17 May 2022

Implementation Team

Report from: LGR Programme Director
Report Author: Kim Rennie, LGR Programme Director
Wards: All
Key Decision: N

1.0 Purpose/Summary of report

1.1 This report informs Members about the Implementation Team that has been put in place to support the Local Government Re-organisation process. Another report on the agenda provides related information regarding the Implementation Plan and programme governance arrangements that have been developed by officers of the County Council, the Cumberland Councils and the Westmorland and Furness Councils, to ensure a smooth transition to the new unitary Councils for Cumberland and Westmorland and Furness on Vesting Day, 1 April 2023.

2.0 Recommendation

2.1 **It is recommended that the Shadow Authority: -**

(1) Notes the Implementation Team arrangements that are in place to support the LGR Programme.

3.0 Background and Proposals

3.1 In July 2021 the Secretary of State announced his decision, subject to Parliamentary approval, to implement a two unitary pattern of Local Government in Cumbria based on an East-West geography. The Cumbria (Structural Changes) Order 2022 gives effect to that decision and came into force on 18 March 2022.

- 3.2 Article 23 and Article 26 of the Order refer to the establishment of two Joint Committees, and the establishment of a single team of officers (“the Implementation Team”) for the purposes of assisting:
- (i) the relevant Joint Committee in the discharge of its functions; and
 - (ii) if, after the dissolution of the relevant Joint Committee, the relevant Shadow Authority so requires, that Shadow Authority.
- 3.3 The members of the Implementation Team are to be officers of the sovereign Councils, and there is a duty placed on sovereign Councils within the Order to co-operate in the formation of the Implementation Team, and to release the officers concerned from their normal duties to assist in the work as reasonably required by Joint Committees or Shadow Authorities, as well as a general duty to consult and co-operate with one another and the Shadow Authorities, (Article 26 (5)).
- 3.4 Since the announcement in July, prior to the Joint Committees being stood up, and during their period of operation, preparations have continued to enable the smooth operation of the two new Councils from Vesting Day. The work undertaken to date, and the work required to ensure successful transition to two new unitary councils on 1 April 2023, is outlined in the Implementation Plan report elsewhere on this agenda.
- 3.5 A diagram illustrating the officer programme governance that has been established to deliver the LGR Programme is set out at Appendix 1 of this report. Work to move to the two new Councils has been organised into six thematic areas: People; Place; Corporate/Enabling Services; ICT; Customer and Digital, and Finance. Each theme is overseen by a Board chaired by a Chief Executive/Senior Officer of one of the sovereign Councils and supported by a series of Workstream/Technical leads who co-ordinate working groups involving subject matter experts from each of the Councils.
- 3.6 The design and delivery of the LGR Programme is overseen by a Chief Executive/senior officer Board (“the Implementation Team”), chaired by the Senior Responsible Officer(s). LGR Programme Board membership includes all Chief Executives of the sovereign authorities, the Interim/Permanent Heads of Paid Service for the two Shadow Authorities (on appointment), the Chairs of the thematic groups (where these are not Chief Executives); the Programme Finance Lead (and Section 151 Officer); and the Programme Director. In summary, the membership of the LGR Programme Board is currently:

- John Metcalfe, Chief Executive, Cumbria County Council (SRO)
- Sam Plum, Chief Executive, Barrow Borough Council (SRO - Westmorland and Furness Councils)
- Andrew Seekings, Chief Executive, Allerdale Borough Council (SRO -Cumberland Councils)
- John Readman, Executive Director, Cumbria County Council (Chair of the People Board)
- Pat Graham, Chief Executive, Copeland Borough Council (Chair of the Place Theme Board)
- Lawrence Conway, Chief Executive, South Lakeland District Council (Chair of the Corporate/Enabling Services Theme Board)
- Jason Gooding, Chief Executive, Carlisle City Council (Chair of the ICT Theme Board)
- Dawn Roberts, Executive Director – Corporate, Customer and Community Services, Cumbria County Council (Chair of the Customer and Digital Theme Board)
- Ian Frost, Interim Chief Executive, Eden District Council (Chair of the Finance Theme Board)
- Pam Duke, Director of Finance (Section 151 Officer), Cumbria County Council (Programme Finance Lead)
- Kim Rennie, Programme Director

- 3.7 The LGR Programme Board, as the Implementation Team are supported in this role by the Programme Management Team and Programme Management Office that has been established, (currently totalling circa 30 staff), together with the officers of all seven sovereign Councils involved in the arrangements described above and supplemented by the capacity available via the Strategic Partner arrangement with KPMG where appropriate.
- 3.8 In terms of the SRO arrangements, the programme has operated a three-way joint SRO approach since December 2021 which has served the programme well. For continuity in the remaining phases of the programme, this arrangement will be extended, with the leadership role being discharged by the three SROs continuing to work together. On the appointment of the two Interim Heads of Paid Service, (the subject of a report elsewhere on the agenda), they would assume the area-based SRO roles, to be replaced in these roles by the permanent Heads of Paid Service on appointment later this year.
- 3.9 For Members' information, the Westmorland and Furness Joint Committee has met on three occasions, considering a report on the Implementation Team at its first meeting. The Joint Committee agreed the Implementation Team arrangements. (The minute of that

meeting is attached at Appendix 2 of this report for Members' reference).

- 3.10 With the dissolution of the Joint Committees, (the day following that on which the Shadow Authorities for each area holds its first meeting), the Shadow Authorities then assume responsibility for keeping the Implementation Plan that has been prepared under review and revised as necessary, and for preparing the authorities for taking on of the full range of local government functions and full local authority powers on 1 April 2023, liaising with the county council and the other shadow authority, and the sovereign authorities in their areas to ensure continuity of services.
- 3.11 The Implementation Team arrangements set out in this report have been designed to assist the Shadow Authorities in delivering their responsibilities, effectively and efficiently, however should a Shadow Authority choose to do so it could make alternative arrangements, noting the implications.

4.0 Consultation

- 4.1 The contents of this report respond to a Statutory Instrument which was the subject of consultation by the Government.

5.0 Alternative Options

- 5.1 The contents of this report respond to a statutory instrument, and whilst there is a choice about Implementation Team arrangements, the approach described is considered the most effective, efficient, and fitting to local circumstances.

6.0 Implications

Financial, Resources and Procurement

- 6.1 A single LGR implementation Reserve of £18.920m has been established through contributions from all District Councils (£1.577m each) and the County Council (£9.460m) and it is being hosted by the County Council.
- 6.2 The purpose of the Reserve is to fund capacity within the LGR Programme to ensure the two new unitary authorities can provide safe and legal services from 1 April 2023, and to develop the future structure of the two new authorities' services. This will include funding the cost of existing council staff across all partners who are seconded into the programme, recruitment of additional external capacity and the procurement of consultant or specialist support.

6.3 Where staff within the Implementation Team/support arrangements are formally seconded or transferred to the programme their costs will be funded from the LGR Implementation Reserve. This includes any staff recruited directly into the Implementation Team/support arrangements. Where formal secondment or transfer is not in place then sovereign Councils will continue to fund the staff costs of individuals in the Implementation Team as part of the duty to co-operate.

Human Resources

6.4 There are no direct implications associated with this report.

Legal

6.5 Article 26 of The Cumbria (Structural Changes) Order 2022. The Joint Committee is required not later than 21 days after the coming into force of The Cumbria (Structural Changes) Order 2022 to form a single Implementation Team. This is to assist the Joint Committee in the discharge of its functions set out in Articles 22, 24, 25 and 26. The Implementation Team may continue to assist the Shadow Authority if the Shadow Authority so requires.

6.6 The requirements of the Order are as follows:

- The members of the Implementation Team must comprise officers from the County Council, the Cumberland councils and the Westmorland and Furness councils.
- The Implementation Team must appoint a member of that Team to be the Leader of that Team.
- The Deputy Leaders of the Implementation Team are to be an officer of one of the Cumberland Councils and the Westmorland and Furness Councils.

6.7 All Councils must co-operate in the formation of the Implementation Team, and release the officers concerned from their normal duties at such times or for such periods as the relevant Joint Committee or the relevant shadow authority may reasonably require.

Health and Sustainability Impact Assessment

6.8 Have you completed a Health and Sustainability Impact Assessment?
No

6.9 If you have not completed an Impact Assessment, please explain your reasons: There are no direct implications associated with this report.

Equality and Diversity.

6.10 Have you completed an Equality Impact Analysis? No

6.11 If you have not completed an Impact Analysis, please explain your reasons: There are no direct implications associated with this report.

Risk Management	Consequence	Controls required
There is a need for a co-ordinated approach to delivering the transition to two new sustainable unitary Councils, in an effective and efficient manner	Failure to deliver statutory and key services on vesting day	The Implementation team and officer support arrangements described in this report assist in mitigating this risk

Contact Officers

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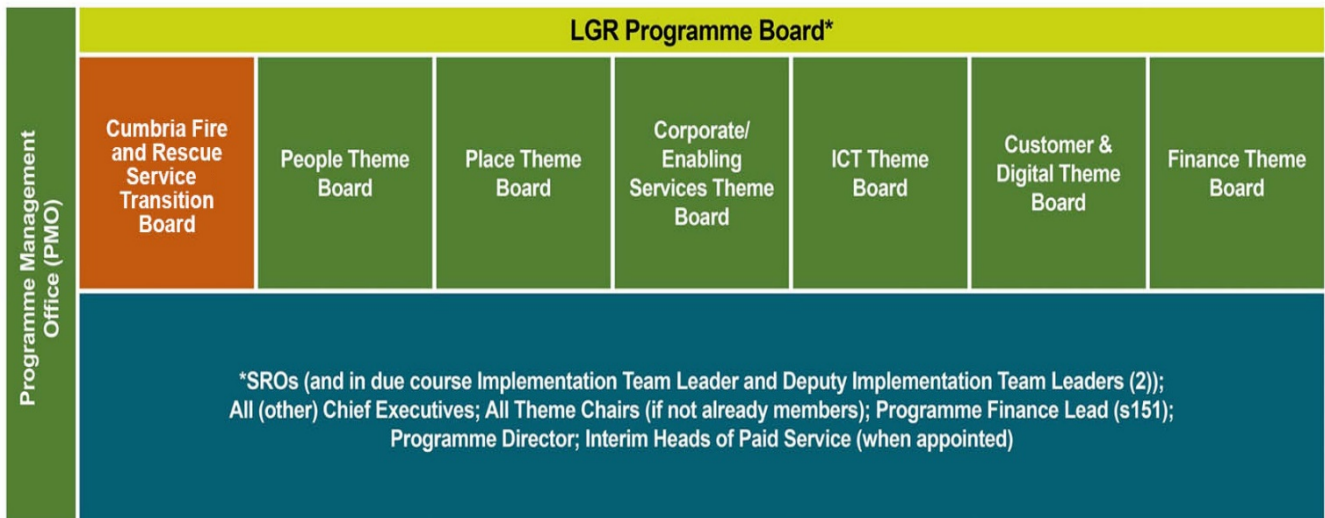
Appendices Attached to this Report

Appendix No.	Name of Appendix
1	Programme Governance
2	Minute of Westmorland and Furness Joint Committee - 29.3.22

Background Documents Available

Name of Background document	Where it is available
The Cumbria (Structural Changes) Order 2022	The Cumbria (Structural Changes) Order 2022 (legislation.gov.uk)

Appendix 1



Appendix 2

W&F/9 FORMATION OF THE IMPLEMENTATION TEAM

The Programme Director presented a report informing the Joint Committee about "the Implementation Team," a single team of officers as required by Article 26 of the Cumbria (Structural Changes) Order 2022 (SCO).

The members of the Implementation Team were to be officers of the sovereign Councils, with the members of that Team appointing a leader of the Team, and the deputy leaders of the Implementation Team being an officer of one of the Cumberland Councils and an officer of one of the Westmorland and Furness Councils. There was a duty placed within the Order on sovereign Councils to co-operate in the formation of the Implementation Team and to release the officers concerned from their normal duties to assist in the work as reasonably required by Joint Committees or Shadow Authorities, as well as a general duty to consult and co-operate with one another and the Shadow Authorities.

Since the announcement in July 2021, and prior to this Joint Committee having been stood up, preparations had commenced to enable the smooth operation of the two new Councils from Vesting Day, key details of which were provided within the report.

Diagrams illustrating the officer programme structure and governance that had been established to deliver the Local Government Reorganisation (LGR) Programme were set out at Appendix 2 to the report. Work to move to the two new Councils had been organised into six thematic areas: People; Place; Corporate/Enabling Services; ICT; Customer and Digital; and Finance.

The design and delivery of the LGR Programme was being overseen by a Chief Executive/senior officer Board (the LGR Programme Board), chaired by the Senior Responsible Officer(s). LGR Programme Board membership included all Chief Executives of the sovereign authorities, the Chairs of the thematic groups (where these were not Chief Executives); the Programme Finance Lead (and Section 151 Officer); and the Programme Director. In due course, once Interim Heads of Paid Service had been appointed by the Shadow Authorities, it was intended that they would also join the Board.

In terms of meeting the requirements of the SCO, the LGR Programme Board, described above would be "the Implementation Team". They would be supported in this role by the Programme Management Team and Programme Management Office that had been established, together with the officers of all seven sovereign Councils involved in the arrangements described above and supplemented by the capacity available via the Strategic Partner arrangement where appropriate.

In terms of the (Senior Responsible Officer) SRO arrangements, the programme had operated a three-way joint SRO approach since December 2021 which had served the programme well. For continuity in the next phase of the programme, this arrangement was to be extended, and the SCO leadership requirements, (for a team leader and two deputies, one from the Cumberland Councils and one from the Westmorland and Furness Councils), would be discharged by the three SROs continuing to work together. This arrangement would operate until such time as it was reviewed; following the appointment of the two Interim Heads of Paid Service, and the Chief Executive of the County Council would also be in post. It would be appropriate to reflect the roles of Interim Head of Paid Service (and subsequently the Heads of Paid Service) in the leadership of the Implementation Team, and it was the intention to bring a report to the first meeting of the Shadow Authorities in this regard.

RESOLVED – That the arrangements for the formation of a single team of officers ("the Implementation Team") as required by Article 26 of the Cumbria (Structural Changes) Order 2022, as set out at paragraphs 3.6-3.8 of the report and above, be agreed.