



Cumberland Joint Committee

Date: Wednesday, 30 March 2022

Time: 10:00

Venue: Cathedral Room

Present: Councillor Lisa Brown, Councillor Nicky Cockburn, Councillor Gareth Ellis, Councillor Mike Hawkins, Councillor Mike Johnson, Councillor Linda Jones-Bulman, Councillor John Mallinson, Councillor David Moore, Councillor Alan Smith, Councillor Mrs Celia Tibble, Councillor Stewart Young

Officers: Mr Seekings, Senior Responsible Officer, Allerdale Borough Council
Mr Lambert, Monitoring Officer, Carlisle City Council
Ms Rennie, Programme Director
Ms Duke, Programme Finance Officer
Ms Houwayek, Technical Leader OD&HR Workstream
Ms Roberts, Acting Deputy Chief Executive, Cumbria County Council
Ms Parkinson, Monitoring Officer, Cumbria County Council
Ms Pemberton, Deputy Chief Executive, Copeland Borough Council
Ms Hartley, Monitoring Officer, Copeland Borough Council

CJC.01/22 APPOINTMENT OF CHAIR

The Senior Responsible Officer welcomed everyone to the first meeting of the Cumberland Joint Committee, he then sought nominations for the appointment of a Chair of the Cumberland Joint Committee.

It was moved and seconded that Councillor Young be appointed Chair of the Cumberland Joint Committee.

It was moved and seconded that Councillor Mallinson be appointed Chair of the Cumberland Joint Committee.

Following voting it was

RESOLVED - That Councillor Young be appointed Chair of the Cumberland Joint Committee.

Councillor Young thereupon took the Chair.

CJC.02/22 APPOINTMENT OF VICE CHAIR

It was moved and seconded that Councillor Brown be appointed Vice Chair of the Cumberland Joint Committee.

It was moved and seconded that Councillor Mallinson be appointed Vice Chair of the Cumberland Joint Committee.

Following voting it was

RESOLVED - That Councillor Brown be appointed Vice Chair of the Cumberland Joint Committee.

CJC.03/22 APOLOGIES FOR ABSENCE

An apology for absence was submitted on behalf of Councillor Little, Cumbria County Council.

CJC.04/22 DECLARATIONS OF INTEREST

No declarations of interests were submitted.

CJC.05/22 PUBLIC AND PRESS

RESOLVED - It was agreed that the items in Part A be dealt with in public and the items in private be dealt with in Part B.

CJC.06/22 AGENDA

RESOLVED - That appendix 1 of agenda item A.2 - Future Meetings and Work Programme be considered after Agenda item A.6.

CJC.07/22 JOINT COMMITTEE TERMS OF REFERENCE AND PROCEDURAL RULES

The Monitoring Officer (Carlisle City Council) presented the Procedural Rules which incorporated the agreed Terms of Reference in relation to the operation of the Cumberland Joint Committee. The Terms of Reference had been agreed by the sovereign Councils, based on the content of the Cumbria (Structural Changes) Order 2022 (SCO).

The Monitoring Officer confirmed that the subsequent meeting locations would rotate, however, Carlisle City Council would provide the administrative support to the meetings.

A Member noted that the Terms of Reference which had been considered by Cumbria County Council had been in draft form and were not as comprehensive as the ones submitted to the Joint Committee. He proposed that the quorum for the Joint Committee should be amended to 7 with 1 representative of each authority in attendance. The proposal was seconded and agreed.

RESOLVED - That the Procedural Rules which incorporate the Terms of Reference as agreed by the sovereign Councils for the Cumberland Joint Committee be endorsed with the following amendment to section 5.0:

The quorum shall be seven with at least one representative from each authority in attendance.

CJC.08/22 FUTURE MEETINGS AND WORK PROGRAMME

The Monitoring Officer (Carlisle City Council) submitted the proposed meetings dates for the newly formed Cumberland Joint Committee. Following discussion it was agreed the meeting on 14 April 2022 would take place in Allerdale, venue to be confirmed and the meeting on 12 May 2022 would take place in the Copeland Centre, Copeland.

RESOLVED - That the Joint Committee meeting dates as set out in section 3.5 of the report be agreed.

CJC.09/22 FORMATION OF THE IMPLEMENTATION TEAM

The Programme Director provided the arrangements for the formation of a single team of officers ("the Implementation Team") as required by Articles 23 and 26 of the Cumbria (Structural Changes) Order 2022 (SCO) 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 required, that Shadow Authority.

Preparations had commenced to enable the smooth operation of the two new Councils from Vesting Day, key details of which were set out in section 3.4 of the report. Appendix 2 of the report included diagrams which illustrated the officer programme structure and governance which had been established to deliver the Local Government Reorganisation programme. Work to move to the two new Councils had been organised into six thematic areas, each one overseen by a Board chaired by a Chief Executive / Senior Officer of the sovereign Councils and supported by a series of Workstream / Technical Leads. The report detailed the membership of the LGR Programme Board, the Board met the requirements of the SCO and would be the Implementation Team.

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 (SCO), as set out in paragraphs 3.6 - 3.8 of the report be agreed.

CJC.10/22 IMPLEMENTATION PLAN AND PROGRAMME GOVERNANCE

The Programme Director presented the Implementation Plan and Programme Governance that had been developed by officers of the sovereign Councils to ensure an effective transition to the new unitary Councils on Vesting Day, 1 April 2023.

Article 24 of the Structural Changes Order requires the Joint Committee to prepare, keep under review, and revise as necessary, an Implementation Plan to include any plans and timetables considered necessary to secure the effective, efficient and timely transfer of functions, property, rights and liabilities to the successor Council.

The high level approach to implementation set out the vision for Cumbria and the ambition and values to guide the implementation approach. The approach included organisational design principles which would underpin the ongoing work around the future design of services. The organisational design principles and design process would be used to develop blueprints for service delivery with the starting point of disaggregation and integration into two separate Councils unless there was a compelling reason not to do so.

The Programme Finance Office highlighted the high level timeline and key stages which would deliver the Shadow Authority's budget and Medium Term Financial Plan.

In considering the Implementation Plan a Member commented that he felt that the Implementation Plan was not fit for purpose and did not contain the information required to plan the transition to the new authorities. He questioned why the working assumption had been to disaggregate services, commenting that it had been his understanding that this had not been the direction from Members. He highlighted that a range of the options that had been considered and felt that all options should be presented to the Shadow Authority to inform their decision making. He noted that the Fire and Rescue Service were integrated with Cumbria County Council and the disaggregation of the service would result in a loss of some funding to the service.

A Member agreed that the Implementation Plan was light in detail and asked for further information regarding the Trade Unions involvement in the consultation process for the Fire and Rescue Service and what the communication plan included in terms of engagement with Members, stakeholders and the public. She also asked that Task and Finish Groups be changed from optional to essential as they were vital in ensuring Members input and participation.

A Member shared concerns regarding the Implementation Plan, however, he explained that the working assumption of disaggregation had been the steer from the Cumbria Leader Oversight Forum (CLOF). He added that disaggregation may be unavoidable should the Westmorland and Furness Council chose to disaggregate services.

The Joint Committee were reminded that they had a duty to prepare an Implementation Plan and have regard to the information supplied by the Secretary of State in support of the proposal for single tier local government in Cumbria.

There was acknowledgement of the duty placed on the Committee but some Members did not feel that the proposed Implementation Plan was sufficient and asked that officers revisit the Plan and amend it to fulfil the requirements of the SCO.

The Joint Committee discussed the disadvantage of disaggregating services should a decision be taken in the future to create a combined authority, however this would be a decision for the Shadow Authorities.

In response to comments and questions the Programme Director clarified that the focus of Implementation Plan was the day one readiness stage, it was vital that the new authority was safe and legal on day one. The Plan was currently in the complex design phase and a blueprint would be prepared to complement the Plan. The direction of the Implementation Plan was based on the requirement of the SCO to establish two separate authorities, any decisions on delivering services in a combined manner would be a decision for the Shadow Authority.

The Programme Director set out the work being undertaken to disseminate information to Members, staff and partnerships and she agreed to take on board Members comments regarding Task and Finish Groups.

The Acting Deputy Chief Executive, Cumbria County Council, gave an overview of the relationship between Cumbria County Council and the Trade Unions for the Fire and Rescue Service. She set out the involvement the Unions had with regard to the consultation and the opportunities that they had to engage with the process.

The Joint Committee discussed the contents of the Implementation Plan in some detail and asked that the Implementation Plan be reviewed and include all of the design options that had been considered not just those detailed in the working assumption.

RESOLVED – That the Implementation Plan be amended to include all of the options considered for the delivery of services, including the Fire and Rescue Service, for the two new authorities.

CJC.11/22 MEMBERS' ALLOWANCES - UPDATE AND PROGRESS

The Deputy Chief Executive (Copeland Borough Council) presented an update on the work which had been undertaken in relation to the preparation of a scheme of members allowances for the Shadow Authority for Cumberland, including the establishment of an Independent Remuneration Panel.

The Cumbria (Structural Changes) Order 2022 (SCO) provided that the Shadow Authority for Cumberland must prepare and adopt a scheme for the payment of allowances to its Members. The Local Authorities (Members' Allowances) (England) Regulations 2003 provided that before an authority made a Scheme for Members' Allowances it should have regard to the recommendations made by an Independent Remuneration Panel (IRP). To meet those requirements an IRP had been established with six members drawn from the IRPs of the sovereign Councils. The IRP was asked to prepare recommendations for both the Shadow Authority for Cumberland and the Shadow Authority for Westmorland and Furness.

The IRP held four meetings between 23 February and 28 March 2022 to prepare their recommendations which were submitted to the Joint Committee for consideration before they were considered by the Shadow Authorities.

The Joint Committee considered the report and expressed concerns that one Scheme would be submitted for both Shadow Authorities. They highlighted the difference in the number of Councillors in the two new authorities and the reduction in the number of Councillors overall. They felt strongly that there should be two separate Schemes which reflected the increased work load on Cumberland Councillors, who had one Councillor per ward, and the resulting increase in demand on Councillors.

The Joint Committee understood that the final decision would be taken by the Shadow Authorities and requested that the comments and concerns of the joint Committee be passed to the IRP and that two separate Schemes should be submitted for consideration. The joint Committee asked that the proposed Scheme be presented to them in April.

RESOLVED - 1) That the contents of the report be noted and the proposals in relation to the formation and work of the Independent Remuneration Panel be endorsed.

2) That the proposed Members' Allowance Scheme be submitted to the Joint Committee at their meeting on 14 April 2022.

CJC.12/22 POTENTIAL SHADOW MEETINGS DATES 2022-23 FOR THE SHADOW AUTHORITY FOR CUMBERLAND

The Monitoring Officer (Carlisle City Council) presented a calendar of potential Shadow Authority meetings from May 2022 to April 2023. The proposed calendar dates did not clash with other committee meetings from sovereign Councils in the Cumberland locality. The first meeting of the Shadow Authority would take place on 17 May 2022 at 10.30am at Carlisle, subsequent meetings would begin at 10.00am and the location would rotate throughout the area.

RESOLVED - That the Joint Committee recommends to the Shadow Authority for Cumberland:

- i) to agree the Schedule of Meetings for 2022/23 for the Shadow Authority for Cumberland as attached to the report;
- ii) note the inaugural meeting of the Shadow Authority is 10.30am on 17 May 2022 and recommend the start time for subsequent Shadow Authority for Cumberland meetings as 10.00am (dates 29 July 2022, 18 October 2022 and 27 February 2023);
- iii) agree that, where practicable, the meetings are rotated across the area; and
- iv) consider whether any additional meetings may be required that may have been overlooked.

The Joint Committee adjourned at 11:27 and reconvened at 11:39

CJC.13/22 WORK PROGRAMME

The Joint Committee considered the work programme as attached at Appendix 1 of the Future Meetings and Work Programme report.

RESOLVED - That the Work Programme as attached to the Future Meetings and Work Programme report as appendix 1 be approved subject to the following amendments:

- i) The Members Allowance Scheme be submitted to the Joint Committee at its meeting on 14 April 2022;
- 3) That the Implementation Plan be submitted to the Joint Committee at its meeting on 12 May 2022.

CJC.14/22 INTERIM STATUTORY OFFICER RECRUITMENT

*The following officers left the meeting for the consideration of this item:
Mr Seekings, Mr Lambert, Ms Duke, Ms Roberts, Ms Pemberton, Ms Hartley.*

The Technical Lead for the OD&HR Workstream presented an outline of the proposed approach to the recruitment of interim statutory roles for the Cumberland Joint Committee. The Technical Lead had circulated an additional briefing note addressing some questions following the circulation of the report and an amended job description for the Interim Head of Paid Service role.

The Technical Lead reported that the Shadow Authority must appoint an Interim Head of Paid Service, Interim Chief Finance Officer and an Interim Monitoring Officer in accordance with Article 9(1)(a)-(c) of the Cumbria (Structural Changes) Order 2022 (SCO). The roles had to be agreed at the first Shadow Authority meeting. The Terms of Reference for the Joint Committee

included undertaking the recruitment process for the selection of the three interim posts in order to make recommendations for the appointments to the Shadow Authority.

The SCO stated that appointees for the interim roles must be an existing officer of the sovereign Councils. The Technical Lead gave an overview of the selection process and set out two options for the Joint Committee to consider regarding the field of selection. The two options were:

Option 1 - to ringfence the opportunities for the designations to those who currently held the designations in one of the four councils or

Option 2 - to widen the field of selection, so that the opportunities were open to all officers of the Council who had the required experience, skills and qualifications.

The Joint Committee were asked to agree their preferred option for the field of selection and to nominate four Members, one representative from each of the sovereign councils, to act as interview panel members. It was confirmed that other members of the Joint Committee would be able to substitute the representative panel member from their Council if required.

A Member stressed the importance of a gender balanced interview panel and urged that this be taken into consideration when making the nominations.

The Joint Committee discussed the two options available for the field of selection for the designated officers.

It was moved and seconded that Option 2 be agreed.

It was moved and seconded that Option 1 be agreed, it was felt that existing officers had a good understanding and knowledge of the Local Government Reorganisation process and appointing from existing officers would show the confidence in the officers.

Following voting Option 2 was agreed.

RESOLVED - That the Joint Committee:

i) agreed the selection process, as outlined in paragraphs 3.5 - 3.8 of the report;

ii) agreed that the following members of the Joint Committee be nominated to act as interview panel members (with other members of the Joint Committee being able to substitute the representative panel member from their Council if required). In the case of a tied vote, the person presiding at the meeting (whether or not the Chair of the Committee) will have the casting vote:

Councillor M Johnson, Allerdale Borough Council

Councillor J Mallinson, Carlisle City Council

Councillor D Moore, Copeland Borough Council

Councillor C Tibble, Cumbria County Council

iii) That Option 2 - to widen the field of selection, so that the opportunities are open to all officers of the Council who have the required experience, skills and qualifications, be agreed as the preferred field of selection for the designated roles;

iv) That the principles outlined in paragraphs 3.14 - 3.17 be agreed;

v) That the draft job descriptions for the roles of Interim Head of Paid Service, as amended and

circulated separately, Interim Monitoring Officer and Interim Chief Finance Officer as attached to the report be agreed.

The Meeting ended at: 12:05