

Full Council

Thursday, 8th April, 2021 at 1.00 pm to be held as a Virtual Teams Meeting

Supplementary Agenda

We are now able to enclose, for consideration at the next meeting of the Full Council on Thursday, 8th April, 2021, the following information which was unavailable when the agenda was despatched.

Index

A. Matters for Decision

3. **Response to the Consultation on Local Government Reorganisation in Cumbria and North Yorkshire** (Pages 1 - 26)

Angie Ridgwell
Chief Executive and
Director of Resources

County Hall
Preston

01 April 2021

Meeting of the Full Council
Meeting to be held on Thursday, 8 April 2021

Report submitted by: Chief Executive and Director of Resources

Part A

Electoral Division affected:
(All Divisions);

**Response to the Consultation on Local Government Reorganisation in
Cumbria and North Yorkshire**
(Appendices A and B refers)

Contact for further information:
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Executive Summary

The report considers the Government consultation by the Ministry of Housing, Communities and Local Government seeking views on the locally-led proposals that the Secretary of State has received following his invitation to councils in Cumbria, North Yorkshire, and Somerset to submit proposals for local government reorganisation. In particular the views of the County Council, as a named consultee, are sought with regard to proposals in the neighbouring administrative areas of Cumbria and North Yorkshire.

The consultation asks a number of questions to help inform the Secretary of State's assessment of each proposals, including the three main tests that will form the basis of the Secretary of State's consideration:

- whether the proposal will improve local government services
- whether there is a good deal of local support in the round for the proposal
- whether the proposed new council areas cover a credible geography

Other public service providers, including health, the police, Local Enterprise Partnerships, and certain business, voluntary sector and educational bodies have also been consulted. The Secretary of State will carefully consider all views expressed, including from local residents, as well as from named consultees.

The report and appendices consider the implications of the proposals with regard to the County Council in order that Full Council agree the basis on which the final response to the consultation is made.

Recommendation

That Full Council be asked to:

- (i) agree the principles of the response to the consultation, as set out in the report; and
- (ii) agree that the Chief Executive be authorised to finalise and respond to the consultation on proposals for locally-led reorganisation of local government in Cumbria and North Yorkshire as set out in this report, in consultation with the Leader of the Council, based on the principles agreed by Full Council.

1. Background

- 1.1 On 9 October 2020, the Secretary of State for Communities and Local Government issued an invitation to local authorities in three council areas – North Yorkshire, Cumbria and Somerset – to submit proposals for unitary local government by 8 December 2021.
- 1.2 On 22 February 2021, the Secretary of State formally began a consultation on the proposals received. In total, there were 8 proposals, two each in North Yorkshire and Somerset, and four in Cumbria.
- 1.3 The consultation period is for 8 weeks and responses are invited from all interested parties. Lancashire received an invitation to respond specifically on proposals in Cumbria and North Yorkshire as a neighbouring authority, and because, in the case of one of the proposals for Cumbria, an area currently within Lancashire (Lancaster, see proposal C2 below) would be directly affected.
- 1.4 A map illustrating the areas subject to consultation is shown below and further details of the various proposals are set out in this report. The consultation will close at 11.45pm on 19 April 2021, and Full Council is asked to consider the proposals for Cumbria and North Yorkshire and agree a response.
- 1.5 Following the close of the consultation, the Secretary of State will consider the proposals and consultation responses and assess the proposals against the criteria (See Section 2 below) before reaching a balanced judgement on which proposals, if any, to implement.
- 1.6 The Secretary of State may decide, subject to Parliamentary approval, to implement a proposal with or without modification, or to not implement any proposal. He may also seek advice from the Local Government Boundary Commission for England. If any proposals are to be implemented, the Government advises that the Secretary of State's decisions will be communicated to the councils as soon as practicable and it is expected that any new unitary councils take on full council role from April 2023, with transitional arrangements in 2022-23 to support a smooth implementation.

- consider impact on other local boundaries for example an assessment of the impact on police forces and/or fire and rescue and should include the views of the relevant Police and Crime Commissioners and Fire and Rescue Authorities; and
- take into account the wider context on promoting economic recovery and growth, possible devolution deals and Mayoral Combined Authorities.

2.3 The respective proposals for North Yorkshire and Cumbria are described in Section 3 below and the key points for the County Council aligned to the key criteria as set out in section 2.1 above and Appendix A are summarised as 'LCC Considerations'. Subject to the decision of Full Council, it is intended that the Chief Executive be authorised to respond to the formal consultation before the Government deadline using the online platform, based on the principles agreed.

3. Proposals

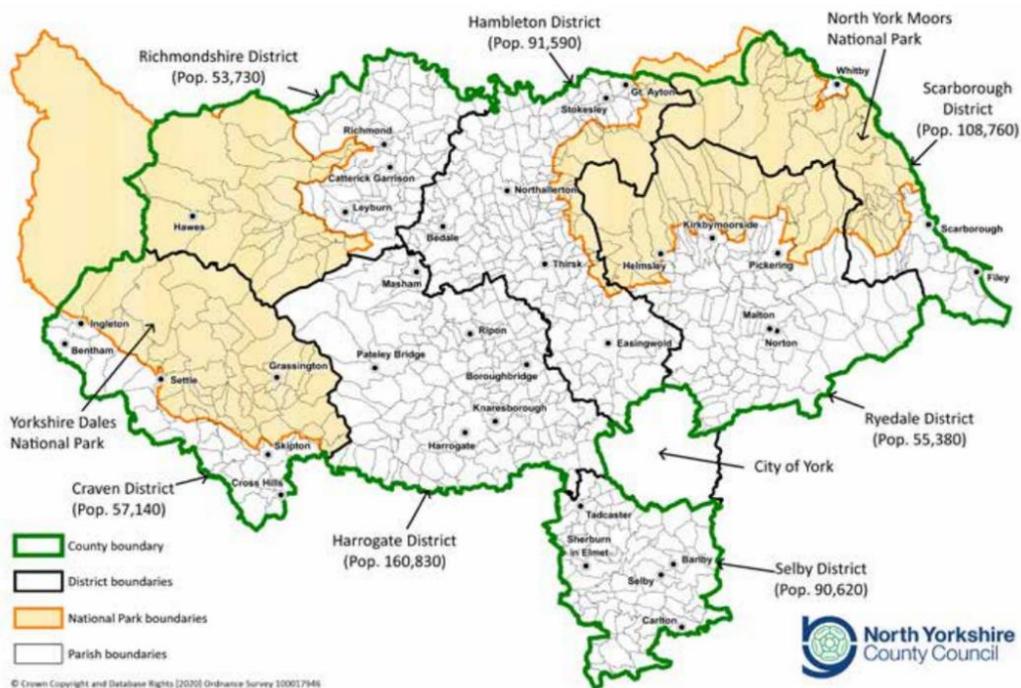
North Yorkshire: Descriptions of Options

3.1 There are two options for Local Government Reorganisation in North Yorkshire; a single unitary, retaining the existing City of York unitary, and two unitaries, East and West, absorbing the existing City of Your unitary.

(NY1) Single Unitary for North Yorkshire

3.2 **North Yorkshire County Council** submitted a proposal to establish a single unitary authority for the whole administrative county of North Yorkshire, with a population of 618,100 and no changes to the existing City of York unitary (with a population of 210,600).

Figure 1: Map of North Yorkshire's county, district, national park and parish boundaries.



(NY2) Two Unitaries, West and East

- 3.3 Six authorities comprising **Craven District Council, Harrogate Borough Council, Richmondshire District Council, Ryedale District Council, Scarborough Borough Council and Selby District Council** submitted a joint proposal for two unitary councils covering the whole of the area of the administrative county of North Yorkshire and the administrative area of the City of York. The proposal comprises one unitary to the east with a population of 465,400, including Ryedale, Scarborough, Selby and the current unitary of York; and one to the west with a population of 363,200 including Craven, Hambleton, Harrogate and Richmondshire.

Figure 2 Proposal for two, east and west unitary authorities



LCC Considerations - North Yorkshire

- 3.4 It is considered that as a principle, the creation of unitary authorities of appropriate size and scale can be a means to deliver better, more sustainable local government services, especially in large administrative areas where there is currently a complex mix of two tier and unitary authorities. This section considers the two options for North Yorkshire against the key criteria and consultation questions.

Improving local government and service delivery

- 3.4.1 Whilst on a smaller scale than Lancashire comprising just over half our population size, North Yorkshire is currently made up of a county council, seven districts and a unitary council. It is therefore considered that in principle both of the options, proposing unitary authorities, would represent an improvement on the current position.

Local Support

3.4.2 It is considered that the views of those people and stakeholders directly affected should be paramount. As a neighbouring authority either change would have minimal impact on the operations of Lancashire County Council. However, at a strategic level an amplified, stronger and unified voice for North Yorkshire is likely to compromise Lancashire's ability to present its case and advocate for its residents and businesses with the same level of authority and influence.

Credible Geography

3.4.3 The criteria for a credible geography set out at para 2.1 above indicates either a population range of 300,000-600,000 or other such figure having regard to the circumstances of the authority, including local identity and geography. Both options ensure that all tiers of government affected are within the scope of the review. The City of York has a population less than the government range but is an established unitary authority at that scale. From a Lancashire perspective and in relation to the shared border with Lancashire and associated interconnectivity, it is not considered that there are any reasons to object to the proposals on grounds of credible geography.

Summary of Proposed Response to Consultation

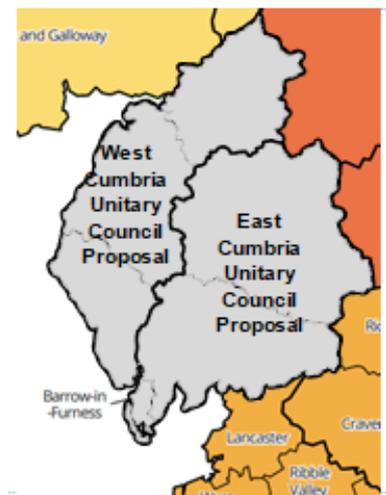
3.4.4 It is therefore considered that both proposals for North Yorkshire can be supported, however noting that the outcome for North Yorkshire may place Lancashire at a relative disadvantage in both the regional and national dimensions.

Cumbria: Description of Options

3.5 There are four options for Local Government Reorganisation in Cumbria; a two unitary model, East and West with a Combined Authority; a two unitary model, the Bay and North Cumbria, including Lancaster City Council; a further two unitary model North and South with a Combined Authority; and a single county wide unitary.

(C1) East and West Unitary Authorities & Mayoral CA

3.6 **Allerdale Borough Council and Copeland Borough Council** submitted a joint proposal for two unitary councils covering the whole of the area of the administrative county of Cumbria: one unitary council in the West with a population of 274,700 comprising the current districts of Allerdale, Carlisle and Copeland; and one in the East with a population of 225,400 comprising the current districts of Barrow, Eden and South Lakeland.



3.6.1 Allerdale and Copeland Councils believe that two unitary authorities should be overseen by a Mayoral Combined Authority.

3.6.2 Further information can be found online:

[Allerdale Link to Proposal C1](#)

[Copeland Link to Proposal C1](#)

[Link to Full Business Case for Proposal C1](#)

(C2) The Bay Authority & North Cumbria Authority

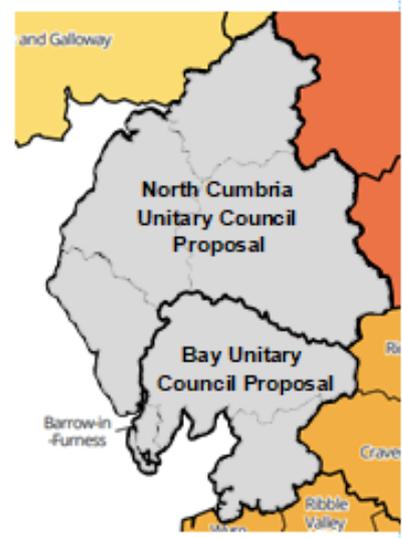
3.7 **Barrow Borough Council and South Lakeland District Council** submitted a joint proposal for two unitary councils covering the whole of the area of the administrative county of Cumbria and the administrative district area of **Lancaster City Council** within the county of Lancashire: one unitary council (“The Bay”) with a population of 318,100 comprising the current districts of Barrow, Lancaster City (in Lancashire) and South Lakeland; and one "North Cumbria" with a population of 328,000 comprising the current districts of Allerdale, Carlisle, Copeland and Eden districts.

3.7.1 Further Information can be found online:

[Barrow Link to Proposal C2](#)

[South Lakeland Link to Proposal C2](#)

[Link to Full Business Case for Proposal C2](#)



(C3) North & South Unitary Authorities & Mayoral CA

3.8 **Carlisle City Council and Eden District Council** submitted a joint proposal for two unitary councils covering the whole of the area of the administrative county of Cumbria: one unitary council in the north with a population of 259,800 comprising the current districts of Allerdale, Carlisle and Eden; and one in the south with a population of 240,300 comprising the current districts of Barrow, Copeland and South Lakeland.

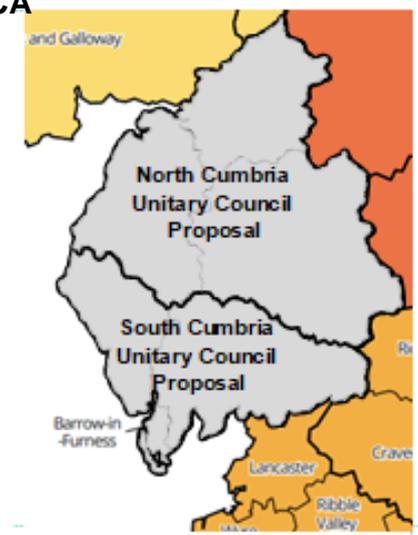
3.8.1 Carlisle and Eden Councils believe that two unitary authorities should be overseen by a Mayoral Combined Authority.

3.8.2 Further Information can be found online:

[Carlisle Link to Proposal C3](#)

[Eden Link to Proposal C3](#)

[Link to Full Business Case for Proposal C3](#)

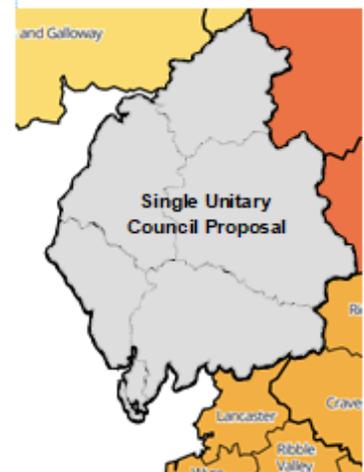


(C4) Single Unitary for Cumbria

- 3.9 **Cumbria County Council** submitted a proposal for a single unitary council for the whole area of the administrative county of Cumbria with a population of 500,000.

3.9.1 Further Information can be found online:

[Cumbria Link to Proposal C4](#)
[Link to Full Business Case for Proposal C4](#)



LCC Considerations – Cumbria

- 3.10 It is considered that as a principle, the creation of unitary authorities of appropriate size and scale can be a means to deliver better, more sustainable local government services. Cumbria's administrative mix of six districts and a county includes a small population relative to Lancashire, dispersed over a large geographical area. This smaller population provides a challenge for a multi unitary proposal within Cumbria to meet the population criteria set out by the Secretary of State in pure numeric terms.
- 3.11 However the proposal for the Bay Authority, reaches into Lancashire, to include Lancaster City Council differentiating it from the other proposals. This will have a direct impact on Lancashire's businesses, residents and services and is therefore inevitably the focus of the analysis below which considers the four options for Cumbria against the key criteria and consultation questions.

Improving local government and service delivery

- 3.11.1 Cumbria is of smaller scale and complexity than North Yorkshire, and indeed Somerset (as the other areas invited by the secretary of State to submit proposals), comprising a third of Lancashire's population. Cumbria, comprising a county council and six district councils with a population of 500,000 people, therefore presents different challenges to delivering service improvements to those in larger county areas. In particular, securing the right balance between economies of scale and consistency offered by unitarisation and engagement with communities will be a key consideration. Smaller authorities may have more options to ensure a greater connectivity to local communities. However, they may not lever the same level of economies of scale and may proliferate some overheads particularly in the statutory roles of Director of Public Health, Adults and Children's services and the governance necessary to support those activities. Dividing a relatively smaller area into smaller administrative parts also brings with it the challenge of securing strategic leadership at a scale and the ability to align service delivery in terms of other public services. Some of this latter point may be addressed though a Combined Authority, where proposed.

- 3.11.2 Proposal C2 includes the specific proposal to create a Bay Unitary Authority which adds the administrative area and population of Lancaster City Council to that currently covered by South Lakeland and Barrow. Whilst this increases the aggregate population range and unitary size of the proposals that will counter some of the concerns that the Cumbria constituents have faced it brings different complexities and considerations particularly in respect to the delivery of improved local government services. Those implications move beyond the geographical boundaries of the proposals and will impact on all residents, businesses and services across the Lancashire County Council area.
- 3.11.3 Within proposal C2, there is no detailed analysis of the service implications of transferring the current upper tier services, which as set out below will form the biggest element of the budget and workforce of the new unitary. Nor is there any evidence of the legacy impact to the remainder of the county council that will need to be borne by residents, businesses and service users. It is highly likely that additional costs will be carried in the legacy organisation as overheads will not be defrayed as efficiently and Lancashire will not have the corresponding reorganisation opportunities to address this.
- 3.11.4 All County Council services provided in Lancaster would transfer to the new Bay Authority were proposal C2 to proceed. These include:
- Adult Social Care, Disability, Public Health and Wellbeing Services;
 - Education, Early Help and Children's Services including Safeguarding, Fostering and Looked After Children;
 - Libraries, Museums, Culture and Registrars;
 - Highways and Transport Authority;
 - Waste Management;
 - Trading Standards; and
 - Economic Development, Environment and Planning Authority
- 3.11.5 On a simple pro rata of population basis, the value of net revenue budget for these services that would transfer to the Bay Unitary in respect of Lancaster City would amount to in excess of £105m. This is more than 3 times the total net budget of the three constituting District Councils at £34m. Around one third of Cumbria County Council's budget would also transfer.
- 3.11.6 In this respect it is difficult to envisage how, without considering the existing local government arrangements in Lancashire at the same time, or seeking the input of the upper tier authority to the proposal itself, that C2 can be considered by Government as 'locally-led'. The County Council is not involved in the proposal, has offered but has not been asked to provide detail or data about the services it provides in Lancaster, nor is able to put forward any counter proposals in the

broader interests of the residents of Lancashire without an invitation from the Secretary of State to do so.

- 3.11.7 As set out at para 2.2 above, the Government has issued guidance requiring any proposal for a unitary authority which crosses existing police force and fire and rescue authority boundaries, such as the Bay Authority within proposal C2, to include an assessment of the impact on police forces and/or fire and rescue authorities and to include and take into account the views of the relevant Police and Crime Commissioners and Fire and Rescue Authorities. The respective responses are included in full at Appendix B.
- 3.11.8 Lancashire's Police and Crime Commissioner ('Lancashire PCC') states that the proposal is not supported as it would necessitate a change in the policing boundary and that impacts on the operating model and finances for the whole of Lancashire have not been considered. The Lancashire PCC does state support for the principle of local government reorganisation and advocates a mayoral combined authority for Lancashire to reflect the divisional policing footprint. Cumbria's Police and Crime Commissioner ('Cumbria PCC') comments collectively on the proposals for Cumbria in a single response and notes the opportunities for significant efficiencies through fewer levels of administration as well as the challenges of strategic leadership over a large geographical area. Cumbria PCC states that whilst options should not be discounted, policing is 'best delivered by maintaining the current county border and ...footprint' and strongly advises that policing boundaries should not change if local government administrative boundaries do. Cumbria PCC also supports proposals for an elected Mayor
- 3.11.9 With regard to the Fire and Rescue Authority, a letter from the Chief Executive of Cumbria County Council states that the formal views of the Fire Authority on proposal C2 have not been sought. Proposal C2 does not appear to include a response from Lancashire Fire and Rescue service.
- 3.11.10 In order to draw conclusions as to whether the proposals in C2 improve local government and service delivery, it is important to consider the services themselves, the financial implications, value for money and the potential to generate savings. In the absence of service data and analysis it is not possible to evidence improved services for Lancashire residents. Furthermore, the legacy cost on the remaining constituencies in the Lancashire county council area is one that cannot be effectively mitigated in the absence of opportunities to reform. Taking a piecemeal approach to local government reorganisation in Lancashire will require a significant restructure across all county services, demanding additional one-off costs as well as higher ongoing costs. The potential for additional disruption to service users is significant without any opportunity to secure the benefits than would be expected if Lancashire was to be considered as a whole.

Local Support

- 3.11.11 It is considered that the views of those people and stakeholders directly affected should be paramount. As a neighbouring authority, proposals C1, C3 and C4 would have minimal impact on the operations of Lancashire County Council. However at a strategic level an amplified, stronger and more unified voice for Cumbria, especially with a mayoral combined authority, is likely to compromise Lancashire's ability to present its case and advocate for its residents and businesses with the same level of authority and influence.
- 3.11.12 With regard to proposal C2, there are close community links between Lancaster and other parts of Lancashire, notably Wyre (which shares a parliamentary constituency with the city of Lancaster) and the Ribble Valley, which enjoy close links over the Forest of Bowland. It is considered that the Lancaster voice should be heard as much in the context of it being part of Lancashire as it should in consideration of the proposed Bay Authority.
- 3.11.13 The heritage of Lancaster as Lancashire's county town is important to community identity and place-shaping. If the Bay Authority ultimately came under a Cumbria Mayoral Combined Authority, the administrative change could potentially undermine the Lancashire heritage and cause confusion in respect of Lancaster's local identity, heritage and place-shaping.

Credible Geography

- 3.11.14 The criteria for a credible geography set out at para 2.1 above indicates either a population range of 300,000-600,000 or other such figure having regard to the circumstances of the authority, including local identity and geography. The latest population estimates indicate Cumbria has a total population of 500,000 people comprising a range within the six district areas ranging between 53,300 (Eden) and 108,700 (Carlisle). Lancaster's population is 146,000. Hence the proposals C1 and C3 to divide the existing six district areas into two unitary authorities, inevitably result in aggregate unitary population sizes less than the indicated threshold of 300,000-600,000. The East Cumbria authority within proposal C1 being the smallest of those proposed at 225,400 people. Proposal C2 results in two unitary authorities of 328,000 and 318,100 respectively, due to the 'Bay Authority' including Lancaster's population. Proposal C4 would equate to a population of 500,000¹.
- 3.11.15 With regard to proposal C2 the business case describes the alignment with health services. However, there is less alignment with other

¹ Latest ONS Population Estimates (www.nomisweb.co.uk) Allerdale 97,800; Barrow 67,000; Carlisle 108,700; Copeland 68,200; Cumbria 500,000; Eden 53,300; Lancaster 146,000; and South Lakeland 105,100

critical public service functions, including police, fire and coronial jurisdictions.

- 3.11.16 Local identity is part of the key criteria identified by Government. The business case for C2 states that the proposal does not restrict future options for local government reorganisation of the remaining areas of Lancashire. The proposal describes the case for a North Cumbria unitary and a Bay Authority unitary and considers both the connectivity as well as the distinction between north and south Cumbria. Taken together this has potential to underplay the importance of Lancaster to Lancashire.
- 3.11.17 There are clear historic ties between Barrow and the Furness peninsula and Lancashire. Whilst much of the South Lakeland area, formed as a district in 1974, has not been historically part of Lancashire, there are neighbouring economic links.
- 3.11.18 Most recently, close working between all 12 districts of Lancashire and the County Council, as well as the Blackpool and Blackburn with Darwen unitary councils during the Covid-19 pandemic has demonstrated close interdependences across the Lancashire area, including Lancaster.

Summary of Proposed Response to Consultation

- 3.11.19 The principle of unitary authorities of appropriate size and scale can drive improved services to the public. It is therefore considered that proposals C1, C3 and C4 for Cumbria can be supported as they are unlikely to have a material impact on the day to day operations for Lancashire County Council.
- 3.11.20 However, it is noted that smaller unitaries are less likely to offer economies of scale and the outcome for Cumbria in respect of all 3 options may place Lancashire at a relative disadvantage in both the regional and national dimensions.
- 3.11.21 The position is more complex in respect of proposal C2 as this impacts directly on Lancashire itself. The current Bay Authority proposal contains no detail of the local government services provided by the County Council in Lancaster and how that would be absorbed into the new authority. The business case acknowledges the challenges and complexities stating, "in particular for the move of Lancaster from Lancashire County Council, and potential longer term changes that may be required for police and fire authorities to support the new footprint." However, the business case does not provide any detailed assessment of County Council services acknowledging "there will need to be more time and opportunity for discussion... about the implications of local government reorganisation on other authorities."

3.11.22 Also, no detailed assessment has been carried out with regard to the impact on Lancashire County Council, its residents, services and business users of the proposed changes, nor has the county council been asked to provide relevant data. It is therefore not evident that the proposals will lead to improved services either within the Bay or more broadly across Lancashire.

3.11.23 If proposal C2 were to proceed now without looking at the broader considerations in Lancashire, this would limit the options available in future reorganisation rounds and potentially drive a sub-optimal outcome for our residents and businesses.

3.11.24 Bearing in mind the above it is considered that any re-organisation that directly impacts on Lancashire, in isolation of the consideration of all tiers of local government at the same time, is premature and can only progress if Lancashire is considered in its entirety.

Consultations

N/A

Implications:

This item has the following implications, as indicated:

Risk management

There are no direct legal or financial implications in this report, on the basis that it is a response to a consultation and no impact arises directly from it. However, there are a number of potential impacts depending on the ultimate decision to be taken by the Secretary of State, and these are set out in the main body of the report.

Local Government (Access to Information) Act 1985 List of Background Papers

Paper	Date	Contact/Tel
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N/A

Reason for inclusion in Part II, if appropriate

N/A

Appendix A

Consultation Questions

The Government consultation is seeking views on the Cumbria, North Yorkshire and Somerset councils' proposal and in particular on the following questions in relation to each proposal:

1. Is the councils' proposal likely to improve local government and service delivery across each area? Specifically, is it likely to improve council services, give greater value for money, generate savings, provide stronger strategic and local leadership, and create more sustainable structures?
2. Where it is proposed that services will be delivered on a different geographic footprint to currently, or through some form of joint arrangements is this likely to improve those services? Such services may for example be children's services, waste collection and disposal, adult health and social care, planning, and transport.
3. Is the councils' proposal also likely to impact local public services delivered by others, such as police, fire and rescue, and health services?
4. Do you support the proposal from the councils?
5. Do the unitary councils proposed by the councils represent a credible geography?
6. Do you have any other comments with regards to the proposed reorganisation of local government in each area?

1. Lancashire Police and Crime Commissioner



By email only
Leader South Lakeland Council
CEO South Lakeland Council

Telephone: 01772 533547
Email: commissioner@lancashire-pcc.gov.uk
Date: 8th December 2020

Dear Sirs

RE: Local Government Reform – Proposal for the Bay Area

It is my understanding that through a letter of the 9th of October 2020 the Secretary of State for Housing, Communities and Local Government, in exercise of his powers under Part 1 of the Local Government and Public Involvement in Health Act 2007, invited any principal authority in the area of the county of Cumbria to submit a proposal for a single tier of local government.

I am aware that along with other proposals, an outline proposal for the "Bay Area" was submitted on the 5th of November 2020. Since that date further work has been undertaken to develop a full proposal which needs to be submitted by the 9th of December 2020.

The proposal is said to present the case for a new unitary council for the Bay which would include Lancaster administrative area. The proposal, which I have only seen today (7th of December 2020) has not been shared with me, as the Police and Crime Commissioner for Lancashire in any way previously, which is very disappointing. Further meaningful engagement with me has also not been undertaken by any party to the Bay proposal. I have not been a party to a Stakeholder meeting. I am unclear where the comments attributed to Lancashire and policing throughout the document have originated, in the absence of detailed engagement with myself and the Chief Constable.

The proposal sets out the case for removing the administrative area of Lancaster from Lancashire and absorbing it into one of two new unitary councils for the Cumbria area. For the avoidance of doubt, Lancaster is not in the administrative area of Cumbria, it is in Lancashire and it is policed by Lancashire Constabulary.

The city of Lancaster has a long and distinguished history being mentioned in the Domesday Book in 1086 and importantly, it is from the city of Lancaster that the County of Lancashire takes its name, previously having been called "Lancastershire". It is my view that the people of Lancaster are proud to be called Lancastrians and are proud to be part of Lancashire. Lancaster is the very bedrock of the Lancashire county footprint and as a principle to decouple it from its natural historical home would be a retrograde step. Administrative history is extremely important and there is no reason why working cross boundary cannot continue and even be enhanced even if Lancaster remains outside the boundary. Indeed prior to the 1974 reorganisation both South Lakeland and Barrow were also in fact part of Lancashire.

Cumbria, like many other areas in England may well benefit local government reorganisation within its own administrative boundary. The opportunity to build on existing strong relationships in Cumbria is one which can be pursued through a local government reorganisation in order to improve economic prosperity and resilience. There are however other models of potential reorganisation that can be considered and it is suggested that these are more appropriate to preserve the coterminosity of policing in the administrative area of Cumbria.

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Police & Crime Commissioner for Lancashire, OPCC, County Hall PR1 0LD
www.lancashire-pcc.gov.uk



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The proposal to remove the Lancaster City Council administrative region from the county of Lancashire would necessitate a change in the policing boundary and therefore from a policing perspective this proposal is not supported.

It is my view that you have not met the requirement in your proposal as required by the Secretary of State in his letter of the 9th of October 2020. I draw your attention to the schedule and the requirement at 2 (c) which states:

"c. The impact of any proposed unitary authorities on other local boundaries and geographies. If the area of any proposed unitary authority crosses existing police force and fire and rescue authority boundaries, the proposal should include an assessment of what the impact would be on the police forces and/or fire and rescue authorities and include the views of the relevant Police and Crime Commissioners and Fire and Rescue Authorities."

As already stated, my views are not presented in the proposal here despite an attempt to imply they are.

Secondly, I see little or no assessment of impact of the proposal on policing in the proposal. It is merely acknowledged that there will be an impact if the Secretary of State chooses to make an Order for reorganisation.

Lancashire Constabulary has an operating model for the whole of Lancashire. It operates as one. It is naïve to think that a part can be cut away and there be no impact.

The model is based on 3 divisions or BCU's (Basic Command Units). They are split into South/West and East divisions. The divisions are broadly balanced geographically and demographically to meet the policing needs in each area. West division consists of the administrative areas of Blackpool, Fylde, Wyre and Lancaster. To remove the Lancaster City Council area from this footprint will have a significant impact on the whole operational model. It would cause resilience issues for policing in the county, particularly with the loss of a custody centre at Lancaster police station (one of only 6 pan Lancashire) and also a briefing base in Morecambe (one of 9 across the county).

Lancashire Constabulary currently have around 25,000 admissions to custody each year the location and utilisation of the custody suites across the county is finely tuned. The suites provide resilience to each other in times of increased demand both locally and across the county. Further resilience is needed when repairs or refurbishment is required of existing custody facilities. Custody is an area that is subject to a complex staffing regime which is dynamic.

The Lancaster custody facility is also a briefing base. However, operationally the operational response on the ground from that facility is for an area wider than just the Lancaster City Council area. There would clearly be an impact on estate requirements for the Constabulary and an associated need to find and utilize other accommodation in the context of the operational model.

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The difference in the makeup of Lancashire Constabulary and Cumbria Constabulary is significant - with Lancashire being one of the biggest forces in the country and Cumbria being one of the smallest. This introduces many issues including what infrastructure and specialist support is currently available to the public of Lancaster City Council area versus the alternative.

The Lancaster base hosts resources and provides support not only to that area but to the whole of Lancashire. There are layers of different types of policing resources in play. For example, the area is massively supported by deployments from other areas of Lancashire at times. There are significant Level 2 threats such as County lines and Child Exploitation and issues in Lancaster City Council area which benefits from targeted resources from staff outside Lancaster and across the county.

The associated impact in changing the operating model is the impact on the staff at all levels in the Constabulary from senior police officer posts to a range of staffing roles. Over 500 people in Lancashire Constabulary are likely to be directly affected by the Bay proposal and potentially many more indirectly. Any implementation of the Bay proposal would bring with it the need to align resource to facilitate a TUPE type transfer of relevant staff, alongside the need to transfer relevant assets and liabilities. No assessment has been done of the impact of this policing boundary change in this regard.

There would of course be many other associated impacts for Lancashire and Cumbria Constabulary if the administrative area is consumed into the Bay including the need to address the use of systems (as they will not be the same in all respects), the impact on crime recording, the impact on contact management and the need to realign Constabulary resources to address the impact of the reorganisation. This in itself will impact on an already busy policing agenda including for example the delivery of the national uplift of police officers and this may mean that Constabulary cannot deliver what it had hoped to on various agendas. The distraction of this proposed reorganisation is unnecessary outside the administrative boundary of Cumbria.

Council tax harmonisation is referenced in the proposal indicating that it would be "subject to further analysis and agreement". This again is very important to address now.

The issue of council tax harmonisation arises simply because of the differences in the current levels of council tax between the two authorities. It is entirely unconnected with the costs and savings of the reorganisation itself. The issue of Council tax harmonisation is old trodden ground in some respects and was discussed in 2006 with government as part of the proposed merger arrangements for Lancashire and Cumbria Constabulary. It has to be said that at that time it was a major factor in both parties reaching an agreement not to proceed with the amalgamation.

For 2020/21

- Residents of Lancaster have a Band D Council Tax of £211.45 for the PCC for Lancashire
- The current Band D Council Tax for the PCC for Cumbria is £265.59 - **£54.14** higher

The process of how to equalise council tax has not been addressed or considered to any depth. Further, it appears that the proportional increase in population to Cumbria (is nearly 28 % increase) would be higher than the proportional increase in Council tax base and therefore ability to generate income – this doesn't appear to have been modelled and the impact assessed.

Cont'd./...over...



Cont'd.../...4...

In terms of government grant funding any change in population to either administrative area will require an adjustment to government policing grant funding for each PCC. I can see no assessment of the impact of potential grant changes for either PCC. I am therefore unable to understand fully the impact that may have on Lancashire's future income and expenditure. In the event of a negative impact in that regard I would be looking to seek or assurances from government that neither PCC suffers any detriment due to a change in grant levels by implementing this proposal.

The proposal suggests at page 91 that there is a short term and long term consideration in respect of police boundaries. It suggests that in the short term collaboration through s22A of the Police Act 1996 could be put in place. Lancashire and Cumbria Constabulary already collaborate both locally and through many national agreements however it is inappropriate to suggest that collaboration agreement could be in place for the short term on reorganisation.

In fact it is my understanding that when making an order for reorganisation under the Local Government and Public Involvement in Health Act 2007, section 11(4)(g) allows a consequential alteration to police force boundaries to be made. Section 11(4) provides that the Secretary of State must use the power to alter police force boundaries in a way that ensures no county in which there are no district councils, district or London borough is divided between two or more police areas. This therefore covers all possible unitary councils that could be formed using the powers under the 2007 Act, and so the Secretary of State must, if necessary, use their power in section 11(4)(g) to alter the police force area to ensure the new unitary is covered in its entirety by one police force area. In my view there is no short term and to suggest otherwise is inappropriate.

For the reasons set out above I am unable to support the Bay proposal.

I do broadly support the move towards local government reorganisation. I do feel that it is time and there is a need and that is the case for Lancashire itself. In fact I would advocate for a reorganised Lancashire with a combined mayoral authority, based on the Divisional policing footprint outlined above. It makes much more sense to develop this proposal for Lancashire and to leave the area intact and for government to work with Lancashire Councils and the PCC to develop this proposition further. It is hoped such an opportunity will arise soon, in the context of the widely anticipated Government White Paper on Devolution.

Yours sincerely

Clive Grunshaw
Police & Crime Commissioner for Lancashire

2. Cumbria County Council



Cumbria County Council

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Copied to: Cllr Stewart Young (Leader of the Council); Cllr Peter Thornton (Deputy Leader); Cllr Janet Willis (Cabinet Member for Customers, Transformation and Fire and Rescue); Steve Healey (Chief Fire Officer)

7 December 2020

Dear all,

Bay Unitary Proposal – Fire & Rescue Authority

We note the publication, on Friday afternoon, of the full proposal for establishing a new unitary authority for Barrow, Lancaster and South Lakeland (the Bay) in advance of your Executive/Cabinet and Council meetings tomorrow.

In the Secretary of State's invitation of 9 October it states "If the area of any proposed unitary authority crosses existing police force and fire and rescue authority boundaries, the proposal should include an assessment of what the impact would be on the police forces and/or fire and rescue authorities and include the views of the relevant Police and Crime Commissioners and Fire and Rescue Authorities."

As part of the "Bay" stakeholder engagement, and at your request, Cllr Janet Willis, Steve Healey, Chief Fire Officer and Mark Askew, senior manager, met with Tim Pope and Nathan Elvery (PA Consulting), Sam and David Sykes to enable you to understand their perspectives on the potential impact of any change and their own priorities.

In advance of the meeting, Steve clarified his role as the professional officer responsible for running the Fire and Rescue Service and that his views did not represent the views of the Fire Authority. In Cumbria the Fire Authority is the Full Council and comprises all 84 Elected County Council Members. Cllr Willis is the Cabinet Member with lead responsibility for Fire and Rescue services in addition to a broader portfolio.

I also outlined the nature of the Fire Authority governance in a subsequent meeting with Lawrence and Sam.

It is disappointing therefore to see that you did not, share your proposal in advance of publication, or sought the views of the Fire Authority on this proposal.

During the stakeholder meeting Cllr Willis and Steve highlighted their views, including:

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- The advantages of the Cumbria footprint for the service in terms of simplicity
- The benefits of the Fire & Rescue Service being part of the County Council
- The recent positive inspection outcome, confirming the high performance of the service
- The day-to-day service delivery of all Fire & Rescue Services operated across boundaries with the nearest resources responding to incidents
- That there didn't appear to be any easy answers on the model for how the service could be governed and organised to fit with the Bay unitary proposal

At this meeting your team did not put forward a specific model for the governance and organisation of the Fire & Rescue Service for County Council colleagues to comment on.

Given the points I have set out above it is therefore surprising to see the statements included in your proposal which suggest that there are no reasons why it would not be possible to continue to deliver good Fire & Rescue services across the current footprint, including the Bay. These do not fully represent the stakeholder meeting and, for the reasons outlined above do not constitute the formal view of the Fire & Rescue Authority.

We therefore request that this is made known to all members of your authorities, in your forthcoming meetings and that the proposal is amended in advance of submission to MHCLG.

Yours sincerely,

Katherine Fairclough
Chief Executive

3. Cumbria Police and Crime Commissioner

REORGANISATION OF LOCAL GOVERNMENT AND DEVOLUTION FOR CUMBRIA

INTRODUCTION

1. As Police and Crime Commissioner I have been asked to comment on proposals for local government reorganisation for the county. Policing is of course one of the key infrastructure services for the county in order to maintain public safety for residents, businesses and the many millions of tourists who visit each year. In Cumbria we are fortunate to have a highly performing Constabulary and governance process as assessed by Her Majesty's Inspectorate of Police and Fire Services and I believe it very important in any restructuring of local services that we do not undermine the delivery of this strong performing and essential public service. To that end, I make my contribution to the debate on restructuring for the county in the context of policing and strictly from a non Political Party Partisan view but also as an elected representative who, uniquely, is elected with a remit to serve across the whole county. I would further add that until we are able to consider the detailed proposals for all options, it is unwise to discount any options and indeed we may in the end be best served by a unique Cumbria Hybrid Option.

THE NEED FOR CHANGE

2. It is apparent to me that within a county of circa half a million residents, to have six District Councils and a County Council is a luxury we can ill afford. Beyond the obvious cost of running 7 administrations and Head Offices there is inevitably duplication and efficiencies which I believe can be driven, though this will clearly need to be developed in the respective detailed business cases. The previous studies have demonstrated a range of potential savings to local taxpayers of millions of pounds which could be better spent delivering services. Whilst we do not yet know the full cost of Covid to the country or the county it seems inevitable that there will have to be significant efficiency in government both locally and no doubt nationally and reorganisation can contribute to this process. In addition and possibly more important is the need to prepare and plan now for recovery of our local economy in a coherent and efficient manner. In my view this needs to be achieved with strategic leadership taking a holistic county wide view and with the levers to drive forward economic action and delivery as well as giving 'voice' to the county in Whitehall, for that reason I support the requirement for a directly elected leader or Mayor. I believe it is important for such a leader to be directly elected from the entire county in order to have a real mandate to speak for all corners of the county - particularly in a county like Cumbria where our geography creates natural, economic, cultural and heritage differences between the North and the South. Even with a county wide electoral mandate, it will be a challenge to speak for the whole county.

OPTIONS

3. At this early stage two outline options are being proposed, as Police and Crime Commissioner I think it important to state that I believe together with the Chief Constable that we can and would deliver Policing Service to either option but that this is most definitely best delivered by maintaining the current county border and our current policing footprint. I am confident we could deliver this in either of the scenarios currently being proposed. Until we see detailed options for restructuring it is difficult to make further comment but I would offer initial views as follows:

A SINGLE UNITARY AUTHORITY

4. In principle I would wish to see as few levels of administration as possible to achieve financial efficiency, coherence of public service delivery and to drive economic development and recovery. This argument would support a single unitary authority and intuitively, delivery of this option should be simpler given it would be building on an 'in place' structure, but does not take account of the geographic and cultural make up of the county. It has been clearly stated by the Southern Districts that they are vehemently opposed to a single administration and from my

own experience of working closely with communities in the South of the County, I would support the contention that residents in the South Lakes and Barrow and Furness areas would not support the idea of one unitary and in their perception (rightly or wrongly) be 'governed from Carlisle.' Aligned to the vast geography of the county and the geographic barriers to communications of all type and not least roads, I believe the cultural and heritage arguments are persuasive in suggesting that the county is too large for a single Unitary Authority at this stage - it is my view that it may be a natural evolution but I do not believe the public (and certainly not in the South of the County) would support this proposal currently. If we were to adopt the Single Unitary Authority option, I believe that a mechanism should be developed to ensure that a directly elected leader or Mayor is created to lead on strategic economic development.

TWO UNITARY AUTHORITIES

5. Creating two Unitary Authorities and disaggregating services currently delivered by the County Council will be challenging and potentially more challenging than aggregating up to a Single Authority; furthermore it would seem axiomatic that two authorities would cost more to run than a single one. Notwithstanding these challenges I believe there are powerful arguments to suggest that public opinion would favour the two Unitary Option which would deliver greater local democratic accountability. The southern districts of the county certainly feel greater affinity and align themselves with the Morecambe Bay/ Peninsula construct and this would follow the proven Health Provision footprint from MBNHT. A North South split does seem like an obvious solution if we are to have two Authorities but the proposal does cross the county boundary which is a complication potentially, not least with differences in Council Tax rates and some disaggregation of accountability for services etc but none of which is insurmountable.
6. In the two Unitary model I would most strongly advocate that the Policing boundaries do not need, nor should they be changed and that governance arrangements would sit outside, the Unitary Authorities as they do today. If this model were adopted, Fire Services could be disaggregated from the County Council under the PCC to deliver Blue Light services and develop further efficiency and delivering to the same footprint as currently. This latter structure for Blue Light Services could be reviewed in due course as and when a Mayoral Structure is effected and matures. Whilst I believe that a workable solution is possible to develop, consideration will need to be given to the need for robust protocols for resilience planning and responsibilities. Currently this is covered by the County Council over the County footprint, and much of the delivery of support in resilience scenarios is delivered by the Blue Light Services. Clearly having a part of the Southern Unitary in a different county will be a complication- not insurmountable, but this will need to be addressed and very clear lines of communication and responsibility for Blue Light Support to resilience planning and measures must be built into SOPs for the new Unitary Authorities. In the short term my strong advice would be to maintain geographic responsibilities as now following county boundaries and Blue Light Services remaining outside changes to the Unitary structures in the short to medium term.
7. As noted above, it is difficult to give unequivocal support to any options till we develop detail, but I believe that the two Unitary Model is that most likely to receive public support in the short to medium term, delivers closer democratic accountability, would undoubtedly save public money and is more likely to be well placed to develop economic development dealing with the discrete local needs which are different from North and South of the Lake District mountains.

DIRECTLY ELECTED LEADER/MAYOR

8. Whilst we do not yet know the full cost of Covid to the country or the county it seems inevitable that there will have to be significant efficiency in government both locally and no doubt nationally, and reorganisation can contribute to this process. In addition and possibly more important is the need to prepare and plan now for recovery of our local economy in a coherent and effective manner. In my view this needs to be achieved with strategic leadership taking a holistic county wide view and with the levers to drive forward economic action and delivery as

well as giving 'voice' to the county in Whitehall, for that reason I support the requirement for a directly elected leader or Mayor. I believe it is important for such a leader to be directly elected from the entire county in order to have a real mandate to speak for all corners of the county - particularly in a county like Cumbria where our geography creates natural, economic, cultural and heritage differences between the North and the South. Even with a county wide electoral mandate, it will be a challenge to speak for the whole county, but I believe it will be a huge benefit to the future economic recovery and development of Cumbria.

9. Whilst the above cannot at this stage be unequivocal I hope it is a useful contribution to the debate around local government reorganisation and I am of course happy to contribute further as more detailed proposals are developed.

