

At a meeting of the Shadow Authority for Cumberland Council held in Cathedral Room, Civic Centre, Carlisle on Tuesday, 17 May 2022 at 10.30 am

Members

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| Councillor Trevor Allison | Councillor Robert William Betton |
| Councillor Lisa Margaret Brown | Councillor Barbara Ann Cannon |
| Councillor Dr Helen Davison | Councillor Roger Dobson |
| Councillor Michael Eldon | Councillor Mark Anthony Fryer |
| Councillor Joseph Ghayouba | Councillor Anne Glendinning |
| Councillor Jimmy Grisdale | Councillor Martin Harris |
| Councillor Mike Hawkins | Councillor Mike Johnson |
| Councillor Linda Jones-Bulman | Councillor Bob Kelly |
| Councillor Elaine Lynch | Councillor John Mallinson |
| Councillor Tony Markley | Councillor Carni McCarron-Holmes |
| Councillor Graham Minshaw | Councillor Geoff Mitchell |
| Councillor Mike Mitchelson | Councillor David Moore |
| Councillor Ms Lucy Patrick | Councillor Bill Pegram |
| Councillor Jill Perry | Councillor Tim Pickstone |
| Councillor Sam Pollen | Councillor Andy Pratt |
| Councillor Ms Anne Quilter | Councillor Denise Susan Rollo |
| Councillor Andrew Irving Semple | Councillor Mr Christopher John Southward |
| Councillor Stephen Stoddart | Councillor Kevin Thurlow |
| Councillor Gillian Troughton | Councillor Helen Tucker |
| Councillor Cyril Frederick Weber | Councillor Brian Kevin Wernham |
| Councillor Miss Jeanette Maria Whalen | Councillor Chris Wills |

Apologies for absence were received from Councillor Markus Dale Campbell-Savours, Councillor Jeanette Forster, Councillor Abdul Harid and Councillor Emma Williamson

Staff Present

Also Present

1. Roll Call and Apologies for Absence

The Senior Responsible Officer welcomed Members to the historic inaugural meeting of the Shadow Authority for Cumberland Council.

2. Election of Chair

The Senior Responsible Officer invited nominations for the Office of Chair of the Shadow Authority for Cumberland for the forthcoming year.

Councillor Fryer moved, and Councillor Brown formally seconded that Councillor McCarron-Holmes be appointed as Chair.

RESOLVED – That Councillor McCarron-Holmes be appointed Chair of the

Cumberland Shadow Authority for the year 2022/23.

Councillor McCarron-Holmes took the Declaration of Acceptance of Office and assumed the role as Chair.

Councillor McCarron-Holmes thanked the Shadow Authority for bestowing the honour of first Chair of the Cumberland Council on her.

3. Election of Vice Chair

The Chair invited nominations for the Office of Vice Chair of the Shadow Authority for Cumberland Council for the forthcoming year.

Councillor Johnson congratulated the Chair on her appointment and proposed Councillor Mallinson as Vice Chair and Councillor Markley seconded the nomination.

Councillor Fryer moved Councillor Harid as Vice Chair and Councillor Brown seconded the nomination

Following voting it was

RESOLVED – That Councillor Harid be appointed Vice Chair of the Cumberland Shadow Authority for the year 2022/23.

4. Declarations of Interest

No declarations of interest were submitted.

5. Exclusion of Press and Public

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.

6. Code of Conduct

The Monitoring Officer (Carlisle City Council) submitted proposals for the Code of Conduct, arrangements for dealing with code of conduct matters and guidance to be adopted by the Shadow Authority for Cumberland Council as formulated by the Cumberland Joint Committee. The report also requested approval of the Register of Interests form for completion by Members. The form had been amended and recirculated to the Council.

Councillor Fryer moved the recommendations and Councillor Brown seconded them.

RESOLVED – That the Shadow Authority for Cumberland:

(1) Adopted the Code of Conduct, Guidance and Arrangements for Dealing with Standards Matters and the amended Register of Interests form, as set out in the report; and

(2) Noted that a recruitment process would be initiated to enable the Shadow Authority to appoint an Independent Person at the earliest opportunity.

7. Adoption of Constitution and Creation of Leader and Cabinet Executive

The Monitoring Officer (Carlisle City Council) submitted a report which recommended a Constitution for adoption by the Shadow Authority for Cumberland Council. The Constitution covered the functions of the Shadow Authority for the shadow year only and was designed to be easily changed on request and at the behest of the new Council.

An addendum report had been circulated to Members which proposed an increase from twelve to fourteen Members on Overview and Scrutiny; that political groups be entitled to nominate substitutes for the committee members; that the Chairs and Vice Chairs of the three Shadow Authority Committees be appointed by the Shadow Authority; and clarification that the Shadow Authority made the appointments of its Statutory Officers rather than the Senior Appointments Committee.

Councillor Fryer moved, and Councillor Brown seconded the recommendations as set out in the addendum report.

The Leader of the Conservative Group supported the adoption of the Constitution and welcomed the opportunities that the new authority would bring.

RESOLVED – That the Shadow Authority for Cumberland:

(1) approved that the seats on Overview and Scrutiny Committee be established as 14, rather than 12 as shown in the original report;

(2) agreed that each group may appoint substitutes to committees and that the Chairs/Vice-Chairs for the Shadow Authority be confirmed by full Council and noted that a future report on the agenda makes provision for this;

(3) agreed the additional amendments to the Constitution with regards to the Employment Procedure Rules Officer as set out in paragraph 3.4 of the report;

(4) with the additions proposed at (1), (2) and (3) above approve and adopted the proposed Constitution and therefore, amongst other things, created a Leader and Cabinet Executive within the meaning of Part 1A of the Local Government Act 2000;

(5) should Members have any amendments to the Constitution which they resolve should be made or considered further, that they instruct their Officers to report back to the next meeting of the Shadow Authority, accordingly; and

(6) Establish a cross-party Constitution Review Group to contribute towards the review of the Shadow Authority constitution and the preparation of the required post vesting day Cumberland Council Constitution.

8. Designation of Interim Statutory Officers

The Head of Human Resources (Carlisle City Council) submitted the process and principles for the appointments process, which had been considered by the Cumberland Joint Committee, for the Interim Statutory Officer roles.

It was proposed that the following Officers be appointed into the statutory positions:

Interim Head of Paid Service - Andrew Seekings, Chief Executive of Allerdale Borough Council

Interim Monitoring Officer - Catherine Parkinson, Monitoring Officer, Cumbria County Council

Interim Chief Finance Officer - Pam Duke, Director of Finance, Cumbria County Council

Councillor Fryer moved and Councillor Brown seconded the recommendations.

RESOVLED – That the Shadow Authority for Cumberland:

Approved the designation of the nomination Interim Statutory Officers with immediate effect; namely:

- Interim Head of Paid Service - Andrew Seekings, Chief Executive of Allerdale Borough Council
- Interim Monitoring Officer - Catherine Parkinson, Monitoring Officer, Cumbria County Council
- Interim Chief Finance Officer - Pam Duke, Director of Finance, Cumbria County Council

9. Election of Leader

The Chair invited nominations for the Leader of the Shadow Authority for Cumberland until the first meeting of the Cumberland Authority following vesting day.

Councillor Brown moved and Councillor Southward formally seconded that Councillor Fryer be appointed as Leader.

RESOLVED – That Councillor Fryer be appointed Leader of the Shadow Authority for Cumberland until the first meeting of the Cumberland Authority following vesting day.

10. Deputy Leader and Shadow Executive

The Leader thanked the Chair for her service to communities across Cumberland. He thanked the Members of the new Authority for the trust placed in him to make difficult decisions and deliver the new Council. He welcomed the future and assured the Council that he took the role of creating the new Council very seriously.

The Leader submitted the following names as Deputy Leaders and Members of the Shadow Executive:

Councillor Brown – Deputy Leader (Statutory) and Corporate Governance and Legal Portfolio Holder

Councillor Williamson – Deputy Leader (Non Statutory) and Children’s and Families Portfolio Holder

Councillor Lynch – Education, Skills and Training Portfolio Holder

Councillor Rollo – Environment, Waste and Highways Portfolio Holder

Councillor Kelly - Corporate Plan, Strategy, Policy and Performance Portfolio Holder

Councillor Southward - Organisational Development, HR, ICT, Digital and Customer Portfolio Holder

Councillor Cannon - Corporate Finance and Assets Portfolio Holder

Councillor Harris - Adults’ Portfolio Holder

Councillor Quilter - Community services including Leisure, Parks, Museums and Libraries.

RESOVED: That the names of the Deputy Leaders and Members of the Shadow Executive be noted; namely:

Councillor Brown – Deputy Leader (Statutory) and Corporate Governance and Legal Portfolio Holder

Councillor Williamson – Deputy Leader (Non Statutory) Children’s and Families Portfolio Holder

Councillor Lynch – Education, Skills and Training Portfolio Holder

Councillor Rollo – Environment, Waste and Highways Portfolio Holder

Councillor Kelly - Corporate Plan, Strategy, Policy and Performance Portfolio Holder

Councillor Southward - Organisational Development, HR, ICT, Digital and Customer Portfolio Holder

Councillor Cannon - Corporate Finance and Assets Portfolio Holder

Councillor Harris - Adults’ Portfolio Holder

Councillor Quilter - Community services including Leisure, Parks, Museums and Libraries.

11. Leader and Deputy Leader of the Political Groups

At the invitation of the Chair each of the Political Groups informed the Shadow Authority of the names of their political group Leaders and Deputy Leaders:

Conservative Group – Councillor Johnson, Leader
Councillor Moore, Deputy Leader

Liberal Democrat Group – Councillor Pickstone, Leader
Councillor Dobson, Deputy Leader

Green Group – Councillor Dr Davison, Leader
Councillor Perry, Deputy Leader

Each of the Group Leaders congratulated the Chair on her appointment.

RESOLVED – That the Shadow Authority for Cumberland noted the following political group Leader and Deputy Leader names:

Conservative Group – Councillor Johnson, Leader
Councillor Moore, Deputy Leader

Liberal Democrat Group – Councillor Pickstone, Leader
Councillor Dobson, Deputy Leader

Green Group – Councillor Dr Davison, Leader
Councillor Perry, Deputy Leader

12. Political Balance and Allocation of Committee Places

The Monitoring Officer (Carlisle City Council) submitted the political balance information following elections on 5 May 2022 and invited the Shadow Authority to agree the allocation of committee places between the political groups in accordance with the political balance requirements of the Local Government and Housing Act 1989.

The Constitution had been agreed to increase the Overview and Scrutiny Committee places and this had been reflected in the committee nomination table which had been circulated to the Council. Chair and Vice Chairs would also be appointed by the Shadow Authority and it was suggested that this took place as part of this item.

Councillor Fryer moved, and Councillor Brown seconded the recommendations as set out in section 2 of the report.

Councillor Brown moved the following nominations:

Councillor Hawkins, Chair of the Overview and Scrutiny Committee
Councillor Pratt, Vice Chair of the Overview and Scrutiny Committee
Councillor Troughton, Chair of the Standards Committee
Councillor Pegram, Vice Chair of the Standards Committee
Councillor Fryer, Chair of the Senior Appointments Committee
Councillor Dobson, Vice Chair of the Senior Appointments Committee

Councillor Fryer formally seconded the nominations.

RESOLVED – That the Shadow Authority for Cumberland:

(1) Noted the political make-up of the Council, as set out in Appendix 1; and

(2) Noted the creation of a Leader and Cabinet Executive within the meaning of Part 1A of the Local Government Act 2000(s) arrangements with respect to local authority governance (“the shadow executive”)

(3) Agreed the allocation of places on committees between the political groups in accordance with the political balance requirements of the Local Government and Housing Act 1989, as set out in paragraph 3.11 and Appendix 2;

(4) Received nominations of Members to serve on each committee and agree to the appointment of Members to the Council's committees as set out below; and

Overview and Scrutiny (14)

| Labour (9) | Conservatives (2) | Liberal Democrats (1) | Green Party (1) |
|---|--|--|--|
| 1. Eldon 2. Forster 3. Ghayouba 4. Grisdale 5. Hawkins (Chair) 6. Jones-Bulman 7. Pollen 8. Troughton 9. Tucker Sub: Campbell-Savours Sub: Glendinning Sub: Harid Sub: McCarron-Holmes Sub: Minshaw Sub: Patrick Sub: Pegram Sub: Semple Sub: Weber Sub: Whalen Sub: Wills | 1. Mallinson 2. Pratt (Vice Chair) Sub: Markley Sub: Mitchelson | 1. Allison Sub: Wernham | 1. Davison Sub: Perry |

Standards (7)

| Labour (4) | Conservatives (1) | Liberal Democrats (1) | Green Party (0) | Independent (Non-aligned) (1) |
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|--|-------------------------------------|-------------------------------|--|-----------|
| 1. Glendinning 2. Minshaw 3. Pegram (Vice Chair) 4. Troughton (Chair) Sub: Campbell-Savours Sub: Eldon Sub: Forster Sub: Ghayouba Sub: Grisdale Sub: Harid Sub: Hawkins Sub: Jones-Bulman Sub: McCarron-Holmes Sub: Patrick Sub: Pollen Sub: Semple Sub: Tucker Sub: Weber Sub: Whalen Sub: Wills | 1. Mitchelson Sub: Mallinson | 1. Wernham Sub: Dobson | | 1. Betton |
|--|-------------------------------------|-------------------------------|--|-----------|

Senior Appointments (7)

| Labour (5) | Conservatives (1) | Liberal Democrats (1) | Green Party (0) | Independent (Non-aligned) (0) |
|--|------------------------------|--|-----------------|-------------------------------|
| 1. Brown 2. Fryer (Chair) 3. Semple 4. Southward 5. Williamson Sub: Cannon Sub: Harris Sub: Kelly Sub: Lynch Sub: Quilter Sub: Rollo | 1. Johnson Sub: Moore | 1. Dobson (Vice Chair) Sub: Pickstone | | |

(5) Agreed the following appointments of Chairs and Vice Chairs:

- Councillor Hawkins, Chair of the Overview and Scrutiny Committee
- Councillor Pratt , Vice Chair of the Overview and Scrutiny Committee
- Councillor Troughton, Chair of the Standards Committee
- Councillor Pegram, Vice Chair of the Standards Committee
- Councillor Fryer, Chair of the Senior Appointments Committee
- Councillor Dobson, Vice Chair of the Senior Appointments Committee

13. Adoption of Calendar of Meetings 2022-23

The Monitoring Officer (Carlisle City Council) submitted a schedule of meetings for the Cumberland Shadow Authority, which had been considered by the Cumberland Joint Committee.

Councillor Perry asked that consideration be given to travelling arrangements when setting the time and location of meetings.

Councillor Fryer moved the recommendations as set out in the report with an amendment to the start time of shadow authority meetings from 10.00am to 10.30am. He also moved that the date of the Senior Appointments Committee be deferred for two weeks.

Councillor Brown seconded the recommendations.

RESOVLED – That the Shadow Authority

(1) Agreed the Schedule of Meetings for 2022/23 for the Shadow Authority for Cumberland as attached to the report with an amendment to the date of the Senior Appointments Committee;

(2) Agreed the start time for all subsequent Shadow Authority for Cumberland meetings as 10.30am;

(3) Agreed that, where practicable, the meetings are rotated across the area; and

(4) Noted that additional meetings may be called as required.

14. Implementation Team

The LGR Programme Director submitted a report informing Members about the Implementation Team which was in place to support the Local Government Reorganisation process.

Councillor Fryer moved, and Councillor Brown seconded the recommendations.

RESOLVED – That the Shadow Authority for Cumberland noted the Implementation Team arrangements that were in place to support the LGR programme.

15. Implementation Plan

The LGR Programme Director submitted a report detailing 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 authorities on Vesting day, 1 April 2023.

Councillor Fryer moved, and Councillor Brown seconded the recommendations.

RESOLVED – That the Shadow Authority for Cumberland:

(1) Noted the Implementation plan attached as Appendix 1; and

(2) Noted the programme governance and funding arrangements outlined in the report.

16. Members' Allowances and Appointment of Independent Remuneration Panel

The Monitoring Officer (Copeland Borough Council) presented the LGR Independent Remuneration Panel's proposed Scheme of Member Allowances for the Shadow Authorities for both Cumberland and Westmoreland and Furness.

Councillor Dobson thanked the Monitoring Officer for providing him with additional information and gave a detailed overview of the issues he felt the proposed Scheme had. He did not feel that the proposed allowance would attract a fair representation of the communities and he highlighted the affordability of the Scheme. He noted that the comparison data was not suitable for the new authority and asked to see the future person specification document for the new Independent Remuneration Panel. He also asked the Panel looked at the policies of authorities in Scotland, Wales and Northern Ireland.

Councillor Brown moved recommendation 1 in the report and proposed an amendment to recommendation 2 that the proposed Scheme be adopted and then reviewed before being brought back to Council for consideration in three months times and that the new scheme allowed for payment of more than one deputy allowance.

Councillor Fryer seconded the recommendations and amendments.

RESOVLED – That the Shadow Authority for Cumberland:

(1) Considered the recommendations of the Independent Remuneration Panel and that the Scheme of Member Allowances which it has proposed (Appendix 1) be adopted for the Shadow year with effect from 9 May 2022;

(2) That the Scheme of Members Allowances be reviewed by the Independent Remuneration Panel and submitted to the Council in three months time;

(3) That the reviewed Scheme include the provision that more than one deputy leader can receive an allowance; and

(4) Authorised the Interim Monitoring Officer to advertise the recruitment of Independent Remuneration Panel of 5 members for the Council to consider a

scheme of members allowances to be adopted by Cumberland Council post vesting day 1 April 2023.

The meeting closed at 11.30 am