



COUNCIL MEETING

Wednesday, 12 March 2025 - 6.00 p.m. Morecambe Town Hall

Lancaster City Council welcomes members of the public to attend meetings. However, space in the public gallery is limited to 30 seats due to Fire Regulations. The seats are allocated on a first come, first served basis and no standing is permitted. Meetings are livestreamed please click HERE to watch using MS Teams. Please contact Democratic Support via email democracy @lancaster.gov.uk if you wish to register to speak or ask a question at this meeting. The deadline to register is 12pm on Friday 7 March.

Mark Davies, Chief Executive, Town Hall, Dalton Square, LANCASTER, LA1 1PJ





Sir/Madam,

You are hereby summoned to attend a meeting of the Lancaster City Council to be held in the Town Hall, Morecambe on Wednesday, 12 March 2025 commencing at 6.00 p.m. for the following purposes:

1. APOLOGIES FOR ABSENCE

2. MINUTES

To receive as a correct record the Minutes of the Meeting of the City Council held on 26 February 2025 (previously circulated).

3. **DECLARATIONS OF INTEREST**

To receive declarations by Councillors of interests in respect of items on this Agenda.

Councillors are reminded that, in accordance with the Localism Act 2011, they are required to declare any disclosable pecuniary interests which have not already been declared in the Council's Register of Interests. (It is a criminal offence not to declare a disclosable pecuniary interest either in the Register or at the meeting).

Whilst not a legal requirement, in accordance with Council Procedure Rule 9 and in the interests of clarity and transparency, Councillors should declare any disclosable pecuniary interests which they have already declared in the Register, at this point in the meeting.

In accordance with Part B Section 2 of the Code Of Conduct, Councillors are required to declare the existence and nature of any other interests as defined in paragraphs 8(1) or 9(2) of the Code of Conduct.

4. ITEMS OF URGENT BUSINESS

5. ANNOUNCEMENTS

To receive any announcements which may be submitted by the Mayor or Chief Executive.

6. QUESTIONS FROM THE PUBLIC UNDER COUNCIL PROCEDURE RULE 11

To receive questions in accordance with the provisions of Council Procedure Rules 11.1 and 11.3 which require members of the public to give at least 3 days' notice in writing of questions to a Member of Cabinet or Committee Chairman.

7. **PETITIONS AND ADDRESSES**

To receive any petitions and/or addresses from members of the public which have been notified to the Chief Executive in accordance with the Council's Constitution.

8. **LEADER'S REPORT** (Pages 4 - 6)

To receive the Cabinet Leader's report on proceedings since the last meeting of Council.

REPORTS REFERRED FROM CABINET, COMMITTEES OR OVERVIEW AND SCRUTINY

9. **PAY POLICY STATEMENT 2025/26** (Pages 7 - 28)

Report of People and Organisational Development Committee.

Published 7 March 2025.

OTHER BUSINESS

10. **LOCAL GOVERNMENT REORGANISATION WORKING GROUP UPDATE 1** (Pages 29 - 34)

Report of Local Government Reorganisation Working Group

Published 7 March 2025.

11. APPOINTMENTS AND CHANGES TO COMMITTEE MEMBERSHIP

Group Administrators to report any changes to Committee Membership.

12. QUESTIONS UNDER COUNCIL PROCEDURE RULE 12

To receive questions in accordance with the provisions of Council Procedure Rules 12.2 and 12.4 which require a Member to give at least 3 working days' notice, in writing, of the question to the Chief Executive.

Meshod

Chief Executive

Town Hall, Dalton Square, LANCASTER, LA1 1PJ

Published on, 4 March 2025.



Leader's Report

12 March 2025

Report of the Leader of the Council

PURPOSE OF REPORT

To present the Leader's report to Council.

This report is public.

RECOMMENDATIONS

To receive the report of the Leader of Council.

REPORT

1.0 Cabinet

- 1.1 No meetings of Cabinet have occurred since the last Leader's Report. The next scheduled meeting will take place on 15 April 2025.
- 2.0 Decisions required to be taken urgently.
- 2.1 No urgent Cabinet decisions have been taken since the last Leader's Report

3.0 Leader's Comments

3.1 Since the last Full Council meeting, we have had a very short 2 week interval which has included a quiet week over half term so this is a brief report.

3.2 Budget

This was passed after a great deal of debate and now proceeds to action including further work on refining the outcomes expected of the Fit for the Future process.

3.3 Cabinet matters

Cabinet has met twice as an informal group looking in particular at UKSPF, waste strategy, Local Plan progress and Morecambe matters.

3.4 Partnerships

The leader will be attending the Sheffield summit for the national campaign for Securing the Future of Council Housing initiated by Southwark Council. She also attended the LGA roundtable for Finance and Housing portfolio holders as did Cllr Hamilton-Cox. In Arts and Festivals a wider group of councillors has met to consider work as an advisory group and the Chief Executive and cabinet members attended a meeting at the university of Lancaster exploring widening arts and culture work.

3.5 Devolution and Local government Re-organisation Landscape

The city council working group on Local Government Reorganisation met for the third time, including an MBI participant observer. The meeting considered the proposal being drafted to put forward as part of the countywide response in March; district and county Leaders will have met before our Full council. The proposals include a three, four and five unitary model for Lancashire and will be refined over the months leading to the November deadline. Chief Executives have met with civil servants involves and ascertained this approach is acceptable. They are beginning to assemble the range of information we will need to make these decisions including the specific financial information which will determine the sustainability of any new authority taking on legacy debt and assets. The Chief Executive and Leader met with counterparts from Ribble Valley.

3.6 **Eden**

The Community Conversations in Morecambe restarted last week, very welcome to Morecambe residents who have questions and a good opportunity to showcase all the work currently going on with the Morecambe Bay Curriculum in schools.

3.7 **Events**

Bay Light gave us a lively very well-organised weekend with many installations that were interactive and particularly interesting to children. Morecambe was packed on Saturday night for the parade. We were fortunate with the weather and hopefully the event was a welcome boost to traders.

- 3.8 The following Saturday the Lancaster town hall hosted a sell-out Frank Turner concert as part of the Music with the Mayor events. It was fantastically well organised by all those involved and showed off what a good venue the town hall could be for more big events of this kind. Funds have been set aside to improve the lighting and sound system, so we are looking forward to promoting the venue far more in the future.
- 3.9 The Leader attended the two days of the Convention of the North in Preston, very well attended by leaders from business, councils, universities and colleges, as well as Mayors and some MPs including Angela Rayner. There was huge encouragement to the northern councils to be ambitious and collaborative in bringing projects and finance to the region.

Caroline Jackson

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4.0 Decisions

There have been no meetings of Cabinet since the previous Leader's Report

No Officer Delegated Key Decisions have been taken since the last Leader's report.

The following Individual Cabinet Member Decisions have been taken since the last Leader's report.

ICMD 20	Lancaster Canal Quarter Early Phase Housing Regeneration Proposals: Nelson Street Preferred Developer – Development Agreement and Disposal Matters	Published on 19.02.25 Taken by: Cllr Caroline Jackson
ICMD 21	Microsoft Enterprise Agreement 2025	Published on 20.02.25 Taken by: Cllr Tim Hamilton-Cox

Background Papers

None.



Pay Policy Statement 2025/2026 Wednesday 12th March 2025

Referral from People and OD Committee

PURPOSE OF REPORT

To ask that Council consider and agree the People and OD Committee's recommendation for the Pay Policy Statement for 2025-2026 as required by the Localism Act 2011

This report is public

RECOMMENDATIONS

(1) To consider and recommend to Full Council, on 12th March 2025, the Pay Policy Statement 2025-2026

1.0 Introduction

- 1.1 Section 38 of the Localism Act 2011 places a requirement on local authorities to publish a Pay Policy Statement by the 31st March each year. This includes the remuneration of its Chief Officers. This Statement must be approved by resolution of Council, and this function may not be delegated.
- 1.2 The Statement sets out the Council's arrangements relating to:
 - the remuneration of its Chief Officers;
 - the remuneration of its lowest-paid employees, and
 - the relationship between the remuneration of its Chief Officers and the remuneration of its employees who are not Chief Officers.
- 1.3 The Pay Policy Statement has been prepared in accordance with the requirements of the Localism Act 2011 and having regard to the guidance issued by the Department for Communities and Local Government (DCLG) under Section 40 of the Act.

2.0 Proposal Details

- 2.1 During the course of the year, if the Authority makes any determination relating to the remuneration or any other terms and conditions of a Chief Officer, it must comply with its Pay Policy Statement
- 2.2 Salary ranges are in-line with the most recent pay award. A further pay award is due wef 1st April 2025.

3.0 Conclusion

3.1 Members are asked to consider and recommend the 2025-2026 Pay Policy to Full Council.

CONCLUSION OF IMPACT ASSESSMENT

(including Health & Safety, Equality & Diversity, Human Rights, Community Safety, **Sustainability and Rural Proofing):**

No notable impact.

LEGAL IMPLICATIONS

The Council has a statutory obligation, pursuant to s38 of the Localism Act 2011 to approve annually a Pay Policy Statement

FINANCIAL IMPLICATIONS

No financial implications

OTHER RESOURCE IMPLICATIONS, such as Human Resources, Information Services, **Property, Open Spaces**

There are no resource implications arising from this report

SECTION 151 OFFICER'S COMMENTS

The Section 151 Officer has been consulted and has no comments

MONITORING OFFICER'S COMMENTS

The Monitoring Officer has been consulted and has no comments.

BACKGROUND PAPERS

2025-2026 Pay Policy

JNC Conditions of Service Handbook

Contact Officer: Alex Kinch **Telephone:** 01524 582083

E-mail: akinch@lancaster.gov.uk

Lancaster City Council Pay Policy Statement 2025 - 2026

1. Introduction and Purpose

- 1.1 In accordance with the requirements of Section 38 of the Localism Act 2011, this Pay Policy statement has been produced to reflect the Council's approach to pay policy for the year 2025/2026.
- 1.2 This statement sets out the Council's policies in relation to the remuneration of our Chief Officers and all other employees. It also clarifies the relationship between Chief Officer remuneration and the remuneration of our lowest paid employees.
- 1.3 The purpose of this statement is to demonstrate transparency with regards to setting the pay of Council employees.

2. Setting Terms and Conditions

- 2.1 The Council's Chief Officers, including the Chief Executive, are employed under the nationally agreed Joint Negotiating Committee (JNC) terms and conditions. All other employees are employed under the nationally agreed National Joint Council (NJC) terms and conditions.
- 2.2 Pay increases relating to cost of living are agreed nationally by the NJC and JNC negotiating bodies.

3. Definitions of Chief Officers within Lancaster City Council

- 3.1 Chief Officers (in senior positions) within this Council are currently defined as the Chief Executive, and:
 - Chief Officer Resources (S151)
 - Chief Officer Governance (Monitoring Officer)
 - Chief Officer People and Policy
 - Chief Officer Planning and Climate Change
 - Chief Officer Sustainable Growth
 - Chief Officer Environment and Place
 - Chief Officer Housing and Property
- 3.2 In addition to the above, the Council has further posts which may fall into the wider statutory definition of Chief Officer posts via reporting lines, although they are not designated as such within this Council. These other posts are as follows
 - Senior Manager Democratic Services
 - Senior Manager ICT
- 3.3 All the posts named at 3.2 fall into a pay grade which currently starts from £59,157 up to a maximum pay point of £73,705 (grade 14). The terms of service for these posts are governed by the National Joint Council for Local Government National Agreement on Terms and Conditions of Service (the NJC Green Book).
- 3.4 The Monitoring Officer function attached to the Chief Officer Governance post, and the Section 151 Officer role attached to the Chief Officer Resources posts are paid an allowance for this responsibility.

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An allowance of £9000 (per annum) is made for the Monitoring Officer and 151 Officer functions. An allowance of £6000 per annum is divided up and awarded pro rata to Deputies carrying out these statutory functions (e.g. 1 Deputy for each role would attract £6000, 2 Deputies £3000).

4. Remuneration of the Chief Executive

4.1 The post of Chief Executive (which also acts as Head of Paid Service) is paid on a fixed salary of £131,256. There has not been an agreement of pay award for 2025/2026, therefore the salary will remain the same as 2024/2025, pending any national pay award agreement.

5. Remuneration of other Chief Officers

5.1 Chief Officers are paid within a band which starts from £75,396 up to a maximum of £82,732. There has not been an agreement of pay award for 2025/2026, therefore the salary will remain the same as 2024/2025, pending any national pay award agreement.

Statutory Chief Officers are remunerated in accordance with their technical expertise and background.

6. Policy on Other Aspects of Chief Officer Remuneration

- 6.1 Aside from 'pay' there are other aspects of Chief Officer remuneration which are outlined below:
- 6.1.1 **Travel and other expenses**: reimbursed through normal Council policies and procedures in the same way for all staff.
- 6.1.2 **Bonuses**: The terms of employment do not provide for the payment of any bonuses.
- 6.1.3 **Honoraria**: through normal Council policies and procedures in the same way for all staff.

6.1.4 Severance arrangements (for Chief Officers ceasing to hold office):

The Council's normal policies in relation to redundancy and early retirement apply to these posts, in line with relevant regulations.

Any payments falling outside the provisions above or the relevant periods of notice within the contract of employment shall be subject to formal decision made by People and OD Committee, as per the constitution.

There are no provisions for any other increases or additions to Chief Officer remuneration, other than as outlined in this policy.

7. Returning Officer Fees

7.1 Fees for Returning Officers and other electoral duties are identified and paid separately for local government elections, elections to the UK Parliament and EU Parliament and other electoral processes such as referenda. As these relate to performance and delivery of specific election duties as and when they arise, they are distinct from the process for the determination of pay for Chief Officers.

8 Other Chief Officer Conditions of Service

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8.1 The other terms and conditions of service are set out in the relevant conditions of service handbooks, as follows:

Chief Executive: The Joint Negotiating Committee for Local Authority Chief Executives – Conditions of Service

All other Chief Officers: The Joint Negotiating Committee for Chief Officers in Local Authorities – Conditions of Service

9. Pension Contributions

9.1 For all employees, including Chief Officers, where employees have exercised their right to be a member of the Local Government Pension Scheme, the Council will make contributions to the Pension Fund in line with the Employer contribution rates determined by the Actuary.

10. Recruitment of Chief Officers

- 10.1 The Council's policy and procedures in relation to the recruitment of Chief Officers is set out within the Council's Constitution.
- 10.2 When recruiting for all posts, the Council will take full and proper account of all provisions of employment legislation and its own agreed policies.
- 10.3 The remuneration offered to any newly appointed Chief Officer will be in accordance with the pay structure and relevant policies in place at the time of recruitment. New appointments for staff up to and including Chief Officers are normally made at the minimum of the grade for the post, although this can be varied if necessary, to ensure the best candidate can be appointed.
- 10.4 Where the Council is unable to recruit Chief Officers, or there is a need for interim support to provide cover for a substantive Chief Officer post, the Council will, where necessary, consider engaging individuals under a 'contract for service' (rather than them being direct employees of the Council). These will be sourced through a relevant recruitment process, under relevant Officer delegations, ensuring the Council is able to demonstrate the maximum value for money from securing the service.

11. Approval of Salary Packages in Excess of £100K

11.1 Before any offer of appointment is made, the Council will ensure that salary packages in excess of £100,000 will be considered by full Council. This salary package will be defined as base salary, bonuses, fees, routinely payable allowances and any benefits in kind which are due under the contract.

12. Re- Employment of Former Chief Officers

12.1 It is the Council's policy not to re-employ any Chief Officer who was previously made redundant from the authority / received any other severance payment, or later engage them under a contract for service or interim contract except under exceptional circumstances

13. Publication and Access to Information regarding Chief Officer Remuneration

13.1 Upon approval by Council, the Pay Policy Statement will be published on the Council's website. In addition, relevant information will be reported in the Council's annual Statement of Accounts.

14. Payment of Lower Paid Employees within the Council

- 14.1 The Council uses the NJC negotiated pay spine (i.e. a nationally agreed and defined list of salary points) as the basis for its local pay structure, which determines the salaries for most of its workforce. The Council uses the NJC payspine SCP 3 47.
- 14.2 The Council operates a Job Evaluation Scheme to determine the pay grade for posts and uses the Willis Towers Watson Global Grading Scheme.
- 14.3 The Council ensures that all staff (aside from Apprentices) are paid at least the 'Real Living Wage' rate. Spinal Column Point (SCP) 3 automatically defaults to the Living Wage on 1st April each year and the Council uses this to define its 'lowest paid' employees.
- 14.4 The Council employs Apprentices who are not considered within the definition of 'lowest paid employees'. They are paid under the separate Apprentice Pay Rates, the highest of which equates to the real Living Wage rate.
- 14.5 The Council does not have a policy on maintaining a specific pay ratio between its Chief Officers and its lowest paid staff, although it is conscious of the need to ensure that Chief Officer salaries are not excessive.

15. Pension Contributions

Where employees have exercised their right to join the Local Government Pension Scheme, the Council agrees to contribute to the Scheme at rates set by Actuaries.

16. Payments on Termination

- 16.1 The Council's approach to statutory and discretionary payments on termination of employment of Chief Officers, prior to retirement, is set out within its policy statement and in accordance with:
 - Local Government (Early Termination of Employment Discretionary Compensation) (England and Wales) Regulations 2006.
 - Local Government Pension Scheme (Benefits, Membership and Contributions)
 Regulations 2007.
 - Local Government Pension Scheme (Admin) Regulations 2008 (regulation 66).
 - The Local Government Pension Scheme Regulations 2013.
 - The Local Government Pension Scheme (Transitional Provisions, Savings and Amendment) Regulations 2014.

17. Changes to Pay Policy

17.1 Should any amendments be required to this policy during the year, then matters will be reported to the People and OD Committee for consideration, for subsequent referral to Council.

18. Accountability and Decision Making

18.1 In accordance with the Constitution of the Council, People and OD Committee are responsible for decision making in relation to policies for recruitment, pay, terms and conditions and severance arrangements in relation to employees of the Council.

JOINT NEGOTIATING COMMITTEE for LOCAL AUTHORITY CHIEF OFFICERS

CONDITIONS OF SERVICE HANDBOOK

UPDATED 8 August 2017

Employers' Secretary:	Officers' Side Secretary:
NAOMI COOKE Local Government Association 18 Smith Square London SW1P 3HZ	REHANA AZAM GMB Mary Turner House 22 Stephenson Way London NW1 2HD
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The Joint Negotiating Committee (JNC) for Chief Officers of Local Authorities is the national negotiating body for the pay and conditions of service of chief officers in England and Wales.

The Authorities' Side consists of elected members nominated by the Local Government Association and the Welsh Local Government Association. The Staff Side consists representatives of GMB and UNISON.

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NB: All hyperlinks and email addresses contained in this Agreement are correct at the time of publication. Please notify the Joint Secretaries of any discrepancies by emailing them at the addresses shown on the cover page.

PART 1 - CONSTITUTION

TITLE

The Committee shall be known as the Joint Negotiating Committee for Chief Officers of Local Authorities (hereinafter referred to as "the Committee").

SCOPE

- The Committee shall have within their scope any officer of a local authority in England and Wales who
 - a is a chief officer designated by the employing authority as the administrative and executive head

either i of a separate department

or ii of a particular function or service

which in either case is regarded by the authority as important in relation to the total activities of the authority; or

b is designated by the authority as a recognised deputy to any chief officer covered by (a) above including an officer of deputy status but whose post may carry a different title.

MEMBERSHIP

3 The Committee shall consist of 36 members, appointed as follows:-

Representing local authorities:

Local Government Association 9
Welsh Local Government Association 1

Representing officers:

GMB 23 Unison 3

If any of the organisations named in paragraph 3 hereof fail to appoint the number of representatives provided for by the Constitution, such failure to appoint shall not vitiate the decisions of the Committee always providing the quorum referred to in paragraph 13 is met. In the event of any member of the Committee or any sub-committee thereof being unable to attend any meeting of the Committee or of the sub-

- committee, as the case may be, the organisation represented by such member shall be entitled to appoint another representative to attend and vote in his/her place.
- A member of the Committee shall automatically retire on ceasing to be a member of the organisation which he/she represents.
- On the occurrence of a casual vacancy, a new member shall be appointed by the organisation in whose representation the vacancy occurs and shall sit until the end of the period for which his/her predecessor was appointed.

FUNCTIONS

The functions of the Committee shall be to secure the largest possible measure of joint action in respect of the salaries and service conditions of officers within the scope of the Committee; and to seek to resolve any differences between a local authority and its officers which may be referred to the Committee, in accordance with procedures to be determined by the committee from time to time.

PROCEDURE

- 8 <u>Sub-Committees</u> The Committee may appoint from their own members such sub-committees as they may consider necessary and with such authorities as they may from time to time determine. The reports of all sub-committees shall be submitted to the full Committee.
- Chair and Vice-Chair The Committee shall appoint annually a Chair and Vice-Chair. When the Chair is a member of the Authorities' Side, the Vice-Chair shall be appointed from the Officers' Side and vice versa. The Chair shall be held in alternate years by a member of the Authorities' Side and a member of the Officers' Side. The Chair, or in his/her absence, the Vice-Chair, shall preside at all meetings of the Committee. In the absence of both the Chair and Vice-Chair at any meeting, a chair shall be elected to preside. In no case shall a Chair have a second or casting vote.
- 10 <u>Officers</u> The Committee shall appoint joint secretaries and a treasurer.
- Meetings Meetings of the Committee shall be held as often as may be necessary, and the Chair shall call a special meeting if so requested by one-third of either side of the Committee. The notice summoning any special meeting shall state the nature of the business proposed to be transacted thereat, and no other matters shall be discussed. A special meeting shall take place within fourteen days after the request has been received.

- 12 <u>Voting</u> Voting in the Committee and in sub-committees shall be by show of hands or otherwise as the Committee or sub-committee, as the case may be, shall determine. No resolution shall be regarded as carried unless it has been approved by a majority of the members entitled to vote present on each side of the Committee or sub-committee, as the case may be.
- Quorum The quorum of the Committee shall be 10, consisting of 4 representatives of local authorities and 6 of the officers. In the absence of a quorum the Chair shall vacate the chair, and the business then under consideration shall be the first business to be discussed either at the next ordinary meeting or at a further special meeting to be held within fourteen days after the date fixed for the first special meeting, as the case may be. The quorum of a sub-committee shall, subject to any directions given by the Committee, be determined by the sub-committee.
- Notices of meetings All notices of meetings of the Committee and of any sub-committee thereof shall be sent to the respective members at least seven clear days before the date of the meeting.

FINANCE

The expenses of the Committee, excluding any necessary travelling or subsistence expenses incurred by the members, shall be shared equally by the two sides.

ARBITRATION

In the event of a dispute over terms and conditions of employment arising between the two sides of the Committee on any matter of general application to staff or of application to particular classes of staff, the dispute shall, at the request of either side, be reported to the Advisory, Conciliation and Arbitration Service by the Joint Secretaries with a request that the matter be referred for settlement by arbitration. The arbitration award shall be accepted by the two sides, and shall be treated as though it were an agreement between the two sides.

AMENDMENTS TO CONSTITUTION

- 17 Alterations in the Constitution of the Committee shall be made as follows:
 - a in paragraph 3 of this Constitution any change to the organisations represented on each Side, shall be a matter for each Side to determine.
 - b all other clauses can only be changed with the assent of both Sides.

PART 2 - CONDITIONS OF SERVICE

1. APPLICATION OF TERMS AND CONDITIONS GENERALLY

A chief officer shall enjoy terms and conditions in other respects not less favourable than those accorded to other employees of the local authority. Where terms and conditions are not specified locally, 'Green Book' provisions shall apply. Such terms and conditions may include:

Adoption Scheme
Car Allowances
Continuous Service
Grievance
Health, Safety & Welfare
Maternity / Paternity Scheme
Reimbursement of Expenditure
Sickness Scheme
Training & Development

2. QUESTIONS OF INTERPRETATION

Any questions concerning the interpretation of the paragraphs of this booklet shall be referred to the Joint Secretaries who if necessary, may agree to refer it to the Joint Negotiating Committee for determination.

3. PERIODS OF NOTICE TO TERMINATE EMPLOYMENT

The period of notice on either side will normally be three months, but this can be changed by mutual agreement.

4. ANNUAL LEAVE

The chief officer shall be entitled to a minimum of 30 days' annual leave (in addition to statutory and other public holidays but inclusive of any long service leave, extra statutory and local holidays). In exceptional circumstances and by mutual agreement annual leave may be carried forward to the next leave year.

5. HONORARIUM PAYMENTS

A local authority may consider granting an honorarium (of an amount dependent upon the circumstances of each case) to an officer within purview of this Committee who performs duties outside the scope of his/her post over an extended period.

6. RELOCATION EXPENSES

In the case of officers being relocated it is the practice of some authorities to contribute towards the approved costs of removal

expenses and of other incidental expenses reasonably attributable to the removal; it would be in the best interests of local government and facilitate movement of officers if this practice were more widely followed.

7. SETTING REMUNERATION LEVELS

- 7.1 The Localism Act 2011 requires local authorities to produce and publish a pay policy statement. According to the Act and statutory guidance published in 2012 and 2013, the statement should include the local authority's policy on specific aspects of chief officers' remuneration: remuneration on recruitment, increases and additions to remuneration, use of performance-related pay and bonuses, termination payments, and transparency arrangements. It should also set out the approach to be adopted towards pay dispersion, (i.e. differentials). In addition, the Local Government Transparency Code 2015 requires local authorities to publish the differential between the taxable benefits of senior managers and the median taxable earnings figure for the local authority's whole workforce, and details of senior employee salaries (above £50,000), names (with the option for individuals to refuse to consent for their name to be published), job descriptions, responsibilities, budgets and numbers of staff.
- 7.2 In this context it is essential for good governance that local authorities can demonstrate that decisions on pay and reward packages for chief officers have been made in an open and accountable way.
- 7.3 One option is for a local authority to establish a remuneration committee. The establishment of a remuneration committee is of course optional and different models may well suit individual authorities. What is clear though is that more than lip service must be paid to the notion of providing a verifiable and accountable process for recommending the remuneration level of the most highly-paid officials.
- 7.4 The issues that local authorities will need to consider if they set up such a committee are set out at **Appendix 3** of the JNC Conditions of Service Handbook for local authority Chief Executives.

8. PERFORMANCE APPRAISAL

- 8.1 Chief officers' responsibilities and accountabilities should be set out in writing at the appointment stage. Where this has not been done at the appointment stage it should be agreed with the individual officer concerned prior to the implementation of the performance appraisal scheme. Subsequently, there should be an annual process of performance appraisal linked to those responsibilities and accountabilities.
- 8.2 The performance appraisal process is separate from any scheme relating to either pay or performance related pay.

- 8.3 The performance appraisal process should involve the setting of both general and specific objectives for the year ahead and the review of performance in achieving previously set objectives. The focus of the process should be on clarifying what the chief officer will be expected to achieve and on identifying any continuing personal development needs to maintain a high level of performance.
- 8.4 The authority will provide training for all parties involved in the process, including elected members if involved.
- 8.5 The setting of objectives should be by consensus between the chief officer and his/her line manager, and/or the chief executive, and if desired an appropriate elected member. The result of the performance appraisal process will be to identify agreed objectives that are relevant and challenging but achievable and realistic in the light of available resources and time. (Joint Secretaries guidance on appraisal of chief officers is set out in full at **Annex 1**)

9. RESTRICTIONS ON RE-EMPLOYMENT

- 9.1 After termination of the chief officer's employment he/she:
 - a will not divulge any information to any third party which is confidential to the authority.
 - b will not, without the consent of the authority, which will not unreasonably be withheld, within a period of 12 months take up employment with or provide services for reward to any body:
 - i if during the chief officer's last two years of employment with the authority the officer has been directly involved in transactions with that body for which the offer of employment or provision of services could reasonably be regarded as a reward
 - ii which is likely to benefit from commercially sensitive information which is known to the chief officer by virtue of his/her past employment by the authority.
- 9.2 These provisions would not apply if the termination of employment with the local authority arose as the result of redundancy or the externalisation of work and consequent transfer to a new employer.

10. SALARY

The salary paid to a chief officer will be that determined by the employing local authority. Salaries shall be deemed to be inclusive, and all other fees and emoluments, unless they are covered by **Paragraph 11** or the authority expressly agrees that they shall be

retained by the officer, shall be paid by the officer into the local authority's accounts.

11. RETURNING OFFICER FEES

The chief officer shall be entitled to receive and retain the personal fees arising from such of the duties of returning officer, acting returning officer, deputy returning officer or deputy acting returning officer and similar positions as he or she performs subject to the payment of pension contributions thereon, where appropriate, unless a specific term has been included in the chief officer's contract referring to alternative arrangements.

12. OFFICIAL CONDUCT

- 12.1 The public is entitled to demand of a local government officer conduct of the highest standard.
- 12.2 An officer's off-duty hours are his/her personal concern but he/she should not subordinate his/her duty to his/her private interests nor put himself/herself in a position where his/her duty and his/her private interests conflict, or where public confidence in the conduct of the authority's business would be weakened.
- 12.3 Officers within purview of this Committee shall devote their whole-time service to the work of the local authority and shall not engage in any other business or take up any other additional appointment without the express consent of the local authority.
- 12.4 An officer shall not be required to advise any political group of the local authority, either as to the work of the group or as to the work of the local authority, neither shall he/she be required to attend any meetings of any political group. This shall be without prejudice to any arrangements to the contrary which may be made in agreement with any officer and which includes adequate safeguards to preserve the political neutrality of the officer in relation to the affairs of the local authority.
- 12.5 No officer shall communicate to the public the proceedings of any committee meeting nor the contents of any document relating to the authority which in either case is regarded by the authority as confidential unless required by law or expressly authorised to do so.
- 12.6 If it comes to the knowledge of an officer that a contract in which he/she has any pecuniary interest, whether direct or indirect (not being a contract to which he/she is himself/herself a party), has been or is proposed to be, entered into by the authority, he/she shall, as soon as practicable, given notice in writing to the chief executive of the authority of the fact that he/she is interested therein. (Attention is

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drawn to the provisions of the Local Government Act 1972 Section117).

12.7 Information concerning an officer's private affairs shall not be supplied to any person unless the consent of such officer is first obtained.

PART 3 - DISCIPLINE, CAPABILITY AND REDUNDANCY

1. SPECIFIC STATUTORY OFFICERS

- 1.1 Where disciplinary action against the Monitoring Officer or s151 Officer or, in Wales, the Head of Democratic Services is contemplated, the Local Authorities (Standing Orders) (England) Regulations 2001 (as amended by the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015) in England, and the Local Authorities Standing Orders (Wales) Regulations 2006 in Wales, provide a degree of protection for these officers against unwarranted political interference in their statutory role within local authorities.
- 1.2 (England) Paragraph 13 and 13A and Appendix 5A of the Conditions of Service Handbook of the Joint Negotiating Committee for Local Authority Chief Executives, which give effect to these statutory requirements, can be used as a reference guide in circumstances where disciplinary action against the Monitoring Officer or s151 Officer is contemplated.
- 1.3 (Wales) Paragraph 13 and 13B and Appendix 5B of the Conditions of Service Handbook of the Joint Negotiating Committee for Local Authority Chief Executives, which give effect to these statutory requirements, can be used as a reference guide in circumstances where disciplinary action against the Head of Democratic Services is contemplated.

2. CHIEF OFFICERS OTHER THAN SPECIFIC STATUTORY OFFICERS

- 2.1 The size and structure of local authorities varies greatly and it is therefore difficult to set out single disciplinary and capability procedures which would fit all authorities. However, authorities will have local procedures to deal with such issues.
- 2.2 In general, informal conciliation is to be preferred to formal disciplinary and capability procedures if it can bring about a mutually agreed solution to the problems that have arisen. Such solutions should make it clear what specific changes in behaviour and/or performance are expected and within what timescales. However, provision is required to undertake more formal action where necessary.
- 2.3 The principles of natural justice and good management practice must govern the conduct of any proceedings against a chief officer on the grounds of either alleged misconduct (i.e. 'discipline') or an alleged inability to carry out their role (i.e. 'capability'). Authorities should have full regard to the principles and standards set out in the ACAS Code of Practice on Disciplinary Procedures.

- 2.4 A particular consideration for Chief Officers is that the procedures must take account of an officer's position in the hierarchy when determining who conducts investigations, undertakes disciplinary/capability hearings taking any appropriate action and who hears appeals. Depending on the structure of the authority and the circumstances of the case these functions should normally be undertaken by officers as appropriate but in some cases may require a committee of members to be involved in hearings or appeals.
- 2.5 Where the chief officer's continuing presence at work compromises an investigation or impairs the efficient exercise of the local authority's functions, the chief officer may (subject to whatever consultation or approval may be required under the authority's standing orders) be suspended from duty. The Council, or appropriate committee or senior officer, acting under delegated powers, may carry out such suspension on full pay. Written notice stating the reasons for any such suspension shall be given at the earliest opportunity possible.
- 2.6 Suspension protocols regarding communication and matters such as annual leave and sickness should be agreed. The necessity for the chief officer to remain suspended should be reviewed at regular intervals and where possible lengthy periods of suspension should be avoided.
- 2.7 In England, where an authority operates a mayor or leader cabinet executive system and as a result of disciplinary proceedings there is a recommendation to dismiss, they should check whether the executive objections procedure set out in schedule 1, part I, paragraph 6 and part II, paragraph 6 of the Local Authorities (Standing Orders) (England) Regulations 2001 applies, and if so ensure it is followed before the chief officer is dismissed.
- 2.8 Where the chief officer in question is a Director of Public Health in England then the authority should ensure that it complies with section 73A of the National Health Act 2006, which provides that before terminating the appointment of its Director of Public Health, a local authority must consult the Secretary of State for Health. Further information on this is available in the Department of Health's guidance, Directors of Public Health in Local Government: Roles, responsibilities and context.
- 2.9 The Joint Secretaries (or their representatives) are available to act in an impartial conciliation role, whether formal or informal if required to do so by the local parties.

3. REDUNDANCY

3.1 Employing authorities should consult with any chief officer affected at the earliest possible stage when there is a suggestion that the chief officer's post might be abolished or proposed for abolition.

- 3.2 If after such consultation a proposal is formulated to abolish the chief officer's post, and that is part of a proposal to dismiss 20 or more employees from one establishment within 90 days the procedure of Section 188 of the Trade Union and Labour Relations (Consolidation) Act 1992, requiring consultation with trade unions, should be followed, the required statutory information being sent to the chief officer and to each independent trade union recognised by the employers for collective bargaining purposes for the chief officer. Where the provisions of the Act do not apply in any event a period of not less than twenty-eight days should be allowed for the individual consultation process. The chief officer and a trade union representative should also be afforded an opportunity of making oral representations to the Committee or Council meeting concerned before a final decision is made.
- 3.3 If following such consultations the authority decide that the post must nevertheless be abolished, the officer should be offered any suitable alternative employment that may be available or which may become available in consequence of the re-organisation giving rise to the abolition of the chief officer's post.
- 3.4 The authority should also bear in mind the possible application of discretionary powers of premature retirement, and permissible enhancement of benefits or redundancy payments, and the possibilities of providing an alternative post or of extending the period of notice to assist the chief officer in finding other employment.
- 3.5 Where the chief officer in question is a Director of Public Health in England then the authority should ensure that it complies with section 73A of the National Health Act 2006, which provides that before terminating the appointment of its Director of Public Health, a local authority must consult the Secretary of State for Health. Further information on this is available in the Department of Health's guidance, Directors of Public Health in Local Government: Roles, responsibilities and context.

ANNEX 1

JOINT GUIDANCE ON APPRAISAL OF THE CHIEF OFFICER

1. INTRODUCTION

- 1.1 This guidance is intended for use by senior officers, elected members and the chief executive when agreeing a process for appraising the performance of the chief officer. The focus of this process should be on clarifying what the chief officer is expected to achieve and on identifying any continuing developmental needs which, if met, would maintain a high level of performance. The process of setting objectives should be by agreement and the result should be to identify objectives which are relevant and challenging but achievable.
- 1.2 The process should not become complex. At all times it needs to focus clearly on a few basic issues: what the chief officer's job is; what has been done well; what could have been done better; the major issues over the next year; and what developmental needs the process clearly identifies.

2. RESPONSIBILITY FOR APPRAISAL

- 2.1 The responsibility for appraising a chief officer lies primarily with their line manager and/or chief executive. It is a contractual obligation on the part of both the chief officer and the employing local authority to engage in a regular process of appraisal.
- 2.2 It will be for local decision in the light of local circumstances whether the appraisal should include any input from elected members representing all political groups or by a senior representative or representatives of the controlling group. Whichever approach is adopted, those conducting the appraisal need to bear in mind at all times that the chief officer is employed by the local authority as a whole, not by the controlling group, and is therefore required to serve all of the local authority.

3. AIMS OF APPRAISAL

- To identify and clarify the key objectives, priorities and targets of the local authority and appropriate timescales for their achievement over the next (e.g. twelve) months
- Agree what the chief officer should personally achieve over the next (e.g. twelve) months and identify required standards of performance, in order to help deliver the local authority's key objectives, priorities and targets. Wherever possible standards of performance should be expressed in ways which can be monitored objectively

- Discuss positive achievements over the past (e.g. twelve) months and identify reasons for good performance
- Discuss instances over the past (e.g. twelve) months where targets have not been met, identifying the factors preventing the achievements of agreed goals
- Discuss developmental requirements. The chief officer will have strengths and weaknesses and the parties should identify the professional development necessary to equip the chief officer with the requisite skills to meet the local authority's objectives. The parties should be proactive and anticipate future developmental needs in the context of the local authority's changing priorities. This discussion could lead to the design of a formal programme of continuous professional development (CPD). Equally this discussion may lead to agreement on changes to the working relationship between the chief officer and the chief executive. It should not be assumed that it is only the chief officer who may need to adjust his / her approach to the working relationship
- 3.1 Appraisal should be set in the context of the local authority's objectives, priorities and targets, generally expressed in corporate plans. Appraisal targets when taken as a whole should be related to agreed targets for the local authority as a whole.

4. THE APPRAISAL CYCLE

Appraisal should take place on a predetermined date, **at least annually**, backed up by regular monitoring meetings at which targets can be reviewed for continuing relevance. A formal system of appraisal should not prevent the continuous review of progress and performance.

5. KEY ELEMENTS OF THE APPRAISAL PROCESS

- Continuous two-way monitoring of performance against objectives
- Preparation for an appraisal interview
- An appraisal interview where recent and current performance, future objectives and development needs are discussed
- Agreement on action required from either party to ensure required performance is achievable
- A continuing process of informal discussion regarding performance

6. THE APPRAISAL INTERVIEW AND AFTERWARDS

- Both parties should be well informed and prepared for the interview
- The process should be two-way
- The interview should be free from interruptions, and notes should be taken when necessary
- The parties should concentrate as far as possible on established facts rather than unsubstantiated opinions
- Targets which are realistic and capable of being monitored should be agreed
- Any agreed personal development plans should be implemented within the agreed timescale
- The chief officer should be given a reasonable opportunity to correct any shortfalls in performance
- A date for the next review should be agreed

7. OTHER MATTERS

The detailed content of appraisal interviews should normally be treated as confidential to the participants, unless both parties agree that it would be helpful for the targets agreed for the ensuing period to be shared more widely. However, it may be useful to report to an appropriate committee meeting that an appraisal interview has taken place.



Local Government Reorganisation Working Group Update 1

12 March 2025

Report of Chief Executive

PURPOSE OF REPORT

The Local Government Reorganisation Working Group was established, by Council, to respond to the re-organisation issues raised in the Government's English Devolution White Paper, published on 16 December 2024.

This report updates Council on the work of the group since then.

This report is public

RECOMMENDATIONS

(1) That Council notes the report of the Local Government Reorganisation Working Group

1.0 Introduction

- 1.1 Local government in Lancashire and some other areas of England is in a two-tier arrangement (or three-tier if parish and town councils are included), meaning that the delivery of council services are split between the county council and 12 district councils. Two unitary councils (Blackpool and Blackburn with Darwen) border the county council area. Local government reorganisation refers to changing the structure of local government in an area so that the existing councils cease to exist and are replaced by new unitary authorities that are responsible for the delivery of all local government functions in the area they serve.
- 1.2 At the end of 2024, the government published its White Paper on English Devolution. The White Paper included significant proposals in relation to devolution and local government reorganisation. On 5 February 2025, the government sent a letter to all areas of England with two-tier local government to issue a statutory invitation for proposals for reorganisation. That letter set out the anticipated timescales for proposals to be developed, with an interim response due by 21 March 2025 and full proposals for Lancashire by 28 November 2025.
- 1.3 Council of the 22 January 2025 agreed to the establishment of cross- party working group to consider this most important issue. To this point the group has met three times.

1.4 This first update report from the Group provides relevant background information and sets out progress to response to the Government's statutory invitation.

2.0 Devolution

- 2.1 Devolution and local government reorganisation are not the same, although there is a close relationship in the context of the White Paper, as the government suggests that any changes to local government structures should support deepening devolution.
- 2.2 A Combined County Authority (CCA) has just been formally established for Lancashire. Its constituent members are Lancashire County Council. Blackburn with Darwen Council and Blackpool Council. District councils are not able to be full members of the CCA. Instead, they are represented by two district leaders who sit on the CCA as non-voting members.
- 2.3 While the CCA has only just been created, the government has asked the CCA members to review the options for deepening devolution arrangements (by the autumn), with strong encouragement for adopting a model that includes a directly elected mayor. The powers and potential funding available to areas with a combined authority and an elected mayor are significantly greater than for those without. If Lancashire were to decide to pursue a model that included an elected mayor, then there is a potential that the elections for that position would be held in May 2026.

3.0 Local Government Reorganisation proposals: timeline

- 3.1 The letter received from the government on 5 February set out a formal invitation for proposals for local government reorganisation. It also set out the anticipated timeline and criteria for proposals.
- 3.2 The government has requested the councils of Lancashire to work together to produce a single interim plan by the 21 March 2025. The plan should be produced jointly, although it may include a number of options for the potential structures for single-tier local government.
- 3.3 The letter from Government sets out the following areas that Government, at an early stage, would be interested in
 - a. identify any barriers or challenges where further clarity or support would be helpful.
 - b. identify the likely options for the size and boundaries of new councils that will offer the best structures for delivery of high-quality and sustainable public services across the area, along with indicative efficiency saving opportunities.
 - c. include indicative costs and arrangements in relation to any options including planning for future service transformation opportunities.
 - d. include early views as to the councillor numbers that will ensure both effective democratic representation for all parts of the area, and also effective governance

and decision-making arrangements which will balance the unique needs of cities, towns, rural and coastal areas, in line with the Local Government Boundary Commission for England guidance.

- e. include early views on how new structures will support devolution ambitions.
- f. include a summary of local engagement that has been undertaken and any views expressed, along with further plans for wide local engagement to help shape developing proposals.
- g. set out indicative costs of preparing proposals and standing up an implementation team as well as any arrangements proposed to coordinate potential capacity funding across the area.
- h. set out any voluntary arrangements that have been agreed to keep all councils involved in discussions as this work moves forward and to help balance the decisions needed now to maintain service delivery and ensure value for money for council taxpayers, with those key decisions that will affect the future success of any new councils in the area.
- 3.3 Chief Executives have already attended a number of sessions with MHCLG officials that have provided further details and clarifications. From those meetings it is clear that the points above are a guideline. It is understood by MHCLG that at this stage there is not time to address all the points above.
- 3.4 Full proposals for reorganisation in Lancashire are to be submitted by 28 November 2025. The government has set an expectation that 'every effort' will be made to work together to develop and submit one proposal for the whole area, but accepts that this may not be possible. The government will consider any suitable proposals submitted by local authorities.

4.0 Local government reorganisation: criteria

- 4.1 MHCLG has set out guidance which will be used to assess proposals for reorganisation. The guidance is set in full in the letter and is summarised below.
 - a. A proposal should seek to achieve for the whole of the area concerned the establishment of a single tier of local government. Proposals should be for 'sensible economic areas, with an appropriate tax base' so there is not unfair advantage or disadvantage across the area. The proposals need to be supported by robust evidence and analysis.
 - b. Unitary local government must be the right size to achieve efficiencies, improve capacity and withstand financial shocks. 'As a guiding principle, new councils should aim for a population of 500,000 of more', although there may be certain scenarios where that does not make sense for an area. The proposal should set out the rationale.
 - c. Unitary structures must prioritise the delivery of high quality and sustainable public services to citizens. Proposals need to set out how they will improve local government service delivery and public service reform. Consideration needs to be made as to impact on crucial services such as children's services, SEND and

homelessness.

- d. Proposals should show how councils in the area have sought to work together in coming to a view that meets local needs and is informed by local views.
- e. New unitary structures must support devolution arrangements. Proposals will need to set out how the CCA arrangement will need to change as a result of reorganisation, and ensure that there are sensible population size ratios between the new councils and the new strategic authority.
- f. New unitary structures should enable stronger community engagement and deliver genuine opportunity for neighbourhood empowerment.
- 4.2 In developing proposals, existing district areas should be considered the building blocks, and strong justification will be required for more complex boundary changes

5 Latest Position

- 5.1 Collectively Lancashire Leaders have requested that Chief Executives draft an interim response that all Leaders would be prepared to sign up to for March 21st 2025.
- 5.2 The draft interim response merely sets out to Government the principles which will guide the development of the proposal for November 28th 2025.
- 5.3 These principles are-
 - The importance of local identity, culture and heritage in Lancashire.
 - That public sector wide transformation is necessary.
 - The need for congruence with the fair funding review.
 - The importance of appropriate democratic representation.
 - The need for meaningful engagement with residents, partners and stakeholders
 - The need to recognise the existing inequalities and deprivation that exist across Lancashire and the level of resource required to address this.
 - The need to recognise the rurality of Lancashire and the impact this has on resources.
 - The need to share data across Councils to ensure that all Councils are working from the same evidence base.
- 5.4 The draft interim response also seeks a number of clarifications and support from MHCLG. Including guidance on population figures (lower and upper limits), Government's view on how Parish and Town Councils will fit in with their proposals, guidance for number of Councillors, request for Government to work with us closely through the review of local government finance so we can fully understand the potential impact and guidance on the process for changing existing District boundaries.
- 5.5 It is important to note that the draft interim response does not set out any preferred configurations of unitaries within Lancashire. A number of potential options are being considered by different Councils within Lancashire at present. Not all options have the support of all or even a majority of Councils

at this stage but the potential list includes::

- A single unitary;
- Variations on two unitaries;
- Variations on three unitaries:
- Variations on four unitaries;
- Variations on five unitaries.

The fact that there is a multitude of options of different sizes and configurations reflects the range of local views and there are mixed views on which ones best meet the government's criteria. And, in some areas, it may also be the case that 'no change' would be the preferred option.

- 5.6 For the next few months the task will be to work (as a Council and with the 14 other Councils in Lancashire) through the range of options which may be presented, identifying and appraising a short list of potential options before any detailed submissions for the November 2025 timeline.
- 5.7 It should be noted that nothing in the interim response for March 21st 2025 will be binding on any signatory, in any way.

CONCLUSION OF IMPACT ASSESSMENT

(including Climate Change, Health & Safety, Equality & Diversity, Human Rights, Community Safety, Sustainability and Rural Proofing)

As set out in the report

LEGAL IMPLICATIONS

There are no legal implications as a result of this report. Legal implications are to be kept under review as the process progresses.

FINANCIAL IMPLICATIONS

There are no direct financial implications as a result of this report. The process will require significant officer time and this can be managed from within existing budgets at this point in time but will require constant review as the process progresses. There is currently no budgetary provision for any future costs identifiable going forward through the process, however further consideration will be given to how these can be funded. In the meantime, all costs will be recorded separately and monitored as appropriate.

OTHER RESOURCE IMPLICATIONS

It should be noted that the resource implications in terms of Elected Member and Officer time to this point have already been significant. As an ambitious Council with many day to day services to deliver and a number of key projects it will be necessary to take account of and balance resource implications as we progress.

SECTION 151 OFFICER'S COMMENTS

The s151 Officer has been consulted and has no additional comments to add to those already provided within the financial implications

MONITORING OFFICER'S COMMENTS

The Monitoring Officer has been consulted and has no comments at this stage. The interim proposal is not binding and high level. Any final proposal will be subject to Full Council approval before the November 2025 deadline.

BACKGROUND PAPERS

Government's English Devolution White Paper: *Power and Partnership; Foundations for Growth* available on the gov.uk website.

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