

AGENDA ITEM NO 3

CUMBRIA COUNTY COUNCIL

Minutes of a Meeting of the **Cabinet** held on Tuesday 6 January 2009 at 10.00 am at Forum 28, Barrow-in-Furness

PRESENT

Mr S F Young (Chair)
Mrs A Burns
Mrs B Cannon
Mr A Clark

Also in Attendance:

Mr D Fairbairn for Agenda Item No.7 (Scrutiny Report on School Organisation – A Strategic Approach: The Potential Academy for Barrow) (Minute No.169)

Officers in Attendance:

Corporate Director – Resources, Corporate Director – Adult and Cultural Services, Corporate Director – Children’s Services, Corporate Director – Safer and Stronger Communities, Corporate Director – Organisational Development, Interim Corporate Director – Environment, Assistant Chief Executive, Head of Member Services and Scrutiny, Chief Finance Officer, Chief Legal Officer, News Manager, Senior Democratic Services Officer.

The Leadership Support Officers for the Labour and Conservative Groups were also present.

PART 1 – ITEMS CONSIDERED IN THE PRESENCE OF THE PUBLIC AND PRESS

163. APOLOGIES

An apology for absence was received from Mr T J Knowles.

164. DISCLOSURES OF INTEREST

Mr S F Young declared a personal interest in Agenda Item No.11 – Carlisle Renaissance - as a member of the Carlisle Renaissance Board.

165. MINUTES

The minutes of the last meeting of the Cabinet held on 9 December 2008 were agreed as a correct record and signed by the Chair.

166. EXCLUSION OF PRESS AND PUBLIC

RESOLVED, that the press and public be excluded from the meeting during consideration of Agenda Item No.13 – Wellbeing Powers: The General Disposal Consent on the grounds that the item contained exempt information by virtue of Paragraph 5 of Part 1 of Schedule 12A of the Local Government Act 1972 as it contained information in respect of which a claim to legal professional privilege could be maintained in legal proceedings and Agenda Item No.14 – Award of Cumbria Youth Support Services Contracts which contained exempt information by virtue of Paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972 as it contained exempt information relating to financial or business affairs.

167. STATEMENTS BY THE LEADER OF THE COUNCIL AND CABINET MEMBERS

A large number of members of the public were in attendance at the meeting which had been arranged to be held in Barrow-in-Furness as the Barrow Academy was an item for discussion. The Leader advised the public that as the Conservative and Liberal Democrat Groups had declined to take up their positions on Cabinet the decision would be taken by the remaining Labour members of the Cabinet of whom four were present. He felt that this was unfortunate and that a cross-party decision should have been taken on this important issue.

168. PUBLIC PARTICIPATION

Ms Nina Hill of "Our Schools Are Not For Sale" group from Barrow-in-Furness addressed the Cabinet under the Public Participation Scheme and asked that the decision on whether or not to establish an

Academy for Barrow on a one or two site basis be delayed. Her reasons for asking for this were that parents, teachers and members of the public did not feel that they had enough information on which to base a decision. Ms Hill stated that there had been little contact with the proposed sponsors of the Academy and there had been little information provided on how the Academies would operate, the future of the teaching staff, the provision of uniforms, the curriculum to be adopted etc. Ms Hill advised that all of the three schools affected had achieved their best GCSE results in the previous year and should not be considered as failing schools. She referred to some reported difficulties with the implementation of the Academy in Carlisle and advised that people in Barrow did not want the same problems to occur there. In conclusion, she requested that a decision on whether to provide an Academy on either one or two sites in Barrow be delayed until there was more certainty about the proposed schools.

The Cabinet Member for Children's Services sympathised with the views expressed but felt that to delay the process would cause even more uncertainty for parents and staff. The Project Management Team had been gathering together information concerning the future educational establishments. However until the consultation had been concluded they had not been able to share this on a wider basis. Mrs Burns referred objectors to the creation of the West Cumbria Academy which was proceeding well.

169. SCHOOL ORGANISATION: A STRATEGIC APPROACH – THE POTENTIAL ACADEMY FOR BARROW

The Corporate Director – Children's Services presented a report advising Cabinet of the results of the consultation process on whether the planned academy for Barrow should operate from one or two campuses. She reminded members that the previous Cabinet had agreed to seek to establish the potential Academy in Barrow on a single site. However, due to concerns expressed locally and following approval from the Government that this option could be explored further, another consultation on whether the Academy be located on one or two sites had been undertaken. The results of the consultation exercise which were detailed in the report showed that the majority of those responding favoured the two site option. Whilst the County Council's policy was not to have split site schools the Government had advised that it would be prepared to support and fund the establishment of either a one or two campus Academy depending on what was preferred locally.

Mr D Fairbairn, the Chair of the Children and Young People's Scrutiny Panel, attended the meeting to advise the Cabinet of the discussion which had taken place at the meeting of the Panel on 16 December when it had considered the Barrow Academy proposal. He advised Cabinet that

the Scrutiny Panel was comprised of a wide range of elected members and other interested persons. The Panel had accepted that the overwhelming majority of respondents to the consultation had opted for a two-site solution. However it had noted that, even though this was broadly in line with similar consultation exercises, the number of those responding to the consultation document had been very low at 4.7% and the Panel felt that this might not therefore accurately reflect the views of the local population. It had also noted that by a small majority more staff had favoured a single site solution. Following a full debate and whilst acknowledging that the views expressed by the majority of those responding to the consultation have been for an Academy in Barrow based on two sites the Panel believed that there were educational and economic advantages of an Academy based on one site and recommended that the Cabinet opt for the potential Barrow Academy to be established on one site.

The Cabinet Member for Children's Services responded to the report from the Corporate Director and the report from the Scrutiny Panel. She reminded members that the main aim behind the School Organisation process was to improve educational attainment at schools throughout Cumbria. She had carefully considered the views of the Scrutiny Panel but as the Government had now confirmed that an Academy could be provided on two sites in Barrow and as this had been the majority view during the consultation process she proposed that the creation of an Academy in Barrow on two sites ie Parkview and Thorncliffe should now be progressed with the aim of opening the Academy on 1 September 2009 and that further in-depth discussions should continue with parents and staff.

RESOLVED, that the potential Academy for Barrow be located permanently on both the Thorncliffe and Parkview sites, each campus having accommodation for 600 11-16 students when the building work to create its accommodation is completed.

170. INTEGRATED RISK MANAGEMENT PLAN (IRMP) – RESPONSE TO THE DRAFT ACTION PLAN 2009/10

Prior to consideration of this item Cabinet heard representations from Mr M Hind of the Fire Brigades Union under the Public Participation Scheme. Mr Hind advised that the FBU had considered the proposed IRMP in depth and their main concern had been the vagueness of some of the proposals. He explained that the FBU would like further information on some of the proposed actions which he commented upon and which were dealt with more fully in a written response to the

proposals from the FBU which had been circulated with the Cabinet report.

The Cabinet Member for Safer and Stronger Communities advised that all responses to the consultation would be taken into account and that for this meeting Cabinet were only being asked to note the responses received. The Cabinet Member and the Corporate Director undertook to meet with the FBU representatives to discuss their concerns prior to firm proposals being submitted to a future Cabinet meeting.

RESOLVED, that the responses to the consultation on the IRMP Year 6 Action Plan be noted.

171. CAPITAL PROGRAMME: BUDGET CONSULTATION

A report by the Corporate Director – Resources provided Cabinet with a guide to the formulation of the Capital Programme for the period 2009/10 to 2013/14.

Over recent years the Council had developed its Capital Programme and delivered significant investment in schools, highways and other areas. The Capital Programme was expected to grow in light of investment in academies and school reorganisation. For the rest of the programme, resources were limited and there was a revenue cost for all borrowings. All capital investment had revenue implications. The report identified for consultation the existing capital plan and possible capital projects for inclusion in the future Capital Programme.

RESOLVED, that

- (1) the guidance in respect of the formulation of the Capital Programme be noted;
- (2) the Capital Plan/proposals for consultation be agreed;
- (3) those Priority Transport Improvement Schemes set out in Appendix D2 to the report be noted.

172. PROCURING FROM THE LOCAL ECONOMY

A report by the Corporate Director – Resources set out the current position on the Council's procurement of goods, works and services from organisations based within Cumbria, outlining the legislative and financial context and highlighting actions to be taken to support the local economy.

Given the current economic difficulties Cabinet wished to ensure that procurement practices and procedures supported the Cumbrian economy, as far as was possible. The report advised that over 58% of the Council's suppliers were located in the County. There were some legal restrictions under which contracts for certain goods and services had to be subject to open competition throughout the EU. However, wherever possible local businesses would be used.

Cabinet Members referred to the current economic situation and confirmed that the County Council should do all that it could to encourage the use of local firms and local labour including specifying this within larger contracts which were awarded.

RESOLVED, that

- (1) the progress made in procuring goods, works and services from locally based suppliers and the projects which contribute to this be noted;
- (2) further actions to promote procurement from the local economy whilst recognising the limitations placed on the Council by the requirements of the EU Procurement Directive and the requirement to generate 3% annual efficiency savings be supported. Such actions to include the wider use of social clauses in tendering, investigation of early payment terms, pro-active supplier engagement and further collaboration with partners.

173. FUEL POVERTY AND THE DEVELOPMENT OF AN ANTI-POVERTY STRATEGY

A report by the Corporate Director – Adult and Cultural Services summarised work under way to respond to concerns about people at risk from the financial impact of the “credit crunch”. Specific proposals were made in the report to develop a Fuel Poverty Action Plan with partners in Cumbria and within next year's draft budget support was proposed to enhance debt advice and Credit Union activity. It was suggested that this activity could be incorporated within a single plan of activity through which the Council would be better able to respond to public concerns.

Cabinet Members confirmed that fuel poverty could be devastating to those affected and added to levels of deprivation. Within the current economic climate the Council wished to introduce an Anti-Poverty Strategy to help those in need.

RESOLVED, that

- (1) the proposal for a Fuel Poverty Action Plan and the identification of specific actions to advise and inform client groups be supported;
- (2) the various activities already in train should be incorporated within a wider Anti-Poverty Strategy intended to support individuals, families and communities at risk during the credit crunch.

174. CARLISLE RENAISSANCE

A report by the Interim Corporate Director – Environment provided details of a revised collaboration agreement between the founding members in Carlisle Renaissance and the first Carlisle Renaissance Action Plan which had been agreed by the Carlisle Renaissance Board.

In supporting the recommendations in the report the Leader reminded members that it was now four years since the floods in Carlisle and he hoped that some positive proposals could be carried out under the Carlisle Renaissance banner in the near future.

RESOLVED, that

- (1) agreement be reached with the founding members to a collaboration agreement;
- (2) the draft Action Plan 2009-12 be endorsed on condition that where projects required the statutory approval of the County Council they were submitted for consideration on an individual basis;
- (3) in line with the Action Plan and subject to approval during the budget setting process the County Council contributes £100,000 to support Carlisle Renaissance in each of the next three financial years 2009-12 subject to the Founding Members agreement to the collaboration agreement;
- (4) the final approval of the collaboration agreement and Action Plan be delegated to the Corporate Director – Environment in conjunction with the Leader of the County Council and the Cabinet Members for Economy and Environment.

THE PRESS AND PUBLIC LEFT THE MEETING AT THIS STAGE

175. WELLBEING POWERS: THE GENERAL DISPOSAL CONSENT

A report by the Chief Legal Officer advised that the Council policy on the application of wellbeing powers and the general disposal consent should be removed as it was contrary to the spirit and purpose for which the wellbeing powers were introduced by central Government. The Leader advised that all members of the Council should be given more information on future use of wellbeing powers and the general disposal consent.

RESOLVED, that

- (1) the wellbeing policy be revoked and that any application under the power in the 2000 Act be decided on its merits by the Cabinet. Each report to Cabinet requesting any reduction will outline any benefits which would be accrued under the Community Plan or other strategy and how it would help improve the economic social or environmental wellbeing of its area or people;
- (2) emphasis on the use of the power be in relation to a large enabling project including those with partners along the lines outlined in paragraph 3.2 of the report although every case be considered on its merits.

176. AWARD OF CUMBRIA YOUTH SUPPORT SERVICES CONTRACTS

A report by the Corporate Director – Children’s Services sought the formal approval by Cabinet to recommendations made by the Cumbria Youth Support Services (CYSS) Evaluation Panel on which organisations should be awarded the CYSS contracts for 2009-2012 following an extensive tendering process. The report also sought to financially support Local Committees in developing local preventative activities for 5-13 year olds in their communities. A set of revised recommendations was tabled at the meeting and it was

RESOLVED, that

- (1) the organisations set out in paragraph 4.3.17 be awarded contracts for a period of three years to

deliver CYSS services from 1 April 2009. Each organisation would need to demonstrate that it could meet the requirements of the contract performance framework and any other pre-contract requirements;

- (2) the budget and responsibility for monitoring the contracts for Positive Activities and Area Youth Work be devolved to the relevant Local Committees and the Devolution Working Group be asked to report to February Cabinet on how this can best be implemented;
- (3) the Corporate Director – Children’s Services, in consultation with the Cabinet Member for Children’s Services, be authorised to take any necessary action to secure the implementation of 3.1 and 3.2 above by 1 April 2009;
- (4) the budget framework for 2009/10 to be presented to the County Council in February 2009 include proposals for resources to be delegated to Local Committees from April 2009 to support activities for children between the ages of 5 and 13.

The meeting closed at 11.45 am.

LMG/FB