

# CUMBRIA COUNTY COUNCIL

## Minutes of a Meeting of the Cabinet held on Tuesday 30 March 2010 at 10.00 am at The Courts, Carlisle

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### **PRESENT**

Mr SF Young (In the Chair)  
Mrs A Burns  
Mr DS Fairbairn  
Mr T Knowles  
Mrs EA Mallinson  
Mr AJ Markley  
Mr E Martin  
Mr O Pearson  
Mr GB Strong

In Attendance

Mrs BA Cannon (For Agenda item 8)

Officers in attendance:

Chief Executive, Corporate Director – Children’s Services, Corporate Director – Environment, Corporate Director – Resources, Head of Service - Disabilities, Corporate Director –Organisational Development, Corporate Director – Safer and Stronger Communities, Chief Finance Officer, Assistant Director – Policy and Performance, Chief Legal Officer, Head of Service – Highways and Transportation, News Manager and Principal Democratic Services Manager.

The Leadership Support Officer for the Labour Group was also present.

### **PART 1 ITEMS CONSIDERED IN THE PRESENCE OF THE PUBLIC AND PRESS**

#### **160. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Mr Buchanan. In the absence of the Leader, the Deputy Leader Mr Young took the chair for the meeting. The Deputy Leader advised that the Leader and his wife had

asked him to convey their thanks for the messages of support they had received from members and officers.

## **161. DISCLOSURES OF INTEREST**

Mr DS Fairbairn declared personal interests in agenda item 8(2) (Consultation on Fair Access to Care Eligibility Criteria for Community Equipment) as a Director of Age Concern North West, agenda item 15 (Strategic Property Asset Management Plan 2010) as a Director of the North Allerdale Development Trust and agenda items 13 (Petitions Scheme), 18 (Provision of Monitoring Officer Services to Allerdale Borough Council), 21 (Children and Young People's Plan 2010-2013) and 27 (Progress with Geological Disposal Facility Siting Issues) as a member of Allerdale Borough Council.

Mrs A Burns declared a personal interest in agenda item 23 (Furness Academy – Future Development) as the former portfolio holder and a governor of the Furness Academy and advised that she would leave the meeting during its consideration.

Mr AJ Markley declared a personal interest in any matter relating to Allerdale Borough Council as a member of that authority.

## **162. MINUTES**

The minutes of the meeting of the Cabinet held on 3 March 2010 were confirmed as a correct record and signed by the Chair.

## **163. EXCLUSION OF PRESS AND PUBLIC**

**RESOLVED**, that the press and public be excluded from the meeting during the following items of business:

Agenda item 29 – Whitehaven Transport Interchange - on the grounds that the report contained exempt information relating to financial or business affairs.

Agenda item 30 – Money Advice Contract – Arrangements Post September 2010 – on the grounds that the report contained exempt information relating to financial or business affairs.

## **164. STATEMENTS BY THE DEPUTY LEADER OF THE COUNCIL AND CABINET MEMBERS**

The Deputy Leader advised that he had agreed to take a late and urgent item, agenda item 31 (Free School Meals Pilot) in order to avoid any unnecessary delay in considering the matter. As the item was a key decision not in the Forward Plan and five clear days notice had not been given the Chair of the relevant Scrutiny Advisory Board, in this case the Children and Young Peoples had been requested to agree that the matter could be considered. The Chair had confirmed that the matter could be taken. The Deputy Leader confirmed that the matter would not be exempted from call-in.

The Deputy Leader reminded members that with the forthcoming local elections in Barrow, Carlisle and South Lakeland that the purdah period had begun and therefore members should have regard to the statutory provisions, code of recommended practice and the members code of conduct.

The Cabinet Member for Economy and Highways offered his thanks to all members, partners and officers who had been involved in the recovery operation following the recent floods and advised that Cockermouth Main Street and the Derwent and Cocker bridges had re-opened on 24 March followed by the opening of the Ouse and Isel bridges on the 26<sup>th</sup>. He also advised that an additional government grant of up to £2m would be available for the repair of potholes.

## **165. PUBLIC PARTICIPATION**

There had been no requests to use the public participation scheme for this meeting.

## **166. PRESENTATION ON ACADEMIES**

Cabinet received a presentation from the Project Manager – Construction Building Schools for the Future on the progress of the construction phase of the Richard Rose Central, Richard Rose Morton, Westlakes - Egremont and Furness Academies. Cabinet would later consider a report on the matter of whether the Furness Academy operate from one site or two.

Members viewed a virtual 'fly through' of the respective new buildings which gave them a feel for how the academies would look and operate when opened. All the projects were to date on budget and on schedule. An Academies website had been set up which the public could visit for updates on progress etc.

Both the Chief Executive and the Corporate Director – Children’s Services offered their thanks to everyone who had worked long and hard on the academies projects. Members concurred that it was satisfying to see the aspirations for first class facilities and learning rapidly becoming a reality.

**RESOLVED,** that the report be noted.

## **167. CONSULTATION ON FAIR ACCESS TO CARE ELIGIBILITY CRITERIA FOR COMMUNITY EQUIPMENT**

### **(1) Report from Chair of Scrutiny Panel**

The Chair of the Scrutiny Panel presented a report setting out the background and findings of the Adults and Cultural Services Scrutiny Advisory Board Task and Finish report on Transforming Our Community Equipment Services and Fair Access to Care Eligibility Criteria for Equipment.

The report set out to understand and address the issues arising from the proposed changes to Cumbria County Council’s Community Equipment Services and the introduction of Fair Access to Care eligibility criteria.

The Chair asked Cabinet to consider the four recommendations at Section 2.0 of the report. She also confirmed that the Panel would re-examine the service once it had been established.

### **(2) Report from Cabinet Member**

The Cabinet Member for Adult Social Care thanked the Chair of the Scrutiny Panel for their work on this matter and presented a report which detailed the results of a three month formal public consultation on the proposed introduction of Fair Access to Care eligibility criteria for community equipment which began on 20 November and closed on 15 February. He referred to the introduction of the eligibility criteria and the specific actions which needed to be taken to ensure that community equipment could be made more accessible to a greater number of people in Cumbria.

**RESOLVED,** that

- (i) Fair Access to Care eligibility criteria for community equipment be implemented from 4 May 2010 on the basis that people who are assessed as having a ‘substantial’ or ‘critical’ need only would receive

equipment provided by the Council and those who are assessed as having a low or moderate need would not qualify for equipment provided by the Council;

- (ii) an information and advice service with trained Trusted Assessors be funded and commissioned by the Council as part of the Prevention Independence and Partnership Project and the Cumbria Centre for Independent Living, the service to also include a small grant scheme in the first year;
- (iii) the 'Retail Model' for equipment project be implemented as approved at the October Cabinet meeting;
- (iv) an equipment recycling project be developed in partnership with the third sector to ensure effective re-use of equipment which was no longer needed by individuals.

## **168. REVENUE AND CAPITAL BUDGET MONITORING JANUARY 2010**

The Deputy Leader presented a report providing an update on the Authority's financial forecast against the revenue and capital budgets for the 2009/10 financial year which covered the period to the end of January 2010.

### **(1) Revenue**

The Council's gross revenue budget for the financial year was £870.431m and the net budget requirement was £337.864m. The total net budget for monitoring purposes was £342.480m after incorporating approved carry-forwards from 2008/09, transfers from earmarked reserves and a change in the classification of the equal pay contribution.

The previous month's forecast showed budgetary pressures of £2.366m to be managed down to zero by Directorates, a figure which included a £1.8m pressure on the winter maintenance budget as a result of the severe weather conditions. This report indicated that the total of budgetary pressure to be managed had reduced to £1.445m – an improvement of some £0.9m - reflecting the continuing efforts by Directorates to manage pressures – and an improved Treasury Management perspective.

The report also showed the cost of items transferred from capital to revenue and the cost of retirements together totalling £1.417m to be met from general reserves. This impact was offset by the receipt of £1.2m Cumbria Waste Management dividend and £0.180m LABGI grant received for 2009/10 which had not been budgeted for.

The movements on earmarked reserves also included the receipt of the Department for Transport PFI grant relating to the CNDR scheme and the projected payments out of the Insurance Reserve towards the costs of the flooding damage to the Port of Workington, Cockermouth Library and other smaller claims.

The report showed separately projections of the movement on schools reserves, evidenced by returns from individual schools where a projected drawing of £2.392m would reduce school balances, and on centrally managed schools budgets where a £0.358m underspend was projected.

Efficiency savings of £7.1m had been built into the service budgets for 2009/10. The forecast above incorporated the achievement of £5.0m of savings in the current year. Work would continue to further refine this projection.

## **(2) Capital**

The updated 2009/10 programme totalled £156.579m. The projected spend against this programme total was £121.271m – a variance of £35.308m of which £0.919m reflected scheme underspends and £34.389m was slippage into 2010/11 – of which £25.7m related to schemes where government funding allowed spend beyond the financial year.

## **(3) Improvement & Efficiency Reserve**

Initial allocations from the reserve for 2010/11 were detailed at paragraph 4.9 in the report to facilitate early release of funds in the new financial year.

**RESOLVED**, that Cabinet note the report, approve the transfers from the inflation contingency and approve the allocations from the Improvement & Efficiency Reserve.

## **169. REVIEW OF ELECTORAL ARRANGEMENTS FOR CUMBRIA**

The Deputy Leader presented a report concerning a possible review of electoral arrangements for the County Council. He advised that a 'conversation' with the public as agreed by County Council had taken

place and that general support for a reduction of electoral divisions had been evident.

**RESOLVED,** that Cabinet invite the Electoral Commission for England to undertake a review of electoral arrangements for the County of Cumbria having regard to the information contained in the report, the motion passed by the County Council on 19 November 2009, and the results of the 'conversation' with the public about what type of Council and councillor would best serve the people and communities of Cumbria.

#### **170. ARCHIVES ADVISORY GROUP – CO-OPTION OF A REPRESENTATIVE OF CUMBRIA LOCAL HISTORY FEDERATION**

The Cabinet Member for Safer and Stronger Communities presented a report from the Archives Advisory Group requesting that a representative from the Cumbria Local History Federation be co-opted onto the Group.

**RESOLVED,** that a representative of the Cumbria Local History Federation be co-opted onto the Archives Advisory Group

#### **171. PETITIONS SCHEME**

The Deputy Leader presented a report regarding the Local Democracy, Economic Development and Construction Act 2009 which included requirements for every principal local authority in respect of petitions. These provisions had yet to be brought into force, and the Government was now consulting on the implementation of those provisions. However, it was envisaged that the duty to introduce a policy would be introduced with effect from April 2010. Members were in receipt of revised recommendations which had been circulated as follows: -

*'(2) to agree that petitions should only be considered under this scheme from people who live, work or study in Cumbria. Specifically this scheme does not deal with petitions referred by District or Parish Councils which are covered by existing mechanisms;'* and

*'(5) a protocol be developed with District and Parish Councils to ensure that petitions are dealt with by the appropriate authority, and not discussed by one Authority only to be passed to another.'*

**RESOLVED,**

- (1) that Cabinet consider the draft scheme and **RECOMMEND** to County Council the following: -
  - (a) to agree the thresholds for signatures at: -
    - “Ordinary” petitions – 50 signatures
    - Petitions requiring debate – 3000 signatures
    - Petitions to hold Council employees to account – 1500 signatures
  - (2) to agree that petitions should only be considered under this scheme from people who live, work or study in Cumbria. Specifically this scheme does not deal with petitions referred by District or Parish Councils which are covered by existing mechanisms;
  - (3) that the Corporate Directors only be called to give evidence for petitions holding senior officers to account;
  - (4) to delegate to the Monitoring Officer the authority to reject petitions which she considers to be vexatious, abusive or otherwise inappropriate;
  - (5) a protocol be developed with District and Parish Councils to ensure that petitions are dealt with by the appropriate authority, and not discussed by one Authority only to be passed to another.

## **172. IMPROVING OUTCOMES IN ALLERDALE – A COMPREHENSIVE REVIEW OF LOCALITY WORKING**

The Cabinet Member for Safer and Stronger Communities presented a report seeking agreement to the development and implementation of a comprehensive programme of activity designed to improve outcomes in Allerdale through improved locality working.

The report underlined the challenges facing local government and partners to improve outcomes for local people, deliver significant efficiencies and evidence value for money.

The report recognised that a range of approaches to locality working had been piloted and developed in different parts of the County, including the introduction of Local Area Partnerships (LAPs) in South Lakeland, and emphasised the importance of ensuring that the learning from such

approaches was used in the future development of locality working across the County.

The report described the key elements of the proposed project demonstrating how it would build on experience gained elsewhere and seek to achieve:

- better services and better outcomes for local people;
- seamless, inclusive, public services at local level;
- reduced duplication, rationalisation of services and reduced costs;
- improved value for money;
- simplified geographies, governance and decision making;
- maximised opportunities for people to have a say;
- recognition as a national exemplar for two tier working.

Members recognised the work the Leader had put into the initiative and his enthusiasm for pushing forward with joint working.

**RESOLVED,** that

- (1) Cabinet support the development and implementation of the Allerdale Project, designed to improve outcomes in each of the five localities in Allerdale through a new approach to locality working in the Allerdale area;
- (2) Cabinet agrees the principles for County Council involvement in the Allerdale Project, referred to in paragraph 4.16 of the report.

### **173. PERFORMANCE MONITORING**

#### **(1) Local Area Agreement 2007-2010**

The Deputy Leader presented a report which provided Cabinet with an update on progress toward achieving the Legacy Stretch targets in Cumbria's current Local Area Agreement 2008-11. The LAA contains 15 'legacy' stretch targets (covering 12 service areas) carried forward from the first Local Area Agreement 2007-10.

The three year term of the agreement for the 'legacy' stretch targets ends on 31 March 2010. The report contained performance information up to 31 December 2009, covering 33 months of the 3 year agreement.

The maximum reward grant payable if all the legacy stretch targets were achieved was £15.1m. Currently, £12m of reward grant was forecast (based on available information for 11 of 12 service areas), which was an increase of £1.3m on the figure predicted at the end of the last quarter. The increase was due to an increase in the number of people who had stopped smoking, with the number of 'quitters' expected to fall just short of the stretch target.

Mrs Burns advised of her concern with regard to performance on the domestic violence indicator and suggested that further encouragement should be provided to NHS partners to help the Council achieve the target level of performance.

Forecast performance for 'Adults participating in sport and recreation' was not available and was wholly dependent on the result of a survey in 2010. The target area had been omitted from reward grant calculations and so it remained a possibility that the overall grant may increase to £13.3m. Members were in receipt of revised recommendations which had been circulated as set out below.

## **RESOLVED,**

- (1) to note that the three year term of the agreement for the 'legacy' stretch targets ends on 31 March 2010;
- (2) to note the performance information up to 31 December 2009 and forecast performance as at 31 March 2010;
- (3) that Cabinet agrees to receive further reports on the final performance of the LAA stretch targets, and on the actual reward grant payable.

## **(2) Local Area Agreement 2008-2011 and National Indicator Set**

The Deputy Leader presented a report giving an update on progress towards achieving the Local Area Agreement (LAA) targets and the amount of Government Performance Reward Grant reward grant expected after 2011. The report also contained progress on achieving targets in the wider National Indicator Set (NIS).

The report contained performance information up to 31 December 2009. This covered 21 months of the 3 year agreement.

The report focused on performance indicators and targets that were owned by the County Council and highlighted exceptions to planned

performance, providing an opportunity for Cabinet to consider risks and appropriate remedial action to get the Council's performance on track with target.

The report also contained reference to other LAA performance indicators that were owned by partners and that were also off track. A full LAA performance report, including a focus on all of Cumbria's exceptions to planned performance would be considered by the Joint Thematic and Local Strategic Partnership Chairs and the Chief Executives' Group in April 2010.

**RESOLVED,** that

- (1) appropriate action be taken to address underperformance and to improve the prospects of achieving Council performance targets;
- (2) Cabinet note the forecast performance reward grant expected after the end of the LAA in 2011.

#### **174. STRATEGIC PROPERTY ASSET MANAGEMENT PLAN 2010**

The Deputy Leader presented the revised Strategic Property Asset Management Plan - draft for consultation and sought authority to undertake a programme of consultation with Local Committees, Directorates, Partners and other key stakeholders prior to the finalised version being brought back to Cabinet for approval in December 2010.

The Deputy Leader advised that further to the PCT's decision not to pursue its plans in Brampton paragraphs 6.60-6.62 of the draft would need to be amended and the draft more generally in the light of any sales of small holdings/farms etc since its publication.

**RESOLVED,** that the revised Strategic Property Asset Management Plan 2010 - draft for consultation and the range of programmes of change that are underway across the Council and County that involve property assets and to authorise the Corporate Director of Resources to undertake appropriate consultation on the draft plan, before bringing a further report to Cabinet along with the finalised plan for approval be noted.

#### **175. ARTS AND CULTURE ENGAGEMENT GRANTS 2010/11**

The Cabinet Member for Safer and Stronger Communities presented a report setting out recommendations for the proposed expenditure for Arts

and Culture Engagement Grants 2010/11 for approval by Cabinet. The recommendations for support were made in the context of the Council's Arts Engagement Plan, adopted at Cabinet on 7 April 2009.

**RESOLVED**, that the grant allocations set out in Appendix 1 to the report be approved.

### **176. WORKFORCE PLAN 2010-2013**

The Cabinet member for Organisational Development presented a report consulting Cabinet on the work completed in the development of the Council's Workforce Plan for 2010-13 in readiness for the first assessment by the Audit Commission of the Council's performance against the Use of Resources workforce KLOE 3.3. The Plan would be central to the delivery of effective and improved services and had been developed in the context of the Council's business drivers and linked to the Community Strategy and Council Plan.

The Plan aimed to identify :

- What sort of workforce the Council needed to achieve the Council's key objectives
- How the current workforce compared to what the Council needs e.g. skills shortages, diversity etc
- What was the context i.e. financial pressures, local labour market, etc
- What the Council would do to develop, attract and retain the workforce that it needed to be successful

Focussing on 5 priority themes for delivery; Organisational Development, Leadership Development, Skills Development, Recruitment and Retention and Pay and Reward the plan set out how the Council would achieve the objectives, how it would measure success, understanding where the Council was now and the key actions needed to be taken to achieve this year's targets.

**RESOLVED**, that Cabinet endorse the approach taken in preparing the workforce plan and the resulting actions in the plan and agree the adoption of the Workforce Plan.

### **177. PROVISION OF MONITORING OFFICER SERVICES TO ALLERDALE BOROUGH COUNCIL**

The Deputy Leader presented a report recommending Cabinet to agree to continue to provide Monitoring Officer services to Allerdale Borough Council as part of a "shared services" arrangement.

The report recommended that the current arrangement and Heads of Terms enclosed with the report continue for a further six months until 1 October 2010.

**RESOLVED**, that

- (1) arrangements for a shared Monitoring Officer with Allerdale Borough Council be continued until 1 October 2010 be agreed;
- (2) the terms and conditions attached to the report remain.

#### **178. MEMBER DEVELOPMENT – DECLARATION OF COMMITMENT AND REFRESH OF MEMBER DEVELOPMENT STRATEGY**

The Cabinet Member for Organisational Development presented a report proposing a refreshed Member Development Strategy for the County Council, building on the previous strategy of 2006. The refreshed strategy spanned the period 2010 to 2013 and had a number of delivery mechanisms and was monitored by the Cabinet Member for Organisational Development, as advised by the Cabinet Working Group – Member Development Group.

The updated strategy incorporated challenges facing local government; the refreshed Council Plan; the Council's key priority outcomes sought; together with details of improvements made and aspirations for future development. Members noted that as the strategy did not form part of the policy framework it did not require Council endorsement and that resolution 2 to the report had been amended accordingly.

**RESOLVED**, that

- (1) the Member Development Strategy be approved as recommended by the Member Development Group;
- (2) Cabinet re-affirms its commitment to the standards set down in the North West Charter on Elected Member Development;

- (3) it be noted that the Member Learning and Development Programme had been circulated to all members to support their development.

## **179. FAIRER CONTRIBUTIONS: FEEDBACK**

The Cabinet Member for Adult Social Care presented a report on "Fairer Contributions Guidance: Calculating an Individual's Contribution to their Personal Budget" new guidance issued in July 2009 by the Department of Health to update current guidance on charging for non-residential social care services. It was intended to sit alongside the current Fairer Charging Guidance and the underlying ethos and values contained within it.

The new Guidance was intended to support the introduction of personal budgets (a key part of the national transformation agenda for social care). It was intended to present a report to Cabinet later in the year relating to the on-going development of personal budgets in Cumbria.

The new Guidance provided advice on both the chargeable amount of a personal budget and the actual contribution made by the personal budget holder. It moved the basis of calculating the charge from being a charge per unit of a specific service (eg an hour of home care or a day of day care) to a percentage of the value of the package of support.

In introducing the Guidance, there would be some service users whose charge, would increase, some whose charge would decrease and some whose charge would be unchanged. The majority of service users, some 60%, would see no change or a reduction in charge.

There had been engagement with a range of organisations and service users and their feedback had helped shape previous decision making in relation to the 2010/11 budget, for example the decision to set the inflation uplift at 2.5% rather than 5%.

**RESOLVED,** that

- (1) the feedback and the impact of the changes be noted;
- (2) a transition ceiling for those experiencing an increase in charges as a result of the move to Fairer Contributions of £25 be applied for 12 months. (The budget set on 18 February 2010 had this as an operating assumption).

## **180. CHILDREN AND YOUNG PEOPLE'S PLAN 2010-2013**

The Cabinet Member for Children's Social Care presented a report setting out details of the Cumbria Children & Young People's (CYPP) 2010-13. The CYPP informs and supports delivery of the Cumbria Local Area Agreement.

The Deputy Leader confirmed that the new arrangements would require amendment to the County Council's Policy Framework as responsibility for the plan would transfer to the Children's Trust Board although it would be still considered by Cabinet.

**RESOLVED**, that

- (1) the production of the Children and Young Peoples Plan 2010-13 required to replace the current Children and Young People's plan 2007-10 is noted;
- (2) the new legislative requirement, enacted under the Apprenticeship, Skills, Children and Learning Act 2009, of the Children's Trust Board responsibility for the production of the Children and Young People's Plan from April 2011 is noted;
- (3) a further report be brought to Cabinet once statutory guidance on Children's Trusts is finalised, so that governance arrangements including Terms of Reference for the Children's Trust Board and appointment of a Chair, can be agreed;
- (4) Cabinet **RECOMMENDS** to Council approval of the final draft of the Children & Young People's Plan 2010-13.

## **181. SCHOOL ADMISSION ARRANGEMENTS 2011/12**

The Cabinet Member for Children's Services presented a report on the roles the Local Authority had with respect to the admission of pupils and students to schools. This included the co-ordination of all pupil and student admissions across the County and as the admission authority for community and voluntary controlled Schools.

The report included:

- details of the consultation which had taken place with respect to the co-ordination of admission arrangements for 2011–2012 and on the separate but linked consultation exercise for the admission to community and voluntary controlled schools again for 2011–2012;
- the outcome of the two consultation exercises: and
- recommendations to enable the Local Authority to meet its statutory duty with respect to school admissions.

Members noted that they would consider the year 12 Admission Policy later in the year.

**RESOLVED**, that Cabinet approve:

- (a) the proposed co-ordinated admission arrangements for 2011–2012 [appendix A to the report];
- (b) the admissions policy for community and voluntary controlled schools [appendix B to the report]; and
- (c) the proposed 2011/2012 admissions policy for St George's Church of England Voluntary Controlled School, Barrow in Furness [appendix C to the report].

## **182. FURNESS ACADEMY – FUTURE DEVELOPMENT**

The Cabinet Member for Children's Services presented a report concerning Furness Academy's decision that it should operate from new accommodation on a single campus (ie the site of the former Parkview School) with effect from September 2012.

The report asked that Cabinet should note the change in the Academy's position and the reasons for it. The report focussed on whether or not the Council should consider that in changing its position and opting to have a one rather than a two site operation, the Academy had satisfied the Council's 'legitimate expectation' which could be summarised as follows:

- that the Academy had good, sound public interest reasons for doing so;  
and
- the Academy had previously undertaken a proper consultation exercise.

**RESOLVED**, that

- (1) the Academy's changed position on the location of its accommodation and the reasons for this change be noted;
- (2) Cabinet agree that the Council's 'legitimate expectation' of Furness Academy related to its decision to move to a single (rather than dual) campus operation has been met.

### **183. AIMING HIGH FOR DISABLED CHILDREN – SHORTBREAKS IN WEST CUMBRIA – CAPITAL PLAN**

The Cabinet Member for Children's Social Care presented a report which provided a draft capital plan designed to support the commissioning framework to Transform Short Breaks for Disabled Children and their Families in Cumbria.

The report also detailed proposals for the use of capital funds awarded by the DCSF as part of the Transforming Short Breaks programme.

**RESOLVED**, that the capital plan and the proposal to use the majority of the capital funds to build a new residential short breaks unit in West Cumbria, and to equip contract carers be approved.

### **184. IRMP PROPOSED ACTION PLAN 2010/11 AND RESPONSES TO CONSULTATION PROCESS**

The Cabinet Member for Safer and Stronger Communities presented a report setting out the proposals which arose from the Cumbria Fire & Rescue Service Integrated Risk Management Plan (IRMP). This important document identified key risks and set out priorities for prevention, protection and emergency response based on the identified risks. The National Framework for Fire and Rescue Services 2008-11 (statutory guidance linked to 2004 Fire and Rescue Services Act) required all Fire and Rescue Services to provide a 3 year IRMP. At Cumbria Fire & Rescue Service there was an overarching IRMP plan and an annual action plan. The actions set out in paragraph 4.8 of the report formed the proposed Annual IRMP Action Plan for 2010/11.

The paper set out actions that were proposed and advised Cabinet of the consultation responses received in respect of both the budget specific consultation and IRMP specific consultation.

**RESOLVED**, that the responses to the consultation on the IRMP Action Plan 2010-11, fire and rescue related responses to the County Council Budget Simulator Exercise and the actions for which funding implications have already been agreed by the Fire and Rescue Authority be noted.

## **185. NEW DIMENSION PROGRAMME – TRANSFER OF ASSETS**

The Cabinet Member for Safer and Stronger Communities presented a report which advised that in order to improve resilience and provide a local, regional and national response to major incidents Communities and Local Government (CLG) had acquired a range of specialist equipment and vehicles ("the Assets") primarily designed for use in the event of a chemical, biological, radioactive or nuclear type ("CBRN") emergency as part of the New Dimension project.

The New Dimension project had been put in place in recognition of the fact that there had been an increased threat to society from both natural and terrorist events. The "Assets" had been used to support the emergency services response to incidents such as the 7/7 bombings in London 2005 and flooding in Cumbria 2005, Gloucestershire 2007 and Cumbria 2009.

The Assets were currently owned by CLG, but provided to Fire & Rescue Authorities (FRAs) throughout the country on the basis that the respective FRAs would staff the relevant vehicles and use them to respond to a CBRN incident requiring the deployment of such assets.

The Assets were currently maintained through a National Maintenance Contract let to Vosper Thornycroft Critical Services Limited (VTCS). With effect from 1 April 2010, CLG proposed to transfer ownership of the Assets to the FRAs, which host them. As part of this transfer, the FRA would be obliged to sign up to a maintenance contract between VTCS and Firebuy Limited via Terms of Access which would require the FRA to pay the normal maintenance cost of the Assets, their replacement and the costs of other damage. The paper provided detail of the Assets currently allocated to Cumbria FRA, the implications of agreeing to the Assets being transferred and the relevant benefits.

**RESOLVED**, that Cabinet approve the Transfer of New Dimension Assets to the FRA and agree the budgetary implications to maintain and replace these Assets.

## **186. PROGRESS WITH GEOLOGICAL DISPOSAL FACILITY SITING**

The Cabinet Member for Transport and Environment presented a report which updated Cabinet on progress with the West Cumbria Managing Radioactive Waste Safely Partnership. It briefly summarised recent Partnership work, identified key issues for the coming year, and concluded that the Partnership was capable of delivering robust recommendations to the three local authorities in 2011 about continued participation in the GDF siting process.

**RESOLVED**, that the report be noted

## **187. CUMBRIA MINERALS AND WASTE DEVELOPMENT FRAMEWORK – SITE ALLOCATIONS POLICIES AND PROPOSALS MAP**

The Cabinet Member for Transport and Environment presented a report on the final consultation period for the Site Allocations Policies and Proposals Map which ended on 8 February 2010. The report outlined the representations that were received and recommendations about how they should be taken into account.

County Council had delegated to Cabinet the approval of the final versions of these documents that would be submitted to the Secretary of State for consideration.

**RESOLVED**, that the following documents for submission to the Secretary of State be approved: -

- (1) the Site Allocations Policies Development Plan Document incorporating the recommended changes set out in Appendix 1 to the report;
- (2) the amended Proposals Maps;
- (3) the Pre-submission Consultations Statement, which will be based on the recommendations in Appendix 1 to the report;
- (4) the supporting documents, which include: the site assessments report; the Sustainability Appraisal; and the Habitats Regulations Assessment;

- (5) and that the Assistant Director - Planning and Sustainability be authorised to make editing changes to the text of the Site Allocations Policies document and to the Maps, if necessary, prior to their submission to the Secretary of State.

### **188. FREE SCHOOL MEALS PILOT**

The Cabinet Member for Children's Services presented a report which sought the formal approval of Cabinet to embark on a Free School Meals Pilot in primary schools in Workington and Millom.

This urgent report followed discussions with the Department for Children, Schools and Families in the past week, which had led to this opportunity arising which required a quick decision. All urgency provisions had been complied with.

**RESOLVED**, that Cabinet supports the Free School Meals Pilot in principle and agrees to consult the Schools Forum, schools and parents on the detailed proposals. Cabinet also invites the Children and Young People's Scrutiny Advisory Board to consider the proposals and any feedback will be received by Cabinet at its next meeting on 11 May.

## **PART 2 ITEMS CONSIDERED IN THE ABSENCE OF THE PUBLIC AND PRESS**

### **189. WHITEHAVEN TRANSPORT INTERCHANGE**

The Cabinet Member for Transport and Environment presented a report seeking the agreement of Cabinet to the making of a compulsory purchase order for a garage site at Whitehaven. The site was essential for the construction of the proposed Whitehaven Transport Interchange.

**RESOLVED**, that

- (1) the making of a compulsory purchase order for the acquisition of the motor repair business, land being in the ownership of an identified individual at North Shore, Whitehaven together with an adjacent or contiguous land in unknown ownership should agreement not be forthcoming and delegates to the Chief Legal Officer the power to take all necessary

actions to implement the measures recommended in the report be approved;

- (2) the Council makes, promotes and implements a Compulsory Purchase Order (if required) under Section 226 of the Town and Country Planning Act 1990 and S.40 of the Road Traffic Regulation Act 1984 for the acquisition of the parcels of land shown edged on the Plan No. CS042362/000/01/Rev3 attached to the report.

#### **190. MONEY ADVICE CONTRACT – ARRANGEMENTS POST SEPTEMBER 2010**

The Cabinet Member for Safer and Stronger Communities presented a report which provided Members with the information and evidence to request approval for a formal exclusion from contract procedure rules in granting an extension to Money Advice Contract held by Citizens Advice Cumbria.

**RESOLVED**, that Cabinet agree to extend the contract for an additional 12 months – from 1 October 2010 to 30 September 2011 with revised conditions as advised.

The meeting ended at 12.10 pm