

COUNTY COUNCIL

Minutes of a Meeting of the County Council held on Thursday, 9 January 2020 at 10.00 am at Council Chamber, County Hall, Kendal

PRESENT:

Councillor Mrs C Bowditch (Chair)

Mr J Airey	Mrs S Evans	Mr W McEwan
Mr T Allison	Mr LN Fisher	Mr A McGuckin
Mr MS Barbour	Mr D Gawne	Mr P McSweeney
Mr AL Barry	Mr W Graham	Mr FI Morgan
Mr J Bell	Mrs BC Gray	Mrs M Rae
Mrs PA Bell	Mr KR Hamilton	Mr GRPM Roberts
Mr B Berry	Mrs RC Hanson	Mrs S Sanderson
Mr RW Betton	Dr S Haraldsen	Mr B Shirley
Mr RK Bingham	Mr M Hawkins	Mr DE Southward
Mr J Bland	Mr K Hitchen	Mr P Thornton
Mr A Bowness	Mr C Hogg	Mrs C Tibble
Mr M Brereton	Mr N Hughes	Mr CP Turner
Mrs A Burns	Mr MA Johnson	Mr R Watson
Mr F Cassidy	Mr A Kennon	Mr WJ Wearing
Mr W Clark	Mr AWC Lamb	Mr C Weber
Mr SB Collins	Lord R Liddle	Mr T Wentworth Waites
Mr A Connell	Mr J Lister	Mr CJ Whiteside
Mr GD Cook	Mr KA Little	Mr S Wielkopolski
Mr N Cotton	Dr K Lockney	Mrs EL Williamson
Mr P Dew	Mr T Lywood	Mrs J Willis
Ms C Driver	Mrs EA Mallinson	Mr D Wilson
Ms D Earl	Mr AJ Markley (Vice-Chair)	Mr M Wilson
Mr GM Ellis	Mr NH Marriner	Mr AW Wonnacott
Mr D English	Ms C McCarron-Holmes	Mr SF Young

71 ROLL CALL OF MEMBERS

Apologies for absence were received from Mrs HF Carrick, Miss HJ Fearon, Mr HGG Graham, Mr JS Holliday, Mr J Mallinson, Mr S Stoddart, Mrs V Tarbitt, Ms H Wall, Mr Whipp, Mr MH Worth and Mr R Worthington.

There were 69 members present at the start of the meeting.

72 DECLARATIONS OF INTEREST

Mr K Little declared a pecuniary interest in Agenda Item No 11 – Update Report of the Cumbria Fire Local Pension Board – 2019/20, as an ex firefighter he is in receipt of a pension from the Fire Services pension fund.

Mr G Roberts declared a pecuniary interest in Agenda Item No 11 – Update Report of the Cumbria Fire Local Pension Board – 2019/20, as a recipient from the Pension Fund.

73 EXCLUSION OF PRESS AND PUBLIC

RESOLVED, that the press and public be not excluded from any item of business on the agenda today.

74 PUBLIC PARTICIPATION

There were no public questions, petitions or statements made to the Council.

75 MINUTES

RESOLVED, that the minutes of the previous meeting held on 7 November 2019 be agreed as a true and accurate record.

76 ANNOUNCEMENTS AND COMMUNICATIONS

The Chair announced the details of the engagements undertaken by herself and the Vice Chair had been circulated to all members.

The Chair reminded members that before Christmas, the County Council held the annual Christmas celebration events for our looked after children, foster carers and their families from across Cumbria. The events took place in both Carlisle and Barrow in December, and were both a huge success. This event was a great opportunity for the council to show its appreciation to the foster carers for their ongoing support and commitment.

The Chair was privileged to have attended both events and said it was wonderful to see so many happy children enjoying the day.

Her Majesty's Lord Lieutenant for Cumbria, Mrs Claire Hensman, announced recently that several Cumbrian people had been named in this year's New Year's Honours List, including:-

- Mr Paul Foster of Cockermouth, for services to Business (CBE)
- Mr John Campbell Hudson of Troutbeck, for services to the Royal Navy and to Naval Shipbuilding and Design (CBE)
- Ms Sascha Hilary Wells-Munro of Kendal, for services to the NHS and Patient Safety (OBE)
- Mr Ben Stokes of Cockermouth, for Services to Sport (OBE)
- Mr John Howarth of Cockermouth, for services to General Practice (MBE)

- Ms Elizabeth Cornford of Grange-over-Sands, for services to Young People (MBE)
- Mr John Butler of Ulverston, for services to Further Education (MBE)
- Mr Mark McCree of Kendal, for services to Public Libraries (BEM)
- Mr John Shakeshaft of Ulverston, for services to Young People in Ulverston (BME)
- Ms Cassandra Rees of Greenheys, for services to the Community in Cumbria (BME)

The Chair reminded members that Monday 27 January was national Holocaust Memorial Day, which was a time for everyone to pause to remember the millions of people who had been murdered or whose lives had been changed beyond recognition during the Holocaust, Nazi Persecution and in subsequent genocides in Cambodia, Rwanda, Bosnia and Darfur. This year marked 75 years since the liberation of Auschwitz-Birkenau and the 25th anniversary of the Genocide in Bosnia.

The County Council would have a range of activity to commemorate this national day.

In December Cabinet agreed to provide a long lease on Ellerthwaite House, the Windermere library building, to the Lake District Paradise Project. A special event marking this handover would take place on Holocaust Memorial Day.

Lastly, on behalf of the Council the Chair extended thoughts and prayers to those in Australia affected by the bushfires that continued to grip the country. Whilst it was impossible to imagine the truly devastating effect on its residents and communities, as a county that had experienced the impact of severe weather, Cumbria County Council could appreciate, more than most, the short, medium and long-term impact of this event.

The Chair then invited Cabinet Members to make any announcements.

The Leader made reference to the treasury announcing that the Government would deliver its first budget on the 11 March 2020. He also spoke of the joint letter, which had been signed by all 3 political group leaders and sent to the Prime Minister setting out Cumbria County Council's infrastructure asks of the government for Cumbria. This letter had been sent to all members, for information, and he asked all members to lobby the Cumbrian MPs to support this ask.

The Cabinet Member for Health and Care Services made an announcement about the recent inspections by CQC of Cumbria County Council Residential Homes. In November and December six homes had received unannounced inspections.

Elmhurst, a 40 bed residential home in Ulverston, received its final inspection report last week, and had achieved outstanding for responsiveness and good for all the other areas which looked at whether the service was safe, effective, caring and well led.

The team at Elmhurst had worked really hard to achieve this result in what had been a very busy year for them. They had been part of the staff restructure and modernisation programme and had implemented an electronic records system.

Elmhurst was one of the homes that received £1.7m capital investment to achieve CQC and Dementia Gold standards. The occupancy was increasing and the County Council was looking to open up the fourth unit at Elmhurst later this year.

She asked all members to join her in sending congratulations to all the staff involved in this success.

Across all of Cumbria Care's services, staff had worked 24/7 over the Christmas period to ensure residents and people who needed care and support at home, had remained safe, and received that quality care to ensure they could enjoy the festive period with families.

Staff, including social worker teams and care workers, have also had a busy time supporting our NHS colleagues, both North and South of the county.

The Cabinet Member personally thanked all staff for their contribution and the support they had provided. Together they responded to the extreme pressures professionally and competently and frankly, their actions went well beyond the call of duty.

Lastly some news about extra care. The County Council saw Extra Care Housing as playing a key role in enabling people to maintain their independence and remain in their communities for longer. As the demand for residential care declined, the demand for people to be able to stay in their own homes was increasing.

The Council aimed to increase the availability of Extra Care Housing schemes by supporting partner organisations, including agenda 21, and facilitating the development of new schemes across a range of tenures so that by 2025, Extra Care Housing would be a viable option of choice for all older people across the county.

Work had started on the development of 104 new units of Extra Care in Oxenholme. This represented a significant contribution to the Council's Extra Care Housing delivery targets for South Lakeland.

Although the Council was not providing capital funding directly to support the development, grant funding had been awarded to Housing 21 to support a smaller new Extra Care scheme in Penrith.

Officers were also working closely with the developer to ensure that the new schemes met the housing, care and support needs of the local population.

Next, the Cabinet Member for the Environment made an announcement about the Armed Forces Covenant.

Cumbria County Council was immensely proud to have supported the implementation of the Armed Forces Covenant not only across the Council's services but also into the wider community. The Covenant was originally signed in 2013, and in June 2019 the Council reaffirmed this commitment. In signing the covenant a number of steps had been taken, including:-

- A countywide Armed Forces Portfolio Holder, in addition to an Armed Forces Champion for each local committee.
- Host the Armed Forces Covenant Partnership, which includes District Councils, armed forces charities, Police, DWP, health bodies, Cumbria Council for Voluntary Services (CVS) amongst others
- A Veterans Guaranteed Interview Scheme, which recognises the valuable contribution of veterans to the organisation, and assists veterans in overcoming barriers in finding civilian employment
- Established an evidence base in assessing current and future health and care needs of ex-service personnel, through the Military Veterans chapter of the Joint Strategic Needs Assessment (JSNA)

As part of the Employer Recognition Scheme (ERS) the Council was aspiring to become a Gold Employer. The scheme recognises and acknowledges the Council's role in supporting ex-service personnel, reservists and their families, not only through the Council's workforce but the wider community too.

Mr K Hitchen arrived at the meeting at this point.

The Cabinet Member then announced details of The Employer Recognition Scheme Conference which would take place on the 25 February 2020. This was being co-organised by the Council, would be used to promote the work of the covenant and encourage businesses to sign up to the scheme. Further information would be shared with all members and the Cabinet Member extended an invite to all councillors to attend the event.

Finally, the Cabinet Member for Customers, Transformation and Fire and rescue made an announcement about the recent inspection by Her Majesty's Inspectorate of Constabulary and Fire & Rescue Services (HMICFRS) in June 2019. Cumbria Fire and Rescue Service had received their final report which stated that the Service was performing to a 'good standard'.

Cumbria Fire and Rescue Service (CFRS) had been judged as 'good' in relation to how effective it was about keeping people safe and also judged as 'good' in relation to how efficient the Service was. It was rated as 'requires improvement' for how well it looks after its people. In total, the Inspectorate looked at 11 key areas and CFRS had been graded as good in eight of those areas and requiring improvement in three.

77 PRESENTATION FROM CUMBRIA CONSTABULARY

The Chief Constable wanted to take this opportunity to appraise members of the challenges being faced by Cumbria Constabulary, along with some significant improvements made and which had yielded impressive results.

Financial challenges were always there, the changing profile of the police workload meant that resources had to be distributed commensurate with the emerging crime trends. Crime patterns were changing, for example Cybercrime had increased by 44% and now made up 5% of all crime.

Demand in serious crime had increased, and the Constabulary routinely investigated offences of modern day slavery, child sexual exploitation, historical sexual abuse and county lines all of which were very complex and difficult to deal with.

However, although demand had increased, national crime and investigations data, up to June 2019, showed that Cumbria had the third lowest level of all recorded crimes in England and Wales, was the second lowest level for drug offences, fifth lowest level for violence against the person, and seventh lowest for sex offences.

The Chief outlined proposals for Cumbria as result of Operation Uplift, the Government's national commitment of an extra 20,000 police officers. The anticipated extra 100 officers would take the establishment to the highest number of officers seen for a long time.

The Chief Constable then gave some examples of recent investigations, including Operation Nile, a county lines drug supply operation in North Cumbria, and Operation Rumble, which secured convictions for nine defendants who all received between 4 and 7 years imprisonment each for their varying roles in the conspiracy to steal connected to ATM attacks.

However, crime although more complex and increasing resource intensive only represented about 20% of incidents reported to the police. The largest category of incidents reported to the police involve public safety issues – concerns for welfare, missing persons and dealing with vulnerable individuals with mental health issues. As a Force Cumbria experienced a high volume of demand to protect vulnerable people.

Over 3500 people were reported missing, nearly 55% of those classed as high risk, which indicates an immediate response is required. No crime had been committed but until the missing person was located and the circumstances ascertained no assumptions could be made. This behind the scenes action/resource was unseen by the public.

Cumbria had been graded as a good performing Force across all strands by HMICFRS. However, to keep people and communities safe the constabulary needed to work with partner agencies, something which was evidenced extremely well across the local focus hubs in the county across the three territorial policing areas.

The Chief Constable cited Egerton Court in Barrow which had seen a reduction of 83% in incidents reported to the police since the Hub had been established. There had been over 520 referrals to the hubs since January 2018, 38% of those relating to antisocial behaviour and 20% relating to vulnerable people. The hubs drive local partnership working and delivered partnership support therefore assisting in reducing demand.

The Chief Constable finished by mentioning the police maintaining a relationship with the public, through confidence in the ability to respond to the public, prevent and deter crime, protect vulnerable people and conduct investigations. This was done through strong relationships with partner agencies and she was particularly grateful for the strong relationships that existed between the Police and the County Council.

The Chair then opened up the floor to questions.

Mr Airey asked, against the backdrop of increased rural crime, particularly quad bike thefts in our region, necessitating the mobilisation of Op Lantern that the Chief Constable join him in recognising the efforts of almost 50 Sedbergh families who came together in a Farm Watch group to work alongside Cumbria Police at very short notice. They reduced quad thefts in Sedbergh, Cautley, Dent, Garsdale, Killington, Barbon, Howgill and Firbank to zero over the past 8 weeks, whilst thefts continued all around them.

However, Mr Airey was concerned to hear that 80% of the group had now withdrawn, citing the failure of Cumbria Police to engage with them in a meaningful way and listen to their concerns.

Mr Airey asked the Chief Constable to meet with him and the group to look at lessons learned.

The Chief Constable acknowledged that volunteers were invaluable in reducing this type of crime. However, she asked that Mr Airey speak to her outside of the meeting about this specific query.

Mr Bingham asked for assurances that Cumbria would have sufficient automatic number plate recognition technology in rural communities. He represented one of the electoral divisions affected by County lines.

The Chief Constable responded to say that Cumbria had both fixed and also mobile automatic number recognition technology. Mobile devices could be redeployed to problem areas and all patrol cars had this technology in their vehicles.

Ms Hanson said that during the recent general election campaign many Parliamentary candidates had received death threats. She asked for reassurances that there were no issues in Cumbria and that Cumbria Constabulary took this seriously for all elections.

The Chief Constable reassured everyone that there were no specific issues in Cumbria but that this was taken seriously by Cumbria Constabulary and regular reports were fed back to central Government on this.

Mrs Williamson had concerns about the increase in anti-social behaviour in her division. The Chief Constable suggested the local member contacts colleagues in the local hub for help/advice.

Lord Liddle arrived at the meeting at this point.

Mr Shirley had concerns that due to the increase in serious crime, resources for crimes such as burglary would be seen as a lesser priority. However, this type of crime could have a devastating effect on the victims. He asked what reassurance the Chief Constable could give that these crimes were taken seriously.

The Chief Constable reassured members that all reported crime was investigated.

Mr Hawkins was a firm supporter of the Police Community Support Officers. He had a good working relationship with the PCSO in his area, and so did the residents. However, in recent times, with these officers no longer visible, he wondered if this was one of the reasons for the increase in anti-social behaviour.

The Chief Constable said PCSOs were very important to the Constabulary, and were a direct link into the local hubs. There was no intention to stop this. She encouraged all members to make contact with officers in the local hubs.

The Chair thanked the Chief Constable for her informative presentation.

78 PRESENTATION - CHILDREN IN CARE COUNCIL

The Cabinet Member for Children's Services introduced young care leavers to Council, who were attending to update members on a number of issues, including:-

- Children in Care Council
- What the young people have to say
- Celebrating Us Awards 2019
- County Care Leavers Forum
- Local Care Leavers Forums
- Respect

Members were delighted to receive the update from the care leavers and at the end of the meeting they received a huge round of applause.

The Chair congratulated the youngsters and thanked them for their informative presentation.

79 MINUTES OF THE CABINET

The Leader of the Council presented the minutes of the Cabinet meetings held on 14 November 2019 and 19 December 2019.

Cabinet - 14 November Meeting

Mr Dew commented on Minute No 57 – Statements from the Leader and Cabinet Members where the Cabinet Member for Children's Services congratulated the Cumbria members of the Youth Parliament on their work, that it was worth noting that one of the key issues in Cumbria was children and young people's mental health. He wondered whether the Cabinet Member was aware that there was a well-documented link between the climate change issue and CYP mental health, the symptoms of which included an increasing fear of environmental doom and a sense of helplessness and despair.

Mr Dew asked whether the Cabinet Member would agree with him that elected members should temper their language and be more considered in the way they addressed the climate change issue given its impact on the wellbeing of vulnerable and impressionable children and young people.

The Cabinet Member responded to say the statement was about the success of the young people involved in the Youth Parliament, and how successful they had been in this role, and nothing else. Although, the Cabinet Member was certain that the Youth Parliament took the issue of climate change seriously.

Mr Hughes asked the Cabinet member for Economic Development whether he shared his satisfaction with how well Cumbria County Council contracting with Small and Medium Enterprises (SMEs) in each distinct part of the county appeared to be working and does he agree that a nationally-imposed elected mayor model of governance might well put this success in jeopardy.

The Cabinet Member agreed that the SMEs were working well in each district. With reference to the whether the nationally elected mayor would put this in jeopardy the Cabinet Member felt this was difficult to ascertain. What Cumbria needed was sufficient financial resources to allow improvements such as infrastructure improvements to be implemented, rather than an additional mayoral tier.

Mr Lamb asked, with reference to Minute 31- Award of Framework for Capital Works 2020-2024, what steps had been put in place to avoid a repeat of the problems experienced during the development of the Blue Light Hub, Ulverston.

The Cabinet Member for Customers, Transformation and Fire and Rescue agreed to provide a written response.

Mr Dew was aware that during the discussions on Minute 62 – English National Concessionary Travel Scheme a conversation took place about so called ‘wealthy pensioners’ coming to Cumbria in their millions and ‘running around on our buses’. He was concerned to hear this and asked the Deputy Leader for comment.

The Deputy Leader wondered whether it was appropriate to question something which was not actually detailed in the Cabinet minutes. However, he reassured Council that he was not criticising pensioners, nor being ageist. His comments were simply about the possible need for the ENCS scheme to be reviewed.

Mr Airey asked the Cabinet Member for Health and Care Services about the proposed closure of the Abbey Care Home Staveley. Given the comments of the Area Manager for South Lakes at the last Scrutiny Management Board meeting confirming that no consultation had taken place with South Lakes Local Committee, he asked whether the portfolio holder had misled council in her response at the last meeting.

The Cabinet Member responded to say that the Area Manager gave members a detailed response to this question at the Scrutiny Management Board Call in Meeting.

In essence the Area Manager had worked closely with the Local Member, updating him at every juncture, and he had remained fully involved in the planning, which included the conversations with the Parish Council and the wider community. The Local Committee were updated verbally on progress through their Strategic Planning Working Group. The Cabinet Member said the Shadow Cabinet member had also been kept fully updated on this.

On Minute No 34 – Cumbria Care – Reshaping of Services Dr Haraldsen asked the Cabinet Member for Health and Care Services whether the need for extra care facilities was increasing and what the impact of this might be on nursing care. He asked the Cabinet Member to detail what Cumbria County Council was doing for nursing care

The Cabinet Member responded to say none of the Cumbria Care homes were registered as nursing homes. She was aware that there was a shortage of this type of care but Cumbria County Council did not employ nurses. However, high level discussion had been taking place on this, but there was nothing to report at this stage.

Mr Collins asked the Cabinet Member for Health and Care Services to bear in mind that the Abbey Care Home had received a ‘good’ rating from the CQC for the latest inspection, and he asked Cabinet to ensure all options were kept open for this home by not de-registering it.

Cabinet - 19 December

Mr Dew felt the reference to the Inspectorate report for Cumbria Fire and Rescue Service had much to commend it but he was aware of some concerns expressed by members of staff about the bullying and harassment which they experienced at work and the fact that over 60% felt that they were unable to express discontent without suffering reprisals or ‘consequences’. He asked the Cabinet Member for reassurances that she would investigate this and resolve these issues in a timely manner.

The Cabinet Member assured Mr Dew that Cumbria Fire and Rescue Service took all allegations seriously and would investigate.

With reference to Minute 75 – Community Asset Transfer of Ellerthwaite House Mr Hogg was delighted to read about the CAT of Windermere Library to the Paradise Project. With the 75 year anniversary of the Windermere Boys arrival being this year there would be a great deal of press interest. He asked the Cabinet Member for Economic Development whether there would be a formal handover of the deeds ceremony to commemorate the anniversary.

The Cabinet Member responded to say that Cumbria County Council would be taking part in the 75th Memorial day celebrations and this would give the Council the opportunity to communicate its ongoing support to this project. This would be followed by an event later in the year to hand over the keys.

On Minute No 79 – Future Provision of the Generic Adults Housing related Support Service Mr Dew was concerned that the Council was making cuts to this service. He felt Cumbria County Council had a moral imperative to continue to provide financial support for this service.

The Cabinet Member responded to say this was not a statutory service, and nor was it the responsibility of the County Council to provide this. It was in fact a district council function. However, recognising the vulnerability of this service the County Council had agreed to fund the service for a further 12 months to allow transitional arrangements to be brokered.

80 MEMBERS ALLOWANCES SCHEME 2020-2021

The Leader presented a report which explained that all Councils were required annually to make a scheme for the payment of basic and other specified allowances to elected members. This report sought approval for a scheme for the financial year 2020-2021.

Before making a scheme the Council must have regard to the recommendations of its independent remuneration panel.

The Panel was asked to consider the following as part of the review:-

- The level of basic allowance
- Special Responsibility Allowances
- Dependents' Carers' Allowances
- Travelling and Subsistence Allowance (Regulation 8)
- Co-opted Members Allowances (Regulation 9)
- Indexation (Regulation 10)

Following the review the Independent Remuneration Panel recommended:-

Basic Allowance - an increase to £8,744.46 (+2%) (paragraph 4 of report of the Independent Remuneration Panel)

Special Responsibility Allowances - the Panel recommend an increase of 2% in SRAs specified below with effect from 1 April 2020:

- Leader of the Council – increase to £26,270 per annum (+2%)
- Deputy Leader – increase to £14,711 per annum (+2%)
- Cabinet Members – increase to £10,508 per annum (+2%)
- Chair of Scrutiny Management Board – increase to £10,508 per annum (+2%).

Dependents' Carers' Allowance – the Panel concluded that current arrangements are inadequate and recommends that the rate of dependents' carers' allowance should be set at the level of the national minimum wage at time of implementation of the recommendations up to a maximum of £2000 per annum.

Travel and Subsistence Allowances - the Panel recommends that subsistence claims should be only paid upon presentation of receipts and should be covered by the existing out of pocket allowances. However the panel recognised that some members may elect to stay with friends or family and in recognition of this a £25 out of pocket expense should be claimable without presentation of a receipt.

Co-optee Allowances - provision is made under the Scheme for the payment of an annual allowance to any co-opted or appointed member who serves on any committee or sub-committee of the County Council. The Panel noted the change of circumstances regarding the position of Chair for the Workington Harbour Management Committee and concluded that should there be requirement for a co-opted Chair then an increase of allowance consistent with the increase in other SRAs (2%) is justified.

Indexation of Allowances - the Panel made no recommendations for increases in allowances to be determined with reference to an index and recommended that a comprehensive and in depth review of the structure and rates for all allowances be carried out when the Panel next convenes.

The Leader moved the proposals and this was then put to vote. With 31 voting for and 25 abstaining, it was

RESOLVED, that Council.

- (1) consider the report of the Independent Remuneration Panel and make a scheme for members' allowances for the year beginning 1 April 2020;
- (2) note that the Constitution will be updated as necessary by the Monitoring Officer to reflect the Members Allowances Scheme made by the Council.

81 UPDATE REPORT OF THE CUMBRIA FIRE LOCAL PENSION BOARD - 2019/20

Mr K Little declared a pecuniary interest in Agenda Item No 11 – Update Report of the Cumbria Fire Local Pension Board – 2019/20, as an ex firefighter he is in receipt of a pension from the Fire Services pension fund. He took no part in the discussion.

Mr G Roberts declared a pecuniary interest in Agenda Item No 11 – Update Report of the Cumbria Fire Local Pension Board – 2019/20, as a recipient from the Pension Fund. He took no part in the discussion.

The Cabinet Member for Customers, Transformation and Fire and Rescue presented a report which updated members of the Cumbria Fire Local Pension Board for the half year ending 30 September 2019.

The Cumbria Fire Local Pension Board (Cumbria FLPB or 'the Board') was required to report twice yearly on its activities to the Council.

The Cumbria FLPB met once during the period (23 April 2019). In addition to this the October meeting of the Board considered the six month period to 30 September 2019. Council received updates on the following,

- Membership:
- Training:
- Cyber Security:
- Administration:

RESOLVED, that the report be received and noted.

82 CONSTITUTION REVIEW GROUP

The Leader presented a report from the Constitution Review Group, which made proposals for full Council to approve the establishment of a Joint Health Scrutiny Committee for the Lancashire and South Cumbria Integrated Care System, and if approved, to delegate to the Monitoring Officer authority to finalise the terms of reference of the joint committee and to appoint members and substitute members to the joint committee.

There was an existing joint committee in operation but this only covered South Cumbria and North Lancashire (Morecambe Bay Footprint). It was envisaged that this committee would continue and be convened to consider any specific proposals which related only to that footprint. Any change to the existing joint committee's terms of reference would require a decision of Council and the agreement of Lancashire County Council.

Lancashire County Council had taken the lead on establishing the new Joint Committee. The draft terms of reference were considered and the establishment of the Joint Committee supported by the Cumbria Health Scrutiny Committee on the 7 October 2019.

The terms of reference presented in Appendix 1 had been drafted by the four local authorities. While the main principles had been agreed between the Health Scrutiny Chairs for the four authorities, the terms of reference were not yet in final form. Council was asked to delegate authority to the Monitoring Officer to approve the final form of the terms of reference on behalf of the Council.

Council was asked to approve the inclusion of the final terms of reference in Part 5C (Overview and Scrutiny Procedure Rules) of the Constitution. It would be necessary to make incidental amendments to Part 1 (paragraph 6.6), and Part 2C (paragraph 1.3) to add the name of the committee "Joint Health Scrutiny Committee for the Lancashire and South Cumbria Integrated Care System" to these Parts. Council was asked to authorise the Monitoring Officer to make these changes to the Constitution.

Full Council is the appointing body for members of the Joint Committee as a non-executive committee carrying out scrutiny functions. Since the terms of reference for the Joint Committee were not yet in final form, Council was asked to authorise the Monitoring Officer to make the appointments to the Joint Committee up to the annual

meeting of the Council in 2020, in line with the wishes of the political groups, acting in accordance with the final terms of reference.

RESOLVED, that Council

- (1) Approve the establishment of a Joint Health Scrutiny Committee for the Lancashire and South Cumbria Integrated Care System in accordance with the principles set out in the draft terms of reference (Appendix 1);
- (2) Authorise the Monitoring Officer to finalise the terms of reference for the Joint Health Scrutiny Committee in consultation with the Chair of the Cumbria Joint Health Scrutiny Committee;
- (3) Authorise the Monitoring Officer to formally appoint members and substitute members to the Joint Health Scrutiny Committee to serve up to the annual meeting of the Council 2020, on the nomination of the political groups acting in accordance with the terms of reference of the Joint Health Scrutiny Committee;
- (4) Approve that the final terms of reference of the Joint Health Scrutiny Committee are included in Part 5C of the Constitution and that the Monitoring Officer is authorised to make consequential amendments to Part 1 (paragraph 6.6) and Part 2C (paragraph 1.3) to include the Joint Health Scrutiny Committee.

83 SCRUTINY UPDATE REPORT

The Chair of Scrutiny Management Board presented a report which updated Council on any issues and developments that had occurred since the last meeting of Full Council.

Scrutiny Management Board met on 27 November where they received updates on the Performance Working Group and individual Boards. The Board considered and agreed the Scrutiny feedback on Strategic Planning to be submitted to Cabinet on the 19 December.

All non-executive Members were invited to a session on the 26 November where they received a presentation on the policy context and financial position of the Council from the Deputy Leader, Chief Executive and Director of Finance. Members had the opportunity to consider the budget proposals and discuss recommendations which Scrutiny Management Board will make to Cabinet.

These recommendations were discussed, refined and agreed at the Scrutiny Management Board on the 27 November and subsequently reported to Cabinet on the 19 December.

The Scrutiny Performance Working Group met on 9 October when the Quarter 1 Performance Monitoring Report was considered. Members considered progress with delivery of the Children Looked After Recovery Plan.

Scrutiny Management Board (SMB) commissioned a full day Task and Finish Group session, with a focus on attendance management, organisational development and a specific deep dive into the absence within the 'People' directorate. The Task and Finish Group held a one-day session on 14 November 2019 in County Hall, Kendal, it made a number of recommendations which will be made to Cabinet in January.

A Call In was received on 26 November in relation to the decision Cabinet made on 14 November 2019 to cease residential care at The Abbey in Staveley. A Call In meeting took place on the 18 December where it was resolved that this matter be referred back to Cabinet.

RESOLVED, that the report be received and noted.

The meeting broke for lunch at 12.30pm and reconvened at 1.05pm

84 QUESTIONS

Mr C Whiteside asked the Cabinet Member for Public Health and Community Services if she could provide an update to members on the current state of proposals before Durham County Council to begin fluoridating water supplies and which would if adopted affect a number of residents of this county in the Alston area. What was the current state of this council's plans to ensure residents were appropriately consulted.

The Cabinet Member for Public Health and Community Services thanked Mr Whiteside for notifying her in advance of the questions. She said the process for establishing a new fluoridation scheme was complex and strictly laid out in legislation. Following approval by Durham's Cabinet, Durham County Council had been required to write to the Secretary of State for Health requesting his permission to proceed with the consultation. This stage had been delayed by the general election, however Cumbria County Council had now been informed that this request was made in mid-December. Durham County Council hoped to have a response from the Secretary of State this month.

Once the Secretary of State approved this Durham would then formally approach Cumbria County Council, along with six other local authorities also affected, to seek views and to request participation in a joint committee that would formally consult with the public and reach a decision on the matter.

The County Council would have up to three months to respond to this request, however, this would be a decision for Cabinet whether or not to participate in this joint Committee.

Regardless of the Council's response, and whether or not the council decide to participate in the joint committee, a public consultation would take place. It was the responsibility of Durham County Council to lead on the processes for this consultation, which must be for a minimum of 12 weeks.

The affected Cumbrian residents would be part of this consultation exercise, which would then inform the decision taken by the joint committee, currently expected in September 2020.

The Cabinet Member asked members to note that the processes for running the joint committee was strictly laid out in legislation, and that within that, the votes on the committee were weighted by affected population. The very small number of Cumbrian residents affected in comparison to the scheme as a whole would therefore translate into very limited impact on the decision.

The Cabinet Member agreed to continue to work with both Councillor Whiteside and Councillor Driver to ensure that they were kept fully informed and engaged appropriately in the consultation.

Mr Whiteside thanked the Cabinet Member for her detailed response.

Mr Airey asked whether given there was now a majority Government solidly behind devolution, strong investment in the North and Local Government reorganisation, the Leader and Deputy Leader would join with him in asking Government to move forward swiftly with a much slimmed down model of local Government in Cumbria headed up by an elected Mayor.

The Leader responded to say that he had recently met with Jake Berry, the Cabinet Minister for the Northern Powerhouse, who had agreed to meet with all Cumbria County Council party leaders in January to discuss this in detail. However, the details were still awaited.

Mr Hawkins informed members that he had tried to skype in to a recent scrutiny workshop to save him having to travel to the venue. However the skype system had failed and he had been unable to take part in the workshop, which had been frustrating. He asked the Cabinet Member for Economic Development whether there were any plans coming forward to make skype more reliable.

The Cabinet Member for Economic Development responded to say that the County Council had a programme of continual improvement and roll out of IT equipment, however, he was not aware whether improvements to the skype system were included in this. The Cabinet Member had used it a number of times without incident. He asked Mr Hawkins to send him the details and he would speak to colleagues in IT about it.

Mr Lamb asked the Cabinet Member for Health and Care Services for an update on extra care housing development in Cleator Moor.

The Cabinet Member for Health and Care Services agreed to provide a written response to Mr Lamb.

Mr Hughes asked the Cabinet Member for Highways and Transport whether the newly established officer working group Lake District National Park Sustainable Transport Group would consider issues from the whole of Cumbria and not just the south.

The Cabinet Member reassured Mr Hughes that this group would consider items across the whole of Cumbria.

Mr Shirley asked the Cabinet Member for Highways and Transport a question about the traffic light sequencing at the Blue Light Hub development in Ulverston, which appeared to have been changed without any prior notification.

The Cabinet Member replied to say he would investigate this and respond to Mr Shirley.

Mrs Mallinson asked the Cabinet Member for Economic Development for an update on the issue of password related problems encountered for some Cumbria County Council mobile phones. She had a problem recently with her mobile phone password, which had resulted in her mobile phone having to be rebuilt. This was the second County Council mobile handset she had been provided with, as she has a similar problem with her previous phone. She asked whether the Cabinet Member was aware of the issues with password related problems on some of the ICT handsets.

The Cabinet Member for Economic Development had experienced a similar problem in the past with his mobile phone. He agreed to speak to ICT about this.

Mr Dew stated that he felt the Feedback Report published following the Corporate Peer Challenge carried out by the LGA made interesting reading. The report highlighted several strengths but it also exposed a number of key weaknesses which he asked the leader of the Council to comment on, specifically sickness absence and industrial relations.

The Leader replied to say that the issue of sickness absence was a long and intractable issue. It had been ongoing for a number of years and remained challenging. Due to budget pressures staff numbers had been reduced but demand for these services had remained the same, and in some cases increased. He reassured members of the opposition that the County Council was not being complacent about this, and were looking at ways to resolve this.

With reference to the concerns about industrial relations the Leader said since the report was published a considerable amount of work had been done to try to improve these relationships. The Chief Executive had met recently with all of the trade unions and the response to this had been positive. He asked members to note that the comments made in the published report were not the views of all of the trade unions, and that some of them had commented that they felt the relationships between the Council and the trade unions was strong.

Mr Betton was aware that at the end of last year in Cumbria the total number of people in receipt of adult social care services was 7,393. Furthermore, there were 2,235 permanent residents in residential care in Cumbria, including 395 permanent residents in Cumbria Care, and 1,840 in independent residential care. He asked what the Cabinet Member for Health and Care Services does to ensure residents get the best care and asked for reassurances that Cumbria County Council was doing the

best it could for the people of Cumbria and that they were getting the care they deserved.

The Cabinet Member thanked Mr Betton for his question. She agreed that all residents of Cumbria deserved the best care and Cumbria County Council always endeavoured to provide the best possible services within the budgets available, however, demand for these services was ever increasing. The care services were impacted on by the levels of funding provided from Government.

The Cabinet Member would be happy to talk to Mr Betton outside of the meeting to discuss what she does to ensure residents get the best care.

Mr Turner asked the Cabinet Member for Highways and Transport why school transport arrangements were left to the last two weeks of August. Many parents and children find this stressful, and he asked whether this process could be started during June or earlier as pupil numbers were known before school broke for summer holidays, thereby easing the stress on parents and children and also the pressure on Council staff.

The Cabinet Member detailed the process for the allocation of Cumbria County Council places in school buses. He was not aware of any issues being raised about this, but would investigate this.

85 MINUTES OF COMMITTEES

(A) Audit and Assurance Committee

RESOLVED, that the minutes of the Audit and Assurance Committees held on 17 September 2019 (final) and 9 December 2019 (draft) be received and noted.

(B) Cumbria Pensions Committee

RESOLVED, that the minutes of the Cumbria Pensions Committee held on 24 September 2019 (final) and 13 December 2019 (draft) be received and noted.

(C) Standards Committee

RESOLVED, that the minutes from the Standards Committee held on 29 October 2019 be received and noted.

(D) Workington Harbour Management Committee

RESOLVED, that the minutes of the Workington Harbour Management Committee held on 30 October 2019 be received and noted.

86 NOTICE OF MOTIONS

There were no notices of motion on this occasion.

87 SPEECHES

Mrs Hanson gave a speech on the lack of consultation of the development of a national education policy.

Mrs Mallinson gave a speech on helping people with disabilities to achieve their ambitions.

Mr C Whiteside gave a speech on the A595 Road Network.

Mr S Collins gave a speech on Adult Social Care and the need for the accurate presentation and representation of information.

The meeting ended at 2.00 pm