

CUMBRIA COUNTY COUNCIL

Minutes of a Meeting of the Cabinet held on Thursday, 7 February 2019 at 10.00 am at Conference Room A, Cumbria House, Carlisle

PRESENT:

Mr SF Young (Leader)
Mrs A Burns
Mrs PA Bell
Ms D Earl
Mr DE Southward
Mr P Thornton
Mrs C Tibble
Mrs S Sanderson

Officers in attendance:

Chief Executive, Cumbria County Council, Executive Director - Corporate, Customer and Community Services, Assistant Chief Fire Officer, Director of Public Health, Director of Finance (Section 151 Officer), Chief Legal Officer (Monitoring Officer), Leadership Support Officer - Conservative Group, Professional Lead - Democratic Services, Leadership Support Officer - Liberal Democrat Group and Communications Manager

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

84 APOLOGIES FOR ABSENCE

Apologies for absence were received from Mr KA Little and Mrs J Willis.

85 DISCLOSURES OF INTEREST

There were no disclosures of interest made on this occasion.

86 MINUTES

RESOLVED that, the minutes of the meeting held on 20 December 2018 be agreed as a true and accurate record and signed by the Chair.

87 EXCLUSION OF PRESS AND PUBLIC

RESOLVED that, the press and public be excluded during consideration of Agenda Item No 10 – Award of Contract for the Design and Build of Pooley Bridge as part of the Infrastructure Flood Recovery Capital Programme by virtue of Paragraph(s) 3 of Part I of Schedule 12A of the Local Government Act 1972, as this report contains exempt information relating to the financial or business affairs of any particular person (including the authority holding that information).

88 STATEMENTS BY THE LEADER OF THE COUNCIL AND CABINET MEMBERS

The Cabinet Member for Public Health and Community Services was delighted to announce the signing of Cumbria County Council's Mental Health Charter which had been developed to support the work that had been taking place across the council over the past 18 months.

This followed on from the Time to Change Employers Pledge which the Council signed up to on World Mental Health Day in October 2017. It was really important to have something like this that clearly states the council's commitment to its staff, to improve and prioritise mental health support.

Equally important was the fact that today was 'Time to Talk Day' which was part of a national campaign encouraging people to discuss their mental health problems and raise awareness.

89 PUBLIC PARTICIPATION

There were no petitions, questions or statements made at this meeting.

90 SCRUTINY REVIEW - WASTE AND THIRD SECTOR

(A) Scrutiny Review - Waste and Third Sector Task and Finish Group

Mr N Hughes, presented a report on behalf of the Waste and 3rd Sector Task and Finish Group.

This report invited Cabinet Members to consider the witness statements, findings and recommendations arising from the Waste and Third Sector Task and Finish Group.

On 27 November 2017, the Communities and Place Scrutiny Advisory Board commissioned a Task and Finish Group to focus on the role of the third sector in waste reduction. A key element of the commission was to explore the opportunities to effectively collaborate with partners to ensure a countywide approach to the waste hierarchy that maximised the benefits of resources to Cumbrian households before they entered the waste stream.

In October and November 2018, the Task and Finish Group held three sessions throughout the county where it engaged with the following witnesses:

- Impact Furniture Services
- FREEGLE
- Cumbria Action for Sustainability
- South Lakeland District Council
- Barrow Domestic Appliances
- Tools for Self-Reliance
- Right 2 Work
- Cllr Celia Tibble, Cabinet Member, Environment
- Angela Jones, Acting Executive Director, Economy and Infrastructure

Mr Hughes took Cabinet through the recommendations of the Task and Finish Group, and asked members to agree the recommendations arising from the Task and Finish Group.

The Chair thanked Mr Hughes for presenting the report on behalf of the Task and Finish Group.

(B) Response of the Acting Executive Director to the Scrutiny - Waste and Third Sector Task and Finish Group

Cabinet Members considered a report from the Acting Executive Director – Economy and Infrastructure in response to the Waste and 3rd Sector Task and Finish Group. The Communities and Place Scrutiny Advisory Board had commissioned the task and finish group to focus on the role of 3rd sector in waste reduction.

The Cabinet Member for Environment took members through the report and moved the recommendations.

The Task and Finish Group made six recommendations which were:-

- Recommendation 1 - explore the approach towards reuse at HWRCs or periphery within contractual obligations and/or, capacity implications

The response stated that there were contractual obligations impacting on this recommendation, with the current Renewi 25 year PPP contract until 2034. However, further options would be explored with the possibility of undertaking a pilot scheme at one of the HWRCs, which would need to be discussed with Renewi. In the meantime third sector organisations would be encouraged to reuse as much waste as possible before it became "contractual waste".

The first stage would be a benchmarking review of other Local Authorities who have implemented this type of approach, whilst being bound by a long-term contract.

- Recommendation 2 - the Council should reintroduce the Waste Prevention Fund on the same level that it was previously available

Members were asked to note that the removal of the Waste Prevention Fund was agreed through the Strategic Planning/Medium Term Financial Plan (MTFP) for 2018/19, the reinstatement of the fund could not be undertaken without finding an alternative budget saving to replace it. Such alternatives would be considered, however, at this point budget savings (other than those already identified for the service) could not be identified.

Therefore the Cabinet Member was asking that this recommendation would be noted but not agreed.

- Recommendation 3 - to consider the role of the Waste Prevention Team in taking a more proactive co-ordination role bringing together and strengthening the reuse activity across the voluntary sector and waste partners across the county.

This function was a core part of the Waste Prevention Team's remit and had been for a number of years. It was envisaged that the Waste Prevention Team would be effectively working with partners, the Cumbria Strategic Waste Partnership (and wider District Councils) and the waste sector, which would assist the communication of existing and future initiatives to the wider public. The Team was currently part of a reshaping programme and the effective provision of proactive engagement across the third sector reuse organisations offering, information, improving communication and co-ordinating projects and programmes of work, would be fully considered as part of this.

- Recommendation 4 - Local Committees take a more proactive area-based approach towards the promotion of waste reuse benefits and opportunities in their locality.

The importance of the role of local committees in developing an area-focused approach towards waste reuse was fully endorsed and

encouraged as currently not all third sector waste projects were well connected to Local Committees.

- Recommendation 5 - the Council should work in partnership with Cumbria Council for Voluntary Services (CVS) and district councils to encourage the establishment of a reuse forum for third sector organisations in Cumbria.

The recommendation of a Reuse Forum was welcomed and would act as a 'golden thread' and encourage the sharing of skills, training and pooling of volunteers amongst third sector organisations, align services across the county for reuse and support sector wide funding bids.

- Recommendation 6 - the Council will develop an internal engagement programme to explore opportunities to maximise the benefits of waste reuse across its strategies and plans.

Internally - recycling campaigns had been implemented internally supporting corporate strategies such as improving recycling facilities, the removal of single use unnecessary plastics and communication messages (signing up to the 'Plastic Pledge').

RESOLVED that, Cabinet

- (1) accept and note recommendations 1, 3, 4, 5 and 6 of the Task and Finish Group, and
- (2) note recommendation 2 but that it be not accepted.

91 DRAFT REVENUE BUDGET 2019/20 AND MEDIUM TERM FINANCIAL PLAN 2019/20 - 2021/22 AND DRAFT CAPITAL PROGRAMME 2019-2024

A report was considered from the Director of Finance regarding the Draft Revenue Budget 2019/20 and Medium Term Financial Plan 2019-22 and Draft Capital Programme 2019-2024. The purpose of the report was to present to Cabinet the Budget Proposal for 2019/20. The report set out the:-

- (a) Draft Medium Term Financial Plan (MTFP) 2019-2022
- (b) Revenue spending plans to achieve a balanced budget in 2019/20
- (c) Council Tax Requirement for 2019/20
- (d) Draft Capital Programme for 2019-24
- (e) Draft Treasury Management Strategy for 2019/20

Cabinet was asked to consider the recommendations in making its Budget Proposal (Revenue and Capital) for Council to consider at its meeting on 14th February 2019.

The Deputy Leader and Cabinet Member for Finance presented the report and moved the recommendations.

He thanked all staff involved across the different teams in the Council for their input and in particular the Finance Team. In moving the recommendations, he stated that he was pleased to present a balanced budget which was contained in the recommendations for next year, as set out in the report.

The Deputy Leader commented on the uncertainty facing councils in planning their budgets. One source of uncertainty in the immediate future was Brexit.

Many Cumbrian businesses were inextricably linked with Europe and a No Deal Brexit would be disastrous. The Cumbrian MP's recognised this and could only hope that they were able to make sure that these vital links with Europe were preserved, for the sake of the Cumbrian economy.

The Deputy Leader referred to the link between council funding and Business Rates and council tax revenues which were related to the economy.

In recommending the Budget to Cabinet, the Deputy Leader explained that this was the ninth year of reductions in funding from central Government to this Council. The Revenue Support Grant from government in 2011/12 was £148million pounds. This year it would be £17.8million pounds. A reduction of over £130 million pounds, at a time of ever rising demand.

This Council had so far saved a staggering £249million pounds but there was still a further £47million pounds to find over the next 3 years. The Medium Term Financial Plan at Appendix A, on pages 157-209 very clearly sets out the financial environment within which the Council had to work and detailed how the £22.7million pounds of savings for 2019/20 would be made.

This was the last year in which Councils were allowed the 'flexibility' to raise Council Tax by an additional 2% to be used on Adult Social Care. Publication of the Government Green Paper on Social Care for Adults was still awaited which would hopefully detail how this area would be funded in the future.

The County Council had a significant Capital Programme of almost £196million pounds, and was investing in new residential provision for our Children Looked After which would reduce reliance on Out of County Placements.

Investment had also been made in two new state of the art Care Homes in Copeland and Carlisle, which were due to be opened shortly, joining the new home already opened in Barrow.

Cumbria County Council was also grant aiding new extra care facilities across the County, in order to provide more appropriate and cost effective care for those residents who find it just too difficult to continue living in their own homes.

The Deputy Leader referred to work being undertaken to digitise transactional, services. This would make it easier for customers to access these as this service would be available 24/7, and would ultimately result in cashable savings. A better service which cost less.

The Deputy Leader referred to the Director of Finance/Section 151 Officer's statutory comment on the robustness of the Budget as set out in the report paragraphs 175 to 192. Given the uncertainty facing the Council and the pressures to deliver services within reducing resources, the General Fund Balance target had been increased from £10million pounds to £15million pounds. These reserves helped the Council to cope with uncertainty.

In considering the Budget proposal the Deputy Leader referred to the consultation responses from the public set out in Appendix B, which were in general supportive of a 1.99% increase in general council tax for next year.

In concluding he formally move the recommendations at paragraphs 22 to 30 as set out in the papers, which would deliver the Council Plan, protect the most vulnerable in society, help reshape the Council to make it fit for the future and provide a strong financial base for the Council moving forward.

RESOLVED that,

- (1) Cabinet note the response to the Budget Consultation set out in Appendix B to the report;
- (2) Cabinet **RECOMMEND** to Council the general increase of Council Tax by 1.99% for 2019/20 as assumed in the current MTFP;
- (3) Cabinet **RECOMMEND** to Council the additional precept for Adult Social Care of 2.00% for 2019/20 as assumed in the current MTFP;
- (4) Cabinet **RECOMMEND** the following to Council:

- (a) the draft Net Revenue Budget Requirement for 2019/20 of £378.755m;
- (b) the Council Tax Requirement for 2019/20 of £236.497m which results in the precepts on the Districts as set out below:-

<i>Table 2 : Precepts</i>	<i>£</i>
<i>Allerdale</i>	42,476,383
<i>Barrow</i>	27,041,150
<i>Carlisle</i>	46,892,836
<i>Copeland</i>	28,478,309
<i>Eden</i>	28,558,766
<i>South Lakeland</i>	63,049,177
<i>Total</i>	236,496,621

- (c) the following levels of Council Tax for each property band as set out below:-

<i>Table 3a : Council Tax Levels</i>	<i>2018/19 £</i>	<i>2019/20 £</i>	<i>Increase (pa) £</i>
<i>Band A (up to £40,000)</i>	888.09	923.52	35.43
<i>Band B (£40,001 to £52,000)</i>	1,036.10	1,077.44	41.34
<i>Band C (£52,001 to £68,000)</i>	1,184.11	1,231.36	47.25
<i>Band D (£68,001 to £88,000)</i>	1,332.13	1,385.28	53.15
<i>Band E (£88,001 to £120,000)</i>	1,628.16	1,693.12	64.96
<i>Band F (£120,001 to £160,000)</i>	1,924.19	2,000.96	76.77
<i>Band G (£160,001 to £320,000)</i>	2,220.22	2,308.80	88.58
<i>Band H (£320,001 and over)</i>	2,664.26	2,770.56	106.30

representing

<i>Table 3b : Council Tax Levels</i>	<i>2018/19</i>	<i>2019/20</i>		
	<i>Total £</i>	<i>Core Spending 1.99% Increase £</i>	<i>Adult Social Care Precept 2.00 % increase £</i>	<i>Total £</i>
<i>Band A (up to £40,000)</i>	888.09	17.67	17.76	923.52
<i>Band B (£40,001 to £52,000)</i>	1,036.10	20.62	20.72	1,077.44
<i>Band C (£52,001 to £68,000)</i>	1,184.11	23.56	23.69	1,231.36
<i>Band D (£68,001 to £88,000)</i>	1,332.13	26.51	26.64	1,385.28
<i>Band E (£88,001 to £120,000)</i>	1,628.16	32.40	32.56	1,693.12
<i>Band F (£120,001 to £160,000)</i>	1,924.19	38.29	38.48	2,000.96
<i>Band G (£160,001 to £320,000)</i>	2,220.22	44.18	44.40	2,308.80
<i>Band H (£320,001 and over)</i>	2,664.26	53.02	53.28	2,770.56

- (5) Cabinet **RECOMMEND** to Council a Budget for 2019/20 that is based on accepting the budget proposals as set out in the report and detailed in the Medium Term Financial Plan 2019-2022 (Appendix A);
- (6) Cabinet agree the detailed Local Committee revenue budget allocations of £7.938m and capital allocations of £17.440m as set out in Appendix E, subject to agreement of the total Council budget;
- (7) Consider **RECOMMEND** to Council:-
- (a) the draft Medium Term Financial Plan 2019-2022 (Appendix A);
 - (b) the draft Capital Budget for 2019/20 of £105.822m, set within the rolling programme of £195.898m (2019 - 2024) as set out in Appendix A;
 - (c) the School's Budget for 2019/20 of £251.248m;
 - (d) the use of reserves and levels of forecast reserves contained in the MTFP (Appendix A);
 - (e) the fees and charges schedule for 2019/20 as set out in Appendix C;
 - (f) that Council delegate to Cabinet the authority to set the final charges for the Works Permit Scheme following completion of the consultation exercise and to amend the 2019/20 fees and charges schedule within the Medium Term Financial Plan 2019-22;
 - (g) the adoption and publication of the statutory Pay Policy Statement 2019/20 set out in Appendix F. This includes setting the minimum hourly rate at the UK Living Wage (as set by the Living Wage Foundation);
- (8) Cabinet **RECOMMEND** to Council the approval of the Treasury Management Strategy for 2019/20 which is set out in Appendix D, specifically the:-
- (a) Treasury Management Strategy (Section 2) (including the borrowing strategy is set out in Section 2.4);

- (b) Annual Investment Strategy Statement (Section 3);
 - (c) Prudential Indicators (Section 4);
 - (d) Minimum Revenue Provision (MRP) Policy Statement (Section 5);
- (9) Cabinet note that to date publication of final Business Rates figures are still to be received and it is proposed that any necessary revisions to the Draft Budget and Medium Term Financial Plan (2019-2022) and Capital Programme (2019-2024) between the Cabinet meeting at which this report is considered and the Council meeting of 14th February 2019 will be delegated to the Director of Finance (Section 151 Officer) in consultation with the Leader and Deputy Leader of the Council.

92 COAST TO COAST REGIONAL ADOPTION AGENCY

Cabinet Members considered a report from the Executive Director – People (Deputy Chief Executive) which informed them on the development of proposals for a Regional Adoption Agency model and sought agreement of the Outline Business Case.

In 2015 the Government set out its commitment to require that all local authorities are part of a Regional Adoption Agency (RAA) by 2020. Any local authority not moving to this arrangement voluntarily would be subject to legislative powers and placed in an existing RAA.

The DfE in the Education and Adoption Act 2016 was clear about the requirement for all Local Authorities to be part of the national RAA programme. In neighbouring parts of the North West, Lancashire and Blackpool were working together to establish an RAA by the end of 2019.

Discussions between Cumbria County Council, Durham County Council and Sunderland City Council took place in late 2016 and recognised the potential of a coast to coast area. This was how the RAA partnership began.

The Project Plan outlined all aspects of the process of moving to a live RAA by October 2019. One of the early considerations to be undertaken was the type of organisation the RAA could and should be. Legal representatives of the three Local Authorities provided an options paper on the potential legal model for the RAA Governance Board to consider in October 2018. The Outline Business Case confirmed the outcome of this was that a host model was the preferred option.

All three councils had initially indicated their wish to be considered to perform the host function and be the lead authority for the RAA. The Governance Board had therefore agreed a competitive process which would be evaluated by an independent body, who would make a recommendation to the Governance Board. The Executive Director - People would provide updates to Cabinet on the outcome of this process.

All three adoption services were judged to be GOOD by OFSTED, and as a partnership they valued the strengths that each of the organisations brought to the RAA.

The report contained detailed information on the legal form of a Regional Adoption Agency and Cabinet noted the recommended option was for an RAA hosted by a single lead authority.

The Cabinet Member for Children's Services asked that thanks be recorded from Cabinet to the officers that had worked on this. She then moved the recommendations.

RESOLVED that, Cabinet

- (1) approve the principle of forming a Regional Adoption Agency comprising the areas of Cumbria, County Durham and Sunderland (Together for Children) working in partnership with five Voluntary Adoption Agencies in accordance with statutory requirements;
- (2) approve the Outline Business Case for the RAA;
- (3) note that Cumbria County Council is bidding to become the Host Authority when the RAA is established; and
- (4) delegate authority to the Executive Director – People (Deputy Chief Executive), in consultation with the Cabinet Member for Children's Services, to:
 - (i) consider and approve the Full Business Case for the RAA; and
 - (ii) agree the terms of all legal agreements required to establish and govern the operation of the RAA.

**PART II - ITEMS CONSIDERED IN THE ABSENCE
OF THE PRESS AND PUBLIC**

**93 AWARD OF CONTRACT FOR THE DESIGN AND BUILD OF
POOLEY BRIDGE AS PART OF THE INFRASTRUCTURE FLOOD
RECOVERY CAPITAL PROGRAMME**

PART 2 Members considered a report from the Acting Executive Director – Economy and Infrastructure which sought approval to award the contract for the Infrastructure Recovery Programme Work which consists of the permanent and temporary works required for the replacement of Pooley Bridge in Eden.

The Deputy Leader and Cabinet Member for Finance presented the report and moved the recommendations.

RESOLVED that,

- (1) Members agree to award the Stage 2 contract (Build) to deliver a replacement bridge at Pooley Bridge which is affordable within the 2018-19 and 2019-20 IRP Capital Programme to Eric Wright Civil Engineering Ltd;
- (2) Members agree that the final decision to award this contract to Eric Wright Civil Engineering Ltd be delegated to the Acting Executive Director - Economy and Infrastructure in consultation with the deputy leader and the cabinet member for highways and transport following the final stages of commercial appraisal described in this report and provided that the cumulative value of the project budget envelope does not differ from that outlined at point 21(a) in this report.

The meeting ended at 11.00 am