

COUNTY COUNCIL

Minutes of a Meeting of the County Council held on Thursday, 3 November 2022 at 10.00 am at Council Chamber, County Offices, Kendal

PRESENT:

Councillor Mr A Connell (Chair)

Mr T Allison	Ms C Driver	Ms C McCarron-Holmes
Mr AL Barry	Ms D Earl	Mr W McEwan (Vice-Chair)
Mr J Bell	Mr GM Ellis	Mr A McGuckin
Mr RW Betton	Mr D English	Mr P McSweeney
Mr RK Bingham	Mrs S Evans	Mr FI Morgan
Mr J Bland	Miss D Garton	Mrs M Rae
Mrs C Bowditch	Mr D Gawne	Mr GRPM Roberts
Mr A Bowness	Mrs BC Gray	Mr DE Southward
Mr M Brereton	Mr KR Hamilton	Mr P Thornton
Mrs A Burns	Mr C Hogg	Mrs C Tibble
Mrs HF Carrick	Mr N Hughes	Mr CP Turner
Mr F Cassidy	Mr AWC Lamb	Mr WJ Wearing
Mr W Clark	Mr J Lister	Mr C Weber
Mr SB Collins	Mr KA Little	Mr CJ Whiteside
Mr GD Cook	Mrs EA Mallinson	Mrs EL Williamson
Mr N Cotton	Mr J Mallinson	Mrs J Willis
Mr P Dew	Mr AJ Markley	Mr M Wilson
Mr R Dobson	Mr NH Marriner	Mr SF Young

There were 54 members present at the start of the meeting.

56 ROLL CALL OF MEMBERS

Apologies for absence were received from Mr Barbour, Mrs C Bell, Mrs P Bell, Mr Berry, Miss Fearon, Dr Haraldsen, Mr Hawkins, Mr Hitchen, Mr Johnson, Mr Kennon, Lord Liddle, Dr Lockney, Mr Mitchelson, Mrs Sanderson, Mr Shirley, Mr Stoddart, Ms Wall, Mr Watson, Mr Wilson, Mr Wonnacott, Mr Worth and Mr Worthington.

57 DECLARATIONS OF INTEREST

There were no declarations of interest made on this occasion.

58 EXCLUSION OF PRESS AND PUBLIC

RESOLVED, that the press and public be not excluded from discussions on any items on the agenda today.

59 PUBLIC PARTICIPATION

There were no public questions, statements or petitions on this occasion.

60 MINUTES

RESOLVED, that the minutes of the meeting held on 7 September 2022 be agreed as a correct record and signed by the Chair.

61 ANNOUNCEMENTS AND COMMUNICATIONS

The Chairman began by informing members of the sad passing of two former County Councillors Mr J Garnett and Mr R Mein. Mr Garnett served as a County Councillor on three different occasions, in the Risedale, Newbarns and Walney South divisions. He passed away on 30 September. Mr Mein served as the County Councillor for Cartmel and he passed away on 5 October 2022.

The Chairman had officially opened the new Gooseholme Bridge in Kendal on the 14 October. This was a significant milestone in reconnecting the local community with parts of Kendal and the park after Storm Desmond damaged the original bridge. He thanked everyone involved with this project, and also the local residents, community and businesses for their patience and understanding while these works took place.

The Chairman was looking forward to attending Cumbria Archive Service's celebration event on Saturday 12 November to mark the 60th anniversary by planting a tree and welcoming the public to Lady Gillford's House and Cumbria Archive Centre.

He then informed members of the recent award given to the 3dadswalking, who had raised more than £800,000 for charity following the suicide of their daughters. One of the dads was Andy Airey who was born and bred in Cumbria, and wanted to continue to highlight the fact that suicide was the biggest killer of young people across the entire UK, following the death of his daughter. The 3dadswalking wanted to highlight the work of POPYRUS Prevention of Young Suicide, by walking between the parliaments of the 4 nations.

Lastly, the Chairman reminded everyone that Remembrance Sunday would be held on the 13 November. He would be attending the County Memorial Service in Rickerby Park, Carlisle, and other members would also be attending services across the county to commemorate those fallen, our veterans and those who were currently serving.

The Leader of the Council made an announcement about the proposed reductions planned by the BBC to cut local radio stations. He shared his dismay with members and hoped all of them recognised the importance of local radio, especially during times such as Storm Desmond and other local emergencies. The Leader would be writing to the Secretary of State to raise these concerns.

The Cabinet Members for Highways and Transport made an announcement about this year's Community Rail Awards, which were hosted by the Community Rail Network and held in Manchester Central Convention Centre on 6 October 2022 with

over 430 guests. The Awards recognised the vital work delivered by passionate and dedicated officers and volunteers across Great Britain who collaborated with the rail industry to improve, enhance and transform our railway stations, train services and customer experiences for the better. Community Rail Cumbria were delighted to be shortlisted for four categories during the ceremony.

- Community Creative Projects and Station Arts Project 175, a celebration of 175 years of Furness Railway and Lakes Line;
- Best Community Engagement Project for the 'Our Flimby' Project;
- Station Friends and Adopters at the Heart of the Community – Friends of Kents Bank Station, and
- Volunteers of the Year - Ian Conway & David Stubbins for Project 175

He was delighted to inform Council that the Best Community Engagement Project for 'Our Flimby' was placed third and Station Friends and Adopters at the Heart of the Community for 'Kents Bank Station' was second.

The Cabinet Member for Public Health and Community Services gave members an update on some of the Cost of Living Crisis support work going on within the organisation, and specifically detailed the work undertaken on Warm Spots, would be launched in Cumbria on Monday.

Further work was planned on income maximisation, affordable warmth, food poverty, and mitigating the impacts on things like mental health and housing.

62 MINUTES OF THE CABINET

On page 20 - Minute 26 Statement by the Cabinet Member – Health and Care Services Mrs Mallinson asked a question about the issue of lack of capacity in care homes, and how this was going to be resolved.

The leader responded to say that capacity in care homes will be at the top of the County Council's agenda during the winter. However, there were a number of things which would also need to be considered such as the trajectory of the number and severity of covid cases, and the effects of flu during the winter months. The Cabinet Member had held a series of meetings with officers about this, and these were still ongoing.

On page 26 – Minute 32 Children Looked After Placements Sufficiency Mr Dew asked the Cabinet Member for Children's Services whether she thought there would be any issues with sufficiency of places going forward.

The Cabinet member said the strategy had been put in place to ensure the two new unitary authorities would not be left without sufficiency of places for children. However, there was a vast shortage of places for residential care for children and the costs are rising, and she felt the Government should be looking at this.

RESOLVED, that the minutes of the Cabinet meeting held on 22 September 2022 be received and noted.

63 AMENDMENTS TO THE APPROVED CAPITAL PROGRAMME

Members considered a report which detailed amendments to the approved Capital Programme which set out the Council's investment plans over the current and following four years to achieve the Council's priorities and vision. Whilst it was recognised that the County Council would no longer exist from 1 April 2023 the importance that the longer term financial planning continued in order to support the future planning by the new unitary councils was highlighted.

Council was asked to approve the changes, as recommended by Cabinet, to the Capital Programme for 2022-2027. Officers explained that if approved this would result in a revised Capital Programme of £418.721m for 2022-2027.

The recommendations were moved by the Deputy Leader and seconded by the Leader.

The Local Member for Cleator Moor wanted to know what had happened to the extra care housing scheme for Cleator Moor, which seemed to have disappeared from the list. The County Council had allocated land at Ehenside to be used for the extra care housing scheme but the developer had withdrawn from the scheme, saying they would be interested in building houses on this site, but not extra care housing. The Local Member hoped that this land was kept for the development of housing for aged care.

The Deputy Leader responded to say that although extra care housing was a priority for the County Council it was provided by the private sector. The current financial crisis was affecting the ability of the private sector to develop viable schemes.

The Local Member for Stanwix Urban raised the issue of the Section 106 developer contribution for the design of the North Carlisle Primary School. With more houses being built the contribution from the developers would be crucial to the development of this and she hoped this would be a priority for the new Cumberland Council.

The Leader of the Council reminded members about a previous council decision taken on the closure of Belah School, even though plans indicated there would be a future need for more houses and school places. He felt pressure should be put upon the developers to deliver on the contribution required in line with the Section 106 agreement.

The recommendations were then put to a vote, which was unanimous.

RESOLVED, that

- (1) the proposed revised Capital Programme 2022-27 of £418.721m (as detailed in Table 1 paragraph 4.4 of the report) be noted;
- (2) the following be approved:-
 - (a) the addition of £7.670m to the Capital Programme 2022-2027 for new schemes (as detailed in Table 2 paragraph 5.1 of the report) financed from external grants and contributions;

- (b) the re-profiling of £56.119m from 2022/23 to future years (as set out in Table 3 in paragraph 5.2 of the report);
- (c) the accelerated expenditure of £2.000m into 2022/23, £1.000m from 2023/24 and £1.000m from 2024/25 into 2022/23 for the Strategic Acquisition Fund to meet inflationary cost pressures in 2022/23 (as detailed in Table 4 paragraph 5.3 of the report);
- (d) the virements of £3.469m from the Strategic Acquisition Fund and £1.170m from the Modernising the Corporate Estate scheme to increase the £10m Inflation Risk allowance by £3.782m and increase the Local Committee budgets by £0.857m directly as a result of increased inflationary pressure on delivery of schemes across the capital programme (as detailed in Table 5 paragraph 5.4 of the report).

64 TREASURY MANAGEMENT HALF YEAR STRATEGY REVIEW 2022/23

Members considered a report which detailed treasury management activities during the first half of the 2022/23 financial year and highlighted performance and activities which confirmed all Treasury Management activities undertaken during the period were in compliance with the Annual Strategy agreed by Members at Council in February 2022.

Council was informed there had been a review of the 2022/23 Treasury Management Strategy Statement (TMSS) which included the Annual Investment Strategy. The review had concluded that no amendments were required to the Strategy.

The Deputy Leader moved the recommendations, which were seconded by the Leader and put to a vote. The vote was unanimous.

RESOLVED, that the following be noted:-

- (1) following a half yearly review, no amendments are required to the Treasury Management Strategy Statement which includes the Annual Investment Strategy;
- (2) following a half yearly review, Prudential Indicators and Treasury Management Indicators have been fully complied with and that no amendments are required to these indicators;
- (3) the Treasury Management function is forecasting a £3.306m underspend (as at 30 June 2022) for 2022/23, due, in part, to the Council's tactical strategy to utilise internal reserves whilst available, albeit that this will be kept under review given various uncertainties, including interest rate movements and cash flow requirements. The forecast underspend also reflects interest received on cash balances currently held by the Council.

65 CORPORATE PARENTING BOARD UPDATE REPORT

Mrs B Gray arrived at the meeting during this item.

Members received a report which provided an update on the Corporate Parenting Board's activity over the past year, plans for the next year and afforded the opportunity to hear directly from the Children in Care Councils about the experiences of children looked after.

The Cabinet Member for Children's Services took members through the report and then moved the recommendations, which were seconded by Mrs S Evans.

Mr Dew asked the Cabinet Member whether the new unitary Councils would support the vital function played by the Corporate Parenting Board, and what would happen to the Children in Care Council.

The Cabinet Member responded to say the County Council would have no say in what would happen to the Corporate Parenting Board or the Children in Care Council, but she had spoken to the portfolio holders in both unitary councils and they were aware of the issues of corporate parenting.

The Leader of the Council proposed an amendment to recommendation 3.1 to change the word poverty to parenting. This was agreed.

All members supported the need to champion good communication with children and young people, and hoped the new authorities would learn from the County Council's best practice for corporate parenting.

The Cabinet Member said that with the current cost of living crisis and rising inflation the need for everyone to understand what it meant to be a corporate parent would need to be a priority going forward.

The recommendations were then put to a vote, which was unanimous.

RESOLVED, that

- (1) the Council endorses the report and continues to champion this important programme of work, as well as committing to work with Cumberland Council and Westmorland and Furness Council to ensure the ongoing commitment and prioritisation to corporate parenting;
- (2) all Members ensure they are signed up to and promoting Our Promise to children and young people.

The meeting then broke at 11.20am and reconvened at 11.35am.

66 QUESTIONS

Mr Whiteside asked the Cabinet Member for Highways and Transport if he could ensure that the Council used social media to promote and publicise the National Highways engagement sessions.

The Cabinet Member agreed to ensure press releases were published and that this was backed up with social media posts.

Mrs Williamson asked the Leader of the Council whether he agreed that the delay re: the decision on West Cumbria Mine was unacceptable.

The Leader responded to say there was a need to urge the Government to make a decision one way or another to end the uncertainty.

Mr Collins asked the Cabinet Member for Public Health and Communities whether she would urge the Covid Vaccination Teams to make sure they engaged with partners to offer wider publication of their programme to ensure the public were aware of the location of the vaccination sites. In his village the publicity was poor and many residents missed the opportunity to attend.

The Cabinet Member agreed to speak to the Director of Public Health about this.

Mr Betton asked the Cabinet Member for Highways and Transport a question about an inspection of Durranshill Viaduct undertaken in January 2020 which identified a number of issues with the viaduct. In September 2021 further work identified the need for further additional works. It had been anticipated the cost of the work would be in excess of £1 million. The viaduct had appeared on the Carlisle Local Committee list for the 2019/20 year but was withdrawn due to the fact that there was no bridge infrastructure money provision. Despite the member raising this through the highways hotline, HIAMS, directly to officers and also via a freedom of information request nothing had been done to resolve this. He asked the Cabinet Member whether he would ask the Executive Director to commit to finding the money for this scheme to go ahead as soon as possible.

The Cabinet Member responded that said he was aware that officers had been working closely with Mr Betton and Carlisle Local Committee to explain the remedial works identified as a result of Bridge Inspections and further investigations at Durranshill Viaduct. The Cabinet Member took all matters associated with providing a safe and serviceable highway network seriously and he was aware of the findings of inspections and investigations of this structure.

In preparing future programmes of work the Bridges team followed a priority assessment process to ensure we spend the limited funding we receive from Government in the locations where there was the greatest risk. Unfortunately there were insufficient funds currently available this year to undertake this scheme but the County Council would continue to inspect and monitor this structure until funding could be made available.

Mr Betton then asked a supplementary question about the scheme and whether the Cabinet Member would conduct an internal investigation and ensure the money could be found to progress this.

The Cabinet Member urged Mr Betton to meet with the Highways Manager to discuss this.

Mr Turner was aware that the urgent Scrutiny Task and Finish Group Review on Child Poverty had been scheduled to go before Cabinet in November but this

meeting had now been cancelled. He asked the Cabinet Member to help in getting this matter expedited.

The Leader replied to say that this process was unusual due to the urgent need to get the decision taken. This review had by-passed the normal scrutiny route and would be covered by the Chair of Scrutiny Management Board later in the agenda today. He said Cabinet would respond as soon as possible, probably at the December Cabinet meeting.

Mr Wilson asked the Leader of the Council a question about the government proposals for new investment zones for the unitary councils. Cumbria was highlighted as one of the possible locations for the new zones and Cumbria County Council had submitted a bid on behalf of both the new unitary councils. He asked if the Leader had received any feedback from Government on the bid, and whether they were successful.

The Leader responded that at the mini budget the Investment Zones were suggested as ways to support growth. However, he felt this was now less clear. Cumbria County Council was given short notice to submit the bid and had engaged with Shadow Authorities. Cumbria was one of 38 areas eligible and then the invitation went to every single combined authority, unitary and upper tier authority and as a result Government had been inundated with expressions of interest and he understood the Treasury was now concerned about the affordability. The Leader said he would be urging Government to ensure the original 38 were prioritised, but the decision was still awaited.

Mr Dobson asked the Cabinet Member for Highways and Transport a question about 20mph zones in Cumbria. He specifically asked about Farlam village in his division and whether he would encourage officers to adopt a more proactive approach to ensure a quick resolution to this important safety matter.

The Cabinet Member replied to say members would be aware that the introduction of 20mph was legal process and required a Traffic Regulation Order. The introduction of 20mph was a devolved function of the Local Committee.

After a request from the Carlisle Local Committee earlier this year, a consultation had taken place of parish councils in the Carlisle area to ascertain the support for 20 mph limits/zones.

The Cabinet Member had been informed by officers that a meeting will take place on 7 November to discuss the introduction of 20mph, including Farlam, and following that meeting the introduction of 20mph would be raised at the next Highways Transport Working Group.

Mr Lamb asked the Leader a question about Low Gillerthwaite Field Centre and whether he would be willing to send a letter of support to the centre.

The Leader said Wild Ennerdale was a partnership between the main landowners in the valley (Forestry England, National Trust and United Utilities) and Natural England. It was the longest running re-wilding project in the UK. The Ennerdale Valley had been declared as a National Nature Reserve (NNR). Over the years there had been increased community support and partnership working, however

there had also been ongoing tensions between the primary landowners (Wild Ennerdale) and the community, including the Parish Council. A few months ago the County Council became aware of concerns about the plans to release beavers into the River Ehen. The County Council had not been directly involved in Wild Ennerdale, although it had provided advice on some of the projects as Lead Local Flood Authority. The Leader offered that the County Council could try to broker relationships between Wild Ennerdale and local community, and he would discuss this with the Executive Director and respond to Mr Lamb.

Mr Hughes asked the Deputy Leader whether he agreed that the indications from the new Prime Minister of a return to austerity in the 17 November budget statement would have disastrous implications for councils such as Cumbria already struggling to maintain services such as adult social care at grossly underfunded levels.

The Deputy Leader responded to say that the Government needed to start listening to experts on this, but early indications were not encouraging.

Mr Roberts asked the Leader of the Council why, with just under 5 months left, the County Council felt it was necessary to redesign its website.

The Leader replied to say that this was actually a DLUHC funded nationwide Local Authority website development project, and that it was not being funded by the County Council. Whilst it was fair to point out that the County Council would not see much benefit from any improvements made, this remained an important piece of work and useful preparation for the two new unitary authority websites which would operate from 1 April 2023.

67 SCRUTINY UPDATE REPORT

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

The Chair of Scrutiny Management Board took members through the report.

On 7 September 2022 Cumbria County Council had agreed a motion asking Scrutiny to review the impact of the cost of living on children's access to food; to review all options to prevent any child going hungry and to report back to Council in November.

Scrutiny Members had completed this review at pace, receiving a wide range of witness testimony and reports. The report setting out the findings and recommendations from the Scrutiny Task and Finish Group was included as Appendix 1 to the report. The Chair said there was no need for this report to go back to Scrutiny Management Board, and that if any decisions were needed urgently they could be taken as a Leader's Decision rather than waiting until Cabinet in December.

Council was asked to support the recommendations made, and to refer the report to Cabinet to consider the outcomes and allocate funding as part of the Quarter 2 monitoring report.

The Chair then moved the recommendations, which were seconded by Mr M Wilson.

The Leader of the Council thanked the Chair of SMB and the members of the task and finish group for the scrutiny review. He commented that for some of the recommendations in the review there would be a resource implication which would need to be considered by Cabinet, but that he would be happy to take any urgent decisions as Leader Decisions if necessary.

Members were keen for this decision to be taken as soon as possible given the urgency of the situation.

Members also commented that local committees may also be able to provide some financial support during the current cost of living crisis, but this would be a decision for the local committees to take.

After the debate the recommendations were then put to a vote. The Cabinet abstained from the vote due to the fact that this was being referred to cabinet for a decision. The rest of the members voted for the recommendations.

RESOLVED, that Members:

- (1) Note the recent activity undertaken by Scrutiny set out in this report; and,
- (2) Support the recommendations set out in the Scrutiny Review report 'No Child Goes Hungry: Cost of Living and Children's Food Security' attached as Appendix 1; and,
- (3) Refer the report to Cabinet to consider the outcomes and allocate funding as part of the Quarter 2 monitoring report; and
- (4) Note the Scrutiny Work Programme for 2022/23 attached as Appendix 2.

68 MINUTES OF COMMITTEES

(A) Audit and Assurance Committee

RESOLVED, that the minutes of the Audit and Assurance Committee meeting held on 8 September 2022 be received and noted.

(B) Cumbria Pensions Committee

RESOLVED, that the minutes of the Cumbria Pensions Committee meeting held on 13 September 2022 be received and noted.

69 NOTICE OF MOTIONS

None for this meeting.

70 SPEECHES

None for this meeting.

The meeting ended at 12.45 pm