

CUMBRIA COUNTY COUNCIL

Minutes of a Meeting of the **Cabinet** held on **Thursday, 16 March 2023 at 10.00 am at Council Chamber, County Offices, Kendal**

PRESENT:

Mr SF Young (Leader)
Mrs PA Bell
Mrs A Burns
Ms D Earl
Mr KA Little
Mrs S Sanderson
Mr P Thornton
Mrs C Tibble
Mrs J Willis

Officers in attendance:

Chief Executive, Executive Director (People), Executive Director - Economy and Infrastructure, Chief Fire Officer, Director of Public Health, Chief Legal Officer, Leadership Support Officer - Labour Group, Leadership Support Officer - Liberal Democrat Group, Professional Lead - Democratic Services and Communications Manager

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

46 APOLOGIES FOR ABSENCE

An apology for absence was received from Mr D Southward.

47 DISCLOSURES OF INTEREST

Mrs A Burns declared a non pecuniary interest in Agenda Item No 11 – Domestic Abuse Supported Living – Use of Department of Levelling Up and Housing Communities Grant, as she is a trustee on Women’s Community Matters. She was not present during consideration of this item.

Mrs C Tibble declared a non pecuniary interest in Agenda Item No 12 – Award of Framework Contracts for Day Opportunities in Cumberland and Westmorland and Furness Councils, as she is a Board Member at West House, and her daughter and son both work at West House, an organisation that delivered day opportunities. She was not present during consideration of this item.

48 EXCLUSION OF PRESS AND PUBLIC

The Chair reminded members that the appendices in Agenda Item No 12 – Carlisle Station Gateway and Agenda Item No 13 – Award of Contract for Main Construction Works for Carlisle Southern Link Road were not for publication by virtue of paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972 as this report contains information relating to the financial or business affairs of any particular person (including the Authority holding that information), and should members need to discuss anything contained within these appendices the meeting would need to move into Part II.

49 MINUTES

RESOLVED, that the minutes of the meeting held on 15 December 2022 be signed by the Chair.

50 STATEMENTS BY THE LEADER OF THE COUNCIL AND CABINET MEMBERS

The Cabinet Member for Customers, Transformation, Fire and Rescue announced that Cumbria County Council had been awarded £139,000 to support the scaling up of a digital tool which helped to identify vulnerable households during a crisis.

The innovative new tool, VIPER, was created by Cumbria County Council's Digital Team in 2022 for regional and national partners within the Cumbria Local Resilience Forum. The tool searches multi-partner data sources to allow the rapid identification of vulnerable households in an emergency or crisis.

The money granted by government would fund a project to support the tool's expansion, allowing it to be used by other authorities and Local Resilience Forums.

The Cabinet Member then announced that the Chief Fire Officer had advised of his intention to retire in June this year, and took the opportunity to thank John for all of his hard work and dedication to CFRS & CCC over the years.

He had been a pleasure to work with and she felt he was one of the most community spirited officers she had ever met.

Cabinet members wished him well for the future.

51 PUBLIC PARTICIPATION

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

There were no referrals from local committee or scrutiny committees on this occasion.

52 2022/23 REVENUE AND CAPITAL BUDGET MONITORING REPORT TO 31 DECEMBER 2022

The Deputy Leader presented the final 2022/23 Revenue and Capital Budget Monitoring Report, and he began by thanking all the Finance officers, both past and present, for all the work they had done in ensuring the Council had an established track record of strong and robust financial management and this report presented the position for Quarter 3 as at 31 December 2022.

The report covered the Revenue Budget, Capital Programme and Treasury Management activities.

Since Council set the 2022/23 Budget in February 2022 the economic uncertainty, both nationally and internationally, had continued. Like all public sector organisations, the Council continued to face significant financial pressures relating to unprecedented high levels of inflation, cost of living crisis, supply chain disruption and contractual delivery risks.

These factors were coupled with increased demand on Council services, both as a result of the COVID-19 pandemic and wider health and social care system pressures. Collectively, this continued to bring a significant amount of financial challenge for 2022/23 and ongoing uncertainty for the two new Unitary Councils and Cumbria Fire and Rescue Service.

The Deputy Leader then took members through the report, in detail.

The Quarter 3 forecast outturn as at 31 December 2022 was a net £1.358 million overspend position, which was a slight improvement of £0.010m from the £1.368 million overspend reported at Quarter 2.

The number of high cost and bespoke care packages in Children's Services had increased to five during Q3 but with intense work undertaken by the service this had now reduced to two cases from 1 January 2023.

Other cost pressures had arisen from increases in demand-led services such as SEND and Home-to-School Transport where not only was the number of exceptional routes and journeys increasing each month but

the price being paid for these journeys was also increasing as a result of a lack of competition in the market.

Notwithstanding these pressures, the Council had been able to allocate some £5m of additional funds to alleviating the financial pressures felt by those most in need in the community, especially the young. This included:-

- £1.500m provided to schools to support their most vulnerable young people and ensure that breakfast clubs are available to all.
- £0.500m earmarked for the provision of free school meals during the Easter holidays in 2023
- £1m public health money to support community-based initiatives such as the development of warm hubs
- £0.500m to extend the school's clothing grant scheme
- £0.500m to enhance the free school meals offer during school holidays
- £0.500m for direct community support delivered through Area Teams
- £0.500m for support direct to vulnerable households through the Council's Ways to Welfare Service.

To support the fragile social care market, at a time of peak financial pressure and significant winter service demand, the Council had once again, provided additional financial support to independent providers across the sector. An in-year uplift of varying levels had been applied to all contracts from 1 October 2022 linked to the Real Living Wage increase and other inflationary factors.

The original approved net revenue budget for 2022/23 was £455.496 million. After taking account of adjustments to General Grants and transfers to and from reserves, the revised net budget was £482.928 million at 31 December 2022. The net forecast outturn was £484.286 million, an overspend of £1.358 million (0.3%).

The Deputy Leader informed members that this report was seeking agreement to increase Capital Programme 2022/23 to 2026/27 by £4.518 million. At Q3 this gave a revised total budget of £426.318 million (excluding Accountable Bodies) over the life of the current Capital Programme and a revised budget of £152.629 million for 2022/23.

The net deficit on the Dedicated Schools Grant Balance had increased from £14.692 million as at 31 March 2022 to £21.214 million in Q3, an increase of £6.523 million since the start of the year, and an increase of £0.126 million since Q2.

The forecast delivery of approved savings for 2022/23 was £14.792 million against a total target of £16.231 million (91.1%).

The Deputy Leader then moved the recommendations.

The Leader commented that although the County Council was responsible for the budget until 31 March 2023, the officers in the finance team had worked incredibly hard to ensure that we were passing on a stable budget.

He referenced the High Needs element of the budget and the issues faced by the lack of resources for this much needed service. He implored the Government to make more funding available.

The Cabinet Member for Schools and Learning agreed with the statement and felt if more money was provided services could be improved, which would then lessen the burden on this budget.

RESOLVED, that Cabinet

- (1) notes the revised Revenue Budget at the provisional outturn for monitoring purposes of £482.928m as a result of the agreed transfers to and from reserves (set out in Appendix 1 of the report).
- (2) notes the forecast Revenue Budget outturn as at Quarter 3 is a projected overspend of £1.358m which would result in a General Fund Balance position at year end of £23.698m if unmitigated in the final quarter.
- (3) notes that Corporate Management Team is working collectively to identify and take further actions to mitigate the financial pressures to ensure a balanced budget position is achieved at year end resulting in a maintenance of the General Fund Balance at year end of £25.056m.
- (4) notes the forecast delivery of approved savings for 2022/23 is £14.792m against a total target of £16.231m (91.1%).
- (5) approves a Revenue Contribution to Capital (funded from an Earmarked Reserve) of £0.636m relating to:
 - £0.484m to Prioritised Capital Maintenance Projects/schools Maintenance for works including asbestos removal works.
 - £0.152m to Corporate Property Planned Maintenance and Improvement corporate asbestos removal works into the Corporate Capital Maintenance Fund.

- (6) approves amendments to the Capital Programme, financed by external grant (Table 16 of the report) and internal revenue contributions (Table 17 of the report), which result in a total increase of £4.158m.
- (7) approves virements, within the approved Capital Programme, as set out in Table 19 of the report.
- (8) notes the forecast outturn for the Capital Programme 2022/23 of £121.017m against a current capital budget of £152.629m (excluding Accountable Bodies) resulting in a net underspend of (£31.612m) being reported at Q3, as set out in Table 20.

53 CORPORATE PERFORMANCE MONITORING REPORT - QUARTER 3 2022/23

Cabinet had before it a report from the Interim Director of Finance (Section 151 Officer) which provided them with a final report for Cumbria County Council's corporate performance in advance of local government reorganisation.

This report reflected on the Council's achievements and delivery of the Council Plan 2018-2023 and highlighted a number of key successes in delivering the four Council Plan outcomes in 2022/23, despite a context of unprecedented global and local challenges.

The report focused on the position of the Council Plan Delivery Plan at Quarter 3 2022/23, covering the three-month period from 1 October 2022 to 31 December 2022.

The Council had continued to achieve financial sustainability whilst improving services for our customers, a transformed digital offer, and introducing more effective and efficient ways of working. This had been achieved against the background of responding to an unprecedented cost of living crisis and inflationary pressures that had impacted all areas of the Council, recovery from the global Covid-19 pandemic and the significant challenges in responding to the local government agenda and associated uncertainties about the shape of service delivery in the future.

The Leader highlighted that the Single Point of Access digital service project was nearing completion as a key element of continuing service improvement, culture change and new ways of working. The initial phase of the library workforce and infrastructure development was completed and improvements to Carlisle and Kendal libraries on track. This built on the successful transformation of the new library in Barrow.

He also mentioned that Cumbria Fire and Rescue Service had worked to ensure that measures were in place to deliver against the Grenfell Tower inquiry outcomes and legislative changes.

RESOLVED, that Cabinet notes overall performance relating to delivery of the implementation of the four Council Plan outcomes and context indicators, focusing on the indicators identified in the Council Plan Delivery Plan 2022/23 for the Quarter ending 31 December 2022.

54 EXTENSION TO THE APPRENTICESHIP FRAMEWORK

Members considered a report from Assistant Director – Strategic Commissioning which sought permission to extend the Apprenticeships Framework for a period of one year until 31 March 2024.

In compliance with the Direction issued under section 24 of the Local Government and Public Involvement in Health Act 2007, consent was obtained from Cumberland Shadow Authority's Executive on 16 February 2023 Minute No 85- Section 24 Extension to Apprenticeship Framework and Westmorland and Furness Shadow Authority's Cabinet on 24 February 2023 Minute No 94- Section 24 Extension to Apprenticeship Framework.

All large employers with an annual pay bill of over £3 million are required by the Government to pay an 'apprenticeship levy' of 0.5% of their total annual pay bill. The Apprenticeships Framework enabled the Council to spend this levy on apprenticeships and training and kept these funds in Cumbria and to invest in its workforce and supported the wider aims of the Council Plan.

The Apprenticeship Framework commenced on 1 April 2018 for 4 years until 31 March 2022. There were 2 optional 12-month extensions available, one of which had already been utilised, to 31 March 2023. The last end date using both extensions would be 31 March 2024.

The Framework was fit for purpose and would be suitable to meet the short-term needs of the two new local authorities and Cumbria Fire and Rescue Service.

Cabinet noted that there were currently circa 391 apprentices accessing training via the Framework, and they were delighted to hear this.

The Cabinet Members hoped that the two new authorities would ensure this scheme carried on, and saw it as essential to helping young people from within Cumbria to succeed.

Members asked how many of the apprentices were successful in obtaining permanent paid employment at the Council.

The Cabinet Member for Highways informed members that within the Highways Service circa 90% of the apprentices went on to gain paid employment with Cumbria County Council.

RESOLVED, that Cabinet authorises the extension to the Apprenticeship Framework for a period of one year from 01 April 2023 until 31 March 2024, with an indicative annual value of £4m.

55 CUMBRIA COUNTY COUNCIL'S RESPONSE TO THE COST OF LIVING CRISIS

The Leader presented a report which provided Cabinet with a summary of the actions taken by Cumbria County Council to support Cumbria's most vulnerable residents during the current cost of living crisis.

The cost of living crisis posed a significant threat to public health. In response to this the UK Government had put in place a number of support measures, including the Household Support Fund and household fuel support payments. But, monitoring the impacts locally, led Cumbria County Council to want to do more.

The Leader outlined the actions taken in response to this:-

- In June 2022 Cumbria County Council created a £2 million Cost of Living Reserve, to give additional support to Cumbria's most vulnerable residents.
- In September 2022 Cumbria County Council also passed a motion to take steps to –
 - o Build on the work of the cost-of-living crisis fund.
 - o To call on Scrutiny to convene a task and finish group to ensure no child goes hungry.
 - o To lobby government to review their Free School Meal guidance.
- Following the Scrutiny task and finish group the recommendations of the 'No Child Goes Hungry' report were agreed by Cabinet in December 2022 resulting in a further £2m being made available to implement them. This included £1.5m which was distributed to all schools in the county, including academies and free schools, including funding to enable schools to access the national breakfast club scheme, and a further £500k to allow the two new

unitary councils to continue the holiday food programme over the 2023 Easter holidays.

- In October 2022 a further £1m was allocated from the public health budget to provide support to organisations working to alleviate food poverty.

Each of these decisions culminated in a total spend of £5m, which was further broken down below:

Each of these decisions culminated in a total spend of £5m, which is further broken down below:

- £1.5m of funding direct to all schools, including free schools and academies, to ensure that no Cumbrian child goes hungry. This included £50k of match funding support to enable schools to access the Government's National Breakfast Club Programme.
- £0.5m to double the amount of the County Council's school uniform grant to £50 for Primary age children and £100 for Secondary age children.
- £1m of support for free school meal recipients during the school holidays - this covered all the holidays, including half terms, from summer 2022 and will include provision for this coming Easter holiday in 2023.
- £0.5m top up into the County Council's Ways to Welfare fund – this is a long running fund that supports those in severe financial hardship, which has seen unprecedented demand during this cost of living crisis.
- £1.5m to allow other organisations to continue to provide support and advice in the face of unprecedented demand on their services, including Cumbria's Citizens Advice Bureau Consortium, Cumbria Carers' Association, and Cumbria Community Foundation.

Cabinet acknowledged that funding had also been provided from the local committees to use during this crisis.

RESOLVED, that Cabinet

- (1) notes the actions taken by the County Council in 2022/23 to provide additional support to residents of Cumbria during the current cost of living crisis;

- (2) notes the role of the County Council in co-ordinating a wide range of interventions across a large geographical area and the support the Council has put in place to ensure that the Cumberland and the Westmorland & Furness Councils have resources in place to tackle the cost of living crisis from vesting day;
- (3) notes that there is further work required to balance ongoing emergency support with developing and implementing medium and long-term strategic plans to reduce poverty and inequalities in both Cumberland and Westmorland and Furness.

56 DOMESTIC ABUSE SUPPORTED ACCOMMODATION - USE OF DEPARTMENT FOR LEVELLING UP HOUSING AND COMMUNITIES GRANT

Mrs Burns left the meeting at this point.

The Cabinet Member for Health and Care Services presented a report which asked Cabinet to agree the proposed spend for 2023/2024 in line with Department of Levelling Up, Housing and Communities (DLUHC) Guidance.

In 2022/23 DLUHC announced a one year funding settlement for Cumbria County Council to fulfil its statutory duties under the Domestic Abuse Act.

In broad terms, these grants were used to underwrite the cost of staffing to liaise with the functions associated with Domestic Abuse, funded the work between Cumbria County Council, monitoring the grant agreement along with data returns. It also supported the operational and management functions associated with Temporary Accommodation Units held by all District Councils.

For the year 2023/24, in line with Local Government Reform, DLUHC had combined the Tier 1 and Tier 2 grants and then disaggregated them to the new councils. This had resulted in a grant to Cumberland Council to the value of £663,085 (54%) and Westmorland and Furness Council to the value of £565,068 (46%)

The report detailed how this money would be allocated to the new councils, and proposals for the spend.

The Leader thanked the Cabinet Member for Public Health and Communities and the Cabinet Member for Children's Services who had both been champions for the Domestic Violence cause.

RESOLVED, that Cabinet

- (1) approves the use of the DLUHC supported accommodation grant as outlined in paragraphs 13 and 14 of the report;
- (2) notes that Cumberland and Westmorland and Furness Councils will need to do the following:
 - i. Enter into a grant agreement with Barrow Women Community Matters (Westmorland and Furness Council)
 - ii. Approve spend against existing contract for Eden Housing (Westmorland and Furness Council)
 - iii. Enter into grant agreements, one with each of the organisations to provide community-in-reach support services as set out in paragraphs 13 and 14 (both Councils)
 - iv. Enter into a grant agreement with the OPCC to deliver service being provided by Victim Support (both Councils)
 - v. Continue to fund the DA Survivors Network via contract (both Councils)
 - vi. Continue to fund Springfield via contract (Westmorland and Furness)

Mrs Burns returned to the meeting at this point.

57 AWARD OF FRAMEWORK CONTRACTS FOR DAY OPPORTUNITIES IN CUMBERLAND AND WESTMORLAND AND FURNESS COUNCIL'S ADMINISTRATIVE AREAS

Mrs Tibble left the meeting at this point.

Cabinet had before it a report from the Executive Director – People which sought approval to appoint providers who had met or exceeded the minimum standards required to the Framework Agreements for Day Opportunities from 1 April 2023 for a period of 2 years. These were Framework for Day Opportunities in Cumberland Council and Westmorland and Furness Council.

The current Flexible Framework for Independent Day Services, which adopted an Any Qualified Provider approach to procurement, came into operation June 1 2017 and would run until 31 March 2023.

Day Opportunities played a key role in supporting disabled and older people to maintain and develop new skills, prevent social isolation, support inclusion and presence in their local communities and provide a break from caring and support for unpaid carers ensuring they can continue to offer ongoing support.

The Independent Day Services Framework included 22 independent sector providers across a range of locations in the footprint of Cumbria County Council with a current annual commitment £2.848m.

All were commissioned on a 'spot' purchase basis and there was no spend committed/guaranteed against either of the frameworks. The values stated in this report were based on current and predicted activity. These frameworks do not commit the new Local Authorities to this level of spend.

As the new frameworks would start on 1 April 2023, consultation had taken place with the relevant Cabinet Members for both new local authorities who supported the award for the frameworks.

RESOLVED, that Cabinet

- (1) approves the establishment of the Framework for Day Opportunities in Cumberland Council's administrative area from 1 April 2023 for a period of 2 years;
- (2) approves the appointment of the providers referenced in Appendix 1 of this report;
- (3) delegates approval of the appointment of all future providers who are eligible to gain access to this flexible Framework, throughout the term of the Framework, to the Director of Adult Social Care and Housing;
- (4) approves the establishment of the Framework for Day Opportunities in Westmorland and Furness Council's administrative area from 1 April 2023 for a period of 2 years;
- (5) approves the appointment of the providers referenced in Appendix 2 of the report;
- (6) delegates approval of the appointment of all future providers who are eligible to gain access to this flexible Framework, throughout the term of the Framework, to the Director of Adult Social Care.

Mrs Tibble returned to the meeting at this point.

58 CARLISLE STATION GATEWAY

The Leader presented a report which outlined the Carlisle Station Gateway project (the Project). This was a strategic regeneration project included in the Borderlands Inclusive Growth Deal to revitalise Carlisle

City Centre and wider Borderlands area. The Project would strengthen Carlisle's position on the national rail network, improve access and connectivity to Carlisle and the Borderlands region as well as contribute to decarbonisation by encouraging more journeys to be taken by rail.

This report sought approval from Cabinet to progress a number of changes to the originally approved scheme to facilitate project delivery.

The project was split into four components-

- Northern Gateway,
- Southern Gateway
- Station Interior and
- Enabling Streets and junctions.

Fundamental to the success of the project was the relocation of car parking and vehicular traffic, including rail replacement bus services, from the Northern Gateway to the Southern Gateway and Cumbria County Council had been working in partnership with Carlisle City Council, Network Rail and Avanti West Coast to enable delivery of the Project and relocation of the car park.

The closure of the existing public car park on the northern side of the station operated by Avanti and the creation of a new public car park on the southern side by the County Council, required Avanti to surrender their lease for the existing car park. However, it had not been possible to achieve this without paying compensation to Avanti or identifying replacement provision. Neither of these requirements could be met by the Council.

Due to this impasse, Network Rail had proposed an alternative approach, with Network Rail facilitating the current car park relocation, owning the site and taking responsibility for the management and operation of the new station car park instead of the Council.

The alternative approach removed the need for the Council to provide capital funding but required agreement by 31 March 2023. It also required the approval of Cumberland Council at its meeting on 27 March 2023 in order for the County Council to proceed with signing of contracts.

RESOLVED, that Cabinet

- (1) notes the changes to the total project cost and that funding for this scheme is now £20m from Borderlands and £7.915m from Network Rail and that there is no longer a contribution required from the local authority (Cumberland Council);

- (2) subject to Section 24 consent from Cumberland Council on 27th March 2023, delegates authority to the Executive Director - Economy and Infrastructure to finalise the detailed terms and enter into the necessary legal agreements with Network Rail for the sale of the Station Retail Park and The Pools site (excluding the James Street Baths) before 31 March 2023 as aligned with the Heads of Terms documented in appendix 1 of the report;
- (3) subject to Section 24 consent from Cumberland Council on 27 March 2023, delegate authority to the Executive Director - Economy and Infrastructure, to finalise the detailed terms and enter into a Lease for the Station Retail Park and The Pools site (excluding the James Street baths) with Network Rail before 31 March 2023 as aligned with the Heads of Terms documented in appendix 1 of the report;
- (4) delegates authority to the Executive Director - Economy and Infrastructure to finalise the terms of and enter into a Contribution Agreement with Network Rail to increase the funding received to support project delivery as aligned with the Heads of Terms documented in appendix 1 of the report;
- (5) delegates authority to the Executive Director - Economy and Infrastructure, to agree with Northumberland County Council a variation to the Borderlands Grant Funding Agreement for the Carlisle Station Gateway Project in line with the Change Control documented in appendix 2 of the report;
- (6) acknowledges the Capital Receipt for the disposal of the Station Retail Park and The Pools site will be reinvested back into Carlisle Station Gateway Project and agrees the inclusion of additional funding received through the Contribution Agreement into the Capital Programme.

The meeting then broke at 11.45am and reconvened at 11.55am

59 AWARD OF CONTRACT FOR MAIN CONSTRUCTION WORKS FOR CARLISLE SOUTHERN LINK ROAD

The Leader updated on the situation in relation to the Award of Contract for the main construction works for Carlisle Southern Link Road.

A funding decision was still awaited from Homes England, and it had not been received in time for a decision to be taken at this meeting.

It was therefore,

RESOLVED, that the meeting be adjourned until 27 March at 10am in Cumbria House, Carlisle.

The Leader ended the meeting by asking that the Cabinet Members' thanks be recorded to all the officers that have supported the Cabinet during the past 10 years. He also thanked all the Cabinet Members for their support.

He especially mentioned the three Leadership Support Officers who had played a vital role for members of all the political groups to ensure the smooth running of the democratic process.

Finally, he praised the support of the Democratic Services Officer who was also integral to the smooth and efficient running of the democratic process.

The Deputy Leader then paid tribute to the Leader of the Council on behalf of all the Cabinet Members.

The meeting adjourned at 12.00 pm

SIGNED: _____

DATE: _____