

CUMBRIA COUNTY COUNCIL

Minutes of a Meeting of the **Cabinet** held on **Thursday, 14 November 2019 at 10.00 am at Cumbria House, Botchergate, Carlisle**

PRESENT:

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

Officers in attendance:

Chief Executive, Executive Director - Corporate, Customer and Community Services, Interim Executive Director - People, Acting Executive Director - Economy and Infrastructure, Director of Finance (Section 151 Officer), Chief Fire Officer, Director of Public Health, Leadership Support Officer - Labour Group, Leadership Support Officer - Liberal Democrat Group, Professional Lead - Democratic Services, Communications Manager, Group Solicitor/Deputy Monitoring Officer and Assistant Director - Provider Services

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

53 APOLOGIES FOR ABSENCE

An apology for absence was received from Mrs J Willis.

54 DISCLOSURES OF INTEREST

There were no disclosures of interest made on this occasion.

55 MINUTES

RESOLVED, that the minutes of the meeting held on 17 October 2019 be agreed as a true and accurate record and signed by the Chair.

56 EXCLUSION OF PRESS AND PUBLIC

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

57 STATEMENTS BY THE LEADER OF THE COUNCIL AND CABINET MEMBERS

The Cabinet Member for Children's Services congratulated the three young people from Cumbria who had been representing the county on the Youth Parliament. They had represented Cumbria for the past three years and their term of office was due to come to an end shortly.

The young people had been in Parliament last week, along with approximately 300 other young people, and had taken part in debates on knife crime, mental health and protecting the environment. One of the Cumbrian representatives had made an excellent speech on climate change.

The Cabinet Member said the young people had been excellent youth parliamentarians and Cabinet offered best wishes for the future to them all.

The Cabinet Member for Highways and Transport made an announcement on the County Council's success at the recently held National Construction Excellence Awards. The Infrastructure Recovery Programme was a finalist in the category of "Client of the year" and received a Highly Commended Award. This award was given to client organisations that had broken new ground in how they procured and managed construction activity.

Cumbria was recognised for its success in working with locally based small and medium sized contractors, its commitment to ensuring the maximum spend stayed in the local economy and for its commitment to collaboration.

The Cabinet Member for Economic Development and Property also made an announcement about the success of Cumbria County Council at this award ceremony.

The Sandside Lodge Project was a finalist and the outright winner in the category of "Health and Safety Project of the Year". This award recognised construction projects that had placed the highest priority on the health and safety of the workforce and that had charted new territory in keeping people safe at work. The award was testament to the hard work across the Council to ensure the highest standards of health, safety and well-being.

58 PUBLIC PARTICIPATION

The Chair opened the meeting up to public participation, under which four participants had requested to address Cabinet with reference to Agenda Item No 11 – Cumbria Care – Reshaping of Care Services.

Mr S Collins, Local Member for Staveley, addressed the members. He began by saying that the country was facing an ageing population, with numbers set to rise by up to 30% over the next 20 years, and for those over 80 years of age the figure was expected to rise by up to 50%.

With private care homes closing he believed that Cumbria County Council was increasingly becoming the 'carer of last resort'. Although in many cases the older generation were saying they wished to stay in their own homes for longer, in many instances this was just not possible.

The Abbey Care Home had, over the past few years, been home to only a small number of residents, but he believed that this was, in the main, due to the fact that Cumbria County Council had been turning residents away for a number of reasons. The home had received a good CQC audit and the staff were well liked and treated residents with respect. It was in an excellent location, close to a bus stop and the train station, which made it easier for family and friends to visit. It was also seen as part of the community in the village of Staveley.

None of the villagers, or residents wanted to see this home close. The Local Member urged Cabinet not to close this home, but to look at other ways of providing care services from this location, such as extra care housing alongside the residential care facility.

Next to speak was Mr J Bland, the Local Member for the Lyth Valley, which bordered the village of Staveley. Mr Bland was also speaking in support of keeping the home open. The Abbey was very popular, with both residents and the community, and there were many residents in his division that have visited the home, and whose relatives had used it.

Mr Bland felt that if the decision was taken today to close the home, the doors would never open again. The home would be sold as development land. He asked the County Council to look at this again. He accepted that the site would require substantial money to be spent in order to bring it up to the required standards, but he felt the County Council was missing an opportunity if they forged ahead with the closure. He believed that there was enough spare land on the existing site to keep the residential care home open, and to build an additional extra care housing facility.

Mr Bland urged Cabinet to think again about the closure of the Abbey.

Mr A Pimblett presented Cabinet with a petition, containing 1017 signatures, which asked them to reconsider the plans to close the Abbey Care Home.

He believed there was a demand for residential care facilities in Staveley, and a desire from the people in Staveley to keep the care home open in the village. Lots of the villagers work there and some of them had innovative ideas on how to provide care in this facility going forward. Mr Pimblett asked Cabinet to speak to the staff and talk about their ideas before they closed the facility.

The feedback he had received from the staff was that they did not feel like the County Council had consulted with them properly, whilst the residents of Staveley had said they did not feel that they had received an adequate response to their input.

On conclusion of his introduction Mr Pimblett presented the petition to the Cabinet Member for Health and Care Services, and urged Cabinet to consider again, the need for a residential care facility in Staveley.

Finally, the Chair invited Mr D Brockbank to make his statement to Cabinet Members.

Mr Brockbank began by saying he believed we were all on the same side regarding this issue, and that everyone wanted to provide excellent, safe and secure adult social care for Cumbria's ageing population.

He noted that Item 7 page 16 on the agenda today made reference to this. Stating that there was greater pressure for social care services from the growing elderly population. These ever increasing pressures meant that going forward, it was no longer just about efficiency, it was also about managing demand by helping people and communities to flourish, assisting them to stay in their own homes and live independent lives where possible, supporting families to stay together and ensuring

resources were targeted in order that support could be provided to the most vulnerable members of our community.

Cabinet members had had sight of a leaflet about retirement rebooted, which outlined an alternative way of providing residential care services.

Mr Brockbank saw the Abbey as a hub of a wheel with the spokes reaching into the community. As the adult requires more supervision, they move closer to the hub, but remain connected to the wider community and the friends they had been living with in their retirement rebooted closer community.

He asked Cabinet to consider giving, selling or leasing the Abbey to a Village Social Enterprise. The building could be converted into a community integrated retirement and care facility – ‘retirement rebooted’. The Social Enterprise would provide the facilities, whilst Cumbria County Council provided the care. The Council would therefore not be responsible for the capital investment, the maintenance, the insurance, heating or the day to day infrastructure running costs, or the food....only the care.

Sounds great for the baby boomers who could afford to rent space in the Abbey, but if someone could not afford the rent, then the housing and pension support comes not from CCC but from National and District resources.

Mr Brockbank stated that the council’s ambition to keep adults in the ‘community’ would become a reality, but even better, when an adult does need care, the County Council was not the ones providing the roof and nourishment, just the care.

If this worked, then he believed the County Council could cut its adult social care budget by at least half. He asked whether this was worth exploring to see if we can all work together to achieve this. Believing this was a win win for all.

At the end of the presentations, the Cabinet Member gave the following response specifically in relation to Mr Brockbank’s statement.

‘The Cabinet Member thanked all the participants for coming to the meeting to raise their concerns with the closure of the Abbey. She proceeded to highlight the following:-

The County Council first started the conversation around Staveley as part of the County Council’s Area Planning process in January 2018. This approach was agreed by South Lakeland local committee.

More detailed work began in January 2019, again with the approval of South Lakeland Local Committee and discussions were held with staff at The Abbey.

The Area Planning approach had involved the members of South Lakeland Local Committee, the local community, service providers and users. There had been high level discussions with potential external partners to further investigate options for housing and care service provision. There had also been discussions with the Parish Council.

Both officers of the County Council and elected members had been involved with the Parish Council's own work to inform the Parish Plan, called "The Conversation" and they most recently attended the first feedback session held in Staveley on 1 November.

In June 2019 the Council held a community drop in session in Staveley to share the understanding of the local need and demand for elderly care in the context of trends in demand for care for older people.

The formal consultation on "The proposed closure of The Abbey residential care and options for the future" ran from 23 September to 1 November and had involved current staff, service users, families, carers, local residents, the Parish Council, community organisations and external support agencies including local health professionals. 97 people attended the drop in session and there had been 122 responses to the consultation.

The Cabinet Member concluded that this had been a long and transparent process involving many conversations and expressed her thanks once again, not only to those that attended, but also to all those people who had taken part in the consultation.'

Members noted that on this occasion there had been no referrals from any of the local committees and no referrals from Scrutiny.

59 DEVELOPMENT OF THE MEDIUM TERM FINANCIAL PLAN (MTFP) 2020 TO 2025

Cabinet considered a report from the Director of Finance (Section 151 Officer), presented by the Deputy Leader, which outlined that the Council was continuing to deal with significant financial challenges. For the period of the next Medium Term Financial Plan (MTFP 2020/21-2024/25) the Council would need to deliver a further £33.078m of savings in addition to the £3.917m of savings already due to be delivered over this period as agreed at Council in February 2019. This meant that between 2011/12-2024/25 the Council would have made a total of £309.134m of savings from its day to day (revenue) budget.

The Deputy Leader said that by agreeing the recommendations set out in the report, consultation with the public would commence in readiness for Cabinet to recommend the Budget Proposal 2020/21 and Medium Term Financial Plan (2020-2025) to Council in February 2020.

The consultation document would seek views on the County Council's general increase to Council Tax for 2020/21. The proposed Council Tax increase for 2020/21 was 1.99%. In addition it was proposed to continue with the government's additional 2.00% social care precept to support Adult Social Care Services.

To deliver a balanced budget in 2020/21 and meet statutory responsibilities, the current planning assumptions would require £5.646m of new savings in 2020/21 to be proposed to Council in February 2020. To deliver a balanced budget the following year, in 2021/22, based on current assumptions a further £8.164m of new savings would be required. This makes a total new savings requirement of £13.810m for the first 2 years. A range of options had been developed and expanded upon the existing programmes around new ways of working and themed approaches that were being delivered through the Council Plan.

The way council services were funded across the whole country remained uncertain. The Spending Round announced in September by the Chancellor was a one year settlement i.e. for 2020/21 only. The expected Spending Review 2019 had now been postponed until 2020. Without exception, all councils were facing difficult financial times, after nine years of funding reductions from government, there was also an unprecedented level of demand for Council services, especially from those who needed it most.

The Council was experiencing greater pressure for social care services from the growing elderly population and younger adults with complex needs and increasing costs to look after the number of children now in care. These ever increasing pressures meant that going forward, it was no longer just about efficiency, it was also about managing demand by helping people and communities to flourish, assisting them to stay in their homes and live independent lives where possible, supporting families to stay together and ensuring resources were targeted in order that support could be provided to the most vulnerable members of the community.

The Deputy Leader commented that looking ahead, Cumbria County Council would need to focus efforts on offering early help to those in need, promote independence and independent living, and provide effective preventative services by working closely with partners and communities.

The Leader echoed the comments of the Deputy Leader and the approaches the Council would need to take moving forward. It was clear that all councils faced ever increasing financial challenges and there were decisions to be made over council tax rises or finding additional savings to bridge the funding gap. He felt that this was becoming ever more challenging with Government spending announcements making assumptions that councils would continue to tax local taxpayers as per the social care precept.

RESOLVED, that

- 1) Members note the revised Budget Gap position of £5.646m for 2020/21, and the proposals identified within this report to provide a balanced budget for 2020/21 (Year 1 of the Medium Term Financial Plan 2020-2025);
- 2) On the basis of the balanced budget proposals set out in this report, Members approve consultation with the public on the level of Council Tax for 2020/21 of 1.99% increase in general Council Tax and 2.00% increase for the Adult Social Care precept;
- 3) That Members note the Budget Gap rising to £13.810m for 2021/22, and there are assumptions to close the gap for Year 2. Year 2 will be dependent upon future funding announcements, effective management of demand and Council Tax consultation next year;
- 4) That Members note the revised Budget Gap for the period 2022/23-2024/25 which results in additional savings of £19.268m still required to be identified at a future date to deliver a balanced budget over the five years. The Medium Term Financial Plan 2020-2025 sets out a requirement to find savings of £33.078m.

60 STATEMENT OF ASSURANCE

Cabinet considered a report from the Chief Fire Officer. The Fire and Rescue National Framework for England sets out the requirement for all Fire and Rescue Authorities to provide assurance annually on financial, governance and operational matters.

To demonstrate this, the Framework required that each authority must publish an annual Statement of Assurance.

This report set out the approach adopted by Cumbria Fire and Rescue Authority and sought sign off of the Statement of Assurance 2018/19.

The Framework sets out the requirement for all Fire and Rescue Authorities to provide annual assurance on financial, governance and operational matters and to show how they had due regard to the requirements included in the Framework and the expectations set out in the Authorities' own integrated risk management plans.

The Statement of Assurance provided assurance to members, statutory officers and the public that the service was being run in accordance with appropriate governance, financial and operational standards. The Chief Fire Officer was satisfied that the Statement of Assurance presented to Cabinet was an accurate and robust reflection of arrangements in place across Cumbria Fire and Rescue Service.

RESOLVED, that

- (1) Cabinet approve the Statement of Assurance 2018/19;
- (2) Cabinet authorise the Chief Fire Officer, in consultation with the Cabinet Member to make any necessary changes to the Statement of Assurance prior to publication.

61 AWARD OF CONTRACT - FRAMEWORK FOR CAPITAL WORKS 2020-2024

Members had before them a report from the Acting Executive Director – Economy and Infrastructure, which asked them to award a new framework for the procurement of external contractors to deliver the County Council's capital works programme.

The Council had first introduced works frameworks following the end of the Term Maintenance arrangement in 2012. The initial framework was limited to highway works but attempted to cover all the possible highway works through a single framework with multiple lots and multiple suppliers on each lot involving some element of repricing or ranking each year or mini-competition.

When the framework was re-procured, it was decided that a number of the work streams better suited term contracts. These comprised programmes of work rather than individual schemes such as core surfacing and specialist surface treatments. A framework was then needed to procure the individual schemes elements of the capital programme. It was decided to incorporate the whole capital programme (including both property and highway works) into a single framework to; encourage consistency, allow some flexibility of management internally and capitalise on contractors with both property and highways capability.

The existing Capital Schemes Framework commenced on 1 February 2016 and would expire on 31 January 2020.

Cabinet was being asked to award this new framework to enable the procurement of external contractors to deliver capital programme works schemes in an efficient and legally compliant manner. The new framework would also allow the development of long-term working relationships with a trusted and competent supply chain, in-built mechanisms to address poor performance, and would encourage maximisation of economic benefits from capital programme investment.

RESOLVED, that Cabinet establish a new framework for the procurement of capital programme works with a fixed term of 4 years and comprising 2 core lots (Property & Civils) each with two sub-lots, with the following suppliers recommended to be included on the framework:

a) Lot 1A – Property (lower value)

Cruden Property Services
Cubby Construction
Jacobs Stobbarts Limited
Lambert Gill Ltd
Leck Construction
Michael Thompson Ltd
Morris & Spottiswood
Roland Hill
Rosslee Construction Limited
Stobbarts Ltd
Thomas Armstrong (Construction) Ltd
Top Notch Contractors Ltd

b) Lot 1B – Property (higher value)

Cubby Construction
Eric Wright Construction
F Parkinson Ltd
Lambert Gill Ltd
Roland Hill
Story Contracting Limited
Thomas Armstrong (Construction) Ltd
Top Notch Contractors Ltd

c) Lot 2A – Civils (lower value)

A E Yates
BDB Special Projects

Bethell Group PLC
Cubby Construction
DSD Construction Ltd
Eric Wright Civil Engineering
Esh Construction Ltd
J N Bentley Ltd
Jacobs Stobarts Limited
Metcalf Plant Hire Ltd
Story Contracting Limited
Thomas Armstrong (Construction) Ltd

d) Lot 2B – Civils (higher value)

A E Yates
Bethell Group PLC
Cubby Construction
Eric Wright Civil Engineering
Esh Construction Ltd
Metcalf Plant Hire Ltd
Story Contracting Limited
Thomas Armstrong (Construction) Ltd

62 THE ENGLISH NATIONAL CONCESSIONARY TRAVEL SCHEME - THE CUMBRIA SCHEME 2020/21

Cabinet considered a report from the Acting Executive Director – Economy and Infrastructure which set out proposals for the Cumbria Scheme for 2020/2021 including the reimbursement rate to be paid to transport operators.

Cumbria County Council had a legal duty to make the arrangements as a Concessionary Travel Authority and comply with the statutory Consultation Process and timeline.

The scheme as described would fulfil the Council's obligations as a Concessionary Authority for 2020/21.

A mandatory national bus concession for older and disabled people has been in place since 2001. The concession had gradually been extended since its introduction and since April 2008 had provided free off peak local bus travel to eligible older and disabled people

The ENCTS scheme covered anyone who had a ENCTs pass who travelled on an eligible journey on an eligible service. An eligible journey was a public service bus between 9.30am and 11pm on weekdays and at any time during bank holidays and weekends.

The Council's scheme covered the mandatory elements and also included discretionary elements. The proposed scheme was the same as the current 2019/20 scheme for 2020/21.

RESOLVED, that Cabinet

- (1) approve publication, of the 2020/21 Cumbria Concessionary travel Scheme which maintains the ENCTS basic reimbursement rate at 58%;
- (2) Agree to publish the 2020/21 Scheme with the same Eligibility Criteria as the current scheme;
- (3) Agree that following publication of the 2020/21 scheme any non-substantial amendments can be approved by the Executive Director for Economy and Infrastructure Services in consultation with the Cabinet Member for Highways and Transport.

63 CUMBRIA CARE – RESHAPING OF CARE SERVICES

Cabinet considered a report from the Interim Executive Director – People, which provided members with an update on the proposed next steps in respect of reshaping the Council's Care and support services, with specific reference to those provided in Staveley.

This was part of an overall approach that linked the Council's wider area planning approach with the Cumbria Care reshaping proposals and developments. Combining both approaches would ensure that the Council continued to reshape services so they were fit for the future and whilst meeting people's needs and expected demand which may be different in different locations.

The Cabinet Member for Health and Care Services took members through the report, firstly reminding them of the background. For the County Council, reshaping meant the council must take account of the current trends in the type of service people needed and demanded.

People in Cumbria were living longer and expectations of the care and support services people would like in later life were changing. There was a continued trend of people being supported to remain as independent as possible and maintain the best possible quality of life in their own home or in purpose built accommodation that supported independent living such as Extra Care housing.

People who were no longer able to stay at home may require specialist residential care and that group included people with dementia or complex health needs.

Reshaping had meant investment in the right places at the right time in order to deliver the right services. The council had already invested £18m in three state of the art 60 bed care homes and £1.3m across all of our residential homes to ensure that staffing levels reflected the increasing levels of dependency that the residents had. In addition the council had invested in new technology and in staff development and training.

The Council had also reviewed projected future demand across the County and the need for its remaining residential care homes. At the same time the council had reviewed the condition and maintenance requirements for each home so as to identify potential further opportunities for reshaping care services. This had included the village of Staveley and the Abbey Residential Home.

Staveley reflected the national and Cumbria-wide trend of reducing demand for residential places and it was doubtful if The Abbey would ever reach its full capacity of 28 residents. There were currently 6 residents.

Over recent years the County Council had been unable to accept new residents for a number of reasons and that was recognised, but the overall demand for residential placements across both South Lakeland and Cumbria on the whole was declining.

The Abbey building was dated, and the council had invested over £0.100m in the home over the last three years to ensure it remained safe and in an acceptable condition but there were significant ongoing maintenance requirements.

Few rooms had en-suite facilities and although over the years the building had been altered and extended to increase its size, this had created narrow corridors, steps and isolated areas such that it does not meet the expected building requirements of the Care Quality Commission, for a new home.

Given these requirements it would be complex and potentially cost prohibitive to try to convert this existing home to ensure that it could provide the type of environment that residents needed and deserved, particularly those with dementia. It was far more cost effective to build new, fit for purpose buildings to deliver high quality care, than convert buildings like The Abbey.

The Cabinet Member said undoubtedly the Abbey was treasured by the community and would like some care provision for older people in Staveley. However, reiterated that there was and had been a significant

reduction in demand for residential care across Cumbria and South Lakeland and the Abbey building required significant investment.

The Cabinet Member stated that if the decision was made to close the home conversations would continue and the council would work with interested groups through an open and transparent process to determine the best sustainable care provision for the future.

The Cabinet Member was therefore asking Cabinet to support the recommendations contained within the report.

The Leader of the Council emphasised that care provision requirements were significantly different than when the Abbey first opened, with legislative changes prompting challenges for several of the council's homes over the years. This was coupled with the reduction in demand for residential care alongside an increase in demand for nursing and homecare, and the Council needed to respond accordingly.

He gave his assurance that this was the first stage of the process and that the Council was committed to meeting the future care needs of the residents of this community.

RESOLVED, that

- (1) Cabinet notes the outcome of the public consultation;
- (2) Cabinet approve the recommendation to cease residential care provision at The Abbey in Staveley. The Abbey Residential Care home will close;
- (3) Cabinet note the continued development of options, working in partnership with the community, for reshaped care services in Staveley.

The meeting ended at 11.40 am