

SHADOW AUTHORITY FOR CUMBERLAND COUNCIL

Shadow Authority for Cumberland Council held in Cathedral Room, Civic Centre, Carlisle, CA3 8QG on Wednesday, 1 March 2023 at 10.30 am

Members

Councillor Carni McCarron-Holmes (Chair)	Councillor Abdul Harid (Vice-Chair)
Councillor Trevor Allison	Councillor Robert Betton
Councillor Lisa Brown	Councillor Markus Dale Campbell-Savours
Councillor Barbara Cannon	Councillor Dr Helen Davison
Councillor Roger Dobson	Councillor Michael Eldon
Councillor Jeanette Forster	Councillor Mark Fryer
Councillor Joseph Ghayouba	Councillor Anne Glendinning
Councillor Jimmy Grisdale	Councillor Martin Harris
Councillor Mike Hawkins	Councillor Mike Johnson
Councillor Linda Jones-Bulman	Councillor Bob Kelly
Councillor Elaine Lynch	Councillor John Mallinson
Councillor Tony Markley	Councillor Graham Minshaw
Councillor Geoff Mitchell	Councillor Mike Mitchelson
Councillor David Moore	Councillor Lucy Patrick
Councillor Bill Pegram	Councillor Jill Perry
Councillor Tim Pickstone	Councillor Sam Pollen
Councillor Andy Pratt	Councillor Denise Rollo
Councillor Andrew Semple	Councillor Christopher Southward
Councillor Kevin Thurlow	Councillor Gillian Troughton
Councillor Helen Tucker	Councillor Cyril Weber
Councillor Miss Jeanette Whalen	Councillor Emma Williamson
Councillor Chris Wills	

Also Present

Mr A Seekings, Chief Executive
Mrs Liddle, Chief Legal Officer and Monitoring Officer

64. Roll Call and Apologies for absence

Apologies for absence were submitted on behalf of Councillor Quilter, Councillor Stoddart and Councillor Wernham.

65. Declaration of Interests

In accordance with the Council's Code of Conduct Councillor Fryer declared an interest in agenda item 8. Cumberland Budget 2023-24. The interest related to the fact that he had a contract with Cumbria Waste Management.

66. Exclusion of Press and Public

RESOLVED - It was agreed that the items in Part A be dealt with in public and there were no items in private to be dealt with in Part B.

67. Minutes

The Chair moved the receipt and adoption of the minutes of the meeting of the Shadow Council held on 26 January 2023.

RESOLVED - That the minutes of the meeting of the Shadow Council held on 26 January 2023 be received; and were signed by the Chair.

68. Announcements and Communications

(i) The Chair

There were no announcements from the Chair.

(ii) The Leader of the Council

There were no announcements from the Leader.

(iii) Members of the Executive

There were no announcements from the Executive Members.

(iv) Chief Executive

There were no announcements from the Chief Executive.

69. Questions from Members of the Council (With Notice)

Councillor Wernham submitted the following question:

“There have been media reports that over 200 unaccompanied refugee children have disappeared from hotels where they are housed. The Children’s Commissioner for England was interviewed on BBC Radio 4 this morning and confirmed her worries about unaccompanied refugee children being housed in hotels on their own without appropriate safeguarding for extended periods of time. She said that she and her team have inspected every hotel in England which houses such children, and that in her opinion urgent action is required of the Government and also, she said, of Local Authorities to find appropriate foster families. Can the Leader or appropriate Portfolio Holder confirm that from 1st April the Cumberland Unitary Authority will make this a priority action?”

The Monitoring Officer reported that Councillor Wernham was not in attendance and there was no provision in the Shadow Authority Constitution to allow for someone else to ask the question in his absence.

It was agreed that Councillor Wernham would be provided with a written response to his question.

70. Minutes of the Executive

The Leader moved, and the Deputy Leader (Statutory) seconded that the minutes of the meeting of the Executive held on 16 February 2023 be received and adopted.

RESOLVED – That the minutes of the meeting of the Executive held on 16 February 2023 be received and adopted.

71. Cumberland Budget 2023/24

Pursuant to Executive Minute 81. consideration was given to a report setting out the first Revenue Budget and Medium Term Financial Plan for Cumberland Council. The report identified the key factors which influenced and informed the development of the Council's financial plan for 2023-24, and the ongoing impact of those plans into the medium term.

The report contained the latest estimated funding position, service and corporate budget pressure, financial risks and challenges influencing the development of Cumberland Council's financial plans. Proposals for 2023-24 were based on the outcome of the Provisional Local Government Settlement, released on 19 December 2022.

The Financial Planning and Assets Portfolio Holder, rose to present the first Executive Budget for Cumberland Council. The balanced budget had been prepared during significantly difficult times and underpinned the Cumberland Council Plan which put the health and wellbeing of its residents first.

The Financial Planning and Assets Portfolio Holder addressed the Council at length in support of the motion that the recommendations of the Executive in respect of the Budget for 2023-24 be agreed. She spoke in detail on the contents of the budget, of the pressures which faced the Council and the ongoing work which was required to harmonise fees and charges across the Council.

The Leader seconded the motion.

Amendments /Objections to the Executive's Budget Recommendations

Speaking at the invitation of the Chair, and on behalf of the Liberal Democrat Group, Councillor Pickstone gave notice of two amendments which would be submitted to the Financial Planning and Assets Portfolio Holder's motion. The amendments related to road repairs and Local Safety Schemes.

Following the circulation of copies of the above mentioned amendments, it was moved by the Chair and AGREED under Procedure Rule 11.1 (k), that the meeting be adjourned to allow time for consideration of the amendments.

The meeting adjourned at 10:45 and reconvened at 11:00

The Chair sought and received confirmation that there were no further amendments to the Motions already moved.

Consideration of Amendments

1. Pot Holes/ Road Repairs / Pavement Repairs

Councillor Dobson moved the following amendment to the Financial Planning and Assets Portfolio Holder's motion:

"A 25% increase in the budget for the non-principal road network in 2023-24, 2024-25, 2025-26 and 2026-27, to increase the number of roads and pavements that the Council can undertake resurfacing and repairs."

Councillor Pickstone seconded the amendment.

Councillor Dobson addressed the Council in support of the amendment, he acknowledged the work that Cumberland Council had to undertake but felt it was important that the condition of the roads in the Cumberland area should be highlighted as a priority for the authority moving forward.

The Section 151 Officer's comments on the impact of the above amendment on the Executive's budget proposals had been circulated.

There then followed debate with input from a number of Members of the Council. During the debate the Leader acknowledged the concerns of Members and invited all Group Leaders to engage with the Executive to discuss the details of the budget in the coming months.

The offer made by the Leader was welcomed by the Group Leaders.

A recorded vote was taken in accordance with the provisions of the Local Authorities (Standing Orders) (England) Regulations 2001.

The following Members voted for the amendment of Councillor Dobson:

Councillors Allison, Davison, Dobson, Perry, Pickstone and Wills.

The following Members voted against the amendment of Councillor Dobson:

Councillors Betton, Brown, Campbell-Savours, Cannon, Eldon, Forster, Fryer, Ghayouba, Glendinning, Grisdale, Harid, Harris, Hawkins, Johnson, Jones-Bulman, Kelly, Lynch, Markley, McCarron-Holmes, Minshaw, Mitchell, Mitchelson, Moore, Patrick, Pegram, Pollen, Pratt, Rollo, Semple, Southward, Thurlow, Troughton, Tucker, Weber, Whalen and Williamson.

The following Member abstained from voting:

Councillor Mallinson.

The amendment of Councillor Dobson, as set out above, was DEFEATED.

2. Local Safety Scheme / 20mph

Councillor Dobson moved the following amendment to the Financial Planning and Assets Portfolio Holder's motion:

"To double the amount set aside for Local Safety Schemes (e.g. 20mph, traffic calming etc) in each of the next four years to £270,000 per year."

Councillor Pickstone seconded the amendment.

Councillor Dobson and Councillor Pickstone addressed the Council in support of the amendment reminding Council of the importance of safe roads.

The Section 151 Officer's comments on the impact of the above amendment on the Executive's budget proposals had been circulated.

Substantial debate followed, during which various Members of the City Council outlined their support for / opposition to the amendment.

A recorded vote was taken in accordance with the provisions of the Local Authorities (Standing Orders) (England) Regulations 2001.

The following Members voted for the amendment of Councillor Dobson:

Councillors Allison, Davison, Dobson, Perry, Pickstone and Wills.

The following Members voted against the amendment of Councillor Dobson:

Councillors Betton, Brown, Campbell-Savours, Cannon, Eldon, Forster, Fryer, Ghayouba, Glendinning, Grisdale, Harid, Harris, Hawkins, Jones-Bulman, Kelly, Lynch, Markley, McCarron-Holmes, Minshaw, Mitchelson, Patrick, Pegram, Pollen, Pratt, Rollo, Semple, Southward, Thurlow, Troughton, Tucker, Weber, Whalen and Williamson.

The following Member abstained from voting:

Councillors Johnson, Mallinson, Mitchell and Moore

The amendment of Councillor Dobson, as set out above, was DEFEATED.

There being no further amendments, the Council considered the motion of the Financial Planning and Assets Portfolio Holder with regard to the Cumberland Council Budget for 2023-24.

Members addressed the Council in support of the motion.

The Leader and the Financial Planning and Assets Portfolio Holder thanked the Section 151 Officer for the work she had undertaken to prepare the budget in difficult circumstance and in such a short period of time.

A recorded vote was taken on the Executive's Budget recommendations 2023-24 in accordance with the provisions of the Local Authorities (Standing Orders) (England) Regulations 2001.

The following Members voted for the Motion of the Financial Planning and Assets Portfolio Holder:

Councillors Allison, Betton, Brown, Campbell-Savours, Cannon, Davison, Dobson, Eldon, Forster, Fryer, Ghayouba, Glendinning, Grisdale, Harid, Harris, Hawkins, Jones-Bulman, Kelly, Lynch, McCarron-Holmes, Minshaw, Patrick, Pegram, Perry, Pickstone, Pollen, Rollo, Semple, Southward, Thurlow, Troughton, Tucker, Weber, Whalen, Williamson and Wills.

The following Members abstained from voting:

Councillors Johnson, Mallinson, Markley, Mitchell, Mitchelson, Moore and Pratt.

No Members voted against the Motion.

The Motion of the Financial Planning and Assets Portfolio Holder was CARRIED:

The Shadow Authority for Cumberland Council:

- 1) Approved and adopted the 2023-24 Budget including: -
 - The General Fund net revenue budget for 2023-24 of £303,278,387 and Directorate service budgets for 2023-24 as outlined in Appendix A
 - Council Tax Harmonisation for Cumberland Council using the weighted average (alternative notional amount) from 1 April 2023
 - An average Band D Council Tax in 2023-24 of £1,730.84 for Cumberland Council which represents an increase of 4.99% on the average Council Tax levied across the Cumberland area (2.99% increase in core council tax and 2% Adult Social Care precept)
 - The capital programme as set out in Appendix C
 - The detailed Fees and Charges as set out in Appendix D
 - Notes the S25 statement of the Chief Finance Officer as set out in Section 16 and the risk-based assessment of the level of General Fund Balances
 - Notes the consultation feedback on the budget as set out in Appendix E

- 2) Approved the following further recommendations from the Shadow Executive Committee to the Shadow Authority to ensure that the revenue and capital budget and all associated financial policies can be delivered in a safe and legal manner from 1st April 2023 while ensuring flexibility to manage the overall budget in the year
 - To delegate authority to the Section 151 Officer – in consultation with the portfolio holder for Finance and Assets, to amend the capital programme for 2023-24 going forward so that it accurately reflects issues such as slippage/ acceleration on current year projects that will need to be added to the programme
 - To delegate authority to the Section 151 Officer to finalise and agree all outstanding financial policies and strategies to ensure that the Council has them in place by 1 April 2023.

- To delegate authority to the Section 151 Officer in consultation with the portfolio holder for Finance and Assets to employ earmarked reserves for the purposes they were originally set up for
- To delegate authority to the Section 151 Officer in consultation with the portfolio holder for Finance and Assets to amend the Fees and Charges if required in 2023-24
- To delegate authority to the S151 Officer in consultation with the portfolio holder for Finance and Assets, to release the general contingency fund if required in the year

72. Setting of Council Tax

The Financial Planning and Assets Portfolio Holder presented a report of the Section 151 Officer detailing the calculations which the Shadow Authority for Cumberland Council, as Billing Authority, was required to undertake in order to set the overall amount of Council Tax for 2023-24 as required by the Local Government Finance Act 1992 (as amended).

The Town and Parish Council precepts for 2023-24 totalled £4,954,367.90. This resulted in an average Band D Council Tax of £56.09 for 2023-24.

Cumbria Commissioner Fire and Rescue Authority had calculated their Council Tax requirements for 2023-24 as £7,997,271, this resulted in a Band D Council Tax of £90.54. The Police and Crime Commissioner for Cumbria had calculated their Council Tax requirement as £26,241,544 which resulted in a Band D Council Tax of £297.09.

The report detailed the calculations for Council Tax for Cumberland Council.

The Financial Planning and Assets Portfolio Holder moved, and the Leader seconded the recommendations as set out in the report.

The Chair announced that, in accordance with the Local Authorities (Standing Orders) (England) Regulations 2001, a recorded vote would be taken on this item of business.

The following Members voted for the motion of the Financial Planning and Assets Portfolio Holder:

Councillors Allison, Betton, Brown, Campbell-Savours, Cannon, Davison, Dobson, Eldon, Forster, Fryer, Ghayouba, Glendinning, Grisdale, Harid, Harris, Hawkins, Johnson, Jones-Bulman, Kelly, Lynch, Mallinson, Markley, McCarron-Holmes, Minshaw, Mitchell, Mitchelson, Moore, Patrick, Pegram, Perry, Pickstone, Pollen, Pratt, Rollo, Semple, Southward, Troughton, Tucker, Weber, Whalen, Williamson and Wills.

The following Member voted against the motion of the Financial Planning and Assets Portfolio Holder:

Councillor Thurlow

It was CARRIED that Cumberland Council approved the formal Council Tax resolution as detailed in the report:

1) It be noted that on 26 January 2023 the Council calculated:

a) the Council Tax base 2023-24 for the whole Council area as **88,328.60** (item T in the formula in Section 31B of the Local Government Finance Act 1992, as amended (the "Act")) and;

b) the dwellings in those parts of its area to which a Parish Precept relates, as in Appendix C.

2) The Council calculates that the Council Tax requirement for the Council's own purposes for 2023-24 (excluding Parish precepts) is **£152,882,674**.

3) That the following amounts be calculated for the year 2022-23 in accordance with Sections 31 to 36 of the Act.

a) **£717,927,311** being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(2) of the Act taking into account all precepts issues to it by Parish Council;

b) **£560,090,269** being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(3) of the Act;

c) **£157,837,042** being the amount by which the aggregate at (a) above exceeds the aggregate at (b) above, calculated by the Council in accordance with Section 31A(4) of the Act as its Council Tax requirement for the year. (Item R in the formula in Section 31B of the Act);

d) **£1,786.93** being the amount at (c) above (Item R) divided by Item T (1 a) above), calculated by the Council, in accordance with Section 31B of the Act, as the basic amount of its Council Tax for the year (including Parish Precepts); (as detailed in Appendix B1 parish only by valuation band and Appendix B2 parish and district by valuation band);

e) **£4,954,368** being the aggregate amount of all special items (Parish Precepts) referred to in Section 34 (1) of the Act. (as detailed in Appendix B1 parish only by valuation band and C Parish Precepts);

f) **£1,730.84** being the amount at (d) above less the result given by dividing the amount at (e) above by Item T (1 a) above), calculated by the Council, in accordance with Section 34 (2) of the Act, as the basic amount of its Council Tax for the year for dwellings in those parts of its area to which no parish precept relates.

The following table reconciles the above Cumberland Council Tax Band D figures at 'd' and 'f' to the figures included at section 4 of the report (the Proposed Tax Level):

	2023-24 £
Cumberland	1,730.84
Town and Parish Council (average)	56.09
TOTAL	1,786.93

- 4) To note that Cumbria Commissioner Fire & Rescue and The Police and Crime Commissioner for Cumbria have issued precepts to the Council in accordance with Section 40 of the Local Government Finance Act 1992 for each category of dwellings in the Council's area as indicated in the table below.

	Valuation Bands							
	Band A £	Band B £	Band C £	Band D £	Band E £	Band F £	Band G £	Band H £
Cumberland Council	1,153.89	1,346.21	1,538.52	1,730.84	2,115.47	2,500.11	2,884.73	3,461.68
Cumbria Commissioner Fire & Rescue	60.36	70.42	80.48	90.54	110.66	130.78	150.90	181.08
Police and Crime Commissioner for Cumbria	198.06	231.07	264.08	297.09	363.11	429.13	495.15	594.18
	1,412.31	1,647.70	1,883.08	2,118.47	2,589.24	3,060.02	3,530.78	4,236.94

- 5) The Council, in accordance with Sections 30 and 36 of the Local Government Finance Act 1992, hereby sets the aggregate amounts shown in the tables detailed in Appendix B (1,2 and 3), as the amounts of Council Tax for 2023-24 for each part of its area and for each of the categories of dwellings.

73. Community Governance Review

Consideration was given to a report of the Chief Legal and Monitoring Officer detailing a Community Governance review undertaken by Allerdale Borough Council for Allhallows Parish Council and Embleton and District Parish Council.

Allhallows Parish Council had, at its meeting on 8 September 2022, requested a Community Governance Review to reduce the number of Council seats from eleven to eight as the Parish Council had not had a full complement of Councillors for a number of years.

Embleton and District Parish Council had, at its meeting on 15 June 2022, requested a Community Governance Review to reduce the number of Council seats from thirteen to nine as the Parish Council felt the number of seats was disproportionate to the number of residents in the Parish.

Allerdale Borough Council had undertaken the Community Governance Reviews and the Chief Executive of Allerdale Borough Council had taken an urgent decision on 21 February 2023 to recommend to Cumberland Council that it approved the draft Reorganisation Orders.

The Deputy Leader (Statutory) moved, and the Leader seconded the recommendations.

RESOLVED – That the Shadow Council Authority for Cumberland

(1) Approved the draft ‘Reorganisations Orders’ as recommended by Allerdale Borough Council for,

- Allhallows Parish Council (Appendix 1)
- Embleton and District Parish Council (Appendix 2)

(2) To take effect from 17 March 2023 for the purposes of the 2023 Town and Parish Elections (04 May 2023).

The Reorganisation Orders are to amend the number of Parish Council seats as follows:

Parish Council	Current Number of Parish Councillors	Recommended Number of Parish Councillors
Allhallows	11	8
Embleton and District	13	9

74. Date of next meeting

RESOLVED – It was noted that the inaugural Meeting of the Cumberland Council was scheduled for 13 April 2023 at 10:30am in the Cathedral Room, Civic Centre, Carlisle, CA3 8QG.

The meeting closed at 12.32 pm