

Shadow Authority for Cumberland Council held in Cathedral Room, Civic Centre, Carlisle, CA3 8QG on Thursday, 26 January 2023 at 10.30 am

## **Members**

Councillor Carni McCarron-Holmes (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 Linda Jones-Bulman
Councillor Bob Kelly	Councillor Elaine Lynch
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 Sam Pollen	Councillor Andy Pratt
Councillor Anne Quilter	Councillor Denise Rollo
Councillor Andrew Semple	Councillor Christopher Southward
Councillor Stephen Stoddart	Councillor Kevin Thurlow
Councillor Gillian Troughton	Councillor Helen Tucker
Councillor Cyril Weber	Councillor Brian Wernham
Councillor Miss Jeanette Whalen	Councillor Emma Williamson
Councillor Chris Wills	

## **Also Present**

Chief Executive  
Monitoring Officer

### **53. Roll Call and Apologies for absence**

Apologies for absence were submitted on behalf of Councillor Harid, Councillor Johnson, Councillor Mallinson and Councillor Pickstone.

### **54. Declaration of Interests**

It was noted that, at its meeting on 23 January 2023, the Shadow Standards Committee had delegated authority to the Monitoring Officer to authorise dispensations to the Shadow Cumberland Councillors under Section 33 of the Localism Act 2011.

Each Councillor in attendance at Council signed a letter prior to the meeting requesting that the Monitoring Officer gave them a dispensation to enable them to participate in any discussions or vote in respect of agenda item 8. Calculation of the Council Tax Base for 2023-24. The Monitoring Officer authorised the dispensations.

In accordance with the Council's Code of Conduct the following declarations of interest were submitted in respect of agenda item 8. Calculation of the Council Tax Base for 2023-24:

Councillor Harris declared an interest as he had a share in a holiday cottage in the Westmorland and Furness Council area.

Councillor Allison declared an interest as he owned a holiday cottage in the Westmorland and Furness Council area.

## **55. 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.

## **56. Minutes**

The Chair moved the receipt and adoption of the minutes of the meetings of the City Council held on 18 October 2022.

A number of Members raised queries on the style and content of previous minutes. The Monitoring Officer reminded Council that only matters of accuracy should be raised when considering the previous minutes, she clarified that minutes were not a verbatim record of proceedings and would not name individual Members unless they moved or seconded an item or submitted a question or motion on notice.

RESOLVED - That the minutes of the meeting of the City Council held on 18 October be received; and were signed by the Chair.

## **57. Announcements**

(i) The Chair

The Chair announced that the Cumberland Council Annual meeting would take place on Thursday 13 April 2023.

(ii) The Leader of the Council

There were no announcements from the Leader.

(iii) Members of the Executive

The Digital Connectivity and Customer Focus Portfolio Holder announced that Friday 27 January 2023 was International Holocaust Remembrance Day and asked Council to observe a short silence to commemorate the victims of the Holocaust.

Council observed a one minute silence.

(iv) Chief Executive

There were no announcements from the Chief Executive.

## **58. Minutes of the Executive**

The Leader moved, and the Deputy Leader (Statutory) seconded that the minutes of the meetings of the Executive held on 27 October, 25 November and 20 December 2022 be received and adopted.

RESOLVED – That the minutes of the meetings of the Executive held on 27 October, 25 November and 20 December 2022 be received and adopted.

## 59. **New Constitution for Cumberland Council**

Consideration was given to the new Cumberland Council Constitution which would take effect from Vesting Day on 1 April 2023.

In moving the recommendations the Deputy Leader (Statutory) highlighted the historic moment of approving the first ever Cumberland Constitution and thanked Officers, in particular the Monitoring Officer, and Members for the significant amount of work which had been undertaken to produce the Constitution in a short timeframe.

The Deputy Leader (Statutory) and the Monitoring Officer responded to Members' questions with regard to: live streaming of meetings, highlighting future amendments for members, the future revisions of the Constitution and the role of the Constitution Working Group.

A Member had a number of amendments that he wished to propose for the Constitution and agreed that the amendments would be taken to the Constitution Working Group.

Councillor Dobson moved a Motion to amend Section 13.3 of Part 3 – Section 5 – Overview and Scrutiny Procedure Rules, he requested that the number of Members who could call in a decision be reduced from 5 to 3. The Motion read:

“13.3 Subject to 13.5 below, a key decision may be called-in for scrutiny by the Overview & Scrutiny Committee if the Chair of the Overview & Scrutiny Committee or any **three Councillors** submit a notice in writing to the **Chief Executive** within the call-in period giving reasons why the decision should be scrutinised.”

Councillor Wernham seconded the Motion.

Following voting, the Motion FELL.

The Leader seconded the recommendations and thanked the deputy Leader (Statutory) and the Monitoring Officer for their hard work in delivering the first Cumberland Council Constitution.

RESOLVED – That the Shadow Authority for Cumberland Council

(1) Approved the draft Constitution for Cumberland Council to take effect from 1 April 2023;

(2) Noted and approved that different provision is made from political balance requirements by the following arrangements:

- (a) that Sub-Committees of the Regulatory Committee (hearing panels) will consist of between three and five members of the Committee to be appointed from time

to time by the proper officer, which shall be arranged to consist of members of more than one political group where the proper officer considers it practicable to do so but which shall otherwise not be subject to political balance

(which require the resolution to be passed without any Member of the Authority voting against them).

(3) Noted that the draft Constitution necessarily contains structures, processes or areas to be finalised, including detail to be inserted, and accordingly authorises the Monitoring Officer to make consequential and minor amendments to the Constitution once approved;

(4) Requested that the Constitution Member Working Group continue to review the Constitution throughout this period, noting that a Working Group will be established as part of the future Standards and Governance Committee to keep the Constitution under review throughout the new municipal year to ensure it reflects the evolving requirements of the new authority.

## **60. Calculation of the Council Tax Base for 2023-24**

Consideration was given to a report of the Section 151 Officer which recommended the calculation of the Council Tax Base for 2023-24, which must be made in accordance with the rules set out in the Local Authorities (Calculation of Council Tax Base) (England) Regulations 2012.

The Financial Planning and Assets Portfolio Holder moved the recommendations as detailed in the report and thanked the Section 151 Officer and her Team for their detailed work. The Leader seconded the recommendations.

RESOVLED – That the Shadow Authority for Cumberland Council

(1) Approved the calculation of the Authority's Council Tax Base for the financial year 2023-24, as set out in the Appendices of the report.

(2) Approved, in accordance with the Local Authorities (Calculation of Council Tax Base) Regulations 2012, the amount calculated as its Council Tax Base for the Council's area for 2023-24, totalling 88,328.60 (Band D equivalent properties).

(3) Requested that the major precepting authorities (Cumbria Fire & Rescue Service, and the Police & Crime Commissioner for Cumbria), are notified of the Council Tax Base for the purpose of calculating the basic amount of its council tax.

(4) Agreed that the tax base of 88,328.60 is used by Cumberland Council for the purposes of calculating the basic amount of council tax in accordance with the requirements of the Local Government Finance Act 1992 (as amended).

(5) Determined that if the introduction of an increased council tax charge in respect of second homes, from 1<sup>st</sup> April 2024, subject to relevant legislation being in place, should be applied.

## **61. Council Tax Reduction Scheme 2023/24**

Pursuant to Shadow Executive Minute 70. consideration was given to a new single Council Tax Reduction Scheme for 2023/24 for Cumberland Council in accordance with Schedule 1A (3) of the Local Government Finance Act 1992.

The Financial Planning and Assets Portfolio Holder moved the recommendations and responded to Members questions regarding the consultation. The Leader seconded the recommendations and provided assurance that work was being undertaken regarding second homes in the area.

**RESOLVED** – That the Shadow Authority for Cumberland Council

(1) Approved a new single Council Tax Reduction Scheme for 2023/24 for Cumberland Council, in accordance with Schedule 1A (3) of the Local Government Finance Act 1992. It was also noted that the relevant amendments will be made to the Policy in accordance with the Council Tax Reduction Schemes (Prescribed Requirements) (England) (Amendment) Regulations.

(2) Approved that the 100% voluntary disregard is applicable under the scheme of War Disablement Pensions, War Widows Pensions and War Widowers' Pensions, under Section 134 (8) and 139 (6) of the Social Security Administration Act 1992.

## **62. Minutes of Committees**

The Chair of the Shadow Scrutiny Committee moved, and the Deputy Leader (Statutory) seconded that the minutes of the meetings of the Shadow Scrutiny Committee held on 23 September, 2 November and 21 December 2022 be received and adopted.

**RESOLVED** – That the minutes of the meetings of the Shadow Scrutiny Committee held on 23 September, 2 November and 21 December 2022 be received and adopted.

## **63. Date of next meeting**

**RESOLVED** – It was noted that the next meeting of the Shadow Authority for Cumberland Council would take place on Wednesday 1 March 2023 at 10.30am in the Cathedral Room, Civic Centre, Carlisle.

**The meeting closed at 11.24 am**