



Executive

Date: Tuesday, 23 July 2024

Time: 10.30 am

Location: The Bainbridge Room, The Copeland Centre,
Catherine Street, Whitehaven CA28 7SJ

Present: Cllr M Fryer (Chair), Cllr L Brown (Vice-Chair), Cllr E Williamson (Vice-Chair), Cllr Dr B Kelly, Cllr E Lynch, Cllr B Cannon, Cllr A Quilter and Cllr D Rollo and Cllr E Williamson

In Attendance Chief Executive
Chief Legal Officer (Monitoring Officer)
Chief Finance Officer (Section 151 Officer)
Chief Executive
Director of Children and Family Wellbeing
Director of Resources
Director of Public Health and Communities
Assistant Chief Executive - Director of Strategy, Policy and Performance
Director of Adult Social Care and Housing
Assistant Director Programme Management Office
Interim Service Manager for Public Places
Democratic Services Manager

EX.23/24 Call In

Date of Publication: 25 July 2024

Call-in Period Ends: 1 August 2024 @16:00hours

Notes: Information regarding call-in procedures can be viewed in Paragraph 13 of Part 3 – Section 5 Overview and Scrutiny Procedure Rules in the Council's Constitution: [Cumberland Council Constitution](#)

EX.24/24 Apologies for absence

Apologies for absence were submitted on behalf of Councillor Campbell-Savours, Councillor Southward, the Director of Business Transformation and Change and the Director of Place, Sustainable Growth and Transport.

EX.25/24 Declarations of Interest

There were no declarations of interest submitted.

EX.26/24 Exclusion of Press and Public

RESOLVED 1) That items listed on the agenda in Part A be dealt with in public / when the public is present.

2) That the item listed on the agenda in Part B, as set out below, be considered when the public were excluded on the grounds that they would involve the likely disclosure of exempt information as defined in the paragraph number (as indicated in brackets in the minute) of Part 1 of Schedule 12A to the 1972 Local Government Act:

- Agenda item 20 – Customer Pre-Front Door / Front Door Model, Enterprise Architecture, Vision and Intelligent Automation.

The report was not for publication by virtue of paragraph 3 of Part 1 of Schedule 12A to the 1972 Local Government Act as it contained information relating to the financial or business affairs of any particular person including the authority holding that information.

The public interest in maintaining the exemption outweighs the public interest in disclosing the information.

EX.27/24 Minutes of Previous Meeting

RESOLVED – That the minutes of the meeting of the Executive held on 4 June 2024 and the Special meeting on 20 June 2024 be approved and signed by the Leader.

EX.28/24 Agenda

RESOLVED – That the order of the agenda would be amended to move the Climate and Nature Strategy after Public Participation and the Moot Lodge Consultation Feedback would be considered after those items.

EX.29/24 Public Participation

(a) Climate and Nature Strategy

Pursuant to Executive Procedure Rule 1.18, the following question was submitted on notice by a member of the public:

“Given that the Cumberland draft Climate and Nature Strategy states it will only ‘recognise’, and ‘proactively engage with making Cumbria Carbon neutral’ by the Zero Carbon Cumbria net zero date of 2037, but has the ‘-aim to make Cumberland an exemplar in presenting a clear and comprehensive set of policies and actions that will make a major impact on the fight against climate change’- it’s notable that it does not have a firm, agreed net zero date to guide its future actions: will the Council Executive demonstrate that it is ambitious in climate action, and in ‘leading by example’ by giving clarity to the people of the Cumberland area by formally agreeing to adopt the ZCCP goal of 2037?”

The Cumberland Policy and Regulatory Services Portfolio Holder thanked the member of public for the question stating it was important to keep a focus on climate issues.

The Portfolio Holder explained that Cumberland Council were working closely with the ZCCP and it was still the intention of the Council to meet their vision ‘to work towards a zero carbon county by 2037’. He accepted that some thought that the Climate and Nature Strategy did not go far enough, he stressed that the document was a working document which would be continually updated to measure progress. The 2037 target was not an easy target, he gave assurances that the Council would do everything it could to meet it.

The Portfolio Holder added that the Council had control over its own assets, however, there were many areas it had no direct control over and therefore the Council would work with partners and suppliers to move towards the target.

Pursuant to Executive Procedure Rule 1.23, the member of public asked the following supplementary question:

‘The scientific evidence is unequivocal: climate change is a grave and mounting threat to human wellbeing and the health of the planet. Any further delay in concerted global action will miss a brief and rapidly closing window to secure a liveable future. We are not on track to achieve a climate-resilient sustainable world’.

I’m quoting the secretary general of the United Nations - and that was two years ago.

I regret to say our time for delay is over, and action is the only viable option.

Adopting a net zero year to aim for has benefits- it gives certainty to public, private and third sectors, and the public. The actions designed to reach it gives guidance, demonstrates leadership, preserves and improves health and wellbeing here, and opens up a wealth of information sharing between other committed councils on their paths to net zero (for example, the UK 100- a group of the UK’s most climate committed councils).

For example, in March this year Dumfries and Galloway Council agreed to become Carbon Neutral by 2033, and they’ve already reduced their carbon emissions by 51% between 2018 to 2023.

With all that can be gained by prompt action, will the council agree to press to gain consensus on the 2037 target and commit adopting it within 12 months?”

The Cumberland Policy and Regulatory Services Portfolio Holder agreed that action was necessary. He clarified that work was happening right across the Council to meet the challenging target and reiterated that the Council had the same goal and aims as the ZCCP and would do everything it could to meet the ambitious target.

(b) Climate and Nature Strategy Pursuant to Executive Procedure Rule 1.18, the following question has been submitted on notice by Councillor Dr Davison:

“Speaking about the most recent IPCC report from 2023, compiled by hundreds of the world’s leading climate scientists, the UN secretary general, Antonio Guterres said: “This is a clarion call to massively fast-track climate efforts by every country and every sector and on every timeframe. Our world needs climate action on all fronts: everything, everywhere, all at once.”

The key message coming out of this report is that only swift and drastic action will avert us from reaching a point of no return on the climate, with the increasing impact of irreversible damage this will bring.

Cumbria, which has already suffered significant impacts of climate breakdown and is in line for things to only get worse if global temperatures continue rise. In response, the Zero Carbon Cumbria Partnership has set an ambitious and expert-assessed goal for net zero carbon emissions of 2037, to be achieved by challenging year on year reductions in carbon emissions.

By contrast the council is on the verge of agreeing overall emission reductions of only 2% over the period from 2023 to 2027, with no discernible contribution from the major portion, scope 3

emissions* (which contribute to 91% of all council emissions) and is not setting out further plans on reduction targets until Autumn 2026.

Given the clear urgency of action, would you explain why the council is looking to delay decisions on its own approach to more ambitious emission reductions, on all emission types, for over two years?"

The Cumberland Policy and Regulatory Services Portfolio Holder responded that the Executive was not looking to delay decisions, he welcomed suggestions on how the Council could better influence supply chains and how external groups could be better informed. The Council wanted the same results and welcomed input from groups on how the targets could be met.

Pursuant to Executive Procedure Rule 1.23, Councillor Dr Davison asked a supplementary question. Councillor Dr Davison stated that the Strategy lacked a stated target and there had been concerns that the document was a working document; the consultation feedback had only resulted in minor tweaks and the public engagement section had been removed. It felt as though key ideas had been ignored and engagement had not been meaningful. Councillor Dr Davison asked that the Strategy be urgently referred back to the Climate and Nature Advisory Group to review the zero carbon work and targets that other authorities were undertaking to enable the working document to be developed into a strategy.

The Cumberland Policy and Regulatory Services Portfolio Holder responded that the role of the Climate and Nature Advisory Group was to inform policy and utilise suggestions, the Strategy was a working document. The Climate and Nature Advisory Group would monitor the strategy and areas it could be made stronger, he wanted to work together to meet the targets.

EX.30/24 Climate and Nature Strategy

(Key Decision)

Portfolio: Cumberland Policy and Regulatory Services

Relevant Scrutiny: Place Overview and Scrutiny Committee; Business and Resources Overview and Scrutiny Committee

Subject:

The Cumberland Policy and Regulatory Services submitted the Climate and Nature Strategy which set out the objectives, commitments, and programmes that the Council would deliver for climate and nature. It was a position statement and should be read as a working strategy for the next three years (2024-2027).

The Strategy had been developed alongside the Council's Delivery Plan, informed by the current strategies, actions and partnership work underway. It had also been informed by the work undertaken by the previous councils.

The public opinion and social trends on climate change were changing, a recent Office for National Statistics survey estimated that 72% had made a lot or some changes to their lifestyle to help tackle climate change. Among those who had made a lot or some changes to their lifestyle to help tackle climate change the concerns that motivated them to make the changes were:

- Effect on future generations (69%)
- Loss of natural habitats or wildlife due to climate change (66%)
- Energy and food supplies (55%)

- Other people being directly affected by climate change, for example: extreme weather events or rising sea levels. (52%)

The Local Government Association recently commissioned YouGov to run an opinion poll on public perceptions around local climate action and;

- two thirds of responders said they were worried about climate change with flooding, storms and heatwaves being the impacts most likely to affect their local area
- with only 12% thinking climate change would not impact their local area.

The report set out in detail how the Strategy was developed, what the objectives, commitments and themes were and what engagement and consultation had been undertaken. The report also detailed other plans that which integrated with the Strategy.

The Sustainable, Resilient and Connected Places Portfolio Holder reiterated that the Strategy was a working document, she highlighted the impact that climate change had on flooding and the importance of the documents that fed into the overall strategy.

The Cumberland Policy and Regulatory Services moved the recommendations. In seconding the recommendations the Adults and Social Community Health Portfolio Holder highlighted that a number of the Council’s Community Panels had climate as a priority and it was important that local communities understood the impact on them and their areas, Community Panels were a good way of feeding the message through.

Alternative Options: To develop separate strategies and plans as followed:

- Climate Change Mitigation Strategy and Plan
- Climate Change Adaptation Strategy and Plan
- Biodiversity Strategy and Plan
- Carbon and Energy Management Strategy and Plan

DECISION:

That the Executive:

- Adopted the Climate and Nature Strategy and the supporting Carbon and Energy Management Plan.
- Noted the outline for a Biodiversity Management Plan (Appendix C of the report) which would be the basis for discussions internally and externally with partners.
- Agreed the delegations for future amendments:

Change	Example	Delegated to
Major	Material changes to the objectives, programmes and targets.	Director following consultation with Portfolio Holder.
Minor	Material changes to partnerships, risks, consequences and opportunities.	Assistant Director following consultation with Portfolio Holder.
Minor updates	Adjustments to baselines, facts and figures.	Senior Manager following consultation with Portfolio Holder.

- Noted the progress on the Cumbria Local Nature Recovery Strategy.

e) Noted the progress on a Cumbria Community Forest Plan.

f) Noted the proposal for a Citizens Jury/Assembly through the Zero Carbon Cumbria Partnership Programme

Reason for Decision:

The Cumberland Council Plan had 'environmental resilience and climate emergency as an area of focus, the draft Strategy set out how the Council was going to deliver against this challenge.

The Cumberland Approach identifies sustainability as a fundamental principle for shaping its approach to service delivery, working with partners and engaging residents. The Council Plan defined sustainability as:

'The climate and environmental emergency will be at the forefront of our decision making and policy development. We will encourage others to do the same and set an example in using resources sustainably, looking for low carbon or carbon neutral alternatives in what we buy and how we work. We will make a fair and just transition to a more sustainable Council and Cumberland.'

EX.31/24 Moot Lodge Consultation Feedback and Recommendations

(Key Decision)

Portfolio: Adults and Community Health

Relevant Scrutiny: People Overview and Scrutiny Committee

Subject:

The Leader informed the meeting that a letter had been received from Councillor Mitchelson, Brampton Ward Councillor. The Leader agreed that the letter could be circulated. He noted that the letter requested that the decision regarding Moot Lodge should be deferred until the Executive met in Carlisle, the Leader clarified that the Executive would not meet in Carlisle until October and the decision should not be deferred. A full response would be provide to Councillor Mitchelson.

The Adults and Community Health Portfolio Holder presented the feedback from the recent public consultation on the proposal to close Moot Lodge care home in Brampton.

Moot Lodge was a residential care home in Brampton operated by Cumberland Council via Cumberland Care. It had 18 registered beds, at the time that public consultation was launched, there were 10 residents within Moot Lodge. The Executive had, at its meeting on 13 February 2024, approved the commencement of a public consultation on the potential closure of Moot Lodge residential care home in Brampton. The Executive also supported the strategic intention to re-shape residential provision delivered by Cumberland Care in order to re-focus on dementia care, intermediate care and respite services as opposed to frail elderly standard residential care.

Over a twelve-week period Cumberland Council received 293 responses to the public consultation, appendix 1 of the report set out a summary of the responses and section 2.12 set out the key considerations that should be considered in the context of the detailed report.

Alongside responses to the public consultation, officers had reviewed other relevant information relating to engagement with the community, external feasibility studies on the Moot Lodge

building, and wider market factors to inform their recommendation to Executive. A full Equality Impact Assessment had also been completed (attached at Appendix 2) and had been considered by the Executive when making a decision on the future of Moot Lodge.

The recommendations included within the report aligned with the Council's strategic commissioning intentions and the overarching aim set out in the Council Plan to improve health and wellbeing in Cumberland.

The strategic commissioning intentions were:

- Reducing the pressure on the care system by commissioning and developing universal and targeted prevention services.
- Delivering a reduction in the overall number of permanent placements of Older People in residential and nursing care.
- Increasing the market for more complex care including Dementia Care, including within a residential setting.
- Ensure a sustainable market, particularly for domiciliary services.
- Increasing the supply and utilisation of Extra Care and other supported housing

The Executive had previously been advised that Moot Lodge could not be re-developed to meet the key priority areas for delivery due to the age of the building, its location over four floors, and the significant challenges it presents in providing safe access for people with physical mobility needs. The building did not lend itself to different ways of working and support through technology or mechanical aids such as ceiling track hoists due to its structure and size, which created a need for additional staff to undertake safe manual handling. Moot Lodge had very limited safe outside space for residents and was not suitable for the provision of care for residents with dementia.

Since February 2024, an externally commissioned survey report had also been completed. As well as confirming the structural and layout limitations previously advised by officers, the external report also identified a number of potential fire and safe evacuation risks. The report noted that the remedial actions to mitigate some of these risks, such as installation of a fire lift or widening of evacuation stairwells, were not possible due to the physical confines of the Moot Lodge building.

The Adults and Community Health Portfolio Holder explained that she had visited Moot Lodge, attended consultation events, met with residents and staff, and read the responses to the consultation.

In moving the recommendations, the Adults and Community Health Portfolio Holder urged everyone to read the consultation responses.

The Executive considered the report and consultation responses and highlighted the lack of outside space for residents and, the lack of facilities to support those with dementia, of which diagnosis was at its highest level.

The Leader commented that the quality of care that should be provided in a Cumberland Care home should be excellent, the care provided at Moot Lodge was excellent, however, the facilities let staff and residents down. The Leader seconded the recommendations.

Alternative Options: Continue to deliver residential services at Moot Lodge; make significant capital investment into Moot Lodge.

DECISION:

That the Executive

(1) Noted the summary of responses to the Public Consultation exercise on the proposal to close Moot Lodge care home in Brampton attached at Appendix 1 of the report;

(2) Noted the Equality Impact Assessment attached at Appendix 2 of the report;

(3) Agreed to close Moot Lodge care home.

Reason for Decision:

Moot Lodge was no longer fit for purpose and even if it was refurbished, it did not have the space, facilities or capability to be adapted to meet the needs of increasingly frail older people, which impacted upon the Council's ability to provide high quality care. It was increasingly clear that the majority of future demand for residential care services could not be met at Moot Lodge even with significant investment from the Council. The types of care needed that had previously been supported at Moot Lodge would in future be increasingly supported at home via commissioned homecare arrangements, within specialist housing such as Extra Care. Future demand for care home placements was likely to be for more specialist dementia and nursing care services.

The meeting adjourned at 11:02 and reconvened at 11:21.

EX.32/24 Executive Announcements

There were announcements from the Executive.

EX.33/24 Executive Committees

The meeting of the Shareholder Committee scheduled for 16 July 2024 had been postponed, therefore the minutes from 23 April 2024 had not been agreed.

RESOLVED – The minutes of the Shareholder Committee held on 23 April 2024 were withdrawn from the meeting,

EX.34/24 Reference from Petteiril Community Panel

(Non Key Decision)

Portfolio:

Relevant Scrutiny: N/A

Subject:

The Petteiril Community Panel had, at its meeting on 17 June 2024, submitted the following recommendation to the Executive:

“(3) the Executive be RECOMMENDED to undertake discussions with the Senior Leadership Team about the wider role of community panels across the Council's directorate;”

The full minute excerpt had been circulated with the agenda.

Alternative Options: Not to action the recommendation from the Petteiril Community Panel.

DECISION:

That the Executive would undertake discussions with the Senior Leadership Team about the wider role of community panels across the Council's directorate.

Reason for Decision:

To respond to a recommendation from the Petteril Community Panel.

EX.35/24 Public Space Protection Order (PSPO) for Cumberland

(Key Decision)

Portfolio: Sustainable, Resilient and Connected Places

Relevant Scrutiny: Place Overview and Scrutiny Committee

Subject:

The Sustainable, Resilient and Connected Places Portfolio Holder presented the Public Space Protection Order (PSPO) following the consultation period.

The Sustainable, Resilient and Connected Places Portfolio Holder reported that anti-social behaviour could directly affect the day to day lives of communities and create an environment in which more serious crime could take hold. These outcomes were at odds with principles within the Council Plan and the drive to support the health and well-being of communities.

Development of the PSPO had been undertaken with Cumbria Police, Green Spaces Teams, Street Cleaning, The Hub and Town Centre teams. This included several engagement activities including internal and external partner workshops, the engagement of elected members via the Council's Community Panels, the police, and Cumbria Association of Local Councils.

Following a development phase, the Council initiated a public consultation exercise which was promoted through press releases, social media, partner webinars and drop in events. Through the public consultation a total 382 responses were received, while this presented broad support for the Draft PSPO a number of suggestions were made, they had been considered through finalisation of the report.

In the round, the feedback received was positive, giving broad support for the approach expressed within the PSPO while highlighting the importance of fair interpretation and effective working practices and partnerships.

The Sustainable, Resilient and Connected Places Portfolio Holder clarified that the PSPO would not be seeking to penalise those rough sleeping with the implementation approach emphasising engagement and support with the draft order being clear that it was focused on addressing matters where it created Anti-Social Behaviour. In this respect value would be in helping to identify and prevent issues such as organised begging or other criminal exploitation, but also problematic wild camping by groups which was an increasing issue.

The Executive stressed that the impact of Anti-Social behaviour on communities and health and wellbeing could not be underestimated and it supported the partnership approach to dealing with issues.

The Sustainable, Resilient and Connected Places Portfolio Holder moved the recommendations, and the Leader seconded them.

Alternative Options: Not to have a PSPO

DECISION:

That the Executive:

1. Delegated to the Director of Place, Transport and Sustainable Places the decision to finalise and make the order in accordance with terms set out in the Cumberland Council Public Spaces Protection Order (No. 1) 2024 set out in Appendix 1 of the report and vary the proposed order to account for any outcomes of a satisfactory Equality Impact Assessment.
2. Delegated the decision to vary or revoke the proposed order in accordance S.61 of the ASBCPA 2014 to the Director of Place, Transport and Sustainable Places following consultation with the relevant Portfolio Holder.

Reason for Decision:

The Cumberland Plan was explicit in promoting the happiness, health and safety of its communities throughout their lives. In meeting this aim, it highlighted the leadership role of the Council and importance of working effectively with partners. The development and implementation of the PSPO would directly support the ambitions and ways of working.

EX.36/24 Cumberland Youth Justice Plan 2024-25

(Key Decision)

Portfolio: Children's Services, Family Wellbeing and Housing

Relevant Scrutiny: People Overview and Scrutiny Committee

Subject:

The Children's Services, Family Wellbeing and Housing Portfolio Holder submitted the Cumberland Youth Justice Plan 2024-25 for consultation.

Local authorities had a statutory duty to submit an annual youth justice (YJ) plan relating to their provision of youth justice services. Section 40 of the Crime and Disorder Act 1998 set out the youth justice partnership's responsibilities in producing a plan. It stated that it was the duty of each local authority, after consultation with the partner agencies, to formulate and implement an annual youth justice plan, setting out:

- how youth justice services in their area were to be provided and funded
- how the youth offending team or equivalent service would be composed and funded, how it would operate, and what functions it would carry out.

As a result of this, the Youth Justice Service was required to submit a single plan - the Youth Justice Plan. To further support alignment with local planning, there was a pre-set template required by the Youth Justice Board. In relation to the format of the Plan, the Youth Justice Board had produced YJB Practice guidance that set out what must be included in the Plan. This guidance was very prescriptive, more so than in previous years and included specified sections

which must be included in addition to setting out which information should be contained in each section. Grant funding was dependent on the submission of the Plan, using the set guidance.

The Children's Services, Family Wellbeing and Housing Portfolio Holder clarified that the Youth Justice Plan was being agreed for consultation purposes only at this stage and moved the amended recommendation.

The Leader seconded the amended recommendation that the Youth Justice Plan be agreed for consultation.

Alternative Options: request amendments

DECISION:

That the Executive approved the Cumberland Youth Justice Plan 2024-2025 for consultation.

Reason for Decision:

Failure to approve submission would mean a key condition of the core Youth Justice Grant would not be met, resulting in the first instalment of the grant being delayed or retained.

Delay in approving the plan could have an impact on the ability to effectively deliver core statutory services.

EX.37/24 Permission to procure Apprenticeship training and assessment framework agreement

(Key Decision)

Portfolio: Lifelong Learning and Development

Relevant Scrutiny: Business and Resources Overview and Scrutiny Committee

Subject:

The Lifelong Learning and Development Portfolio Holder reported that, following Local Government Re-organisation, the Open Framework for the Provision of Apprenticeships Framework was hosted by Westmorland and Furness Council.

As statutory successors of Cumbria County Council, Westmorland and Furness Council and Cumberland Council, and Cumbria Commissioner Fire and Rescue Authority were all eligible to use the framework. The Framework was also accessible to Community and Voluntary Controlled Schools within Cumberland and Westmorland and Furness.

The Apprenticeships Framework had an initial 4-year framework (1 April 2018 to 31st March 2022) with the option to extend by up to two further periods of 12 months. Both these extensions were taken up and a request to modify the term of the contract by a further 12 months had since been approved to 31st March 2025, by Westmorland and Furness Council (who hosted the contract on behalf of both councils). There were currently circa 80 Apprenticeship training providers listed on the Apprenticeships Framework.

The Council's Apprenticeship Levy could only be spent on apprenticeship training and end point assessment, and with government approved training and assessment providers. After 24 months, unspent Levy funds become unavailable and were removed from accounts.

The Lifelong Learning and Development Portfolio Holder moved the recommendations, in seconding the recommendations the Sustainable, Resilient and Connected Places Portfolio Holder stated that the workforce planning was vital to the Council and to the wider economic growth of the area.

Alternative Options: Joint procurement with Westmorland and Furness Council; collaborative procurement; buy off a national framework; no procurement mechanism.

DECISION:

That the Executive:

1. Granted permission for the Council to procure an Open Framework Agreement for Apprenticeship Training and Assessment for an initial period of 4 years (from 1st April 2025 - 31st March 2029) with the option to extend for a further two separate periods of up to 12 months. Funded by the Apprenticeship Levy, the total framework value, including all extensions is £15 million.
2. Granted delegated authority to the Director of Business Transformation and Change, to deal with all matters relating to the award and management (including subsequent provider appointments) of the Open Framework Agreement for Apprenticeship Training and Assessment and call off contracts awarded under it by the Council.

Reason for Decision:

To continue to deliver an impactful Apprenticeship Programme that supported workforce planning, the growth of early careers and the development of the Council's current and future talent pipeline (including its community and voluntary controlled schools). To continue to address areas of the workforce where there were roles difficult to recruit to, where the Council had skills gaps and where the Council wanted to grow its own talent through either the recruitment of new apprentices to the organisation or upskilling and re-skilling existing members of staff. To maximise the benefits of and spend the Council's Apprenticeship Levy.

EX.38/24 Cumberland's Family Help and Prevention Strategy (Children and Families) 2024- 2027

(Key Decision)

Portfolio: Children's Services, Family Wellbeing and Housing

Relevant Scrutiny: People Overview and Scrutiny Committee

Subject:

The Children's Services, Family Wellbeing and Housing Portfolio Holder presented the Cumberland Family Help and Prevention Strategy 2024 - 2027, which would set the overall direction of travel for children's services family help and preventative services over the next 3 years.

Cumberland Council's aim was to place health and wellbeing at the heart of everything it did and worked to the fundamental principle that the most effective way to improve outcomes for residents was to work with them to prevent poor health and intervene early to stop issues from

reaching crisis-point. Therefore, the Council's Family Help and Prevention offer to all children, young people and their families was a key priority.

When effective, early intervention and prevention could not only increase independence, improved outcomes and the quality of life for families, but also provided a financial return to the Local Authority in the form of cost avoidance and a reduction in the use of more costly statutory services.

The Family Help and Prevention approach had been designed to meet the needs of Cumberland Children, Young People, and their families in line with national programmes and statutory guidance.

National statutory guidance for Children's Services: Working Together to Safeguard Children December 2023, placed family help and preventative services on a statutory footing (offering prevention equity of esteem alongside children's social care). The role of the regulator, Ofsted, would similarly change to give equal regulatory oversight to the effectiveness and impact of early help and prevention on children. It was therefore imperative that the Council established how it would improve and deliver Family Help and transform services to achieve this. The Family Help and Prevention Strategy provided a clear and coherent strategic approach.

The Children's Services, Family Wellbeing and Housing Portfolio Holder moved the recommendation, and the Lifelong Learning and Development Portfolio Holder seconded it.

Alternative Options: Not approve the Cumberland Family Help and Prevention Strategy 2024 - 2027

DECISION:

That the Executive approved the Cumberland Family Help and Prevention Strategy 2024 - 2027

Reason for Decision:

The Family Help and Prevention Strategy contributed to and supported several themes and the priorities within the Council's plan:

"Our aim is to improve the health and wellbeing of our residents. It is at the heart of everything that we do. We want them to be happy, healthy and safe throughout their lives. We will promote independence, but also make sure we provide help early when needed. When people are vulnerable, our services will support them to live well".

The Prevention and Family Help Service approach focused on prevention and early intervention, collaborative working, demonstrating leadership across Cumberland, driving change. The approach was based on building value and trusting relationships with the people families met when seeking information or support.

EX.39/24 Permission to Procure Cumberland Healthy Child Programme Services

(Key Decision)

Portfolio: Adults and Community Health

Relevant Scrutiny: Health Overview and Scrutiny Committee

Subject:

The Adults and Community Health Portfolio Holder submitted a report regarding a Competitive Process under The Health Care Services (Provider Selection Regime) Regulations 2023, to procure and award a contract for the provision of the Healthy Child Programme for children and young people aged 0-19 (and up to age 25 for young people with special educational needs and disabilities), for a term of up to 8 years with a maximum value for the full term of £39m, which would be the advertised value.

The Health and Social Care Act 2012 set out a Local Authority's statutory responsibility for commissioning public health services for children and young people aged 0 to 19 years. This was delivered through the Healthy Child Programme. Regulations mandated that all families with babies were offered 5 health and wellbeing reviews before their child reached 2 and a half years old.

The Healthy Child Programme was the nationally recommended approach to prevention and early intervention which aimed to bring together health, education and other main partner agencies. At all ages, the programme was intended to offer needs-led and targeted support to families who would benefit from further assistance, working with them around the physical and emotional health, wellbeing and development needs of their child. Some support may be provided through staff within the Healthy Child Programme service, whilst many would require onward referral. The integration of the service with other health, social care and support services was therefore key. The service made a valuable contribution to achieving the central aim of the Cumberland Council Plan: to improve health and wellbeing of residents, including focussing on prevention and early intervention to support families with a range of issues which could affect their health and wellbeing longer-term.

Cumberland Council held a contract with North Cumbria Integrated Care NHS Foundation Trust for delivery of the Healthy Child Programme. This Cumbria-wide service was hosted by Cumberland Council on behalf of itself and Westmorland and Furness Council. The contract ended on 31st March 2025, with a current combined annual value of £5.376m; Cumberland Council's contribution towards this is £3.225m p.a.

There were some elements of the programme which required clinical expertise and knowledge that could only be provided through services led and provided by the public health nursing workforce, for example, health visiting and school nursing teams. It was important that the clinical elements of the 0-19 Healthy Child Programme were delivered in an effective, evidence-based way. Therefore, a wide range of information had been considered in preparation for recommissioning the service.

The new model had been shaped by updated national guidance and local needs assessment, which compared Cumberland with national averages across a range of population and health data. Feedback from families about their views and experiences of the Healthy Child Programme services had also been considered. Adjunct to this, engagement had been carried out to hear from those delivering and working alongside the service. Furthermore, it was also important to understand how the service might be provided in future and so 12 other Local Authorities were engaged to learn how they delivered the programme.

The Children's Services, Family Wellbeing and Housing Portfolio Holder thanked officers for their excellent work, stating that the programme was ambitious and would be transformational.

The Adults and Community Health Portfolio Holder moved the recommendations.

The Leader seconded the recommendations.

Alternative Options: Direct award of the contract; deliver the service in house; do not commission a service.

DECISION:

That the Executive:

i) Agreed to commence a Competitive Process in accordance with The Health Care Services (Provider Selection Regime) Regulations 2023 for a contract for the provision of the Healthy Child Programme, commencing on 1st April 2025, for a period of up to 8 years, up to a total value of £39m.

ii) Delegated the agreement of the initial contract term length and permissible extensions, up to maximum 8-year contract term, to Director of Public Health and Communities, following public consultation and pre-market engagement and following consultation with the Leader of the Council, the Portfolio Holder for Adults and Community Health and the Portfolio Holder for Children's Services, Family Wellbeing and Housing.

iii) Delegated the decision to award the contract to the successful provider to the Director of Public Health and Communities following the Competitive Process and following consultation with the Leader of the Council, the Portfolio Holder for Adults and Community Health and the Portfolio Holder for Children's Services, Family Wellbeing and Housing.

Reason for Decision:

The proposed service model provided an effective and evidence-based approach to delivering the nationally recommended Healthy Child Programme. The recommended option set out a contracting mechanism and approach which enabled the Council to maximise the opportunity for achieving value for money and the best quality offer through a competitive tender process under the Provider Selection Regime. A competitive tender exercise would require providers to set out a robust service delivery model and assure the Council around its transition and mobilisation plans. The application of delegation would result in efficient and responsive commissioning processes, whilst maintaining governance and oversight of senior leaders and members, as required.

EX.40/24 Establishing a local Regional Adoption Agency

(Key Decision)

Portfolio: Children's Services, Family Wellbeing and Housing

Relevant Scrutiny: People Overview and Scrutiny Committee

Subject:

The Children's Services, Family Wellbeing and Housing Portfolio Holder presented proposals for the establishment and operation of a Regional Adoption Agency (RAA) for the local area.

The government report "Tackling Delay" set out the requirement for all local authorities to be part of an RAA, by April 2022. The intention had been to improve timeliness of adoption by having a smaller number of agencies working with a larger pool of adopters, enabling them to match children more quickly, the services must meet the statutory requirements.

From April 2021 to March 2023 the legacy council Adoption Service operated as part of Adopt Coast to Coast, a de-centralised model for the delivery of a Regional Adoption Agency. In the context of Local Government Reorganisation detailed consideration took place about the future membership of a Regional Adoption Agency for the two newly established unitary councils. A paper setting out the options was prepared in collaboration with the DfE and considered by the two newly appointed DCS' and both Lead Members for Children's Services; this recommended establishing a RAA for the geographical area of Cumbria.

Since April 2023 neither Cumberland Council nor Westmorland and Furness Council had been part of a formally recognised Regional Adoption Agency, however it had been agreed with the DfE that relevant colleagues could continue their involvement with regional and national forums until an RAA had been adopted.

Cumbria Adoption delivered the required services on behalf of both local authorities; Cumberland Council was hosting Cumbria Adoption through an Inter-Authority Agreement. The service worked across the geographical area of Cumbria to utilise the skills of the staff team, all of whom were employed by Cumberland Council. Staff were based in offices and access venues across Cumbria to deliver adopter training, hold adoption panels and case meetings and to facilitate work with children and adopters.

Whilst Local authorities had statutory responsibilities for adoption, they could delegate some or all of the work to RAAs. In addition to the functions carried out by the RAA, each Council was required to appoint an Agency Decision Maker (ADM) to make decisions about placing children for adoption. The creation of the RAA would provide an opportunity for both councils to review and revise the current approach to the delivery of the service which was operating as part of the Inter-Authority Agreement, including the operating model.

The Children's Services, Family Wellbeing and Housing Portfolio Holder moved amended recommendations which moved the matter away from the Joint Executive as it was not their function and the Leader seconded them.

Alternative Options: Local Authority Hosted Model; Decentralised Model.

DECISION:

That the Executive:

1. Agreed that a Regional Adoption Agency for Cumberland and Westmorland and Furness Councils is established for the local area by October 2024.
2. Agreed that the Regional Adoption Agency is established as a local authority hosted model, with Cumberland Council as the host/lead authority, maintaining continuity of the current shared service arrangements and update the Inter Authority Agreement to reflect the position that the arrangements are no longer the responsibility of the Joint Executive Committee.
3. Delegated authority to the Director of Children and Family Wellbeing, following consultation with the Portfolio Holder for Children's Services, Section 151 Officer and Monitoring Officer, to agree the terms of any legal agreement required to establish and govern the operation of the Regional Adoption Agency.
4. Agreed that formal decision making, strategic oversight and direction will be provided by an RAA Management Board, with membership made up of officers from both councils.

5. Noted that the Management Board would report bi-annually to the Executive of Cumberland and Westmorland and Furness Councils, in accordance with Adoption Agencies Regulations 2013. Each Council would determine its own arrangements for this governance.

Reason for Decision:

Cared For children needed permanence in order to achieve stability and the environment which supported them to thrive. For some this was assessed as best met with a plan of adoption ratified by the courts. The formation of an RAA was central to delivering permanence via adoption for children and therefore impacting positively on their health and wellbeing. 2

It was a requirement for the authority to be part of a regional adoption agency. There was a need to establish a formal RAA which would enable the authority to be ready for its specific Ofsted inspection and to enable an 'at pace' approach to the Adoption England Strategy 2024-2027

EX.41/24 Home to School Transport Travel Assistance Policy 0-25 – Consultation and Options

(Key Decision)

Portfolio: Lifelong Learning and Development

Relevant Scrutiny: People Overview and Scrutiny Committee

Subject:

The Lifelong Learning and Development Portfolio Holder submitted a report regarding the commencement of a formal consultation process to refresh the Home to School Transport policies. Following a review of the current policies, processes and practices, a number of proposals had been developed to provide greater choice, independence and control for children and families in Cumberland, helping to improve outcomes.

The report also provided an update on progress with the overarching Home to School Travel Transformation Programme. On 25 January 2024, the Department for Education (DfE) published revised statutory guidance for Home to School Transport to all Local Authorities (LAs) relating to travel to school for children of compulsory school age. Local authorities are required to publish a Home to School Transport policy, which must be made available by 19 September each year, so that parents/carers may take it into account when deciding which schools to apply for during the normal admissions round.

In addition, LAs had a duty to review, prepare and publish an annual transport policy statement in relation to Post 16 travel by 31 May each year. The report provided an update on progress with the overarching Home to School Travel Transformation Programme.

Where an LA proposed changes to their school travel policy that may affect children's eligibility for transport, they should consult for a minimum of 28 working days during term time. The statutory guidance stated that wherever possible, LAs should phase in changes so that children who begin attending a school under one set of travel arrangements continued to benefit from those arrangements until they left that school.

Subject to the necessary consultation and approvals, a new policy for Cumberland would be effective from the start of the new academic year, September 2025.

The proposed amendments and the adoption of a Home to School Travel Assistance Policy would provide equity, clarity, and ease of understanding for those considering or applying for transport and bring the Council in line with the updated statutory guidance. The proposed revisions to the policy would also assist in ensuring service sustainability and be in line with the Council's ambitions for the green agenda. The report gave details of proposals and options for a revised 0-25 Home to School Travel Assistance Policy for SEND, a key element of wider plans to transform the Council's arrangements for home to school travel and provides an overview of the suggested timeline for the proposed policy changes, including a formal consultation process

A further report would be brought to the Executive on 7 January 2025 to share the outcome of the consultation process, and the Executive would be asked to make a final decision on the implementation of any agreed changes to the policy. It should be noted that the changes proposed did not reduce eligibility for assistance with travel to school.

The proposals were designed to provide added flexibility in the way the Council fulfilled its statutory responsibilities and were aimed at ensuring the service continues to be sustainable and resilient into the future. Furthermore, the provision of independent travel training – whilst requiring some investment – could reduce costs overall whilst supporting young people in their transition into adulthood. Broadly, the proposals should reduce expenditure, enhance the service, and better support children and young people.

The Lifelong Learning and Development Portfolio Holder moved the recommendations, and the Leader seconded them.

Alternative Options: retain the current Home to School Travel Policy; Approve for consultation some but not all of the proposals put forward as part of the new Home to School Travel Assistance Policy.

DECISION:

That the Executive

1.) Approved the consultation process for the revised Home to School Travel Assistance Policy attached at Appendix A to the report.

2.) Noted the progress made on wider Home to School Travel transformation.

Reason for Decision:

To meet the Council's duty to review, prepare and publish an annual transport policy statement in relation to Post 16 travel by 31 May 2025.

EX.42/24 Provision of Additional Resourced Provision Places for Children with SEND

(Key Decision)

Portfolio: Lifelong Learning and Development

Relevant Scrutiny: People Overview and Scrutiny Committee

Subject:

The Lifelong Learning and Development Portfolio Holder reported that the Executive had, at its meeting on 4 June 2024, agreed to the publication of formal proposals to establish new 'Resourced Provision' (RP) places in three mainstream schools, and support the establishment of Resourced Provision in three academies. The new places would go some way towards providing targeted support for children and young people with SEND.

The Lifelong Learning and Development Portfolio Holder provided details on the outcome of the 'representation period', triggered on the publication of formal proposals, and sought a final decision on the establishment of the new provisions. She confirmed that no further responses had been received.

The Lifelong Learning and Development Portfolio Holder moved the recommendations and the Leader seconded them.

Alternative Options: A number of schools submitted expressions of interest to provide new resourced provision; do nothing.

DECISION:

That the Executive:

a) Approved the establishment of additional Resourced Provision places at
Kingmoor Infant School, Carlisle,
St Patrick's RC Primary School,
Cleator Moor
St James' RC Primary School, Millom.

b) Noted proposals where the Regional Director (DfE) was the decision maker to create additional Resourced Provision places at Ellenborough Academy in Maryport, St Cuthbert's RC Primary School in Carlisle, and Hensingham Primary School, Whitehaven. These provisions would require capital fund allocations from the HNPCA grant.

Reason for Decision:

The proposals would give rise to much needed additional specialist provision for children and young people in Cumberland with SEND. The new provision would ensure that children and young people's needs could be met closer to their homes. The decision met the Council's statutory duty to ensure sufficiency of specialist places.

EX.43/24 Corporate Performance Report - Quarter 4 2023/24

(Non Key Decision)

Portfolio: Cumberland Policy and Regulatory Services

Relevant Scrutiny: Business and Resources Overview and Scrutiny Committee

Subject:

The Cumberland Policy and Regulatory Services Portfolio Holder presented an update of corporate performance for Cumberland Council for Quarter 4 2023/24 (1 January 2024 to 31 March 2024). The report suggested an overall positive position of performance at Quarter 4 2023/24.

The Corporate Performance Report for Quarter 4 2023/24 provided qualitative and quantitative information to detail how effectively the Council was performing against key actions and key performance indicators aligned to the Council Plan priorities.

Targets were applied to most of the indicators, but it was not always appropriate to set targets and some indicators may be monitored for trends. Targets may be statutory or designed to demonstrate continuous improvement. They may also demonstrate performance relative to benchmarks. Work continued across the Council to aggregate and disaggregate legacy council data sets which presented ongoing data challenges. Every effort had been made to ensure accurate and robust data to support effective monitoring and scrutiny of performance, and ongoing data quality assurance is taking place to mitigate the complexities of integrating four different systems, process and practices.

The Executive discussed the monitoring information, questioning the accuracy of some data, the source of data, how it was measured and displayed in the report and whether the data being gathered was the data the executive wanted to be monitored.

The Cumberland Policy and Regulatory Services Portfolio Holder moved the recommendations and the Leader seconded them.

Alternative Options: None

DECISION:

That the Executive noted the overall performance relating to delivery of the Cumberland Council Plan priorities as measured by the activities and key performance indicators set out on the report.

Reason for Decision:

The corporate performance report allowed the organisation to monitor progress and performance against priorities as articulated in the Cumberland Council Plan 2023-2027.

EX.44/24 Public and Press

RESOLVED – That in accordance with Section 4(b), Part 2 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 the Public and Press were excluded from the meeting during consideration of the following items of business on the grounds that they likely involved the disclosure of exempt information as defined in the paragraph number (as indicated in brackets against the minutes) of Part 1 of Schedule 12A to the 1972 Local Government Act.

EX.45/24 Customer Pre-Front Door / Front Door Model, Enterprise Architecture, Vision, and Intelligent Automation

(Public and Press excluded by virtue of Paragraph No.3)

(Key Decision)

Portfolio: Digital Connectivity and Customer Focus

Relevant Scrutiny: Business and Resources Overview and Scrutiny Committee

Subject:

A report was submitted detailing the outcome of a discovery piece of work which covered Customer Pre-Front Door and Front Door model to better respond to demand coming into the Council, Cumberland's IT Vision & Enterprise Architecture, and Intelligent Automation enabler.

The work had identified numerous benefits to Cumberland residents, staff, and the Council and a comprehensive programme of work for a distinct implementation phase had been produced.

The Leader moved the recommendations and the Deputy Leader and Adults and Community Health Portfolio Holder seconded them.

Alternative Options: Options were detailed in section 3 of the report.

DECISION:

That the Executive:

- a) Awarded the implementation phase for the Customer Pre-Front Door/Front Door Model and ICT programme of work up to the value of £2,553,000 with a contract end date of up to September 2027
- b) Delegated authority to the Director of Resources to authorise the different stages to proceed within the implementation phase.
- c) Delegated authority to the Director of Resources to award the optimisation phase for the Customer Pre-Front Door/Front Door Model and ICT programme of work which will be within the value of £2,553,000 with a contract end date of up to September 2027.
- d) Delegated authority to the Director of Resources to authorise the different stages to proceed within the optimisation phase.

Reason for Decision:

A fit, well, and strategic approach to IT and Digital; plus, the implementation of a new Customer Pre-Front Door / Front Door Delivery Model would ensure that Cumberland Council's services were reliable, accessible, and meet the needs of our residents.

The meeting finished at 12.06 pm