



Business and Resources Overview and Scrutiny Committee

Date: Tuesday 28 January 2025

Time: 3.30 pm

Location: Conference Room A&B - Cumbria House, 107-117 Botchergate, Carlisle, CA1 1RD

Present: Cllr J Ghayouba (Chair), Cllr D Moore (Vice-Chair), Cllr J Gridale, Cllr A Harid, Cllr L Patrick, Cllr B Pegram, Cllr K Thurlow and Cllr B Wernham

Also Present: Cllr B Cannon (Portfolio Holder for Financial Planning and Assets)

In Attendance Director of Resources
Director of Business Transformation and Change
Assistant Director of Programme Management Office
Assistant Director of Corporate Assets and Fleet
Assistant Director of Communications
Assistant Director of Strategy and Policy
Chief Finance Officer (Section 151)
Chief Legal Officer (Monitoring Officer)
Strategic Advisor, Communications and Marketing
Group Accountant
Policy and Scrutiny Advisor
Democratic Services Officer (Scrutiny)

BROS.113/24 Apologies for Absence

No apologies for absence were received.

BROS.114/24 Declarations of Interest

No Declarations of Interest were received.

BROS.115/24 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 3 of Part 1 of Schedule 12A to the 1972 Local Government Act:
 - Agenda item 12. Cumberland Asset Disposal Programme

The report's appendices were not for publication by virtue of paragraph 3 of Part 1 of Schedule 12A to the 1972 Local Government Act as they contained information relating to the financial or business affairs of any particular person including the authority holding that information. Due to the details provided within the appendices, the Committee agreed to hear the entire report in Part B to avoid there being any issues, but that the report would be made public following the meeting while the appendices remained in private.

BROS.116/24 Minutes of Previous Meeting

A Member noted that as part of the Budget Strategy recommendations within the previous minutes, it mentioned having a transformation report on reprofiling and savings be on the January agenda, which had not occurred. And they requested that an item be added to the March agenda with a focus on savings in Children's services, which would become a regular item to highlight the key messages of transformation and savings. The Director of Business Transformation and Changes noted that there were elements of reprofiling and savings within the Quarterly Monitoring Report, but that a report with a focus on Children's services savings could be brought to the March meeting and that key messages of transformation and savings could be brought to meetings.

RESOLVED that,

- a) The minutes of the previous meeting be agreed as a true and accurate record of the meeting held on 19 November 2024.
- b) A agenda item be added to the March meeting on Transformation and Children's Services Savings.
- c) A regular item be added to the agenda focusing on Transformation and Savings.

BROS.117/24 Corporate Performance Report - Quarter 2 2024/25

The Assistant Director of Strategy and Policy provided the Committee with an overview of the Quarter 2 Performance by-exception report which, though provided in totality, focused on the Key Performance Indicators (KPIs) and activities that were showing as red and amber to help build a picture of areas to watch or where improvements were required.

Members discussed the by-exception format and agreed that for Quarter 2 and Quarter 3, this was their preferred format for receiving the Quarterly Corporate Performance Reports. A Member also suggested that the table which highlights the measures in red and amber should include page numbers for where this measure was discussed in detail. The Assistant Director of Strategy and Policy thanked the Committee for the feedback and agreed to include page numbers in future reports.

A Member commented that there were a number of red KPIs which were not showing a change, some of which would affect the most vulnerable residents within Cumberland, and that further information was needed to understand these issues. The Director of Resources suggested that an informal meeting could be held to enable further scrutiny on issues such as Revenues and Benefits and the way the Council was aiming to improve. The Committee agreed to setting up an informal meeting with the possibility of a formal agenda item to the Committee if required.

A Member queried why the 'Environmental resilience and Climate Emergency' theme showed that there were no KPIs in either red, amber or green and four in 'not rated'. The Assistant Director of Strategy and Policy explained that, within this theme, there were a number of KPIs that were still waiting for the data to be verified and so could not be included, as well as some which did not have a target that could be measured but instead looked at volume or a target outside of the Council's control.

A Member queried whether the statutory statistics for recording road safety and accidents was reported. The Assistant Director of Strategy and Policy explained that the Corporate Performance Report focused on KPIs related to the Council Plan, with a number of statutory measures reported elsewhere. For highways issues, these would be recorded through the Community Safety Partnership and reported to the Highways and Transport Strategic Board.

The Director of Business Transformation and Change agreed to contact the Member to discuss the issue of reporting these statistics.

Members queried whether a practice recommendation was still likely to be issued in the future by the Information Commissioner's Office (ICO) and why there had not been high level 'buy-in' previously. The Director of Resources explained that through conversations with the ICO, which highlighted that Cumberland was a new organisation that was still building relationships with opportunities to improve further, it was not expected that the ICO would issue a practice recommendation, though they still could. He also explained that the previous lack of 'buy-in' had been due to staff not having the same prioritisations regarding Freedom of Information (FOI) measures across Cumberland and multiple vacancies within various departments. The Director of Resources stated that this was being worked on.

RESOLVED that,

- a) The overall performance relating to the delivery of the Cumberland Council Plan priorities as measured by the activities and key performance indicators set out within the report be noted.
- b) The table which highlights the measures in red and amber should include page numbers referencing where this measure was discussed in detail
- c) An informal meeting be organised to discuss Revenues and Benefits and the way the Council was aiming to improve with the Director of Resources.
- d) The Director of Business Transformation and Change contact Councillor Wernham to discuss the reporting of highways statistics.

BROS.118/24 Finance Report - Quarter 2 (April to September) 2024

The Chief Finance Officer (S151) provided the Committee with an overview of the report which highlighted the budget adjustments, the changes to the adverse position, the treasury position and the final stages of the 2025/26 budget setting process. She also agreed to circulate the quarterly monitoring slides after the meeting and come to the next Committee meeting should there be any questions unable to answer at the meeting.

A Member queried whether the reprofiling meant that communities would not be receiving their projects with the budget unable to deliver and external funding being lost. The Chief Finance Officer (S151) assured the Committee that the projects would still be delivered, it was just the timing of the project that would be different as work was undertaken to understand and reprofile the capital programme. She noted that the budget for each project would still be available just moved to a different year. The Assistant Director of Programme Management Office explained that for external funding, the reprofiling would match the programme funding from government so that no funding would be lost.

A Member requested clarification as to the £25million variances identified and the Chief Finance Officer (S151) clarified that the data referred to the request to Executive and Full Council to move the timescale for the variances to allow for the Quarter 3 position to be made clear.

A Member asked for further information regarding the change in deficit. The Portfolio Holder for Financial Planning and Assets explained that when the first budget monitoring report was provided in 2023/24 a £17million adverse deficit was identified. Following some temporary actions and steps to make sure that the budget addressed pressures and had future pressures built in, the Quarter 2 report for 2024/25 was able to identify the adverse deficit as £3million.

A Member queried whether the underspend on certain projects meant that the budget was incorrect and whether the forecast spend was accurate. The Chief Finance Officer (S151) explained that the forecast is provided by the budget holder and the spend noted within the

report is recorded through the finance system. For the other information requested, the Chief Finance Officer (S151) agreed to provide the Member with the budget holder's information, as they would be able to provide further information.

A Member noted their concerns regarding the amount of reprofiling and whether reprofiling meant that the projects were not being delivered. The Chief Finance Officer (S151) explained that the number of reprofiled projects was due to a number of circumstances such as capacity, funding specifications and timescales. She further explained that all budget holders and project managers reviewed the project budgets periodically to ensure that deliverability remains possible and that no budgets were overexaggerated as that would tie up finance resources which could have led budget savings elsewhere. The Assistant Director of Programme Management Office assured the Committee that no finance would be lost due to reprofiling, with any external grant funding going through a project adjustment process with specific requirements which requires approval and assurance on deliverability. The Council would also speak to partners and the government with any requirement for reprofiling.

RESOLVED that,

- a) The contents of the report and appendices be noted.
- b) A copy of the slides used by the Chief Finance Officer (S151) be shared with the Committee after the meeting.
- c) The Chief Finance Officer (S151) provide Councillor Wernham with the contact information for the Highways and Transport budget holder.

BROS.119/24 Budget Consultation Response Summary

The Director of Resources provided the Committee with an overview of the Budget Consultation Response Summary report and explained that these were the final results to the consultation, for which the draft consultation had previously been brought the Committee in 2024. He highlighted that there had been an increased number of respondents from the previous year, with responses including support for suggestions such as commercialisation and 'tourist tax'. The Director of Resources also acknowledged that there was more work to be done to improve the response rate, to maximise the online tool and to include more face to face opportunities for feedback.

The Portfolio Holder for Financial Planning and Assets highlighted the online tool, which helped to highlight how difficult it can be to create a budget for a local authority, and the possibility of being able to set different parameters and scenarios each year depending on the opportunities available and the situation faced with.

Members provided their feedback on the report and the responses received from the consultation highlighted within the summary. Their main feedback included that:

- The consultation for 2024/25 was better than that of 2023/24 both in terms of responses to the consultation and the consultation document itself.
- The online tool was great to have but still needed some improvements which the Committee wanted to help make for the following consultation and would welcome having some involvement.
- The ideas for improvements, especially including face to face meetings with parish councils and the eight community panels, would be a great way forward and was highly endorsed.
- Overall, there had been a positive step forward but there was still some more work to be done to improve the budget consultation process and response.

RESOLVED: that,

- a) The contents of the report be noted.

- b) The plan to expand outreach into parish councils and community panels for 2025/26 be included within the budget consultation process.
- c) As part of the budget consultation process the Committee be consulted on the online tool improvements.
- d) The Committee's request for the budget consultation process to start sooner be considered.

[The Committee took a break from 16:44-16:54]

BROS.120/24 People and Culture Task & Finish Group Report

The Chair, as Chair of both the Committee and the Task and Finish Group, introduced the report and invited Members to provide further comments and feedback.

Members commended the Task and Finish Group for the report, both the report itself and the contents of the report, noting that it included topics which Members had heard from officers were key issues and allowed for concerns to be raised and staff to feel as though they had been heard by Members.

A Member requested that the implementation of the recommendations, should they be agreed by the Executive, be tracked which the Policy and Scrutiny Advisor agreed to do.

Members discussed creating an additional recommendation to ensure that the concern regarding the visibility of senior leadership be addressed and progress brought back to the Committee. The Director of Resources and Director of Business Transformation and Change informed the Committee that this issue had been raised by staff as part of the staff survey, so a piece of work to address the issue had already been started. The Committee therefore agreed to add a recommendation that the piece of work be brought to the Committee when it was available.

[The Chief Legal Officer (MO) arrived at 17:01]

A Member queried what "looked after" referred to regarding the highways recruitment. The Chair explained that these are those "cared for" by the Council, such as care leavers, which Cumberland undertook to help support into employment or training with a pathway to employment.

A Member commented that the relevant Overview and Scrutiny Committee to deal with the 4-day working week recommendations, should they be agreed by the Executive, would be the People Overview and Scrutiny Committee. The Policy and Scrutiny Advisor noted the comment.

RESOLVED: that,

- a) The report of the People and Culture Task and Finish Group be noted.
- b) The report and its recommendations be forwarded to the Executive.
- c) The implementation of the recommendations, if agreed by the Executive, be tracked.
- d) An additional recommendation be added to the 'Culture and Staff Morale' section of recommendations. The recommendation would be:
 - o "Progress updates be provided to the Business & Resources Overview & Scrutiny Committee on activity undertaken to address issues raised from the staff survey, especially around staff visibility."

BROS.121/24 Committee Update Report and Work Programme

The Policy and Scrutiny Advisor provided the Committee with an overview of the report, highlighting the most recent Forward Plan of Key Decisions, the progress on resolutions from previous meetings and potential changes to the work programme for 2023/24.

The Director of Business Transformation and Change highlighted that some resolutions related to topics which were cross-cutting and may be covered by other Scrutiny Panels, which the Policy and Scrutiny Officer agreed to review.

Members had a discussion on their concerns regarding the timescales for quarterly reports following the Chief Finance Officer (S151) confirming that the Quarter 3 Monitoring Report would not be ready on time for the March 2025 meeting. Members noted the training received from the Centre for Governance and Scrutiny (CfGS) and the benefits that can be gained from scrutiny being able to see reports before they are provided to the Executive for agreement. The Chief Legal Officer (MO) commented that part of the difficulty was that pre-scrutiny was beneficial for Council policies and post-scrutiny was beneficial for decisions made by the Executive, while the quarterly reports fell into neither category as they were just for information. The Chief Finance Officer (S151) also highlighted the difficulties of providing financial information in a timely manner due to the process of extracting information from multiple systems and the current capacity of the finance team. The issues posed from still having jointly hosted services with Westmorland and Furness was also raised by the Portfolio Holder for Financial Planning and Assets. The Director of Resources noted the concerns raised by the Committee and highlighted that discussions would continue to try and improve the issue going forward through governance and diary arrangements with the potential to adapt reports with agreement from the Portfolio Holder to be presented to Scrutiny before the Executive in the future.

[Councillors Brian Wernham and Lucy Patrick left at 17:30 and 17:32 respectively]

A Member queried what the car park strategies were, and the Director of Resources explained that there was an ongoing piece of work to consolidate the four legacy policies into one for Cumberland which could be brought to the Committee when available. The Policy and Scrutiny Officer agreed to add it to the work programme.

RESOLVED that,

- a) The items on the most recent Forward Plan of Key Decisions be noted.
- b) The progress on resolutions from previous meetings be noted.
- c) Any changes to the work programme for 2024/25 be agreed and noted.
- d) The information presented within the report in relation to the development of the Committee's work programme and comment on the work programme, in particular on items for the next Committee meeting, be noted.
- e) The Policy and Scrutiny Advisor review the resolutions to ensure no topics were already covered by other Scrutiny Committees.

BROS.122/24 Review of Draft Land and Property Disposals Policy

The Assistant Director of Corporate Assets and Fleet provided the Committee with an overview of the report which highlighted the varying approaches inherited from the legacy councils and the aim to bring the policy into one for Cumberland Council that would allow for the adoption of a consistent approach with legal duties and best value considered. He also noted the aims for disposal, the role of the corporate management group and the ongoing review of sites.

A Member queried whether proposals to dispose of land and property would be made by the Executive or Full Council. The Assistant Director of Corporate Assets and Fleet noted that all delegations are set out within the report, but that for disposals up to £1million the Director of Resources had the delegated authority while any above that amount would need a decision from the Executive.

A Member commented on Community Asset Transfers and the opportunities for parishes, local organisations and communities within Cumberland. The Assistant Director of Corporate Assets and Fleet noted that there was a separate Community Asset Transfer Policy which was being worked on in conjunction with the Community Development Team, as they have more knowledge on communities and what they need. The Director of Resources also commented on previous experiences which had been negative that were being used to inform the policy to ensure that the appropriate due diligence is being considered for both sides.

A Member queried the definition of a 'hurdle rate' and whether assets would be improved to ensure that the maximum yield would be achieved before disposal was considered. The Assistant Director of Corporate Assets and Fleet explained that a 'hurdle rate' is the lowest rate of return. He then explained that due diligence would be taken to consider potential growth and the fluctuating market.

A Member queried if there was a cap on the number of assets that could be transferred and if this would help balance the budget. The Assistant Director of Corporate Assets and Fleet noted that, as far as he was aware, there was no cap but that transfers were governed by capital receipt targets. The Chief Finance Officer (S151) noted that capital receipts could not be used to balance budgets as they were for use as part of the capital programme and Cumberland would focus on what was affordable and sustainable.

RESOLVED that the Committee's review of the draft policy in its entirety be noted and recommendations provided to the Assistant Director.

BROS.123/24 Date and Time of Next Meeting

RESOLVED that the next scheduled meeting of the Business & Resources Overview & Scrutiny Committee will be held on 25 March at 4pm in the Bainbridge Room, Copeland Centre, Whitehaven.

BROS.124/24 Press and Public

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 3 of Part 1 of Schedule 12A to the 1972 Local Government Act.

BROS.125/24 Cumberland Asset Disposal Programme

The Cumberland Asset Disposal Programme was considered and discussed by the Business & Resources Scrutiny Committee.

The Chair moved that the meeting be moved back in to Part A to allow the Committee's comments on the Cumberland Asset Disposal Programme to be recorded within the updated report to the Executive. This was seconded by Councillor Moore.

The Committee requested that the following comments be included within the report to the Executive for consideration.

- Assets where income is generated be realistically maximised.
- That Cumberland Council's wider priorities, such as the shortage of housing, climate and nature and the right to food, be taken into account to ensure that the impacts made are long term and not short sighted.
- That officers have a wider organisational discussion regarding the properties being considered for disposal to understand what effects this would have on staff and ensure that all organisational impacts are considered.

RESOLVED: that the comments made by the Committee (listed above) are included within the report provided to the Executive for their consideration.

The meeting finished at 6.24 pm