



Executive

Date: Tuesday, 13 February 2024

Time: 10.30 am

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

Present: Cllr M Fryer (Chair), Cllr L Brown (Vice-Chair), Cllr E Williamson (Vice-Chair), Cllr E Lynch, Cllr B Cannon, Cllr MD Campbell-Savours, Cllr D Rollo and Cllr C Southward

In Attendance Director of Business Transformation and Change
Chief Legal Officer (Monitoring Officer)
Policy and Scrutiny Officer
Chief Finance Officer (Section 151 Officer)
Chief Executive
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 of Neighbourhoods
Assistant Director (Service Provision) – Adult Social Care and Housing

EX.73/23 Call In

The Leader reported that the Chair of the Business and Resources Overview and Scrutiny Committee had, on 6 February 2024, agreed that agenda item 8. Budget 2024-25 and Medium Term Financial Plan, should be exempt from call-in as call-in procedures would overlap the Cumberland Council meeting on 6 March 2024 when the matter was scheduled for consideration.

Date of Publication: 15 February 2024

Call-in Period Ends: 22 February 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.74/23 Apologies for absence

Apologies for absence were submitted on behalf of Councillor B Kelly, Councillor A Quilter, the Director of Place, Sustainable Growth & Transport and the Director of Children & Family Wellbeing.

EX.75/23 Declarations of Interest

There were no declarations of interest submitted.

EX.76/23 Exclusion of Press and Public

RESOLVED – It was agreed that items in Part A be dealt with in the public and the items in private to be dealt with in Part B when the public and the press are excluded.

EX.77/23 Minutes of Previous Meeting

RESOLVED – That the minutes of the meeting of the Executive held on 11 January 2024 be approved and signed by the Leader.

EX.78/23 Public Participation

There were no questions, petitions or deputations submitted by members of the public.

EX.79/23 Executive Announcements

There were no announcements from the Leader, Deputy Leaders and Members of the Executive.

EX.80/23 Motion referred from Council

(Non Key Decision)

Subject:

Consideration was given to the following Motion, submitted in accordance with Council Procedure Rule 12, which had been referred to the Executive by Council at its meeting on 16 January 2024:

Motion on Plastic Free Cumberland

Proposer: Cllr Brian Wernham

Seconder: Cllr Chris Wills

Council Notes:

The environmental impact of single-use plastics poses a significant threat to our community's well-being, wildlife, and ecosystems.

Plastics that end up in our oceans are having a catastrophic effect on marine life, sea birds and once degraded into micro plastics, contaminate the food chain including our own.

The existing good work which has been done by our predecessor authorities to reduce the amount of single use plastics in use.

Council recognises the importance of taking proactive measures to reduce plastic waste and promote sustainable practices.

Council ask the Executive: -

1. to undertake an audit of single-use plastics used by the Authority and seek to replace them with sustainable or reusable alternatives where practicable by the end of 2024;
2. to encourage staff and council members to adopt plastic-free practices in their daily activities;
3. to use its communications channels to raise public awareness about the dangers of single-use plastics;

4. collaborate with our public sector partners, local schools, business and community organisations to promote plastic-free practices;
5. recognise and celebrate businesses and individuals making significant efforts to reduce plastic usage;
6. to ask that the Climate and Nature Advisory Group be responsible for overseeing the implementation of the plastic-free initiative;
7. regularly assess and report on the progress of the plastic-free initiative to the Council and community.

The Executive debated the motion, noting that most of the asks were already being actioned across the authority. The Executive felt that the motion should be referred to the Climate and Nature Advisory Group who were preparing one policy for the Council and were best placed to action any of the matters not already being carried out and include any changes in the new policy.

The Adults and Community Health Portfolio Holder moved that the motion be referred to the Climate and Nature Advisory Group for consideration and inclusion in the work being carried out on the new Council Policy. The Lifelong Learning and Development Portfolio Holder seconded the motion.

Alternative Options: That no further action be undertaken

DECISION:

That the motion regarding Plastic Free Cumberland be referred to the Climate and Nature Advisory Group for consideration and inclusion in the work being carried out on the new Council Policy.

Reason for decision:

To respond to a Motion referred to the Executive by Council.

EX.81/23 Budget 2024-25 and Medium-Term Financial Plan

In accordance with Paragraph 14.1 of the Overview and Scrutiny Procedure Rules, the Chair of the Business and Resources Overview and Scrutiny Committee has agreed that call-in procedures should not be applied to this item.

(Key Decision)

Portfolio: Financial Planning and Assets

Relevant Scrutiny: Business and Resources Overview and Scrutiny

Subject:

The Financial Planning and Assets Portfolio Holder submitted the draft budget 2024 – 25 and medium term financial plan for Cumberland Council.

The Financial Planning and Assets Portfolio Holder reported that the budget was the first time that the Executive had the opportunity to fully shape the budget, having inherited the spending plans of the former local councils from 1 April 2023.

In the first months of operation, the Council had placed a focus on integrating the four councils and stabilising the organisation to ensure that its services continued to be delivered effectively for all of its communities. Along with local authorities across the country, the Council had been hit hard by inflation and rising demand for services resulting in the need for difficult decisions, including £37m of savings in 2024-25.

The Council had a well-developed Transformation Plan to maximise opportunities and discussions were taking place with the Department for Levelling Up Housing and Communities to continue the request for Exceptional Financial Support. In addition the Council would manage the increasing demands for services by addressing the need early through supporting people earlier, differently and by promoting independence.

The Financial Planning and Assets Portfolio Holder gave an overview of the consultation and the 536 responses received. Increasing the council tax was a difficult decision and the consultation showed that the majority of residents recognised how important it was to ensure the Council continued to deliver the essential services that many people relied on.

The Financial Planning and Assets Portfolio Holder reported that the net budget proposed, after service specific grants, fees and charges was £319m. To continue to provide the services that residents needed, the budget proposed a rise in its portion of council tax by 2.99%, with a further 2% rise for the Adult Social Care Levy. The Council also proposed a 100% council tax premium on second homes to double the bill from 1 April 2025 providing an estimated additional £4m per year to help fund services and tackle the affordable housing crisis.

The proposed Capital Programme outlined £257m in capital investment for the following two financial years. This would continue to be reviewed and further reports would be considered by the Executive.

The budget setting process had been incredibly challenging however, the Council was committed to putting health and wellbeing for its communities at the heart of everything it did.

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

The Executive thanked the Section 151 Officer and her team for their hard work and dedication in preparing the budget in difficult circumstances.

In seconding the recommendations the Leader reiterated that the Council had to make difficult decisions to address the financial situation and continue to provide services that were relied on by residents. He commented that the Transformation Plan was robust and achievable as long as Members and Officers had ownership of the Plan and their budgets.

The Deputy Leader (Statutory) stated that it was vital that Government recognised the power of local government and the impact it had on local communities. She drew attention to the Council's Council Tax Reduction Scheme which supported the most vulnerable in the community.

The Deputy Leader (Non Statutory) added that it was a once in a lifetime opportunity for the Council to engage with the public and shape its children and family services to provide early prevention, working with partners, to increase efficiency and maximise the use of resources.

The Lifelong Learning and Development Portfolio Holder acknowledged the increase in demand for children services adding that the Council was working on the issues through partnership working.

Alternative Options: The Council had a legal duty to set a balanced budget each year and the proposals fulfilled the requirement.

DECISION:

That the Executive approved the 2024-25 Budget for recommendation to Council for approval and adoption including: -

- The General Fund net revenue budget for 2024-25 of £319,014,005, as outlined in Appendices A to G
- Noted the position on Directorate budgets, and delegate any final amendments between Directorates to the Section 151.
- Approved the calculation of the Authority's Council Tax Base for the financial year 2024-25, including determining the appropriate council tax discounts, of 89,966.79.
- Approved the determination to introduce a second home Council Tax premium of up to 100% with effect from 1st April 2025, in accordance with the requirements of The Levelling up and Regeneration Act.
- Band D Council Tax in 2024-25 of £1,816.80 for Cumberland Council which represents an increase of 4.99% on Council Tax levied across the Cumberland area (2.99% increase in core council tax and 2% Adult Social Care precept)
- Delegated the approval of fees and charges to the S151, in consultation with the Finance and Assets Portfolio Holder, to ensure they are set in line with the approved fees and charges policy.
- The capital programme as set out in Appendix H
- Noted the consultation feedback on the budget as set out in Appendix I
- Noted the S25 statement of the Chief Finance Officer as set out in Section 12 and the risk-based assessment of the level of General Fund Balances

Reason for decision:

To produce the Executive's budget proposals for 2024/25 for recommendation to Cumberland Council.

EX.82/23 Permission to Procure Food Vouchers for Families in receipt of Free School Meals During School Holidays

(Key Decision)

Portfolio: Adults and Community Health

Relevant Scrutiny: People Overview and Scrutiny

Subject:

The Adults and Community Health Portfolio Holder submitted a report regarding the procurement and delegation to Award Framework or Contract for the purchase and distribution of Food Vouchers.

The report sought permission for a regulated procurement exercise for a provider of food vouchers for Families in receipt of Free School Meals for 3 years from 18 March 2024 to 17 March 2027, with an estimated maximum value of £12m, along with delegation to the Director of Public Health and Communities to appoint the provider.

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

Alternative Options: Not to procure the contract.

DECISION:

That the Executive agreed to:

- (1) Commence a regulated procurement exercise by running a mini-competition under the Crown Commercial Payment Solutions Framework (RM 6248) for a provider of food vouchers for Families in receipt of Free School Meals for 3 years with an estimated maximum value of £12m.
- (2) Delegate authority to the Director of Public Health and Communities to award the subsequent call off contract under the Framework to the successful provider.

Reason for decision:

To enable the Council to respond to changing need and demand and have a method to distribute funds to vulnerable children and families.

EX.83/23 Draft Public Space Protection Order (PSPO) for Cumberland

(Key Decision)

Portfolio: Sustainable, Resilient and Connected Places

Relevant Scrutiny: Place Overview and Scrutiny

Subject:

The Sustainable, Resilient and Connected Places Portfolio Holder submitted a report regarding the commencement of public consultation on a draft Public Space Protection Order (PSPO) for Cumberland.

The Sustainable, Resilient and Connected Places Portfolio Holder reported that PSPOs could be used to prohibit specified activities within a defined public area and were important tools in addressing anti-social behaviour.

The development of the draft PSPO had sought to be responsive to the needs of residents but it would be important to further test proposals with agreement now sought to undertake a public consultation on the draft order.

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

Alternative Options: Not to agree the PSPO for consultation.

DECISION:

That the Executive:

1. Reviewed the content of the report and draft PSPO included in Appendix 1 and agreed that public consultation on the draft PSPO can be undertaken; and
2. Agreed that finalisation of the consultation documents are delegated to the Director of Place, Sustainable Growth and Transport in consultation with the Monitoring Officer, Leader and 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.84/23 Early Years Funding Formula 2024-25

(Key Decision)

Portfolio: Lifelong Learning and Development, Children and Family Wellbeing

Relevant Scrutiny: People Overview and Scrutiny

Subject:

The Lifelong Learning and Development Portfolio Holder presented a report setting out the proposed arrangements for early years funding in 2024/25 and provided an update on the outcome of a recent consultation with early years providers.

The Lifelong Learning and Development Portfolio Holder reported that the government were extending the eligibility to free early years education provision so that all eligible working parents would be able to access 30 hours of free entitlement for 38 weeks of the year from the term after their child turns 9 months old.

The DfE had consulted local authorities on its proposals for funding local authorities for the new early years free entitlement and the local authority was obliged to consult Schools Forum and all early years providers in Cumberland on the funding formula to be used to allocate the new entitlement funding to providers in 2024/25.

All early years providers in Cumberland were consulted on the proposed distribution of the new early years free entitlements and at its meeting on 15 January 2024 Cumberland Schools Forum recommended that the Executive, as the statutory decision maker on the formula through which funding was allocated to early years providers, should accept the recommendations set out in the report.

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

Alternative Options: Propose an alternative methodology to fund Early Years providers for the new 2 Year Olds and Under 2s entitlement.

DECISION:

That the Executive allocated the new 2 Year Olds and Under 2s funding in 2024/25 to early years providers in Cumberland, after taking into account the budget for centrally provided services and the SEN Inclusion Fund, by using a base rate of funding of £7.12 per hour for 2 Year Olds and £9.77 per hour for Under 2s and a deprivation supplement of £0.21 per hour to be based on children living in IDACI Bands A to F which should also be adopted as the methodology used to allocate the deprivation supplement in the existing 3-4 year old funding formula.

Reason for decision:

The recommendation had been made by the Cumberland Schools Forum following a consultation with all affected schools and academies in Cumberland.

EX.85/23 Cumberland Care Review

(Key Decision)

Portfolio: Adults and Community Health

Relevant Scrutiny: People Overview and Scrutiny

Subject:

The Adults and Community Health Portfolio Holder submitted a report regarding the recommendations relating to the internal review of Cumberland Care services in-House Provision.

The report sought permission to implement elements of Phase 1 of a review into Cumberland Care. The first phase of the plan included recommendations relating to the future of Moot Lodge care home in Brampton.

Further phases of work had been identified as part of the wider review of Cumberland Care. Updates and further decisions in relation to those areas would be reported to Executive in line with the project plan and decision milestones.

The Adults and Community Health Portfolio Holder drew attention to the vision statement for Cumberland Care which stated: "We want every Cumberland resident to live better, healthier and more independent lives". The review of Cumberland Care services had included detailed consideration of the three Cumberland Care residential care homes in North Cumbria against the key priorities.

It was identified that Moot Lodge, although providing excellent care, could not be redeveloped to meet the priority areas for delivery. The building was old and could not be refurbished to a modern standard that would meet the vision statement. It was proposed that a public consultation exercise commence around the potential closure of Moot Lodge.

The Adults and Community Health Portfolio Holder had visited the facility and was impressed by the level of care provided but had seen the difficulties in the building. She encouraged

everyone in the Brampton area to respond to the consultation. The Adults and Community Health Portfolio Holder moved the recommendations.

In seconding the recommendations the Leader advised that he had also been impressed by the level of care provided at Moot Lodge and acknowledged that the building was no longer suitable.

Alternative Options: To continue delivering residential services at Moot Lodge without further investment; a full refurbishment of Moot Lodge.

DECISION:

That the Executive:

- (1) Noted and 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;
- (2) Approved the commencement of a public consultation on the potential closure of Moot Lodge residential care home in Brampton;

Reason for decision:

To ensure that care services delivered by Cumberland Care met the Council's strategic and financial objectives, including providing accessible and trusted services; listening, involving and engaging our communities and focusing services which support prevention and early intervention.

EX.86/23 Permission to Procure - and Delegation to Directly Award Contract via Joint Commissioning of Cumbria's Integrated Sexual Health Service

(Key Decision)

Portfolio: Adults and Community Health

Relevant Scrutiny: Health Overview and Scrutiny

Subject:

The Adults and Community Health Portfolio Holder submitted a report regarding permission to procure Cumberland's Integrated Sexual Health Service as a Cumbria-wide service for 4 years (plus two optional 12-month extensions). The recommendation was to jointly commission the service with Westmorland & Furness Council. Approval was required to allocate resources, to directly award the contracts to North Cumbria Integrated Care NHS Foundation Trust, to delegate subsequent award decision to Director of Public Health and Communities in consultation with the relevant portfolio holder, and to approve jointly commissioning with Westmorland & Furness Council with Westmorland & Furness Council acting as lead authority.

The Adults and Community Health Portfolio Holder moved the recommendation, and the Leader seconded it.

Alternative Options: Commission new arrangements jointly to commence on 1 October 2024 by tendering two separate lots reflecting the new local authority footprints; separately commission new arrangements to commence on 1 October 2024 as two independent services for each respective local authority, no joint arrangements.

DECISION:

That the Executive

1. Approved permission to procure Cumberland's Integrated Sexual Health Service for a term of 4 years plus two optional 12-month extensions. Authorisation was requested to allocate resources to fund the service for a maximum term of 6 years at an estimated value of £6.624m based on 2023/24 contract values. The contract would commence on 1st October 2024.
2. Approved Cumberland Council to jointly commission the service with Westmorland & Furness Council via a Direct Award to North Cumbria Integrated Care NHS Foundation Trust (NCIC) under NHS Provider Selection Regime (PSR) Regulations. Westmorland & Furness Council had agreed to act as lead authority for the purposes of commissioning the service. The service would be Cumbria-wide under a single service specification, but each Council would hold its own contract to ensure appropriate protections for each authority. If approved, a joint commissioning agreement would be prepared between Cumberland and Westmorland & Furness Councils.
3. Granted permission that subsequent approval to award the contract and, agree the terms of and enter into the joint commissioning agreement with Westmorland and Furness Council, was delegated to Cumberland's Director of Public Health and Communities in consultation with the relevant portfolio holder.

Reason for decision:

Public Health and Strategic Commissioning had reviewed a range of options related to the recommissioning of Cumbria's Integrated Sexual Health Service. To comply with PSR legislation, direct award to NCIC is recommended.

To provide stability in Cumbria and to provide optimal services to its population, it was recommended that Cumberland Council jointly commission the service with Westmorland & Furness Council

EX.87/23 Devolvement of Community Centre Grants to Community Panels

(Key Decision)

Portfolio: Governance and Thriving Communities

Relevant Scrutiny: Place Overview and Scrutiny

Subject:

The Adults and Community Health Portfolio Holder presented a report to devolve existing grant funding totals in relation to Community Centres to the Neighbourhood Investment Fund.

The report covered the devolvement of grant arrangements for 11 Community Centres in Carlisle Brampton and Longtown to their respective Community Panels. Historically the centres had received funding from the former Carlisle City Council and 9 of the 11 centres were in Cumberland Council ownership.

Cumberland Executive had the power to devolve funds to Community Panels which in this case would be Carlisle West, Petteril and Border, Fellside and North Carlisle Community Panels

The decision would better align grant provision to the Council Plan and values in relation to the following:

- the prosperity of our communities;
- accessible and trusted services;
- local economies that work for local people;
- local first; sustainability;
- collaborative working, and
- delivering excellent public services
- -

In addition there would be opportunities to more closely align community centre activity with the councils operating model and Community Network/Neighbourhood Investment Plan approaches.

The Adults and Community Health Portfolio Holder moved the recommendations and the Governance and Thriving Communities Portfolio Holder seconded them.

Alternative Options: The creation of elements ringfencing within the fund.

DECISION:

That the Executive agreed to devolve the existing Community Centre grant funding totals to the Neighbourhood Investment Funds under the management of the corresponding 3 Community Panels as follows:

Petteril	£80,400
Border, Fellside and North Carlisle	£59,700
Carlisle West	£45,100

Reason for decision:

The resolution puts the decision on onward funding of activity firmly in the hands of the local members through the Community Panels and offers the opportunity for Community Centres to be more integrated in Community Networks and Neighbourhood Investment Plan activity.

The meeting finished at 11.40 am