

CUMBERLAND SHADOW EXECUTIVE

Minutes of the Shadow Executive held in Council Chamber, Allerdale House, Workington, CA14 3YJ on Thursday, 27 October 2022 at 10.30 am

Members

Councillor Mark Fryer (Chair)

Councillor Lisa Brown (Vice-Chair) and
Councillor Emma Williamson (Vice-Chair)

Councillor Barbara Cannon

Councillor Martin Harris

Councillor Bob Kelly

Councillor Elaine Lynch

Councillor Anne Quilter

Councillor Denise Rollo

Councillor Christopher Southward

Also in attendance

A Gilbert, Strategic Advisor - Communications and Marketing

C Nicholson, Interim Section 151 Officer

Ms C Parkinson, Interim Monitoring Officer

G Roach, Democratic Services; and

M Waning, Programme Manager

44. Apologies for absence

There were no apologies for absence.

45. Declarations of Interest

There were no declarations of interest made at the meeting.

46. Exclusion of Press and Public

RESOLVED – That the press and public be not excluded during discussion of any items on the agenda.

47. Minutes of the Previous Meeting

RESOLVED – That the minutes of the meeting held on 5 October 2022 be agreed as a correct record.

48. Public Participation

There were no public questions, petitions or representations submitted.

49. Draft Budget 2023/24 and Medium Term Financial Forecast

Subject of the Decision

Members considered a report which provided an update on progress of the approach to producing a draft 2023/24 revenue budget and medium term

financial plan for the new Cumberland Council that will come into existence on 1st April 2023.

The report set out the latest estimated funding position, budget pressures, key financial risks and challenges influencing the development of the Cumberland Councils financial plans for 2023/24 and the ongoing financial impact of those plans.

Members were keen to stress a key point that the creation of a new unitary council provides the opportunity to transform and improve local services and that the council aims to take a fresh approach to the delivery of inclusive services that will improve the health and wellbeing of its residents.

The Portfolio Holder for Finance and Assets moved the recommendations in the report; this was seconded by the Leader of the Council. The recommendations were approved.

Alternative Options Considered

The report set out progress to date and the approach to produce the 2023/24 Budget and the Medium Term Financial Plan and the Strategy for balancing the budget gap.

The Decision

RESOLVED – That the Shadow Executive;

- 1) Noted the progress of the approach to producing a draft 2023/24 revenue budget and Medium Term Financial Plan;
- 2) Noted options available for the financial assumptions that will determine the 2023/24 budget position;
- 3) Noted the continued uncertainty and expected constraints around Local Government funding along with the areas of risks and opportunities that need to be explored;
- 4) Noted the rapidly changing economic and political environment and continued uncertainty in relation to the Governments fiscal plan.

Reason for the Decision

The Council is legally obliged to set a balanced budget in advance of each new financial year.

50. Hosted Service Decisions

Subject of the Decision

Members considered a report which provided a summary of the activity that was underway to review service areas, to be inherited from the seven sovereign councils, which had been identified in Service Baseline Blueprints (July 2022

Shadow Executive) with the potential to be hosted. It also presented recommendations on the future hosting of a number of the services.

External legal advice was being sought on the recommended overarching legal agreement, terms and governance and decision making model that would need to be agreed and established between both unitary authorities.

Further recommendations on hosting services and updates on the work to develop legal agreements would be made to the future Shadow Executive meetings.

With regards to the recommended hosted services, and in particular the Active Travel members requested it be recorded for clarity that the service would include the School Active Travel function which currently was a separate entity of Active Travel.

The Leader of the Council moved the recommendations in the report; this was seconded by the Portfolio Holder for Governance and Enabling. The recommendations were approved.

Alternative Options Considered

Options for service delivery were considered in formulating the Service Baseline Blueprints. However, the process was underpinned by legislation requiring the creation of two unitary councils by 1st April 2023.

The Decision

RESOLVED – That the Shadow Executive;

- 1) Noted the update on activity underway to review service areas with the potential to be hosted;
- 2) Agreed that in principle and subject to the negotiation of detailed individual service specific agreements that Cumberland Council would be the host Authority or accountable body for:
 - The Refugee Resettlement Team for a transitional period of up to 12 months; with the establishment of two fully separate teams for each Council as soon as possible.
 - Active Travel, which is part of Active Cumbria; with the option of disaggregating Active Travel in the future.
- 3) Agreed that in principle and subject to the negotiation of detailed individual Service specific agreements that Westmorland & Furness Council would be the host authority or accountable body for:
 - The Cumbria Local Enterprise Partnership
 - County Council Customer Services for a transitional period of up to six months
 - The County Council Digital and Customer Experience team which covers three main areas of service design, intelligent

automation and website team, for a transitional period until September 2024.

- 4) Noted the next steps in the review of services for hosting, and in the preparation for services where a hosting decision has been made.

Reason for the Decision

Since July 2022, a number of service areas have been reviewed by the Member Implementation Board (MIB). Following the review of each service the MIB has made informed decisions based on officer recommendations, on the need to host the service, the intended period of hosting and which unitary council will be the host authority.

51. LGR Programme Update Report

Subject of the Decision

Members considered a report which provided members with an update on the Programme in place to support Local Government Reorganisation (LGR) in Cumbria.

The report consisted of the latest Programme Dashboard presented to the Programme board (20 September 2022), and a summary of the Day One Board report presented to the Day One Programme Board (20 September 2022).

The Portfolio Holder for Digital and Customer Services moved the report for noting.

Alternative Options Considered

The contents of the report detailed reporting mechanisms relating to progress of the LGR Programme, whilst there is a choice about how this might take place, the approach described was considered the most effective, efficient and fitting to local circumstances.

The Decision

RESOLVED – That the Shadow Executive noted the report details and key points included in section 3 of the report.

Reason for the Decision

To keep the Shadow Executive informed of the progress of the Local Government Reorganisation Programme Board.

52. Section 24 - Consent to Purchase Electricity on Behalf of Third Party Organisations

Subject of the Decision

Members considered a report which sought approval from the Shadow Executive following their decision on 5 October 2022, to grant consent to Cumbria County Council to enter into a contract with Npower Commercial Gas Limited, trading as Npower Business solutions Powered by E.on for the supply of Electricity to the Council for a period of 4 years (with 2 x 2 year optional extensions available), with effect from 1 April 2023.

The Shadow Executive was now asked to consider granting consent to the County Council to purchase electricity through that contract on behalf of third-party organisations in the Councils area including schools, academies, charities and members of the Cumbrian Association of Local Councils.

The Leader of the Council moved the recommendations in the report; this was seconded by the Portfolio Holder for Governance and Enabling. The recommendations were approved.

Alternative Options Considered

Option 1: To agree to purchase electricity for third party organisations in the Council's area and under the call-off contract to be awarded by Cumbria County Council to Npower Commercial Gas Limited under the YPO Framework for the supply of electricity to the Council from 01 April 2023 and, provide consent for the County Council to issue and enter into Customer Agreements with third party organisations in the Council's area in order to contract with Npower on their behalf.

Option 2: Do not agree to purchase electricity for third party organisations in the Council's area and do not grant consent to Cumbria County Council to issue and enter into Customer Agreements with third party organisations.

Not agreeing to purchase electricity on behalf of third-party organisations would mean that schools, academies, charities parish councils and other small organisation in the Council's area would not be able to benefit from the better pricing that is achieved by aggregation and spend under the contract for the supply of electricity to the Council.

The Decision

RESOLVED – That the Shadow Executive;

- 1) Granted consent to Cumbria County Council to purchase electricity on behalf of third party organisations in the Council's area under the contract it will enter into with Npower Commercial Gas Limited, trading as Npower Business Solutions Powered by E.on, for the Supply of Electricity to the Council for the period of 4 years with effect from 01 April 2023 (with 2 x 2 year optional extensions available);

- 2) Granted consent to Cumbria County Council to issue and enter into Customer Agreements with third party organisations in the Council's area in order to contract with Npower Commercial Gas Limited, trading as Npower Business Solutions Powered by E.on, for the supply of electricity on their behalf.

Reason for the Decision

To ensure compliance with the Direction issued under section 24 of the Local Government and Public Health Act 2007, the consent of the Cumberland Shadow Authority is required.

The meeting closed at 11.11 am