



To: Chair and Members of the Council

Supplement

Dear Member

COUNCIL – 23 November 2023

Further to the agenda for Council please find attached Agenda Item No 8 – Minutes of the Cabinet held on 14 November 2023, which was marked to follow.

You should now have all the papers for the meeting.

A handwritten signature in black ink, appearing to read 'Linda Jones'.

Linda Jones
Chief Legal and Monitoring Officer
Westmorland and Furness Council

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WESTMORLAND AND FURNESS COUNCIL CABINET

Minutes of a Meeting of the **Cabinet** held on Tuesday, 14 November 2023 at 10.00 am at Penrith Town Hall, Penrith

PRESENT:

Cllr G Archibald
Cllr P Bell
Cllr J Brook (Chair)
Cllr J Derbyshire
Cllr N Hughes
Cllr A Jarvis
Cllr D Jones
Cllr S Sanderson
Cllr V Taylor
Cllr P Thornton

Officers in attendance:

Mr G Candlin	Assistant Director - Inclusive and Green Growth
Mrs J Currie	Democratic Services
Ms P Duke	Director of Resources (Section 151 Officer)
Mrs K Edmondson	Liberal Democratic Group
Ms A Hatcher	Assistant Chief Executive
Mr D Haughian	Assistant Director - Community Infrastructure
Ms L Jones	Chief Legal Officer (Monitoring Officer)
Ms S Plum	Chief Executive, Westmorland & Furness Council
Mr P Robinson	Director of Enabler Services
Ms S Turnbull	Senior Manager - Communications
Ms C Whalley	Director of Adult Social Care

PART I ITEMS CONSIDERED IN THE PRESENCE OF THE PUBLIC AND PRESS

74. APOLOGIES FOR ABSENCE

There were no apologies for absence.

75. DECLARATIONS OF INTEREST/DISPENSATIONS

There were no declarations of interest made on this occasion.

76. EXCLUSION OF PRESS AND PUBLIC

RESOLVED, that the press and public be excluded during consideration of the following:

Item 10 – Penrith Neighbourhood Development Plan (further consultation required prior to referendum) - Appendix H of this report is not for publication by virtue of Section 100B (2) of the Local Government Act 1972, Schedule 12 Paragraph 5 - information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.

Item 11 – The Operational Model for Ulverston Coronation Hall - Appendix 2 of this report is not for publication by virtue of Section 100B (2) of the Local Government Act 1972, Schedule 12 Paragraph 2 - information which is likely to reveal the identity of an individual; Paragraph 3 as it contains information relating to the financial or business affairs (including the authority holding that information), and Paragraph 5 - information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.

Item 12 – Barrow Town Deal Programme Update – Grant Funding Agreement for the Learning Quarter, Barrow in Furness and associated easement: - Appendix 3 to this report is not for publication by virtue of Section 100B (2) of the Local Government Act 1972, Schedule 12 Paragraph 3 as it contains Information relating to the financial or business affairs (including the authority holding that information), and Paragraph - information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.

77. MINUTES OF THE PREVIOUS MEETING

RESOLVED, that the minutes of the previous meeting held on 16 October 2023 be agreed as a true and accurate record.

78. PUBLIC PARTICIPATION

All participants attending today were speaking with reference to Agenda Item No 10 – Penrith Neighbourhood Development Plans.

A) Mr Jonathan Davies on behalf of Evolve Penrith would like to ask the following question:-

“As Penrith has 2 defined business areas with the two separate BiD zones, both within the defined Penrith Neighbourhood plan referendum and plan coverage area.

Schedule 7 of the Neighbourhood Planning (Referendums) (Amendment) Regulations 2013. These business areas require Business Referendums to take place separately in those defined business areas in parallel with the resident's referendum on the same day for the Penrith NHP.

Evolve Penrith have discussed this matter in depth with the former Eden Council who thanked us for bringing this to their attention as it was at the time not a factor, they had accounted for the officer informed us.

Given the Penrith NHP is now seven years in the making and has accrued costs that are now in the £90,000 to £100,000 region of public money by the time the referendum is held.

Can you please confirm if the separate BID zone referendums will take place as part of the Penrith Neighbourhood Plan referendum and is this accounted for in the council budgeting for the referendum or will a single resident referendum take place with the 50% +1 YES vote to approve adoption be the case.”

B) Councillor Doug Lawson the Mayor of Penrith would like to address Cabinet to say:

“Neighbourhood Plans offer numerous benefits to local communities, allowing them to have a say in how their community develops. Neighbourhood Plans have legal weight in planning law to help direct development once adopted.

Penrith Town Council commenced with the Neighbourhood Development Plan in 2017 forming a group including representative of a cross section of local organisations. The work commenced with a public consultation asking residents, business owners and visitors for their views. These views were then developed into policies and actions.

Three more public consultations took place before the draft plan was submitted to the then Eden District Council at the start of December 2019 to enable the Regulation 16 consultation to take place. Unfortunately for us Covid hit meaning that the consultation was effectively delayed for a year.

The Examination in public took place virtually in March 2021. Following the examination the Examiner issued his report recommending some minor word changes and the deletion of:

Policy 1 relating to Sustainable Development in Penrith,
Policy 8 - Identifying and Protecting Local Green Spaces and
Policy 9 – Protecting and Enhancing Sport, Leisure and Recreation Facilities

Penrith Town Council accepted that Policy 1 was no longer applicable as a change in planning regulations meant that the issues proposed in the policy were now covered.

In relation to the Green Spaces identified by the public as special, the Examiner concentrated on Beacon Hill which he clearly stated did not meet the criteria for

designation. He did not go through all the additional sites to state why he thought they did not meet the criteria ie

- In close proximity to the community they serve;
- Demonstrably special to the local community because of their recreational value; and
- Local in character and not an extensive tract of land.

There were no reasons given in his response (unlike other examination responses we have seen) indicating the reasons for deleting these policies.

Instead, the Examiner focussed on Beacon Hill which he clearly stated did not meet policy requesting that efforts be made to produce a specific policy relating to the area. Neither the landowner nor the Town Council could agree a policy that would be acceptable to residents so the Examiner produced a policy which was again rejected. This delayed the process again by a further 6 months with the final report by the Examiner being completed in March 2022.

Penrith Town Council challenged his report in respect of the deletion of Policies 8 and 9 setting out the reasons in a document sent to EDC in October 2022. Meetings were held with officers of EDC and it was agreed that PTC could provide additional evidence following an additional consultation on why the green spaces identified were demonstrably special. Consultation responses were sent to EDC showing the views of over 300 residents who responded.

In Appendix C of your report it states in point 10 that the deletion of Policies 1 and 12 and the removal of Beacon Hill as Local Green Spaces from Policy 8 were not generally of concern to PTC. It is actually the case that Policy 1 has been overtaken by amendments to the NPPF and Policy 12 on traffic management was something the Town Council could support by other means. The deletion of Beacon Hill as a local green space was a concern to the Town Council. It was obvious during our consultations that it is an area that local people treasure as a place to walk, see wildlife and for their health and wellbeing. We did however recognise that it probably did not meet the criteria for designation and this was confirmed by the Examiner specifically.

Without the delay of Covid and the request by the Examiner to produce a separate policy which it was felt overstepped his remit, it is anticipated that the NDP would have been produced within 3-4 years which is about average for a town of the size of Penrith.

We would ask that Cabinet support the Penrith Neighbourhood Development Plan and agree that any consultation, which would virtually mirror the consultation very recently undertaken, be kept to a minimum so that the plan goes to referendum without further delay as it support the wishes of the people of Penrith who we thank for their input.

The Leader responded to thank both participants for attending to speak to Cabinet about Agenda Item No 10 – Penrith Development Plan.

The Council will ensure that the referendum was held in accordance with the relevant legislation. The Council was taking legal advice on this matter currently and adequate budget provision would be made to cover our statutory responsibilities in regards to the referendum requirements.

79. QUESTIONS TO CABINET MEMBERS

There were no questions to the Leader of Cabinet at this meeting.

80. STATEMENTS FROM THE LEADER AND CABINET MEMBERS

The Leader thanked the staff in the Highways Team for their response to the recent Storm Debi and paid testament to the hard work and dedication of the staff to keep the highways open, where possible.

The Cabinet Member for Highways and Assets also paid tribute to the Highways staff, and asked members of the public to contact the Council if they were aware of any blocked drains in the area. The details can be entered either via the Westmorland and Furness website or via the Highways Hotline.

The Cabinet Member for Transport and Environmental Services made an announcement about the recent Government proposals to close ticket offices at railway stations. Due to an overwhelming response from the public objecting to this proposals it has now been withdrawn by the Government. He thanked members of the public in Westmorland and Furness for taking the time to respond to these proposals.

81. REFERRALS FROM COUNCIL OR OVERVIEW AND SCRUTINY COMMITTEES

There were no referrals made from Council or the Overview and Scrutiny Committees on this occasion.

82. LOCAL COUNCIL TAX REDUCTION SCHEME 2024/25 AND WAR PENSION DISREGARD

The Cabinet Member for Finance presented a report which informed members that the national Council Tax Benefit Scheme was abolished and replaced with a locally determined scheme known as the Local Council tax Reduction Scheme on the 1 April 2013.

This report sought Cabinet approval to recommend that Council continued the current Local Council Tax Reduction Scheme for 2023/24 including the annual uprating and other minor income and capital disregards as determined by the Department for Works and Pensions for Housing Benefit purposes, and approval to top-up the Discretionary Housing Fund.

Cabinet was also asked to approve for recommendation to Council to continue to apply the 100% voluntary disregard under the scheme of War Disablement Pensions, War Widows Pensions and War Widowers' Pensions under Section 134 (8) and 139 (6) of the Social Security Administration Act; in the determination of both Housing Benefit and Council Tax Support. The Council also included Armed Forces Compensation as a voluntary disregard. This was referred to as the Local Scheme.

On 1 April 2013, the national Council Tax Benefit Scheme was abolished and replaced with a locally determined scheme known as the Local Council Tax Reduction Scheme ("the Scheme"). The aim of the Scheme was to provide support to residents of Working Age who had a low income, to assist them in paying Council Tax.

At a time when residents were dealing with multiple financial pressures in the cost of living, a Scheme which potentially reduced entitlement could have severe adverse impacts. Linked to the cost of living pressures it was proposed that the Discretionary Housing Fund from the DWP was topped-up, to provide further support to those most in need.

The Discretionary Housing Fund was awarded annually from the DWP, and local authorities were permitted to top-up the fund to a maximum of 250% of the allocation. To illustrate, the award for 2023/24 the allocation was £292,634; the Council could add £438,951; therefore, the total pot becomes £731,585.

This Fund provided Discretionary Housing Payments to support housing costs for those experiencing financial hardship and contributed to the prevention of homelessness.

The Council had an existing policy that supported Care Leavers up to the age of 25 years by granting up to 100% discount on their Council Tax. This provided practical help and financial assistance to Care Leavers whilst they were developing independent lives and their life skills.

Cllr Derbyshire asked members to encourage any of their residents to apply for this. Many residents were not aware of the scheme and this was a positive way of helping those that needed it.

The recommendations were then moved and seconded and put to a vote, which was unanimous.

RESOLVED, that Cabinet is asked to recommend to Council :

- (1) the approval and adoption of the current Local Council Tax Reduction Scheme for the financial year commencing 1 April 2024 in accordance with Schedule 1A (5) of the Local Government Finance Act 1992, including the annual uprating and other minor income and capital disregards as determined by the Department for Works and Pensions for Housing Benefit purposes.
- (2) to agree the top-up of the Discretionary Housing Fund to the maximum permitted by the Department for Works and Pensions, for 2024/25 and future years.
- (3) to agree the 100% voluntary disregard under the scheme of War Disablement Pensions, War Widows Pensions and War Widowers' Pensions under Section 134 (8) and 139 (6) of the Social Security Administration Act, and Armed Forces Compensation, in the determination of both Housing Benefit and Council Tax Support for the financial year commencing 1 April 2024 and until the resolution is revoked or modified.
- (4) agree a delegation to the Director of Resources, in consultation with the Finance Portfolio Holder the authority to:
 - i. Make all necessary updates to the Local Council Tax Reduction Scheme to comply with any statutory requirements that may be issued by central government.
 - ii. Make all necessary amendments to the Local Council Tax Reduction Scheme to uprate the incomes, personal allowances, and premiums in accordance with the Housing Benefit annual uprating circulars.
 - iii. Publish the updated Local Council Tax Reduction Scheme in accordance with the Local Government Finance Act 2012 (as amended) .

83. PENRITH NEIGHBOURHOOD DEVELOPMENT PLAN (FURTHER CONSULTATION REQUIRED PRIOR TO REFERENDUM)

Cabinet considered a report which presented the draft Penrith Neighbourhood Development Plan (PNDP), which was a neighbourhood plan being prepared by Penrith Town Council (PTC). The PNDP covered Penrith Parish area which included the town and some surrounding countryside. It contained local planning policies and land allocations.

The plan had been examined by an Independent Examiner. This report sought approval to progress the plan through a further round of consultation, prior to being subject to a referendum and finally Made (adopted by Council).

This meant:

- (i) Approval of the majority of the Independent Examiner's recommendations as follows - The rewording of policy text in respect of policies 2: Environmentally Sustainable Design, 3: Energy Use and Reducing Carbon Emissions, 4: Accessibility and Social Inclusion, 5: Conservation Areas in Penrith, 6: High Quality New Homes, 7: Housing Types and Mix, and 13: Penrith Town Centre Improvements, as recommended by the Examiner.
 - The deletion of policies 1: Sustainable Development in Penrith and 12: Traffic Management, as recommended by the Examiner.
 - The retention in full of Policies 10: Protecting and Enhancing Health and Community Facilities, 11: Walking and cycling and 14: Shopfront Design as originally proposed by Penrith Town Council (PTC), as recommended by the Examiner.
- (ii) In the light of legal advice and further evidence submitted by Penrith Town Council, not accepting some of the Examiner's recommendations as follows:
 - The retention of policies 8: Identifying and Protecting Local Green Space and 9: Protecting and Enhancing Sport, Leisure and Recreational Facilities, contrary to the Examiner's recommendation that both policies be deleted. The exception to this is to agree the deletion of The Beacon within Policy 8 as a Local Green Space, as it fails to meet the test of it '*not constituting an extensive tract of land,*' as recommended by the Examiner.
- (iii) Approval, following consultation, to submit the amended plan to referendum, despite differing from the Examiners recommendations in respect of policies 8 and 9.

The Cabinet Member for Sustainable Communities and Localities took members through the report, and drew attention to the next steps in the process.

The Neighbourhood Planning (General) Regulations 2012 (as amended) stated that a local planning authority must publish what action would be taken in response to the recommendations of the Examiner. This was known as a 'Decision Statement'. This outlined how the Neighbourhood Plan was proposed to be modified in response to the Examiner's report and the reasoning for such changes. The Decision Statement confirmed that the modifications proposed by the Examiner (with the exception of his recommendation in respect of Policies 8 and 9) had been clearly justified and accepted by officers.

The Decision Statement also confirmed that the Penrith Neighbourhood Plan, as revised, met the basic conditions and that the Plan could now proceed to a further round of public consultation (in accordance with Schedule 4B paragraph 13 of the

Town and Country Planning Act 1990), which was necessary due to the retention of Policies 8 and 9 (with the exception of site PN14: Beacon Hill) and then potentially to referendum. Should Members have an alternative view they would need good planning reasons to progress on an alternative basis.

Subject to a positive vote at referendum (more than 50% of the votes cast are in favour of the Plan), the Plan would be 'made' (adopted by Council). It was not for the council to decide for or against adoption based on the merits of the Neighbourhood Plan.

Cllr Derbyshire thanked officers for their determination to keep developing this plan. There had been so many changes made and she welcomed this finally being determined.

Cllr Thornton commented that the former district of Eden had always been at the forefront of developing Neighbourhood Development Plans and he was delighted to see this before Cabinet for final approval before going out to public consultation.

The Cabinet Member then moved the recommendations, which were seconded and put to a vote, which was unanimous.

RESOLVED, that Cabinet agree

- (1) the proposed amendments to the plan identified in Appendix C – Decision Statement and Schedule of Modifications be supported and approve the amended Penrith Neighbourhood Development Plan for consultation for a period of not less than 6 weeks;
- (2) to authorise the Director of Thriving Places in consultation with the Portfolio Holder, to make any minor changes and corrections to the plan that may be necessary, following the consultation;
- (3) in the event of no substantive further changes being needed following the consultation, Authorise the Director of Thriving Places in consultation with the Portfolio Holder, to approve the plan as amended, which would then be subject to public referendum;

84. THE OPERATIONAL MODEL FOR ULVERSTON CORONATION HALL

Cabinet considered a report from the Director of Thriving Communities and presented by the Cabinet Member – Sustainable Communities and Localities which informed them that Ulverston Coronation Hall (UCH) Charitable Incorporated Organisation (CIO) had notified the Council of its intention to end the current tenancy on 31 December 2023. Therefore, the operation of the Coronation Hall building would revert back to the Council from the 1 January 2024.

This report asked Cabinet to consider the future operation of the Coronation Hall and sought agreement that the Council would continue to operate the Coronation Hall as a cultural and community venue until at least March 2025, whilst officers

prepared a detailed operational model and business plan for the venue. The proposed operational model and business plan would be produced for consideration by Cabinet no later than September 2024.

It was proposed that following the temporary closure of Ulverston Library, the pop-up library service continued in the Coronation Hall, whilst options for delivering a permanent library service in Ulverston were developed and consulted upon, in line with DCMS guidance.

This would be subject to a separate decision in due course. It is proposed that an annual revenue budget of £435k (pro-rata) was allocated to fund the operation of the Coronation Hall until March 2025.

The Coronation Hall in Ulverston was a Council asset. The contractual term of the lease to Ulverston Coronation Hall CIO for the management of Coronation Hall Ulverston came to an end on 31 July 2021. Ulverston Coronation Hall CIO had been occupying the premises on the terms of the previous lease.

In September 2023, Ulverston library was closed as a result of extensive electrical issues that became evident following a routine electrical inspection. A temporary pop-up library service was currently available within the Ante Room at the Coronation Hall. Subject to further legal advice being obtained by the Council, a temporary extended library offer was expected at Ulverston market hall in early November 2023. The cost to complete the re-wire, heating system upgrade, interior layout changes and any other works required would be significant.

The library provided a home to community group meetings and community-based services, with more than 2,800 members and an average 4,000 footfall each month.

Cllr Sanderson welcomed this proposal, as the building was important to the Ulverston and the surrounding areas. The closure of the library was also a loss to the area and she looked forward to seeing future proposals on the long term use of the building.

The Cabinet Member then moved the recommendations and these were seconded and put to a unanimous vote.

RESOLVED, that Cabinet

- (1) note that the lease to UCH CIO of the Coronation Hall Ulverston will come to an end on 31 December 2023;
- (2) agree that from 01 January 2024 the Council will operate the Coronation Hall Ulverston as a cultural and community venue until March 2025, to include continuation of the temporary pop-up library offer in the Hall;
- (3) agree the temporary pop-up Library offer will be provided from the Coronation Hall and (subject to further legal advice) Ulverston Market

Hall, whilst options for reinstating the permanent library offer in Ulverston are developed and consulted upon.

- (4) agree to allocate £435k of revenue budget (pro rata) per annum until March 2025 in relation to the continuation of services specified in 2.2 that will be assumed by the Council from 1 January 2024.
- (5) delegate to the Assistant Director Community Infrastructure in consultation with Chief Legal and Monitoring Officer and Assistant Director Human Resources and the Assistant Director of Finance all matters relating to the operation of the services in recommendation 2.2, including but not limited to staffing and management of contracts, licences and any other agreements necessary for the operation of the Coronation Hall.
- (6) note that a further report will be brought back to Cabinet by no later than September 2024 with an options appraisal and business case setting out the proposed long-term options for the operation and management of the Coronation Hall.

85. BARROW TOWN DEAL PROGRAMME UPDATE - GRANT FUNDING AGREEMENT FOR THE LEARNING QUARTER , BARROW IN FURNESS AND ASSOCIATED EASEMENT

The Leader of the Council presented a report which informed members that Westmorland and Furness Council became the Accountable Body for the Barrow Town Deal on 1 April 2023 following Local Government Reorganisation, with this role previously held by Barrow Borough Council.

As a project within the Barrow Town Deal programme, the Barrow Learning Quarter (Barrow Island Campus) had reached a key point in its delivery. This report sought Cabinet approval for the Council (as the Accountable Body) to enter into a Grant Funding Agreement with the University of Cumbria to manage the £11.167m grant support to the Barrow Learning Quarter (Barrow Island Campus) in compliance with government requirements.

The report sought a delegation to the Director of Resources (Section 151 Officer) to grant an easement for Council owned land to BAE systems as it formed part of the access to the site. The proposal was that this easement was granted at nil value, which required Cabinet to also delegate the approval to grant the easement at an undervalue position.

In September 2019 Government announced that Barrow-in-Furness was one of 100 places nationally invited to develop proposals for a Town Deal. The Brilliant Barrow Town Deal Board was formed in January 2020 in line with government guidance, to oversee the development of a Town Investment Plan for Barrow.

The Brilliant Barrow Town Investment Plan was submitted to government in July 2020 and resulted in the signing of Heads of Terms with government in November 2020 for an investment of £25m.

Confirmation of approval of the £25m Town Deal investment was received in February 2022 and payments for project were received by the Council against an agreed financial profile.

Contracting with external parties via a Grant Funding Agreement for individual projects by the Accountable Body was the key mechanism used to ensure funding allocations could be passed to project delivery bodies in line with the responsibilities set out in the LAF and government requirements.

This included the establishment of monitoring and evaluation plans for all projects, reporting requirements, compliance with statutory terms and conditions (e.g. procurement), and any specific project conditions that were identified as a result of the assurance process. For the Learning Quarter project the proposed Grant Funding Agreement was between the University of Cumbria and the Council.

The current programme financial profile and contracting status was summarised in the table below:

Project Name	Project Delivery body	Original approval	Current approval	Contracting status
Barrow Learning Quarter – Barrow Island Campus	University of Cumbria	£10,366,337 for this and project below	£11,166,667	IFA in place - GFA required
Barrow Learning Quarter – Rating Lane Campus	Furness College		£1,400,000	GFA in place
Community Wellbeing Hubs and Earnse Bay Outdoor Centre	Westmorland and Furness Council	£4,266,667	£4,266,667	IFA in place – MoU required
Business and Enterprise Support	Cumbria Local Enterprise Partnership	£500,000	£500,000	GFA in place
Housing Renewal	Westmorland and Furness Council	£3,616,667	£3,616,667	MoU in place
Place Development	Westmorland and Furness Council	£816,667	£816,667	MoU in place
Marina Village	Westmorland and Furness Council	£966,667	£966,667	MoU in place
Local Cycling and Walking	Westmorland and Furness Council	£3,966,667	£1,766,667	IFA in place – MoU

Programme Management	Westmorland and Furness Council	£499,998	£499,998	required N/A
TOTAL		£25,000,000	£25,000,000	

In addition, the Programme Team had recently undertaken a Health Check of all projects, internal and external, to more fully understand the granularity of performance and offer assistance to unlocking any barriers to success. This process would be reported to the Brilliant Barrow Board in November.

It was crucial that Westmorland and Furness as Accountable Body could respond to projects quickly and flexibly, in line with the updated Government guidance, to support the delivery of the projects within the Town Deal.

The Barrow Town Deal was now at a stage of contracting with the University of Cumbria to deliver what is the largest project within the Town Deal programme, including £11.167m of Town Deal funding.

The project sought to create more than 1,400 places for students by 2031 via the creation of a University of Cumbria campus on Barrow Island, on land provided by BAE Systems at the location on the plan shown at Appendix 2. Courses to be provided from this new campus include digital and cyber security, project management and logistics/supply chain management.

The development of the UoC building was dependent upon obtaining the requisite rights to access the site and all ancillary rights relating to services, drainage, etc. BAE Marine Systems Ltd had or were in the process of securing all beneficial rights and the council's land formed a key part of the assembly of the site.

It was proposed that the council grant a Deed of Easement to BAE Marine Systems Ltd, to allow the transfer of the requisite rights to the UoC. The transfer would represent an in kind contribution to the scheme and the appropriate delegations had been included within this report to allow the Director of Resources to agree the final terms of transfer at nil value.

This was subject to receipt of the valuation confirming the value of the easement was below £0.500m. The Council could consider disposal of land at an undervalue where it was likely to contribute to the achievement of promotion or improvement of economic well-being, social well-being or environmental well-being and met all the legal considerations.

10.50 AM - PART II – ITEMS NOT CONSIDERED IN THE PRESENCE OF THE PRESS AND PUBLIC

The meeting then moved into Part II in order to allow the Chief Legal and Monitoring Officer to address the Cabinet.

The Chief Legal and Monitoring Officer provided an update on the legal negotiations to the Cabinet prior to the decision being taken on the report. An opportunity was

provide for the Cabinet to ask any questions on the update provided and/ or on the legal advice.

10.55AM – PART I - ITEMS CONSIDERED IN THE PRESENCE OF THE PRESS AND PUBLIC

The Leader then moved the meeting back into Part I and consideration of the item was resumed in public.

Cllr Archibald welcomed this project and was delighted to see that this would be done in a way which would be beneficial to nature and the environment.

The Leader then moved the recommendations which were seconded and put to a unanimous vote.

RESOLVED, that Cabinet is recommended to:

- (1) note the current position of the Barrow Town Deal Programme and the progress made since the decisions of Barrow Borough Council in June and November 2021;
- (2) approve the updated Barrow Town Deal Local Assurance Framework ('LAF') at Appendix 1 and the delegations contained within it, which set out the governance arrangements for the Town Deal funding, including a change control process for projects within the Town Deal;
- (3) having considered Appendix 3, delegate authority to the Director of Thriving Places in consultation with the Director of Resources and Chief Legal and Monitoring Officer and the relevant Portfolio Holder(s) to finalise and enter into the grant funding agreement with the University of Cumbria in relation to the Learning Quarter Project;
- (4) delegate authority to the Director of Resources to finalise and enter into an easement across the Council owned land shown edged red in appendix 2 to BAE Systems. In addition to delegate authority to agree an undervalue position of nil value subject to the valuation of the easement being no greater than £500,000 and enter into any necessary legal agreement to formalise the same in order to facilitate the delivery of the Learning Quarter project.

86. URGENT ITEMS

There were no urgent items of business.

The meeting ended at 10.55 am