

WESTMORLAND AND FURNESS COUNCIL CABINET

Minutes of a Meeting of the **Cabinet** held on Tuesday, 12 September 2023 at 10.00 am at Council Chamber, County Hall, Kendal LA9 4RQ

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:

Ms S Cordon, Director of Thriving Communities
Ms P Duke, Director of Resources (Section 151 Officer)
Mrs K Edmondson, Democratic Services Manager (Eden District Council)
Mr P Greenup, Assistant Director - Sustainable Transport and Highways
Mr A Harty, Assistant Director of Corporate Assets, Fleet and Capital Programme
Ms A Hatcher, Assistant Chief Executive
Ms A Jones, Director of Thriving Places
Ms L Jones, Chief Legal Officer (Monitoring Officer)
Mr R Machin, Communications Lead
Mr A Moffatt - Legal, Governance and Democracy Specialist (Democratic Services)
Ms S Plum, Chief Executive
Mr P Robinson, Director of Enabler Services
Mr M Vasic, Director of Children's Services

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

39. APOLOGIES FOR ABSENCE

There were no apologies for absence.

40. DECLARATIONS OF INTEREST/DISPENSATIONS

Whilst no Cabinet Member declared a pecuniary interest in the items on the agenda, the following other registerable interests were raised for clarity and transparency:-

- Councillor A Jarvis (Cabinet Member for Finance) raised an other registerable interest for regarding Minute No. 54 (2025 – 2026 School Admissions Arrangements), as he was a Governor of St Martin and St Mary Church of England Primary School in Windermere. He confirmed that he was open minded and would remain in the meeting for discussion and voting on the item.

- Councillor N Hughes (Cabinet Member for Transport) raised an other registerable interest regarding Minute No. 56 (A595 Grizebeck Improvement Scheme - Implementation of Compulsory Purchase Order (CPO) and Side Roads Order), as he was a member of the Lake District National Park Authority. He confirmed that he was not on the Development Control Committee and would remain in the meeting for discussion and voting on the item.

41. EXCLUSION OF PRESS AND PUBLIC

RESOLVED, that the press and public be not excluded during consideration of any items on the agenda today.

42. MINUTES OF THE PREVIOUS MEETING

RESOLVED, that the minutes of the previous meeting held on the 11 July 2023 be agreed as a true and accurate record.

43. PUBLIC PARTICIPATION

There were no public questions or representations made on this occasion.

44. STATEMENTS FROM THE LEADER AND CABINET MEMBERS

The Leader made reference to the 'Leading the way to Net Zero' event held by Zero Carbon Cumbria, he noted that the event had been a good opportunity for businesses and others that attended to consider the significant challenges faced in the climate emergency and with biodiversity loss. The event was well attended with input from across the County and the leadership role played by both Westmorland and Furness as well as Cumberland Council's.

Cabinet Members were reminded of the full agenda for the Cabinet meeting and it was recognised that progress was being made in the life of the new council in the adoption of policies and of all the actions being taken. The Leader thanked officers for the hard work done in preparing the items on the agenda.

45. QUESTIONS TO CABINET MEMBERS

There were no questions to Cabinet Members on this occasion.

46. REFERRALS FROM COUNCIL OR OVERVIEW AND SCRUTINY COMMITTEES

There were no referrals from Council or Overview and Scrutiny Committees for this meeting.

47. WESTMORLAND AND FURNESS COUNCIL PLAN DELIVERY FRAMEWORK

The Leader presented a report which sought Cabinet approval to recommend the Westmorland and Furness Council Plan Delivery Framework to Council.

The Westmorland and Furness Council Plan Delivery Framework builds on the Council Plan that was approved by Shadow Authority Councillors in December 2022. The Framework was intended to set the strategic direction for the organisation and help explain how the Council would facilitate improved outcomes for residents, communities and businesses, identifying specific activities and deliverables for year one (2023/24), and setting out how the Council would use its convening powers through collaborative partnership working to facilitate the delivery of these outcomes.

To support the delivery of the Plan, the Council had now developed a more detailed Delivery Framework that has built on the content of the Council Plan. It set out the strategic direction for the organisation and helped to explain how the Council would facilitate improved outcomes for residents, communities, and businesses, to make Westmorland and Furness a great place to live, work and thrive.

The Delivery Framework identified 10 strategic themes:-

- Communities
- Homes
- Learning
- Care
- Health & Wellbeing
- Connections
- Environment
- Culture
- Growth and
- Service

Each of the strategic themes had a mission statement and a set of success measures, which outlined the outcomes that the Council was seeking to achieve. There was also a set of year one key deliverables for each of the themes, which would be delivered in 2023/24. The Framework would be used to inform the development of a new Performance Management Framework for the Council.

The Delivery Framework had not been the subject of formal consultation, however, it had been shared with a range of internal and external stakeholders for informal feedback.

A launch event was planned for the 29 September 2023, with key partners and stakeholders, and this would start the process for engagement with partners and communities in the development of planned activity for each of the ten themes.

The Leader then moved the recommendations.

The recommendations were seconded by the Deputy Leader who thanked officers for the hard work which had been done to help the Council make a significant step towards the delivery of the Westmorland and Furness Council Plan, its vision, values and strategic objectives.

The recommendations were then put to a unanimous vote.

RESOLVED, that Cabinet approve the Westmorland and Furness Delivery Framework attached at Appendix A of the report, and recommend it to Council.

48. REGULATION OF INVESTIGATORY POWERS ACT (RIPA) 2000

Cabinet considered a report from the Chief Legal and Monitoring Officer, which set out the background to the Regulation of Investigatory Powers Act 2000 and requested that Cabinet approve a Westmorland and Furness Regulation of Investigatory Powers Act (RIPA) Policy.

The report updated Cabinet members that a RIPA inspection would take place on the 11 of October 2023 and provided an update on surveillance activity since April 2023.

Members noted that no applications had been applied for.

The Leader then moved the recommendations.

The recommendations were then seconded by the Cabinet Member for Transport. He commented that he was pleased with the policy, which protected the personal privacy and human rights of residents, as well as providing powers to enforce in situations where necessary.

The recommendations were then put to a unanimous vote.

RESOLVED, that Cabinet

- (1) approves the Regulation of Investigatory Powers Act 2000 policy attached at Appendix 1;
- (2) delegates authority to the Chief Legal Officer and Monitoring Officer in consultation with the Leader and Deputy Leader to make amendments to the policy where required as a result of changes in legislation or as a result of the inspection;
- (3) agrees that training on the Regulation of Investigatory Powers Act 2000 should be added to the Council wide officer training programme.

49. LOCALITY BOARDS' COMMUNITY GRANTS SCHEME

The Cabinet Member for Sustainable Communities and Localities presented a report which requested approval of the Community Grant criteria and scheme for the Locality Boards as a requirement in the Constitution.

The report also updated members on the approach being taken to develop a consistent, robust and transparent corporate grant funding policy, and confirmed that Commissioning, Procurement and Social Value development were integral and complementary to this proposed policy.

Finally, the report highlighted the consultation undertaken to date and the intention to consult more widely to ensure the policy was fit for purpose and would help support a sustainable Westmorland and Furness Voluntary, Community, Faith and Social Enterprise (VCFSE) sector.

There were many advantages for the Council in distributing grants, which included the ability to support the Voluntary, Community, Faith and Social Enterprise (VCFSE) sector and other non-profit organisations to deliver localised support, tailored to the needs of a community.

It also provided a mechanism through which the Council could support particular activity or invest in a community, which in turn build community confidence and resilience, adding value in a way which was supportive and developmental. Ultimately, it could lead to voluntary community groups progressing to make the leap to become a social enterprise, providing employment and generating surpluses to be directed back into the community.

The Terms of Reference for the Locality Boards (part 2, section 5, paragraph 14.12.1(a)) stated that Locality Boards would allocate grants within the terms of a Community Grants Scheme to be developed by Cabinet. As an interim measure to enable community activity to be supported, the three Locality Boards met in May and approved the following:

- To establish interim Community Grants Funds to be administered as an interim measure in accordance with a set of agreed interim criteria (Guide to the Application Process and Terms and Conditions of Funding).
- Delegation to the Senior Manager (Safe & Strong Communities), in consultation with Members, to grant award decisions in respect of the Community Grants Scheme up to a value of £5K.

It was proposed that the criteria in Appendix 1 be adopted as the substantive criteria for the Community Grants Scheme.

To support a joined up approach to grant distribution and full awareness, the Town and Parish Councils would be updated on a regular basis on the voluntary and community groups in their area who had been supported with a Community Grant.

The Locality Boards would also be required to consider community bus grants as part of the Priority Investment Fund, Local Sustainable Travel and Transport Fund. While the criteria for this was a separate consideration, the Community Grants process and associated good governance requirements, provided the foundation for the robust allocation of all grants distributed by the Locality Boards.

Westmorland and Furness Council would develop targeted programmes that distributed grants to support and invest in local activity, consistent with council priorities, including culture, arts, heritage and sport to name just a few. This activity required a clear and transparent policy and set of procedures to ensure maximum effectiveness and value for money.

Officers were currently in the process of developing a Grant Policy that will set out:

- How the council will allocate grants in a consistent, transparent and fair manner.
- The legal, financial and governance requirements it will adhere to when designing and distributing grants programmes.

The aim of the Grants Policy is to provide strategic, coordinated and targeted grant programmes that deliver on council priorities, support local communities and a sustainable VCFSE sector in Westmorland and Furness.

A review of all historic grant allocations of the legacy councils (Barrow, Eden, South Lakeland and Cumbria) was presently being undertaken, and this review would provide a comprehensive picture of grant giving and help us to answer a set of fundamental questions. The results of this work would feed into the Council's Strategic Planning and budget setting processes in the Autumn.

The Cabinet Member for Sustainable Communities and Localities moved the recommendations.

The recommendations were seconded by the Leader. He noted that the Locality Boards illustrated the direction of travel for the Council and provided a demonstration of the commitment to supporting the communities within Westmorland and Furness.

The Cabinet Member for Finance expressed concern over groups including foodbanks or youth groups that may require a degree of support regarding operating costs and revenue costs that were ongoing.

The Leader highlighted that there was a range of other grants available from the Council, which were aimed at supporting third sector organisations in providing valuable services.

The Cabinet Member for Housing and Homelessness added that grants and service level agreements for organisations like foodbanks, were seen as long term funding rather than short term grant funding.

The recommendations were then put to a unanimous vote.

RESOLVED, that Cabinet approves the terms of the Community Grant Scheme as set out in Appendix 1 of the report to be administered by the Locality Boards.

50. WESTMORLAND AND FURNESS DISPOSAL POLICY

The Cabinet Member for Highways and Assets presented a report which informed them that council services were producing policies for the work of the newly integrated teams. As part of this process the 'Property Disposal Policy' had been written to set out the principles and recommended approach for the disposal of council property assets.

This policy set out steps to be followed to achieve best practice, ensure the maximum benefit of the asset was realised in the context of Council Plan Priorities and to complement Strategic Asset Management Strategy commitments to deliver a modern, effective and fit-for-purpose property portfolio and healthy working environment.

This policy complemented the Council Plan, Delivery Plan & Performance Management Framework, Constitution and Scheme of Delegation.

The council's corporate property portfolio consisted of circa 550 buildings of differing age, function and efficiency and 1,200 non-housing assets, including land parcels.

The council's emerging Strategic Asset Management Strategy would support Council Plan and Delivery Plan & Performance Management Framework commitments to deliver a modern, effective and fit-for-purpose property portfolio and a healthy working environment. This would drive the focus of the Corporate Assets Team to make best use of council assets to enable efficient delivery of services.

This could mean improving buildings, changing their use, selling or leasing to partner organisations and community groups to achieve Council Plan objectives, or disposal on the open market and reinvestment of capital receipts in our frontline services.

The approval of the policy would mean that the Constitution would require amendment as outlined in Appendix 2. A list of surplus assets would be presented to Cabinet for approval and that the list of surplus assets would also be presented to Council for approval of inclusion in the Capital Programme.

The Cabinet Member for Highways and Assets moved the recommendations.

The Cabinet Member for Finance seconded the recommendations and thanked officers for their hard work and the consultation with Portfolio Holders. He added that the importance of the policy was clear and that it was crucial that officers and members were aware of the approach towards reviewing disposals as well as having transparency for members of the public.

Cabinet Members shared this sentiment, reiterating the importance of transparency and dialogue with communities and Town and Parish councils.

The recommendations were then put to a vote which was unanimous.

RESOLVED, that Cabinet

- (1) adopts the 'Property Disposal Policy' attached at Appendix 1; and
- (2) recommends to Council the required amendments to the Constitution attached at Appendix 2 of the report.

51. WESTMORLAND AND FURNESS COMMUNITY ASSET TRANSFER POLICY

Members had before them a report which informed them that Cabinet was being asked to adopt a 'Community Asset Transfer (CAT) Policy' which had been developed to set out the principles and recommended approach for the leasehold transfer of council property assets to community groups (excluding service devolution and disposals of the school estate, housing portfolio and highways infrastructure).

This policy set out the process for screening relevant assets for suitability for Community Asset Transfer. Where there was potential for transfer the policy ensured appropriate, timely and transparent judgements in each case.

The council's emerging Strategic Asset Management Strategy would drive the focus of the Corporate Assets Team to deliver a modern, effective and fit-for-purpose property portfolio and a healthy working environment to enable efficient delivery of services. This approach involved selling or leasing surplus land and buildings either on the open market, with reinvestment of capital receipts in our frontline services, or through transfers to partner organisations and community groups to achieve Council Plan priorities and wider community wellbeing objectives in compliance with the terms of the Constitution and Legislation.

CAT was one of the ways in which corporate priorities could be achieved. The assets that the council owned in local communities may play an important part in enabling appropriately constituted groups to come together to offer communities a range of activities and services that benefitted the social and economic wellbeing of an area. CAT's can provide an opportunity to enable communities to help themselves.

An asset was unlikely to be considered suitable for CAT where any of the following circumstances were present:

- The asset remains operational, or the service need for the asset remains under review,
- There is a significant maintenance backlog,

- There is a legal requirement to offer the surplus asset to another entity
- Where sale at an 'undervalue' is not possible (e.g. where an asset is held on 'trust' and sale proceeds must be ring-fenced in accordance with the charitable objectives of the trust),
- There is potential for a significant capital receipt which outweighs the community benefit from CAT,
- The level of capital investment is disproportionate to the outcome sought,
- The proposal would result in significant ongoing holding costs,
- The asset is incapable of achieving suitability and sufficiency of accommodation for proposed end use,
- There would be a detrimental viability impact on the community group from transfer and any subsequent use,
- CAT is likely to result in an ongoing future subsidy requirement from council.
- Assets which have to be retained for legal, contractual or other reasons.

Where CAT was not ruled out by the above screening factors the council would consider a CAT where:

- The asset is owned by the council and declared surplus to operational needs,
- The community group requesting transfer is appropriately constituted, fit and proper with a stable evidenced financial position and track record (e.g. town and parish council, registered charity, community interest company, charitable incorporated organisation, not-for-profit company),
- The submitted business case meets the Council's Priorities demonstrates community benefits, development plans, financial viability, improved community wellbeing and community support – including from elected members.

Each application for CAT would be assessed on its own merits in the context of the framework set out in the CAT policy. Technical business case assessment by officers would be subject to final review by the Community Asset Transfer Review Group. If transfer was recommended the CAT would then be subject to a Cabinet decision.

The Cabinet Member for Highways and Assets moved the recommendations.

The recommendations were seconded by the Cabinet Member for Finance. He added that it was crucial to understand the needs of local communities and the wider council when considering CAT's and that the policy gave clarity on the Council's approach to reviewing them. He thanked officers for consultation with portfolio holders.

The Cabinet Member for Transport and Environmental Services informed Cabinet Members of two concerns expressed by Clifton Community Council. The first concern was regarding the length of the lease and their preference for a freehold position and the second concern regarding assets being handed over in an unsafe position due to the leasehold transfer. The Cabinet Member added that he hoped that the transfer conditions would be interpreted flexibly and constructively.

The Cabinet Member for Highways and Assets explained that the principle of transferring on a long lease allowed the Council to ensure the use of the asset was in line with the Council Plan and protect the future use of the asset. He added that any assets would be in a safe condition and that this would be taken into account during any negotiations. The Cabinet Members noted that if the policy was agreed, he would welcome a discussion with Clifton Community Council on this matter.

The Leader added that measures were being put in place to allow a degree of flexibility and have appropriate decision making regarding CATs. He felt it was the purpose of the document ensure beneficial outcomes and as part of this, work with communities was important.

The recommendations were then put to a vote which was unanimous.

RESOLVED, that Cabinet

- (1) adopts the final version of the 'Community Asset Transfer Policy.' attached at Appendix 1 of the report;
- (2) delegates the assessment of Community Asset Transfer applications to the Community Asset Transfer Review Group. This group includes three Assistant Directors (Corporate Assets, Fleet & Capital Programme; Safe & Strong Communities; Community Infrastructure) and where required officers from other relevant directorates;
- (3) delegates to the Community Asset Transfer Group the authority to recommend supported applications to Cabinet and to decline those that do not meet the criteria. These recommendations will be made in consultation with the Leader, Cabinet Member for Highways and Assets and Cabinet Member for Sustainable Communities and Localities. Each application for CAT will be assessed on its own merits in the context of the framework set out in the CAT policy. Technical business case assessment by officers will be subject to final review by the Community Asset Transfer Review Group. This group includes three Assistant Directors (Corporate Assets, Fleet & Capital Programme; Safe & Strong Communities; Community Infrastructure); and relevant officers from across two directorates. If transfer is recommended the CAT will then be subject to a Cabinet decision'
- (4) requests that the Chief Legal and Monitoring Officer make the required amendments to the Constitution.

52. BUILD AND OPERATE A 2MW SOLAR FARM AT SANDSCALE PARK, BARROW IN FURNESS AND ENTER INTO AN AGREEMENT FOR THE SALE OF GENERATED ELECTRICITY

Cabinet considered a report which sought approval to fund and construct a 2MW Solar Farm at Sandscale Park, Barrow in Furness at an estimated cost of £2.781m and award a stage 2 construction contract to build the solar farm to Vital Energi Ltd at cost of 2.481m. The £0.3m cost above the £2.481m contract value are for management, risk legal and advisory fees.

The report also sought approval to enter into an agreement with an energy organisation to sell the electricity generated.

The Cabinet Member for Highways and Assets referred to the volatility of the price of electricity and explained that the risk associated with the price was balanced by the relationship between the selling and buying price of electricity. If the selling price for electricity reduced, the buying price would also reduce which would make savings in the Council's electricity budget.

The solar farm had an expected life of 35 years and would generate green electricity, which would be used to offset the council's carbon emissions in accordance with the council's carbon management objectives, which are incorporated within the developing Climate Action Plan 2023.

The Cabinet Member thanked officers for their work to ensure the Council was in a position to consider the item with the relevant planning permissions and a grid connection in place.

The recommendations were moved by the Cabinet Member for Highways and Assets.

The Cabinet Member for Climate and Biodiversity seconded the recommendations and thanked officers for their work. He added that the proposals were an example of the Westmorland and Furness delivering on its commitment to consider the climate emergency as a crisis and that the Council could be part of the solution.

In response to a query raised regarding the current use of the land and any potential biodiversity loss, the Cabinet Member for Highways and Assets explained that the land was currently low grade agricultural land and the proposals would cause no loss to biodiversity.

The Cabinet Member for Finance added that the proposals were an example of making the best use of the assets held by the Council and that the base case showed a good return on investment. He added that there was a significant impact on CO2 equivalent which had a real value when considering the climate emergency.

The recommendations were then put to a vote which was unanimous.

RESOLVED, that Cabinet

- (1) approves the decision to build and operate (for 24 months) a 2MW solar farm at Sandscale Park, Barrow in Furness. Operation after 24 months will be subject to a separate contract, and;
- (2) recommends to full Council to approve the scheme to be included within the 2023/24 capital programme.
- (3) approves the award of a Stage 2 construction contract to Vital Energi Ltd in the sum of £2.481 million to construct a 2MW Solar Farm for the reasons set out in the tender analysis report at Appendix 4, and;
- (4) delegates authority to the Director of Resources (Section 151 Officer), in consultation with the Cabinet Member for Finance and Cabinet Member for Highways and Assets to undertake a selection process and enter into a Power Purchase Agreement (PPA) to sell electricity based on a 'sell direct to grid' agreement on commercial/market terms.

53. YOUTH JUSTICE PLAN 2023-24

The Cabinet considered a report which presented the first Westmorland and Furness Youth Justice Plan.

Westmorland and Furness Youth Justice Plan was required to be submitted to the Youth Justice Board by 30 June 2023. A draft copy of the plan had been accepted by the Youth Justice Board, with a final formal submission made after the plan was presented to full council in September 2023.

Local authorities had a statutory duty to submit an annual youth justice (YJ) plan relating to their provision of youth justice services.

The annual youth justice plan, sets out:

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

Grant funding was dependent on the submission of this plan, using the set guidance.

The Cabinet Member for Children's Services, Education and Skills moved the recommendations.

The recommendations were seconded by the Cabinet Member for Housing and Homelessness.

The recommendations were then put to a vote which was unanimous.

RESOLVED, that Cabinet endorses the first Westmorland and Furness Youth Justice Plan and recommends it to Full Council.

54. 2025 - 2026 SCHOOL ADMISSIONS ARRANGEMENTS

Cabinet Members considered a report which set out the proposed 2025-26 admission arrangements for Community and Voluntary Controlled schools, for which Westmorland & Furness Council was the statutory admission authority.

The Local Authority (LA) was required to consult other admission authorities on any changes to the policy, including catchment areas and proposed reductions to published admission numbers (PANs). The LA must also consult the governing bodies of Community and Voluntary Controlled schools where it proposes to increase or retain the existing Published Admission Number (PAN) for 2025-26.

Consultation on the 2025-26 arrangements must take place for a 6-week period between 1 October 2023 and 31 January 2024.

The paper also sets out the proposed co-ordinated scheme for school admissions in 2025-26, which the LA was required to formulate by 1 January 2024. The LA was required to consult on the scheme if it had changed from the scheme adopted for the previous academic year.

The Leader reminded Cabinet Members that an amended Appendix B to the report had been circulated and published alongside the agenda prior to the meeting.

The Cabinet Member for Children's Services, Education and Skills moved the recommendations.

The recommendations were seconded by the Cabinet Member for Sustainable Communities and Localities.

The Cabinet Member for Finance expressed his support for the proposals but queried the use of straight line distances used in the report which due to the geography of the Westmorland and Furness area may not be the most suitable approach.

The Director of Children's Services responded, noting that this would be considered in the following year's arrangements.

The recommendations were then put to a vote which was unanimous.

RESOLVED, that Cabinet

- (1) approves for consultation in accordance with the School Admissions Code 2021 (para 1.47) the proposed admissions arrangements for Community and Voluntary Controlled schools at Appendix A
- (2) approves for consultation the proposed co-ordinated admission scheme for 2025-26 at Appendix B;
- (3) approves the nursery admissions policy for 2025-26 for Community and Voluntary Controlled nursery schools and infant/primary school providing nursery education at Appendix C; and
- (4) approves, for consultation with the appropriate schools, 'the relevant area' for admission authorities in Westmorland and Furness, Appendix D.
- (5) reviews the arrangements for admissions to school that were in place in county council and consider any future changes that may be required for Westmorland and Furness.

55. CHILDREN'S SOCIAL CARE IMPROVEMENT AND DEVELOPMENT PLAN 2023-24

Members considered a report which set out the Children's Social Care Improvement and Development Plan for 2023 – 24.

This plan incorporated actions resulting from the Ofsted inspection in Cumbria, undertaken in September 2022 under the Inspection of Local Authority Children's Services (ILACS) framework, as well as other priority areas identified to drive improvement.

Children's social care was subject to inspection by Ofsted, under the ILACS framework. The last full inspection occurred in September 2022, on a Cumbria footprint. The overall judgement was 'requires improvement', notably with the sub judgement relating to children looked after and care leavers judged as 'good'. As a result of this inspection, a number of priority areas for improvement were identified which are captured within this plan.

It was critical for Westmorland and Furness Council to review and develop the previous Cumbria plan to align with its priorities and local context. This plan identified the actions which would be delivering to drive the ongoing improvement and deliver its aspiration to be validated externally as providing consistently 'good' services for children, young people and families.

The Cabinet Member for Children's Services, Education and Skills moved the recommendations.

In seconding the recommendations, the Deputy Leader thanked the staff for the hard work in support of children.

The recommendations were then put to a vote which was unanimous.

RESOLVED, that Cabinet approves the Children's Social Care Improvement and Development Plan 2023-24 attached in Appendix A.

56. A595 GRIZEBECK IMPROVEMENT SCHEME - IMPLEMENTATION OF COMPULSORY PURCHASE ORDER (CPO) AND SIDE ROADS ORDER

Cabinet Members had before them a report which informed them that following the decision of the Leader of Cumbria County Council dated 14 October 2022, a Compulsory Purchase Order (CPO) and a Side Roads Order (SRO) were made by the Council on 27 October 2022 and were subsequently confirmed by the Secretary of State on 12 June 2023 (attached at Appendix 6 and Appendix 7).

Notice of the confirmation of the SRO was published by the Secretary of State on 29 June 2023; and notice of the confirmation of the CPO was published by the Council on the same date. The confirmed SRO and the confirmed CPO authorise, respectively, highway works (SRO) and the acquisition of land (CPO) required to facilitate the construction of the A595 Grizebeck Improvement Scheme, which was needed to support economic growth by facilitating the movement of goods and people between West and South Cumbria and by providing strategic improvement to the major road network, whilst also addressing local transport issues arising from the impact of the A595 in Grizebeck.

This report recommended delegation of power to implement the SRO and the CPO to the Director of Resources and the Director of Thriving Places, (subject to approval of the Full Business Case and receipt of funding).

Full details of the background and wider scheme could be found within the Cumbria County Council Leader Decision Record dated 14 October 2022 attached at Appendix 5 of the report.

The Cabinet Member for Highways and Assets moved the recommendations.

In seconding the recommendations, the Cabinet Member for Transport and Environmental Services made reference to the Government's aspirations of linking the Barrow with the west coast of Cumbria and a number of projects scheduled for the area. He expressed concern over the lack of specific public transport enhancements in the scheme, and added that the commitment to net zero carbon would benefit from improved public transport links between Barrow and the west coast.

The recommendations were then put to a vote which was unanimous.

RESOLVED, that Cabinet

- (1) agrees to (subject to approval of the Full Business Case and receipt of funding):
 - a) authorise the Director of Resources (or in her absence the Assistant Director of Corporate Assets, Fleet and Capital Programme), to take all appropriate actions, within the approved budget, necessary for the purpose of acquiring land, and acquiring (or extinguishing) rights over land, by agreement (as an alternative, where possible, to the compulsory acquisition of land pursuant to the CPO; and including negotiating the terms and conditions of, and entering into and completing, any licences, agreements and undertakings, as necessary to complete such acquisitions) to allow the construction, operation and maintenance of the A595 Grizebeck Improvement Scheme.
 - b) authorise the implementation of the confirmed Cumbria County Council (A595 Grizebeck Improvement Scheme) Compulsory Purchase Order 2022, for the compulsory purchase of land and rights required for the A595 Grizebeck Improvement Scheme within the area shown on the Order Map (attached at Appendix 1).
 - c) authorise the implementation of the confirmed Cumbria County Council (A595 (Grizebeck Improvement Scheme) Classified Road) (Side Roads and Other Works) Order 2022 to improve or stop up existing highways, to construct new highways and to stop up and provide replacement private means of access as required to deliver the Grizebeck Improvement Scheme.
 - d) authorise the Director of Thriving Places (or in her absence the Assistant Director of Sustainable Transport and Highways) to take all necessary action within the approved budget to secure the implementation of the A595 Grizebeck Improvement Scheme CPO and SRO, including the publication and service of all requisite notices on relevant parties and the negotiation and completion of any necessary licences, agreements and undertakings.
 - e) authorise the Chief Legal and Monitoring Officer to take all necessary action to implement the A595 Grizebeck Improvement Scheme CPO and SRO and to acquire all land, interests in land and/or new rights over the CPO land and/or possession of the CPO land as necessary, including the service of Notices to Treat and Notices of Entry, or as the case may be, the execution of General Vesting Declarations.

- f) authorise, in the event that any question of compensation is referred to the Upper Tribunal (Lands Chamber) the Director of Thriving Places (or in her absence the Chief Executive), in consultation with the Chief Legal Officer, to take all necessary steps in connection with the conduct and, if appropriate, settlement of such proceedings.
- g) authorise the Director of Resources (or in her absence the Assistant Director of Corporate Assets, Fleet and Capital Programme) to take all necessary steps to enable the negotiation and approval of the payment of relevant and reasonable professional fees incurred by landowners and others with compensatable interests in taking professional advice in connection with the acquisition of their interests required for the A595 Grizebeck Improvement Scheme and related compensation claims and also in advancing the development or implementation of the A595 Grizebeck Improvement Scheme.

57. URGENT ITEMS

There were no urgent items for this meeting.

The meeting ended at 11.30 am