EXECUTIVE DECISION NOTICE

CABINET

A record of the decisions made at the meeting of the Cabinet held on Wednesday, 21 June 2017, at 10.00 a.m.

Present
Councillors
Giles Archibald (Leader of the Council and Promoting South Lakeland Portfolio Holder) (Chairman)
Jonathan Brook Housing and Innovation Portfolio Holder
David Fletcher Environment Portfolio Holder
Sue Sanderson Deputy Leader and Council Organisation, People and Wellbeing Portfolio Holder
Matt Severn Culture, Media and Sport Portfolio Holder
Peter Thornton Finance Portfolio Holder
Graham Vincent Economy Portfolio Holder

Also in attendance at the meeting were Shadow Executive Members Ben Berry (Shadow Cabinet Leader (Promoting South Lakeland Portfolio)), Tom Harvey (Shadow Cabinet Deputy Leader (Council Organisation, People and Wellbeing Portfolio)), John Holmes (Shadow Cabinet (Housing and Innovation Portfolio)), Janette Jenkinson (Shadow Cabinet (Economy Portfolio)), Kevin Lancaster (Shadow Cabinet (Finance Portfolio)) and David Williams (Shadow Cabinet (Culture, Media and Sport Portfolio)), and Mark Wilson (Leader of the Labour Group).

An apology for absence was received from Shadow Executive Member James Airey (Shadow Cabinet (Environment Portfolio)).

Officers
Lawrence Conway Chief Executive
Ian Hassall Assistant Director Strategic Development
Peter Holland Senior Communications Officer
Anthea Lowe Solicitor to the Council
Shelagh McGregor Assistant Director Resources (Section 151 Officer)
Paul Rogers Assistant Committee Services Officer
Helen Smith Financial Services Manager
David Sykes Director People and Places
Lorayne Woodend Development Strategy Delivery Officer

CEX/12 CABINET EXECUTIVE DECISIONS

The Leader of the Council and Promoting South Lakeland Portfolio Holder referred to Minute No. CX/9 regarding the Applied Theatre in Cumbria Project, and reminded Cabinet that the Officers would be keeping them informed about the initiative and how Members could become involved.

RESOLVED – That the Chairman be authorised to sign, as a correct record, the Executive Decisions made by Cabinet on 31 May 2017.
DECLARATIONS OF INTEREST

RESOLVED – That it be noted that Councillors John Holmes and Peter Thornton declared an interest in Minute No.CEX/18.

LOCAL GOVERNMENT ACT 1972 - EXCLUDED ITEMS

RESOLVED – That it be noted that there are no excluded items on the Agenda.

PUBLIC PARTICIPATION

RESOLVED – That it be noted that no deputations, petitions or questions have been received in respect of this meeting.

FORWARD PLAN

Copies of the latest Forward Plan had been circulated prior to the meeting.

RESOLVED – That the contents of the Forward Plan as at 20 June 2017 be noted.

CONSULTATION RESPONSE TO GRANGE-OVER-SANDS PRE-SUBMISSION DRAFT NEIGHBOURHOOD PLAN

Summary

A report was presented by the Portfolio Holder for Housing and Innovation which requested Cabinet to consider a proposed response to the Grange-over-Sands Pre-Submission Draft Neighbourhood Plan to be submitted to the Grange Neighbourhood Plan Group. The response would assist the Group in making final amendments to the Neighbourhood Plan, enabling progression towards the final stages of preparing the second Neighbourhood Plan in South Lakeland outside the National Parks.

In welcoming the Draft Neighbourhood Plan submission, the Portfolio Holder for Housing and Innovation commended all those who had been involved in shaping and preparing the Plan. He felt that other communities in the district should be encouraged to prepare and submit Plans for their communities and they be informed that the Council would provide appropriate support.

Decision

RESOLVED – That

(1) the proposed response as set out in Appendix 2 to the report (subject to any necessary changes) be approved for submission to Grange Neighbourhood Plan Group; and

(2) the Director of People and Places be given delegated authority to make any changes to the Draft Response considered necessary by Cabinet.
Reasons for Decision

The preparation of the Grange-over-Sands Neighbourhood Plan relates to all four of the Council Plan priorities. For example, the Plan includes measures to: help Grange to thrive commercially whilst retaining its distinctive character; ensure that new homes are locally appropriate in terms of design and type; enhance and protect the parish’s high quality environment and increase connectivity.

The response will assist the Grange Neighbourhood Plan Group in making final amendments to the Neighbourhood Plan, enabling progression towards the final stages of preparing the second Neighbourhood Plan in South Lakeland outside the National Parks.

Alternative Options Considered and Rejected

The alternative option is not to approve the proposed response. This would mean that the draft response submitted would have to be withdrawn and the Council would lose the opportunity to comment on the Plan at this crucial stage at which the Plan can still be influenced before it is formally submitted to the Council for Publication under Regulation 16 of the Neighbourhood Planning (General) Regulations 2012 (as amended). It is recommended that the draft response is approved, or approved subject to amendments, in order to make best use of this important opportunity to shape the Plan before it is submitted.

CEX/18 SOUTH LAKES HOUSING

Summary

Note – Councillors John Holmes and Peter Thornton declared an Other Registrable Interest in this item of business by virtue of the fact that they were the Council’s representatives on the Board of South Lakes Housing. Councillor John Holmes remained in the meeting and provided additional information when requested by Cabinet. As a Member of the decision making Cabinet, Councillor Peter Thornton left the meeting and took no part in the discussion or voting thereon.

A report was presented by the Housing and Innovation Portfolio Holder requesting Cabinet to consider proposed constitutional changes from South Lakes Housing (SLH) which would enable a more effective organisation, responding to change in the regulatory framework and operating in an increasingly challenging financial and risk environment to provide, manage and develop affordable housing in South Lakeland.

The Housing and Innovation Portfolio Holder informed Cabinet of a meeting between himself, the Chairman and the Chief Executive of SLH that had taken place where he had sought assurances regarding the future of SLH and social housing provision for the Council. A letter had subsequently been received by the Leader from the Chief Executive of SLH (which had been circulated at the meeting) giving assurances and commitment to the Council about the continued future of SLH as a provider and developer of social housing in the District.
In response to a query, the Housing and Innovation Portfolio Holder informed Cabinet that the proposed reduction in Tenant Directors had been discussed at length and was fully supported by the Tenants Committee. Training for Board Members consisted of away days and there were opportunities for Board members to train in a skill. He was of the view that should there be any skill deficiencies, SLH would ensure that these deficiencies would be accommodated with additional training.

Regarding a further query, the Housing and Innovation Portfolio Holder informed Members that he would ensure that a contact list of other social housing providers in the district would be communicated to Members.

Decision

RESOLVED – That

(1) South Lakeland District Council support South Lakes Housing’s proposed constitutional changes as set out in the report, and

(2) the Portfolio Holder for Housing and Innovation, or in their absence the Director People and Places, be authorised to cast the Council’s vote in support of the proposed constitutional changes within a General Meeting to be called by South Lakes Housing.

Reasons for Decision

South Lakes Housing provides and manages the greatest number of affordable homes in the District. It has recently approved a significant increase in its work to develop new affordable housing. Competency based and effective governance is critical to its success and contribution to the Council’s priority of enabling housing to meet local need. Regulation by the Homes and Communities Agency ensure that South Lakes Housing complies with consumer standards (including home, rent, tenancy, etc.), as well as governance and financial viability standards.

Council agreement to South Lakes Housing’s proposed constitutional changes will enable a more effective organisation, responding to change in the regulatory framework and operating in an increasingly challenging financial and risk environment to provide, manage and develop affordable housing in South Lakeland.

Alternative Options Considered and Rejected

There is an option not to support the proposed constitutional changes. However, this would mean that South Lakes Housing would be unable to modernise their governance, potentially resulting in regulatory non-compliance and increased business risk in the delivery of its services and ambition for new development. There is a requirement in the Transfer Agreement for the Council to act reasonably in considering proposals for constitutional change. Given the rationale and benefits of the proposed changes, it could be considered the Council would be acting unreasonably if it were to withhold its support. This option is not recommended.
CEX/19 ANNOUNCEMENT

Cabinet offered its condolences to all the families of the victims of the Grenfell Tower, North Kensington, London fire and all those affected by the disaster.

The following statement was read by Cllr Jonathan Brook, Portfolio Holder for Housing and Innovation:-

- The Government has requested Councils and Housing Associations to provide information in respect of their housing stock on the number of properties more than 18 metres high (six storey equivalent) and the use of Aluminium Composite Material (ACM) cladding. They also remind Councils and Housing Associations that they should be well advanced in checking that they have robust fire assessments for their stock.

- South Lakeland District Council (SLDC) transferred its social housing stock to South Lakes Housing (SLH) in 2012. The Council owns two let residential properties and owns and operates a homelessness hostel.

- We have sought and received assurance from SLH that:-
  
  o They have provide a written response to the Government, confirming that they only have one building (Yewbarrow Lodge) that could be considered to reach 18 metres in height and that it is clad in timber panelling.

  o SLH has not specified or installed any Aluminium Composite Material (ACM) in any of its buildings. (Neither did SLDC as the previous owner of the stock)

  o SLH conducted the last round of Fire Risk Assessments in March 2017 with only minor works identified which they are working to conclude in compliance with these assessments.

  o SLH has put a message of reassurance on their website and will be conducting more detailed liaison with their more vulnerable residents at Sheltered Housing Schemes, to discuss and allay any concerns that may have arisen following the tragic incident in London.

- We have also approached the other Registered Social Landlords with stock in the district and have received confirmation from Impact, Two Castles and Home Group that they have complied with the Government request for information and that fire risk assessments and procedures are in place. One property, Kirkland View in Kendal, has been identified as being taller than 18 metres. There is no use of Aluminium Composite Material.

- In addition to the stock of social housing, SLDC has made consideration of the private residential stock in the District.

  o We have identified three residential blocks in the District of six storeys or more, all in Kendal. Our private sector housing team have visited one site and are visiting another today, together with the Fire Service. Building Control are currently engaged with the third. We will update this position with the findings of the visits.
o Building Control have checked records for which SLDC has acted as the building control inspector for residential properties four storeys and above and confirm that no Aluminium Composite Materials have been installed.

- SLDC has a statutory role in licensing homes in multiple occupation where residents are on a third floor or above. This function includes a requirement for fire risk assessment. There are some 50 properties in the District which are licensed. SLDC will write to residential management organisations, including the Houses in Multiple Occupations, advising them of their responsibilities towards fire safety.

- SLDC is able to investigate and intervene in private sector housing where there is a reported concern of safety.

- Cumbria Fire and Rescue Service have been in contact with SLDC’s private sector housing team, confirming that they are able to offer any advice and/or assistance regarding any properties that may be classed as high rise six floors or above). Advice could include evacuation strategies, Stay put Policies, Fire doors, compartmentation.

- SLDC has an up to date plan and procedure and is experienced in how it mobilises and responds at times of emergency. We act as part of an integrated, multi-agency response which is continually improved in light of local and national experience and learning.

Following the above statement, the Chief Executive responded to a query informing Members that the Council would always be ready to act in emergencies and that the Management Team (MT) utilise a rota whereby a Member of MT is always ‘on call’ to respond to an emergency in the district.

The Portfolio Holder for Housing and Innovation emphasised the need for the Council to have an effective emergency plan in place and for resources to be available should such an event occur.

The meeting ended at 10.55 a.m.