

## SOUTH LAKELAND DISTRICT COUNCIL

Minutes of the proceedings at a meeting of the Council held in the District Council Chamber, South Lakeland House, Kendal, on Tuesday, 17 December 2019, at 6.30 p.m.

### Present

#### Councillors

Stephen Coleman (Chairman)  
Pete McSweeney (Vice-Chairman)

Giles Archibald	Tom Harvey	Kevin Lancaster
Robin Ashcroft	Eamonn Hennessy	Susanne Long
Pat Bell	Hazel Hodgson	Ian Mitchell
Ben Berry	John Holmes	Eric Morrell
Jonathan Brook	Kevin Holmes	Suzie Pye
Helen Chaffey	Anne Hutton	Doug Rathbone
Brian Cooper	Helen Irving	Peter Thornton
Tracy Coward	Andrew Jarvis	David Webster
Philip Dixon	Janette Jenkinson	Ian Wharton
Judy Filmore	Dyan Jones	Janet Willis
Gill Gardner	Helen Ladhams	Mark Wilson
Anne Hall	Malcolm Lamb	Shirley-Anne Wilson

Apologies for absence were received from Councillors Caroline Airey, James Airey, Rupert Audland, Roger Bingham, Michael Cornah, Rachael Hogg, Dave Khan and Brian Rendell.

### Officers

Inge Booth	Legal, Governance and Democracy Specialist
Lawrence Conway	Chief Executive
Linda Fisher	Legal, Governance and Democracy Lead Specialist (Monitoring Officer)
Dan Hudson	Strategy Lead Specialist
Simon McVey	Operational Lead Support Services
Claire Read	Finance Specialist
Fraser Robertson	Communications Specialist
Helen Smith	Finance Lead Specialist (Section 151 Officer)
David Sykes	Director of Strategy, Innovation and Resources

## **C/50 MINUTES**

RESOLVED – That the Chairman be authorised to sign, as a correct record, the minutes of the meeting of the Council held on 9 October 2019.

## **C/51 PUBLIC PARTICIPATION**

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

**C/52 DECLARATIONS OF INTEREST**

RESOLVED – That it be noted that no declarations of interest were raised under this item.

**C/53 LOCAL GOVERNMENT ACT 1972 - EXCLUDED ITEMS**

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

**C/54 CHAIRMAN'S ANNOUNCEMENTS**

A list of engagements which the Chairman or Vice-Chairman had attended since the last meeting had been circulated at the commencement of the meeting. The Chairman drew attention to his visit to the Lake District Holocaust Project on 8 December 2019. He recommended Members to visit the Project at Windermere Library to learn about the 300 child Holocaust survivors who had been welcomed to the Lake District in 1945.

**C/55 CORPORATE FINANCIAL UPDATE QUARTER 2, 2019/20**

Councillor Andrew Jarvis, Finance and Resources Portfolio Holder, introduced the Corporate Financial Monitoring Update for Quarter 2 2019/20.

Appendix 1 to the report set out the revenue variances to date. The approved net revenue budget for 2019/20 set by Council in February 2019 had been £14m which had included a Customer Connect savings target of £740,000 and a vacancy factor savings target of £593,000. Additionally, carry forward requests of £510,000 had been approved by Cabinet on 24 April 2019. Expenditure budgets had been increased in accordance with those approved carry forwards along with the matching funding from reserves. Overall, at the end of Quarter 2, budget monitoring had identified a forecast year-end overspend of £422,000; this included the saving target for Phase 2 of Customer Connect, which was to be identified later in the financial year and transition costs of implementing Phase 1 of Customer Connect. Since the initial Quarter 2 update report had been prepared for the Overview and Scrutiny Committee and Cabinet, the Phase 2 job offers had been made. As a result, the allocation for redundancy costs was capable of funding the transition costs associated with staff changes. This would reduce the forecasted year-end overspend to £218,000 before the savings target for Phase 2 and to £60,000 if Phase 2 savings were achieved, as was expected. At the same time in 2018/19, a total of £612,000 in overspends and outstanding savings target had been reported. The Council had then gone on to achieve an underspend of £9,000 at outturn. Excluding savings targets, the overspend in year was estimated to be £264,000 against an overspend of £251,000 in 2018/19. Trends identified in these budget monitoring results would be fed into the 2020/21 budget setting process.

Appendix 2 to the report set out the position on the Capital Programme. The capital budget for 2019/20 approved by Council in July 2019 had been £16.4m. Table 4 in the report summarised requests to update the Capital Programme, including the £325,000 purchase of land at Dowker Lane, Kendal, the re-profiling from 2018/19 of Ulverston Town Hall grant and various minor adjustments. Expenditure against the Programme to the end of Quarter 2 was £2.292m. Following the review of the Capital Programme with leads and portfolio holders, £10.6m of re-profiling had been identified and was included in the revised Capital Programme at Appendix 4 to the report for Council to approve.

Appendix 3 to the report provided an update on Treasury Management for the quarter. Investments had performed better than the relevant benchmarks. No repayment of existing borrowing or new borrowing was anticipated up to the end of the financial year.

Since April 2016, the Council's Constitution had permitted officers to conduct and conclude the contracting processes without further approval, providing it was in line with the Procurement Schedule, to be approved by Council at least annually. Where a procurement process was over budget then approval would still be required in accordance with the Financial Procedure Rules. Where an officer sought approval for a waiver or exemption under the Contract Procedure Rules, this was also included in the Procurement Schedule. An updated Procurement Schedule for 2019/20 was attached at Appendix 5 to the report which included some additional procurement exercises not approved in July 2019.

A budget update was included in the report on the impact of the Government spending review on the Council's budget for 2020/21 and the latest timetable for preparing and approving the budgets for 2020/21 – 2024/25 was included at Appendix 6. The original budget timetable had anticipated that the 2020/21 to 2024/25 draft budget would be reported to Cabinet on 27 November 2019. However, due to the calling of the General Election for 12 December 2019, the draft budget would be reported to the rescheduled meeting of Cabinet on 20 December 2019. All Council Members had been provided with a copy of the Cabinet report and a budget briefing session had been held prior to the Council meeting. The budget report to be considered by Cabinet on 20 December was based on the Government's technical consultations on its proposals for a one-year local government funding settlement for 2020/21, broadly based on the 2019/20 funding.

Councillor Jarvis moved the recommendations contained within the report, also thanking all involved in the review of capital phasing. He was seconded by Councillor Robin Ashcroft, Economy, Culture and Leisure Portfolio Holder.

***Note – At this stage in the proceeding, due to the fact that the planning applications were shortly to be considered by the Planning Committee and having regard to the risk of bias and pre-determination, those Members of the Planning Committee present declared a non-pecuniary interest in relation to the two items in the updated Capital Programme relating to re-profiling of the Grange Lido and South Lakeland House/Kendal Town Hall projects. Councillors Helen Chaffey, Brian Cooper, Philip Dixon, Judy Filmore, Gill Gardner, John Holmes, Vicky Hughes, Anne Hutton, Janette Jenkinson, Malcolm Lamb, Kevin Lancaster, Susanne Long, Pete McSweeney, Eric Morrell and David Webster, therefore, left the Chamber during the discussion and voting on approval of these two elements of the updated Capital Programme.***

This being the case, Councillor Jarvis proposed, seconded by Councillor Jonathan Brook, Deputy Leader and Housing and Innovation Portfolio Holder, that two separate votes be taken on (a) the Capital Programme re-profiling in relation to the projects for Grange Lido and South Lakeland House/Kendal Town Hall; and (b) the remainder of the updated Capital Programme. A vote was subsequently taken in relation to (a) and was carried.

***Note - Councillors Helen Chaffey, Brian Cooper, Philip Dixon, Judy Filmore, Gill Gardner, John Holmes, Vicky Hughes, Anne Hutton, Janette Jenkinson, Malcolm Lamb, Kevin Lancaster, Susanne Long, Pete McSweeney, Eric Morrell and David Webster returned to the Chamber.***

Discussion continued in relation to the remainder of the item.

A query having been raised in relation to the Vehicle and Plant Replacement Programme, Councillor Jarvis explained that the Council was considering electric vehicles, however, that the refuse collection vehicle currently in production was not suitable for the area's hilly terrain. The Council would be carrying out research into effective solutions for the area of South Lakeland. The option of using Bio LPG was raised and attention drawn to the potential for simple conversion and the likelihood, as a result, of an 80% reduction in carbon emissions.

A further query was raised in relation to the amount of shortfalls and in particular to the potential £52,000 shortfall on Lake encroachment rent income bearing in mind the fact that these fees were fixed. The Finance Lead Specialist (Section 151 Officer) explained that this was down to rent reviews which were currently being processed. She undertook to provide a full answer in writing.

A vote was then taken with regard to the remainder of the substantive motion, including (b) approval of the remainder of the updated Capital Programme and it was, subsequently

RESOLVED – That

- (1) the contents of the report and Appendices 1 to 3 and 6 be noted; and
- (2) the following be approved:-
  - (a) the updated Capital Programme at Appendix 4 to the report; and
  - (b) the updated Procurement Schedule at Appendix 5 to the report and delegation to officers.

## **C/56**

### **COUNCIL PLAN AND BIODIVERSITY POLICY**

The Deputy Leader and Housing and Innovation Portfolio Holder, Councillor Jonathan Brook, presented a report proposing an update to the current Council Plan (2019 to 2024). The revised Plan, which would run from 2020 to 2025, was attached at Appendix 1 to the report. A number of minor changes were outlined, the most important being additional updated text on working across boundaries reflecting progress on the Lancaster and South Cumbria Economic Region and additional emphasis on the Climate Change emergency and the Council's response in this regard.

Councillor Brook turned to the issue of Biodiversity and referred to the motion carried by Council on 23 July 2019 (Minute No.C/36 (2019/20) refers). The scope of the Green Team had subsequently been widened to address this and, as a starting point, a corporate policy on Biodiversity had been drafted, which was attached at Appendix 4 to the report. The policy sought to maximise the ways in which the Council could use its direct and indirect influence to ensure that the impact of human activity within South Lakeland on Biodiversity was as positive as it could be.

Councillor Brook informed Members that the Council Plan and the Biodiversity Policy had been considered by the Overview and Scrutiny Committee on 25 October 2019 when Members had suggested the need for reference to transport within the Council

Plan. This request had been implemented prior to consideration of the Council Plan and Biodiversity Policy by Cabinet on 27 November 2019 when both documents had been recommended to Council for adoption. Councillor Brook now took the opportunity to strengthen the importance placed by the Council on sustainable transport, proposing an amendment to the bullet point under Climate Change on Page 7 of the Council Plan to instead read, "Working with Cumbria County Council and other partners to promote and encourage the provision of and access to sustainable public transport across the District."

Subject to the inclusion of this amendment, Councillor Brook moved adoption of the Council Plan and the Biodiversity Policy as part of the Council's Policy Framework. He was seconded by Councillor Giles Archibald, Leader and Promoting South Lakeland Portfolio Holder, who emphasised the importance of the documents as well as the need for partnership working in order to deliver what communities wanted. He encouraged all Members to work with their parishes and for those representing South Lakeland District Council on outside bodies to present the Council Plan to those organisations in order to seek means by which to meet the aspirations contained therein. Councillor Archibald also stressed the need for the Council to contribute to mitigating Climate Change and reversing Biodiversity loss, and for strong consideration of these issues throughout all decision making.

Councillor Tom Harvey, as Leader of the Opposition, explained that whilst his Group supported much of the content of the Council Plan, there were elements with which they did not agree. He, therefore, requested that two separate votes be taken in relation to adoption of each of the documents under consideration, as his Group wished to show support for the Biodiversity Policy.

Discussion followed on the contents of the documents. Attention was drawn to the Council Plan introduction, "response to climate change and enhancing biodiversity," and the need for the Council to work on preparation for major flooding incidents was stressed. Attention was drawn to discussion which had taken place at the Cabinet meeting about the need for the publication of information on steps being taken by the Council to address Climate Change and Biodiversity loss, particularly around tree planting, as well as how communities could become involved and including details on who to contact at the Council in this regard. The need for the Council to take any opportunity possible to address Climate Change and Biodiversity loss was stressed; it was pointed out that the Council, as a significant landowner, could take steps to make a difference on its own land. The need to plant trees in order to combat Biodiversity loss was raised and attention drawn to the additional benefits of tree planting in relation to flood alleviation, and attention was drawn to the work being carried out by the Council in this regard. Councillor Dyan Jones, as Climate Emergency and Localism Portfolio Holder, explained to Members that the Council would be planting 350 trees this Winter across South Lakeland. She added that the Council did not have the legislative powers to mandate doubling trees on other landowners' estates, however, that over the last 12 months, the Council had been working proactively to identify potential sites for further planting. Councillor Jones informed Members that, in 1919, UK tree cover had been approximately 4% and was currently around 12%. She drew attention to the many incentives and schemes in progress and to work carried out by the Forestry Commission, National Parks and private landowners. She asked Members to encourage their local residents to contact any of these bodies to engage as a volunteer or supporter and drew attention to the latest edition of South Lakes News which included a large section dedicated to all things green. It was also hoped that the County Council would manage the verges of its vast road network to increase biodiversity, creating corridors for pollinators. It was further suggested that the Council, as owner of the bed of Lake Windermere, might look to improve its water quality for the

benefit of, for example, arctic char and reed beds. Also noted and welcomed was the promotion of cycling within the Council Plan, as well as the section in the introduction regarding tackling health and inequality.

Separate votes having been taken in relation to each document, it was subsequently

RESOLVED – That the following be adopted as part of the Council's Policy Framework:-

(1) subject to the inclusion of the amendment as outlined above, the updated Council Plan 2020 to 2025, attached as Appendix 1 to the report; and

(2) the Biodiversity Policy, attached as Appendix 4 to the report, consequent changes to be made to the Policy Framework list within the Council's Constitution.

## **C/57**

### **POLLING DISTRICT AND POLLING PLACE REVIEW**

The Customer and Commercial Services and People Portfolio Holder, Councillor Eric Morrell, introduced the report, informing Members that the Council had a duty to divide the District into polling districts, with each parish being a separate polling district, and to designate a polling place for each of these polling districts. The authority to do this rested with the Council; the Returning Officer then had a duty to provide a polling station within each of the identified polling places as far as possible.

Section 16 of the Electoral Administration Act 2006 had introduced a number of changes to the 1983 Act, including the requirement for the Council to review UK Parliamentary polling districts and polling places arrangements at least every four years. The Electoral Registration and Administration Act 2013 had introduced a change to the timing of such reviews, with the current compulsory review starting and to be completed between 1 October 2018 and 31 January 2020.

The review had been undertaken in accordance with the relevant legislation and the Electoral Commission's guidance, and had commenced on 16 September 2019, with the consultation period ending on 1 November 2019. A total of 45 responses had been received, summaries of which were provided. Additional consultation had been undertaken in respect of the polling arrangements in Grasmere. It had been suggested that the polling arrangements within Kendal wards may benefit from a more detailed review and it was, therefore, being recommended that this commenced during 2020, with more in-depth consultation on any proposed changes.

Councillor Morrell moved the recommendations contained within the report and was seconded by Councillor Giles Archibald, Leader and Promoting South Lakeland Portfolio Holder.

Attention was drawn to the recommendation regarding the forthcoming detailed review of polling arrangements in Kendal and the need to take into consideration the views raised at that time, for example those in relation to polling place arrangements for Kendal Oxenholme.

RESOLVED – That

(1) the following be noted:-

(a) the outcome of the review; and

(b) that a more detailed review of the polling arrangements in Kendal will commence during 2020; and

(2) the following be approved:-

(a) the renaming of polling districts within Kendal East to match with Kendal Town Council wards and the merging of two Selside polling districts within Kendal Rural as set out in Appendix 1 to the report; and

(b) the designated polling station for Lakes Grasmere (CE) moving from Grasmere Sports Pavilion to Grasmere Village Hall, as set out in Appendix 1 to the report.

## **C/58**

### **LEADER'S ANNOUNCEMENTS AND CABINET QUESTION TIME, INCLUDING THE COMPOSITE REPORT OF THE CABINET (1 HOUR MAXIMUM)**

Councillor Giles Archibald, Leader and Promoting South Lakeland Portfolio Holder, introduced the Cabinet Members' respective Mid Year Update 2019/20 Executive Reports.

In presenting the reports, Councillor Archibald congratulated the Acting Returning Officer and his team for the efficient manner in which the Parliamentary Election had been run, also thanking all those who had supported the process, as well as all parties involved. Councillor Archibald wished everyone a restful and well-deserved festive break.

No queries were raised in relation to the content of the Executive reports.

In accordance with paragraphs 10.2 and 10.3 of the Council's Rules of Procedure, no written questions having been submitted to the meeting, the following verbal questions were taken from the floor:-

Councillor Eamonn Hennessy referred to the fact that the Climate Conference in Madrid had just ended. He asked Councillor Dyan Jones, Climate Emergency and Localism Portfolio Holder, if she shared his disappointment with the results of that Conference and whether she had any thoughts on how the Council could influence the British Government as it began to prepare for next year's Conference in Glasgow. Councillor Jones responded, explaining that COP25, governments from around the world who collectively recognised the growing urgency of the climate crisis, had just spent two weeks of talks on the need to bridge gaps between existing targets set in 2015 and scientific advice that said that much more needed to be done. It was reported that few significant commitments had emerged from these meetings, against growing public pressure, frustration and anger. Councillor Jones stressed that strong public and political pressure was vital now more than ever. As a local authority, the Council was in a strong position to lobby and add to this pressure, working together with partners, both established and newly-formed, working across Cumbria and beyond. Councillor Jones believed that how organisations worked together over the next decade to move towards a greener collective would demand more commitment and resources from the UK's new Government. Protecting natural resources for children, grandchildren and great grandchildren had to be a priority and she hoped that political differences could be put aside and that work could be carried out collectively, the Council leading by example. Councillor Jones wanted a clear message to be sent to Glasgow next year, that expectations were high and answers were sought.

Councillor Philip Dixon expressed his surprise at reference by the Council's independent auditors, Grant Thornton, to increased levels of inequality in Great Britain. He asked Councillor Suzie Pye, Health, Wellbeing and Financial Resilience Portfolio Holder, to provide details on increases in levels of inequality in South Lakeland and whether the Council should anticipate any further rise in social inequality in the near future. Councillor Pye thought it was important for the Council to remind itself why it should be striving for a more equal society, where residents were presented with equal opportunities regardless of background and circumstances. According to the Equality Trust, "People in more equal societies lived longer, had better mental health and had better chances for a good education regardless of their background. Community life was stronger where the income gap was narrower, children did better at school. When inequality was reduced, people trusted each other more, there was less violence and rates of imprisonment were lower." Councillor Pye reminded Members of some of the figures that demonstrated the existence of social inequality across the country, based on the Social Metric Commission's findings earlier in the year in their Measuring Poverty report. In addition, according to Shelter, as of March this year, children living in Temporary Accommodation in the North West had risen by 385% compared with five years earlier. End Child Poverty.org stated that, in South Lakeland, 23% of children were living in poverty. The latest figures from the Kings Food Bank in Kendal showed no sign of a reduction in need, following the recent trend of a rise in referrals of 18% compared with the same time last year. Early signs suggested a significant increase in rough sleeping in South Lakeland. Councillor Pye pointed out that the current number of second homes was 3,800. As to whether the Council should anticipate a rise in social inequality in the near future, Councillor Pye explained that, in a society where the poorest fifth have only 4% of the total income, whereas the top fifth had 47%, tackling inequality on a local level was certainly a challenge, and one that would rely heavily on policy laid out in Westminster by the new Government. She provided details in relation to a number of local factors, i.e. people's changing circumstances as a result of Universal Credit, the Council Tax Reduction Scheme which was due to remain in place next year, the new Cold to Cosy Homes Scheme, the new Breathing Space Scheme, the forthcoming increase in Housing Association rents and likely reduction in Cumbria County Council Housing-related support. Councillor Pye stressed the need to stay alert to the human aspect, which was demonstrated by a section of the latest newsletter from Kings Food Bank, where Linda Sutherland who ran the food bank stated, "Christmas is fast approaching but, for many people, this can be a harder time than other times of the year. First, because it's Winter and colder - a choice may have to be made - do we heat the house or buy food, adding extra pressure on finances, it might not be possible to do both! Secondly, when money is limited, what about Christmas? When many of us are able to buy extra at this time of year, many people are unable to do so." Councillor Pye drew Members' attention to the fact that this was a reality for residents in South Lakeland.

Councillor David Webster referred to the mop up meeting following the Ulverston Dickensian Festival when South Lakeland District Council staff had been commended for their work in tidying up the Town following the event. Councillor Webster asked Councillor Dyan Jones, Climate Emergency and Localism Portfolio Holder, if, when looking at green issues, consideration might also be given to electric vehicle charging points on Council-owned car parks. He expressed concern that, without these points, people using this type of vehicle would not visit the area. There were seven such points in Ulverston which were used every day, bringing tourists into the Town. Councillor Webster also felt that if more electric vehicle charging points were made available, people would be more likely to transfer to using electric vehicles. Councillor Jones agreed with Councillor Webster that this transition needed to be made and informed Members that a scheme was currently being investigated with regard to facilities for those without off-road parking. In addition, promoting and encouraging



people to use electric vehicles was something that she hoped the new Government would be doing. Councillor Ben Berry added that it was incumbent on private businesses to make appropriate provision for charging electric vehicles, pointing out that some car manufacturers were willing to provide free equipment where access to electricity was made available.

Councillor Hazel Hodgson said that it had recently been National Tree Week when many schools and members of the public had planted trees. She asked Councillor Dyan Jones, Climate Emergency and Localism Portfolio Holder, whether South Lakeland would pledge to plant 50% more trees throughout the area. Councillor Jones pointed out that she had already answered this question earlier in the meeting, again explaining that it was not feasible to double the amount of trees on land in private ownership. She repeated the fact that the Council would be planting 350 trees over the Winter. Councillor Hodgson referred to pledges which had been made by other councils to provide 50% more tree cover over in their authority areas by 2045 and asked if South Lakeland could do something similar on its own land. Councillor Jones advised that, before any commitment could be made, discussions would need to take place with the relevant officers.

Councillor Janette Jenkinson referred to the recently-elected Conservative MP for Barrow and Furness, drawing attention to the fact that the District of South Lakeland was represented by two MPs. She asked Councillor Giles Archibald, Leader and Promoting South Lakeland Portfolio Holder, to ensure that the Council championed both MPs to take forward initiatives on the District's behalf. Councillor Archibald stressed that the Council had enjoyed a working relationship with the previous MP for Barrow and Furness and that he looked forward to working with the new MP on any issue of importance to that part of the District.

Councillor Malcolm Lamb, on behalf of the residents of Ambleside, Greenbank and Castlefield, expressed thanks to South Lakeland District Council for the funding for the refurbishment of their play areas. He added that the residents of Grasmere were eagerly awaiting completion of a similar scheme. Councillor Lamb asked Councillor Eric Morrell, Customer and Commercial Services and People Portfolio Holder, if he could confirm that this approach of shared fund raising and management of projects would continue in other areas. Councillor Morrell responded, explaining that all of the projects had involved working in partnership with local community groups or town/parish councils. The funding had come from District Council capital and LIPs grants, and external grants from companies and trust funds. Broadgate Meadow at Grasmere was nearing completion and tenders for Lightburn Park in Ulverston were being evaluated, with the work due to take place in Spring 2020. Work was currently underway in order to secure funding for Queens Park in Windermere, as well as raising funds for North Lonsdale Work in Ulverston. Both of these projects had received funding from LIPs and from the National Lottery Community Fund. The next project would be for Owlet Ash in Milnthorpe. In addition, as part of the Grange Promenade Project the playground on the Promenade would receive some funding for redevelopment as part of that scheme. Councillor Morrell confirmed that this was a successful programme and that the intention was to continue to work with partners for some years to come.

## **C/59**

### **MINUTES OF MEETINGS**

No comments or questions had been received in respect of the minutes of committee meetings held between 9 September and 1 November 2019.

17.12.2019

Council

**C/60            QUESTIONS TO CHAIRMAN OF THE COUNCIL OR CHAIRMAN OF ANY COMMITTEE OR SUB-COMMITTEE**

No questions had been received under this item.

**C/61            URGENT DECISIONS**

No urgent Executive Decisions had been taken since the last meeting of the Council on 9 October 2019.

The meeting ended at 8.00 p.m.