

EXECUTIVE DECISION NOTICE**CABINET**

A record of the decisions made at the virtual meeting of the Cabinet held on Wednesday, 24 June 2020, at 10.00 a.m.

Present

Councillors

Giles Archibald (Leader and Promoting South Lakeland Portfolio Holder) (Chairman)

Robin Ashcroft	Economy, Culture and Leisure Portfolio Holder
Jonathan Brook	Deputy Leader and Housing and Innovation Portfolio Holder
Andrew Jarvis	Finance and Resources Portfolio Holder
Dyan Jones	Climate Emergency and Localism Portfolio Holder
Eric Morrell	Customer and Commercial Services and People Portfolio Holder
Suzie Pye	Health, Wellbeing and Financial Resilience Portfolio Holder

Also in attendance at the meeting were Shadow Executive Members Roger Bingham (Shadow Cabinet (Economy, Culture and Leisure Portfolio)), Tom Harvey (Shadow Cabinet Leader (Climate Emergency and Localism Portfolio)), John Holmes (Shadow Cabinet Deputy Leader (Finance and Resources)), Janette Jenkinson (Shadow Cabinet (Health, Wellbeing and Financial Resilience Portfolio)) and Kevin Lancaster (Shadow Cabinet (Housing and Innovation Portfolio)), and Mark Wilson (Leader of the Labour Group).

Apologies for absence were received from Shadow Executive Members James Airey (Shadow Cabinet (Promoting South Lakeland Portfolio)) and Helen Irving (Shadow Cabinet (Customer and Commercial Services and People Portfolio)).

Officers

Inge Booth	Legal, Governance and Democracy Specialist
Lawrence Conway	Chief Executive
Linda Fisher	Legal, Governance and Democracy Lead Specialist (Monitoring Officer)
Hannah Girvan	Strategy Specialist (Sustainability)
Claire Gould	Performance, Innovation and Commissioning Lead Specialist
Dan Hudson	Strategy Lead Specialist
Julie Jackson	Principal Specialist People
Julia Krier	Legal, Governance and Democracy Specialist
Simon McVey	Operational Lead Support Services
Paul Mountford	Performance, Innovation and Commissioning Specialist
Claire Read	Finance Specialist
Simon Rowley	Director of Customer and Commercial Services
Dan Shiels	Specialist Digital
Helen Smith	Finance Lead Specialist (Section 151 Officer)
David Sykes	Director of Strategy, Innovation and Resources

CEX/18 CHAIRMAN'S INTRODUCTION

Following confirmation that the live stream of the meeting had commenced, the Leader referred to the new Government legislation allowing councils to conduct remote meetings and explained in detail to all taking part, and for the benefit of members of the public, the procedures for the meeting. He then invited Members of the Cabinet, the Shadow Cabinet and the Leader of the Labour Group to introduce themselves, to advise whether they were taking part by video or audio and to confirm that they were able to see (where practicable) and hear all Members participating in the meeting. All Members present, including the Leader himself, having indicated that this was the case, he referred to officers present at the meeting who would introduce themselves when asked to address the meeting.

CEX/19 CABINET EXECUTIVE DECISIONS

RESOLVED – That the Chairman be authorised to sign, as a correct record, the Executive Decisions made by Cabinet on 20 May 2020.

CEX/20 EMERGENCY DELEGATED EXECUTIVE DECISIONS

Note - Shadow Executive Members Councillors Tom Harvey and John Holmes had raised with the Monitoring Officer prior to the meeting, for the purpose of transparency, the fact that they were involved in organisations that had applied for a discretionary grant. This item was, however, purely to receive an emergency delegated executive decision which had already been made, so they were able remain in the meeting during the discussion and voting on the matter.

RESOLVED – That the Emergency Delegated Executive Decision made by the Chief Executive on 29 May 2020, in accordance with the Leader's decision noted by Cabinet at CEX/104 (2019/20), be received.

CEX/21 DECLARATIONS OF INTEREST

For the purpose of transparency in relation to Agenda Item No.15 – Cumbria Choice Based Lettings Allocations Policy Review (Minute CEX/** below), Councillor Suzie Pye raised the fact that she was a tenant of South Lakes Housing and that she had been through the Choice Based Lettings process. Also for the purpose of transparency in relation to the same item, Shadow Executive Member Councillor John Holmes pointed out that he was a Director on the Board of South Lakes Housing. The Monitoring Officer clarified that the report related to the approach for consultation on the Policy and advised that both Members could remain in the meeting during consideration and voting on that item, although Councillor Holmes with no voting rights, being a Shadow Executive Member .

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

CEX/22 LOCAL GOVERNMENT ACT 1972 - EXCLUDED ITEMS

RESOLVED – That it be noted that there are no items in Part II of the Agenda.

CEX/23 PUBLIC PARTICIPATION

No questions, representations, deputations or petitions had been received in respect of this meeting.

CEX/24 FORWARD PLAN

Copies of the latest Forward Plan published on 23 June 2020 had been circulated to Members prior to the meeting.

RESOLVED – That the contents of the Forward Plan published on 23 June 2020 be noted.

CEX/25 LEADER'S ANNOUNCEMENTS

The Leader reminded Members that, at its meeting on 5 February 2020, the Cabinet had expressed full support for the Ulverston Business Improvement District (BID) renewal. He took the opportunity to inform Members that he had recently been advised that, due to the Covid-19 pandemic, the BID renewal had been rescheduled. The Council Officer, which was the Director of Customer and Commercial Services, and the Ballot Holder, which was the Operational Lead Support Services, had confirmed the new timetable with Civica Election Services and the Ulverston BID company. The ballot would now take place between Thursday, 24 September, and Monday, 22 October 2020, with the result due to be announced by 5.00 p.m. on Friday, 23 October 2020. The current Ulverston Business Improvement District five year term, originally from 3 September 2015 to 2 September 2020, had been extended to 23 October 2020 (the ballot result day) under the provisions of the Coronavirus Act 2020 - Section 79. The Leader suggested that any queries should be directed to either the Director of Customer and Commercial Services or to the Operational Lead Support Services.

The Leader next informed Members that, for purely personal reasons, Councillor Eric Morrell would, following this meeting, be stepping down from his role as Portfolio Holder for Customer and Commercial Services and People. Councillor Morrell had taken up this role in May 2019, following the end of his term as Chairman of the Council. During this time, Councillor Morrell had overseen a number of large areas of work, including on the Customer Connect Programme, frontline services, work leading to the adoption of the Council's Parks and Open Spaces Strategy, the introduction of the Public Spaces Protection Order, as well as the Customer Strategy which appeared as an item later on in the Agenda for this meeting. The Leader thanked Councillor Morrell for his hard work and dedication during his time as a Cabinet Member – he has been an excellent community leader and portfolio holder. The Leader informed Members that he had asked Councillor Philip Dixon, and that he had agreed, to take up the role of Customer and Commercial Services and People Portfolio Holder with effect from the end of this meeting. The Leader understood that Councillor Dixon might be observing the live stream of the meeting and took the opportunity to welcome him back, in advance, to Cabinet. Council would be informed of the changes at the meeting on 30 June.

The Leader finally took the opportunity, on behalf of Cabinet, to thank Council officers for the excellent work carried out following the onset of COVID-19. The work covered many areas, including housing the homeless, payments of grants and re-opening town centres, and, following the Government announcement on the previous day, there was more to be done. The Leader further thanked Members for their collaboration and collegiality during the emergency. He closed, referring to the hard hit economy of Cumbria and South Lakeland, and to the work being carried out to address this by the Council, the Economy, Culture and Leisure Portfolio Holder and the Cumbria Local Enterprise Partnership. He also highlighted the fact that a meeting was due to be held on the following day between Cumbria Leaders and the Northern Powerhouse Minister, Simon Clarke, to discuss the economic revival of the area.

CEX/26 APPOINTMENT OF REPRESENTATIVE TO SOUTH LAKES HOUSING**Summary**

Further to Councillor Rupert Audland's recent resignation from the Board, consideration was given to the appointment of a representative to South Lakes Housing to the end of their term on South Lakeland District Council. The Deputy Leader and Housing and Innovation Portfolio Holder informed Members that Councillor Susanne Long had been identified as meeting the key criteria required by the Board. He added that any appointment made by the Council would need, subsequently, to be ratified by the Board.

Decision

RESOLVED – That Councillor Susanne Long be appointed as the Council's representative to South Lakes Housing, until the end of her term on South Lakeland District Council.

Reasons for Decision

Appointments to Outside Bodies assist in the delivery of the Council Plan through partnership working.

Alternative Options Considered and Rejected

Not to make appointments, which could affect the Council's ability to influence partners on important strategic issues.

CEX/27 REVENUE AND CAPITAL OUTTURN 2019/20**Summary**

The Finance and Resources Portfolio Holder presented the Revenue and Capital Outturn 2019/20 report which set out in detail the Council's financial performance for 2019/20 and the impact on reserves. The report had been considered by the Overview and Scrutiny Committee at its meeting on 22 June 2020.

In presenting the report, the Finance and Resources Portfolio Holder raised the fact that this was an unparalleled time for local government funding. Not only was there the uncertainty over the structure of future funding, but also the ongoing challenge of the Covid-19 pandemic. He pointed out that the Finance Team had been fully stretched throughout this period, particularly with their work on large amounts of Government grants being paid through the Council, as well as ensuring control of the Council's finances more generally at this time. He took the opportunity to thank the Finance Lead Specialist, the Finance Specialist and all in the Team for their work which was a reflection of the professionalism and dedication of the team.

The Finance and Resources Portfolio Holder turned first to the Revenue Budget which highlighted that, after taking the carry-forwards into consideration, the Council had an over-spend of £89,000. He pointed out, however, without Covid, the Council would have balanced the budget for the year.

The Finance and Resources Portfolio Holder next addressed capital expenditure, which showed a significant re-profiling. Of the revised Capital Budget of £7.2m, £4.1m had been spent in the year. The majority of this under-spend related to schemes where the Council was working with other parties or was reliant on other parties. The impact of this re-profiling would be presented in July 2020 as part of the preparation of the Medium Term Financial Plan, which would also include the impact of slippages due to Covid-19 and the related reprioritisation of schemes.

The Finance and Resources Portfolio drew attention to Appendix 1a to the report which showed the detailed movement on reserves and the comparison with the budget. Overall, this showed a little over £2.1m being added to reserves and nearly £3m of reserves being utilised, most significantly for funding the Customer Connect project, prior-year carry-forwards and Locally Important Projects expenditure. The Council continued to be in a strong position with its reserves as of the end of the year. The detailed position by reserve, together with the outlook for reserves, would be presented in the updated Medium Term Financial Plan.

The Finance and Resources Portfolio Holder, in closing, alluded to the more serious issue of the finances in 2020/21 and beyond which he would turn to in July.

The Leader thanked the Finance Portfolio Holder and officers for their work and for the comprehensive report which demonstrated that this remained an ambitious Council with prudently managed finances, particularly during the current crisis.

A vote was taken on the proposals during which all Cabinet Members confirmed that they had, without interruption, heard the full presentation and discussion on the item.

Decision

RESOLVED – That

- (1) the outturn figures and variance explanations set out in the report and appendices be noted;***
- (2) the virement relating to the Re-opening High Streets Safely grant set out in paragraph 3.9 and Appendix 1d to the report be approved; and***
- (3) Council be recommended to approve the contributions to and from reserves detailed in Appendix 1a to the report.***

Reasons for Decision

This decision forms a key part of the financial governance arrangements that support all Council priorities.

Alternative Options Considered and Rejected

No alternative options are proposed. Not approving the proposed carry forwards and virements may challenge service delivery during 2020/21 and beyond.

CEX/28

2019/20 ANNUAL TREASURY MANAGEMENT REPORT**Summary**

The Treasury Management Annual Report 2019/20 was presented by the Finance and Resources Portfolio Holder. The report reviewed the treasury activities and the actual prudential and treasury indicators for the 2019/20 financial year, meeting the requirement of the Local Government Act 2003, the CIPFA Code of Practice on Treasury Management and the CIPFA Code for Capital Finance in Local Authorities.

The level of external debt had remained at £12.8m, below the Capital Financing Requirement of £18.5m. This showed that the Council had not funded revenue activity through borrowing, a key prudential indicator. This had been a prudent strategy which was constantly under review so as to avoid incurring higher borrowing costs in the future when the Council might not be able to avoid new borrowing. Interest Receipts from the Council's Investments had brought in £61,000 more income than budgeted for, as the Council benefited from fluctuations in market rates as a result of changing market expectations on the next move by the Monetary Policy Committee regarding the Bank of England base rate and a stepped maturity profile for deposits. Interest payable on borrowing had been in line with budget as no new borrowing had been expected or taken in 2019/20 as a result of using internal cash balances to fund capital rather than borrowing. Looking forward, the COVID-19 outbreak had introduced a large amount of uncertainty into the market. Officers would keep this under constant review with support from the Council's external treasury advisors, Link Asset Services. The current strategy of using internal cash balances to fund prudential borrowing continued to minimise the interest rate gap (where loans cost more than investments earn) and to help reduce counterparty risk.

The report had been considered by the Overview and Scrutiny Committee at its meeting on 22 June 2020.

The Finance and Resources Portfolio Holder thanked officers for their work in this area, pointing out that their careful management of the Council's borrowing and cash balances was critical to minimise the risk that it faced, while achieving the best possible returns to support the broader work of the Council.

The Economy, Culture and Leisure Portfolio Holder complimented officers and the Finance Portfolio Holder for a detailed report in this time of crisis.

A vote was taken on the proposals during which all Cabinet Members confirmed that they had, without interruption, heard the full presentation and discussion on the item.
Decision

RESOLVED – That Council be recommended to approve the 2019/20 Treasury Management Annual Report.

Reasons for Decision

The Treasury Management Framework including Prudential Indicators forms part of the corporate governance arrangements that support all Council priorities.

Alternative Options Considered and Rejected

There are no alternative options. The report presents historic data on treasury performance during 2019/20.

CEX/29 LANCASTER AND SOUTH CUMBRIA JOINT COMMITTEE**Summary**

The Leader and Promoting South Lakeland Portfolio Holder presented the report which referred to the fact that, in 2017, Barrow Borough Council, Lancaster City Council and South Lakeland District Council had approved a joint statement of intent to work collaboratively to drive forward agreed approaches to economic development across the Lancaster and South Cumbria Economic Region. This statement had been rooted in the findings of 2016 economic study work which had confirmed the region as a functioning economic area with a combined Gross Value Added comparable to other major North West economic centres. Strengths had been identified in the sectors of marine engineering, energy generation, nuclear skills, advanced manufacturing and higher education. The conclusion had been that development opportunities could be better identified and realised working strategically across administrative boundaries.

In June 2019, the three authorities had produced and launched a prospectus 'Driving Growth Together' at an event at Lancaster University, attended by a wide range of businesses, agencies, authorities and media from across the region. The prospectus and approach to collaborative working had been well received. The authorities had subsequently produced an outline proposal for a growth deal, and had presented it to the Minister for the Northern Powerhouse ahead of the Convention of the North, held in September 2019. This collaborative approach had successfully raised the profile of the region amongst the Northern Powerhouse, Ministers and local MPs and had outlined potential investments in infrastructure, the business environment and place.

Work was currently taking place to refine and focus proposals for a growth deal type programme to attract significant public investment to transformational growth projects and importantly drive COVID-19 resilience to the region's economy. This required a strong case, backed by demonstrable collaborative action, supported by visible commitment and accountability. As such, it was considered beneficial to establish a formal arrangement between the three councils to drive this, reinforcing the sense of developing a functional economic area. The proposal was to establish the Lancaster and South Cumbria Economic Prosperity Board. This would be established as a Joint Committee, using powers under the Local Government Acts 1972 and 2000 and under the Local Authorities (Arrangement for the Discharge of Functions) (England) Regulations 2012. The proposed Joint Committee's Procedure Rules were presented in Appendix 1 to the report. The Joint Committee's remit would be to provide political and democratic accountability. Membership would comprise two members from each constituent authority. The joint committee would be able to co-opt members or non-authority members up to a maximum of three. If a member was co-opted, this would need to be a Cabinet member under the 2012 Regulations. Each of the constituent authorities would rotate the hosting of the joint committee. Initially, Lancaster City Council would host the Joint Committee. Meetings would be no less than quarterly in frequency. The joint committee would not hold funds or monies on behalf of the constituent authorities.

The approach utilised existing powers available to the constituent authorities and was considered to be an optimal means of achieving greater focus and political and democratic accountability to the joint endeavours of the councils to promote development and strengthened resilience of the region's economy, social and environmental wellbeing.

It was proposed that the Terms of Reference would be reviewed at the first meeting of the Joint Committee with any changes brought back to a future meeting.

Following a comment on the importance of linking the area and the need to include the eastern side of the M6 around the border between South Lakeland and Lancaster, the Leader and Promoting South Lakeland Portfolio Holder agreed with the need to develop the larger M6 corridor.

In response to a query, the Director of Strategy, Innovation and Resources and the Legal, Governance and Democracy Lead Specialist (Monitoring Officer) explained that the agendas and minutes for the meetings of the Joint Committee would be published on the Council's Website in the normal manner in accordance with legislative requirements, with the meeting dates being included in the Council's Calendar of Meetings.

The Economy, Culture and Leisure Portfolio Holder pointed out that this was a functioning effective economic area and was pleased to see broad, cross-party support.

A vote was taken on the proposals during which all Cabinet Members confirmed that they had, without interruption, heard the full presentation and discussion on the item.

Decision

RESOLVED - That

(1) a Joint Committee with Barrow Borough and Lancaster City Councils be established covering all respective administrative areas to promote the economic, social and environmental wellbeing of the areas;

(2) the Executive Functions within the Terms of Reference, adopting the Procedure Rules as attached in Appendix 1 and outlined in the report, be delegated to the Joint Committee;

(3) Lancaster City Council act as the initial host authority for one year;

(4) appoint the Leader and the Portfolio Holder for Economy, Culture and Leisure be appointed to the Joint Committee; and

(5) Council be requested to authorise the Council's Monitoring Officer to make all necessary constitutional amendments to the Council's Constitution and to update the Council's Scheme of Delegation in Part 3 of the Constitution.

Reasons for Decision

The decision directly supports the Council's priority of working across boundaries to deliver economic growth.

Specific contribution is made to the following Council Plan outcomes:-

- working across Morecambe Bay and the North West to secure inward investment;
- attracting external funding and delivering critical infrastructure;
- working collaboratively on our climate emergency priorities, policy and action plan;
- participating in the Northern Powerhouse and contributing to the preparation and implementation of the Local Industrial Strategy;
- promoting unique selling points such as marine and cultural and creative industries;
- intervening to deliver major sites and critical infrastructure and remove barriers to delivery;
- working with partners to deliver critical transport and other infrastructure;
- supporting delivery in neighbouring authorities;
- attracting new delivery partners; and
- using our distinctive environment to create opportunities for all.

Alternative Options Considered and Rejected

The constituent authorities could continue with an informal collaboration. This option is not recommended as the requirements and options for promoting growth and investment proposals to Government and local partners will be strengthened if backed by demonstrable joint commitment a formal arrangements represents. The existing informal collaboration is not open to political and democratic scrutiny other than individually through each of the constituent authorities.

The constituent authorities could consider establishing an Economic Prosperity Board through an alternative legislative route provided by the Local Democracy, Economic Development and Construction Act 2009 and the Cities and Local Government Devolution Act 2016. This option would establish the Board as a corporate body, however this option is reliant on securing secretary of state consent. This takes the creation of a formal joint arrangement beyond the control of the constituent authorities. The Joint Committee could be separate from the Board or develop into this in due course. Whilst this may be an option at a further date, it is considered the Joint Committee route provides an appropriate formal arrangement at this time. As such this option is not recommended.

CEX/30

CARBON REDUCTION TARGET AND GREEN TEAM UPDATE

Summary

The Climate Emergency and Localism Portfolio Holder, together with the Strategy Specialist (Sustainability) introduced the report and displayed a presentation on the screen highlighting that climate change was an existential threat to our way of life. Action was needed to tackle climate change at international, national and local level to help to reduce the negative impacts of climate change on our communities and communities around the world.

The Council had declared a Climate Emergency in February 2019 and had adopted a Climate Change Policy which committed the Council to play its part in meeting emissions targets set internationally and through UK Carbon budgets. Adoption of the carbon reduction targets recommended in this report would ensure that South Lakeland would make its contribution to addressing the International Panel on Climate Change (2018) recommendations to limit global warming to 1.5°C. In showing a lead on this important issue, the Council hoped to influence other local authorities, Government and other stakeholders to play their part.

Cabinet had already agreed to recommend to Council the proposal to adopt carbon reduction targets for South Lakeland District Council as an organisation and to support a Cumbria wide target which had been recommended by an expert report as necessary to meet international targets, as follows:-

- to commit the Council as an organisation to be seeking to achieve net carbon neutrality by 2030; and
- to support a Cumbria wide target of Carbon Neutrality by 2037 and to take the necessary steps within its powers and resources to achieve this.

These had now been inserted into the Policy attached as Appendix 4 to the report and had been considered by the Overview and Scrutiny Committee on 22 June 2020 and were due to be considered by Council on 30 June 2020.

The COVID-19 emergency had provided experience of working across sectors, across organisations and across boundaries to address a serious, complex threat to our lives and our local economy. The opportunity existed to capture that learning and to apply it to the greater but longer term threat of climate change.

Cabinet Members were being asked to note the progress on the Climate Change Action Plan and the approval of the establishment of a Climate Change Community Fund. The proposal in this regard was that the Council would provide a community grant of an initial £20,000. The funding had to be spent to benefit the local community on addressing the climate emergency. The fund would support up to 50% of costs (up to a maximum of £5000) for voluntary and community groups who wished to deliver community based carbon reduction projects. The full funding criteria were attached at Appendix 2 to the report, with the application form at Appendix 3. The fund would be funded from existing climate change resources.

In being asked to note the progress on the Action Plan, Members were being asked to take on board the comments raised by the Overview and Scrutiny Committee on 22 June 2020, action on which, where necessary, was being taken by the Climate Emergency and Localism Portfolio Holder and details of which were displayed on the screen, as follows:-

Comment	Climate Emergency and Localism Portfolio Holder/Officer Action/Response
That the targets set in the Action Plan and the funding relationship needs to be explained and explored further - in particular pages 77, 88 and 89. Is the lack of funding/resources driving the setting of longer term targets. What is the impact of this on the health and wellbeing of our communities. Should more resources be allocated?	We will be issuing a new draft document which will remove the definitions of short term, medium term and long term targets. To avoid any confusion.
The relationship to Development Control/Planning Committee and Strategic Planning Policy needs to be aligned. How will the Action Plan influence and inform the Local Plan process? How do we ensure the two work streams are aligned and inform each other?	This is considered to be a very valid comment and we will work to ensure that the emerging Local Plan has the required policies to reflect our ambitions. Of course in the context of balancing other competing priorities.

Comment	Climate Emergency and Localism Portfolio Holder/Officer Action/Response
Can we deliver the targets set, 2030 and 2037?	Yes we are seeking to achieve the 2030 targets and will take the necessary steps within our powers and resources to achieve this.
What is the Governance around the Cumbria wide target?	The Cumbria Wide Working Group is part of this Governance. Under the direction of the Director of Public Health at the County Council.
Is the community really embracing the Climate Change agenda?	We have seen more support during the Covid crisis and we do believe the community is embracing the challenges.
The glossary requires updating.	This has been updated.
Air Quality requires reference, Clean Air Day and School Safety Zones.	Reference to Air Quality now inserted in the draft document.
Can we look at other funding sources/models and options, e.g. grant funding, credit unions – other alternatives need to be explored.	This will be part of the work programme.
How are we influencing the County Council to increase the use of bicycles?	Through existing networks and partnerships.
Street lighting – how are we addressing this and more energy efficiency? Referenced impact on biodiversity.	We agree that this is an area that could be improved and we encourage joint working and collaboration with all partners.
How do we ensure that the costs to the community in working with us to achieve this Action Plan and the targets are proportionate, e.g. heat pumps and solar panels?	We need to engage with our partners and businesses and await further resources from central government to achieve a UK target of 2050. Markets need to be further developed to drive costs down.

In closing, the Climate Emergency and Localism Portfolio Holder thanked the Strategy Specialist (Sustainability) and officers for their work.

The Legal, Governance and Democracy Lead Specialist (Monitoring Officer) further referred to the comments raised at the meeting of the Overview and Scrutiny Committee held on 22 June 2020, and informed Cabinet that Members had further requested that Cabinet consider increasing the proposed grant for the Climate Change Community Fund referred to at recommendation 2 and in paragraph 3.10 of the report (and not 3.8.2 as stated at recommendation 2).

A lengthy discussion ensued during which Members expressed strong support for the proposals. Also raised were the potential for hydro power making use of becks and streams within the area, the need for Members to be well briefed and informed in order to spread the message and become more involved in setting the agenda within their towns and parishes, and the need to build on consciousness of the environment and the way of life adopted by people during the COVID-19 lockdown. This was seen as a fantastic opportunity for cross party working. The Health, Wellbeing and Financial Resilience Portfolio Holder highlighted the importance of the link to the Cumbria Public Health Strategy.

The Leader and Promoting South Lakeland Portfolio thanked officers, thanked Members for the cross party support and thanked the Overview and Scrutiny Committee for its input. He stressed the need to address Climate Change and the need for the Council to provide leadership. He firmly believed that the Climate Change Action Plan, although ambitious, was achievable. He took on board the comments regarding the need for Members to be provided with more information. He further informed Members that, following the comments raised by the Overview and Scrutiny Committee, the size of the Climate Change Community Fund was under review.

The Climate Emergency and Localism Portfolio Holder added that she and the Strategy Specialist (Sustainability) were organising a briefing session for all Members of the Council during July.

A vote was taken on the proposals, including acceptance of the comments raised by the Overview and Scrutiny Committee on 22 June 2020, during which, with the exception of the Deputy Leader and Housing and Innovation Portfolio Holder who abstained, Cabinet Members confirmed that they had, without interruption, heard the full presentation and discussion on the item.

The Action Plan would be updated to address comments raised by the Overview and Scrutiny Committee and Cabinet and re-circulated to all Members prior to the Council meeting on 30 June 2020.

Decision

RESOLVED – That

(1) the comments raised by the Overview and Scrutiny Committee on 22 June 2020 be noted and taken on board as necessary;

(2) the progress on the updated Climate Change Action Plan be noted and it be approved for submission to Council; and

(3) the establishment of the Climate Change Community Fund set out in Paragraph 3.10 of the report.

Reasons for Decision

The Council Plan adopted in December 2019 sets a strategic priority of meeting the challenge of Climate Change as well as the following actions:-

- working with partners to develop energy saving and energy efficiency initiatives;
- providing energy advice and additional support to households at risk of fuel poverty;
- implementing the Cumbria Public Health Strategy;
- promoting environmental technologies and the green economy;
- working to achieve a carbon neutral South Lakeland;
- promoting sustainable and active transport including cycling and walking;
- conserving and enhancing the biodiversity of the District; and
- phasing out the use of single-use plastics.

Alternative Options Considered and Rejected

The Council could choose not to adopt a climate change target, or to adopt a later date to achieve carbon neutrality by 2040 or 2045 - clearly there is a global risk in failing to address the challenges of Climate Change in increased severe weather events and flooding, increased refugee flows, competition for water resources, impacts on food production and many others. The actions South Lakeland takes must be seen in the context of global solutions to a global problem. However, the global issue will only be addressed if local communities, local authorities, County and sub-regional bodies and national Governments take ownership of it. South Lakeland's actions, whilst they may have limited impacts in themselves, help to build resolve and influence others. Non-adoption of a target or adoption of later targets would reduce the impetus for action locally.

CEX/31 CUSTOMER STRATEGY 2020

Summary

The Customer and Commercial Services and People Portfolio Holder reported that demand for public services and expectations of levels of service were ever increasing. Citizens and businesses expected the same levels of access, ease of use and customer service that they saw online from large private sector organisations. They expected to be able to access their services from multiple locations and in ways that suited them. In recognition of this, the Customer Strategy represented the transition from a traditional service based strategy to a combined digital Customer Strategy.

The Customer Strategy underpinned how the Council could achieve key Council Plan objectives.

Primarily, the Strategy ensured that the Council had the right communications channels available for customers to quickly and easily:-

- find the information they needed; and
- complete the tasks they needed to do.

It also provided for better use of customer feedback to drive further improvements.

The Strategy set out the following outcomes:-

- customer and community needs drive how we design and deliver our services;
- customers can get the information and services they need easily;
- our digital services are so good that they are customers' first choice;
- we are clear about what customers can expect from us and everyone receives the same high standard of service;
- our services are great value for money;
- we will enable customers to have better access to our services at times which are more convenient, so putting them more in control; and
- we will be a more efficient council by having digitally enabled services available online which makes it easier for customers to do business with us.

The response to COVID-19 had shown that customers were able to use digital channels. Examples included:-

- the high take-up, usage and positive feedback about the online business grant form;
- higher website usage; and
- growth in customers accessing the site through social media channels.

Consultation had demonstrated that more and more people preferred to access services on their mobile phone or computer. The Council wanted to improve its digital services so that it could focus its limited resources on customers who were unable to access services online.

Reference was made to the fact the Strategy indicated that 82% of people in South Lakeland used home broadband to access the internet and to the need for it to be made clear to those people that they were able to contact South Lakeland District Council direct on District Council matters without first approaching their local parish or town councils.

A vote was taken on the proposals during which, with the exception of the Deputy Leader and Housing and Innovation Portfolio Holder who abstained, Cabinet Members confirmed that they had, without interruption, heard the full presentation and discussion on the item.

Decision

RESOLVED - That the Customer Strategy 2020 be approved.

Reasons for Decision

To assist in the delivery of the Council Plan - Open and transparent: Being courteous, efficient and transparent in our dealings with the public and seeking continuous improvement in what we do, ensuring that our actions address the needs of South Lakeland.

Alternative Options Considered and Rejected

The Council's Customer Strategy is a critical element of its transformation and supports the delivery of the Council's Commissioning Strategy and the Council Plan priorities and outcomes.

CEX/32

CUMBRIA CHOICE BASED LETTINGS ALLOCATIONS POLICY REVIEW

Summary

The Deputy Leader and Housing and Innovation Portfolio Holder presented the report, which explained that approval of the Cumbria Choice Based Lettings Allocations Policy, operation of which had begun in May 2011, would ensure that there was greater clarity for households in South Lakeland who were currently registered for social housing or who might register in the future. The proposed Policy would help to ensure that there was a consistent and fair approach amongst registered providers with regard to letting homes in South Lakeland to meet the greatest housing needs. The revisions would meet legislative changes relating to the Homelessness Reduction Act 2017 and resultant Statutory Guidance. It was expected that the proposed changes would simplify the operation of the policy to the benefit of all who use it and to customers.

The report detailed consultation which had already taken place, following which a number of changes were required to the Policy to satisfy legislative change, reduce any ambiguities in the operation of the policy so it was applied consistently and fairly and to ensure greater clarity and simplicity. It was, therefore, being proposed that a local consultation be launched in South Lakeland to provide further opportunity for comments from key stakeholders. The consultation responses could then be considered at the July Overview and Scrutiny Committee and the July Cabinet meeting for recommendation to Council. The Deputy Leader and Housing and Innovation Portfolio Holder drew attention to the fact that the Overview and Scrutiny Committee, at its meeting on 22 June 2020, had given consideration to the consultation process. The Legal, Governance and Democracy Lead Specialist (Monitoring Officer) explained that the Overview and Scrutiny Committee had, at that meeting, established a small working group of Members to consider the Policy with a view to providing feedback to the Committee's July meeting.

Attention was drawn to the fact that this was a common Allocations Policy, the Cumbria Choice Based Lettings being a partnership comprising the six housing authorities in Cumbria and eight housing associations, all partners had to seek approval from their respective organisations to enable the revised Policy to be published by July.

Discussion took place during which a number of queries were raised and answered by the Principal Specialist People.

Concern was raised that the proposed wider local connection criteria outlined within the draft Cumbria Choice Based Lettings Allocations Policy may conflict with the local connection policies of the National Parks. This could impede future developments should the Cumbria-wide local connection criteria be used. It was suggested that this needed to be clear in the draft Policy. In response, the Principal Specialist People explained that Section 106 Agreements used for planning applications would take precedence over the Cumbria Choice Based Lettings Allocations Policy local connection criteria. These were set by each of the planning authorities. Social housing owned by Registered Providers were typically covered by Section 106 Agreements and these would be used when determining whether an applicant qualified for these properties. However, she pointed out that the main stock holder in South Lakeland was South Lakes Housing, and that the majority of their housing stock was ex-Council stock and, for this, the Choice Based Lettings Allocations Policy local connection criteria would apply, with the exception of houses and bungalows in rural areas which were captured by the Council's Local Lettings Policy.

The need for flexibility for people who lived near the border of districts outside of Cumbria, i.e. Lancaster, was raised, as there were examples where constituents lived very close to the border but fell outside of the defined locality. The Principal Specialist People responded, saying that there was some flexibility within the draft Allocations Policy if there was no one identified who met the local connection criteria. Additionally, there were various factors that could be considered as a local connection, including working in the locality, having close family in the locality or needing support from relatives in the locality. The Right to Move was also set out within the draft Policy, as this was statutory provision that could assist applicants who needed to move from outside of Cumbria for work purposes, and the draft Policy gave a percentage of lettings to be made in this way.

In response to a suggestion that the draft Policy should include some right of appeal as this would be otherwise unfair, the Principal Specialist People advised that the draft Cumbria Choice Allocations Policy set out the right for a review of decisions and how a review would be requested and carried out.

The Principal Specialist People undertook to provide written responses to those Members who had raised queries and the Deputy Leader and Housing and Innovation Portfolio Holder agreed to address a request for care that the Policy did not inhibit new development within the Yorkshire Dales National Park areas of Sedbergh and Dent.

A vote was taken on the proposals during which all Cabinet Members confirmed that they had, without interruption, heard the full presentation and discussion on the item.
Decision

Decision

RESOLVED – That

- (1) the consultation draft Cumbria Choice Allocations Policy be noted; and***
- (2) the approach outlined at paragraph 4.2. of the report for local consultation in South Lakeland be approved.***

Reasons for Decision

The proposed amendments to the Policy will assist the Council in meeting the priority to provide 'Homes to Meet Need'.

Alternative Options Considered and Rejected

Members could choose not to undertake a further local consultation. This is not recommended as due to the COVID-19 pandemic there were limited responses to the Board consultation process. The local consultation would give further opportunity for responses.

CEX/33

COMMISSIONING STRATEGY 2020

Summary

The Finance and Resources Portfolio Holder introduced the report which explained that commissioning was the whole cycle of how the Council's services, programmes, projects and partnerships were planned, designed, developed, delivered, managed, evaluated and terminated. The Commissioning Strategy set out the Council's commitment to improving outcomes for local people through effective, integrated commissioning. It would ensure a co-ordinated approach within the organisation which would respond to the will and ambition set out in the Council Plan. It was complementary to the Council's existing Sustainable Procurement and Commissioning Strategy and would take precedence in so far as it referred to commissioning. The Finance and Resources Portfolio Holder pointed out, however, that the Procurement Strategy was also being updated to ensure that it reflected the key elements of commissioning within it, including aspects of Social Value. The Commissioning Strategy set the framework for how the Council used the total resources available to it in order to improve outcomes for South Lakeland residents in the most efficient, effective, equitable and sustainable way. It would ensure that robust performance management arrangements were in place, enabling the Council to monitor expectations of outcomes from commissioning and allow it to monitor the environmental and social value relative to resources invested to evaluate impact, identify ways to improve performance and enhance the performance of existing activities.

The Strategy, which had been prepared to be in compliance with existing legislation, formed part of the Council's Budget and Policy Framework and, as such, Cabinet was being asked to approve it for consultation prior to consideration by the Overview and Scrutiny Committee, returning to Cabinet and on to Council in July 2020.

The Finance and Resources Portfolio Holder added that, in order to align with the new Commissioning Strategy, it would be proposed, in approving the document, that the Council's Monitoring Officer make a number of resulting amendments to the Council's Constitution, as outlined in Appendix 2 to the report.

The Finance and Resources Portfolio Holder, in closing, thanked the officers involved for their work.

In response to a query, the Director of Strategy, Innovation and Resources provided clarification that the Strategy did not usurp in any way the decision-making process around planning applications. The Strategy related to how services were provided. The Local Plan and Local Development Framework were separate documents.

A vote was taken on the proposals during which all Cabinet Members confirmed that they had, without interruption, heard the full presentation and discussion on the item.

Decision

Decision

RESOLVED – That the Commissioning Strategy 2020 be approved for consultation as part of the Council's Budget and Policy Framework as outlined in paragraph 4.4 of the report.

Reasons for Decision

The decision links to the Council Plan, seeking continuous improvement in what we do, ensuring that our actions address the needs of South Lakeland.

Alternative Options Considered and Rejected

The Council's Commissioning Strategy is a critical element of its transformation and supports the delivery of the Council Plan priorities and outcomes.

CEX/34

REGULATION OF INVESTIGATORY POWERS ACT 2000 ANNUAL REVIEW

Summary

The Customer and Commercial Services and People Portfolio Holder presented a detailed report on the annual review of the operation of the Council's surveillance policies and practices under the Regulation of Investigatory Powers Act 2000 (RIPA).

The report indicated that between 1 April 2019 and 31 March 2020, there had been no applications for authorisation for Directed Surveillance or use of Covert Human Intelligence Source, nor had there been any live authorisations or applications for authorisation at the date on which the report had been submitted. There had also been no non-RIPA authorisation requests.

The review had taken into account the Data Protection Act 2018 (DPA) and the General Data Protection Regulation (GDPR). In addition, as part of the review, relevant officers had confirmed that the Council's CCTV Policy had been adhered to throughout the period.

The report further outlined that training had been attended by officers in February 2019 and that the Council's procedures were available on the Intranet, with the Legal, Governance and Democracy Lead Specialist also being available to provide advice to officers on compliance with RIPA.

The report outlined the need for an amendment to the Council's Constitution to clarify the authorised officers, with a proposal that the Director of Strategy, Innovation and Resources be named as the Senior Information Risk Officer rather than the RIPA Monitoring Officer. It was further being proposed that minor changes to the RIPA Guidance were required to reflect the changes to various job titles as a result of the Council's Customer Connect Programme.

A vote was taken on the proposals during which all Cabinet Members confirmed that they had, without interruption, heard the full presentation and discussion on the item.
Decision

Decision

RESOLVED – That

(1) the review of the operation of the Council's policies and procedures as regards the Regulation of Investigatory Powers Act 2000 for the year 2019/20 be noted;

(2) the following be endorsed:-

(a) the constitutional amendment to list David Sykes as Senior Information Risk Officer; and

(b) the updates to job titles resulting from Customer Connect within the Council Guidance on Surveillance under RIPA.

Reasons for Decision

The decision links to the delivery of the Council Plan vision of "working together to make South Lakeland the best place to live, work and explore."

Alternative Options Considered and Rejected

The review has been undertaken to comply with legislation and the report is presented for information and note. An alternative option is not presented.

CEX/35 LEADER'S ANNOUNCEMENT

The Leader, prior to closing the meeting, thanked officers for the large amount of work put in to holding virtual meetings and ensuring that meeting procedures were followed. He asked the Legal, Governance and Democracy Lead Specialist (Monitoring Officer) to pass on his thanks to all involved in enabling the Council to continue its decision-making process through virtual meetings.

The Leader took the opportunity to reiterate thanks to Councillor Morrell for his service to Cabinet.

The meeting ended at 12.15 p.m.