

**EXECUTIVE DECISION NOTICE****CABINET**

**A record of the decisions made at the meeting of the Cabinet held on Wednesday, 23 June 2021, at 10.00 a.m.**

Present

Councillors

Jonathan Brook (Leader and Promoting South Lakeland and Innovation Portfolio Holder)  
(Chairman)

Helen Chaffey	Housing Portfolio Holder
Philip Dixon	Customer and Locality Services Portfolio Holder
Andrew Jarvis	Deputy Leader & Finance and Assets Portfolio Holder
Dyan Jones	Climate Action and Biodiversity Portfolio Holder

Apologies for absence were received from Councillors Robin Ashcroft (Economy, Culture and Leisure Portfolio Holder) and Suzie Pye (Health, Wellbeing and Poverty Alleviation Portfolio Holder).

Also in attendance at the meeting were Shadow Executive Members Pat Bell (Shadow Cabinet (Housing Portfolio)), Roger Bingham (Shadow Cabinet (Economy, Culture and Leisure Portfolio)), John Holmes (Shadow Cabinet Deputy Leader (Finance and Assets Portfolio)), Kevin Holmes (Shadow Cabinet (Climate Action and Biodiversity Portfolio)), Janette Jenkinson (Shadow Cabinet (Customer and Locality Services Portfolio)) and David Webster (Leader of the Labour Group).

Apologies for absence were received from Shadow Executive Members Tom Harvey (Shadow Cabinet Leader (Promoting South Lakeland and Innovation Portfolio)) and Helen Irving (Shadow Cabinet (Health, Wellbeing and Poverty Alleviation Portfolio)).

Officers

David Bradley	Specialist - Housing Standards
Lawrence Conway	Chief Executive
John Davies	Case Management Officer
Linda Fisher	Legal, Governance and Democracy Lead Specialist (Monitoring Officer)
Adam Moffatt	Legal, Governance and Democracy Specialist
Amanda Pharaoh	Housing Strategy and Delivery Specialist
Claire Read	Finance Specialist
Fraser Robertson	Communications Specialist
Simon Rowley	Director of Customer and Commercial Services
Helen Smith	Finance Lead Specialist (Section 151 Officer)
David Sykes	Director of Strategy, Innovation and Resources

**CEX/1 CHAIRMAN'S ANNOUNCEMENTS**

The Leader of the Council and Promoting South Lakeland and Innovation Portfolio Holder welcomed new Cabinet Members, Councillors Helen Chaffey and Phillip Dixon to the meeting, and further welcomed Councillor Kevin Holmes and Janette Jenkinson to the Shadow Bench. In addition, the Leader welcomed the Leader of the Labour Group, Councillor David Webster to the meeting.

**CEX/2 CABINET EXECUTIVE DECISIONS**

No Member having raised concern when asked by the Chairman, it was

***RESOLVED – That the Chairman be authorised to sign, as a correct record, the Executive Decisions made by Cabinet on 23 March 2021 and 30 March 2021.***

**CEX/3 DELEGATED EXECUTIVE DECISIONS**

No Member having raised concern when asked by the Chairman, it was

***RESOLVED – That the Delegated Executive Decisions made by Portfolio Holders or Officers on 11 March 2021 be received.***

**CEX/4 DECLARATIONS OF INTEREST**

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

**CEX/5 LOCAL GOVERNMENT ACT 1972 - EXCLUDED ITEMS**

Members were informed that the item in Part II of the agenda had been withdrawn from the agenda.

There were no excluded items on the agenda.

**CEX/6 PUBLIC PARTICIPATION**

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

**CEX/7 FORWARD PLAN**

Members were informed that the Forward Plan (published 22 June 2021) superseded the Forward Plan attached to the agenda and that this had been circulated to all Members following its publication.

No Member having raised concern when asked by the Chairman, it was

***RESOLVED – That the contents of the Forward Plan published on 22 June 2021, be noted.***

**CEX/8 CABINET PORTFOLIOS AND SCHEME OF DELEGATION**

Further to the announcement made by the Leader at the Annual Meeting of the Council on 19 May 2021, Members had been provided with copies of documents outlining the allocation of Portfolios to Cabinet Members and the Scheme of Delegation for the discharge of the Executive Functions of the Council. Members were also provided with a copy of a document which highlighted the allocation of Shadow Portfolios to the Shadow Executive.

***RESOLVED – That the allocation of Portfolios to Cabinet Members by the Leader be noted and the respective Cabinet Job Descriptions be signed by each Cabinet Member.***

**CEX/9 COUNCIL PLAN PERFORMANCE MONITORING REPORT QUARTER 4 2020/21****Summary**

The Leader and Promoting South Lakeland and Innovation Portfolio Holder presented the fourth quarter Council Plan Performance Monitoring Report 2020/21 which set out the Council Plan Priorities and Measures of Success. The measures listed, details of which were set out within the report, were showing very good performance and demonstrated that South Lakeland was a very desirable place to live, work and explore.

The report also included the latest Strategic Risk Register. Out of a total number of 16 risks, eight were currently above the Council's tolerance but were, however, being managed effectively.

In presenting the report, the Leader and Promoting South Lakeland and Innovation Portfolio Holder informed Members that the Council remained committed to deliver 1,000 affordable homes to rent by 2025, with the provision to date of 529 affordable homes to rent. In closing he referred to the 13 empty homes which had been brought back into use in South Lakeland for Quarter Four and an additional 9 affordable homes for rent completed during Quarter Four.

Discussion took place on the impact of Covid-19 on domestic violence statistics, Members felt that it was important to monitor this in the coming months as there could be a spike in the statistics once they had been updated.

Further discussion raised the most prominent risk on the risk register which related to the Medium Term Financial Plan and providing a balanced budget. The Finance and Assets Portfolio Holder informed Members that the Council was in a slightly improved position than had previously been expected given the impact of Covid-19 on Local Authorities.

**Decision**

***RESOLVED – That the following be noted:-***

- (1) the Summary of Performance as detailed in the report;***
- (2) the detailed risks information contained within Appendix 1; and***
- (3) the detailed Business and Economy Statistics in Appendix 2.***

***Reasons for Decision***

The report is directly linked to the following Council Plan commitment to ensure that the Council is equipped to provide the best, most cost effective services. Details regarding performance monitoring are published in line with the Council's current Performance Management Framework.

**Alternative Options Considered and Rejected**

None – The purpose of the report is to receive a performance update. The Council must note successes, monitor progress and take action where appropriate.

**CEX/10****REVENUE AND CAPITAL OUTTURN 2020/21****Summary**

The Finance and Assets Portfolio Holder presented the Revenue and Capital Outturn 2020/21 report which set out the Council's financial performance for 2020/21 and the impact on reserves. He highlighted the huge impact of the ongoing Covid-19 pandemic and the hard work of the finance team in applying for and administering grants to local businesses. The Finance and Assets Portfolio Holder thanked the Finance Team for their work during a challenging period and added that despite the complex situation, the Council was in a better position than had been expected earlier in the year.

Attention was drawn to the significant impact of Covid-19 on the Council's finances with £134 million of additional support from the Government to the Council and South Lakeland area. He reminded Members of the additional budget of £2 million which had been funded by use of the General Reserve and approved by Cabinet and Council in June 2020 and explained that the expected net cost of Covid-19 to the Council had been reduced to £1.3 million in February 2021. The Finance and Assets Portfolio Holder informed Members that mainly due to additional grants and contributions received, the estimated cost was now £259,000.

The report was due to be considered by the Overview and Scrutiny Committee on 9 July 2021.

Discussion raised a query relating to funds that had been made available to vulnerable people within South Lakeland. The Finance and Assets Portfolio Holder informed Members that the funding had taken the form of grants that had already been paid.

Members having raised concern relating to the impact of a potential unitary authority on the budget of the Council in the short-term, the Finance and Assets Portfolio Holder explained that in the event of that decision, there would be direct costs on the Council as consultants would be needed to work out how to move forwards. He added that in the event of that decision there would also be constraints placed on the outgoing authorities' finances to prevent asset stripping within the organisation but highlighted that well documented decisions that had been made would most likely still be able to go ahead.

Further discussion raised a query relating to the performance of the Planning department, the Chief Executive Officer responded by informing Members that the Council had the right and sufficient amount of employees to undertake the planning services and that the department's performance statistics had been improving greatly.

In seconding the report, the Leader and Promoting South Lakeland and Innovation Portfolio Holder highlighted the ambitious program across the district and that it remained the Council's plan to deliver these projects to residents. He echoed the earlier comments thanking the finance team for their hard work during a challenging period and thanked all officers of the council for their strong response to Covid-19.

### **Decision**

#### ***RESOLVED – That***

- (1) the outturn figures and variance explanations set out in the report and appendices be noted;***
- (2) the carry forwards set out in Appendix 1d and 2 be approved;***
- (3) the receipt by the Council of the additional grant of £18,121 payable to GLL set out in paragraph 3.9; be approved;***
- (4) the use of £58,000 of hardship grants as set in paragraph 3.10 be approved; and***
- (5) Council be recommended to approve the following:-***
  - (a) the contributions to and from reserves detailed in Appendix 1a; and***
  - (b) the changes in responsibility for reserves set out in paragraph 3.15.***

### **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 may challenge service delivery during 2021/22 and beyond.

**CEX/11**

## **2020/21 ANNUAL TREASURY MANAGEMENT REPORT**

### **Summary**

The 2020/21 Annual Treasury Management Report was presented by the Finance and Assets Portfolio Holder. The report reviewed the treasury activities and the actual prudential and treasury indicators for the 2020/21 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 remained at £12.8 million, which was below the Capital Financing Requirement of £21.1 million, further repayment of debt was not recommended given that the current repayment premium would be high. Attention was drawn to the fact that the Council had not funded revenue activity through borrowing,

which was a prudent strategy. The borrowing strategy was constantly under review so as to avoid incurring higher borrowing costs in the future.

The report would be considered by the Overview and Scrutiny Committee at the meeting scheduled for Friday, 9 July 2021.

Discussion raised concern regarding the outcome of Local Government Reorganisation and the impact on the levels of debt currently held by the Council. The Finance and Assets Portfolio Holder informed Members that it was not as straight forward as just considering the debts of other authorities as assets can affect the balance. The Finance Lead Specialist (Section 151 Officer) agreed to provide further information on this in a written response. The Finance and Assets Portfolio Holder added that the bigger concern maybe debt at a county level and pension liabilities when considering the impact of a potential unitary authority on the Council's current level of debt.

### **Decision**

***RESOLVED – That Council be recommended to approve the 2020/21 Annual Treasury Management 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 2020/21.

## **CEX/12**

### **LOCAL AUTHORITY DELIVERY SCHEME FOR THE GREEN HOMES GRANT**

#### **Summary**

The Housing Portfolio Holder introduced the Local Authority Delivery Scheme for the Green Homes Grant report.

The Specialist (Housing Standards) informed Members that the Scheme aimed to build on the Green Homes Grant Voucher Scheme (which ended in March 2021) and was to be delivered by a consortium of Cumbria District Councils, led by Eden District Council. He explained that the proposal would include the services of a Retro Fit Coordinator and some administration costs, and would establish expertise to apply for future grant funding. The Specialist (Housing Standards) highlighted that should the consortium bid be successful, there was the potential to provide £716,000 of energy saving measures for residents of South Lakeland.

Discussion took place on the impact of an income threshold on the residents of South Lakeland with the scheme, the time constraints placed on anyone applying for Green Homes Grants under the scheme and on the lack of skilled contractors who could apply the improvements offered by the scheme. The Leader and Promoting South Lakeland and Innovation Portfolio Holder echoed Members concerns with the strain on the scheme and added that it was important to manage expectations of the scheme, particularly when considering the time constraints.

The Specialist (Housing Standards) informed Members that the scheme hoped to use EON as the main supplier who will source the contractors who are qualified for this work.

Further discussion raised a query relating to whether there had been any controls put in place to prevent people from using the scheme to improve their home for their own financial gain. The Specialist (Housing Standards) informed Members that there had not been any such controls put in place as the aim of the scheme was to improve homes with E, F and G energy efficiency ratings.

Members called for the government to improve the efficiency and reach of the Local Authority Delivery Scheme for the Green Homes Grant. Concern having been raised regarding the lack of local delivery options for the scheme, Members felt that local authorities could offer a great deal if powers were to be devolved to allow for local delivery of the scheme. In concluding the discussion, Members thanked officers for their hard work and commitment to the success of the scheme.

## Decision

### **RESOLVED – That**

- (1) the proposal to participate in a consortium bid for grant funding from the Local Authority Delivery Scheme Phase 2 – Green Homes Grant (LAD2) North West Energy Hub via a consortium of Cumbria District Councils, in respect of the provision of energy efficiency measures be approved;***
- (2) subject to a successful consortium bid by Cumbria District Councils (including SLDC), acceptance by SLDC of its allocation of the grant funding awarded by North West Energy Hub LAD2 scheme in the sum of £716,000 be authorised, provided that if the actual sum of grant awarded to SLDC is more or less than £716,000 the difference will be reported as part of the Quarterly Finance Update Reporting; and***
- (3) subject to the award of grant funding under the LAD2 grant scheme, the Director of Customer and Commercial Services, in conjunction with the Operational Lead (People, Welfare and Income Maximisation) and the Legal, Governance and Democracy Lead Specialist (Monitoring Officer) be delegated authority, to enter into the appropriate agreements on behalf of the Council for receipt and administration of the grant funding in consultation with the Portfolio Holder for Housing.***

## Reasons for Decision

Our four priorities for 2021 – 2026 includes a Fairer South Lakeland and Addressing the Climate Emergency. In delivering a Fairer South Lakeland – SLDC has committed to providing energy advice and additional support to households in fuel poverty.

In February 2019 SLDC declared a climate emergency. The Council seeks to maximise the social, economic and environmental benefits which come from combating and developing resilience to climate change and developing sustainability.

One of the targets is to reduce the percentage of homes in the lowest energy performance certificate bands E, F & G. This project will go some way towards both of these commitments.

### **Alternative Options Considered and Rejected**

The Council could decide not to submit a bid through the consortium for the monies available but this is not recommended by BEIS. We could lose the opportunity for funding and would not be able to support the work to improve the energy efficiency of homes and reduce carbon emissions.

An alternative option is for the Council to submit its own bid and not work with the consortium, however, the Government made it clear that a consortium approach is the preferred route to access this funding and to increase the chance of success. Therefore, this is not recommended.

## **CEX/13**

### **CABINET APPOINTMENTS/ REPRESENTATIONS ON OUTSIDE BODIES 2021/22**

#### **Summary**

Consideration was given to proposed nominations for the appointments of representatives to serve on outside bodies for the forthcoming year 2021/22. Members were informed of an updated version of appendix 1 to the report which had been circulated prior to the meeting.

#### **Decision**

***RESOLVED – That the following appointments of representatives to serve on outside bodies for 2021/22 (or for terms as otherwise state) be made:-***

<b>Organisation</b>	<b>Representative</b>	<b>Notes</b>
Appleby Fair Multi-Agency Co-ordinating Group	Suzie Pye	
Arnsdale/ Silverdale Area of Outstanding Natural of Beauty Executive Committee	Helen Chaffey	
Bowness and Windermere Forward Board	Robin Ashcroft	
Citizens' Advice Bureau Trustee Board	Suzie Pye	Observer only
Community Safety Partnership	Suzie Pye	Health, Wellbeing and Poverty Alleviation Portfolio Holder
Council of Grizedale Arts	Robin Ashcroft	Observer only
County Council Local Committee for South Lakeland	Jonathan Brook	
County Council Local Committee for South Lakeland	Andrew Jarvis	
Cumbria Community Foundation	Phillip Dixon	
Cumbria Housing Group	Helen Chaffey	
Cumbria Joint Districts Board	Jonathan Brook	Leader Appointment
Cumbria Leadership Group	Jonathan Brook	Leader
Cumbria Pensions Forum	Andrew Jarvis	

<b>Organisation</b>	<b>Representative</b>	<b>Notes</b>
Cumbria Strategic Waste Partnership	Phillip Dixon	
Cumbria Strategic Waste Partnership	Dyan Jones	Substitute
Cumbria Tourism	Robin Ashcroft	
Duddon Estuary Partnership Consultative Committee	Tracy Coward	
Duddon Estuary Partnership Consultative Committee	Gill Gardner	
Furness Economic Development Forum	Robin Ashcroft	
Gateway Group	Suzie Pye	
George Moore Education Trust	Robin Ashcroft	Trustee Role
Kendal BID	Robin Ashcroft	
Kendal Brewery Arts Centre	Robin Ashcroft	
Kendal Futures Board	Robin Ashcroft	
Lakes Line Rail User Group	Douglas Rathbone	
Lancaster Canal Regeneration Partnership	Chris Hogg	
Lancaster Canal Regeneration Partnership	Douglas Rathbone	
Local Enterprise Partnership	Jonathan Brook	Leader on rotation with Leader of Barrow BC
Morecambe Bay Partnership	Robin Ashcroft	
North West Housing Forum	Helen Chaffey	
Parking and Traffic Regulation Outside London Joint Committee	Phillip Dixon	
Public Health Alliance	Suzie Pye	
Reserve Forces and Cadets Association	Roger Bingham	
Safer Cumbria	Suzie Pye	
South Lakes Business against Crime Partnership	Pete McSweeney	
South Lakes Housing	Susanne Long	
South Lakes Housing	TBC	
SPARSE Rural	Peter Thornton	
SPARSE Rural	Giles Archibald	
Ulverston BID	Janette Jenkinson	Observer only
Cumbria Better Connected	Robin Ashcroft	
Lake District National Park Business Task Force	Robin Ashcroft	
Sedbergh Economic Partnership	Robin Ashcroft	
Lancaster and South Cumbria Joint Committee	Jonathan Brook	Leader
Lancaster and South Cumbria Joint Committee	Robin Ashcroft	Cabinet Member
South Lakeland Health and Wellbeing Partnership	Suzie Pye	
The Cumbria Local Enterprise Partnership (CLEP) Places Strategy Group	Jonathan Brook	

<b>Organisation</b>	<b>Representative</b>	<b>Notes</b>
Cumbria Local Nature Partnership Board	Dyan Jones	
Lake District National Park Partnership	Andrew Jarvis	

### **Reasons for Decision**

Appointments to Outside Bodies assist in the delivery of the Council Plan through partnership working: “across boundaries, with a range of other local authorities, organisations and businesses”.

### **Alternative Options Considered and Rejected**

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

## **CEX/14 SUB-LEASE AT KENDAL LEISURE CENTRE**

- *Paragraph 3, 5 - Information relating to the financial or business affairs of any particular person (including the authority holding that information)*
- *Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.*

Members were informed that this report had been withdrawn from the agenda.

The meeting ended at 11.01 a.m.