

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

**A record of the decisions made at the meeting of the Cabinet held on Wednesday, 1 September 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
Suzie Pye	Health, Wellbeing and Poverty Alleviation Portfolio Holder

An apology for absence was received from Councillors Robin Ashcroft (Economy, Culture and Leisure 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)) and 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

Inge Booth	Legal, Governance and Democracy Specialist
Lawrence Conway	Chief Executive
Dan Hudson	Strategy Lead Specialist
Julia Krier	Legal, Governance and Democracy Specialist
Josh McLeod	Specialist - Bereavement Services
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/31****CABINET EXECUTIVE DECISIONS**

The Leader and Promoting South Lakeland Portfolio Holder referred to the minute relating to Delegated Executive Decision CEX/23 (Council Plan Performance Monitoring Report Quarter 1 2021/22). He drew attention to the fact that this item had been considered by the Overview and Scrutiny Committee at its meeting on 27 August 2021 and that the Committee had raised a number of queries around what was happening with regard to the Coronation Hall, how the Ulverston markets were going to

develop over the next two years and when the plans for the leisure centres were likely to come into action. He undertook to ensure that the relevant Portfolio Holder provided a written response to Members of the Overview and Scrutiny Committee.

***RESOLVED – That the Chairman be authorised to sign, as a correct record, the Executive Decisions made by Cabinet on 21 July 2021.***

**CEX/32 DELEGATED EXECUTIVE DECISIONS**

***RESOLVED – That the Delegated Executive Decisions made by Portfolio Holders or Officers on 29 July 2021 be received.***

**CEX/33 DECLARATIONS OF INTEREST**

The Legal, Governance and Democracy Specialist reminded Members that a dispensation had been granted to all Members with regard to allowances in respect of matters relating to Local Government Reform and Devolution for a period of four years. For Agenda Item No.8 (Local Government Reorganisation), councillors who were dual-hatted, i.e. District Councillors and County Councillors, would have an Other Registrable Interest under the Code of Conduct. The Other Registrable Interest would be recorded and, unless any Member considered themselves to be biased or predetermined, they could speak on the item.

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

***(1) that, in respect of Agenda Item No.8 (Local Government Reorganisation) and Minute CEX/37 below, Councillor Roger Bingham is a dual-hatted Member with an Other Registrable Interest; and***

***(2) that in respect of Agenda Item No.12 – South Lakes Housing, Minute CEX/41 below:-***

***(a) Councillor John Holmes, for the purpose of transparency, indicated that he was a former Director of South Lakes Housing; and***

***(b) Councillor Suzie Pye explained that she was a tenant of South Lakes Housing, however that she was not biased or predetermined.***

**CEX/34 LOCAL GOVERNMENT ACT 1972 - EXCLUDED ITEMS**

***RESOLVED – That, where discussion is necessary, the items in Part II of the Agenda be dealt with following the exclusion of the press and public.***

**CEX/35 PUBLIC PARTICIPATION**

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

**CEX/36 FORWARD PLAN**

***RESOLVED – That the contents of the latest Forward Plan published on 3 August 2021 be noted.***

CEX/37

**LOCAL GOVERNMENT REORGANISATION**

***Note – Councillor Roger Bingham, a dual-hatted Member with an Other Registrable Interest, remained in the room during discussion and voting on the item, although with no voting rights as a Shadow Executive Member.***

**Summary**

The Leader and Promoting South Lakeland and Innovation Portfolio Holder highlighted some of the key points in respect of the Local Government Reorganisation (LGR) process.

The decision of the Secretary of State (SOS) had been received on 21 July 2021.

The SOS now intended to seek Parliamentary approval for the necessary secondary legislation to implement the two unitary, East-West proposal. To achieve this, a draft Structural Changes Order (SCO) would be laid in Parliament around the turn of the year and that would include provision for appropriate transitional arrangements, including for elections in May 2022 for the future unitary councils and for those councils to assume the full range of local authority responsibilities on 1 April 2023, when predecessor councils, including South Lakeland District Council, would be abolished.

In the intervening period, Cumbria County Council (CCC) had issued a pre-action protocol letter in respect of a proposed claim by CCC for a Judicial Review of the decision of the SOS, to create two new unitary authorities for the county of Cumbria.

A response from Government to this letter was awaited and then for CCC's subsequent decisions in this respect. However, because the timetable was so tight, work towards delivering a successful outcome for the LGR process could not be stopped.

A Senior Responsible Officer (SRO) for the LGR programme had been agreed to be the new County Council Chief Executive Officer, namely Gillian Steward. The programme covered all seven councils in Cumbria.

The SRO had gone on to establish lead Chief Executive Responsibilities and Task and Finish groups within the programme. Weekly Leaders, Chief Executive and Joint Leaders and Chief Executive Meetings had also now been established and the work programme was beginning to take shape.

The Leader and Promoting South Lakeland and Innovation Portfolio Holder turned to the SCO. This was the statutory instrument through which the SOS's decision became legislation. The SCO had to be approved by both Houses of Parliament, after which time it could be made and brought into effect as law. This part of the process normally took around seven to eight weeks.

There were some provisions which needed to be included in the SCO such as:-

- the setting up of the new authorities, and shadow authorities for the period prior to the implementation date; and
- the dissolution of the existing authorities and the role of both the shadow authorities and the existing authorities in preparing for implementation.

There were other provisions which would be included, but where further discussion would be required, such as the names of the new authorities and the election arrangements, such as the number of councillors, geography and names of wards and number of councillors for each ward. Also, the term of councillors and future election dates. In this respect the Ministry of Housing, Communities and Local Government (MHCLG) had indicated the intention that the first term would be five years (one year shadow and four years normal term), with the following elections to be held in 2027. A host of other electoral matters, including by-elections and Parish Council elections, would also be covered by the SCO.

It had been made clear that the wards for the 2022 elections would need to be based on existing wards or divisions and that any boundary review would happen after 2022 and before the 2027 elections.

Finally, the make-up of any joint committees and the implementation of the executive will also be included in the SCO.

The Leader and Promoting South Lakeland and Innovation Portfolio Holder turned next to the Shadow Authorities. These would not be established until after the May 2022 elections. During the period between the SCO coming into law and the establishment of the Shadow Authorities, the SCO would provide for joint committees to be set up. These joint committees would be responsible for implementation during this short period and for agreeing the key governance framework for the Shadow Authorities, including the code of conduct, remuneration for members, and the constitution which would be agreed by the relevant Shadow Authority at its first meeting.

It had been indicated by MHCLG that the new Authorities would adopt a Leader and Executive model of governance.

The timeline that MCHLG had provided for the process indicated that the draft SCO was to be prepared in August/September by MHCLG with input from the councils, with the draft SCO being shared for comments in October before being finalised in late October/November.

It was clear from this that there would be two opportunities to feed into the SCO, at the drafting stage and in October at the stage when the draft SCO was shared.

Each authority would need to consider the internal procedures which would be needed for agreeing the input into the SCO at the drafting stage and agreeing the comments on the draft SCO in October.

The suggested window for commenting on the draft SCO was no more than a month, so there was likely to be a relatively tight time frame for providing these comments and planning for decisions would be essential.

The Leader and Promoting South Lakeland and Innovation Portfolio Holder was proposing to allocate the executive decision-making function to himself as set out under S9E of the Local Government Act 2000. He was also requesting Cabinet's endorsement of this proposed approach.

He, therefore, made a number of recommendations which were subsequently seconded and voted on, resulting in the decision below.

Prior to the vote, discussion took place, during which the Leader and Promoting South Lakeland and Innovation Portfolio Holder responded to a number of queries and comments. With regard to a query as to what would happen to the valuable regalia of individual authorities, he presumed that, with Barrow likely to become parished and that the parishes may hold onto these items as part of the arrangements. With regard to ward boundaries, he explained that the SOS had said that the existing boundaries for wards/divisions would be maintained, so these would be the current CCC divisions. This meant 38 councillors for the east. Authorities in the East felt that this was not enough, and were suggesting two Members per division – a total of 76 Members. Paul Rowsell had, however, indicated that there would be no more than 40 Members. As regards the future of the individual councils' assets, the Leader and Promoting South Lakeland and Innovation Portfolio Holder explained that various workstreams and task groups would address this and many other issues. This would be a massive project and he explained that all tasks would have to be prioritised and pointed out that not everything would be in place by the start of the new Authority. He confirmed that CCC's letter regarding Judicial Review had been sent to the SOS who had 14 days in which to respond, following which CCC would need to consider themselves what further action to take.

The Leader and Promoting South Lakeland and Innovation Portfolio Holder was thanked for his informative update and the Chief Executive for his weekly reports.

## **Decision**

### ***RESOLVED – That***

#### **(1) *the following be endorsed:-***

**(a) *the Leader's proposal to allocate any executive decision-making required relating to work taking place with the Cumbria authorities in readiness for the implementation of Local Government Reorganisation to the Leader in consultation with the Chief Executive;***

**(b) *the Leader's proposed allocation and it be agreed that, in the event that the Leader is not available, this responsibility held by the Leader will be delegated to the Deputy Leader or such other Portfolio Holder whom the Leader has authorised in writing; and***

**(c) *the Leader's proposed allocation and it be agreed that, in the event that the Chief Executive is not available, this responsibility held by the Chief Executive will be delegated to such persons as the Chief Executive has authorised in writing; and***

#### **(2) *the following be noted:-***

**(a) *the contents of the verbal update; and***

**(b) *that further reports will be brought to Cabinet and/or Council, and all Members, as appropriate, once there is further detail on the Structural Change Order and how reorganisation is to be implemented (the timetable of implementation may require meetings of Cabinet and Council to be held outside of the approved schedule of meetings).***

### Reasons for Decision

As explained above, the time frames are tight and planning for decision-making is essential.

### Alternative Options Considered and Rejected

No alternative options were considered and rejected in the course of the verbal update. The decision includes provision for further Cabinet and Council reports once there is further detail.

## CEX/38

### CORPORATE FINANCIAL UPDATE QUARTER 1, 2021/22

#### Summary

The Deputy Leader and Finance and Assets Portfolio Holder presented the Corporate Financial Monitoring report highlighting the Council's projected year end position based on performance to the end of Quarter 1 of 2021/22 and officers' planned actions to ensure a balanced budget by the end of the financial year. He pointed out that the report confirmed that the Council continued to be in a good financial position despite the impact of the Covid-19 pandemic.

The report had also been considered by the Overview and Scrutiny Committee at its meeting on 27 August 2021.

#### Decision

#### **RESOLVED – That**

- (1) the contents of the report and Appendices 1-3 be noted; and**
- (2) Council be recommended to approve the following:-**
  - (a) the revenue virements listed in 3.1.2 and to delegate authority to the Lead Specialist Legal Governance and Democratic Services in conjunction with the relevant Operational Lead to enter into the relevant grant agreements accordingly;**
  - (b) the use of the reserves as per paragraph 3.1.3 in the report; and**
  - (c) the increase in the Interest Rate Exposure Limit for Variable Rate Investments to £30m from £20m as set out in paragraph 3.3.4 of the report.**

#### Reasons for Decision

Regular budget monitoring forms part of the corporate governance arrangements that support all Council priorities.

#### Alternative Options Considered and Rejected

There are no alternative options.

**CEX/39 ANNUAL PROCUREMENT UPDATE 2021/22****Summary**

The Deputy Leader and Finance and Assets Portfolio Holder presented the Annual Procurement Update 2021/22, pointing out that this had been a challenging year due to the Covid-19 Pandemic, with a number of projects having had to be delayed. The report provided details around exemptions and waivers, training, spend analysis and future challenges.

The Overview and Scrutiny Committee had considered the report at its meeting on 27 August 2021 and Council would be asked to approve the updated schedule on 5 October 2021.

In response to a query regarding successful procurements and that relating to Kendal Markets, the Deputy Leader and Finance and Assets Portfolio Holder confirmed that these continued to be run by South Lakeland District Council, with the soft facilities, such as building energy and cleaning, being carried out by a contractor. The Council's plans to increase its fleet of electric vehicles having been commended, a suggestion was raised for the potential use of green hydrogen or dihydrogen Heavy Goods Vehicles. The Deputy Leader and Finance and Assets Portfolio Holder was confident that staff were looking at a range of alternatives, however, explained that each had its own issues. He pointed out though that technology was fast moving and he looked forward to a more environmentally-friendly vehicle fleet. The Climate Action and Biodiversity Portfolio Holder hoped that one outcome of Local Government Reorganisation would be the potential of addressing the whole picture moving forward.

**Decision*****RESOLVED – That***

- (1) the progress across the procurement function over the past 12 months be noted;***
- (2) the future focus be noted;***
- (3) the items listed as Cabinet decisions be approved and the updated Procurement Schedule at Appendix 1 be recommended to Council for approval; and***
- (4) the spend 2020/21 for the top 25 suppliers by value in Appendix 2 to the report and the exemptions and waivers for 2020/21 in Appendix 3 to the report be noted.***

**Reasons for Decision**

The report provides an update on progress across the procurement function and a review of activity in financial year 2020-2021. This is a historic review for noting by Members.

The report also reviews the 2021-2022 procurement schedule and updates the schedule in line with the Contract Procedure Rules within the Council's Constitution. This enables officers to ensure contracts are awarded promptly but transparently.

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

An annual update to Cabinet does not take place. However, falling under the portfolio for Finance, it is vital that the procurement function continues to be driven and supported by members and senior managers. This will result in a more accountable and focussed procurement function delivering positive outcomes financially and in the quality of council services.

The Procurement Schedule is not updated. This reduces the efficiency of the Council by requiring individual reports and decisions for tender exercises. This also increases the time taken to let contracts. Also the Council fails in its statutory duty to report to the public procurement activity.

**CEX/40**

### **GOOSEHOLME BRIDGE - COMMUNITY INFRASTRUCTURE LEVY**

#### **Summary**

The Housing Portfolio Holder presented the report, thanking the Strategy Lead Specialist for his work. Cabinet, on 3 February 2021, had recommended that the County Council be invited to submit a bid for a contribution of £75,000 from the South Lakeland Community Infrastructure Levy (CIL) towards the project to replace the Gooseholme Bridge which had been destroyed during Storm Desmond in December 2015. The bid had now been received and the report provided detailed information on the purpose of the bridge, the proposed bridge and its benefits, funding and implementation and the CIL governance process. The bid had been reviewed by the CIL Technical Officer Group in consultation with relevant Members and, having scored very highly, had been recommended to Cabinet for approval.

The Housing Portfolio Holder further referred to the future CIL governance process and the need for alignment with the Council's Commissioning Strategy which sought to ensure that commissioning decisions were taken at the appropriate level.

Members expressed support for the proposal, however, concern was raised regarding the fact that the bridge would not be lit and about how interaction between cyclists and pedestrians would be managed. In response to a query, the Strategy Lead Specialist explained that the bridge would not initially be available for cyclists but had been designed so that cycling could be accommodated, if and when issues relating to cycling on adjoining land were resolved. Detailed design issues related to cycling would be addressed at that point. It was stressed, however, that the bridge was Disability Discrimination Act-compliant and was suitable for wheelchair use, which was a great improvement.

#### **Decision**

#### ***RESOLVED - That***

***(1) the payment of £75,000 from South Lakeland's Community Infrastructure Levy (CIL) to Cumbria County Council towards the construction of a DDA compliant and cycle ready bridge over the River Kent at Gooseholme, Kendal, be approved;***

***(2) the CIL Governance Framework attached at Appendix 2 to the report be amended by rewording paragraph 2.2 to provide that that future Community Infrastructure Levy (CIL) payments of less than £100,000 be delegated to the Director of Strategy and Innovation in consultation with relevant Portfolio Holders; and***

***(3) the Council's Monitoring Officer be authorised to make the necessary amendments to the Constitution.***



### Reasons for Decision

The funding will enable the construction of a new improved bridge link which is fully DDA compliant between the north-south routes on either side of the River Kent for use by pedestrians, the disabled and potential future use by cyclists.

The decision links to Council Plan Priorities as follows –

Working across boundaries – the funding will enable the construction of a bridge which will enable sustainable transport choices in Kendal, contribute to the efficient functioning of the transport network in Kendal, enhance Kendal Town Centre as a place to live, work and visit and contribute to the delivery of the Kendal Town Centre Strategy and Kendal vision and contribute to strategic economic growth and Covid Recovery.

Delivering a balanced community – in contributing to modal shift in and around Kendal, the proposal will enable the delivery of new homes and jobs through the current and emerging Local Plan and complement the objective of growing the working age population.

A fairer South Lakeland – the proposed bridge will be accessible and offer a traffic free route option for everyone including wheelchair users (the previous bridge was stepped). In linking two public spaces, the proposed bridge will also have health benefits in encouraging outdoor recreation and active travel.

Addressing the climate emergency – the proposed bridge will enable and enhance sustainable transport choices in and around Kendal Town Centre and offer an attractive option for short trips to and across Kendal Town Centre.

### Alternative Options Considered and Rejected

South Lakeland District Council has invited the submission of the bid and the recommendation of the Working Group is that the bid meets the funding criteria. Whilst Cabinet could decide not to approve the funding, this would leave a significant funding gap which could affect delivery of the bridge.

## CEX/41 SOUTH LAKES HOUSING

***Note - Councillor John Holmes, for the purpose of transparency, indicated that he was a former Director of South Lakes Housing and Councillor Suzie Pye explained that she was a tenant of South Lakes Housing, however that she was not biased or predetermined.***

### Summary

The Housing Portfolio Holder presented a report advising of a proposal from South Lakes Housing which aimed to strengthen its Board. South Lakes Housing sought to remove the Council's nomination to two Director positions, enabling the organisation to adopt a skills based approach to the whole of its Board appointments. South Lakes Housing proposed further relationship measures which would continue to build a strategic relationship between the Council and South Lakes Housing in the pursuit of the provision and management of affordable housing in the District.

Councillor John Holmes, a former appointee of the Council to the Board of South Lakes Housing, commended the proposal. He drew attention to the future move to a Unitary Authority and to the different mix of social housing provision of Barrow, Eden and South Lakeland. He expressed appreciation for the agreement between South Lakeland and South Lakes Housing for returns from Right to Buy being ring-fenced to remain available for affordable housing, however, expressed concern about how this fund would fare following the amalgamation of the three councils. The Leader and Promoting South Lakeland and Innovation Portfolio Holder hoped that Local Government Reorganisation would provide a great opportunity for the delivery of social housing. He reassured Members that the Council would discuss with South Lakes Housing how best to position the organisation for the future and in terms of Right to Buy receipts.

## **Decision**

### ***RESOLVED – That***

- (1) approval be given for the Council to relinquish its nomination rights to the Board of Directors of South Lakes Housing;***
- (2) the removal of the Council's shareholder voting rights as a consequence of regulatory requirements be noted;***
- (3) approval be given for the Council to inform South Lakes Housing of its position so that South Lakes Housing may put the proposed changes before its Annual General Meeting planned for September 2021; and***
- (4) the approaches described in the report (paragraph 3.10) to ensure a continued strategic relationship between South Lakes Housing and the Council be endorsed.***

## **Reasons for Decision**

South Lakes Housing is seeking the Council's approval of a change to the organisation's constitution which will result in strengthening of its Board, with all appointments becoming skills and experience based. South Lakes Housing is seeking the change in order to build further strength and resilience within the organisation, improving its provision and management of affordable housing in the District.

## **Alternative Options Considered and Rejected**

Cabinet could refuse to relinquish the Council's nominations of Directors to SLH Board. This would be contrary to the intention of the housing Regulator to ensure Regulated Providers (SLH) act with full independence. It would also constrain SLH in their recruitment of a 100% skills based Board which may impact on their ability to manage and sustain an organisation capable of meeting its challenges and delivering its strategic ambition. This option is not recommended.

There are no alternative options to the change to shareholder voting rights.

The Cabinet could decide not to further develop the strategic relationship with SLH. This would forego benefits to the Council achieving its priorities as set out in the Council Plan. This option is not recommended.

**CEX/42 MANAGEMENT AND SAFETY OF MEMORIALS POLICY****Summary**

The Customer and Locality Services Portfolio Holder presented a report seeking Cabinet's approval for a policy to ensure that South Lakeland's cemeteries were safe places for visitors, officers and all others who may carry out their work within them, and to provide clarity for stakeholders of the responsibilities and approach of the Council in relation to memorial safety, assessment, monitoring and remedial actions that were required to be undertaken.

The report had been considered by the Overview and Scrutiny Committee at its meeting on 27 August 2021 where the importance of publicity of the policy had been raised. It was also pointed out that the Committee had suggested a need to attach to memorials in poor condition information on who to contact regarding repair.

In addition to the safety of memorials, the importance of memorials as a secondary source of social history was raised. Attention was also drawn to the fact that it was the descendants of the deceased who were responsible for the maintenance of memorials.

The Specialist – Bereavement Services responded to a number of queries. He explained that headstones could be listed and that, whilst there were currently none in District Council cemeteries, there were some in closed churchyards for which the Council had a shared maintenance responsibility. He provided details with regard to the five year rolling programme for the survey of every headstone/memorial within cemeteries and closed churchyard, which was a legislative requirement. He advised Members that vandalism within cemeteries was a rare occurrence in South Lakeland and pointed out that owners were able to take out insurance in this regard. He also drew attention to the fact that the Council's grounds maintenance contractors all had training on memorial safety and that, although not their responsibility, they routinely checked and reported back as necessary.

Members thanked officers for the report, as well as those Council colleagues who monitored the memorials.

**Decision**

***RESOLVED – That the Management and Safety of Memorials Policy attached as Appendix 1 to the report be approved.***

**Reasons for Decision**

The decision is relevant to the Council's risk management process. Risk management is both the awareness of risks and the management processes that are directed towards effective reduction or mitigation of risks to enable the Council to identify key actions it must take to deliver its objectives.

**Alternative Options Considered and Rejected**

The Council could decide not to adopt the policy. This would not be recommended as it would result in increased risk of accident and serious injury if the council fails to recognise its responsibility. As a burial authority, if the policy was not adopted, the Council would not be meeting its legal obligations contained within the Health and Safety at Work Act 1974, Occupiers Liability Act 1957, The Local Authorities Cemeteries Order 1977, and South Lakeland District Council's own cemetery regulations.

## CEX/43 CONTRACT AWARD FOR THE SCALING ON STREET CHARGING INFRASTRUCTURE

### Summary

The Climate Emergency and Localism Portfolio Holder presented the report. South Lakeland District Council had, in October 2019, agreed to be part of the Innovate UK fully-funded project that would see EV charging points installed across the Council's car parks, namely:-

- Kendal, South Lakeland House
- Kendal, Peppercorn Lane
- Kendal Stricklandgate House
- Grange over Sands, Kents Bank Road
- Ulverston, Buxton Place
- Ulverston, Daltongate
- Bowness, Rayrigg Road
- Windermere, Broad Street
- Ambleside, King Street
- Grasmere, Red Bank Road

This would provide a number of benefits to the Council: the District would benefit from the installation of EV charging points at a number of locations; the research obtained through this project could be used in considering future support for EV Charging infrastructure with the District; and this provided opportunity to work collaboratively with public bodies, charities, private businesses and residents to research the use of electric vehicles.

As set out within the report, approval was now being sought to award the contract for groundworks installation following competitive tender and for the order to be placed with Electricity Northwest Ltd (ENWL) who were the statutory undertakers for this area to install the necessary supply to the proposed charging points.

The Climate Emergency and Localism Portfolio Holder thanked officers for pursuing the project during difficult times.

*Note – A tender analysis report regarding the contract award for the scaling on street charging infrastructure was included as Appendix 1 to the report in Part II of the Agenda and, in addition, details relating to Electricity Northwest Ltd Quotations were included as Appendix 2 to the report in Part II of the Agenda, which were excluded from inspection by members of the public in accordance with Section 100 (B) of the Local Government Act 1972, as amended by the Local Government (Access to Information) (Variation) Order 2006, and, in all the circumstances of the case, it was considered that the public interest in maintaining the exemption outweighed the public interest in disclosing it. Copies of the documents were excluded, as they contained information as described in Schedule 12A of the Act as follows:-*

*- Information relating to the financial or business affairs of any particular person (including the authority holding that information). (Paragraph 3)*

Attention was drawn to the potential impact on parking fees and electricity in future years as more electric vehicles came into use. The Climate Emergency and Localism Portfolio Holder agreed with a suggestion for the need for future-proofing of the

groundworks to enable more points to be added in the future as more people became able to afford electric vehicles. The Director of Customer and Commercial Services explained that part of the process was for ENWL to carry out appropriate installation of an electric supply to the charging points and he hoped that this installation would be future-proofed.

## **Decision**

### ***RESOLVED – That***

***(1) approval be given for the project to proceed to contract award for the groundworks contract following competitive tender as noted in the Part II Appendix 1 to the report and for the order to be placed with Electricity Northwest Ltd for the value of the installation of the power to proposed units as per the cost as shown in the Part II Appendix 2 to the report;***

***(2) the Director of Customer and Commercial Services be delegated authority, in conjunction with the Lead Specialist for Legal, Governance and Democracy, to enter into lease agreements and such other agreements as may be required for the installation and maintenance of the equipment installed; and***

***(3) the Director of Customer and Commercial Services be delegated authority, in conjunction with the Lead Specialist for Legal, Governance and Democracy and Lead Specialist for Finance, to enter into any necessary funding agreements for the grant funding.***

## **Reasons for Decision**

To assist in the delivery of the Council Plan priority of Climate Emergency:-

- develop plans and support projects with our partners and local communities to progressively address the causes and the impacts of climate change, according to our local priorities, securing maximum benefit for our communities
- encourage all sectors in our local community to take the opportunity to adapt to the impacts of climate change, to reduce their own greenhouse gas emissions and to make public their commitment to action
- tackling Climate change by exploring options associated with EV charging points for households with no facility to charge their vehicles and by encouraging behaviour change to promote the uptake of electric vehicles
- promoting the uptake of Electric vehicles to reduce pollution emissions from combustion engines.

## **Alternative Options Considered and Rejected**

South Lakeland District Council to not participate further in this project. This may result in a missed opportunity to both research the demand and installation of charge points locally, and also to actually install some EV charge points at a small number of locations within the District. The Council has also declared a Climate Emergency and this scheme will contribute towards the targets set out by the Council.

**CEX/44 PRESS AND PUBLIC**

RESOLVED – That, under Section 100(A)(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in Part 1 of Schedule 12 A of the Act as amended by the Local Government (Access to Information) (Variation) Order 2006 by virtue of the Paragraph indicated.

**CEX/45 IT SHARED SERVICE**

- *Paragraph 4 - Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under the authority.*

**Summary**

In light of Local Government Reorganisation and the creation of the new Unitary Authority from 1 April 2023, the Leader and Promoting South Lakeland and Innovation Portfolio Holder presented a report with regard to the South Lakeland District Council's formal agreement with Eden District Council through which South Lakeland District Council provided IT services to Eden District Council.

**Decision****RESOLVED – That****(1) the following be approved:-**

**(a) in light of Local Government Reorganisation, South Lakeland District Council informs Eden District Council that the IT Shared Service Agreement will not be renewed following the expiry of the current agreement on 31 March 2023; and**

**(b) in the event that the Structural Changes Order is not made for any reason or is delayed so as to set the vesting day for the new authorities later than 1 April 2023, that South Lakeland District Council discuss with Eden District Council an extension of the shared service arrangement to ensure service continuity and enable both Councils to review options for the future delivery of IT services; and**

**(2) all matters relating to the expiry of the Shared Service Agreement including but not limited to the planning and agreement of an Exit Strategy including data systems and Human Resources staffing matters, in line current legislation, within six months of the decision (or other timetable as required by LGR), be delegated to the Director of Strategy Innovation and Resources in consultation with the Lead Specialist for Legal, Governance and Democracy and Lead Specialist for Human Resources.**

**Reasons for Decision**

The development, management and support of Information Technology enables the Council to fulfil the priorities of its Council Plan.

Local Government Reorganisation will result in the activities of both Eden District Council and South Lakeland becoming the responsibilities of the new unitary council from 1 April 2023. This will remove the need for the Shared Service arrangement.

**Alternative Options Considered and Rejected**

Local Government Reorganisation will see the abolition of the existing councils and shared arrangements superseded by the creation of the new Council. There is an alternative option that the councils could agree now to renew the agreement with the caveat that it would terminate as Local Government Reorganisation is completed. This option is not recommended as, in the event of Local Government reorganisation not proceeding, it would not allow for joint appraisal of the future business case and options for the councils.

The meeting ended at 11.35 a.m.