

EXECUTIVE DECISION NOTICE**CABINET**

A record of the decisions made at the meeting of the Cabinet held on Wednesday, 9 March 2022, at 10.00 a.m.

Present

Councillors

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

| | |
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| Robin Ashcroft | Economy, Culture and Leisure Portfolio Holder |
| Helen Chaffey | Housing Portfolio Holder |
| Philip Dixon | Customer and Locality Services Portfolio Holder |
| Andrew Jarvis | Deputy Leader & Finance and Assets Portfolio Holder |
| Suzie Pye | Health, Wellbeing and Poverty Alleviation Portfolio Holder |

An apology for absence was received from Councillors Dyan Jones (Climate Action and Biodiversity 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 Helen Irving (Shadow Cabinet (Health, Wellbeing and Poverty Alleviation 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 Janette Jenkinson (Shadow Cabinet (Customer and Locality Services Portfolio)).

Officers

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| Lawrence Conway | Chief Executive |
| Linda Fisher | Legal, Governance and Democracy Lead Specialist (Monitoring Officer) |
| Helen Smith | Finance Lead Specialist (Section 151 Officer) |
| Gareth Candlin | Operational Lead - Place and Environment |
| Julie Jackson | Principal Specialist People |
| Simon McVey | Director of Strategy, Innovation and Resources |
| Fraser Robertson | Communications Specialist |
| Simon Rowley | Director of Customer and Commercial Services |
| David Sykes | Director of Strategy, Innovation and Resources |
| Sion Thomas | Operational Lead Delivery and Commercial Services |
| Danielle Walls | Legal, Governance and Democracy Specialist (Solicitor) |
| Jane McKeon | Case Management Officer (Support Services) |

CEX/105 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 9 February 2022.

CEX/106 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 Thursday 10 February be received.

CEX/107 DECLARATIONS OF INTEREST AND DISPENSATIONS

Councillor Andrew Jarvis declared a registerable interest for transparency with reference to Agenda Item No. 13, it was confirmed that although he was a Councillor for Windermere reassurance was provided to Cabinet that he remained unbiased, open minded and not predetermined in any way.

Councillor Roger Bingham declared previous interest with reference to Agenda Item No. 10 as he has attended Heversham Council, he confirmed that this was a previous historical connection, but that it was now unrelated to the matter in hand. It was requested that this be noted for the record.

Councillor David Webster also registered an interest with regards to Item No. 14 as he is a member of the GSK Task Force and as the Councillor for the Ward. He confirmed that these did not create a conflict of interest and that he remained unbiased and not predetermined in any way.

Cllr Kevin Holmes declared an interest in Item 13 as a ward Councillor.

CEX/108 LOCAL GOVERNMENT ACT 1972 - EXCLUDED ITEMS

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

RESOLVED – That the item in Part II of the Agenda be dealt with following the exclusion of the press and public.

CEX/109 PUBLIC PARTICIPATION

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

CEX/110 FORWARD PLAN

Cllr Jarvis raised a query regarding the budget item still appearing on the forward plan. The Legal, Governance and Democracy Lead Specialist confirmed that in updating the Plan for publication, any decision already taken would be removed.

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

RESOLVED – That the contents of the Forward Plan published on 8 February 2022, be noted.

CEX/111 STREET NAMING AND NUMBERING POLICY**Summary**

The Housing Portfolio Holder presented the report which recommended for the Council to have an updated and fit for purpose Street Naming and Numbering (SNN) Policy which will give clear guidance to housing developers, Town and Parish Councils, and to private residents on the national and local requirements for the naming of streets and private properties. This would ensure compliance with relevant legislation, guidance and recommendations as stated.

The policy has been designed to produce regulations about putting signs up to name public streets, and to ensure names and numbers of buildings are displayed properly. This will drive the creation of logical and consistent addresses and ensure that properties can be located quickly in all situations. The intention is to provide a clear and concise framework for making decisions against and to promote transparency in the decision making process. It was confirmed that the Council already has the resources in place to provide the Street Naming and Numbering function.

Councillor Roger Bingham (Shadow Cabinet (Economy, Culture and Leisure Portfolio) expressed strong agreement for a robust policy on this area. He raised local issues regarding examples of repetitive street naming and provided examples which were felt to be lacking. Street naming he maintained needs to be informative, prevent confusion and reflect a real local connection to the area.

Decision***RESOLVED – That:-***

(1) having considered the consultation responses attached at Appendix 2; the draft street naming and numbering guidance and policy attached at Appendix 1 be adopted ; and

(2) authority be delegated to the Director of Customer and Commercial Services to implement the policy on behalf of the Council

Reasons for Decision

The adoption of the Street Naming and Numbering policy is essential to the delivery of an effective Street Naming and Numbering service and as such will allow the Council to discharge its statutory duties efficiently and effectively; positively impacting all Council Plan priorities.

Alternative Options Considered and Rejected

The Council could continue to use the national legislation and good practice guidance to guide its decision making. However this would not be in line with good practice and would not provide a clear and transparent decision making process for users of the service.

CEX/112 STRUCTURAL REPAIR WORKS TO RIVER WALL, GOOSEHOLME**Summary**

Councillor Andrew Jarvis – Deputy Leader & Finance and Assets Portfolio Holder presented the report recommending to provide funding for the Environment Agency (EA) to undertake structural repair works to the riverside wall at Gooseholme to ensure that the flood defence works remain on programme.

Councillor Jarvis provided the necessary background, descriptions of deterioration to the wall, referenced temporary repairs completed last year, described the repairs and costs required and included the wider impact on the environment.

Following survey work and dialogue between SLDC and EA, it has been estimated that the cost of the repair works is in the region of £265,000. It was noted that this could potentially have a significant impact on the programme for the Environment Agency if the structural repairs are not undertaken to the section of wall within the Gooseholme area.

It was recommended that SLDC support the structural repair works up to a value of £265,000 (the cost of the repair required to the wall which is SLDC's responsibility), and that the EA deliver the repairs as part of the flood defence scheme to ensure that their programme is unhindered. It was proposed that SLDC use the EA's contractor to benefit from having the designers and contractors already on board. EA will enter into the contracts with the contractor to carry out the works. This proposal also meant that there was only one Principal Contractor working in this area and complied with 2015 CDM Regulations 2015.

Councillor Dixon expressed gratitude for the progress and works planned. In addition, residents will be grateful for access to the footbridge in particular.

Decision***RESOLVED – That:-***

(1) funding in the sum up to £265,000 be transferred to the Environment Agency to undertake the structural repair work to the river side wall within the Gooseholme area; and

(2) Authority be delegated to the Director for Customer and Commercial Services in consultation with the Lead Specialist for Finance and Lead Specialist for Legal, Governance and Democracy, to prepare and enter into the necessary funding and legal agreements.

Reasons for Decision

To provide funding for the Environment Agency (EA) to undertake structural repair works to riverside wall to ensure that the flood defence works remain on programme. It was considered necessary to approve the works and contribution without such it would have significant impact on the EA's programme and budget.

Potential re-design of the area may be needed if monies are not forthcoming and this would require additional planning applications, further business case review and put this area at risk.

Alternative Options Considered and Rejected

To not approve the works or contribution. This would have significant impact on the EA's programme and budget. Potential re-design of the area may be needed if monies are not forthcoming and this would require additional planning applications, further business case review and put this area at risk.

CEX/113 PURCHASE OF LAND AT HEVERSHAM

Summary

Councillor Helen Chaffey – Housing Portfolio Holder introduced the proposal for the Council to purchase the land at Heversham to be able to deliver on creating affordable homes. This will assist in meeting housing need within the locality and surrounding area as well as increasing the supply of affordable housing.

It was noted that the site proposal provides an opportunity to deliver an exemplar in energy efficient homes with a view to replicating this across the District.

Cabinet were asked to consider the recommendation to purchase this land in Heversham at market value for delivery of affordable housing in the future. The money used for the purchase would come from the capital receipts from RTB sales. A further report and feasibility study will be brought back to Cabinet for approval which will detail the various options available to the Council for delivery of affordable homes which are exemplar in energy efficiency.

It was highlighted that this was viewed as a great opportunity for the Council to prioritise housing needs for South Lakeland. The proposal would assist the Council in the delivery of affordable housing through the use of the Right to Buy replacement scheme monies. In addition, the proposal would work towards the delivery of affordable homes that will contribute towards the Council's housing and communities target to deliver 320 homes every year across the District through the purchase of a suitable site and assist in the potential delivery of energy efficient homes.

Councillor Chaffey described the work that has taken place to enable this scheme to progress; to acquire the land and to get the money earmarked for the project. Councillor Chaffey thanked officers for the extensive work done so far to reach this point.

The Chair thanked officers for the extensive work and described the project as an exciting development that works towards meeting Council aspirations. The need for more affordable homes was highlighted and that this would provide a positive intervention. The possibility of this site delivering exemplary, green sustainable homes was welcomed.

Councillor Bingham noted that this proposal would help towards restoring the social balance in the area, relaying concern that there is a lack of young people in the village and provided an example that there are no children currently attending the local church, highlighting that more affordable homes and community facilities are required. The principle objections noted by local people to this project were that there may be added cost implications to the build due to the limestone base under the land.

Councillor John Holmes queried what would happen following purchase of the land. Would the Council enter into an agreement with a housing association? The Chair confirmed that the next steps are yet to be determined.

Councillor Jarvis added that seeking to increase affordable housing and ownership of land is very important for delivering on affordable homes, ensuring that the land ownership stays in this area and SLDC's remit. It would enable the creation of high quality affordable homes which are needed as a priority in the area.

Councillor Webster noted that more land is needed for projects like this, highlighting difficulties with accruing land for affordable housing. It was recommended that the Council needs to improve communications and to articulate that this is the way forward with external stakeholders and partners.

The Chair noted that better collaboration is needed between various organizations to protect public sector sites and to reserve them for potential development and should not be purely focused on obtaining best value but to protect social outcomes. The Chair agreed that the public sector needs to work harder on this area to enable more affordable housing.

Decision

RESOLVED – That:-

- (1) approved the purchase of land at Heversham as detailed in the report; and***
- (2) Delegated authority to the Director (Customer and commercial Services) in consultation with, the Portfolio Holder for Housing and Portfolio Holder for Democracy (Monitoring Officer) to purchase the land as detailed in the report, entering into the appropriate legal agreements for the transfer of the site at Heversham.***

Reasons for Decision

This will mean that the Council will deliver affordable homes once the site has been purchased.

This will assist in meeting housing need within the locality and surrounding area as well increasing the supply of affordable housing.

Alternative Options Considered and Rejected

Members could decide to not pursue any proposals for use of the Right to Buy Replacement Fund for the purchase of the site at Heversham at this time, however, this is not recommended as the opportunity to use these funds to meet housing needs in South Lakeland could be lost.

CEX/114

CONTRACT AWARD FOR CONCRETE REPAIRS TO WESTMORLAND SHOPPING CENTRE MULTI STOREY CAR PARK.

Summary

Councillor Jarvis, Deputy Leader & Finance and Assets Portfolio Holder introduced the report proposing significant investment in Westmorland Shopping Centre Multi Storey Car Park to secure its life span for a further 25 years to support the economic development of Kendal Town Centre. The complex lease and ownership of the site was explained to members.

Previous works carried out to the site in 2011 and 2015 were described to Cabinet and it was noted that the work for this project does not look to repeat or re-do any of these works but to install a new waterproofing deck coating to be installed on levels 3a, 3, 4 and 4a. This was to include all concrete vehicle ramps and any areas of existing asphalt surfacing, highlighting that the works will ensure that all drainage channels, parapets and deck edges are included. The details regarding the tender were presented.

Councillor Jarvis explained that whilst the works are underway, various sections will be closed to parking, however the car park will remain open at all times. Parking levels in the Town are currently reduced compared to recent years and officers feel that the Town is able to cope with parking capacity for the duration of works. Officers will monitor any impact re: the Covid vaccination centre and look to mitigate where needed. It was recommended that Cabinet approve the award as proposed.

As part of the Council's Strategic Property review and general asset strategy, a condition review was undertaken of the Westmorland Shopping Centre Multi Storey Car Park. Currently, the estimated life span of the structure is 10-15 years. To ensure that parking capacity remains at the current levels in Kendal, it is proposed to undertake works to the structure to ensure a life span of 25 years (min) with ongoing planned maintenance.

An assessment of sustainable travel and demand has been undertaken. It is likely that demand for car parking will have reduced, but not to a level that the Council does not anticipate no need for the car park in 10-15 years. This work is therefore planned to protect the parking demand in the Town for the next 25 years and beyond if required.

Councillor Dixon expressed that he was glad to see the work go ahead. He agreed that the lease agreement is very complex but was pleased that the necessary works were to be progressed.

Councillor John Holmes queried the nature of the lease hold arrangements. He referenced the section of the shopping centre that was to be leased to Kendal College and wanted to know if the college was going to make a contribution towards the costs.

The Operational Lead - Delivery and Commercial Services advised that all members of the college are able to use the car park the same way as any member of the public. He confirmed that there are currently communications underway about the possibility of the college leasing one whole floor of the car park. He advised that these communications are at an early stage and will provide more information when it is available.

Decision

RESOLVED – That:-

(1) Agreed to award the contract to the recommended bidder being the most economically advantageous tender as noted in the Tender report in the Part II Appendix 1; and

(2) Agreed to delegate authority to the Director for Customer and Commercial Services in consultation with Lead Specialist for Legal, Governance and Democracy (Monitoring Officer) to enter into the appropriate contract for the works to commence.

Reasons for Decision

Significant investment in the Westmorland Shopping Centre Multi Storey Car Park will secure its life span for a further 25 years and support the economic development of Kendal Town Centre.

Alternative Options Considered and Rejected

Do nothing – to not maintain the structure could lead to parts of the site closing in 10 years' time which will have a significant impact on the Town Centre viability.

Postpone the works – whilst this is an option, the works are needed and the concrete will only deteriorate further which will lead to increase in costs. Development in sustainable transport is also not developing at a speed which could offer a reason why this work should be delayed.

Award the contract to an alternative bidder – this is not recommended on the basis of the tender analysis in Appendix 1.

CEX/115

CORONATION HALL (LEASE AGREEMENT) AND ULVERSTON MARKET - SERVICES AGREEMENT FOR MANAGEMENT.

Summary

Councillor Ashcroft, Economy, Culture and Leisure Portfolio Holder outlined the proposal to enter into a 99 year lease for the Coronation Hall on the draft Heads of Terms set out in Part II Appendix 6, with appropriate delegations to agree to finalize the terms.

Subject to the completion of the Coronation Hall 99 year lease, it is proposed that the Council will undertake a procurement exercise and subsequent contract award in relation to the replacement of the lift at Coronation Hall with funding as approved by the Council in February 2022 for the 2022/23 budget.

Subject to the completion of the Coronation Hall 99 year lease, it was proposed that the Council commits to a grant funding award in the sum of £79K to Ulverston Coronation Hall CIO for investment in public spaces within the Coronation Hall. The sum of £79k is the sum of Capital monies remaining from the Capital funding set aside for the projects related to the closure and transfer of Ulverston Town Hall.

It was proposed that the grant award was to be made only upon completion of the lease for the Coronation Hall and would be subject to appropriate terms and conditions including but not limited to clawback provisions if the funding is not spent within a specified period on upgrades to public spaces within the Coronation Hall in order to help implement the CIO's new business plan in Appendix 1. This includes for example renovations/improvements to the Coronation Hall (e.g. Supper rooms, additional meeting rooms) with the aim of improving the Coronation Hall's potential to generate revenue income.

The Cabinet also considered, subject to the completion of the Coronation Hall 99 year lease, the award of a grant of £150k as outlined in the report as a 'transition grant' to support the Coronation Hall and Ulverston Markets in acknowledgement of the time lost due to the pandemic and support required to bring the assets to a point at which they are financially viable.

Cabinet also considered whether a further report should be brought to Cabinet on receipt of the feasibility/options appraisal commissioning by UCE in relation to the Market.

Councillor Webster congratulated progress and stated that this was needed, with support of the proposed 99yr lease. Councillor Webster raised the issues of the external appearance of the Market Hall building confirming that significant improvement is required. Bird droppings and other factors were relayed to Members.

Councillor Ashcroft advised that we had been waiting for the business plan and that these things take time. He confirmed that it was a great step forward and a fantastic example of collaborative working.

The Operational Lead - Delivery and Commercial Services confirmed that the Council would work with teams on the building maintenance issues provided by Councillor Webster.

Councillor Bingham requested that on working with the parties involved in the restoration of the Hall; to be mindful of refurbishment and that it was fit for purpose, noting that the structure and internal decoration needs to be maintained in a modern fashion. Councillor Ashcroft noted that decisions on internal decorations had been delegated to teams.

The Chair and Members gave thanks for consistent support and financial input into the Coronation Hall enabling the community to thrive. Members were delighted to support this proposal, particularly with reference to overcoming the pandemic issues highlighted. They were grateful for this step forward and found it very encouraging.

Decision

RESOLVED – That:-

- (1) a 99 year lease for the Coronation Hall be approved with the Ulverston Coronation Hall Charitable Incorporated Organisation (CIO) on the terms as attached in Part II Appendix 7 with the guarantee of Ulverston community Enterprise and;***
- (2) authority be delegated to the Director of Customer and Commercial Services in consultation with the Lead Specialist for Legal, Governance and Democracy, the Lead Specialist for Finance and the Portfolio Holders for Finance and Resources and Economy Culture and Leisure to agree terms and enter into the lease; and;***
- (3) Subject to completion of the lease agreement described in 2.1 (1), that a procurement exercise be undertaken by the Council in accordance with its Contract Procedure Rules in respect of a Lift replacement for the Coronation Hall as per the approved Capital programme and;***
- (4) Subject to completion of the lease agreement described in 2.1 (1), a grant award in the sum of £79k to Ulverston Coronation Hall Charitable Incorporated Organisation for investment in the public spaces within the Coronation Hall as described at paragraph 3.9.3 or the report, and that authority be delegated to the Director of customer and Commercial Services in consultation with the Lead Specialist for Legal, Governance and Democracy, the Lead Specialist for Finance and the Portfolio Holders for Finance and Resources and Economy Culture and Leisure to agree terms and enter into the grant agreement; and;***

(5) Subject to completion of the lease agreement described in 2.1 (1), an additional grant award to the UCE of £150k to support the Coronation Hall and Ulverston Markets in acknowledgement of the time lost due to the pandemic and the support required to bring the assets to a point at which they are financially viable and that authority be delegated to the Director of Legal, Governance and Democracy, the Lead Specialist for Finance and the Portfolio Holders for Finance and Resources and Economy Culture and Leisure to agree terms and enter into the grant agreement.

Reasons for Decision

The proposed way forward is a bespoke solution, utilising the strengths and support of the Ulverston community. It would enable a local community solution managing a range of facilities, deliver regional growth, and create opportunities which contribute to the wellbeing of the town. Markets are seen as an opportunity to increase footfall to the town centre. Growing the revenue of markets enables future cross subsidy of the Coronation Hall.

Alternative Options Considered and Rejected

There is an option not to enter a long term lease with UCE for the Coronation Hall. The likely effect of this would be that UCE would cease operations. SLDC would have the premises returned and would need to determine whether to operate a service from the Coronation Hall, seek a new tenant or consider disposal of the freehold. This option is not recommended as it would not enable the benefits which can be achieved through local management and investment to be realised. It would prevent the option of enabling a local community solution to be developed further. If in the future, the proposed long term lease proves unworkable, this option would need to be reconsidered.

Transfer the Coronation Hall only and keep the Markets under direct SLDC control and operation. This option is not recommended as the UCE purpose and business model is developed on the principle of managing a range of facilities which contribute to the wellbeing of the town. Markets are seen as an opportunity to increase footfall to the town centre. Growing the revenue of markets enables future cross subsidy of the Coronation Hall.

To make the opportunity to run the Coronation Hall and Markets available to the open market and consider a competitive process. This option is not recommended as the drive to find a locally managed solution has come from within the Ulverston community. The operation requires a high degree of voluntary effort, matched with the revenue earning and sponsorship potential of the assets to be successful. The proposed way forward is a bespoke solution, utilising the strengths and support of the Ulverston community. An open process runs a high risk of a deliverable solution not coming forward. If in the future, transfer proves unworkable, this option could be reconsidered. The Council also failed to find a new operator for the Kendal indoor and outdoor market when the service was tendered and therefore unlikely that there would be greater interest in the Ulverston Markets.

CEX/116 DISPOSAL OF ELLERTHWAITE DEPOT**Summary**

Councillor Jarvis, Economy, Culture and Leisure Portfolio Holder presented the report to Cabinet, outlining the intention to create and provide fit for purpose accommodation for Windermere and Bowness Town Council in exchange of the release of Langstone House, Broad Street, Windermere for affordable housing.

Descriptions of the building close to town were provided; the proposed structure and refurbishment explained; the extent of the investment and rental values detailed; and the wider benefits to the community were articulated to Members. Councillor Jarvis noted that this proposal immediately reduces the expenses for the Town Council and offsets rent outlay.

The District Council have been working alongside Windermere and Bowness Town Council with a view to finding an alternative location for the Town Council in order to realise the potential of Langstone House as affordable housing.

As part of the Asset review undertaken by the District Council, Ellerthwaite Depot located in Broad Street car park which is also surplus to requirement was put forward for development to create a new commercial unit close to the Town centre which could be leased by the authority for a commercial rent.

Councillor Jarvis provided detail around the feasibility study agreed by officers following discussion with the Town Council. The Council's property services provider has developed designs to meet the needs and standards as requested by the Town Council and the Town Council have agreed in principle to relinquish their user rights in Langstone House in return for a refurbished and re-configured depot building.

As well as the asset transfer of Ellerthwaite Depot, Windermere and Bowness Town Council have requested 1 No. designated car parking space in Broad Street car park next to the depot and to be consulted and approve the end use of Langstone House to ensure that Langstone House is to be used for affordable housing in the future and not developed for other commercial uses. Whilst the overall outcome for the site is to be agreed with Windermere and Bowness Town Council, agreement over delivery model and any housing provider engagement will be limited to the District Council and new Authority to approve.

Cabinet considered whether the future development of affordable housing on the Langstone House site justified the less than best terms for the lease to the Town Council. They were informed that justification of a less than best consideration can only be confirmed once the results of the feasibility study are known and providing further that the results of the feasibility study confirm that an affordable housing scheme on the Langstone House site is viable (and subject to further report to Cabinet).

Members queried if there would be possibility that there might be a requirement for a start from scratch re-build. Thinking ahead, Members were preparing to answer any questions on the site developments that they may encounter. Councillor Jarvis responded that feasibility studies were underway to ascertain how best to develop this site.

Officers in answer to questions raised explained that they will ensure that an affordable housing scheme is viable on Langstone House site prior to entering into any building contracts for the Ellerthwaite Depot scheme to ensure that the Council can justify the less than best leasehold transaction with the Town Council and can satisfy itself that such a transaction is not in breach of the Local Government Act 1972, General Disposal Consent (England) 2003.

Decision

RESOLVED – That:-

(1) Authority is delegated to officers to undertake a feasibility study of Langstone House with a view to creating affordable housing on the site either through re-configuration of the existing premise or re-development of the site, with a further report to be brought back for Cabinet approval for the affordable housing scheme.

(2) in principle the disposal and development of Ellerthwaite Depot at less than best consideration and in accordance with the draft Heads of Terms in Appendix 2 to Windermere and Bowness Town Council be approved; and

(3) authority is delegated to agree the terms of the Disposal and to enter the Agreement to Lease and surrender of user rights and any existing occupational agreements of Langstone House to the Director of Customer and Commercial Services in conjunction with the Lead Specialist for Legal, Governance and Democracy, Operational Lead for Delivery and Commercial Service and Lead Specialist for Finance.

Reasons for Decision

The Council intends to adhere to its asset management strategy, to make the best use of its assets and to bring forward affordable housing to the Town.

This will create and provide fit for purpose accommodation for the Windermere and Bowness Town Council and the release of Langstone House, Broad Street, Windermere for affordable housing.

Alternative Options Considered and Rejected

Do nothing – this is not a favoured option as the Council fails to adhere to its asset management strategy to make the best use of its assets and fails to bring forward affordable housing for the Town.

To proceed with development of Ellerthwaite Depot for commercial rent only and continue with Windermere and Bowness Town Council using Langstone House. This is not a favoured option as whilst development of the depot would be in line with the Council Asset Management Strategy, it would fail to realise affordable housing units within the centre of Windermere.

CEX/117

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/118 LAND AT SANDSIDE, ULVERSTON

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

Summary

Councillor Ashcroft Economy, Culture and Leisure Portfolio Holder presented the report to Cabinet, stating that the Council intends to acquire land from Glaxo Operations UK Limited and subsequently make a disposal of the land to enable new employment.

Decision**RESOLVED – That:-**

(1) Authority is delegated to the Director of Customer and Commercial Services and Legal, Governance and Democracy Lead Specialist to enter into negotiations with Glaxo Operations UK Limited on the terms of the land donation as described in paragraphs 3.1 to 3.9, approval of which would be subject to a future Cabinet decision.

(2) in principle (subject to the acquisition of the land donation site as referred to above) the subsequent disposal of the land at a ‘less than best’ consideration as described in paragraphs 3.10 to 3.13 of the report be approved, in the interest of furthering the successful economic development of Ulverston and wider District;

(3) authority is delegated to the Director of Customer and Commercial Services and Legal, Governance and Democracy Lead Specialist in consultation with the Portfolio Holder for Economy and Culture and Portfolio Holder for Finance and Assets, to negotiate terms within the framework described in paragraphs 3.14 to 3.17 of the report, and subject to doing so, enter agreement with the third party;

(4) authority is delegated to the Director of Customer and Commercial Services and Legal, Governance and Democracy Lead Specialist to negotiate the terms (once heads of terms have been agreed within the framework) and complete the disposal of the land with the third party together with any associated documentation; and

(5) In the event terms cannot be agreed within the framework, terms are brought back to Cabinet for consideration.

Reasons for Decision

The proposal enables the development of a significant employment site for the Morecambe Bay economic region, securing investment and high value jobs. It provides and safeguards jobs to grow our working age population. It delivers business space, providing support and affordable premises for new start-ups and enables sustainable growth in the district.

Alternative Options Considered and Rejected

The Council could refuse the land donation from GSK and ask them to dispose of it on the open market. This would however remove from the Council's control (other than through its development management function) over who would become the end user of the site. It would also remove the Council's ability to put together an attractive package of support for Lakes Bioscience, making it significantly less likely that Ulverston would secure the high value jobs and investment.

The meeting ended at 10.57 a.m.