

SOUTH LAKELAND DISTRICT COUNCIL

Minutes of the proceedings at a meeting of the Council held in the District Council Chamber, South Lakeland House, Kendal, on Wednesday, 29 March 2017, at 6.30 p.m.

Present

Councillors

Sylvia Emmott (Chairman)
Eric Morrell (Vice-Chairman)

James Airey	Sheila Eccles	Mel Mackie
Giles Archibald	David Evans	Pete McSweeney
Rupert Audland	Clare Feeney-Johnson	Vivienne Rees
Ben Berry	Alvin Finch	Amanda Rigg
Roger Bingham	David Fletcher	Sue Sanderson
Norman Bishop-Rowe	Gill Gardner	Matt Severn
Jonathan Brook	Brenda Gray	Ian Stewart
Andrew Butcher	Anne Hall	Graham Vincent
John Clough	Chris Hogg	Phil Walker
Stephen Coleman	Helen Irving	David Williams
Stan Collins	Andrew Jarvis	Mark Wilson
Brian Cooper	Janette Jenkinson	Mary Wilson
Philip Dixon	Dyan Jones	

Apologies for absence were received from Councillors Caroline Airey, Nick Cotton, Shirley Evans, Tom Harvey, John Holmes, Kevin Lancaster, Annie Rawlinson and Peter Thornton.

Officers

Inge Booth	Senior Committee Services Officer
Lawrence Conway	Chief Executive
Anthea Lowe	Solicitor to the Council
Richard Machin	Senior Communications Officer
Shelagh McGregor	Assistant Director Resources (Section 151 Officer)
Debbie Storr	Director of Policy and Resources (Monitoring Officer)
David Sykes	Director People and Places

C/85 MINUTES

RESOLVED – That the Chairman be authorised to sign, as a correct record, the minutes of the meeting of the Council held on 22 February 2017.

C/86 PUBLIC PARTICIPATION

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

C/87 DECLARATIONS OF INTEREST

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

C/88 LOCAL GOVERNMENT ACT 1972 - EXCLUDED ITEMS

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

C/89 CHAIRMAN'S ANNOUNCEMENTS

A list of engagements which the Chairman had attended since the last meeting had been circulated to Members.

The Chairman was pleased to inform Members that the South Lakeland Partners' Networking Dinner held at the Castle Green Hotel on 17 March 2017 had been a great success and expressed thanks to Derek Armstrong from the Chamber of Commerce and to those officers of the Council involved for organising the event. £1,200 had been raised for Age UK South Lakeland, which would be put towards Walking Football for the Over 50s. She referred to this being the end of the municipal year and took the opportunity to wish Heidi Halliday, who had recently resigned from the Council, well for the future and, on behalf of the Council, to thank her for her service to residents of the community. The Chairman referred to the recent Rotary BAE Systems Technology Tournament, which the Council had assisted in sponsoring, and which had involved students from across the District. Kirkbie Kendal School and Kendal College had been awarded prizes and, most importantly, the students taking part had enjoyed the challenge.

C/90 ANNUAL REVIEW OF THE CALL-IN AND URGENCY PROVISIONS

In accordance with paragraph 16 (j) (ii) of the Council's Overview and Scrutiny Procedure Rules, a report on the operation of the provisions relating to call-in and urgency during the municipal year 2016/17 was presented to Council by Councillor Dyan Jones, Chairman of the Overview and Scrutiny Committee.

She reported that the urgency procedure had been used once in the previous twelve months for a decision on 30 September 2016 relating to Local Settlement Disabled Facilities Works (DEX/13 refers). During 2016/17, no Executive Decisions had been called-in.

It was proposed by Councillor Dyan Jones, seconded by Councillor Vivienne Rees and, subsequently

RESOLVED – That the report be noted.

C/91 ANNUAL REVIEW OF THE CONSTITUTION

The Director of Policy and Resources (Monitoring Officer) presented a report on the Annual Review of the Constitution. She informed Members that one of her duties as Monitoring Officer was to monitor and review, on an annual basis, the operation of the Constitution to ensure that its aims and principles were given full effect. The views of Members, Officers, parish councils and also the public had been sought and suggestions put forward had been considered by the Constitution Working Group. The recommendations of the Working Group were detailed in Appendix 1 to the report.

The Director informed Members that the Audit Committee also conducted its own annual review of the Constitution and had, at its meeting on 1 December 2016, recommended a number of changes to the Financial Procedure Rules and Contract Procedure Rules in order to clarify some areas of ambiguity, as set out at Appendices 2 and 3 to the report.

In addition, the Chairman of the Overview and Scrutiny Committee had requested a review of the Council's current scrutiny arrangements in light of the financial savings and efficiencies that would be required in the forthcoming years. The review also sought to ensure that the Council's scrutiny function was as effective and efficient as possible. It was considered that there was scope to make the Council's performance management scrutiny more efficient by removing the Performance Sub-Committee from the Council's committee structure, with the Overview and Scrutiny Committee taking on the responsibilities currently delegated to the Sub-Committee. The changes recommended at Appendix 4 to the report had been supported by the Overview and Scrutiny Committee at its meeting on 17 March 2017 and by the Constitution Review Working Group on 23 February.

Subject to approval by Council, the Constitution would be amended to take account of the changes.

Councillor Sanderson moved approval of the recommendations contained within the report and was seconded by Councillor Stephen Coleman.

RESOLVED – That the following be approved:-

- (1) the recommendations from the Constitution Review Working Group, as detailed at Appendix 1 to the report;
- (2) the recommendations from the Audit Committee, as detailed at Appendices 2 and 3 to the report; and
- (3) the recommendations from the Overview and Scrutiny Committee, as detailed at Appendix 4 to the report.

C/92 COMMUNITY GOVERNANCE REVIEW

Councillor Sue Sanderson, Council Organisation and People Portfolio Holder, presented a report which outlined the Council's duty around community governance reviews.

In moving the recommendations contained within the report, Councillor Sanderson informed Members that no valid community governance petition had been received by the Council and that the Council had last undertaken a review during 2013. Representations had been received from some parishes in 2014 to consider a further community governance review but, at that time, the Council had received notification from the Local Government Boundary Commission for England that it was to undertake a further electoral review, and advice then had been not to proceed with a community governance review at the same time as an electoral review. The outcome of the review of the National Park boundaries had also been awaited and, therefore, any further review had been considered to be premature. Council, on 29 September 2014 (Minute No.C/45), had resolved that, "the Council does not undertake a further community governance review at this time but that officers look at a timetable for a review to commence by March 2017."

It was considered by officers that it would be appropriate to facilitate a district-wide community governance review after the implementation of the new District Ward boundaries following the May 2018 elections, with a planned implementation date in 2019. A report would be brought to Council during 2018 prior to formal commencement of the review, with a timetable setting out the process.

Councillor Sanderson clarified that the community governance review would relate to all parishes within South Lakeland.

Councillor Sanderson having moved the recommendations, was seconded by Councillor David Fletcher.

RESOLVED – That

(1) the update be noted; and

(2) should the Council initiate a district-wide community governance review, that this commence following the May 2018 elections.

C/93

COMPOSITE REPORT OF THE CABINET

Councillor Giles Archibald, Leader and Promoting South Lakeland Portfolio Holder, introduced his and the Cabinet Members' respective End of Year 2016/17 Executive Reports. He thanked the Portfolio Holders and all Members for their input into the substantial achievements of the past Council year, whilst also dealing with the difficulties and hardships caused by the flooding.

Councillor Archibald congratulated Councillor Dyan Jones, Chairman of the Overview and Scrutiny Committee, the Overview and Scrutiny Committee and officers involved, for a successful year, and in particular for their work on the issue of poverty which could lead to making a difference in the lives of those affected.

Councillor Archibald referred to the Council's ambitions regarding parks and the public realm, a conclusion regarding the Lido at Grange-over-Sands, Kendal Masterplan and infrastructure, affordable and affordable care housing and local projects. He stressed that a huge amount could be achieved, not only by the Cabinet and officers, but by all councillors, other tiers of local government and community groups working together.

Councillor Roger Bingham raised the need to liaise with private landowners through the County Council to ensure that access to public footpaths was not restricted.

Councillor Stewart asked Councillor Chris Hogg, Culture and Wellbeing Portfolio Holder, to explain how the Great Place Scheme tied in with the Council's vision of making South Lakeland the best place to live, work and explore. In asking his question, he also took the opportunity to refer to the success of the Partners' Networking Dinner which had originally been the idea of Councillor Emmott and which had become a major annual event which, he felt, should be replicated in other areas of Cumbria. Councillor Hogg informed Members that the Great Place Scheme was to be piloted in 16 locations across England, with funding from the Heritage Lottery Fund and Arts Council England. South Lakeland and Craven District Councils had recently been awarded £1.35m for an innovative joint project and would form one of the four rural great places, with a scheme called, "Crossing the Watersheds," which aimed to retain and attract younger people and business to the area by developing more creative and

cultural opportunities. The project was being led by Craven, in partnership with South Lakeland, and the Yorkshire Dales and Lake District National Park Authorities, and would be focussed on the rural corridor linking Skipton in the south and Grasmere in the north, including the market towns and rural hinterlands, extending into both the Yorkshire Dales and Lake District National Parks.

Councillor David Williams referred to the Performance Management section of the Council Organisation and People Portfolio Holder, Councillor Sue Sanderson's, report, and asked whether the Council was on target to build the 6,500 private homes by 2025 as promised in the Local Plan. The Housing and Innovation Portfolio Holder, Councillor Jonathan Brook, responded. He explained that Councillor Sanderson's report did not include the complete set of performance details, however, he understood that the Council was on target.

Councillor Ben Berry asked Councillor David Fletcher, Environment Portfolio Holder, when the Council would have a suitable vehicle to deliver the plastic and card collection service to the remaining 2,000 properties in narrow-access areas. Councillor Fletcher explained that plans were to trial a smaller Romaquip vehicle with a view to purchase in September. Councillor Berry asked if it would be possible for the trials to take place within his Ward and Councillor Fletcher undertook to discuss the matter with officers.

Councillor Janette Jenkinson drew attention to the current Overview and Scrutiny Committee's Older Persons' Housing Task and Finish Group and asked Councillor Archibald whether he agreed that the Council needed to think out of the box with regard to what was required in terms of older people's housing, particularly bearing in mind the fact that those born after the war tended to live longer, healthier and more active lives. Councillor Brook responded as the relevant Portfolio Holder and agreed for the need to be innovative when discussing older persons' and extra care housing due to South Lakeland's super-aging population.

Councillor Bishop-Rowe referred to Councillor Hogg's report and the section relating to Strategic Cultural Partnership Organisations and Strategic Community Arts and Events Organisations and asked him not to forget the Coronation Hall at Ulverston. Councillor Hogg pointed out that the Council could not be accused of forgetting the Coronation Hall and informed Members about the money being put into the Hall and into arts and culture events in the Ulverston area.

Councillor Vivienne Rees referred to the trees which were to be planted in Kendal and asked Councillor Fletcher whether there were plans for tree planting in other areas. Councillor Fletcher explained that the aim was to try to use the trees as a form of carbon synchronisation relating to a specific area in Kendal which had poor air quality. The project would be extended across South Lakeland in places deemed suitable for this type of initiative.

Councillor Anne Hall referred to the Community Housing Conference which she had attended earlier in the month. She expressed concern at the amount of second homes within South Lakeland and pointed out that rural villages were dying at a rapid rate. At the meeting, she had spoken with a number of parish councillors who did not seem to know how to go about developing community land trusts and asked what could be done to encourage interest. Councillor Brook, also concerned at the high level of second homes, explained that it had been suggested to the Government that it consider a means of change of use class for second homes but that it had come forward instead with the proposal of community-led housing schemes. £2.36m funding had been received and officers had had to work quickly on ways in which to spend this

money. As well as community land trusts, parishes or communities could come forward with community led schemes. He raised the importance of looking at innovative ways of encouraging new groups to present projects.

Councillor Brian Cooper raised the fact that more businesses in the K Village Outlet Centre had closed resulting in more empty units and was concerned as to what would happen if the Clarks shop also eventually closed down. He asked Councillor raham Vincent, Economy Portfolio Holder, whether there would be any possibility of attracting any larger retail businesses to the Village. Councillor Vincent informed Members that work was ongoing to find a solution. The Economic Development Group was providing advice to the current owners regarding a new approach to make the development an attractive and viable site.

Councillor Mark Wilson thanked Councillor Hogg for his report and enquired whether it would be possible for officers to arrange a Member briefing session on the future of the health system. Councillor Hogg explained that that this was an evolving and complex issue. He agreed that this was a good idea and suggested that this could take place in May or June.

Councillor Matt Severn referred to the excellent Visit Kendal and Explore South Lakeland websites. Councillor Vincent agreed that this was one of the excellent achievements of the Council. Councillor Vincent advised that the Invest in South Lakeland site was also currently being improved and that the Council would continue to support that site.

Councillor Janette Jenkinson asked Councillor Vincent to elaborate on the work of the Local Enterprise Partnership in relation to the roundabouts at Cross-a-Moor and High Carley. Councillor Vincent acknowledged the importance of the issue of connectivity and informed Members that the Council had made representations to the Local Enterprise Partnership following its decision not to provide funding for the project. The Director of Policy and Resources (Monitoring Officer) explained that a final decision had yet to be made and negotiations were ongoing.

Councillor John Clough asked Councillor Giles Archibald, in the absence of the Finance Portfolio Holder, Councillor Peter Thornton, who were the two large ratepayers who had failed to pay their 2016/17 liability for National Non-Domestic Rate. Councillor Archibald undertook to ensure that a written response was provided.

RESOLVED – That the End of Year 2016/17 Executive Reports be received.

C/94

LEADER'S ANNOUNCEMENTS AND CABINET QUESTION TIME (30 MINUTES)

In accordance with paragraphs 10.2 and 10.3 of the Council's Rules of Procedure, the following written question had been submitted to the meeting:-

From Councillor David Williams to Councillor Graham Vincent, Economy Portfolio Holder - *At the last Council meeting you confirmed, in response to a question by me, that all the 247 new jobs referred to as having been created in the 2017 Council Plan Update since 2014 were higher paid jobs, counting towards the Council plan of 1,000 by 2025. Will you now re confirm this to me - yes or no please?* Councillor Vincent responded in the affirmative. Councillor Williams posed a supplementary question, asking Councillor Vincent to provide him with full details relating to the jobs. Councillor Vincent explained that this was not possible. The Council worked on statistics provided by the Office for National Statistics. Between 2014 and 2016, higher

paid jobs had been created in South Lakeland and Councillor Vincent read out figures which demonstrated that the increase was at a rate of 10%, which was higher than the national average of 4%.

The written question having been presented and answered, the following verbal questions were then taken from the floor:-

Councillor Vivienne Rees asked Councillor Giles Archibald, Leader and Promoting South Lakeland Portfolio Holder, what was being done to encourage economic growth and farm diversification within the rural areas of South Lakeland. Councillor Archibald undertook to provide a written, considered response, in consultation with Councillor Vincent. Councillor Rees posed a supplementary question, asking whether it was true that the Council had been in touch with various business partnerships in the area and that the Council was actively working on this issue. Councillor Vincent confirmed that this was the case. He referred to the Great Place Scheme which would have a significant impact on business in rural areas. He explained the difficulties arising from a lack of broadband in some isolated areas and reported that this was being addressed and should result in improvements to the rural economy. In addition, businesses were being encouraged to seek advice and direction from the Council.

Councillor Stephen Coleman complimented the Overview and Scrutiny Committee on its recent work on Poverty and asked Councillor Archibald how the Council intended to respond to the recommendations. Councillor Archibald explained that although South Lakeland was a great place in which to live, areas of deprivation existed, in particular significant areas of child poverty, which were also increasing. He hoped that, in partnership with others, the Council could work towards alleviating the effects of poverty in South Lakeland. Councillor Archibald informed Members that Councillor Jonathan Brook, Housing and Innovation Portfolio Holder, and the Director People and Places would be putting together a task force to address the actions which had been raised by the Overview and Scrutiny Committee. He again took the opportunity to compliment Councillor Dyan Jones, the Committee's Chairman, and officers in drawing up the recommendations.

Councillor Philip Dixon referred to the last Council meeting at which he had expressed his disappointment regarding the Government's failure to accept 3,000 child refugees currently based in mainland Europe. At the meeting, Councillor Archibald had undertaken to write to the Secretary of State objecting to the decision and urging the Government to support the admission of additional refugees. Councillor Dixon thanked Councillor Archibald for writing and enquired as to whether a response had been received. Councillor Archibald reported that Cumbria County Council had also written to the Government to say that Cumbria was ready to accept refugees, however, that no response had yet been received. He thanked Councillor Dixon for again raising the issue and undertook to pursue the matter.

Councillor Ian Stewart began to ask if Councillor Archibald agreed with him that the Prime Minister was correct in some of her comments with regard to triggering Article 50. Councillor Williams raised a point of order, pointing out that the question was not pertinent to the work of the Council. The Chairman allowed Councillor Stewart to complete his question in order to establish whether or not it was appropriate. Councillor Stewart completed his question by referring to the Prime Minister's comments on values which he believed related to the values promoted by South Lakeland District Council, and asked if the Prime Minister was right that Great Britain and Europe needed to continue to promote liberal democrat values. The Chairman allowed Councillor Archibald to respond. Councillor Archibald indicated that he agreed with Councillor Stewart.

Councillor Phil Walker referred to the Government debate which had taken place earlier in the day on Article 50 and to those EU nationals who worked in lower paid jobs in the hospitality industry within South Lakeland. He asked how their jobs would be safeguarded once Great Britain left the EU. Councillor Archibald advised Members that he had already made a representation on this matter and awaited a response.

Councillor Brian Cooper pointed out that although a lot of jobs were being created in South Lakeland, others in the area were being lost, for example those at Creative Confectionery in Burton, and asked Councillor Vincent to elaborate. Councillor Vincent informed Members that this was correct, however, advised that there were a number of larger companies that were expanding, for example James Cropper and Lakeland Limited. South Lakeland continued to create high value jobs.

C/95 MINUTES OF MEETINGS

RESOLVED – That it be noted that no comments or questions had been received in respect of the minutes of committee meetings held between 6 February and 10 March 2017.

C/96 QUESTIONS TO CHAIRMAN OF THE COUNCIL OR CHAIRMAN OF ANY COMMITTEE OR SUB-COMMITTEE

RESOLVED – That it be noted that no questions had been received.

C/97 LEADER'S ANNOUNCEMENT

The Leader, Councillor Giles Archibald, announced that this would be the last Full Council meeting to be chaired by Councillor Sylvia Emmott. Councillor Emmott had been a firm but fair Chairman, respected by all Members. Councillor Archibald asked all present to join him in thanking Councillor Emmott for her service.

Councillor Emmott responded by saying that she had very much enjoyed promoting South Lakeland through her role as Chairman.

The meeting ended at 8.05 p.m.