

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, 9 October 2019, at 6.30 p.m.

Present

Councillors

Stephen Coleman (Chairman)
Pete McSweeney (Vice-Chairman)

Caroline Airey	Anne Hall	Malcolm Lamb
James Airey	Tom Harvey	Kevin Lancaster
Giles Archibald	Eamonn Hennessy	Susanne Long
Robin Ashcroft	Hazel Hodgson	Eric Morrell
Rupert Audland	Chris Hogg	Jon Owen
Pat Bell	Rachael Hogg	Doug Rathbone
Roger Bingham	John Holmes	Brian Rendell
Jonathan Brook	Kevin Holmes	Matt Severn
Helen Chaffey	Vicky Hughes	Peter Thornton
Tracy Coward	Helen Irving	David Webster
Philip Dixon	Andrew Jarvis	Ian Wharton
Judy Filmore	Dyan Jones	Mark Wilson
Alvin Finch	Dave Khan	Shirley-Anne Wilson
Gill Gardner	Helen Ladhams	

Apologies for absence were received from Councillors Ben Berry, Brian Cooper, Michael Cornah, Anne Hutton, Janette Jenkinson, Ian Mitchell, Suzie Pye and Janet Willis.

Officers

Inge Booth	Legal, Governance and Democracy Specialist
Lawrence Conway	Chief Executive
Linda Fisher	Legal, Governance and Democracy Lead Specialist (Monitoring Officer)
Julia Krier	Legal, Governance and Democracy Specialist
Richard Machin	Communications Specialist
Adam Moffatt	Case Management Officer
Simon Rowley	Director of Customer and Commercial Services
Helen Smith	Finance Lead Specialist (Section 151 Officer)
David Sykes	Director of Strategy, Innovation and Resources

C/37

MINUTES

RESOLVED – That the Chairman be authorised to sign, as a correct record, the minutes of the meeting of the Council held on 23 July 2019.

C/38 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/39 DECLARATIONS OF INTEREST

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

C/40 LOCAL GOVERNMENT ACT 1972 - EXCLUDED ITEMS

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

C/41 CHAIRMAN'S ANNOUNCEMENTS

A list of engagements which the Chairman or Vice-Chairman had attended since the last meeting had been circulated at the commencement of the meeting.

On behalf of the Council, the Chairman asked Councillor Peter Thornton to pass on congratulations to Councillor Suzie Pye who had recently given birth.

The Chairman made particular reference to the New Union Tavern in Kendal which had recently become CAMRA UK Cider Pub of the Year.

Councillor Phil Dixon took the opportunity to also congratulate Councillor Ben Berry on the recent birth of his child.

C/42 CORPORATE FINANCIAL MONITORING QUARTER 1, 2019/20

The Finance and Resources Portfolio Holder, Councillor Andrew Jarvis, presented the Corporate Financial Monitoring report for Quarter One of 2019/20, highlighting the Council's expenditure and income during the first three months of the financial year, but also including current projections of expenditure for the remainder of the year.

The report had also been considered by the Overview and Scrutiny Committee at its meeting on 16 August 2019 and by Cabinet on 11 September 2019.

Councillor Jarvis took the opportunity to provide Cabinet with a brief update on the budget for 2020/21 and subsequent years. He referred to the Autumn Statement in which the Chancellor had confirmed that there would be a one year settlement for Local Government, with the restructuring and reset of Non-Domestic Rates being postponed to 2021/22. There were important details that remained unclear, for example around the continuation of Council's ability to increase Council Tax by £5, or of business rates pooling. However, the initial indication was that this temporary settlement would leave the Council in a better financial position than in the Medium Term Financial Plan presented to Council in July 2019. Councillor Jarvis, however, reminded Members that this showed a £620,000 deficit for 2020/21, and the Council's first priority was to close this. Councillor Jarvis said that considerable uncertainty around the settlement also remained. Councillor Jarvis also made reference to the move by the Government earlier in the day to increase Council borrowing rates by 1% point for all new borrowing. He undertook to keep Cabinet and Council updated on next year's budget.

Councillor Jarvis, in closing, thanked the Finance Team for their work and moved that the report be noted.

Councillor Giles Archibald, Leader and Promoting South Lakeland Portfolio Holder, seconded the motion, also thanking Councillor Jarvis and officers. Councillor Archibald expressed pride in the work achieved by the Council for the community in relation to playgrounds, kerbside recycling and locality budgets, to name but a few. He pointed out that this work, carried out in partnership with other organisations, was possible due to the fact that the Council was, and continued to be, managed in a financially prudent manner.

It was suggested that the Finance and Resources Portfolio Holder might, in future, consider circulating any updates to his report to Members on the day before the meeting in the form of a late representation. Councillor Jarvis explained, however, that the material provided verbally was not new and that he was simply emphasising key points contained within the report.

In response to a query relating to collection of sundry debts and the need for the Council to reduce the figure to nil, Councillor Jarvis informed Members that the Lake Administration Committee had, on 4 October 2019, been provided with a detailed report on action being taken in relation to encroachments on a debt by debt basis, and that other debts continued to be pursued. The Finance Lead Specialist (Section 151 Officer) added that officers worked hard to pursue debts by all means possible, by contacting the debtor, through enforcement agents or direct pursuit in Court, with a few debts resulting in charges against property; the Council was reluctant to write-off any debts. A plea was raised regarding the need, in the spirit of sensitivity, to ensure that enforcement agents collecting goods from those in debt should not do so after dark.

Councillor Jarvis responded to a query as to whether there had been any direct communication from the Government in relation to a forthcoming multi-year settlement. He explained that he had received communication in relation to 2020/21 but, with regard to the multi-year financial settlement, he had heard nothing, which was of concern. Councillor Jarvis' attention was drawn to the fact that the Overview and Scrutiny Committee, which was due to meet on 25 October 2019, would be considering the Quarter 2 Financial Update and asking in-depth questions.

RESOLVED – That the contents of the report be noted.

C/43

MEMBER SUPPORT STEERING GROUP - ANNUAL UPDATE

Councillor Eric Morrell, Customer and Commercial Services and People Portfolio Holder, presented the annual update from the Member Support Steering Group (MSSG), expressing appreciation for the contribution made from all political groups.

The report and Appendix A provided statistics regarding Member attendance at training sessions during 2018/19. The statistics showed that there was a low take up of training, with sessions having had, at times, to be cancelled at short notice due to the withdrawal of Members. The MSSG was, therefore, making proposals to break training down into two categories; mandatory and optional, as outlined at Appendices B and C to the report. Furthermore, in order to ensure maximum attendance at mandatory training events, it was being suggested that a reporting process for non-attendance be introduced.

Councillor Morrell pointed out that most Member training was provided in-house and he thanked officers for their efforts and patience in this regard. He drew attention to the recommendation for all Members to complete a Personal Development Plan (PDP) in order to ensure that there was an accurate picture of Member skills, knowledge and behaviours and so that a relevant learning calendar could be designed to support these needs. It was felt that PDPs would support any requests made by Members who submitted ad hoc requests for external training, ensuring value for money and also that investment in such activity was relevant and aligned to the Member's needs to support their ward and the wider district. Council was, further, being asked to approve updates to the Member Development Strategy, attached at Appendix E to the report, in order to reflect the recommendations from the MSSG, as well as changes to officer roles since 2017.

The report made reference to Member Role Profiles which had also been reviewed by the MSSG and which were attached at Appendix D to the report. These had been updated to reflect the changing role of councillors and in order to make training and development integral to each role and reflect the commitment that the Authority made to each elected Member.

The report outlined the digital offering available to Members and attention was drawn to the fact that officers would be arranging training sessions to demonstrate the online training available. It was also stressed that officers were available to provide assistance to Members on an ongoing basis.

Councillor Morrell moved the recommendations contained in the report and was seconded by Councillor Mark Wilson.

A lengthy discussion ensued, during which strong concern was voiced with regard to the use of the word "mandatory", which a number of Members felt should be replaced with the word "compulsory" or "obligatory". Some Members were of the opinion that it should be their own choice as to which training they attended, as long as the need to uphold the seven principles of public life was adhered to. They were of the opinion that they had been elected to serve their communities and that, as such, they should carry out their work in the way they felt best or risk not being re-elected in the future. Attention was drawn to the fact that the report indicated that, with regard to IT, use of County Council or Members' own devices had been due to be explored Autumn 2019. Members, however, accepted the need for those sitting on regulatory committees such as Planning and Licensing to attend training before being able to take part in those meetings where decisions were made with regard to people's livelihoods. The need for flexibility and more than one option for each training session was raised. The potential for webinars or the uploading of recordings of training sessions on the intranet was suggested. It was further suggested that where training, such as Prevent awareness, had already been undertaken by Members in a role on another authority or body and where a record was held, there should not need to repeat that training.

Attention was drawn to the fact that officers did offer one to one training where Members were unable to attend scheduled sessions. It was generally believed that councillors should show a willingness to attend training sessions in order to be able to best serve their residents. The majority of Members stressed the significance of undertaking training on topics such as Equality and Diversity, Prevent Awareness and Human Trafficking. It was also pointed out that the training lists would be reviewed over time.

The Legal, Governance and Democracy Lead Specialist (Monitoring Officer) informed Members that the recommendations had been made by the MSSG which had approved the language used within the report. She reminded Members of the quasi-judicial nature of those committees listed under “Mandatory” training and of Members’ duties under the Equality Act and the need for training on these subjects.

Councillor Tom Harvey proposed an amendment to the motion, to change the word “mandatory” to “compulsory” and for that particular training to apply only to the Audit, Licensing and Planning committees. He further wished for the inclusion of an additional, third category of “important”, to cover training such as GDPR (General Data Protection Rules) and Prevent awareness. Councillor John Holmes seconded the amendment.

Although it was agreed that the potential for remote ways of training should be examined, it was generally felt that councillors should be required to undertake the types of training shown as mandatory within the report, due to the importance of the nature of the issues. The importance of training for Members of the Human Resources Committee was also raised due to the need for that group to make decisions relating to aspects of people’s lives.

A vote was taken on the proposed amendment, which was lost.

Councillor Mark Wilson, as seconder to the substantive motion, thanked the report writer and staff who supported the cross-party MSSG. He stressed the fact that the Group worked together in the spirit of concord to examine how better Members could support their residents.

A vote was then taken on the substantive motion, and it was

RESOLVED – That

- (1) the training statistics set out at Appendix A to the report be noted;
- (2) the following be approved:-
 - (a) the mandatory training as contained in Appendix B to the report and the associated reporting mechanisms as referred to at paragraphs 3.5 to 3.6 of the report;
 - (b) the revisions to the Member Development Strategy, with effect from the start of this Municipal Year, as set out in Appendix E to the report; and
 - (c) the updated role profiles for Members as set out at Appendix D to the report; and
- (3) it be confirmed that externally paid for training is supported by an up to date personal development plan (PDP) to ensure value for money.

C/44

REVIEW OF ANTI-FRAUD POLICIES

Councillor Stephen Coleman, as Chairman of the Audit Committee, presented a report setting out proposed amendments to the Anti-Bribery, Fraud and Corruption and the Anti-Money Laundering policies. The required amendments had arisen as part of the Audit Committee’s annual review of the Anti-Fraud policies. The proposed changes reflected new job titles and roles arising from Phase 1 of the Customer Connect Programme and changes in the Council’s organisational structure.

The recommendation contained within the report having been proposed by Councillor Coleman, and seconded by Councillor Jonathan Brook, Deputy Leader and Housing and Innovation Portfolio Holder, it was

RESOLVED – That the following be approved:-

- (1) the amendments to the Anti-Bribery, Fraud and Corruption Policy, as shown at Appendix 1 to the report; and
- (2) the amendments to the Anti-Money Laundering Policy as shown at Appendix 2 to the report.

C/45

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

The Leader of the Council, Councillor Giles Archibald, alluded to recent developments in Syria and expressed concern with regard to the suffering of thousands of people as a result of events. He also referred the 800,000 homes in California currently without electricity, the reason for which, he said, could be traced back to Climate Change.

Councillor Archibald encouraged those Members who had been unable to attend the recent Kendal Vision community planning event, at which a vision for Kendal had been outlined, to visit the JTP Architects Website. He commended the work of the Kendal Futures Board and those businesses and residents who had participated.

Councillor Archibald updated Members with regard to the settlement in Cumbria of 200, mostly Syrian, refugees, with six families having been homed in South Lakeland. He wished to place on record his thanks to the County Council for its tremendous and discreet work in this regard. Councillor Archibald felt proud of the part played by South Lakeland District Council in changing these people's lives and thanked its officers for their involvement.

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

From Councillor Ian Wharton to Councillor Robin Ashcroft, Economy, Culture and Leisure Portfolio Holder - *"Could you please provide an update on the redevelopment of Ulverston Leisure Centre?"*

Councillor Ashcroft explained that, as Members would be aware, the Council had been investigating the development of a new leisure facility at the Priory Road site in Ulverston. This was a project which was supported by GlaxoSmithKline (GSK), to bring new and combined facilities to replace the Council's ageing facilities and to enable future development of the GSK site. Councillor Ashcroft explained that Cabinet had approved for work to progress to develop the necessary information on facility mix, capital cost and future revenue operating cost in order to enable a future Cabinet decision to implement a new facility. Since then, work had involved engagement with the construction supply chain to more accurately investigate the options for construction methods, associated cost and procurement routes. Officers had been talking with principal contractors, specialist suppliers and quantity surveyors and expected to be in a position to advise Cabinet of the best way forward within the next couple of months. Of great importance was what the project would deliver for the residents of Ulverston and officers were engaging with user groups regarding the balance of facilities on offer; the Council was determined to ensure that the right mix of facilities that worked for all was achieved. Councillor Ashcroft drew particular attention to the fact that both officers and himself were holding regular meetings with the Lawn Tennis Association and residents regarding concerns. This was a work in progress and Councillor Ashcroft undertook to update Members as necessary.

From Councillor Matt Severn to Councillor Robin Ashcroft, Economy, Culture and Leisure Portfolio Holder - *"Please can you update me as to the latest developments on the Lancaster & South Cumbria Economic Region?"*

Councillor Ashcroft informed Members that when the Lancaster and South Cumbria Economic Region (LSCER) prospectus had been launched in June, it had been said that the next stage would be to engage with business and key stakeholders to listen to ideas with a view to firming up future investment plans. That work was ongoing and was informing the development of a joint growth deal submission. The submission had not yet been finalised but there were already some significant and exciting proposals being discussed that it was believed would stimulate greater economic growth across Morecambe Bay and prosperity for businesses and residents across the three local authority areas. Certainly, it was believed that working collaboratively would provide a far greater chance of attracting the sort of investment that could drive real improvements across the three districts. Councillor Ashcroft said that, once the proposals were finalised and the submission was complete, he would update Members.

Councillor Severn posed a supplementary question, directed to Councillor Giles Archibald, Leader and Promoting South Lakeland Portfolio Holder, asking whether South Lakeland District Council, in the light of the LSCER partnership, would continue to work with its Council colleagues in Eden.

Councillor Archibald said that it would.

From Councillor Doug Rathbone to Councillor Suzie Pye, Health, Wellbeing and Financial Resilience Portfolio Holder - *"Could the Portfolio Holder please update me on granters for 'changing places'; how many we have, how many are still in the offing and what support we are getting as a Council for this?"*

Councillor Giles Archibald, Leader and Promoting South Lakeland Portfolio Holder, responded on behalf of Councillor Pye. He referred to the cross-party support some months earlier for the earmarking of £50,000 in the Capital Budget for Changing Places toilets for use by seriously disabled people who found it difficult to travel within the area due to the lack of adequate facilities. The Council had subsequently invited community organisations to initially apply for £2,500 to put towards feasibility studies, following which those projects found to be eligible would be awarded a further grant. Councillor Archibald referred to the Changing Places Website which currently showed only one such facility in the area, at Kendal Leisure Centre, demonstrating the importance of providing more. He went on to say that eight bids had been received for feasibility studies, four of which had been considered to be of merit and so recommended for awards of £2,500. Three out of the four had accepted the award and gone on to carry out feasibility studies: Cartmel Township Initiative (Cartmel); Outside In (Kendal Nether Hall); and Millerground (Windermere). Councillor Archibald informed Members that, following review of the feasibility studies by officers, all three had been found to comply with the requirements of the original brief and were achievable. It had, therefore, been recommended to Cabinet for the remainder of the £50,000 to be split equally between the three groups. Councillor Archibald further informed Members that he had made the decision to increase the amount through other budgets so that the Council could grant £20,000 to each of the three projects. This would allow at least two of the three to proceed, if not all three. Councillor Archibald felt pleased that the Council was in a good financial position and so able to support these worthy projects.

Councillor Rathbone advised Members that further information campaign could be found at www.changing-places.org .

From Councillor Eamonn Hennessy to Councillor Dyan Jones, Economy, Climate Emergency and Localism Portfolio Holder - *“Can the Portfolio holder for Climate emergency update the council on the output from the Climate conversations and can she comment on how seriously this Council takes the loss in Biodiversity?”*

Councillor Jones said that Climate Change and loss of Biodiversity were big challenges. She referred to the Council’s Climate Emergency Declaration earlier in the year and to the subsequent refocussing of the Environment Portfolio towards Climate and Localism. Councillor Jones explained that, similarly to last summer, she had been out to meet with residents, seeking views about the future and sharing ideas based around the three themes of informing, influencing and implementing. This had generated a lot of ideas which the Council was determined to address, many of which would be enhanced by working in collaboration with partners, including local parishes and communities, Cumbria County Council, local Members of Parliament and Government, the national parks authorities, etc. Councillor Jones explained that the Council had been working hard to implement actions from last year’s meetings, as well as examining what could be further done. Streetscene officers had been giving talks to local groups and she had been meeting and sharing ideas with partners. Members had been inspired to start initiatives within their own wards and to hold community events, such as the eco-fair in Ulverston, the wellbeing day at Arnside and the eco-day in Sedbergh. Local action and community groups played an important role, developing, supporting and promoting ideas across the district. Community groups, such as Ambleside for a Future, in collaboration with CAFS (Cumbria Action for Sustainability) A to Z project, were leading the way. Councillor Jones pointed out that many suggestions demanded urgent attention by Government and said that the Council would be writing to ministers to highlight changes needed, for example, to current laws relating to planning and building regulations. Councillor Jones closed, drawing Members’ attention to the Council’s Website and a press release relating to past actions and future aspirations.

From Councillor Helen Chaffey to Councillor Eric Morrell, Customer and Commercial Services and People Portfolio Holder - *“Please could I ask Councillor Morrell for an update on the Millerground play area?”*

Councillor Morrell responded, informing Members that the playground at Millerground, also known as Rayrigg Meadow, had been opened on 26 May 2019 by Mayor John Saunders and Councillor Giles Archibald. This was part of the Millerground Enhancement Plan which also consisted of new accessible paths from the car park to the shore. Phase 1 of the paths had been completed in March, with Phase 2 having commenced in September and due for completion by the end of the year. The playground had received excellent reviews, and was being used by both local and visiting children. It had been supplied by HAGS (playground manufacturer) and funded by South Lakeland District Council, the True Colours Trust and the National Lottery Community Fund.

C/46

MINUTES OF MEETINGS

No comments or questions had been received in respect of the minutes of committee meetings held between 3 June and 6 September 2019.

C/47 QUESTIONS TO CHAIRMAN OF THE COUNCIL OR CHAIRMAN OF ANY COMMITTEE OR SUB-COMMITTEE

No questions had been received.

C/48 URGENT DECISIONS

No urgent Executive Decisions had been taken since the last meeting of the Council on 23 July 2019.

C/49 NOTICE OF MOTION

In accordance with Paragraph 11.1 of the Council's Rules of Procedure, the following notice of motion had been put to Council by Councillor James Airey:-

"The council warmly welcomes the launch of the Government's new Tourism Sector Deal, which will benefit almost 1,000 tourism-related businesses in South Lakeland and has been described by the British Tourist Authority as a game-changer for tourism;

Notes that as part of the ground-breaking Deal, the Government will also pilot up to five new Tourism Zones where additional support will be provided to help grow local visitor economies through initiatives like targeted help for product and promotion development, mentoring support to businesses and digital skills training;

And confirms that the council will play a full and active role in ensuring a successful bid is submitted for one of the five new Tourism Zones to encompass South Lakeland when the application process opens in December 2019."

In moving the motion, Councillor Airey highlighted the benefits of the Deal which would support the creation of 10,000 apprenticeships for those building careers in the tourism and hospitality sectors. He drew attention to the £1m recruitment and retraining programme for staff; he felt that those working in the industry were low paid and that this was good work to aspire to. He welcomed the predicted additional nine million visitors to the UK over the next five to six years and referred to the Tourism Sector Deal's commitment for the building of more than 130,000 new hotel rooms across the UK and £250,000 for the improvement of broadband connectivity in conference centres for business visitors. Councillor Airey hoped that the Council would support a bid for a Tourism Zone, drawing attention to the benefits that this could bring to the whole of Cumbria's current thriving tourist economy. He drew attention to the opportunity to encourage day-trippers to stay longer and to visit different parts of this fantastic County. Councillor Airey urged Members to support the motion, which was seconded by Councillor Tom Harvey.

Councillor Jonathan Brook, Deputy Leader and Housing and Innovation Portfolio Holder, accepting the importance of tourism to the local economy, was in support of the motion, however, proposed a short amendment to the third paragraph, as follows:-

"The Council confirms it will continue its current full and active role in ensuring a successful bid is submitted for one of the five new Tourism Zones to encompass South Lakeland when the application process opens in December 2019."

Councillor Airey confirmed that he would be pleased to alter the motion accordingly.

Members welcomed the motion as altered and the opportunity to widen Cumbria's tourism offer. It was acknowledged that tourism was key to the economy of South Lakeland which was blessed with tremendous assets, stunning landscape, outdoor activities, and a large heritage and cultural offer. Strong concerns were, however, raised with regard to the proposed £30,000 salary threshold for skilled migrants and to the potential detrimental impact on the hospitality trade which was made up of mainly EU (European Union) nationals. In addition, concerns were voiced with regard to Cumbria's poor infrastructure, with South Lakeland having a poor rail service and full roads, and public transport having been impacted on by cuts to local authority spending. The need for regard for residents and landscape and for mindfulness of sustainable growth was also raised.

During conversation, Councillor Giles Archibald, Leader and Promoting South Lakeland Portfolio Holder, invited the Leaders of the Political Groups to join him in making a submission to the Home Office with regard to the impact on the tourism sector of the proposals for a £30,000 salary threshold for skilled migrants. Councillor Mark Wilson, on behalf of his Group, accepted the invitation and the aspirations of the altered motion.

Councillor Airey thanked Members for an excellent debate, agreeing with the comments raised regarding the wage cap, also urging his Group Leader to accept the Leader's invitation and to lobby Government with regard to this critical point and acknowledging the importance of migrant workers in agriculture and the National Health Service.

It was subsequently

RESOLVED – That the motion, as altered, be carried.

The meeting ended at 8.25 p.m.