

EXECUTIVE DECISION NOTICE**CABINET**

A record of the decisions made at the meeting of the Cabinet held on Wednesday, 25 March 2020, at 10.00 a.m.

Present

Councillors

Giles Archibald (Leader and Promoting South Lakeland Portfolio Holder) (Chairman)

Robin Ashcroft	Economy, Culture and Leisure Portfolio Holder
Jonathan Brook	Deputy Leader and Housing and Innovation Portfolio Holder
Andrew Jarvis	Finance and Resources Portfolio Holder

Apologies for absence were received from Councillors Dyan Jones (Climate Emergency and Localism Portfolio Holder), Eric Morrell (Customer and Commercial Services and People Portfolio Holder) and Suzie Pye (Health, Wellbeing and Financial Resilience Portfolio Holder).

Also in attendance at the meeting was Mark Wilson (Leader of the Labour Group).

Apologies for absence were received from Shadow Executive Members James Airey (Shadow Cabinet (Promoting South Lakeland Portfolio)), Roger Bingham (Shadow Cabinet (Economy, Culture and Leisure Portfolio)), Tom Harvey (Shadow Cabinet Leader (Climate Emergency and Localism Portfolio)), John Holmes (Shadow Cabinet Deputy Leader (Finance and Resources)), Helen Irving (Shadow Cabinet (Customer and Commercial Services and People Portfolio)), Janette Jenkinson (Shadow Cabinet (Health, Wellbeing and Financial Resilience Portfolio)) and Kevin Lancaster (Shadow Cabinet (Housing and Innovation Portfolio)).

Officers

Lawrence Conway	Chief Executive
Linda Fisher	Legal, Governance and Democracy Lead Specialist (Monitoring Officer)
Sion Thomas	Operational Lead Delivery and Commercial Services

CEX/101 DECLARATIONS OF INTEREST

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

CEX/102 LOCAL GOVERNMENT ACT 1972 - EXCLUDED ITEMS

RESOLVED – That, should discussion be necessary, the appendices in Part II of the agenda be dealt with following the exclusion of press and public.

CEX/103 PUBLIC PARTICIPATION

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

CEX/104 EMERGENCY EXECUTIVE DECISION-MAKING**Summary**

The Leader and Promoting South Lakeland Portfolio Holder asked Cabinet to support his decision to delegate to the Chief Executive any decision which was related to the COVID 19 Global pandemic emergency, or that was urgent or that would be necessary or expedient, or which would otherwise protect the Council's interests. This delegation of powers would be in consultation with the Leader of the Council and relevant Portfolio Holder.

Note – All Executive powers vests in the Leader as the “Senior Executive Member” under Section 9E of the Local Government Act 2000, and the Leader can authorise any executive member or officer to take decisions at any time.

In relation to Resolution (5) below, the Constitution stated that the call-in procedure should not apply where a decision being taken by the Cabinet was urgent and any delay likely to be caused by the call-in process would, for example, seriously prejudice the Council's or the public's interests. In accordance with paragraph 16(j) of the Constitution, the Head of Paid Service had agreed that the decision proposed was reasonable in all the circumstances and for it to be treated as a matter of urgency and that the call-in process should be waived.

The Leader of the Labour Group expressed strong support for the measures being taken.

Decision**RESOLVED – That**

(1) Cabinet supports the Leader's decision to delegate to the Chief Executive any executive decision in this COVID 19 Global pandemic emergency or that is urgent or that would be necessary or expedient, or which would otherwise protect the Council's interests, including key decisions (this would be in consultation with the Leader of the Council and Portfolio Holder);

(2) Cabinet notes the Leader's decision and agrees that in the event that the Chief Executive is not available that this responsibility will be delegated to such persons whom the Chief Executive has authorised in writing;

(3) Cabinet notes the Leader's decision and agrees that in the event that the Leader is not available that this responsibility to be consulted will be delegated to the Deputy Leader or such other Portfolio Holder whom the Leader has authorised in writing;

(4) Cabinet agrees that the relevant Director (or appointed Deputy) has the authority to award contract awards up to the value of £100,000 following consultation with relevant Portfolio Holder, Section 151 Officer and Monitoring Officer (all other contract awards will be addressed by the delegation at Resolution (1) above); and

(5) Cabinet agrees to the establishment of a COVID 19 grant scheme with an allocated budget of £95,000 for those assisting with supporting the most vulnerable during this pandemic. Cabinet delegates the criteria and process for administering the fund to the Chief Executive.

Reasons for Decision

The decision will ensure that the Council continues to be flexible with decision-making and continue to deliver the Council's priorities at an unprecedented time.

Alternative Options Considered and Rejected

Retain Leader and Cabinet decision-making without providing further options to delegate decision-making with the potential for Members to attend the Council's offices to take decisions and risk infection despite social distancing measures. There is the potential for the Council's reputation to be damaged in the event that decisions cannot be made swiftly.

CEX/105 NON ATTENDANCE AT COUNCIL MEETINGS - APPROVAL OF REASON FOR NON-ATTENDANCE

Summary

The Council's Monitoring Officer introduced the report. Section 85 of the Local Government Act 1972 provided that councillors who had not attended a meeting in any six-month period since their last attendance automatically ceased to be a Member of the Council. The Act provided that this automatically applied, unless the failure to attend was a reason approved by Council.

The reason was updated to add the wording “, or who could not meet the attendance requirements due to the Council's decision to follow Government advice by deferring or cancelling meetings.”

Cabinet was, therefore, being asked to approve the updated reasons for non-attendance during the declared pandemic. For the health reason to apply and for it to be recorded, councillors would be requested to contact the Monitoring Officer. In the event that councillors did not contact the Monitoring Officer providing this reason, normal rules would continue to apply. For the reason of cancellation or deferral of meetings to apply, this would be a matter of record and apply automatically.

The Monitoring Officer explained that an emergency non-executive decision process was also being put into place.

It was clarified that the report had been sent to all Party Leaders and no comments had been made. Consultation had been after publication of the report.

Decision

RESOLVED – That

(1) the updated reasons for non-attendance at meetings in any six month period during the declared pandemic outlined at paragraph 3.2 to the report be approved, namely, during the declared pandemic, any councillors who are unable to attend Council meetings having followed Government, Public Health England and NHS advice relating to COVID-19, or who could not meet the attendance requirements due to the Council's decision to follow Government advice by deferring or cancelling meetings, will have an approved reason for non-attendance at Council meetings; and

(2) all Members who find themselves in this situation and who are unable to attend Council meetings having followed Government, Public Health England and NHS advice relating to COVID-19 be requested to inform the Monitoring Officer as and when this occurs (for the reason of cancellation or deferral of meeting to apply, this will be a matter of record and apply automatically).

Reasons for Decision

Those councillors who have not attended a meeting in any six month period since the last attendance at a meeting will have an approved Council reason for non-attendance and will not automatically cease to be a Member of the Council.

Councillors assist the Council in the discharge of its functions and in decision-making. The Council's decision-making processes help it to achieve the aims and objectives of the Council's priorities.

Alternative Options Considered and Rejected

To continue to apply Section 85 of the Local Government Act 1972. However, non-attendance may be on receipt of professional advice, or due to cancellation or deferral of meetings, and it would seem unfair in these circumstances for the rules of non-attendance to apply with automatic cessation of the role of councillor.

CEX/106 PARKING SUBSIDY AGREEMENT FOR BUXTON PLACE CAR PARK, ULVERSTON

Summary

The Finance and Resources Portfolio Holder presented the report informing Members that the Council had been approached in November 2019 by Ulverston Town Council and Ulverston BID, and asked to consider a subsidised parking scheme where the Town Council and BID would jointly subsidise the parking within Buxton Place Car Park. The principle behind this was that they wanted to encourage dwell time of visitors and shoppers to the town.

The proposed subsidised parking scheme comprised of new parking rates of £0.50 for one hour and £1.00 for two hours, with Ulverston Town Council and Ulverston BID paying the difference between the new rate and original rate ('the Scheme'). Therefore, Ulverston Town Council and Ulverston BID would subsidise the reduced parking rates at a cost of £0.70 for one hour and £1.20 for two hours.

The Council currently had a reduced rate car parking tariff in Stockbridge Lane Car Park within Ulverston which offered parking all day for £1.00. The proposed Scheme for Buxton Place was to encourage shoppers to come into Ulverston following the opening of a new Marks and Spencer's store and an Aldi store.

Following a review of the car parking tickets sold in Buxton Place Car Park in the 2018/2019 financial year, it was reasonable to assume the number of ticket sales as an accurate base data to agree the subsidy required. In 2018/2019, there had been 28,828 one hour duration tickets sold and 12,701 two hour duration tickets sold. An annual subsidy payment of £35,420.80 from Ulverston Town Council and Ulverston BID would be made and fixed payment for the first 12 months proposed.

There was potential that users from other car parks would move to Buxton Place Car Park from those at Brewery Street or Theatre Street. This was, therefore, a risk to the Council, with a fixed payment to be agreed for the first 12 months but, equally, this scheme would hopefully bring additional cars to the Town and, therefore, compensating for any potential loss in revenue.

There would also be an option within the legal Agreement for both parties to review the Agreement after 12 months, with a break clause and possibility to renegotiate the subsidy. This ensured that the Agreement continued only where the Scheme was deemed to be a success for the first 12 months.

Decision

RESOLVED – That

(1) the proposal for subsidised parking at Buxton Place Car Park, Ulverston, be approved; and

(2) authority be delegated to the Director of Customer and Commercial Services and the Legal, Governance and Democracy Lead Specialist (Monitoring Officer) to prepare and enter into an appropriate agreement for subsidised parking at Buxton Place Car Park, Ulverston, and to prepare the required Traffic Regulation Order.

Reasons for Decision

To assist in the delivery of the Council Plan – Economy and Culture – Developing town centres which are attractive and accessible for living, working, culture and leisure. This project is a pilot project to determine if cheaper parking in Ulverston will protect Town Centre shops and businesses from a drop in footfall from the newly opened out of town supermarkets.

Alternative Options Considered and Rejected

Refuse to enter into an agreement with Ulverston Town Council and Ulverston BID and keep the parking rates at status quo. This is not recommended as the Council prides itself on working with Town and Parish Councils and remains very committed to the localism agenda. The Council understands that Ulverston Town Council and Ulverston BID have the support from Ulverston Town Centre users and BID levy payers for the Proposal to be taken forward.

CEX/107 RECONFIGURATION OF SOUTH LAKELAND HOUSE AND KENDAL TOWN HALL

Summary

The Finance and Resources Portfolio Holder reported that South Lakeland District Council (SLDC) was currently going through a major programme of change and transformation through the Customer Connect Programme, recognising the need to adopt different ways of working to engage with its many customers and residents. Underpinning the transformation would be the adoption of changes in technology, allowing both staff and customers the ability to engage in ways not currently possible. The Customer Connect Programme would result in changes to the way the Council engaged with its customers, with more activities being moved to self-help and online channels. It was felt that a new refurbished, agile and flexible working space would benefit the Council and support the Customer Connect Programme.

In 2016-2018 SLDC had undertaken a joint feasibility study with Cumbria County Council and the Lake District National Park Authority to investigate the potential of a new Public Sector Hub on the County Hall site in Kendal. Alongside this study, SLDC had undertaken a high level assessment of the potential to invest in the renovation of South Lakeland House (SLH) and Kendal Town Hall (KTH). With a smaller floor space requirement for SLDC than currently used, the assessment included the potential to create renovated office space which could be attractive to the market and which could generate an income for the Council. The assessment had also been also based on the idea of creating a new customer service reception area in the Town Hall, with the Town Hall being a major asset for the Town and more readily accessible for the public. The findings of this study indicated that there was scope to improve the space utilisation at both SLH and KTH, with subsequent opportunities to lease out vacated space to third party tenants, or increase the range of function rooms for events within the Town Hall. This study had determined that with appropriate design, it would be possible to accommodate the full SLDC requirements for workstations on the first floor of SLH, which would be more directly linked to the main KTH ground floor, which would provide the new main reception and customer meeting space. After receiving detailed financial information (including possible costs associated for occupation) for, and completing the initial feasibility of the Public Sector Hub, and taking into account the residual liabilities associated with the South Lakeland House site, SLDC had withdrawn from further feasibility work on the Public Sector Hub to concentrate on a detailed feasibility study for SLH and KTH, building on the high level assessment undertaken.

In April 2018, SLDC had commissioned Lambert Smith Hampton and Blue-Sky Interior Designers Ltd to produce concept and developed design options, up to RIBA Stage 3 (Concept design), for SLH and KTH, with the aim of creating a scheme which was fit for purpose and maximised the use of the available space - to undertake an assessment of potential demand for the refurbished surplus space which was likely to arise from the investment in SLH and KTH and carry out a market review of all office space within Kendal to determine existing supply and potential future demand. The outputs of this work had informed the Business Case required to support the proposed refurbishment works and to design accommodation for third party tenants to suit the identified demand. It was felt that the current space was unlettable at present.

The brief for the concept design had been to provide office accommodation fit for purpose, fit for the future and to use the space effectively and efficiently, and to ensure that accessibility issues from KTH through to SLH were resolved. This included looking at a new reception for SLDC in KTH, to create an office environment which encouraged a more agile and interconnected workforce and which created an exciting, vibrant workspace where people wanted to spend time and created an interface between users and their environment. Various case studies showed that improved working environment increased productivity and so it had been considered important to create an environment where people enjoyed working that offered colleagues a chance to work in a manner and setting which suited them. The design was also to be based on a Desk ratio of 7:10 (seven desks for every ten employees) and the number of desks based on the perceived staff numbers post-Customer Connect implementation. (The desk ratio is felt to be a fairly conservative ratio with the Council currently operating informally at staffing numbers similar to that of 7:10 without a flexible and agile working policy in place).

The project was also required in order to undertake much needed refurbishment of KTH, improve use of this asset and secure its future. KTH was considerably under-utilised with the lack of flexibility in the meeting rooms being sub optimal. SLDC day to day functions currently used South Lakeland House and only occasionally KTH. The investment would enable more operational activities to take place in the Town Hall,

releasing space in South Lakeland House for alternative income generation. The additional space created following the investment would increase the range of events that could be accommodated. The refurbishment of the Town Hall would be sympathetic to its listing and would enable the building to be used more widely by the public through having the Council's reception within the Town Hall. All existing user groups could be accommodated within the new scheme and the Council would explore the use of the space by other users groups. Events income within the financial forecasting had been kept to moderate increases to avoid the charge of 'over pricing' from the regular user groups.

While businesses of a certain size would always require larger footprints, Small and Medium Sized Enterprises (SMEs) were a critical component of the future success and vibrancy of the Northern Powerhouse economy and the Morecambe Bay Economic region, and were likely to have a transformative effect on the UK's commercial property market in the years ahead. Landlords therefore had a vital role to play in nurturing South Lakeland's thriving SME sector by providing high-quality, flexible office space which was capable of responding to the ever-changing needs of modern businesses. The opportunity that this scheme had for the Council's economic development agenda had not to be underestimated with the creation of small offices for start-ups, similar to the Mintworks project, and investigation to date had shown an evident need for a Mintworks Phase 2.

Following approval from Cabinet in February 2019 to proceed to RIBA Stage 4 and including obtaining statutory approvals and tender, work had been undertaken to proceed with detailed design. Planning consent for works proposed to SLH Listed Building consent for works proposed to KTH had been received on 19 December 2019.

Invitation to tender for the works had been issued on 6 January 2020, with tenders returned on 21 February 2020.

Details were provided in relation to the Programme of Works, due to start in May 2020. It was also reported that the Council had submitted a funding bid to Cumbria LEP to help support the investment for the Mintworks Part 2 to support SMEs. Success of any funding bids was expected to be announced at a later date. No grant funding had been included within the business case. Further reported was that, as part of the scheme, work would take place to improve insulation values to roof areas. Windows to South Lakeland House would be replaced to meet with current Building Regulations and U Values improved. Lighting would be replaced with LED lighting in KTH and SLH, and fitted with motion sensors. Space heating would be improved through more efficient use of the space. A new green sedum roof would be installed to replace the glazed atrium to the existing reception area of SLH and a review of photovoltaic panels will also be taking place for SLH. The report also contained information regarding consultation which had been carried out as part of the process.

Note - Members voted to move into Part II to discuss Appendix 1 to the report which contained exempt information in relation to the tender evaluation.

CEX/108 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/109 RECONFIGURATION OF SOUTH LAKELAND HOUSE AND KENDAL TOWN HALL - APPENDIX 1

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

Discussion took place in relation to Appendix 1 to the report which included exempt information in relation to the tender evaluation.

Note - Members voted to move back into Part I.

CEX/110 RE-ADMISSION OF PRESS AND PUBLIC

RESOLVED – That the press and public be re-admitted to the meeting.

CEX/111 RECONFIGURATION OF SOUTH LAKELAND HOUSE AND KENDAL TOWN HALL

Summary

The Finance and Resources Portfolio Holder raised the issue of the Coronavirus emergency which clearly had the potential to disrupt the implementation of the project, however, still urged that the recommendation be approved. The Council would need to work closely with the successful contractor regarding Government advice on health and safety at work, as well as any constraints imposed upon them and in the light of constraints.

The Leader thanked the Operational Lead for Delivery and Commercial Services and all officers who had worked on the Scheme. He was delighted that the projected was moving ahead.

The Labour Group Leader supported the proposal and, in addition to points already raised, drew attention to the resulting benefits for residents.

Decision

RESOLVED – That

(1) the contract for construction works to reconfigure and refurbish South Lakeland House and Kendal Town Hall be awarded to the recommended contractor as identified in the Part II Appendix 1 to the report;

(2) authority be delegated to the Director of Customer and Commercial Services and to the Legal, Governance and Democracy Lead Specialist (Monitoring Officer) to enter into, on behalf of the Council, an appropriate contract with the successful tenderer for the construction works; and

(3) the appointment of Lambert Smith Hampton and sub-consultants through the Bloom procurement framework to project manage the scheme within the agreed budget be approved and authority delegated to the Director of Customer and Commercial Services and to the Legal, Governance and Democracy Lead Specialist (Monitoring Officer) to enter into the appropriate contracts.

Reasons for Decision

Investment in South Lakeland House and Kendal Town Hall will:-

- provide office space to support the Council's Customer Connect Programme;
- create new modern town centre offices for other businesses;
- provide a MintWorks2 for new Small and Medium sized Enterprises;
- deliver much needed refurbishment of Kendal Town Hall;
- provide much improved working facilities for all employees, both SLDC and KTC;
- provide disabled access to all areas of SLDC offices;
- enable a joint reception area in the front of the Town Hall;
- open up more meeting room space for community groups; and
- generate income and reduce ongoing maintenance costs for the Council.

In addition, the decision will assist in the delivery of the Council Plan priorities, as follows:-

Economy –

- Engagement with the private sector and public sector partners will be central to the Council's approach to helping grow and develop the economy.
- We will when opportunities present themselves make best use of our property portfolio to support economic growth, through the use of our current and future asset base.
- Through our economic development strategy we will continue to build on our traditional strengths, and pioneer new industries that make the most of our place. We will promote new ways of working so that businesses can compete and reach their potential whilst enjoying everything that is special about living in South Lakeland.

Environment –

- We will reduce the Council's carbon emissions by reducing our energy use through the efficient management of our land and buildings and be an exemplar to others.
- We will support Cumbria County Council and local partners with their strategies for active travel.

South Lakeland District Council need to ensure we are adequately equipped to provide the best, most cost effective service for the communities we serve. This will be met through a skilled workforce, ensuring that the staff have the ability to work efficiently working with more digital skill and a more flexible co-ordinated approach. The places project will help the Council equip its staff to put the Customer at the heart of everything we do.

Alternative Options Considered and Rejected

- Continue with the current position and do nothing – this is not recommended when considering the significant cost to maintain the building, the inefficient use of space, the loss of opportunity to refurbish the Town Hall and the economic benefits to the area. This would still require significant additional expenditure to be added to a future capital programme to maintain South Lakeland House and Kendal Town Hall in an acceptable condition. Following the emerging discussions on devolution and combined authorities, whilst doing nothing may be an option for those reasons, it is still reasonable to proceed with the scheme whilst those discussions continue to

take place, as any options would require a base in the centre of Kendal and we would be best placed to provide office accommodation for any new Council structure brought forward and proposed. If, in future, South Lakeland House was not required, the space occupied by the Council could be split into smaller units at little cost to accommodate more small and medium sized enterprises.

- A shared public sector hub option, co-locating with the County Council and Lake District National Park Authority on the County Hall site was fully explored but ruled out on cost grounds. Concern was also raised at the time with potential use of the South Lakeland House site with no obvious or viable use found for the site.
- Undertake the work over a longer phased approach. This has been dismissed because of the increased cost that a longer phased approach would incur. It would be difficult to manage contractually, and cause greater disruption for the organisation and the Council would be unable to benefit from the proposed income which would, therefore, make the scheme unviable.

CEX/112 AWARD OF LEASE FOR BRAITHWAITE FOLD CARAVAN PARK

Summary

The Finance and Resources Portfolio Holder introduced the report. Braithwaite Fold Caravan Site at Bowness-on-Windermere had been managed on behalf of the Council by the Camping and Caravan Club Ltd. The contract had commenced in 2012, initially for a five year period, with a three year extension having been agreed in 2017, ending in January 2020.

On 7 October 2019, the Council had re-tendered the contract. The tender had been issued with a fully drafted management agreement in order to remove any uncertainty during the tender period and to reduce the risk of any challenge following award of contract, including a number of key performance indicators to ensure a high level of service was maintained by the management company. No formal tenders had been received, although two well established caravan site operators had, as part of the tender process, expressed an interest to enter into a long term lease for the site with the Council instead of the management agreement proposed.

Following approval by Cabinet on 20 December 2019, the site had been tendered for a long term lease (initially 25 years) in order to secure a well-established operator for the site. This would ensure that the site would continue as a caravan park which was stipulated in the Heads of Terms, would remove any uncertainty for the Council longer term and move risk away to the operators with specific points inserted into the Heads of Terms to protect the Council, such as minimum number of pitches and minimum occupancy rates payable to the Council during any period. Tenders had been submitted by the two well-established caravan park operators who had initially expressed an interest when the management agreement had originally been put out to tender.

Note - Members voted to move into Part II to discuss Appendix 2 to the report which contained exempt information in relation to the tender results.

CEX/113 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/114 AWARD OF LEASE FOR BRAITHWAITE FOLD CARAVAN PARK - APPENDIX 2

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

Discussion took place in relation to Appendix 2 to the report which included exempt information in relation to the tender results.

Note - Members voted to move back into Part I.

CEX/115 RE-ADMISSION OF PRESS AND PUBLIC

RESOLVED – That the press and public be re-admitted to the meeting.

CEX/116 AWARD OF LEASE FOR BRAITHWAITE FOLD CARAVAN PARK**Decision**

RESOLVED – That

(1) the heads of terms of lease be approved, initially for 25 years, for the future operation of the Braithwaite Fold Caravan site;

(2) the contract be awarded to the successful bidder as identified in the Part II Appendix 2 to the report; and

(3) the terms of the lease be delegated to the Director of Customer and Commercial Services in conjunction with the Finance Lead Specialist (Section 151 Officer) and the Legal, Governance and Democracy Lead Specialist (Monitoring Officer).

Reasons for Decision

To assist in the delivery of the Council Plan – Economy and Culture – Encouraging a sustainable environment and inclusive economy. The current operator has helped grow the site, attracting more visitors to the area, in turn encouraging secondary spend with neighbouring stakeholders.

Alternative Options Considered and Rejected

To re-tender the management agreement to see if other suppliers would be interested in running the site on behalf of the Council. This has been discounted as it is felt that the current tendering portal covers a wide area and therefore it is unlikely to bring about a different result.

For the Council to run the site in house. Due to the required recruitment process, it is not felt that this is an appropriate alternative option.

To dispose of the land. This is not felt to be a suitable option due to the lost revenue the Council would incur through sale of the land.

CEX/117 URGENT DECISIONS**Summary**

The Councils Monitoring Officer reported a number of urgent executive decisions required in light of the Government's announcements on 23 March 2020.

In moves to protect residents in line with latest national Government advice and direction, South Lakeland District Council (SLDC) had announced further measures designed to limit the spread of Coronavirus (Covid-19).

(a) From 24 March, the front counter reception at the Council's main offices at South Lakeland House in Kendal would be closed to face-to-face enquiries, as would Kendal Town Hall.

(b) The Council has also announced the closure of the public jetty, public slipway and public toilets at Ferry Nab, Bowness. All council managed play areas were to close, although parks would remain open for fresh air and exercise in line with Government advice.

(c) The indoor market in Kendal would be closed, although the outdoor market would continue, but only for stalls selling food produce.

(d) The Council's leisure provider, GLL, had confirmed that all its facilities, including the leisure centres in Kendal and Ulverston, would be closed.

(e) The Council was also suspending all bulky waste collection services provided by Right2Work and no more bookings would be accepted.

All closures and suspensions would remain in place until guidance was received that it was appropriate to re-open and resume.

Council staff would continue to work to deliver essential services and as part of the co-ordinated Coronavirus response.

The Leader further proposed that car parks operated by South Lakeland District Council (SLDC) be made free of charge from today to ensure key workers and volunteers involved in the Coronavirus response could access parking and to minimise the risk of virus transmission. The Leader outlined that all of the Council's off-street car parks would remain open but charges would not be enforced. The Westmorland Shopping Centre multi-storey car park would, however, be closed to vehicles. The Council wanted to ensure that key workers and volunteers could go about their vital work as easily as possible, and temporarily removing Council parking charges was one way in which the Council could help. It would also mean that anyone using the car parks would not need to use the pay-and-display machines, which it was hoped would help to minimise the risk of spreading the virus. It was stressed, however, that this was a measure designed to support key workers and that people should not be tempted to use the car parks unnecessarily. The Government's advice about social distancing and staying at home during this three week period was supported. The Leader further recommended that parking charge arrangement will be subject to review in mid-April.

Note – The decisions met the definition of a key decision in the Council’s Constitution. Due to COVID-19 and Government announcements, it had not been possible for the proposals to be included in a Forward Plan at least 28 clear days before the decisions were to be made. In accordance with paragraph 16 of the Access to Information Procedure Rules in Part 4 of the Constitution the Chairman of the Overview and Scrutiny Committee’s had been approached and she had agreed that the taking of the decisions was urgent and could not reasonably be deferred because of the timescales required to protect the public interest and to comply with Government advice.

In addition, the Constitution stated that the call-in procedure should not apply where a decision being taken by the Cabinet was urgent and any delay likely to be caused by the call-in process would, for example, seriously prejudice the Council’s or the public’s interests. In accordance with paragraph 16(j) of the Constitution, the Chairman of the Council had been consulted and had agreed that the decision proposed was reasonable in all the circumstances and for it to be treated as a matter of urgency and that the call-in process should be waived. In relation to Resolution (2) below, the Chairman had agreed to the proposal and had confirmed this following the meeting. In the absence of the Chairman, the Council’s Head of Paid Service had agreed the exemption in line with the Constitution.

Decision

RESOLVED – That

(1) approval be given to the urgent decisions outlined at (a) to (e) above for implementation with immediate effect; and

(2) car parks operated by South Lakeland District Council be made free of charge from today to ensure key workers and volunteers involved in the Coronavirus response can access parking and to minimise the risk of virus transmission, the arrangements to be reviewed in mid-April.

Reasons for Decision

To protect residents in line with latest national Government advice and direction.

Alternative Options Considered and Rejected

None.

The meeting ended at 10.40 a.m.