

EXECUTIVE DECISION NOTICE**CABINET**

A record of the decisions made at a virtual meeting of the Cabinet held on Wednesday, 22 July 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
Philip Dixon	Customer and Commercial Services and People Portfolio Holder
Andrew Jarvis	Finance and Resources Portfolio Holder
Dyan Jones	Climate Emergency and Localism Portfolio Holder
Suzie Pye	Health, Wellbeing and Financial Resilience Portfolio Holder

An apology for absence was received from Councillor Jonathan Brook (Deputy Leader and Housing and Innovation Portfolio Holder)

Also in attendance at the meeting were Shadow Executive Members James Airey (Shadow Cabinet (Promoting South Lakeland Portfolio)), Pat Bell (Shadow Cabinet (Health, Wellbeing and Financial Resilience 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)) and Kevin Lancaster (Shadow Cabinet (Housing and Innovation Portfolio)), and Mark Wilson (Leader of the Labour Group).

An apology for absence was received from Shadow Executive Member Helen Irving (Shadow Cabinet (Customer and Commercial Services and People Portfolio)).

Officers

Inge Booth	Legal, Governance and Democracy Specialist
Gareth Candlin	Operational Lead Specialist Services
Lawrence Conway	Chief Executive
John Davies	Case Management Officer
Linda Fisher	Legal, Governance and Democracy Lead Specialist (Monitoring Officer)
Dan Hudson	Strategy Lead Specialist
Julie Jackson	Principal Specialist People
Simon McVey	Operational Lead Support Services
Amanda Pharaoh	Housing Strategy and Delivery Specialist
Simon Rowley	Director of Customer and Commercial Services
Helen Smith	Finance Lead Specialist (Section 151 Officer)
David Sykes	Director of Strategy, Innovation and Resources

CEX/36 CHAIRMAN'S INTRODUCTION

Following confirmation that the live stream of the meeting had commenced, the Leader referred to the new Government legislation allowing councils to conduct remote meetings and explained in detail to all taking part, and for the benefit of members of the public, the procedures for the meeting. He then invited Members of the Cabinet, the Shadow Cabinet and the Leader of the Labour Group to introduce themselves, to advise whether they were taking part by video or audio and to confirm that they were able to see (where practicable) and hear all Members participating in the meeting. All Members present, including the Leader himself, having indicated that this was the case, he referred to officers present at the meeting who would introduce themselves when asked to address the meeting.

CEX/37 DECLARATIONS OF INTEREST

For the purpose of transparency in relation to Agenda Items No.12 (Tenancy Strategy Update 2020) and 16 (Cumbria Choice Based Lettings Allocations Policy Review) (Minutes CEX/47 and CEX/51 below), Councillor Suzie Pye raised the fact that she was a tenant of South Lakes Housing and that, having sought legal advice, she would remain in the meeting and vote on the proposals. Also for the purpose of transparency in relation to the same items, Shadow Executive Member Councillor John Holmes pointed out that he was a Director on the Board of South Lakes Housing and that he would remain in the meeting during their consideration, although with no voting rights as a Shadow Executive Member.

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

CEX/38 CABINET EXECUTIVE DECISIONS

RESOLVED – That the Chairman be authorised to sign, as a correct record, the Executive Decisions made by Cabinet on 24 June 2020.

CEX/39 EMERGENCY DELEGATED EXECUTIVE DECISIONS

Note – Detailed information relating to the background and proposals on Emergency Delegated Decision No.009 (Management Agreement for Braithwaite Fold Caravan Park) was included in the Appendix in Part II of the Agenda which was excluded from inspection by members of the public in accordance with Section 100 (B) of the Local Government Act 1972, as amended by the Local Government (Access to Information) (Variation) Order 2006, and, in all the circumstances of the case, it was considered that the public interest in maintaining the exemption outweighed the public interest in disclosing it. Copies of the document were excluded, as it contained information as described in Schedule 12A of the Act as follows:-

- Information relating to the financial or business affairs of any particular person (including the authority holding that information). (Paragraph 3)*
- Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings. (Paragraph 5)*

RESOLVED – That the Emergency Delegated Executive Decisions made by the Chief Executive on 11 June (008) and 7 July 2020 (009), in accordance with the Leader's decision noted by Cabinet at CEX/104 (2019/20) be received.

CEX/40 LOCAL GOVERNMENT ACT 1972 - EXCLUDED ITEMS

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

CEX/41 PUBLIC PARTICIPATION

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

CEX/42 FORWARD PLAN

Copies of the latest Forward Plan published on 21 July 2020 had been circulated to Members prior to the meeting.

The Plan had been updated to reflect amendments to the Constitution relating to the Scheme of Delegation around Procurement matters following a decision made by Council on 30 June. This had resulted in some changes in the decision maker shown in the Plan for a number of items from Cabinet to Delegated Executive Decision.

RESOLVED – That the contents of the Forward Plan published on 21 July 2020 be noted.

CEX/43 UPDATE ON APPOINTMENTS

The Leader invited Councillor Tom Harvey, Leader of the Opposition, to advise of changes in appointments to the Shadow Cabinet.

Councillor Pat Bell having recently replaced Councillor Janette Jenkinson as Shadow Cabinet Member (Health, Wellbeing and Financial Resilience Portfolio), Councillor Harvey welcomed Councillor Bell, saying that she would bring a tremendous amount to the group.

The Leader took the opportunity both to welcome Councillor Bell to her first Cabinet meeting and to express, on behalf of Cabinet, thanks to Councillor Jenkinson for her commitment as a Shadow Portfolio Holder over many years. Councillor Jenkinson had played a great part in offering both support and challenge at Cabinet meetings and her contribution would be missed.

In addition, the Leader referred back to the last meeting of the Cabinet at which approval had been given to the establishment of the Lancaster and South Cumbria Joint Committee and the appointments of himself and Councillor Robin Ashcroft to that Committee (CEX/28 (2020/21) refers). The Council was also required to appoint a named substitute from its Executive to that Committee and he, therefore, wished to nominate Councillor Jonathan Brook for this role.

There being no dissent, it was

RESOLVED – That Councillor Jonathan Brook be appointed as the Council's Substitute Member on the Lancaster and South Cumbria Joint Committee.

CEX/44**COUNCIL PLAN PERFORMANCE MONITORING QUARTER 1 2020/21****Summary**

The Leader and Promoting South Lakeland Portfolio Holder presented an update report on progress with the current Council Plan for Quarter 1 of 2020/21. Monitoring the success of the Council Plan demonstrated improvements and ensured that Council services addressed the needs of residents in an open and transparent way. The Council was committed to delivering high quality, cost-effective services that met the needs of residents and improved quality of life. The performance management process helped the Council to demonstrate how well it was doing.

The measures listed within the report showed very good performance, demonstrating that South Lakeland was a very desirable place to live, work and explore. However, in line with the national trend and the influence of Covid-19, the number of homeless households living in temporary accommodation was increasing.

The report also included the Council's Strategic Risk Register. Following a review of the Strategic Risks for Quarter 4 2019/20, it could be seen that 65% of risks were now above tolerance. This significant change was due to the pressures brought about by Covid-19.

In presenting the report, the Leader and Promoting South Lakeland Portfolio Holder stressed the fact that, past performance, whilst good, was not a good guide for the future. As a result of the shock on society and the economy of Covid-19, a new state had been entered, and he referred to the rise in unemployment and in Universal Credit claims, the fact that South Lakeland had one of the highest furlough rates in the country, the suffering hospitality industry and the closure of many shops. The Council was engaged in doing what it could to address these issues. The Leader and Promoting South Lakeland Portfolio Holder also referred to the impact of the pandemic on the Council's strategic risks and the serious increase in those risks which was being carefully monitored. Of the greatest concern was the impact on the district's most vulnerable people, the importance of welfare reform and the resultant poverty which could come from unemployment and hardship.

The Leader and Promoting South Lakeland Portfolio Holder informed Members that the report had also been considered by the Overview and Scrutiny Committee at its meeting on 17 July 2020. At that meeting, the need to ensure there were training opportunities and support for young people at college or leaving school had been raised, with Covid-19 having caused mental strain and stress. In addition, it had been suggested that the strategic risks should be monitored on a weekly basis.

During discussion, the Leader and Promoting South Lakeland Portfolio Holder undertook to provide information, at the Council meeting on 28 July 2020, the mechanism of reporting to all Members movements on the Strategic Risks.

Members talked about those people who faced hardship within South Lakeland, attention being drawn to the fact that people were now also suffering in the more affluent areas of the district, such as Windermere, as well as in rural communities. Attention was drawn to the need to be reactive and to the work being carried out by the Department of Work and Pensions and the Citizens' Advice Bureau. The Leader and Promoting South Lakeland Portfolio Holder suggested discussing with the Department of Work and Pensions the potential for the Council to assist in facilitating claims. The Health, Wellbeing and Financial Resilience Portfolio Holder agreed, also

acknowledging a comment regarding the need to be mindful of those without access to the internet and who were unable to access the Citizens' Advice Bureau offices in Kendal, Windermere and Ulverston. The Leader and Promoting South Lakeland Portfolio Holder re-emphasised that this was a very serious situation which raised the question of whether a poverty emergency should be declared.

The Leader asked the meeting if the motion was agreed. There was no dissent.

Decision

RESOLVED – That the following be noted:-

- (1) the Summary of Performance as detailed in the report; and***
- (2) the detailed risks information contained within Appendix 1 to the report.***

Reasons for Decision

The report is directly linked to the Council Plan commitment to ensure that the Council is equipped to provide the best, most cost effective services. Details regarding performance monitoring are published in line with the Council's latest Performance Management Framework.

Alternative Options Considered and Rejected

None – the purpose of the report is to receive a performance update. The Council must note successes, monitor progress and take action where appropriate.

CEX/45

INTRODUCTION OF PAVEMENT LICENCES - BUSINESS AND PLANNING BILL 2020

Summary

The Economy, Culture and Leisure Portfolio Holder explained that when the report had been drafted, the Business and Planning Bill had been proceeding through the House of Commons and that, at the time, the functions were to be the responsibility of the Executive.

Since then, the Bill had proceeded through the House of Lords on 20 July 2020 and an amendment to the Bill had been agreed by the House of Lords to provide that functions relating to pavement licences were not the responsibility of the Executive. The Local Government Association has supported this amendment.

The position on the Government website was that the Bill with the House of Lords amendments had been considered by the House of Commons on 21 July 2020. The status of the Bill was that it was at the "ping pong" stage where amendments were being considered.

The Economy, Culture and Leisure Portfolio Holder thanked officers for their work on the policy and the report. He informed Members that he would work with officers to consider the implications of the further amendments made by the House of Lords relating to the needs of disabled people in considering pavement licences, smoke free seating conditions, off sales amongst other matters.

The Economy, Culture and Leisure Portfolio Holder proposed, therefore, that the report be withdrawn and that officers be requested to consider the appropriate non-executive decision making route, either as an urgent item to be considered at the next Council meeting or, alternatively, through the emergency non-executive decision route to address the changes now proposed from this being an Executive function to a Non-Executive function. The reason for this so that we are prepared as a Council for the date this Bill receives Royal Assent.

The Leader asked the meeting if the motion was agreed. There was no dissent.

Decision

RESOLVED - That

(1) the report be withdrawn; and

(2) officers be requested to consider the appropriate non-executive decision making route, either as an urgent item to be considered at the next Council meeting or, alternatively, through the emergency non-executive decision route.

Reasons for Decision

To prepare for the date on which the Bill receives Royal Assent.

Alternative Options Considered and Rejected

None at this stage as the report was withdrawn.

CEX/46

CUMBRIA ACTION FOR SUSTAINABILITY (CAFS) TWO YEAR CONTRACT AWARD

Summary

The Climate Emergency and Localism Portfolio Holder introduced the report which referred to the Council having declared a Climate Emergency and having a target to achieve a zero carbon Cumbria by 2037. As well as looking at the Council's own operations, activities and sphere of influence, achieving this target also involved commissioning work with communities and businesses to ensure that everyone played their part in meeting the target. Cumbria Action for Sustainability (CAfS) was a locally based organisation with strong expertise both in carbon reduction and in working with communities and businesses to reduce their carbon footprint. CAfS had worked with the Council for many years on carbon reduction and sustainability initiatives.

The report sought authorisation for continued funding for a further two years. The outcome of the funding would enable CAfS to deliver an exemplar project to achieve a zero carbon Ambleside, including measures to help both businesses and residents reduce their carbon footprint. The proposal also included measures to disseminate knowledge across South Lakeland. In assisting Ambleside to become Carbon neutral, the proposal would have direct benefits in terms of carbon reduction and would put in place experience and learning for others which, in combination, would make a significant contribution to achieving District, County and national carbon reduction targets.

The report provided details regarding the previous funding agreement and what has it had delivered. The Council had funded CAfS since 2014, and the most recent agreements for the period 2018 to 2020 had been for £50,000 per annum for community energy support. In 2019/20, a new project with trial funding of £50,000 had been set up, called “Low Carbon Communities in South Lakeland”. The aim was to look at how communities as a whole could establish targets to become carbon neutral and work towards achieving them, with Ambleside being selected as an exemplar.

With regard to what was proposed, CAfS had asked to extend Low Carbon Communities in South Lakeland for a further two years. In addition to the £50,000 per annum which was the current level of support, a further £50,000 was requested on a one-off basis for 2020 to 2021, specifically to widen the scope of the initiative to cover support for businesses as well as communities. The key deliverables were:-

- working up options and managing feasibility work on new local renewable systems (in exemplar community) (£28,600).
- carbon footprint and carbon reduction support for businesses (£25,700);
- events programme – for communities, businesses and those with an interest in low carbon homes and to disseminate learning from exemplar (£14,300).
- establishing Community Knowledge Hub (£7,600); and
- advising South Lakeland District Council and Cumbria Leaders on Zero/Low Carbon transition (£24,000).

If approved, the agreement would set out the deliverables to be met in detail, the conditions and requirements to be met, the reporting requirements and the timing of payments. This would protect the Council’s position and performance would be monitored to ensure that deliverables are delivered and value for money achieved.

In response to a query, the Leader and Promoting South Lakeland Portfolio Holder suggested that the Climate Emergency and Localism Portfolio Holder liaise with officers in order to make arrangements for a presentation to Members by CAfS on what had been delivered to date and what was proposed to be delivered with this award.

The Leader asked the meeting if the motion was agreed. There was no dissent.

Decision

RESOLVED – That

(1) approval be given for the award of a contract to CAFS of £100,000 in 2020/21 and £50,000 in 2021/22 to continue and deliver the Low Carbon Communities in South Lakeland Initiative, to be funded £100,000 from the £50,000 growth items in the 2020/21 and 2021/22 approved budget agreed by Council on 25 February 2020 and £50,000 from the National Non-Domestic Rate Pooling Reserve; and

(2) the Director of Strategy, Innovation and Resources be authorised to conclude the appropriate agreement in consultation with the Legal Governance and Democracy Lead Specialist (Monitoring Officer) and Finance Lead Specialist (Section 151 Officer).

Reasons for Decision

The Council Plan adopted in December 2019 sets a strategic priority of meeting the challenge of Climate Change as well as the following actions:-

- Working with partners to develop energy saving and energy efficiency initiatives.
- Providing energy advice and additional support to households at risk of fuel poverty.
- Implementing the Cumbria Public Health Strategy (To become a “carbon neutral” County and to mitigate the likely impact of existing climate change).
- Promoting environmental technologies and the green economy.
- Working to achieve a carbon neutral South Lakeland.
- Promoting sustainable and active transport including cycling and walking.
- Conserving and enhancing the biodiversity of the District.

The Council has also adopted a corporate policy on Climate Change which sets out a range of measures to reduce greenhouse gas emissions in South Lakeland. Cabinet on 18 March 2020 recommended the amendment of the policy to adopt a target for South Lakeland District Council to become Carbon Neutral by 2030 and to support a target for a carbon neutral Cumbria by 2037.

Alternative Options Considered and Rejected

The Council could chose not to fund the CAfS proposal and this would result in a saving and/or the potential to spend the money on other projects.

However, such a course of action would result in a loss of momentum and risk completion of the significant progress made in the exemplar community together with reputational risk in terms of the Council’s commitment to the Climate Change issue. The proposal is about empowering communities and businesses to go forward and develop and implement their own measures to address climate change. The energy, goodwill and enthusiasm of local communities and the voluntary sector would be significantly reduced.

The significant value which the Council derives from CAfS’ extensive expertise in terms of advice and support in developing energy efficiency measures would have to be sourced from elsewhere. Continued well informed and locally based advice is essential to the delivery of our carbon reduction targets.

For these reasons the option of not funding is not recommended.

Another option would be to agree to part fund the initiative, up to £50,000 per annum for two years, as budgeted for in the Council’s approved 2020/21 budget. This would however mean that a lot of the work which we want to do with businesses will not be delivered. Engaging the business community and the visitor economy in particular, is essential to delivering on our carbon reduction targets. This option is not recommended.

Another option would be to offer a single year agreement, to include £50,000 from the approved budget and the additional £50,000 from the NNDR Pooling Reserve. This option would enable work to continue and to include the work with businesses in the current year. It would reserve a future decision on support in 2021/22. As work to address climate change requires progressive and sustained activity, this option is not recommended.

A further option would be to seek another organisation to deliver the required outcomes; for the reasons set out in paragraph 7.1 of the report, this option is not recommended.

CEX/47 TENANCY STRATEGY UPDATE 2020**Summary**

In the absence of the Deputy Leader and Housing and Innovation Portfolio Holder, the Housing Strategy and Delivery Specialist introduced the report which explained that the South Lakeland District Council Tenancy Strategy as published jointly with Eden District Council in 2013 gave Registered Providers, i.e. housing associations, a steer on how they should implement their policies relating to flexible tenancies and affordable rents and ensure that the Council's view was taken into account. The Council was required by the Localism Act 2011 to review the Strategy and publish any modifications.

Following a review, the report was being presented for consideration and approval of a proposed modification in the draft Tenancy Strategy Update 2020 alongside reaffirming current recommendations.

The Council had been working in partnership with Eden District Council to review the Strategy. Both Districts shared similarities in terms of rurality, demographics and affordability. A joint Tenancy Strategy gave Registered Providers a consistent approach in a wider area that would be helpful in preparing their own tenancy policies.

The only modification being proposed as a result of the Review was to protect the Council's more rural areas from the 'Voluntary Right to Buy' ('VRTB') should the Government decide to roll it out nationally. The proposed modification reflected the current regulations on Right to Buy and Right to Acquire in minimising the impact of loss of housing on rural areas. The current regulations protected homes in designated rural areas from the Right to Buy and the Right to Acquire.

The Council could protect such rural properties by use of Section 106 planning agreements. However, modifying the Tenancy Strategy in the way proposed meant that RPs in this area must have regard to the recommendation and provided clarity on the Council's position.

The report contained details on the consultation carried out to date and the Housing Strategy and Delivery Specialist drew attention to the fact that Eden District Council had already approved the modification. The Overview and Scrutiny Committee had given consideration to the Tenancy Strategy Update 2020 at its meeting on 17 July 2020 the Housing Strategy and Delivery Specialist informed Members of the comments raised at that meeting.

During discussion, reference was made to the latest Voluntary Right to Buy pilot scheme in the Midlands and to the very different, rural nature of both South Lakeland and Eden. Concerns were raised regarding changes in planning law, the definition of an affordable house and the high number of people seeking social housing within the district. Members expressed support for the amendment and felt that the document provide hope for the future.

The Leader, having thanked the Housing Strategy and Delivery Specialist for her presentation and work, as well as that of the Team, read out the proposal and asked the meeting if the motion was agreed. There was no dissent.

Decision

RESOLVED – That the Tenancy Strategy Update 2020 be approved.

Reasons for Decision

Housing is one of the Council's four key priorities. The Tenancy Strategy Update 2020 supports the key objectives of 'Delivering a balanced community' and 'Reducing income and health inequalities'.

Alternative Options Considered and Rejected

Without this proposed modification, it is possible that the impact of the scheme could be managed to a certain extent by way of Section 106 planning agreements and RPs will have to apply to the Council to vary any such terms. Also RPs must replace any properties sold 'one for one'. However, not all properties are covered by Section 106s and the replacement property does not have to be in the same area. Should the Government decide to roll out the scheme, this proposed modification provides clarity to RPs and for RPs to have regard to the Council's position to protect affordable housing in rural areas.

CEX/48**COMMISSIONING STRATEGY 2020****Summary**

The Finance and Resources Portfolio Holder introduced the report which explained that commissioning was the whole cycle of how the Council's services, programmes, projects and partnerships were planned, designed, developed, delivered, managed, evaluated and terminated. The Commissioning Strategy set out the Council's commitment to improving outcomes for local people through effective, integrated commissioning. It would ensure a co-ordinated approach within the organisation which would respond to the will and ambition set out in the Council Plan. It was complementary to the Council's existing Sustainable Procurement and Commissioning Strategy and would take precedence in so far as it referred to commissioning. The Finance and Resources Portfolio Holder pointed out, however, that the Procurement Strategy was also being updated to ensure that it reflected the key elements of commissioning within it, including aspects of Social Value. The Commissioning Strategy set the framework for how the Council used the total resources available to it in order to improve outcomes for South Lakeland residents in the most efficient, effective, equitable and sustainable way. It would ensure that robust performance management arrangements were in place, enabling the Council to monitor expectations of outcomes from commissioning and allow it to monitor the environmental and social value relative to resources invested to evaluate impact, identify ways to improve performance and enhance the performance of existing activities.

The Strategy, which had been prepared to be in compliance with existing legislation, formed part of the Council's Budget and Policy Framework and, further to CEX/33 (2021/21) had been considered by the Overview and Scrutiny Committee and the Finance and Resources Portfolio Holder informed Cabinet of the comments raised at that meeting.

The Finance and Resources Portfolio Holder added that, in order to align with the new Commissioning Strategy, it would be proposed, in approving the document, that the Council's Monitoring Officer make a number of resulting amendments to the Council's Constitution, as outlined in Appendix 2 to the report.

The Leader asked the meeting if the motion was agreed. There was no dissent.

Decision

RESOLVED – That the Commissioning Strategy 2020 be recommended to Council for approval.

Reasons for Decision

The decision links to the Council Plan, seeking continuous improvement in what we do, ensuring that our actions address the needs of South Lakeland.

Alternative Options Considered and Rejected

The Council's Commissioning Strategy is a critical element of its transformation and supports the delivery of the Council Plan priorities and outcomes.

CEX/49**DRAFT MEDIUM TERM FINANCIAL PLAN 2020/21 - 2025/26****Summary**

The Finance and Resources Portfolio Holder provided a highly detailed presentation on the draft Medium Term Financial Plan (MTFP). The Plan was a key element of the Council's corporate planning framework to ensure that the Council had sufficient financial resources in the short to medium-term to deliver its statutory responsibilities and its Council Plan priorities.

Due to the impact of Covid-19, the report included high-level projections based on the information available as at early July 2020. The situation was changing significantly and quickly. The projections would be regularly reviewed and reported during the 2021/22 budget preparation process. The Council was required by statute to set a balanced budget in February 2021.

Based on current projections within the report, the impact of Covid-19, combined with budget deficits reported in February 2020, meant that the Council would need to find revenue savings (including potential additional income) of between £1m and £1.5m to set a balanced budget for 2021/22. Further recurring savings of £1m would need to be identified by February 2022.

Due to reasonable General Fund balances and reserves at the start of the pandemic, robust financial management practices and a good track record in achieving efficiency savings, the Council was in a positive financial position overall compared to many local authorities, but now had a substantial challenge to correctly predict and then offset the budget deficit.

The MTFP, once approved, would form the basis of the budgets to be prepared during the remainder of 2020/21 for approval in February 2021. However, the MTFP and the Budget Strategy provided only the broad framework; individual decisions, particularly the level of Council Tax, would be approved during the budget process based on the latest projections available.

Options to balance the budget in both the short and medium term will be prepared for the 2021/22 Budget to be approved in February 2021 and for the 2022/23 Budget to be approved in February 2022. The size of the projected deficits might require solutions that would take some time to identify and implement. It would be important to ensure

adequate consultation on proposals was carried out. The Commissioning Strategy would be used to identify how the resources of the Council could be used to improve outcomes for South Lakeland residents in the most efficient, effective, equitable and sustainable way.

Overall, the Council's financial position had been weakened significantly by Covid-19, despite robust financial management processes and a good track record in achieving efficiency savings. There were challenging times ahead to identify and decide upon options that would provide the solution to remaining revenue deficits.

The Overview and Scrutiny Committee had given consideration to the MTFP at its meeting on 17 July 2020 when a number of comments had been raised, details of which the Finance and Resources Portfolio Holder provided, including a suggestion for a workshop for all Members to ideas on how to address deficits.

The Finance and Resources Portfolio Holder closed, stressing that the report highlighted the prudential management of the Council's finances over the past decade and drawing attention to and thanking the Finance Team for its exceptionally hard work.

Members expressed thanks to the Finance and Resources Portfolio Holder for his clear presentation, acknowledging the challenging times ahead and the tough decisions that would have to be made moving forward.

The Leader, again thanking the Finance and Resources Portfolio Holder and officers for their work, asked the meeting if the motion was agreed. There was no dissent.

Decision

RESOLVED – That

- (1) the comments from the Overview and Scrutiny Committee be noted;***
- (2) the proposed Medium Term Financial Plan at Appendix 1 to the report be noted; and***
- (3) the draft Medium Term Financial Plan 2020/21 – 2025/26 be recommended to Council for approval.***

Reasons for Decision

The MTFP indicates the resources available to fund the Council Plan and how these resources will be allocated.

Alternative Options Considered and Rejected

The assumptions forming the MTFP could be amended. This is not recommended, as the proposals are regarded as the most appropriate option when considered against the need to secure financial resilience and deliver the Council Plan priorities.

CEX/50 COUNCIL TAX DISCRETIONARY RELIEF POLICY**Summary**

The Finance and Resources Portfolio Holder referred to approval by Cabinet on 20 May 2020 of an Interim Council Tax Discretionary Relief Policy to distribute the Council Tax hardship grant made available by the Government, not specific to Covid-19. Public consultation had been carried out on the proposed policy, and the report provided details on the response.

The Council Tax Discretionary Relief Policy was a permanent Council Policy, and would allow the granting of additional Council Tax support where hardship could be shown. It supplemented the Council's Council Tax Reduction Scheme approved in February 2020.

The Overview and Scrutiny Committee had given consideration to the Council Tax Discretionary Relief Policy at its meeting on 17 July 2020. No additional comments had been raised. The Finance and Resources Portfolio Holder, however, referred to consultation on the Policy and to a response from Age UK South Lakeland. They felt that consideration needed to be made as to a client's ability to resume paying their full Council Tax liability following the period of discount applied for and, in addition, sought more information as regards the proposed methods of making residents aware of the scheme, with older people potentially being excluded from additions to websites/social media updates/emails.

Members expressed support for the proposal and the fact that South Lakeland District Council was one of only a handful of authorities offering 100% relief was raised.

The Leader, having thanked the Finance and Resources Portfolio Holder and Finance Team for their work, asked the meeting if the motion was agreed. There was no dissent.

Decision

RESOLVED – That the Council Tax Discretionary Relief Policy be recommended to Council for approval.

Reasons for Decision

This scheme contributes towards working across boundaries to deliver sustainable communities, creating balanced communities and reducing inequalities so no one is left behind.

Alternative Options Considered and Rejected

The scheme could be amended to increase, or reduce, discretion in making awards. This would vary the assistance to be awarded. The proposed scheme gives a balance between awarding additional relief and the cost of relief awarded.

CEX/51**CUMBRIA CHOICE BASED LETTINGS ALLOCATIONS POLICY REVIEW****Summary**

In the absence of the Deputy Leader and Housing and Innovation Portfolio Holder, the Principal Specialist (People) presented the report, which explained that approval of the Cumbria Choice Based Lettings Allocations Policy, operation of which had begun in May 2011, would ensure that there was greater clarity for households in South Lakeland who were currently registered for social housing or who might register in the future. The proposed Policy would help to ensure that there was a consistent and fair approach amongst registered providers with regard to letting homes in South Lakeland to meet the greatest housing needs. The revisions would meet legislative changes relating to the Homelessness Reduction Act 2017 and resultant Statutory Guidance. It was expected that the proposed changes would simplify the operation of the policy to the benefit of all who use it and to customers.

At CEX/32 (2020/21), Cabinet had been informed of the detailed consultation which had already taken place, following which a number of changes had been required to the Policy to satisfy legislative change, reduce any ambiguities in the operation of the policy so it was applied consistently and fairly and to ensure greater clarity and simplicity. At that meeting, an approach for local consultation in South Lakeland had been approved in order to provide further opportunity for comments from stakeholders.

Details of the extensive local consultation were provided within the report, the outcome of which had been considered by an Overview and Scrutiny Working Group on 6 July and then by the full Overview and Scrutiny Committee on 17 July 2020, and the Principal Specialist (People) provided details. In response to a request from the Leader, she undertook to collate a copy of the questions raised, together with responses, prior to the Council meeting on 28 July 2020. Also raised by the Leader was the need for a housing training session for all Members.

Attention was drawn to the fact that this was a common Allocations Policy, the Cumbria Choice Based Lettings being a partnership comprising the six housing authorities in Cumbria and eight housing associations, all partners had to seek approval from their respective organisations to enable the revised Policy to be published by September.

The Principal Specialist (People) responded to questions raised by Members, explaining that the Local Connection Policy applied to people with close relatives in the area, as well as those with a need to move into the locality due to employment within the area. She informed Members that the Council's Housing Options Team worked closely with the Probation Service to find housing solutions for those recently released from prison. The Principal Specialist (People) confirmed that the revised document would have regard to the points mentioned during consultation. She explained that there had been an increase in active applicants for housing due to the impact of Covid-19. With regard to the breakdown of figures and household make-up, she reported that 46% related to single applicants, 16% to couples without children and 38% to families with children, representing approximately 7,592 people in total. The Leader felt that there was need for clarification and clearer language in this regard moving forward and felt that the situation emphasised the need for affordable housing for rent in South Lakeland, adding his disappointment at developers who built less than the 35% target set by the Council.

The Legal, Governance and Democracy Lead Specialist (Monitoring Officer) undertook to ensure that the comments raised by the Overview and Scrutiny Committee were passed on to the Cumbria Choice Based Lettings Board also that the questions and answers from the meeting of the Overview and Scrutiny Committee held on 17 July were forwarded to all Members prior to the Council meeting on 28 July 2020.

The Leader asked the meeting if the motion was agreed. There was no dissent.

Decision

RESOLVED – That the draft Cumbria Choice Based Lettings Allocations Policy be recommended to Council for approval.

Reasons for Decision

The proposed amendments to the policy will assist in meeting the Council Plan priority to provide 'Homes to Meet Need'.

Alternative Options Considered and Rejected

Members could choose not to recommend approval of the amended policy or request many additional or substantive changes. This is not recommended as the updates recommended will provide a clearer policy and one which is responding to legislative changes outlined in 3.3 of the report. If substantial changes are to be considered by the Project Board then this could significantly delay implementation of the revised policy, which could then risk legal challenge by not responding to the legislative change outlined in 3.3 and 7.4 of the report.

CEX/52

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 Paragraphs indicated.

Note –

For the benefit of the public viewing the virtual meeting, the Leader and Promoting South Lakeland Portfolio Holder explained that the open session of the meeting would now close and the live stream cease.

The meeting producer confirmed that the live stream had ended.

Members disconnected from the Part I session and moved into the Part II private session.

The meeting then adjourned, at 12.00 noon, for a comfort break and in order to provide Members an opportunity to read the report on Agenda Item No.18 (A590 Cross-a-Moor Junction Improvement).

The meeting reconvened at 12.15 p.m. when a roll call was taken, all Members from the Part I session, with the exception of Councillors Roger Bingham and Tom Harvey, confirming that they were present, that they were able to see (where practicable) and hear all Members participating in the meeting and that there was nobody present in the room with them nor any recording devices nearby. Councillor Harvey sent a message to indicate that he was content for the meeting to proceed in his absence, however, re-connected to the meeting part way through the following item.

CEX/53**A590 CROSS-A-MOOR JUNCTION IMPROVEMENT**

- *Paragraph 3 - Information relating to the financial or business affairs of any particular person (including the authority holding that information)*
- *Paragraph 5 - Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.*

Summary

Copies of the report had been circulated at the start of the meeting and the document was displayed on screen.

The Director of Strategy, Innovation and Resources presented the report, explaining that this report would now update the Cabinet whilst further work was progressing. As such, this report no longer formed a Key Decision, but the further work would enable the Key Decision to be taken at a future Cabinet meeting. He informed Members on progress with the A590 Cross-a-Moor Junction improvement scheme.

The Legal, Governance and Democracy Lead Specialist (Monitoring Officer) informed Members of her involvement in the matter and of the need to explore the respective powers of all tiers of local government.

During discussion, Members expressed continued cross-party support for the scheme and the Director of Strategy, Innovation and Resources undertook to work closely with the relevant portfolio holders and to cascade information to local ward Members.

The Leader asked the meeting if the motion was agreed. There was no dissent.

Decision

RESOLVED – That the following be noted:-

- (1) progress with the scheme as described within the report; and***
- (2) following a request from Highways England, that the Growth and Housing Fund monies held by the Council are being transferred to Highways England for their use on the scheme.***

Reasons for Decision

The A590 Cross-a-Moor Junction Improvement would ensure delivery of over 1,000 dwellings in south Ulverston on sites allocated in the adopted Local Plan. It would therefore play a key role in the Council's priority for delivering housing, particularly affordable housing. The scheme is highly significant for the housing priority in the Council Plan, and for the delivery of around 20% of planned housing provision in the Local Plan to 2025.

The scheme is also central to future economic growth in South Lakeland. The lack of people, particularly of working age, has been identified as a significant challenge to business growth in the area. The increased housing this project will facilitate will allow more people to live and work in the area, increasing the supply of labour for business of all sizes and sectors.

Alternative Options Considered and Rejected

The alternative options considered will be reported in a future report once further information from partners is considered.

The meeting ended at 12.40 p.m.