

EXECUTIVE DECISION NOTICE**CABINET**

A record of the decisions made at the virtual meeting of the Cabinet held on Wednesday, 20 January 2021, 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
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

No apologies for absence were received.

Also in attendance at the meeting were Shadow Executive Members 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)), Helen Irving (Shadow Cabinet (Customer and Commercial Services and People Portfolio)), Kevin Lancaster (Shadow Cabinet (Housing and Innovation Portfolio)) and Mark Wilson (Leader of the Labour Group).

No apologies for absence were received from Shadow Executive Members .

Officers

Lawrence Conway	Chief Executive
John Davies	Case Management Officer
Linda Fisher	Legal, Governance and Democracy Lead Specialist (Monitoring Officer)
Dan Hudson	Strategy Lead Specialist
Adam Moffatt	Specialist - Legal, Governance and Democracy
Fraser Robertson	Communications 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
Sion Thomas	Operational Lead Delivery and Commercial Services

CEX/106 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.

Note – At this stage, the Live Stream of the meeting failed and the meeting was adjourned at 10.07 a.m. in order for Officers to set up a new meeting and update the links to the Live Stream on the website and on the Agenda.

The meeting reconvened at 10.35 a.m. when the Leader repeated the introductory remarks outlined above and a roll call was taken, all Members confirming that they were present, that they were able to see (where practicable) and hear all Members participating in the meeting.

CEX/107 CABINET EXECUTIVE DECISIONS

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

RESOLVED – That the Chairman be authorised to sign, as a correct record, the Executive Decisions made by Cabinet on 8 December 2020.

CEX/108 DELEGATED EXECUTIVE DECISIONS

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

RESOLVED – That the Delegated Executive Decisions made by Portfolio Holders or Officers on 3 and 17 December 2020 be received.

CEX/109 EMERGENCY DELEGATED EXECUTIVE DECISIONS

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

RESOLVED – That the Emergency Delegated Executive Decision made by the Chief Executive on 20 November 2020 and 31 December 2020, in accordance with the Leader’s decision noted by Cabinet at CEX/104 (2019/20), be received.

CEX/110 DECLARATIONS OF INTEREST

No declarations of interest were made.

CEX/111 LOCAL GOVERNMENT ACT 1972 - EXCLUDED ITEMS

There were no excluded items on the agenda.

CEX/112 PUBLIC PARTICIPATION

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

CEX/113 FORWARD PLAN

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

RESOLVED – That the contents of the Forward Plan published on 5 January 2021 be noted.

CEX/114 COUNCIL PLAN PERFORMANCE MONITORING REPORT QUARTER 3 2020/21

Summary

The Leader of the Council and Promoting South Lakeland Portfolio Holder presented an update report on progress with the current Council Plan for Quarter 3 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 Leader emphasised the Council's commitment to the priorities away from the impact of Covid-19 and commended the work of Officers and Members to ensure progress in projects that included work to generate a new Bay Authority, the addition of solar panels to SLDC buildings and town centre improvements. 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 included the Council's Strategic Risk Register at Appendix 1. Following a review of the Strategic Risks for Quarter 4 2019/20, it was found that 65% of risks were above tolerance. This significant change was due to pressures brought by Covid-19, however this quarter 59% of risks were above tolerance.

The Leader and Promoting South Lakeland Portfolio Holder drew attention to Appendix 2, which had been produced in light of the current situation regarding Covid-19 and which provided sight of business and economic health for the District.

During discussion, and in response to a specific request from Councillor Mark Wilson, the Finance and Resources Portfolio Holder agreed to discuss any specific issues with individuals or political group as well as holding an all Member briefing. Further discussion raised issues linked to the performance of the Customer Connect Programme, the Deputy Leader requested specifics on the issues raised in order to consider the matter further.

Decision

RESOLVED – That the following be approved:-

- (1) the Summary of Performance as detailed in the report;***
- (2) the detailed risks information within Appendix 1; and***
- (3) the detailed Business and Economy Statistics in Appendix 2.***

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 current Performance Management Framework.

Alternative Options Considered and Rejected

No alternative options – the purpose of the report is to receive a performance update. The Council must note successes, monitor progress and take action where appropriate.

CEX/115 ADOPTION OF COUNCIL PLAN

Summary

The Deputy Leader of the Council and Housing and Innovation Portfolio Holder presented the updated Council Plan 2021-2026. The Council Plan set out the Council's vision and priorities and how these would be delivered over the period of the Plan. Four priorities set out Council's ambition and reflected important changes linked to the impact of the Coronavirus Pandemic. The strategy update provided a summary of the progress in the previous twelve months and set out key changes relating to strategic alignment in the context of Morecambe Bay, carbon reduction and reducing disadvantage and inequalities.

The Deputy Leader of the Council and Housing and Innovation Portfolio Holder informed Members that the Council Plan was underpinned by a comprehensive performance management framework and was a living document that was regularly refreshed. The report highlighted the range of strategic priorities that inform a vast range of projects, plans and strategies including the Local Plan, plans relating to housing, economic development, health and wellbeing, climate change and financial resilience. The Portfolio Holder highlighted feedback from the Overview and Scrutiny Committee on the support of young people in returning to the area and the positive contribution that older people in the community continue to provide to communities and voluntary organisations.

The Strategy Lead Specialist described the updated Council Plan and outlined a number of challenges that the Council faced when matching the vision of South Lakeland being the best place to live, work and explore, including the impact of the Covid-19 pandemic. He went on to highlight the four priorities that drove the Council plan, which were working across boundaries, delivering a balanced community, delivering a fairer South Lakeland and addressing the climate emergency.

The Leader of the Council thanked Officers and the Deputy Leader for their hard work and the complete report that had been produced. He added that the Overview and Scrutiny Committee had expressed their support for the updated Council Plan that had been proposed.

Discussion took place during which the need for increased awareness of rough sleepers was raised and in particular the 'no second night out' policy. The need for young people to return after gaining knowledge away from the district was also raised. Further discussion highlighted the contribution of the retired population to the voluntary sector as well as the local economy. An additional question on if reference should be made to the potential impact of a unitary Cumbria in order to make the public aware of the possible significant changes.

The Leader of the Council reiterated the vision of the Council, he added that the impact of Covid-19 was a challenge but the Council had been under good financial

management and the aims aside from recovery from the ongoing pandemic, that had been outlined in the Council Plan would not be forgotten.

The Legal, Governance and Democracy Lead Specialist summarised the comments made by the Overview and Scrutiny Committee, which were linked to the housing needs of younger people, the impact and needs of older people in the community, the need to focus on poverty clusters across the area, Local Government Reform, Climate Change and improving mental health and wellbeing.

Decision

RESOLVED – That Cabinet recommend that Council adopt the update Council Plan 2021-2026 (Appendix 1) as part of the Council’s Policy.

Reasons for Decision

The Council Plan is a key strategy document for the organisation. It sets out the Council priorities and is linked to all key strategies e.g. Medium Term Financial Plan, Workforce Plan, Performance and Service Plans.

Alternative Options Considered and Rejected

The Council could choose not to adopt the Council Plan. This would result in a loss of focus in many areas of Council activity. It would mean that the Council does not have a framework for prioritisation resulting in reduced influence, inefficiency and a reduced ability to deliver positive change for our communities.

CEX/116 PARKING FEES AND CHARGES

Summary

The Customer and Commercial Services and People Portfolio Holder presented a report on Parking Fees and Charges. The report highlighted three possible options following a review in Autumn 2020 and Officers recommended that the Council moved forward with Option 2 which brought about a number of changes that were expected to generate an additional £308,000 income which had been noted within the draft budget. The Portfolio Holder added that the potential increase in income would assist the Council in putting money back into parking infrastructure as well as public realm, improved EV infrastructure and footpath/ cycling networks. The proposed changes fell in line with the Council’s Medium Term Plan (MTFP), the Council Plan and was balanced between economic activity and the Climate Emergency that the Council had declared. The Portfolio Holder emphasised that parking charges had not been increased in the last ten years and that while parking charges had proved to be an emotional topic, the proposed increase had been measured and was appropriate for the time being.

The Portfolio Holder for Economy, Culture and Leisure reiterated the previous comments on parking charges being an emotive subject adding that in order to reinvigorate the town centres balance was crucial when considering car parks. He explained the importance of having a high turnover of users in car parks to increase footfall in the towns, adding that generally cheap car parking encouraged people to dwell longer in car parks whilst not spending any more in businesses.

The Legal, Governance and Democracy Lead Specialist highlighted comments made by the Overview and Scrutiny Committee, who had discussed the Parking Fees and Charges report as part of the Draft Budget 2021/22 to 2025/26. During the discussion at the Overview and Scrutiny Committee, Members raised questions on the timing of the proposed increase to parking fees but agreed the budget report, adding a rider that they accepted the sensitivity of car park charging, and given the current situation and the fact that it has been 8 years since last raised there is little option. The Overview and Scrutiny Committee added that they would continue to monitor car parking ahead of incoming proposals for the improvement of Kendal.

Discussion took place and comments were raised on the importance of encouraging people to walk and use public transport to get into town, the need to reduce the number of cars in Kendal town centre, the future provision of more car parking spaces and possibility of free parking in Kendal and the statutory responsibility to balance the budget. Following the discussion a request was made from Councillor Mark Wilson to receive the research used to inform the proposals on the Parking Fees and Charges.

In responding to the comments from Members, the Portfolio Holder emphasised the importance of the comments made on people travelling into towns from outlying parishes and reducing the number of cars in Kendal town centre. He pointed to the lower increases to car parking fees for the sites further away from the town centre and the retention of the early bird offer before adding that the Council retained its commitment to looking into the need for free parking in Kendal.

The Leader of the Council emphasised the previous points on the Council's commitment to investigating free parking in Kendal and added that plans had been delayed in recent times by flooding and by the pandemic.

Decision

RESOLVED – THAT:-

- (1) the increase in parking fees and charges from April 2021; and***
- (2) Cabinet delegates authority to the Director Customer and Commercial Services in conjunction with the Operational Lead for Delivery and Commercial Services and Lead Specialist for Legal, Governance and Democracy to implement the new charges across the District.***

Reasons for Decision

The report is linked to Council Priorities for Reducing Inequality (Reducing disadvantages improving air quality and reducing Pollution) and Sustainable economy and inclusive economy (Ready ourselves for the challenge of Climate Change).

Alternative Options Considered and Rejected

To not increase the parking fees and charges. This is not considered appropriate when considering the investment recently made by the Council in its existing parking offer and future spend approved in the Capital Programme on car parks. It is also not considered appropriate as this directly goes against the Council's Policy on Fees and Charges as set out in the MTFP. The proposed increase is seen as fair and is in line with actions as set out by the Council as part of the Climate emergency.

Option 1 as noted in Appendix 1 has been considered. This has been rejected as it does not address the over-demand throughout the Lake District area during summer periods. It is estimated that the changes in the tariff and permits under this option would have amounted to circa £255k

Option 3 as noted in Appendix 1 has been considered but felt to be far too aggressive and not recommended when considering the current economy and this option is likely to face significant resistance from those using car parks. It looked at increasing tariffs by approximately 10% across the board, it also looked at increasing permits in line with neighbouring authorities. It would almost certainly have an adverse effect on car park usage, visitor numbers to the town centres and consequential impact on the high street. It is estimated that the changes in the tariff and permits under this option would have amounted to circa £900k.

CEX/117 KENDAL MARKET REVIEW

Summary

The Economy, Culture and Leisure Portfolio Holder introduced a report on the future of Kendal Market. The report set out the agreed two stage tender process to consider outsourcing the management of the markets and the two received bids. The Economy, Culture and Leisure Portfolio Holder highlighted that due to the impact of the Covid-19 pandemic and national lockdown, it was felt that it was best to re-run the tender. As a result three bids were received which reduced to two as one bidder withdrew their interest to concentrate on their current business interests and focus on recovery throughout the Coronavirus pandemic.

The Economy, Culture and Leisure Portfolio Holder informed Members that due to the ongoing impact of the Coronavirus pandemic, it had been difficult to reach an agreement with the bidders. One of the final two bidders withdrew, citing they were not best placed to run the markets and the final bidder withdrew after they decided to not take on any new business interests during the pandemic with the pandemic showing no signs of improvement. It was proposed that the procurement to outsource the market be abandoned and that the Council would continue to run the service in house with the proposal of the soft facilities management company already in place at the Westmorland Shopping Centre being employed to run the market. He added that a Market Lead Officer proposed to be solely responsible for economic development aspects of the market and would provide entrepreneurial skills that would be important to the success of the market. The Portfolio Holder added that the Market traders had been involved in the process and provided their support for the proposal.

Discussion took place during which a question was raised on the status of smaller traders from local farms to use the market free of charge, Operational Lead (Delivery and Commercial Services) agreed that a written response would be provided to Members on this matter. Members highlighted the importance of Kendal's market to the town and tradition in the local area.

Decision

RESOLVED – That Cabinet:-

(1) retains the operation of Kendal Market in house, to abandon the current tender of outsourcing the market to an external operator;

- (2) delegates authority to the Operational Lead for Delivery and Commercial services in conjunction with the Lead Specialist for Legal, Governance and Democracy to enter into an agreement for a soft facilities management (soft FM) contract to undertake the caretaking duties for the market; and***
- (3) delegates authority to the Operational Lead for Delivery of Commercial services in conjunction with the Lead Specialist for Human Resources to recruit a lead market officer to take on the running of the Indoor and Outdoor Market employed directly by South Lakeland District Council.***

Reasons for Decision

The report is linked to Council Priorities of Economy and Culture, working to deliver economic growth and ambition to deliver a diverse and thriving economy.

Alternative Options Considered and Rejected

To close the market. This is not considered appropriate with the Town being a market Town and the market still viable in its current form. The market should be used as an economic driver for the Town. The Council is committed to the running of the market now and in the future.

Re-tender for outsourcing the market. At this current time, it is not expected to yield a different result from the initial procurement to outsource the market. To keep the market management in house feels appropriate until such time as the open market can be tested again and a further service review is carried out in 3 years.

To appoint caretaking officers to the market to undertake all soft facilities management duties. Due to the operation of the markets needed to be from approximately 7.30am to 5.30pm, this means that cover would be required for 60 hours a week. Additional hours will also be required at times to open up for maintenance, cleaning, to cover annual leave and Sunday trading during December. It is therefore likely that 2 full time employees would be needed to undertake this role and therefore does not offer value for money to the Council.

The meeting ended at 12.19 p.m.