

EXECUTIVE DECISION NOTICE**CABINET**

A record of the decisions made at the meeting of the Cabinet held on Wednesday, 9 November 2022, at 10.00 a.m.

Present
Councillors

Jonathan Brook (Leader and Promoting South Lakeland and Innovation Portfolio Holder)
(Chairman)

Robin Ashcroft	Economy, Culture and Leisure Portfolio Holder
Helen Chaffey	Housing Portfolio Holder
Eamonn Hennessy	Customer and Locality Services Portfolio Holder
Andrew Jarvis	Deputy Leader & Finance and Assets Portfolio Holder
Suzie Pye	Health, Wellbeing and Poverty Alleviation Portfolio Holder

Apologies for absence were received from Councillors Dyan Jones (Climate Action and Biodiversity Portfolio Holder) and Tom Harvey (Shadow Cabinet Leader (Promoting South Lakeland and Innovation Portfolio))

Also in attendance at the meeting were Shadow Executive Members Pat Bell (Shadow Cabinet (Housing Portfolio)), Roger Bingham (Shadow Cabinet (Economy, Culture and Leisure Portfolio)), John Holmes (Shadow Cabinet Deputy Leader (Finance and Assets Portfolio)), Kevin Holmes (Shadow Cabinet (Climate Action and Biodiversity Portfolio)), Helen Irving (Shadow Cabinet (Health, Wellbeing and Poverty Alleviation Portfolio)), Janette Jenkinson (Shadow Cabinet (Customer and Locality Services Portfolio)) and David Webster (Leader of the Labour Group).

Officers

Gareth Candlin	Operational Lead - Place and Environment
Lawrence Conway	Chief Executive
John Davies	Case Management Officer Support Services
Julia Krier	Legal, Governance and Democracy Senior Specialist (Monitoring Officer)
Adam Moffatt	Legal, Governance and Democracy Specialist
Helen Smith	Finance Lead Specialist (Section 151 Officer)
Danielle Walls	Legal, Governance and Democracy Specialist (Deputy Monitoring Officer)

CEX/56 CABINET EXECUTIVE DECISIONS

The Leader and Promoting South Lakeland and Innovation Portfolio Holder informed Members that due to the timing of the previous Cabinet meeting held on 1 November, the minutes had been sent separately from the main agenda pack.

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 1 November 2022.

CEX/57 DELEGATED 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 Delegated Executive Decisions made on 24 October 2022.

CEX/58 DECLARATIONS OF INTEREST AND DISPENSATIONS

No declarations of interest were raised under this item.

CEX/59 LOCAL GOVERNMENT ACT 1972 - EXCLUDED ITEMS

There were no excluded items on the agenda.

CEX/60 PUBLIC PARTICIPATION

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

CEX/61 FORWARD PLAN

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

RESOLVED – That the contents of the Forward Plan published on 8 November 2022, be noted.

CEX/62 RURAL ENGLAND PROSPERITY FUND INVESTMENT PLAN ADDENDUM**Summary**

The Economy, Culture and Leisure Portfolio Holder presented a report on the Rural England Prosperity Fund. He informed Members that by agreeing to the submission of the investment plan addendum, the Council could unlock £1.1 million of investment aimed at supporting rural businesses and communities within South Lakeland and Westmorland and Furness.

The proposals, if successful would be rolled out over the next two financial years and would act as a 'top-up' to the Council's UK Shared Prosperity Fund (UKSPF) allocation of £3.8 million. Eligible Local Authorities qualified for an allocation based on factors developed in line with the scheme's objectives, which included the size of their rural populations. The report and background documents set out interventions relating to the two investment priorities (Supporting Rural Communities and Supporting Rural Communities), as well as defined outputs and outcomes against which success must be measured.

In response to a query relating to the impact of Local Government Reorganisation (LGR) and the distribution of the funding, the Operational Lead for Place and Environment informed Members that the rural top up applied to Eden and South Lakeland Districts only and that this would not change as a result of LGR. He added that funding would not be available until the next financial year and that the two District Council's had aligned priorities as set out in the report with LGR in mind.

Concern was expressed over the limits of the fund, particularly regarding the restriction to only capital projects. It was felt that this may prevent smaller organisations or charities who needed a revenue boost from accessing the funds. The Economy, Culture and Leisure Portfolio Holder responded, noting that he shared the concern but the rules of the fund had been clearly defined.

Following a question on the role of the UK Shared Prosperity Fund's role, the Operational Lead for Place and Environment noted that the agreed themes would help to develop a core of projects, which would then be scored by the Local Partnership Group.

In response to a query over consultation on the core projects to assess the benefit and use of projects to rural areas, the Operational Lead for Place and Environment informed Members that officers could share the membership of the Local Partnership Group who gave a view on the projects. He added that once the specific applications had been received, there would be a strict scoring process for each project.

Members raised a question regarding using the fund to support rural bus services, the Operational Lead for Place and Environment confirmed that this would not be classified as capital funding but added that there may be some applicable areas in the main UK Shared Prosperity fund.

Decision

RESOLVED – That

- (1) the evidence base report and draft interventions list at Appendix 5 to the report be noted;***
- (2) authority be delegated to the Director of Customer and Commercial Services in consultation with the Economy, Culture and Leisure Portfolio Holder to finalise the Rural England Prosperity Fund investment plan addendum based on the evidence base report and draft interventions list ahead of the deadline for submission of 30 November 2022;***
- (3) authority be delegated to the Director of Customer and Commercial Services in consultation with the Economy, Culture and Leisure Portfolio Holder to approve any minor amendments to the addendum and the draft list of interventions that may arise following consideration of the selected interventions by officers and the Westmorland and Furness Shadow Authority;***
- (4) subject to recommendations 2 and 3 (above) that authority be delegated to the Director of Customer and Commercial Services in consultation with the Economy, Culture and Leisure Portfolio Holder to submit the investment plan to DEFRA by the 30 November 2022 deadline;***
- (5) authority be delegated to the Director of Customer and Commercial Services in consultation with the Economy, Culture and Leisure Portfolio Holder to agree the business case development process for delivery of the interventions selected in the Rural Fund addendum and associated projects; and***

- (6) ***authority be delegated to the Director of Customer and Commercial Services, in consultation with the Section 151 Officer, Monitoring Officer and Economy, Culture and Leisure Portfolio Holder, to accept or enter into any agreement, conditions of any grant determination letter, memorandum of understanding or any other mechanism specified by Government to allow the Council to accept the funding for the Section 151 Officer to set up relevant budgets.***

Reasons for Decision

The Rural England Prosperity Fund has wide reaching implications for the delivery of Council Plan priorities and will to some extent help deliver many of those priorities. Specifically:

Working across boundaries

- working across the Bay to secure investment and high value jobs
- attracting funding and delivering critical infrastructure
- working with partners to deliver an effective economic response to the COVID crisis
- promoting unique value propositions such as cultural, creative and marine industries

Delivering a balanced community

- unlocking development sites and enabling local businesses to grow
- understanding the needs of local businesses
- encouraging graduate retention and the creation of high value jobs
- using culture and the arts to support the unique offer of our towns and countryside
- using our distinct environment to create opportunities for all

A fairer South Lakeland

- Supporting people to adapt to changes in technology
- Encouraging links between further and higher education, apprentices and businesses
- Providing support, advice and affordable premises for new business start-ups
- Protecting the vulnerable and helping people out of poverty
- widen and improve the quality of broadband coverage
- working with partners to widen access to low cost energy

Addressing the climate emergency

- enhancing the district's green infrastructure
- promoting environmental technologies and the green economy
- promoting local businesses and the circular economy
- developing town centres which are attractive and accessible for living, working and leisure
- promoting active transport including cycling and walking
- enhancing the biodiversity of the district

Alternative Options

The alternative option would be to not submit an investment plan addendum, this would preclude SLDC and Westmorland & Furness Council from accessing the £1.1m allocation and prevent delivery of key projects and support for businesses within the district.

CEX/63 REGULATION OF INVESTIGATORY POWERS ACT 2000 - ANNUAL REVIEW 2021/22

Summary

The Customer and Locality Services Portfolio Holder presented the Regulation of Investigatory Powers Act (RIPA) 2000 - Annual Review 2021/22, which detailed the review of the operation of the Council's surveillance policies and practices.

The report indicate that between 1 April 2021 and 31 March 2022, there had been no applications for authorisation for Directed Surveillance or use of Covert Human Intelligence Source, nor had there been any live authorisations or applications for authorisation at the date on which the report had been submitted. There had also been no non-RIPA authorisation requests.

The Review had taken into account the Data Protection Act 2018 (DPA) and the General Data Protection Regulation (GDPR). In addition as part of the review, relevant officers had confirmed that the Council's CCTV Policy had been adhered to throughout the period.

The report further outlined that an E-Learning package had been obtained and rolled out by the Monitoring Officer during 2021 and that the Council's procedures were available on the Intranet, with the Legal, Governance and Democracy Senior Specialist (Monitoring Officer) also being available to provide advice to officers on compliance with RIPA.

Following a query from Members regarding applicable legislation regarding personal CCTV use on private property, the Legal, Governance and Democracy Senior Specialist (Monitoring Officer) undertook to provide a written response to a question but noted that this was outside the remit of the RIPA Annual Review.

In response to a question regarding the frequency of RIPA authorisations, the Legal, Governance and Democracy Senior Specialist (Monitoring Officer) reminded members that although the review was done on an annual basis, any specific requests would need to be authorised on a case-by-case basis.

Decision

RESOLVED – That the review of the operation of the Council's policies and procedures as regards the Regulation of Investigatory Powers Act 2000 for the year 2021/22 be noted.

Reason for Decision

The decision cuts across all four Council Plan Priorities:-

- Working across boundaries;
- Delivering a balance community;
- A fairer South Lakeland; and
- Addressing the climate emergency.

Alternative Options

The review has been undertaken to comply with legislation and the report is presented for information and note. An alternative option is not presented.

CEX/64 COUNCIL PLAN PERFORMANCE MONITORING REPORT QUARTER 2 2022/23**Summary**

The Leader and Promoting South Lakeland and Innovation Portfolio Holder presented the Council Plan Performance Monitoring report for Quarter 2 of 2022/23.

The Council retained the vision of “South Lakeland as the best place to live, work and explore”, and highlighted that there were areas where the Council needed to do more and the plan identified four priority area where activity needed to be focussed to achieve the vision. Targets listed in the report were grouped under these four priorities:

- Working Across Boundaries – Delivering Sustainable Regional Growth
- Delivering A Balanced Community – A South Lakeland For All Ages
- Delivering a Fairer South Lakeland – A South Lakeland for Everyone
- Addressing the Climate Emergency – A Carbon Neutral South Lakeland

The report summarised the performance of a number of targets that had shown excellent performance. However, in line with national trends and the influence of Covid-19 the number of homeless households living in temporary accommodation had increased. The Council monitored the state of South Lakeland’s economy, trends, strengths and weaknesses to help prioritise activities and interventions, adapting and implementing policies to positively affect the economy.

The most recent review during Quarter 2 of 2022/23 showed that 42% of risks had been positioned above appetite, an increase from the Quarter 1 Report which was due to the identification of a new risk relating to ‘Alignment of current and new priorities relating to staff values and behaviours’.

The Leader and Promoting South Lakeland and Innovation Portfolio Holder informed Members that the report had been considered by the Overview and Scrutiny Committee at its meeting on 4 November 2022, but that no substantive recommendations had been passed on to Cabinet.

Members requested further information on the Economic Development and Culture Targets, which referred to the development on Land at Lightburn Road, Ulverston. The Chief Executive undertook to provide a written response from the appropriate officer on this matter.

Decision***RESOLVED – That***

- (1) the Summary of Performance as detailed in the report be noted;***
- (2) the detailed risks information contained in Appendix 1 to the report be noted; and***
- (3) the detailed performance statistics in Appendix 2 to the report be noted.***

Reasons for Decision

Performance Monitoring underpins service delivery and provides good value for money. Performance Monitoring supports the delivery of all four Council Plan Priorities.

Alternative Options

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.

The meeting ended at 10.25 a.m.