

# Public Document Pack

## **SOUTH LAKELAND DISTRICT COUNCIL**

South Lakeland House, Kendal, Cumbria LA9 4UQ

[www.southlakeland.gov.uk](http://www.southlakeland.gov.uk)



**You are requested to attend a meeting of  
the Cabinet  
on Wednesday, 8 June 2022, at 10.00 a.m.  
in the District Council Chamber, Kendal Town Hall, Kendal**

### **Membership**

#### **Councillors**

Robin Ashcroft	Economy, Culture and Leisure Portfolio Holder
Jonathan Brook	Leader and Promoting South Lakeland and Innovation Portfolio Holder
Helen Chaffey	Housing Portfolio Holder
Eamonn Hennessy	Customer and Locality Services Portfolio Holder
Andrew Jarvis	Deputy Leader & Finance and Assets Portfolio Holder
Dyan Jones	Climate Action and Biodiversity Portfolio Holder
Suzie Pye	Health, Wellbeing and Poverty Alleviation Portfolio Holder

***Note – Where relevant, agendas for Members are labelled “Private Document Pack” and contain exempt information within the papers. Any relevant pages are marked as restricted within Agendas labelled “Public Document Pack”.***

**Friday, 27 May 2022**

**Linda Fisher, Legal, Governance and Democracy Lead Specialist (Monitoring Officer)**

***For all enquiries, please contact Adam Moffatt, Legal, Governance and Democracy Specialist.***

**Telephone:** 01539 733333

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## AGENDA

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### **PART I**

#### **1 APOLOGIES**

To receive apologies for absence, if any.

#### **2 CABINET EXECUTIVE DECISIONS**

To authorise the Chairman to sign, as a correct record, the Executive Decisions made by Cabinet on 13 April 2022.

**5 - 12**

#### **3 DELEGATED EXECUTIVE DECISIONS**

To receive the Delegated Executive Decisions made by Portfolio Holders or Officers on 7 April 2022 and 21 April 2022.

**13 - 18**

#### **4 EMERGENCY DELEGATED EXECUTIVE DECISIONS**

To receive Emergency Delegated Executive Decisions taken by the Chief Executive since the last meeting of Cabinet in accordance with the Leader's decision noted by Cabinet at CEX/104 (2019/20).

##### **(1) 019 - 4 May 2022- Emergency Delegated Executive Decision - Council Tax Energy Rebate Scheme**

**19 - 28**

#### **5 DECLARATIONS OF INTEREST AND DISPENSATIONS**

To receive declarations by Members of interests in respect of items on this Agenda and to consider any dispensations.

Members are reminded that, in accordance with the revised Code of Conduct, they are required to declare any disclosable pecuniary interests or other registrable interests which have not already been declared in the Council's Register of Interests. (It is a criminal offence not to declare a disclosable pecuniary interest either in the Register or at the meeting.)

Members may, however, also decide, in the interests of clarity and transparency, to declare at this point in the meeting, any such disclosable pecuniary interests which they have already declared in the Register, as well as any other registrable or other interests.

*If a Member requires advice on any item involving a possible declaration of interest which could affect his/her ability to speak and/or vote, he/she is advised to contact the Monitoring Officer at least 24 hours in advance of the meeting.*

#### **6 LOCAL GOVERNMENT ACT 1972 - EXCLUDED ITEMS**

To consider whether the items, if any in Part II of the Agenda should be considered in the presence of the press and public.

## **7 PUBLIC PARTICIPATION**

*Any member of the public who wishes to ask a question, make representations or present a deputation or petition at this meeting should apply to do so by no later than 0:01am (one minute past midnight) two working days before the meeting. Information on how to make the application can be obtained by viewing the Council's Website [www.southlakeland.gov.uk](http://www.southlakeland.gov.uk) or by contacting the Committee Services Team on 01539 733333.*

### **(1) Questions and Representations**

To receive any questions or representations which have been received from members of the public.

### **(2) Deputations and Petitions**

To receive any deputations or petitions which have been received from members of the public.

## **8 FORWARD PLAN**

**29 - 40**

To note the contents of the latest draft Forward Plan, due to be published on 31 May 2022.

## **9 CABINET PORTFOLIOS AND SCHEME OF DELEGATION**

**41 - 42**

To note for information, the update to Portfolios to Cabinet Members and Shadow Cabinet Members, together with the Scheme of Delegation for the discharge of the Executive functions of the Council and for new Cabinet Members to sign the Cabinet Job Descriptions (documentation will be circulated at the meeting).

## **10 CABINET APPOINTMENTS/ REPRESENTATIONS ON OUTSIDE BODIES 2022/23**

**43 - 48**

To consider appointments to/representation on outside bodies for 2022/2023.

## **11 COUNCIL PLAN PERFORMANCE MONITORING REPORT QUARTER 4 2021/22**

**49 - 94**

To monitor progress against the measures of success as detailed within the Council Plan.

## **12 S106 DESIGN WORKS, STRAMONGATE KENDAL**

**95 - 110**

To consider expenditure of Section 106 monies received from the Sainsbury's development on Shap Road to deliver a public realm project.

## **13 ADDITIONAL FUNDING FOR GLASS PANELS ALONG AYNAM ROAD, KENDAL**

**111 - 124**

To consider approval of grant funding towards the installation of Glass Panels along Aynam Road, Kendal.

## **PART II**

**Private Section (exempt reasons under Schedule 12A of the Local Government Act 1972, as amended by the Local Government (Access to Information) (Variation) Order 2006, specified by way of paragraph number)**

There are no items in this part of the agenda.

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## EXECUTIVE DECISION NOTICE

### CABINET

**A record of the decisions made at the meeting of the Cabinet held on Wednesday, 13 April 2022, at 10.00 a.m.**

Present

Councillors

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

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 Robin Ashcroft (Economy, Culture and Leisure Portfolio Holder), Helen Chaffey (Housing Portfolio Holder), Philip Dixon (Customer and Locality Services Portfolio Holder), Dyan Jones (Climate Action and Biodiversity Portfolio Holder), Roger Bingham (Shadow Cabinet (Economy, Culture and Leisure Portfolio)) 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)), 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).

Apologies for absence were received from Shadow Executive Members Roger Bingham (Shadow Cabinet (Economy, Culture and Leisure Portfolio)) and Tom Harvey (Shadow Cabinet Leader (Promoting South Lakeland and Innovation Portfolio)).

Officers

Rachel Garnett

Case Management Officer (Support Services)

Julia Krier

Legal, Governance and Democracy Specialist

Adam Moffatt

Legal, Governance and Democracy Specialist

Claire Read

Finance Specialist (Deputy Section 151 Officer)

Fraser Robertson

Communications Specialist

Simon Rowley

Director of Customer and Commercial Services

Paul Scullion

Asset and Commercial Services Manager

Helen Smith

Finance Lead Specialist (Section 151 Officer)

David Sykes

Director of Strategy, Innovation and Resources

Sion Thomas

Operational Lead Delivery and Commercial Services

Danielle Walls

Legal, Governance and Democracy Specialist (Solicitor)

**CEX/119 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 9 March 2022***

**CEX/120 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 Thursday, 10 March and Thursday, 24 March 2022.***

**CEX/121 DECLARATIONS OF INTEREST AND DISPENSATIONS**

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

**CEX/122 LOCAL GOVERNMENT ACT 1972 - EXCLUDED ITEMS**

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

***RESOLVED – That the item in Part II of the Agenda be dealt with following the exclusion of the press and public.***

**CEX/123 PUBLIC PARTICIPATION**

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

**CEX/124 FORWARD PLAN**

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

***RESOLVED – That the contents of the Forward Plan published on 15 March 2022, be noted.***

**CEX/125 CAPITAL PROGRAMME UPDATE****Summary**

The Finance and Assets Portfolio Holder presented a report updating the Capital Programme and Capital Re-profiling requests relating to 2021/22, which enabled efficient delivery of capital schemes during 2022/23. The report set out three requests for amendments to the Capital Programme, for each scheme, a full report would be brought to Cabinet to consider the proposal in accordance with the current Forward Plan. It was noted that approval would be sought at the Annual Meeting of the Council in May 2022 which was required to amend the Capital Programme as each request was for more than £100,000.

The Finance and Assets Portfolio Holder highlighted first request, which was in relation to Glass Panels along Aynam Road, Kendal. The report sought approval for an increase in the Council's contribution towards the installation of the panels which would ensure the delivery of the Kendal Flood Alleviation Scheme. It was proposed that the additional costs were funded from the Cumbria Business Rate Pool reserve.

The second request set out in the report was regarding Section 106 (S106) Design Works at Stramongate, Kendal. The Finance and Assets Portfolio Holder informed Members that approval was sought to amend the Capital Programme to include expenditure of S106 monies, which had been received from the Sainsbury's development on Shap Road, Kendal. Receipt of the S106 monies would assist in the delivery of a public realm project that had been designed to increase visitor footfall to Stramongate and increase the accessibility of the area for pedestrians and cyclists.

The Finance and Assets Portfolio Holder informed Members of the final request to amend the Capital Programme, which was in relation to the Grange Lido and requested an increase in the Capital Budget of £265,000, which will be funded from the Cumbria Business Rate Pool reserve.

The Finance and Assets Portfolio Holder referred to the Capital Programme Re-profiling and informed Members that variations on spending in the Capital Programme reflected changes in the progress of individual schemes. Appendix 1 to the report highlighted the Capital Schemes in the 2021/22, which showed those Capital Schemes where expenditure varied from the approved Capital Programme. The total for re-profiling was £2.4 million at 4 April 2022, any further amendments would be reported as part of the 2021/22 outturn to Cabinet in June 2022 and Council in July 2022.

***Note – At this stage in the proceedings, Councillor Janette Jenkinson raised a non-pecuniary interest for transparency due to the fact that she was a Director of Ulverston Community Enterprises (UCE) and a trustee of Ulverston Coronation Hall.***

Members raised a query regarding progress on the Ulverston Coronation Hall and Markets and requested a report to outline the progress on tenders for this and other projects on going. The Finance and Assets Portfolio Holder felt that a report on the progress of tenders would be useful and suggested that officers provide this for Members.

The Operational Lead (Delivery and Commercial Services) informed Members that talks were ongoing to discuss the heads of terms for the Coronation Hall and the Market projects, adding that upon completion of these discussions, the Council would be in a position to go out to tender. He informed Members that the Council was currently waiting for a commitment from the UCE on the future of the Market, following which, the Council would be able to move forward on crucial projects like the boiler and roof at Ulverston Market.

Following a question regarding the responsibilities of the Council in the management of the Ulverston Market, the Operational Lead (Delivery and Commercial Services) undertook to provide a written response to Members setting out the Council's responsibilities.

In responding to a question regarding the Leisure Centre and Clock Tower in Ulverston, the Finance and Assets Portfolio Holder informed Members that there had been no change to the plans for Phase 1 of the Ulverston Leisure Centre project progressing in this financial year. The Operational Lead (Delivery and Commercial Services) undertook to provide an update on the Clock Tower in the form of a written response to Members.

The Leader and Promoting South Lakeland and Innovation Portfolio Holder requested that officers schedule a specific meeting with local Ward Members to discuss the projects that were planned and underway in Ulverston.

### **Decision**

#### ***RESOLVED – That***

- (1) the Capital programme requests set out in the report be recommended to Council for approval;***
- (2) the re-profiling of expenditure and associated budgets for capital schemes between 2021/22 and 2022/23 in Appendix 1 to the report be approved; and***
- (3) the revised Capital Programme set out at Appendix 2 to the report be noted.***

### **Reasons for Decision**

This capital programme has been developed within the context of the Medium Term Financial Plan (MTFP) and supports all Council Plan priorities (working across boundaries; delivering a balanced community; a fairer South Lakeland; and addressing the climate emergency) through ensuring financial resources to deliver each priority.

### **Alternative Options Considered and Rejected**

This report requests amendments to timing of capital spend and amendments relating to new and amended scheme. These amendments to schemes will be individually considered by Cabinet and alternative options reported for each. The amendments to timing reflect latest planned project delivery. The proposals together aim to ensure funding and budget approval are in place to enable the efficient delivery of projects during 2022/23. If individual elements of the proposals were to be changed then there may be delay in the delivery of schemes.

## **CEX/126 BUDGET REVIEW - GRANGE-OVER-SANDS LIDO AND PROMENADE**

### **Summary**

The Finance and Assets Portfolio Holder presented a report regarding the proposed works for both the Grange Lido and Promenade. The report set out the Tender process, which resulted in a compliant tender and Cabinet approval to proceed with the preferred scheme in March 2021. Following Cabinet approval work with the Principal Contractor and Design Team began to de-risk the project with further and more intrusive surveys undertaken.

The report explained that over the last twelve months, the construction had seen a significant increase in costs due to Brexit and the Coronavirus pandemic with Officers and the Design Team monitoring costs, which had on average, increased by 7.25%



between Quarter 4 of 2020 and Quarter 1 of 2022. In addition South Lakeland District Council's Planning department had raised concerns regarding the choice of materials used in the value engineering options.

The Finance and Assets Portfolio Holder highlighted that due to the inflationary increases in the construction industry; having to revert back to some original design proposals to meet with planning conditions and de-risk the project; and with additional value engineering options, there was an additional need for £265,000 for the Grange Lido project. It was proposed that the additional budget request could be met from the Cumbria Business Rate Pool, which would require Cabinet to recommend that Council approve a change to the Capital programme to include the £265,000 for the Grange Lido project.

### **Decision**

#### ***RESOLVED – That***

- (1) Option 3B as described in Appendix 1 and Part II Appendix 2 be approved, subject to Council approval of additional funding and amendment to the Capital Programme 2022/23;***
- (2) the additional funding of £265,000 for the Scheme be included in the Capital Programme 2022/23 and be recommended to Council for approval;***
- (3) authority be delegated, subject to Council approval, to the Director for Customer and Commercial services in conjunction with the Lead Specialist for Legal, Governance and Democracy to enter into the building contract with the Principal Contractor; and***
- (4) authority be delegated to the Director for Customer and Commercial services in conjunction with the Lead Specialist for Legal, Governance and Democracy to continue pre contracts work and project preparation through the appointment of the Design Team to proceed with discharge of planning conditions and preparation of Contract documents (Contract Drawings) as shown in Appendix 1 and Part II Appendix 2 prior to Council's consideration of the additional funds and amendment to Capital Programme 2022/23.***

### Reasons for Decision

The proposals set out within the report link to the following Council Plan priorities:-

Delivering a balanced community - Engagement with the private sector and public sector partners will be central to the Council's approach to helping grow and develop the economy and make best use of our property portfolio to support economic growth, through the use of our current and future asset; and

Addressing the climate emergency - We will support Cumbria County Council and local partners with their strategies for active travel and healthy living.

### Alternative Options Considered and Rejected

Do Nothing: This would ultimately pass the liability to future administrations, whilst increasing any future costs of refurbishment. There is a high risk of ending up on the Historic England 'Heritage at Risk' register. There is reputational risk to the council to consider with this option, and already there is community frustration with the progression of the scheme over the last few years. This is not a recommended route.

Community Asset Transfer: Site handed over to third party in its current state on a long term leasehold basis. It is not reasonable or advisable to pass on this dangerous liability to a community organisation. It is unlikely that a community organisation would take on such a liability. While a Community Group has expressed an interest in taking on this asset, this in the completed state as described in the report.

### CEX/127 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 involve 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/128 WESTMORLAND SHOPPING CENTRE - HEADLEASE TRANSACTION

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

#### Summary

The Finance and Assets Portfolio Holder presented a report on the Westmorland Shopping Centre Headlease transaction. The report detailed the history of the site and the proposals moving forwards.

The Operational Lead (Delivery and Commercial Services) responded to questions raised by Members.

#### Decision

**RESOLVED – That:-**

- (1) ***the approval for the surrender of the Headlease and two underleases be reaffirmed;***
- (2) ***the continuing commitment to the provision of car parking as described in the report be approved;***
- (3) ***authority be delegated for the agreement of the detailed terms of the leasehold transactions and any supplementary documentation that may be required to effect the leasehold transaction to the Director of Customer and Commercial Services in conjunction with the Operational Lead for Delivery and Commercial Services and the Legal, Governance and Democracy Lead Specialist.***

**Reasons for Decision**

The proposals are linked to the Council Plan Priority of delivering a balanced community for the economy and culture, creating opportunities for:-

- unlocking development sites and enabling local businesses to grow;
- understanding the needs of local businesses;
- encouraging graduate retention; and
- using culture and built heritage to support our unique offer.

**Alternative Options Considered**

To do nothing, which will mean that SLDC are tied into the headlease with a need to provide parking for that period of time, potentially restricting SLDC's options for the site.

To replace and extend the Head leasehold interest and subsequent two underleases. This is not a recommended route as SLDC would require approval for any works or alterations needed to the Car Park and Market Hall, increasing the repair liability for SLDC over time. It would be in SLDC's interest to remove the Head Lease arrangement, therefore this is not a recommended route.

**CEX/129 RE-ADMISSION OF PRESS AND PUBLIC**

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

The meeting ended at 10.26 a.m.

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## EXECUTIVE DECISION NOTICE

### DELEGATED EXECUTIVE DECISIONS

A record of delegated decisions made by individual Portfolio holders or officers on Thursday, 7 April 2022.

The reports (unless exempt under Section 100(B)(2) of the Local Government Act 1972, on the grounds that they involve 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 and, in all the circumstances of the case, it is considered that the public interest in maintaining the exemption outweighs the public interest in disclosing it) are available for inspection from the Solicitor to the Council, South Lakeland House, Kendal.

**DEX/16**

### **ASSET OF COMMUNITY VALUE NOMINATION - PRINCE OF WALES, FOXFIELD**

#### **Summary**

Consideration was given to enter the Prince of Wales, Foxfield onto South Lakeland District Council's list of successful nominations as Assets of Community Value. The nomination to list the Prince of Wales as an asset of community value was submitted by Duddon Parish Council on 25 February 2022 in accordance with s89(2)(b)(iii) of the Localism Act 2011, Duddon Parish Council are eligible to make a community nomination in respect of the asset and have a local connection. The nomination states that the Prince of Wales is the sole meeting place for the local community of Foxfield, a centralised and general meeting point for a remote area of scattered settlements.

#### **Decision**

#### ***RESOLVED – that***

***The entry of the Prince of Wales, Foxfield onto South Lakeland District Council's list of successful nominations as Assets of Community Value is agreed.***

#### **Reason for Decision**

The decision is in line with the Council's Plan priorities of delivering a balanced community, working with communities to reduce isolation and loneliness. The nomination states that there are no other community facilities within Foxfield where local services can be advertised, and local clubs are able to meet. It states that the facilities that the asset offered contributed towards reducing isolation and reaching vulnerable people by providing a venue for a range of activities and gatherings. It also states in the nomination that the asset's facilities and the range of activities that it has, and could still offer, could be seen to improve the social wellbeing and interests of the local community.

#### **Alternative Options considered and rejected**

An alternative option would be to decline the nomination; however, this was rejected because the officers who assessed the nomination in this case feel that the criteria in the legislation have been met and that the listing is justified based on the information received. Section 88 of the Localism Act states that it is a decision for the authority whether or not the criteria are met.

DEX/17

**ASSET OF COMMUNITY VALUE NOMINATION - THE OLD SCHOOLROOM, TORVER****Summary**

Consideration was given to enter the Old Schoolroom, Torver onto South Lakeland District Council's list of successful nominations as Assets of Community Value. The nomination to list the Old Schoolroom, Torver as an asset of community value was submitted by Torver Parish Council on 28 February 2022 in accordance with s89(2)(b)(iii) of the Localism Act 2011, Torver Parish Council are eligible to make a community nomination in respect of the asset and have a local connection. The nomination states that the Old Schoolroom is a community building in the village of Torver, which is available for use by community groups or individuals to hold regular or special events.

**Decision*****RESOLVED – that***

***The entry of the Old Schoolroom, Torver onto South Lakeland District Council's list of successful nominations as Assets of Community Value is agreed.***

**Reason for Decision**

The decision is in line with the Council's Plan priorities of delivering a balanced community, working with communities to reduce isolation and loneliness. The nomination states that the Old Schoolroom is the only building in the village available for use by the community and individuals, providing an ideally sized and affordable space for groups to meet and events to be held. It states that the facilities that the asset offers contribute towards reducing isolation and reaching vulnerable people by providing an easily accessible venue for a range of activities and gatherings. It also states in the nomination that the asset's facilities and the range of activities that it has, and could still offer, could be seen to improve the social wellbeing and interests of the local community.

**Alternative Options considered and rejected**

An alternative option would be to decline the nomination; however, this was rejected because the officers who assessed the nomination in this case feel that the criteria in the legislation have been met and that the listing is justified based on the information received. Section 88 of the Localism Act states that it is a decision for the authority whether or not the criteria are met.

## EXECUTIVE DECISION NOTICE

### DELEGATED EXECUTIVE DECISIONS

A record of delegated decisions made by individual Portfolio holders or officers on Thursday, 21 April 2022.

The reports (unless exempt under Section 100(B)(2) of the Local Government Act 1972, on the grounds that they involve 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 and, in all the circumstances of the case, it is considered that the public interest in maintaining the exemption outweighs the public interest in disclosing it) are available for inspection from the Solicitor to the Council, South Lakeland House, Kendal.

#### DEX/18 PURCHASE OF 2 NO. 3.5T VEHICLES FOR STREETSCENE

##### Summary

Consideration was given to the use of an exemption in relation to the purchase of two 3.5 ton Streetscene fleet vehicles which was in line with the current capital replacement vehicle programme.

The vehicles were due for replacement, with the Council generally replacing vehicles after seven years, within an optimum period, which provided for disposal of vehicles in advance of the vehicle-life costs outweighing the capital cost of replacement. The specification for the vehicles had been agreed with input from the Transport Manager, Team Leaders and Drivers to ensure that the correct requirements had been specified.

The report highlighted that the budgetary provision for the vehicles had been approved as part of the Procurement Schedule and set out the tender report in the Part II Appendix 1 to the report.

##### Decision

##### **RESOLVED – That:-**

- (1) **the use of an exemption pursuant to Contract Procedure Rule 3.6.3 as outlined in the Part II Appendix 1 be approved and the award of the contract be agreed for purchase of the 2 No. 3.5T refuse wagon for Streetscene to the recommended supplier as noted in Part II Appendix 1; and**
- (2) ***the Director of Customer and Commercial Services in consultation with the specialist procurement officer and Lead Specialist Legal Governance and Democracy enter into the appropriate contract on behalf of the Council with the successful bidder.***

##### Reason for Decision

This decision links to the Council Plan priority for Addressing the climate emergency by ensuring the fleet is in good condition to enable waste and recycling collections.

### **Alternative Options Considered and Rejected**

To not purchase new vehicles and to run the existing fleet. This will inevitably lead to increase in maintenance and servicing costs and will provide an ageing fleet which will be less reliable. Reliability of vehicles is key to the streetscene department with collections expected on set days.

To lease as opposed to buy new vehicles. This is not recommended with the increase pressure on the revenue budget that this will likely bring. It also means that any servicing and maintenance would not be undertaken in house which again can lead to issues in terms of vehicles being available for set rounds on set days.

Another alternative option is to not award a contract to the recommended bidder in this procurement exercise. This is not considered a preferred option because the recommended bidder met the necessary criteria to proceed as set out in the analysis in the Part II appendix.

## **DEX/19**

### **PROVISION OF TYRES 2022-25**

#### **Summary**

Consideration was given to a proposal for a contract in place for the provision of tyres for the Council's fleet of vehicles to support the provision of reliable services, in particular by Streetscene and Parking Services.

The Council's fleet of 92 vehicles had a revenue budget for the supply of tyres which was within the service budgets and the Transport Managers had input to agree the specification for the contract which was for a period of three years. The works had been tendered in accordance with the Contract Procedure Rules with one bid received which was set out in the Part II Appendix to the report.

#### **Decision**

##### ***RESOLVED – That:-***

- (1) the award of the contract for the provision of tyres to the recommended bidder being the most economically advantageous tender be approved as noted in Part II Appendix 1; and***
- (2) the Delivery and Commercial Officer in consultation with the Specialist Procurement Officer and the Legal, Governance and Democracy Lead Specialist (Monitoring Officer) enter into the appropriate contract on behalf of the Council with the successful bidder.***

#### **Reasons for Decision**

The decision links to the Council Plan priority for Addressing the climate emergency by supporting the fleet to undertake essential waste and recycling collections throughout the District.

### **Alternative Options Considered and Rejected**

To not award the tender and to buy tyres ad hoc and when needed. This is not recommended as it is not in line with the Council's procurement policy.



To re-tender the contract. This is not recommended as it is unlikely to yield a different result. The current supplier of tyres for the Council is the only bidder and therefore its recommended to proceed with the contract with the current supplier.

To await the new Westmorland and Furness Council. This is not recommended as there is a gap of 12 months between now and vesting day which would leave the Council at risk with regards tyre supply.

**DEX/20****COUNCIL ENFORCEMENT POLICY****Summary**

Consideration was given to an update to the Council's Enforcement Policy relating to amendments following changes to the Customer Connect establishment and Data Protection Regulations. The report stated that the policy would continue to provide clarity and consistency on the approach the Council takes in addressing enforcement issues.

The Council's Enforcement Policy was approved and adopted by Cabinet in December 2017 and the proposals represented the first review and update. It was proposed that the minor amendments set out in Appendix 1 to the report, which related to officer titles and updates to the Data Protection Regulations, were proposed to be approved for the next three years beyond vesting day for the new Westmorland and Furness Authority to cover the transition period and ensure stability and consistency of all enforcement action.

**Decision*****RESOLVED – That:-***

- (1) *the minor amendments to the Council's Enforcement Policy be approved and adopted as attached at Appendix 1.***

**Reasons for Decision**

The decision links to the Council Plan priorities for working across boundaries, delivering a balanced community, a fairer South Lakeland and addressing the climate emergency.

**Alternative Options Considered and Rejected**

The Council could choose not to adopt minor amendments; this is not recommended as it would mean the policy is not up to date with current legislation and the structure within SLDC.

DEX/21

**CONTRACT AWARD - DISPOSAL OF RECYCLABLES AND GREEN WASTE IN THE ULVERSTON AREA**

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

**Summary**

Consideration was given to the award of contract for the disposal of recyclables and green waste in the Ulverston area. The tender report set out the details of the bid for the contract in the Part II Appendix 1 to the report.

**Decision****RESOLVED – That:-**

- (1) *the award of contract for the disposal of recyclables and green waste in the Ulverston area to the recommended bidder, being the most economically advantageous tender be approved as set out in Part II Appendix 1 to the report; and***
- (2) *the Director of Customer and Commercial Services in consultation with the Specialist Procurement Officer and Legal, Governance and Democracy (Monitoring Officer) agrees to enter into the appropriate contract on behalf of the Council with the successful bidder.***

**Reasons for Decision**

The decision links to the Council Plan priority for addressing the climate emergency by ensuring that the Ulverston depot can dispose of recyclables and green waste locally.

**Alternative Options Considered and Rejected**

To not award the tender and to enter into an ad-hoc agreement. This is not recommended as it's not in line with the Council's procurement policy.

To re-tender the contract. This is not recommended as it's unlikely to yield a different result. The current supplier for the Council is the only bidder and therefore it is recommended to proceed with the contract with the current supplier.

To await the new Westmorland and Furness Council. This is not recommended as there is a gap of 12 months between now and vesting day which would leave the Council at risk with regards to disposal in the Ulverston area.

## **EMERGENCY DELEGATED EXECUTIVE DECISION**

In accordance with the Leaders decision and noted by Cabinet on 25/03/2020 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.

## **South Lakeland District Council Emergency Delegated Executive Decision Council Tax Energy Rebate Scheme**

Date: 04/05/2022

Reference: 019

### **Reason for emergency**

The Chief Executive received emergency delegated executive decision making powers on the 25<sup>th</sup> March 2020. It is considered that this decision is urgent necessary and expedient and is needed to protect the Council's and that of its community's interests.

The Government has announced a package of support to help households with the rising costs of energy bills. This includes a £150 non repayable rebate for households in England in Council Tax bands A – D, known as the Council Tax Energy Rebate (Main Scheme); and discretionary funding for billing authorities to support households who are in need but are not eligible for the Council Tax Energy Rebate (Main Scheme), known as the Discretionary Scheme.

These payments are essential to provide additional support with rising energy costs and alleviate the impact of this for residents who may be experiencing fuel poverty.

The Government's expectation is that local authorities will administer the support as soon as possible after 01 April 2022 and before 30 September 2022 for Main Scheme payments and as soon as possible after 01 April 2022 but before 30 November 2022 for Discretionary Scheme payments. The expected timeline by the Government for the delivery of the support does not allow for a decision to be delayed until the next Cabinet meeting on 09 June 2022, and it is therefore considered necessary in these circumstances that an emergency executive decision is needed to enable delivery in May 2022.

This is a Key Decision: **Yes**

**Portfolio:** Finance and Resources Portfolio Holder

**Decision Maker:** Chief Executive

**Report Author:** Vicky McDonald – Operational Lead Case Management

**Wards:** (All Wards);

**Forward Plan:** Key Decision included in the Forward Plan as published on 08<sup>th</sup> March 2022

**Links to Council Plan Priorities:**

A fairer South Lakeland

### **1.0 Expected Outcome**

1.1 The decision will allow the Council to administer the Council Tax Energy Rebate payments and discretionary payments in line with Government expectations of the scheme to go live as soon as possible from 01 April 2022.

1.2 These payments are essential to provide additional support with rising energy costs and alleviate the impact of this for residents who may be experiencing fuel poverty.

## **2.0 Proposed Decision**

### **2.1 It is recommended that Chief Executive:-**

- (1) Approves the Council Tax Energy Rebate Main Scheme attached in Appendix 1 for implementation by the Council;**
- (2) Approves the Council Tax Energy Rebate Discretionary Scheme attached at Appendix 2 for implementation by the Council;**
- (3) Delegates to the Operational Lead for People, Welfare and Income Maximisation the authority to make the final decision on the award of the Council Tax Energy Rebate Main and Discretionary Scheme payments in line with the allocated funding from Government;**
- (4) Delegates to the Director of Customer and Commercial Services any requests for reviews of decisions taken under the Council Tax Energy Rebate Main Scheme or the Council Tax Energy Rebate Discretionary Payments Scheme; and**
- (5) Delegates any changes required to the schemes to the Operational Lead for People, Welfare and Income Maximisation in consultation with the Lead Specialist for Finance and Section 151 Officer**

## **3.0 Background and Proposals**

- 3.1 On 03 February 2022, the Government announced a package of support to help households with the rising costs of energy bills. This included a £150 non repayable rebate for households in England in Council Tax bands A – D, known as the Council Tax Energy Rebate (Main Scheme). In addition, on 23 February 2022, discretionary funding for billing authorities to support households who are in need but are not eligible for the Council Tax Energy Rebate (Main Scheme), known as the Discretionary Scheme were published.
- 3.2 Band A-D properties includes properties that are valued in band E but have an alternative valuation of band D as a result the application of a disabled relief discount.
- 3.3 The Government's expectation is that local authorities will administer the support as soon as possible after 01 April 2022 and before 30 September 2022 for main scheme payments and as soon as possible after 01 April 2022 but before 30 November 2022 for discretionary scheme payments. The expected timeline by the Government for the delivery of the support does not allow the Council to delay a decision until the next Cabinet meeting on 09 June 2022, and it is therefore necessary in these circumstances that an emergency executive decision is needed to enable delivery in May 2022.
- 3.4 South Lakeland District Council has been allocated £5,193,450 (34,623 awards of £150) for the Main Scheme payments which aligns to the approximate numbers of eligible properties in Bands A-D.
- 3.5 The discretionary allocation awarded is £191,250. This is a cash limited allocation which will not be topped up. Any unspent funds must be returned to the Government at the end of the scheme in November 2022, following a reconciliation process.
- 3.6 The criteria for eligibility and determination of Main scheme awards is set nationally and detailed in Appendix 1.
- 3.7 Local authorities must determine their own local discretionary scheme, and discretionary awards should not be made to households who have received an award under the Main scheme, hence, discretionary awards can only be made to those properties who fall within Council Tax valuation bands E-H.

- 3.8 Unlike the Main Scheme, for eligible residents of band A-D properties who will receive £150 based on occupancy on 01 April 2022, the Discretionary Scheme can be more flexible in respect of the date and an amount of, 'Up to' £150 per household can be awarded.
- 3.9 The discretionary funding allocated would permit 1275 grants of £150. There may however be an opportunity to top up the discretionary allocation with approximately £50,000 from surplus Covid 19 funding that the council currently holds, as confirmed by the S151 Officer, which would allow a further 333 awards of £150.
- 3.10 There are currently approximately 15,500 properties within bands E-H within the district.
- 3.11 The proposed approach aims to target the limited funds to the most vulnerable residents in the district, and is detailed in Appendix 2.

#### 4.0 Appendices Attached to this Report

Appendix No.	Name of Appendix
1	Council Tax Energy Rebate Main Scheme Eligibility
2	Council Tax Energy Rebate Discretionary Scheme Eligibility

#### 5.0 Consultation

- 5.1 Given the limited timescales for delivery, there has been limited capacity to consult more widely that detailed below.
- 5.2 The Leader of the Council, the Portfolio Holder for Finance and Resources, Cabinet members, and Section 151 Officer have been consulted on the draft policies.

#### 6.0 Alternative Options

- 6.1 An alternative option is not to administer the Main and Discretionary Schemes. The Schemes are a government requirement and as such, this option is not recommended. A further alternative option would be to await the next Cabinet meeting, this is not recommended because the payments are essential to provide additional support with rising energy costs and alleviate the impact of this for residents who may be experiencing fuel poverty. Furthermore, the Government's expectation is that local authorities will administer the support as soon as possible after 01 April 2022 and before 30 September 2022 for Main Scheme payments and as soon as possible after 01 April 2022 but before 30 November 2022 for Discretionary Scheme payments.

#### 7.0 Implications

##### Financial, Resources and Procurement

- 7.1.1 The scheme is fully funded by the government and an initial new burdens funding allocation of £53,180 has been awarded to support with associated implementation and administrative costs.
- 7.1.2 The scheme is designed to use all, but not exceed the available funding.
- 7.1.3 There are no requirements at this stage to procure any additional services other than some temporary resource to assist with the administration of the scheme, the costs of which will be met from the new burdens allocation. An exemption from financial procedure rules will be sought on the basis that the contract is for the execution of work, the supply of goods or services certified by the relevant director as being required so urgently as not to permit the invitation of quotations or tenders in line with Part 4, 3.1 (h) of the council's constitution.

## Human Resources

- 7.2.1 It is anticipated that some additional temporary resources will be required to facilitate delivery of the main and discretionary schemes within the specified timescales, in particular to assist with the collection of information from approximately 11,500 household's bank details and verification, and to determine eligibility for the discretionary scheme payments.
- 7.2.2 Appropriate measures will be put in place, including VAF authorisation and IR35 compliance for any temporary resource required in consultation with HR colleagues.

## Legal

- 7.3 This report seeks authority for an Emergency Executive Decision in accordance with the Constitution Part 3, Paragraph 5A, 1.2 on the grounds that the executive decision is urgent necessary and expedient. As set out above the Leader of the Council and Portfolio Holder have been consulted in accordance with the requirements of 5A, 1.2.
- 7.4 The Main Scheme qualifying criteria detailed in Appendix 1 has been set nationally by the Government. The Discretionary Scheme detailed in Appendix 2 is set at a local level, but guidance on core qualifying criteria has been specified by the Government.

## Health, Social, Economic and Environmental

- 7.4 Have you completed a Health, Social, Economic and Environmental Impact Assessment?  
No
- 7.5 A Health, Social, Economic and Environmental Impact Assessment is not required in this circumstance.
- 7.6 Summary of Health and Sustainability Impacts

		Positive	Neutral	Negative	Unknown
<b>Environment and Health</b>	Greenhouse gases emissions		x		
	Air Quality		x		
	Biodiversity		x		
	Impacts of Climate Change		x		
	Reduced or zero requirement for energy, building space, materials or travel		x		
	Active Travel		x		
<b>Economy and Culture</b>	Inclusive and sustainable development		x		
	Jobs and levels of pay		x		
	Healthier high streets		x		
	Culture, creativity and heritage		x		
<b>Housing and Communities</b>	Standard of housing		x		
	Access to housing		x		
	Crime		x		
	Social connectedness		x		

## Equality and Diversity

- 7.7 Have you completed an Equality Impact Analysis? No
- 7.8 If you have not completed an Impact Assessment, please explain your reasons: it is not required in these circumstances

## 7.9 Summary of Equality and Diversity impacts

Please indicate: P = Positive impact; 0 = Neutral; N = Negative; Enter "X"					
Age	P		0		N
Disability	P	X	0		N
Gender reassignment (transgender)	P		0		N
Marriage & civil partnership	P		0		N
Pregnancy & maternity	P		0		N
Race/ethnicity	P		0		N
Religion or belief	P		0		N
Sex/gender	P		0		N
Sexual orientation	P		0		N
Armed forces families	P		0		N
Rurality	P		0		N
Socio-economic disadvantage	P	X	0		N

## 8.0 Risk

Risk	Consequence	Controls required
Grants are not given in accordance with Government guidance	Government will not reimburse the Council for payments made outside the Government schemes specified	Discretionary scheme applications will be verified to be compliant with Government guidance and eligibility criteria
Discretionary grants are given to fraudulent claimants	Grants are given to individuals that are not eligible, or made to incorrect bank accounts	Series of verification checks within grant process including supporting evidence and using Government tools to avoid fraudulent claims, in conjunction with access to Council Tax software detailing rate payer details
Process not applied, or applied incorrectly	Judicial review, financial loss, reputational damage	Administer the scheme and deliver the support in line with government mandate with pace
Grants are not issued promptly	Residents will not receive financial assistance as set out by Government	Online portal functionality developed for efficient application of grants, staff trained and in place to verify and approve applications. Software to be installed and rigorously tested.
Online application and verification processes to manage a multi-million pound scheme in order to get grants paid to households with minimal	Reputational impact to the Council and delays to the processing of payments	Robust process in place to expedite payment of grants whilst being compliant with Government guidance and

Risk	Consequence	Controls required
delay		internal
The processing of grants requires some redirection of staff resources from other activity	Other work may be paused or take longer to enable focus on processing Council Tax Energy Rebate schemes	Continuous management of competing demands on staff time. Additional temporary resource to be employed. Leadership team to be updated on resource needed and progress, delays etc.

## 9.0 Contact Officers

Vicky McDonald, Operational Lead People, Welfare and Income Maximisation

[Vicky.McDonald@southlakeland.gov.uk](mailto:Vicky.McDonald@southlakeland.gov.uk)

01539 793329

## 10.0 Appendices Attached to this Report

Appendix No.	Name of Appendix
1	Council Tax Energy Rebate Main Scheme Eligibility
2	Council Tax Energy Rebate Discretionary Scheme Eligibility

## 11.0 Background Documents Available

Name of Background document	Where it is available
Council Tax Energy Rebate billing authority guidance	<a href="http://www.gov.uk">The council tax rebate 2022-23 – billing authority guidance - GOV.UK (www.gov.uk)</a>

## 12.0 Approval Dates

Approved by:	Signature and Date (or email confirmation)
Chief Executive	04/05/2022
Or such person as delegated by the Chief Executive in writing	N/A
<b>In consultation with:</b>	
The Leader of the Council	04/05/2022
And Relevant Portfolio Holder	16/05/2022
CMT Directors	04/05/2022
The following interests were declared – disclosable pecuniary interest or other or none	N/A

<i>In accordance with Part 4 of the Constitution – Rules of Procedure – Overview and Scrutiny Procedure Rules - paragraph 16(j), the Chairman of the Council (Cllr McSweeney) agrees that this decision is reasonable in all the circumstances and that it is treated as urgent for the reasons outlined above and, therefore, the decision is <b>exempt from call-in.</b></i>	03.05.22
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### Council Tax Rebate Energy Scheme (Main) Eligibility Criteria

A one off payment of £150 will be made to the liable council tax payer which meets all of the following criteria on 01.04.22:

<b>A</b>	The property is valued in Council Tax Bands A-D. This includes property that is valued in band E but has an alternative valuation band of band D as a result of the disabled band reduction scheme
<b>B</b>	It is someone's sole or main residence (Backdated rules apply*)
<b>C</b>	It is a chargeable dwelling, or in exemption classes: N – Properties occupied wholly by students S – Properties occupied only by a person under 18 years old U – Properties occupied only by a person who is severely mentally impaired W – An annexe or self-contained part of a property which is occupied by an elderly, disabled or severely mentally impaired relative of the resident(s) living in the main part of the property

#### Backdated liability\*

- Eligibility should be determined based on the position at the end of the day on 1 April 2022. Where a council has reason to believe that the information they hold about the valuation list, liable taxpayer(s) or residents' circumstances in respect of 1 April 2022 is inaccurate, they should withhold the payment and take reasonable steps to determine the correct information.
- Where records relating to the liable taxpayer(s) or residents' circumstances in respect of 1 April 2022 are retrospectively updated, councils should take reasonable steps to pay or clawback payments.
- Where the property band recorded on a valuation list is amended retrospectively to 1 April 2022, for example as a result of a successful appeal made to the Valuation Office Agency that concluded after this date, councils are not required to pay or clawback payments. The exception is where a property is a new build and awaiting an official banding from the VOA. In these cases, eligibility should be determined based on the official band subsequently allocated by the VOA, where this has an effective date before or on 1 April 2022.
- Where a review, proposal or appeal pre-dating the announcement on 3 February 2022 is successful after 1 April 2022 and as a result, a property would have been eligible for the rebate, councils may wish to provide support using their Discretionary Fund.
- Where a review, proposal or appeal was made after the announcement, a decision will not be made by the VOA before 1 April and therefore taxpayers will not be eligible

### Council Tax Rebate Energy Scheme (Discretionary) Eligibility Criteria

The proposed scheme is to make a one off payment of £150 based on the following eligibility criteria as at 01.04.22:

	<b>Eligibility Criteria</b>
<b>A</b>	An initial application window is open for 6 weeks. For non-automatic awards, no grant will be paid unless an application is completed and verification checks satisfied
<b>B</b>	The property is valued within bands E-H
<b>C</b>	The property is someone's sole or main residence and be liable for rent or council tax on 01.04.22 (Backdated liability rules apply as for the main scheme*)
<b>D</b>	It is a chargeable dwelling, or in exemption classes: N – Properties occupied wholly by students S – Properties occupied only by a person under 18 years old U – Properties occupied only by a person who is severely mentally impaired W – An annexe or self-contained part of a property which is occupied by an elderly, disabled or severely mentally impaired relative of the resident(s) living in the main part of the property
<b>E</b>	It is a chargeable dwelling and the liable tax payer receives a discount or exemption as a result of leaving care
<b>F</b>	The property is valued within bands E-H and the liable person was in receipt of income related state benefits on 01.04.22. Income related state benefits are: <ul style="list-style-type: none"> <li>• Jobseeker's Allowance (Income Based)</li> <li>• Employment and Support Allowance (Income Related)</li> <li>• Pension Credit – Guaranteed or Savings elements</li> <li>• Income Support</li> <li>• Housing Benefit</li> <li>• Child Tax Credit</li> <li>• Working Tax Credit</li> <li>• Universal Credit</li> <li>• Council Tax reduction</li> </ul>
<b>G</b>	The property is within bands A-H and on 01.04.22 was classed as a house in multiple occupation for council tax purposes, and the tenant is named as liable to pay energy bills directly to their supplier and is in receipt of income related state benefits on that date. Income related state benefits are: <ul style="list-style-type: none"> <li>• Jobseeker's Allowance (Income Based)</li> <li>• Employment and Support Allowance (Income Related)</li> <li>• Pension Credit – Guaranteed or Savings elements</li> <li>• Income Support</li> <li>• Housing Benefit</li> <li>• Child Tax Credit</li> <li>• Working Tax Credit</li> <li>• Universal Credit</li> <li>• Council Tax reduction</li> </ul>
<b>H</b>	The property is valued in band F-H and receives a reduction in banding due to entitlement to disabled relief
<b>I</b>	Only 1 grant, main or discretionary will be paid per household
<b>J</b>	Consistent with the main scheme, no award will be made to a local authority, corporate body such as a housing association, the government or government body

Backdated liability\*

- Eligibility should be determined based on the position at the end of the day on 1 April 2022. Where a council has reason to believe that the information they hold about the valuation list, liable taxpayer(s) or residents' circumstances in respect of 1 April 2022 is inaccurate, they should withhold the payment and take reasonable steps to determine the correct information.
- Where records relating to the liable taxpayer(s) or residents' circumstances in respect of 1 April 2022 are retrospectively updated, councils should take reasonable steps to pay or clawback payments.
- Where the property band recorded on a valuation list is amended retrospectively to 1 April 2022, for example as a result of a successful appeal made to the Valuation Office Agency that concluded after this date, councils are not required to pay or clawback payments. The exception is where a property is a new build and awaiting an official banding from the VOA. In these cases, eligibility should be determined based on the official band subsequently allocated by the VOA, where this has an effective date before or on 1 April 2022.
- Where a review, proposal or appeal pre-dating the announcement on 3 February 2022 is successful after 1 April 2022 and as a result, a property would have been eligible for the rebate, councils may wish to provide support using their Discretionary Fund.
- Where a review, proposal or appeal was made after the announcement, a decision will not be made by the VOA before 1 April and therefore taxpayers will not be eligible.

At the end of the initial 6 week application window, an assessment will be made based upon any remaining funds to either open a further window for applications with additional eligibility criteria, or to split the remaining funds and make a further award to those properties that fall within bands A-D in consultation with S151 Officer and Portfolio Holder.

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# Item No.8

## **SOUTH LAKELAND DISTRICT COUNCIL NOTICE OF FORTHCOMING KEY DECISIONS, PRIVATE EXECUTIVE MEETINGS AND BUDGET AND POLICY FRAMEWORK DECISIONS AS PUBLISHED ON 31 MAY 2022**

The Council is required to give 28 days' notice when Key Decisions are to be made, and when an executive meeting is to be held in private. The Notice has been drafted to comply with that requirement. It is available for inspection on the Council's website as well as at South Lakeland House, Kendal and sets out the following:-

- (1) the matters which the Executive (also known as the Cabinet) believes fall within the definition of a Key Decision (see definition below) to be taken by the Executive or a Senior Officer of the Council;
- (2) details of any private meeting (see definition below) of the Executive; and
- (3) proposals for the recommendation to Council of any plan, strategy or budget that forms part of the Council's Budget and Policy Framework, and its timetable and arrangements for consultation, in accordance with the Council's Constitution, Part 4, Budget and Policy Framework Procedure Rules, paragraph 2. The policies which make up the Budget and Policy Framework can be found in Article 4, Part 2 of the Council's Constitution, viewable on the Council's website [www.southlakeland.gov.uk](http://www.southlakeland.gov.uk)

### **Documentation**

Reports, as well as any background information, will be available for public inspection five working days before the date of the meeting at which the decision is going to be made. However, some of the reports may contain confidential information and, in that case, will not be available to the public.

When the Executive is going to consider a confidential report, at least 28 days' notice will be given of the intention to hold the meeting in private. A Notice to this effect will be published on the Council's website.

### **Background Information**

If you wish to inspect background information, which will inform the decision-making process, contact the Lead Officer identified in the Notice as dealing with that matter. When the agenda for the meeting is published on the Council's website, normally at least 5 working days before the meeting, these documents will also be made available via the website. However, you will not be allowed to access any papers which contain exempt or confidential information.

### **Representations (views you wish to make)**

If you wish to make a representation, either about one of the Key Decisions listed (where the meeting is to be held in private), or that an Executive meeting should be open to the public, you must write to the Lead Officer identified as dealing with that decision with your reasons why the meeting should not be held in private. This must be received at least five clear working days before the date of the meeting.

### **Decision Notice**

A Decision Notice for each Key Decision, or other Executive decision, will be produced as soon as practicable after the decision has been taken. These Decision Notices will be available for inspection at South Lakeland House, Kendal and on the Council's website.

## **Urgent Decisions**

The Law and the Council's Constitution provide for urgent decisions to be made provided certain criteria are met and relevant Notices published accordingly. None of the decisions detailed in this Notice are deemed to be Urgent Decisions - unless expressly stated.

## **Key Decision**

This definition was adopted by Council on Thursday, 17 December 2015 and is as follows :-

"An executive decision which, in relation to an executive function, has a significant effect on communities in two or more Wards of the Council and/or is likely to result in the Authority incurring expenditure or making savings above £100,000."

## **Private Meetings**

In regard to this Notice, private meetings are meetings of the Executive, or part of a meeting, during which the public are excluded as a result of confidential or exempt information being discussed. A reason will be given why it is felt that there is a need for the public to be excluded. If you wish to make a representation regarding the intention to hold the meeting in private, you must follow the procedure shown above under "Representations".

## **The District Council's Executive Members are:-**

Cllr Jonathan Brook – Leader and Promoting South Lakeland and Innovation Portfolio Holder

Cllr Andrew Jarvis – Deputy Leader and Finance and Assets Portfolio Holder

Cllr Robin Ashcroft – Economy, Culture and Leisure Portfolio Holder

Cllr Helen Chaffey – Housing Portfolio Holder

Cllr Philip Dixon – Customer and Locality Services Portfolio Holder

Cllr Dyan Jones – Climate Action and Biodiversity Portfolio Holder

Cllr Suzie Pye – Health, Wellbeing and Poverty Alleviation Portfolio Holder

## **The District Council's Chief and Statutory Officers:-**

Lawrence Conway – Chief Executive

Simon Rowley – Director Customer and Commercial Services

Simon McVey – Director of Strategy, Innovation and Resources

Linda Fisher – Legal, Governance and Democracy Lead Specialist (Monitoring Officer)

Helen Smith – Finance Lead Specialist (Section 151 Officer)

### Key Decision - Local Government Reorganisation

To consider matters regarding the progress of Local Government Reorganisation, to include one or more reports which will consider for example:-

- Approach to significant contracts
- Matters regarding the close down of SLDC

### Proposed Decision Maker (Decision Date): Cabinet (Not before 08 Nov 2021) & Council (Not before 08 Nov 2021)

Also considered by/to be considered by:

Engagement will take place with Cabinet, Council and Members as appropriate as proposals develop.

*(If Key or Private, decision cannot be until after 31 August 2021)*

Date notice first published: 3 August 2021

**Open/Exempt:** Open

**Relevant reports/background papers which are/will be available:** -

**Lead Officer:** Simon McVey, Director of Strategy, Innovation and Resources  
s.mcvey@southlakeland.gov.uk

**Chief/Statutory Officer:** Director of Strategy, Innovation and Resources

**Portfolio Holder:** Promoting South Lakeland and Innovation Portfolio Holder (Cllr Jonathan Brook)

### Key Decision - Disposal of Council owned land in High Sparrowmire, Kendal

Disposal of Council owned land to South Lakes Housing.

### Proposed Decision Maker (Decision Date): Cabinet (Not before 08 Jan 2022)

Also considered by/to be considered by: -

*(If Key or Private, decision cannot be until after 22 June 2020)*

Date notice first published: 25 May 2020

**Open/Exempt:** Part exempt

#### Reasons for Exemption:

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

**Relevant reports/background papers which are/will be available:** -

**Lead Officer:** Paul Scullion, Asset and Commercial Services Manager  
paul.scullion@southlakeland.gov.uk

**Chief/Statutory Officer:** Director of Customer and Commercial Services

**Portfolio Holder:** Housing Portfolio Holder (Cllr Helen Chaffey), Finance and Assets Portfolio Holder (Cllr Andrew Jarvis)

## **Non-Key Budget and Policy Framework Decision - Review of SLDC Statement of Licensing Policy**

The Licensing Act 2003 provides that each Licensing Authority are to determine and publish a Statement of its Licensing Policy once every five years. The policy must be published before it carries out any licensing function under the Licensing Act 2003. The Statement of Licensing Policy details the strategic approach on how the licensing authority intends to operate and promote the licensing objectives in their area

### **Proposed Decision Maker (Decision Date): Council (Not before 22 Feb 2022)**

Also considered by/to be considered by:

Licensing Committee 29/11/21

Licensing Committee 17/01/22

O & S Committee 04/02/22

*(If Key or Private, decision cannot be until after 18 January 2022)*

Date notice first published: 21 December 2021

**Open/Exempt:** Open

**Relevant reports/background papers which are/will be available:** -

**Lead Officer:** Gareth Candlin, Operational Lead - Place and Environment  
gareth.candlin@southlakeland.gov.uk, Sean Hall, Principal Specialist (Health & Environment)  
s.hall@southlakeland.gov.uk

**Chief/Statutory Officer:** Director of Customer and Commercial Services

**Portfolio Holder:** Economy, Culture and Leisure Portfolio Holder (Cllr Robin Ashcroft)

## **Key Decision - Council Tax Energy Rebate**

On 3 February 2022, the Chancellor announced that households in England, which are in council tax bands A-D, will receive a £150 rebate to support and protect from rising energy costs. The rebate to bills will be made directly by local authorities from April. This will not need to be repaid.

In addition, discretionary funding will also be provided to support vulnerable people and individuals on low incomes that do not pay Council Tax, or that pay Council Tax for properties in Bands E-H.

An Executive Decision is required to set up the grant scheme.

### **Proposed Decision Maker (Decision Date): Cabinet (Not before 09 Mar 2022)**

Also considered by/to be considered by: -

*(If Key or Private, decision cannot be until after 8 March 2022)*

Date notice first published: 8 February 2022

**Open/Exempt:** Open

**Relevant reports/background papers which are/will be available:** -

**Lead Officer:** Vicky McDonald, Operational Lead Case Management  
vicky.mcdonald@southlakeland.gov.uk

**Chief/Statutory Officer:** Section 151 Officer

**Portfolio Holder:** Finance and Resources Portfolio Holder



**Key Decision - Sustainable Warmth Cumbria**

A consortium of all district authorities lead by Carlisle encompassing LAD3 and HUG1. (installation of energy improvement measures for low income households both on grid and off grid - EPC DEFG). this is the next Green Homes grant phase following LAD2.

**Proposed Decision Maker (Decision Date): Cabinet (Not before 13 Apr 2022)**

Also considered by/to be considered by:

Overview and Scrutiny Committee for comments before going to Cabinet for decision.

*(If Key or Private, decision cannot be until after 8 March 2022)*

Date notice first published: 8 February 2022

**Open/Exempt:** Open

**Relevant reports/background papers which are/will be available:**

feeds into the housing strategy

**Lead Officer:** Amanda Pharaoh, Housing Strategy and Delivery Specialist  
amanda.pharaoh@southlakeland.gov.uk

**Chief/Statutory Officer:** Director of Customer and Commercial Services

**Portfolio Holder:** Housing Portfolio Holder (Cllr Helen Chaffey)

### **Key Decision - Affordable Housing Grant for SLHA**

High Sparrowmire is a 100% affordable housing scheme being delivered by South Lakes Housing (SLH) that will provide 25 no. new build homes in Kendal. The development includes 10 no. social rent homes, 14 no. shared ownership homes and 1 no. self-build plot. Planning approval for the scheme was received in Summer 2020 (planning ref L/2018/0806), attached is the site plan and proposed drawings with further information.

One of SLH's core objectives is 'greening' and as part of this they want their new build developments to be as sustainable and as energy efficient as possible. This objective aligns with the current changes in Building Regulations of no gas boilers by 2025 / The Future Homes Standard and net zero by 2050. As such, they are looking to maximise the sustainability credentials of this scheme by:

- Building highly insulated, airtight homes
- Removing gas boilers and replacing them with air source heat pumps
- Providing solar panels and battery stores
- Delivering the homes to this higher sustainability standard is adding approximately £200,000 to

The projects build costs, and it's for this purpose that they are seeking SLDC grant funding. The funding will be put directly towards offsetting the additional costs that would be incurred through raising the sustainability standards of the project.

### **Proposed Decision Maker (Decision Date): Cabinet (Not before 13 Apr 2022)**

Also considered by/to be considered by:

None

*(If Key or Private, decision cannot be until after 12 April 2022)*

Date notice first published: 15 March 2022

**Open/Exempt:** Open

**Relevant reports/background papers which are/will be available:** Affordable Housing Grant Criteria

**Lead Officer:** Bruce Johnson, Community Led Housing Officer  
Bruce.Johnson@southlakeland.gov.uk

**Chief/Statutory Officer:** Director of Customer and Commercial Services

**Portfolio Holder:** Housing Portfolio Holder (Cllr Helen Chaffey)

**Key Decision - DFG Policy**

Update to the DFG Policy following a review.

**Proposed Decision Maker (Decision Date): Cabinet (Not before 08 Jun 2022)**

Also considered by/to be considered by:  
Overview and Scrutiny Committee

*(If Key or Private, decision cannot be until after 8 February 2022)*

Date notice first published: 11 January 2022

**Open/Exempt:** Open

**Relevant reports/background papers which are/will be available:**

Housing Strategy 2016 to 2025

**Lead Officer:** Amanda Pharaoh, Housing Strategy and Delivery Specialist  
amanda.pharaoh@southlakeland.gov.uk

**Chief/Statutory Officer:** Director of Customer and Commercial Services

**Portfolio Holder:** Housing Portfolio Holder (Cllr Helen Chaffey)

**Key Decision - S106 Design Work - Stramongate, Kendal**

To receive approval for the expenditure of S106 funding received on streetscape improvements at Stramongate, Kendal. South Lakeland District Council's S106 funding received from SL/2013/1120 is to be spent by November 2022 and must be used by the Council to fund improvements in the Northern Approach from the Railway Station at Longpool/ Longpool Junction to Kendal Town Centre.

**Proposed Decision Maker (Decision Date): Cabinet (08 Jun 2022)**

Also considered by/to be considered by: -

*(If Key or Private, decision cannot be until after 12 April 2022)*

Date notice first published: 15 March 2022

**Open/Exempt:** Open

**Relevant reports/background papers which are/will be available: -**

**Lead Officer:** Laura Chapman, Corporate Support Officer  
laura.chapman@southlakeland.gov.uk

**Chief/Statutory Officer:** Director of Customer and Commercial Services

**Portfolio Holder:** Economy, Culture and Leisure Portfolio Holder (Cllr Robin Ashcroft)

### **Key Decision - Kendal Flood Alleviation Scheme - Glass Panel Additional Funding Contribution**

Planning for Kendal town centre only was approved in June 2019, which included approval to install aluminium framed glass flood defence panels in three locations within Kendal; 35m at Gooseholme near Stramongate weir, 130m at Waterside next to Miller Bridge and 92m along Aynam Road.

In response to the scheme Kendal Town Council formed a Flood Relief Scheme Working Sub-Group including the Environment Agency and South Lakeland District Council to report on the scheme and identify opportunities to improve the visual design of the glass panels in these public realm areas of the town.

South Lakeland District Council, Kendal Town Council and the Environment Agency will collaborate in order to progress the design, planning and installation of the new improved glass panels' which forms part of the new planning application for Aynam Road and Waterside.

The overall objective is to retain and improve the open aspects of the riverside views along Aynam Road by increasing the total length of glass panels from 92m to 411m (137No x 3m panels) along Aynam Road and at the same time change the glass panel specification from aluminium powder coated glass panels to an upgraded stainless steel specification glass panels in all three locations. The design principle along Aynam Road being to replace the approved flood wall above 1.2m in height with 800mm high glass panels located on a lower flood wall of varying heights, which would improve the open views along the riverside. In order to maintain a consistent specification across the scheme.

South Lakeland District Council has previously agreed to fund a fixed contribution of £325,000 plus an additional £150,000 fixed contribution on behalf of Kendal Town Council. However following the cost increase of materials South Lakeland District Council is seeking approval for an additional £125,000 contribution towards the installation of the Glass Panels from the Business Rates Pool.

### **Proposed Decision Maker (Decision Date): Cabinet (08 Jun 2022)**

Also considered by/to be considered by:  
Cabinet on 8 June 2022

*(If Key or Private, decision cannot be until after 17 May 2022)*

Date notice first published: 19 April 2022

**Open/Exempt:** Open

**Relevant reports/background papers which are/will be available:** -

**Lead Officer:** Laura Chapman, Corporate Support Officer  
laura.chapman@southlakeland.gov.uk

**Chief/Statutory Officer:** Director of Customer and Commercial Services

**Portfolio Holder:** Leader of the Council (Cllr Jonathan Brook)

**Key Decision - Kendal Local Cycling and Walking Infrastructure Plan (LCWIP)**

A report requesting endorsement of Cumbria County Council's Local Cycling and Walking Infrastructure Plan (LCWIP) for Kendal

**Proposed Decision Maker (Decision Date): Cabinet (08 Jun 2022)**

Also considered by/to be considered by:  
No

*(If Key or Private, decision cannot be until after 7 June 2022)*

Date notice first published: 10 May 2022

**Open/Exempt:** Open

**Relevant reports/background papers which are/will be available:**

Kendal Local Cycling and Walking Infrastructure Plan (LCWIP) 2022 - 2037

**Lead Officer:** Alastair McNeill, Senior Specialist (Strategy Group)

a.mcneill@southlakeland.gov.uk

**Chief/Statutory Officer:** Director of Strategy, Innovation and Resources

**Portfolio Holder:** Housing Portfolio Holder (Cllr Helen Chaffey)

**Key Decision - Award of contract for Revenues and Benefits Software**

The current contract for the Revenues and Benefits Software (following extension to the call off period) ends in 2024. It will therefore be necessary to undertake a full procurement exercise for the provision of software beyond 2024, which will be a lengthy and complex process. The current arrangements incorporate a joint contract with Eden DC. The intention is for a joint procurement to take place, and in light of LGR, it is possible that this will also include Barrow as the contract start date will be beyond vesting day.

Please note, Cabinet meeting date of 12/07/2022 may be amended to later within 2022 - 2023.

**Proposed Decision Maker (Decision Date): Cabinet (Not before 12 Jul 2022)**

*(If Key or Private, decision cannot be until after 8 March 2022)*

Date notice first published: 8 February 2022

**Open/Exempt:** Open

**Relevant reports/background papers which are/will be available:**

Tender submission

**Lead Officer:** Vicky McDonald, Operational Lead Case Management

vicky.mcdonald@southlakeland.gov.uk

**Chief/Statutory Officer:** Director of Customer and Commercial Services

**Portfolio Holder:** Customer and Locality Services Portfolio Holder (Cllr Philip Dixon)

**Key Decision - Covid-19 Additional Relief Fund Discretionary Non Domestic Rate Relief  
\*NEW\***

The purpose of this policy is to determine the level of discretionary funding payable to local businesses under the Council's Covid-19 Additional Relief Fund (CARF) scheme. Central government has provided South Lakeland with funding of £2.1 million to assist those ratepayers whose businesses have, and continue to be affected by the pandemic, but who been ineligible for existing support associated with business rates

**Proposed Decision Maker (Decision Date): Cabinet (29 Jun 2022)**

Also considered by/to be considered by: -

*(If Key or Private, decision cannot be until after 28 June 2022)*

Date notice first published: 31 May 2022

**Open/Exempt:** Open

**Relevant reports/background papers which are/will be available:**

Covid 19 Additional Relief Fund Discretionary Non Domestic Rate Relief policy

**Lead Officer:** Amanda Foley, Principal Specialist (Welfare and Income Maximisations)  
Amanda.Foley@southlakeland.gov.uk

**Chief/Statutory Officer:** Director of Customer and Commercial Services

**Portfolio Holder:** Finance and Assets Portfolio Holder (Cllr Andrew Jarvis)

**Key Decision - Levelling Up Fund Bid \*NEW\***

Round 2 bid submission to the Levelling Up Fund.

**Proposed Decision Maker (Decision Date): Cabinet (29 Jun 2022)**

Also considered by/to be considered by: -

*(If Key or Private, decision cannot be until after 28 June 2022)*

Date notice first published: 31 May 2022

**Open/Exempt:** Open

**Relevant reports/background papers which are/will be available: -**

**Lead Officer:** Matthew Williams, Senior Economy and Culture Specialist  
matthew.williams@southlakeland.gov.uk

**Chief/Statutory Officer:** Director of Customer and Commercial Services

**Portfolio Holder:** Economy, Culture and Leisure Portfolio Holder (Cllr Robin Ashcroft)

## Key Decision - New Abbey Capacity Grant - Staveley Community Trust \*NEW\*

SCT's aim over the past 12 months has been to explore options around the future of the Abbey Care Home (following closure by Cumbria County Council in late 2019). This is a priority action from their recently published Community Plan.

<http://www.staveleywithingspc.co.uk/wp-content/uploads/STAVELEY-WITH-INGS-COMMUNITY-PLAN-SUMMARY.pdf>

Comprehensive community engagement has been ongoing, to create a proposal which has been submitted to Cumbria County Council (site owners) with the aim of securing a Community Asset Transfer. It shows how the Abbey could be reimagined to continue providing valued services and accommodation for older people in our community. Part of the vision is to support people better in their own homes, from the New Abbey as a Care Hub, as well as a small development of independent living apartments.

The community proposal for the New Abbey can be seen here

<http://www.staveleywithingspc.co.uk/the-new-abbey-proposal> and has been in the public domain since October 2021.

With support from the SLDC Community Homes Fund they will be able to move from a broad proposal to a much more robust, detailed business and delivery plan. This will enable them to assume responsibility for the site, ideally through Community Asset Transfer, and proceed to planning application with LDNPA.

To date, all work included in the proposal and supporting documents has been done on a voluntary or pro bono basis. This has so far included contributions from local professionals in architecture, building surveying, fundraising, project management, legal advice and community engagement and consultation.

This grant will enable the Staveley Community Trust to:

1. Engage a Lead Consultant (likely Architect) who will co-ordinate all other professional services to deliver a successful planning application, with confidence that the build and the social vision can be delivered. Team will include but not be limited to:

- o structural engineer
- o quantity surveyor
- o services engineer
- o planning adviser
- o ancillary surveyors (flood, bat, trees, renewable energy etc)
- o landscape architect

2. Build on positive dialogue with Mark Dutton at South Lakes Housing by working with SLH to create a route to secure funding from Homes England for the build phase. This project is meeting a specialist need, for older people, it will be affordable, and it is innovative, being at scale to serve a small rural community.

3. Pay for expert Operational Planning advice from Care Delivery Professionals, Westmorland Homecare, to ensure that our proposals are in line with local need, that they fulfil all CQC requirements and that they are the best way to achieve the independent living and community care outcomes. They will also help us explore local demand and the surrounding 'retirement home' market, to strengthen our business case.

4. Prepare a robust business plan based on the workings of our appointed professional team and updated cost estimates for construction and revenue costs.

5. Develop a forward fundraising strategy with relevant sector input.

6. Keep the community informed at each step of the process about their options and the decisions which need to be made. This will be a combination of online web-presence, social media, face to face events and leaflets and posters to give everyone an opportunity to join our work. We will make a particular effort to work with our older residents and those who have existing care needs at home, to make sure our vision fits with their expectations and desires for aging in their community.

Cumbria County Council have recently (25 March 2022) sent them a technical response to their Community Proposal (October 2021). I understand this to be their next step in assessing whether they will agree to a Community Asset Transfer. CCC have raised a number of queries which they expect to address through the work proposed above.

**Proposed Decision Maker (Decision Date): Cabinet (29 Jun 2022)**

Also considered by/to be considered by: -

*(If Key or Private, decision cannot be until after 28 June 2022)*

Date notice first published: 31 May 2022

**Open/Exempt:** Open

**Relevant reports/background papers which are/will be available:** -

**Lead Officer:** Bruce Johnson, Community Led Housing Officer  
Bruce.Johnson@southlakeland.gov.uk

**Chief/Statutory Officer:** Director of Customer and Commercial Services

**Portfolio Holder:** Housing Portfolio Holder (Cllr Helen Chaffey)

**Non-Key Budget and Policy Framework Decision - The Gambling Act 2005 - Statement of Gambling Licensing Policy**

The Gambling Act 2005 requires licensing authorities before each successive period of three years to;

- (a) prepare a statement of the principles that they propose to apply in exercising their functions under this Act during that period; and
- (b) publish the statement of policy.

A revision of the policy has been undertaken and public consultation completed. This decision seeks approval to adopt the revised policy.

**Proposed Decision Maker (Decision Date): Council (26 Jul 2022)**

Also considered by/to be considered by:

7/2/22 Licensing Regulatory Committee. Approval to circulate draft document for public consultation.

4/3/22 Overview & Scrutiny Committee.

Final consideration by Licensing regulatory Committee is required on completion of public consultation.

*(If Key or Private, decision cannot be until after 12 April 2022)*

Date notice first published: 15 March 2022

**Open/Exempt:** Open

**Relevant reports/background papers which are/will be available:**

Local Authority Guidance issued by the Gambling Commission

Copy of SLDC existing Gambling Policy

The Gambling Act 2005

The Gambling Act 2005 (Licensing Authority Policy Statement)(England and Wales)

Regulations 2006

**Lead Officer:** Sean Hall, Principal Specialist (Health & Environment)  
s.hall@southlakeland.gov.uk

**Chief/Statutory Officer:** Director of Customer and Commercial Services

**Portfolio Holder:** Economy, Culture and Leisure Portfolio Holder (Cllr Robin Ashcroft)



## Updated List of Cabinet Members

**Leader:**

Councillor Jonathan Brook

**Portfolio:**

Promoting South Lakeland and Innovation

**Deputy:**

Councillor Andrew Jarvis

**Portfolio:**

Finance and Assets

## The Portfolios and other Cabinet Members are as follows:-

**Cabinet Member:**

Councillor Robin Ashcroft

**Portfolio:**

Economy, Culture and Leisure

Councillor Helen Chaffey

Housing

Councillor Eamonn Hennessey

Customer and Locality Services

Councillor Dyan Jones

Climate Action and Biodiversity

Councillor Suzie Pye

Health, Wellbeing and Poverty Alleviation

## Updated List of Shadow Cabinet Members

<b>Leader:</b>	<b>Portfolio:</b>
Councillor Tom Harvey	Promoting South Lakeland and Innovation

<b>Deputy:</b>	<b>Portfolio:</b>
Councillor John Holmes	Finance and Assets

## The Portfolios and other Shadow Cabinet Members are as follows:-

<b>Cabinet Member:</b>	<b>Portfolio:</b>
Councillor Roger Bingham	Economy, Culture and Leisure
Councillor Pat Bell	Housing
Councillor Janette Jenkinson	Customer and Locality Services
Councillor Kevin Holmes	Climate Action and Biodiversity
<i>Vacancy</i>	Health, Wellbeing and Poverty Alleviation

## South Lakeland District Council Cabinet

Wednesday, 8 June 2022

### Cabinet Appointments/ Representations on Outside Bodies 2022/23

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**Portfolio:** All

**Report from:** Linda Fisher – Legal, Governance and Democracy Specialist (Monitoring Officer)

**Report Author:** Adam Moffatt – Legal, Governance and Democracy Specialist

**Wards:** (All Wards)

**Forward Plan:** Not applicable

**Links to Council Plan Priorities:**

Appointments to Outside Bodies assist in the delivery of the Council Plan through partnership working: “working across boundaries, with a range of other local authorities, organisations and businesses.”

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**1.0 Expected Outcome**

1.1 To enable Cabinet to consider appointments to/ representation on Outside Bodies for 2022/23.

**2.0 Recommendation**

**2.1 It is recommended that Cabinet considers the appointments to Outside Bodies as listed in Appendix 1 for 2022/23.**

**3.0 Background and Proposals**

3.1 There are a number of organisations which are independent from the Council, but which have an impact on its service areas ('Outside Bodies'). In order that the Council can maintain effective partnerships with a number of these organisations, representatives of the Council sit on the various committees and forums that are responsible for them.

3.2 Following a review of the Council's list of appointments, Cabinet has been confirmed as having the responsibility to appoint representatives to a number of these Outside Bodies (Minute No. EX/017 (2006/07) refers).

3.3 Furthermore, following the Council meeting on 18<sup>th</sup> May 2022, Council agreed to the establishment of a Corporate Trusteeship Board to make decisions as to the management of land held by the Council on Trust, independently from Council business and in the best interests of the Trust. In addition it was agreed that Cabinet is to appoint seven Councillors to the Board.

3.4 Cabinet is asked to consider making appointments of Council representatives to serve on the organisations as listed at Appendix 1 to this report, which also provides information on last year's appointments made by Cabinet.

3.5 Following feedback from Members, it has been decided that the Council will no longer appoint to the following Outside Bodies:-

- Duddon Estuary Partnership Consultative Committee;
- Gateway Group;
- Furness Economic Development Group;
- George Moore Education Trust; and
- Parking and Traffic Regulation Outside London Joint Committee.

3.6 Following a request from the Leader of the Council, the following organisations have been added to the list of Outside Bodies that the Council appoints to:-

- Cumbria Nature Recovery Plan Group
- Lake District National Park Partnership

#### **4.0 Appendices Attached to this Report**

<b>Appendix No.</b>	<b>Name of Appendix</b>
1	List of proposed appointments to Outside Bodies for 2022/23 including details of representatives appointed for 2021- 2022.

#### **5.0 Consultation**

5.1 Not applicable.

#### **6.0 Alternative Options**

6.1 Not to make appointments, which could affect the Council's ability to influence partners on important strategic issues

#### **7.0 Implications**

##### **Financial, Resources and Procurement**

7.1 Members appointed to serve as representatives on Outside Bodies are entitled to claim for travel and subsistence as detailed within Schedule 2 of Part 6 of the Council's Constitution – Members' Allowances Scheme. Provision for this has been made within the Council's Revenue Budget.

##### **Human Resources**

7.2 There are no staffing implications arising from this proposal.

##### **Legal**

7.3 The Cabinet is required to make appointments to the Outside Bodies..

##### **Health, Social, Economic and Environmental**

7.4 Have you completed a Health, Social, Economic and Environmental Impact Assessment? No

7.5 If you have not completed an Impact Assessment, please explain your reasons: There are no health, social, economic or environmental impacts arising as a result of this report.

7.6 Summary of health, social, economic and environmental impacts: N/A

## Equality and Diversity

- 7.7 Have you completed an Equality Impact Analysis? No
- 7.8 If you have not completed an Impact Assessment, please explain your reasons: It is considered that the recommendations will have a neutral effect on equality and diversity.
- 7.9 Summary of equality and diversity impacts: N/A

## Risk

Risk	Consequence	Controls required
The Council is not represented on the Outside Body	The Council is not aware of decisions being taken	Appointments by Cabinet are required to be made.

## Contact Officers

Adam Moffatt, Legal, Governance and Democracy Specialist,  
[adam.moffatt@southlakeland.gov.uk](mailto:adam.moffatt@southlakeland.gov.uk)

## Background Documents Available

Name of Background document	Where it is available
EX/017 (2006/07)	<a href="http://tinyurl.com/kxqkgsa">http://tinyurl.com/kxqkgsa</a>

## Tracking Information

Signed off by	Date sent	Date Signed off
Legal Services	20/05/2022	23/05/2022
Section 151 Officer	20/05/2022	23/05/2022
Monitoring Officer	20/05/2022	23/05/2022
CMT	N/A	

Circulated to	Date sent
Lead Specialist	N/A
Human Resources Lead Specialist	N/A
Communications Team	N/A
Leader	20/05/2022
Committee Chairman	N/A
Portfolio Holder	N/A
Ward Councillor(s)	N/A
Committee	N/A
Executive (Cabinet)	N/A
Council	N/A

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## Cabinet Appointments to Outside Bodies

## Appendix 1

<u>Organisation</u>	<u>Representative (2021/2022)</u>	<u>Representative (2022/2023)</u>	<u>Term of Appointment</u>	<u>Notes</u>
Appleby Fair Multi-Agency Strategic Co-ordinating Group	Suzie Pye	Suzie Pye	Annual	
Arnsdale/ Silverdale Area of Outstanding Natural Beauty Executive Committee	Helen Chaffey	Helen Chaffey	Annual	
Bowness and Windermere Forward Board	Helen Chaffey	Helen Chaffey	Annual	
Citizens' Advice Bureau Trustee Board	Suzie Pye	Suzie Pye	Annual	Observer only
Community Rail Partnership	Doug Rathbone		Annual	
Community Safety Partnership	Suzie Pye	Suzie Pye	Annual	Health and Wellbeing Portfolio Holder
Council of Grizedale Arts	Robin Ashcroft	Robin Ashcroft	Annual	Observer only
County Council Local Committee for South Lakeland	Jonathan Brook	Jonathan Brook	Annual	
County Council Local Committee for South Lakeland	Andrew Jarvis	Andrew Jarvis	Annual	
Cumbria Community Foundation	Philip Dixon	Philip Dixon	Annual	
Cumbria Housing Group	Helen Chaffey	Helen Chaffey	Annual	
Cumbria Joint Districts Board	Jonathan Brook	Jonathan Brook	For information only	Leader Appointment
Cumbria Leadership Group	Jonathan Brook	Jonathan Brook	Annual	Leader
Cumbria Pensions Forum	Andrew Jarvis	Andrew Jarvis	Annual	
Cumbria Strategic Waste Partnership	Philip Dixon	Eamonn Hennessy	Annual	
Cumbria Strategic Waste Partnership	Dyan Jones	Dyan Jones	Annual	Substitute
Cumbria Better Connected	Robin Ashcroft	Robin Ashcroft	Annual	
Cumbria Tourism	Robin Ashcroft	Robin Ashcroft	Annual	(Max 3 terms/9 years)
Kendal BID	Robin Ashcroft	Robin Ashcroft	Annual	
Kendal Brewery Arts Centre	Robin Ashcroft	Robin Ashcroft	Annual	
Lakes Line Rail User Group	Douglas Rathbone	Douglas Rathbone	Annual	
Lancaster Canal Regeneration Partnership	Chris Hogg	Helen Ladhams	Annual	
Lancaster Canal Regeneration Partnership	Douglas Rathbone	Douglas Rathbone	Annual	
Local Enterprise Partnership	Jonathan Brook	Jonathan Brook	Two years	On rotation with Leader of Barrow BC
Kendal Futures Board	Robin Ashcroft	Robin Ashcroft	Annual	
Kendal Museum Working Group	Chris Hogg	Helen Ladhams	Annual	
Lake District National Park Business Task Force	Robin Ashcroft	Robin Ashcroft	No set term	
North West Housing Forum	Helen Chaffey	Helen Chaffey	Annual	
Public Health Alliance	Suzie Pye	Suzie Pye	Annual	
Reserve Forces and Cadets Association	Roger Bingham	Roger Bingham	3 years	Appointed in 2020.
Safer Cumbria	Suzie Pye	Suzie Pye	Annual	Health and Wellbeing Portfolio Holder
South Lakes Business against Crime Partnership	Pete McSweeney	Pete McSweeney	Annual	
SPARSE Rural	Peter Thornton	Peter Thornton	Annual	SPARSE is part of Rural Services Network
SPARSE Rural	Giles Archibald	Giles Archibald	Annual	
Ulverston BID	Janette Jenkinson	Janette Jenkinson	Annual	Observer only
Morecambe Bay Partnership	Robin Ashcroft	Robin Ashcroft	Annual	

**Cabinet Appointments to Outside Bodies****Appendix 1**

<b>Organisation</b>	<b>Representative (2021/2022)</b>	<b>Representative (2022/2023)</b>	<b>Term of Appointment</b>	<b>Notes</b>
Sedbergh Economic Partnership	Robin Ashcroft	Robin Ashcroft	To the end of term on SLDC	
South Lakeland Health and Wellbeing Partnership	Suzie Pye	Suzie Pye	Annual	
The Cumbria Local Enterprise Partnership (CLEP) Places Strategy Group	Jonathan Brook	Jonathan Brook	Annual	
Cumbria Nature Recovery Plan Group	N/A	Dyan Jones	Annual	
Lake District National Park Partnership	N/A	Andrew Jarvis	Annual	
Corporate Trusteeship Board (CTB)	N/A	Robin Ashcroft	Annual	Cabinet Member
Corporate Trusteeship Board (CTB)	N/A	Jonathan Brook	Annual	Cabinet Member
Corporate Trusteeship Board (CTB)	N/A	Helen Chaffey	Annual	Cabinet Member
Corporate Trusteeship Board (CTB)	N/A	Eamonn Hennessy	Annual	Cabinet Member
Corporate Trusteeship Board (CTB)	N/A	Andrew Jarvis	Annual	Cabinet Member
Corporate Trusteeship Board (CTB)	N/A	Dyan Jones	Annual	Cabinet Member
Corporate Trusteeship Board (CTB)	N/A	Suzie Pye	Annual	Cabinet Member



## South Lakeland District Council

### Cabinet

8 June 2022

## Council Plan Performance Monitoring Quarter 4 2021/22

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**Portfolio:** Councillor Jonathan Brook - Leader of the Council  
**Report from:** Dan Hudson – Strategy Lead Specialist  
**Report Author:** John Davies – Case Management Support Services  
**Wards:** (All Wards);  
**Forward Plan:** Not applicable

**Links to Council Plan Priorities:**

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

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### 1.0 Expected Outcome and Measures of Success

1.1 Monitoring the success of the Council Plan 2021-2026 through scorecards informs improvements and ensures Council services address the needs of residents in an open and transparent way. Influenced by the key values in the Council Plan, this report sets out the Council Plan Priorities and Targets. Following recommendation of Council in February 2022 this report highlights many issues that members may wish to carry forward for the new Westmoreland and Furness authority.

### 2.0 Recommendation

2.1 It is recommended that Cabinet notes:-

- (1) the Summary of Performance as detailed in the report; and,
- (2) the detailed risks information contained within Appendix 1; and,
- (3) the detailed performance statistics in Appendix 2.

### 3.0 Background and Proposals

3.1 The Council is committed to delivering high quality, cost effective services that meet the needs of residents and improve quality of life. To help achieve these goals performance is measured frequently in line with the priorities in the Council Plan. An updated Council Plan 2021-2026 was adopted by Full Council on 23rd February 2021 and reviewed in February 2022. This report will evolve in line with the move to the new Westmorland and Furness authority. As the new authority develops, South Lakeland will use its existing priorities to influence the strategy of the new authority in addressing the needs of the South Lakeland area and how a future unitary council may deliver stronger benefits for residents. For example integration of health and social care will be critical.

The Council Plan retains the vision of “South Lakeland as the best place to live, work and explore”. Whilst South Lakeland is already a very good place to live, work and explore in many ways for many people, there are areas where we need to do more and the plan identifies four priority areas where activity needs to be focussed to achieve the vision. Targets listed in this report are grouped under these four priorities. The Four priorities are:

- 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

### 3.2 Summary of Performance

The targets listed within this report are showing very good performance - and demonstrate that South Lakeland is 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 has increased.

Economic benchmarks are not directly reflective of Council performance - as there are many external factors at play. The Council monitors the state of South Lakeland's economy, trends, strengths and weaknesses to help prioritise activities and interventions - and adapt and implement policies to positively affect the economy.

Following a review of the Strategic Risks for Quarter 4 2019/20 it was found that 65% of risks were above appetite. This significant change was due to the pressures brought about by Covid-19.

Commentary: Following a review of the Strategic Risks for Quarter 4 2019/20 it was found that 65% of risks were above appetite. This significant change was due to the pressures brought about by Covid-19. The most recent review during Quarter 4 2021/22 shows that 27% of risks are positioned above appetite.

Updates for each of the targets are listed in section 3.3 to 3.63 below. At Quarter 1 2021/22 reporting Cabinet requested that data be presented in graphical format to facilitate interpretation. This has been implemented and all graphs can be seen together within Appendix 2. This covering report provides links to the graphs in Appendix 2 by listing reference numbers at the relevant points.

### 3.3 Council Plan Priority: ‘Working Across Boundaries – Delivering Sustainable Regional Growth’

The plan seeks to secure the investment, growth and transport infrastructure that will deliver a thriving and diverse sub-regional economy with a skilled workforce, a balanced housing market to meet needs, great leisure services to encourage healthy lifestyles and a strong cultural offer. It sees opportunities to extend co-operation to health, carbon reduction and tackling deprivation and inequality.

#### 3.31 Housing and communities targets

**Target: Deliver 320 homes every year across the district:**

Commentary: In 2020/21 the covid-19 pandemic impacted on the housebuilding industry with delivery below the target of 320 homes a year. However build rates are

expected to recover for 2021/22. Whilst current planning applications for major housing development are reduced, there remains a sizeable number of future homes in delivery. At March 2021 there was a supply of 1,963 homes either under construction or with planning permission in the South Lakeland Local Plan area and a further supply of sites allocated in the Local Plan with an estimated capacity of 2,341 homes. *Appendix 2 reference: Graphic 1.*

The latest Government data shows that the number of long term empty homes, as at Oct 2021, reduced to 862 homes. The total number of long term empty homes fluctuate as homes are brought back into use - and as properties become empty. Homes become empty for a number of reasons - all of which are relevant to South Lakeland, for example: people needing care, properties becoming inhabitable due to widespread flooding and properties being inherited. Second homes also increase results until they are identified. *Appendix 2 reference: Graphic 2.*

The number of empty homes brought back into use since 2015 totals 561 at quarter 4 2021/22. Covid-19 has influenced results - empty homes interventions are influenced by reduced selling and repairing activity during lockdowns. As expected successful Empty Homes Interventions are now increasing. *Appendix 2 reference: Graphics 3-5.*

**Target: Produce draft Local Plan by mid-2022:**

Commentary: Recent counsel advice is to continue with a comprehensive approach to the Local Plan Review. It is estimated that with current resources, a draft Local Plan can be prepared for consultation by early 2023.

**Target: Support delivery of new Swarthmoor roundabout in 2021:**

Commentary: Construction of the new roundabout by National Highways started in September 2021 and is on course to be completed June 2022.

**3.32 Economic development and culture targets**

In light of the current situation regarding Covid-19 dedicated statistical information is available in Appendix 2. This includes specific Covid-19 statistics as well as standard business and economic statistics. The appendix is a collaboration between SLDC Specialist Services, SLDC Case Management Support Services and Cumbria Observatory. *Appendix 2 reference: Graphics 22 - 60.*

**Target: Complete Master Plan for GSK site in Ulverston by July 2021:**

Commentary: Masterplan in advanced draft form and to be finalised in April 2022 following endorsement from MP-led GSK Taskforce. This will set the aspiration to deliver a life sciences and advanced manufacturing park on the site.

**Target: Economic Development strategy setting out delivery framework and targets to be completed by December 2021:**

Commentary: Economic strategy is being reviewed in line with the local government reorganisation.

**3.33 Health and Environment targets**

**Target: Develop Morecambe Bay Population Health Strategy:**

Commentary: Approach to Population Health being led by Morecambe Bay CCG – SLDC input through Morecambe Bay Population Health Strategic Group.

**Target: Support Morecambe Bay CCG in managing Covid Pandemic:**

Commentary: Contact tracing/infection control – dedicated Environmental Health Specialists team within SLDC working in conjunction with other District Councils, Cumbria County Council, and PHE.

### **3.4 Council Plan Priority: ‘Delivering A Balanced Community – A South Lakeland For All Ages’**

This means addressing the challenges posed by our shrinking workforce and ageing population. It means retaining young people, attracting economically active people and young families and ensuring that housing, services and infrastructure meet the needs of older people. It also means promoting localism and helping communities to help themselves.

#### **3.41 Housing and communities targets**

**Target: Deliver 477 affordable homes for rent between 2020 and 2025; and Deliver 588 affordable homes to buy between 2020 and 2025:**

Commentary: There are currently 15 large housing schemes under construction in the District which will deliver around 400 affordable homes for rent and sale. Further planning applications are to be considered that could deliver more affordable homes subject to planning permission being granted. The pandemic has impacted on delivery of affordable homes with the cessation of construction work over a period of time and issues with the supply of some materials.

The Council has delivered 566 affordable homes for rent during the period 2014 to Q4 of 2021 to 2021. This will leave 434 affordable homes remaining from the Council’s 1000 homes to rent target between 2014 to 2025 - having reached the milestone of the 500th affordable rented home in 2020.

During the period 2014 to Q4 of 2021 to 2022 there were 191 affordable homes to buy completed.

There will be 72 affordable rent and sale extra care units as part of the scheme at Oxenholme due to be completed in the summer 2022.

*Appendix 2 reference: Graphics 6-7.*

**Target: Deliver 300 extra care units between 2020 and 2025; and Deliver 337 self and custom build dwellings between 2020 and 2025:**

Commentary: Construction is underway for a 104 unit extra care scheme at Oxenholme that is on target for completion in the summer 2022. Outline planning consent is in place for a potential extra care scheme in Grange over Sands at Allithwaite Road. *Appendix 2 reference: Graphics 8-9.*

#### **3.42 Economic development and culture targets**

**Target: Implementation of Kendal Town Centre Strategy including provision of new employment floorspace:**

Commentary: Town Team formed for Kendal to work towards delivery and development of agreed priority areas, including the development of a Levelling Up Fund bid. Partnership approach with Kendal Futures, including Council financial contribution towards a new Vision Manager for the town.

**Target: Commencement of development on 5 allocated employment sites by 2025:**

Commentary: Continued engagement and expressions of interest on allocated employment sites. The Council continues to provide planning and economic advice to landowners/agents and developers. Review of the Council's Local Plan also in progress.

**Target: Delivery of Great Places programme:**

Commentary: Majority of programme now successfully delivered. Approach to legacy activity now the subject of discussion by partners.

**3.43 Health and environment targets**

**Target: Completion of Customer Connect Transition programme:**

Commentary: The Customer Connect report 'Customer Connect five years on, the outcomes, benefits and future' updated Council during December 2021. The report recognises the achievements of the Customer Connect Programme since inception in 2016 and notes the outcomes and benefits the programme has delivered. The report also covers the work still to be completed and how it will be delivered over the next 18 months.

**Targets: Ensure that community interests championed in National Park plans and strategies; and, Ensure that population health strategies make relevant provision for the elderly:**

Commentary: SLDC is represented on both National Park partnerships. SLDC comments on community interest fed into plan process.

**Target: Ensure that social programmes address loneliness:**

Commentary: Approach under development through fairness and public health work.

**3.5 Council Plan Priority: 'Delivering A Fairer South Lakeland – A South Lakeland For Everyone'**

This means taking action to address housing, health and income inequalities and increasing financial resilience. This means working in partnership with the third sector to rebuild financial resilience following the impact of the Covid pandemic, preventing homelessness and supporting vulnerable people, addressing inequalities in access to housing, addressing issues such as accessibility to people with disabilities and working through the Cumbria Joint Public Health Strategy and through Population Health strategies in Morecambe Bay to improve health outcomes and reduce health inequalities.

### 3.51 Housing and communities targets

#### **Target: Halve the proportion of households in poverty and eliminate child poverty:**

Commentary: SLDC have a work programme in place to deliver the Council priority of “Delivering a Fairer South Lakeland”, comprising regular project team meetings, an ongoing action log and a South Lakeland Partnership (Building Financial Resilience Partnership). Current actions in progress include: the formation of a South Lakeland Poverty Truth commission, work with the County Council on supporting the development of food banks, a communications campaign with partners highlighting key messages and signposting where support can be found for those with financial difficulties. Within SLDC there is a range of schemes, arrangements and referrals readily available to clients from trained and well briefed staff. *Appendix 2 reference: Graphics 12-15.*

#### **Target: Implement Homelessness & Rough Sleeping Strategies:**

Commentary: The Council has a Homelessness Strategy and Action Plan for South Lakeland. The work of the Housing Options team aligns with this and is summarised below:

- The Housing Options team work with partners to identify cases who may need housing advice - such as young people and victims of domestic abuse. They also work closely with registered providers to identify social housing tenants who may be facing losing their homes. The team are proactive in seeking out bespoke solutions to individuals circumstances and have a ‘prevention toolbox’ to assist. Often this work involves negotiating and mediating, providing legal advice on tenancy matters, income maximisation and safeguarding of vulnerable adults and families. The team also work with other council departments to prevent homelessness such as Housing benefits and housing standards services.
- SLDC are running several initiatives funded by MHCLG to target individuals who are roofless and at risk of or rough sleeping. The Rough Sleeping initiative has provided a rough sleeper coordinator, two support staff and a private rented access officer. This small team work with individuals to find sustainable solutions in the private rented sector and focus on getting work ready to reduce dependencies on the benefit system.
- SLDC were also the only district to receive funding through the first round of Rough Sleeper Accommodation Programme which is over a 3 year period and totals £388,987 and will provide 12 units of supported accommodation. This service is provided in conjunction with Home group and operates a non-eviction policy alongside proving Assured tenancy to individuals rather than the traditional licence agreements. MHCLG recognised this approach as good practise and an example to other local authorities seeking to provide a similar response to supporting those most vulnerable.

For the last two years the maximum number of households in temporary accommodation at any one time has been outside target. For 2020/21 there were a maximum of 39 households accommodated, which was largely due to the increase in cases presenting during the peak of the Covid-19 pandemic - however for Q4 2021-22 this number has fallen to 19 households.

The main reasons for homelessness are: Loss of private rented accommodation with an increasing number due to landlords wanting to either sell the property or seek alternative business opportunities with the property, relationship breakdown with

family and friends which is often due to increased stress within families due to the lack of affordable accommodation and financial difficulties. Preventing homelessness still remains the number one priority for the service however with a reducing private rented sector, high demand on social housing and the impact of benefit caps this is becoming more difficult. *Appendix 2 reference: Graphic 16.*

**Target: Reduce the percentage of private sector homes with category 1 hazards to less than 15% by 2025:**

Commentary: The Council has a robust approach to the reduction of hazards. This includes information on Private Sector Stock Condition and carrying out both Housing Standards and Houses in Multiple Occupancy inspections for conditions.

### **3.52 Economic development and culture targets**

**Target: Distribute grants to aid businesses through the Covid crisis:**

Commentary: Covid-19 business grants totalling £156m distributed to those affected, with 40,000 unique grant payments. *Appendix 2 reference: Graphics 22-26.*

**Target: Widen and improve the quality of broadband coverage:**

Commentary: Continued dialogue and partnership working with Connecting Cumbria and others to improve broadband provision in South Lakeland. Promoting the government broadband voucher scheme to eligible residents and businesses.

**Target: Advise businesses:**

Commentary: Continued advice provided to businesses and new business start-ups across sectors through the Economy & Culture team and Invest in South Lakeland programme. Subsidised business support provided through partners including Cumbria Chamber of Commerce, Cumbria Action for Sustainability, Future Fixers and Green Small Business.

**Target: Deliver new business space in Kendal Town Hall:**

Commentary: Refurbishment of South Lakeland House and Kendal Town Hall to create additional town centre employment space, meeting rooms and conference facilities is near completion, with full extent of business space expected to be available by May 2022.

### **3.53 Health and environment targets**

**Target: Complete Kendal Air Quality Management Plan implementation:**

Commentary: Air quality emission data has varied over the past 24 months due to long periods of lockdown and reduced vehicle movement through Kendal Town Centre. This has resulted in lower than anticipated pollution levels which are not thought to reflect the current situation. Monitoring will continue in this area, and across district to establish a clear picture.

**Target: Review the third sector commissioning and the delivery of financial advice and support to vulnerable people:**

Commentary: New two year funding agreements with key third sector partners (Citizen's Advice, ACT, CALC, CVS, South Lakes Hydrotherapy and a contribution towards CVS delivery of a poverty truth commission for South Lakeland) will enable targeted delivery of Council plan priorities and support vital community services in the District.

**Targets: Work with partners to safeguard people against exploitation – and Work with partners to protect people against domestic abuse:**

Commentary: Progress on actions and priorities is being made through the Local Focus Hub, which covers the South Lakeland District. This multiagency hub works to ensure all partners are sharing resource to tackle and mitigate the effects of the priority community safety issues identified by the CSP. CSP oversees domestic homicide reviews and disseminates action plans and learning in South Cumbria. *Appendix 2 reference: Graphic 18.*

### **3.6 Council Plan Priority: 'Addressing The Climate Emergency – A Carbon Neutral South Lakeland'**

This means enshrining the Council's carbon reduction targets (for SLDC to be carbon neutral by 2030 and for the District to be carbon neutral by 2037) A comprehensive action plan for carbon reduction is being implemented. The Council Plan sets the strategic direction for this work and is the means by which carbon reduction is mainstreamed within the Council.

#### **3.61 Housing and Communities targets**

**Target: Reduce the percentage of homes in the lowest energy performance certificate (EPC) bands (F and G) from 16.4% to less than 10% by 2025:**

Commentary: The Council has published a Statement of Intent on the website - and has arrangements with several companies providing energy efficiency improvements. We will continue to support CAfS on their Cold to Cosy scheme and also work with Cumbria authorities to prepare a bid for the Local Authority Delivery Scheme for the Green Homes Grant. The Council will consider any other future grant schemes that are proposed. *Appendix 2 reference: Graphic 17.*

**Target: Updated environmental standards for new development to be included in Local Plan:**

Commentary: The Issues and Options consultation ran from 30 June to 29 October 2021. It presented a range of possible policy options for comment, including whether to increase local standards above the levels being set by the Government through the forthcoming Future Homes Standard. A draft Local Plan will be consulted on through to early 2023.

#### **3.62 Economic development and culture targets**

**Target: Enabling agile and home working:**



Commentary: Work ongoing with partners to help provide the right conditions for flexible working through better provision of broadband, increasing digital skills and engagement and more co-working space.

**Target: Completion of Kendal Flood defences:**

Commentary: Environment Agency are leading of the design, implementation and delivery of this scheme, with work having commenced on the first of the three phases in Kendal – work is expected to be completed in 2023.

**3.63 Health and environment targets**

**Target: SLDC to be carbon neutral in its own operations by 2030:**

Commentary: The Council's declaration of a Climate Emergency has delivered both a Council Plan with carbon neutrality targets and a Climate Change Action Plan to drive progress. There has been excellent progress in establishing a baseline and a reporting and monitoring process. This has been driven by the introduction of energy management software to capture Scope 1 and 2 emissions, further developed by reports and analysis of fleet emissions, procurement emissions, offsetting potential and staff travel. Work on reducing emissions is underway, the Council is working towards bidding for the Public Sector Decarbonisation scheme and establishing a plan for Fleet decarbonisation - with one Electric Van purchased and on the fleet. The assets team have established a programme of energy efficiency work to undertake over the next 12 months to reduce energy - and a Water Source Heat Pump is being planned at Ferry Nab. The Climate Action Projects Team are planning to deliver engagement across the Council on reducing emissions and are working with Human Resources on staff travel and incentives for EV's. *Appendix 2 reference: Graphic 19.*

**Target: South Lakeland to be carbon neutral by 2037:**

Commentary: The Council's newly revised Climate Change Action Plan has set new ambitious and achievable actions over the next 12 months. The council is taking a lead role in the community on Green economy and green business. Continuing to support Future Fixers, Green Small Business and providing grant funding to Cumbria Action for Sustainability to support South Lakeland businesses in tackling Climate Change. SLDC have been used as a national case study of councils supporting Green Business, which indicates progress. The existing projects established with CAFS focusing on Solar energy generation and energy efficiency through Cold to Cosy are progressing well. SLDC have supported residents from lower income households attain energy efficiency improvements through the LAD2 scheme. The Council is also engaging with countywide groups such as the Zero Carbon Cumbria Partnership, the Local Nature Recovery Strategy, a Local Authority Climate Policy Group and Cumbria EV infrastructure group to contribute to larger scale Climate Change Solutions. The Council is also making steps in understanding their Scope 3 emissions, and formulating strategies in reducing these emissions which have a wider affect upon the district.

The percent of household waste sent for reuse, recycling and composting: for 2020/21 the result of 43.5% reflects the suspension of green waste during the Covid-19 pandemic. Green waste influences recycling results significantly. This is because green waste is produced in large quantities and contributes to significant tonnages compared to lighter plastic and cardboard. If feasible to collect food waste this would help recycling rates - however food processing plants are currently too distant from

South Lakeland to make this viable. Plastic and cardboard kerbside collection covers 100% of households. *Appendix 2 reference: Graphic 20.*

The amount of residual household waste not sent for reuse, recycling and composting: South Lakeland's residual household waste is sent for reuse rather than to landfill. The residual waste is processed to provide refuse derived fuel for large industrial processes. In line with other councils, residual waste includes grey bin waste, waste from litter bins, street sweepings and other sources. The tonnage of street sweepings varies significantly each year and therefore impacts on residual waste totals. The level of residual waste is measured in kilos of waste per household per year. Grey bin waste on its own has fluctuated from 479kg in 2009/10 down to 391kg for 2019/20. The result of 426kg for 2020/21 reflects people being at home during Covid-19 Pandemic. *Appendix 2 reference: Graphic 21.*

**Target: Supporting preparation and implementation of Kendal cycling and walking strategy:**

Commentary: The Council is supporting Cumbria County Council with the Kendal Local Cycling and Walking Plan. Cumbria County Council consulted on a Draft Local Cycling and Walking Infrastructure Plan in late 2021. This is to improve the cycling and walking network in Kendal and the surrounding area, in order to promote more active travel and to make everyone feel confident they can walk or cycle.

**3.7 Strategic Risk Register – Appendix 1**

The Strategic Risks have been reviewed in line with risk management arrangements. The Strategic Risks are being managed continuously and effectively - and a summary is shown below. Further detail for all Strategic Risks are visible within appendix 1.

<b>Risks Summary - Quarter 4 2021/22</b>	
Total number of risks:	15 risks
New risks:	0 risks
Archived Risks:	1 risk
Risks above appetite:	4 risks 27% of risks are currently above appetite. Following a review of the Strategic Risks for Quarter 4 2019/20 it was found that 65% of risks were above appetite. This significant change was due to the pressures brought about by Covid-19. The review this Quarter 4 2021/22 shows that 27% of risks are positioned above appetite. Risks above appetite are reviewed at least on a quarterly basis.
Risks below appetite:	11 risks 73% of risks are currently below appetite. Risks below appetite are reviewed annually during Quarter 4.

#### 4.0 Appendices Attached to this Report

Appendix No.	Name of Appendix
1	Strategic Risk Register
2	Performance Statistics

#### 5.0 Consultation

5.1 This report details measures of success against each of the priorities within the Council Plan. These have been consulted on extensively prior to the Plan being adopted by Full Council.

#### 6.0 Alternative Options

6.1 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.

#### 7.0 Implications

##### Financial, Resources and Procurement

7.1 There are no financial implications associated with this report. However, strategic risks can relate to financial issues and are considered as part of the Council's Medium Term Financial Plan, budget preparation and monitoring process.

##### Human Resources

7.2 There are no human resources implications associated with this report.

##### Legal

7.3 There are no legal implications associated with this report.

##### Health and Sustainability Impact Assessment

7.4 There are no Health and sustainability implications associated with this report. Performance monitoring supports the delivery of all Council Plan Priorities and has a positive impact on organisational objectives.

##### Equality and Diversity

7.5 There are no Equality and Diversity implications associated with this report. Performance monitoring supports Equality and Diversity needs.

##### Risk

Risk Management	Consequence	Controls required
Risk that performance measures are not monitored and corrective action is not identified.	Ambitions as set out in the Council Plan are not achieved.	Robust performance management arrangements are implemented. Recommendations for corrective action are implemented.
Risk that good performance is not acknowledged.	Missed opportunity to maintain high morale and performance culture.	Successes are recognised and celebrated regularly.

## Contact Officers

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## Background Documents Available

Name of Background document	Where it is available
Council Plan – South Lakeland	<a href="#">South Lakeland Website</a>
Performance Management Framework – South Lakeland	<a href="#">South Lakeland Website</a>
Risk Management Arrangements – South Lakeland	<a href="#">South Lakeland Website</a>
Description of Nearest Neighbours Model - CIPFA	<a href="#">CIPFA Website</a>
Benchmarking data - Local Government Association	<a href="#">Local Government Association Website</a>
Economy data - Office for National Statistics Official Labour Market Statistics	<a href="#">Office for National Statistics Website</a>
Health data - Public Health England Public Health Outcomes Framework	<a href="#">Public Health England Website</a>

## Tracking Information

Signed off by	Date sent	Date Signed off
Section 151 Officer	19/04/22	21/04/22
Monitoring Officer	19/04/22	21/04/22
CMT	21/04/22	21/04/22

Circulated to	Date sent
Lead Specialist	19/04/22
Human Resources Lead Specialist	19/04/22
Communications Team	19/04/22
Leader	23/05/22
Committee Chairman	
Portfolio Holder	
Ward Councillor(s)	NA
Committee	
Executive (Cabinet)	08/06/22
Council	N/A

## Strategic Risks Register – Quarter 4 2021/22

### Introduction

Risk Management is an essential element of corporate governance arrangements. The process of risk management allows the Council to identify, prioritise and mitigate risks which may have a negative effect on services. This is an important and underpinning process which ensures good value for money and also continuity of services.

Risks are recognised as essential management information and so contribute towards decision making. This document lists all those risks which are considered as strategic in nature – in other words those risks that could have a wide impact or require senior management control.

This Strategic Risks Register is reviewed and updated every quarter by Corporate Management Team. Risks above the line of ‘risk appetite’ are a priority and so are reviewed every quarter – whilst those below risk appetite are reviewed once a year.

Strategic risks are by their very nature problematic and so can remain on the register for significant periods of time.

[Page 2 explains the Risk Matrix](#) with Likelihood, Impact and green/blue zones.

[Page 3 contains the ‘Heat Map’](#) which shows the distribution of risk on the matrix – providing an ‘at a glance’ view of all risks.

[Page 4 contains the Strategic Risk Register](#)

## How to understand the Risk Matrix:

This register contains the full and complete list of the Council's Strategic Risks. Each risk is plotted on a risk matrix to show the degree of likelihood and impact. The greater the likelihood and impact the higher the priority for management. Those risks which lay above the line of 'risk appetite' can be seen in the blue zone of the matrix. These risks are a priority for management and are reviewed every quarter. Risks below the risk appetite, in the green zone, are a lower priority and so are reviewed on an annual basis.

Likelihood	High				
	Medium			<b>X</b> ←	
	Low		<b>X</b> ←		
	Very Low				
		Negligible	Marginal	Serious	Critical
	Impact				

Risks positioned in the blue zone of the risk matrix are above 'risk appetite' (high priority) and require quarterly mitigation and management. Mitigation updates are listed for these risks.

Risks positioned in the green zone of the risk matrix are below 'risk appetite' (lower priority) and require an annual review in Quarter Four.

Risk 'Heat Map'- showing the current position of all risks in this report

This matrix provides an 'at a glance' view of the priority risks which are positioned in the blue zone and so are above the line of risk appetite.

**Commentary:** Following a review of the Strategic Risks for Quarter 4 2019/20 it was found that 65% of risks were above appetite. This significant change was due to the pressures brought about by Covid-19. The most recent review during Quarter 4 2021/22 shows that 27% of risks are positioned above appetite. These above appetite risks are reviewed at least on a quarterly basis.

Likelihood	High (4)				
	Medium (3)	22		5, 6, 21	
	Low (2)		7, 9	4, 13, 14, 15, 19, 20	17
	Very Low (1)			8	16
		Negligible (1)	Marginal (2)	Serious (3)	Critical (4)
Impact					

## Strategic Risk Register

The 'Heat Map' on the previous page shows the position of each risk on the matrix in terms of likelihood and impact

Risk No.	Name	Description	Risk Appetite	Review frequency	Mitigations	History of improvement	Officer Owner	Portfolio Owner
1	Income targets are not met due to ineffective debt collection	Archived	Archived	Archived		Archived during Q1 2016/17	Finance Lead Specialist	Deputy Leader & Finance and Assets Portfolio Holder
2	Contracts do not deliver the standards of performance required within the contract fee agreed	Archived. (New risk around contracts identified Q4 2019/20 - see Risk no. 23.)	Archived	Archived		Archived during Q4 2018/19	Finance Lead Specialist	Deputy Leader & Finance and Assets Portfolio Holder
3	Business Continuity	Archived	Archived	Archived		Archived during Q1 2018/19	Director of Strategy, Innovation and Resources	Leader and Promoting South Lakeland and Innovation Portfolio Holder
4	Affordable housing targets are not met.	The Council will need to enable new housing particularly through private sector development. This is influenced by New Homes Bonus and Local Government Financing. During Covid-19 pandemic a temporary reduction in completions is expected - it is likely that the 2025 target will be met.	Below	Annually		Q1 2017/18: RISK POSITION UNCHANGED. Q4 2017/18: RISK POSITION UNCHANGED - retained on the register to allow regular monitoring. Q4 2018/19: RISK POSITION UNCHANGED - review indicates that housing performance is on track. Q4 2019/20: RISK POSITION UNCHANGED - review indicates housing is likely to achieve the 2025 target. Q4 2020/21: RISK POSITION UNCHANGED. Q4 2021/22: RISK POSITION UNCHANGED - on track due to progress with Swarthmoor roundabout unlocking affordable sites.	Director of Customer and Commercial Services	Housing Portfolio Holder



5	Impact of the Welfare Reform on communities, Council operations and resources	The Council mitigates as far as possible against both the impacts of welfare reform on communities and also on Council operations and resources. Welfare reform results in significant changes to taxes and benefits - impacting on low-income tenants and social landlords. With transfer to Universal Credit widely reported impacts on claimants across England. Central Government monitor impacts and make adjustments. The current risk position is proportionate for South Lakeland. The Council has in place many mitigations to reduce poverty and to alleviate against universal credit impacts. This risk has increased due to the Covid-19 Pandemic and mitigations have been expanded to cover Covid-19 impacts. Addressing impact within the district requires a multi-agency approach.	Above	Quarterly	The Council communicates regularly with DWP and CAB. Discretionary Housing Payment. Council Tax Reduction Scheme. Temporary Council Tax COVID -19 Hardship Fund. Council Tax Discretionary Relief Scheme. Building Financial Resilience Group - partnership working to reduce poverty. Further funding to be provided to CA To increase access to services for those residents who are experiencing financial and employment difficulties because of Covid-19 and the Government restrictions imposed as a reaction to it. To ensure those people can access the service funding provided to a project to pilot a dedicated web chat advice service. Employed additional resource to administer the increase in HB/CTRS claims as a result of COVID-19. Addressing need within communities via a range of mitigations, for example Covid response grants, support to the Voluntary sector, work of the multi-agency Community Resilience Group.	Q1 2017/18: RISK POSITION UNCHANGED. Q4 2017/18: RISK POSITION UNCHANGED - risk retained whilst potential for impacts. Q4 2018/19: RISK POSITION UNCHANGED - measures to reduce poverty and alleviate against impacts now listed. Q4 2019/20: RISK POSITION INCREASED - risk increased due to Covid-19 pandemic impacts and greater dependency on Universal Credit. Q1 2020/21: RISK POSITION UNCHANGED further mitigations added. 06/08/20: Review indicates no change to risk - community impacts are being monitored. Q2 2020/21: RISK POSITION UNCHANGED whilst claimant numbers increased. Q3 2020/21: RISK POSITION UNCHANGED from Q2. Q4 2020/21: RISK POSITION UNCHANGED. Q1 2021/22: RISK POSITION IMPROVED: Likelihood improved due to Covid response. 05/08/21 Interim review at request of Audit Committee: RISK POSITION UNCHANGED – ‘Risk Name’ and ‘Risk Description’ clarified to better reflect impact on both council operations and resources as well as community. Further examples of existing mitigations now added with note on multi-agency approach across the district. Q2 2021/22: RISK POSITION UNCHANGED Risk review indicates no change. Q3 2021/22: RISK POSITION UNCHANGED - review indicates no change to risk. Q4 2021/22: RISK POSITION UNCHANGED - due to economic pressures on the population.	Director of Strategy, Innovation and Resources	Health, Wellbeing and Poverty Alleviation Portfolio Holder
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6	Medium Term Financial Planning – delivery of a balanced budget	Current and future years proposed budget reductions (expenditure and income) are not achieved. Future year's budget reductions (expenditure or income) are not identified. Significant existing income sources are not protected or effectively managed. Income from Central Government is reduced above the current assumptions. NDR income assumptions are not achieved. Other key factors are Spending Review, Business Rates Retention, Fair Funding Review and Local Government Finance Settlement. The Coronavirus pandemic presents significant income and expenditure challenges. 08/09/21: there are a number of changes to the level of MTFP risk. 1. The projected deficits (and therefore savings targets) has reduced due to assumptions around the delay in the local government finance reform. 2. There is increased uncertainty around existing costs and income due to the continuing impact of Covid-19 and the potential future impacts of local government reform 3. There is a need to review projects and therefore budgets and capital programme for deliverability of schemes before LGR 4. There is likely to be a significant request for resources to fund the transition costs of LGR 5. Continued focus required on budget management and consideration of value for money 2022/23.	Above	Quarterly	MTFP assumptions reviewed, updated and reported on quarterly basis. Options to resolve issues are provided to Cabinet each quarter. MTFP review during July 2020 - completed. 08/09/21: A working group of all council Chief Finance Officers from Cumbria now discuss weekly the potential impact of LGR and review risks.	Q2 2019/20: RISK POSITION UNCHANGED - risk description updated. Q3 2019/20: RISK POSITION UNCHANGED - risk description further updated. Q4 2019/20: RISK POSITION INCREASED - risk increased due to challenges of Covid-19 pandemic. Q1 2020/21: RISK POSITION UNCHANGED - mitigations reviewed. 06/08/20: Review indicates no change to risk at this time - the MTFP review is completed. Q2 2020/21: RISK POSITION UNCHANGED since recent review. Q3 2020/21: RISK POSITION UNCHANGED. Q4 2020/21: RISK POSITION UNCHANGED. Q1 2021/22: RISK POSITION IMPROVED in terms of both likelihood and impact due to financial support from government and therefore reduced budget pressure for future years. Q2 2021/22: RISK POSITION UNCHANGED - additional mitigations around LGR included and risk description updated. Q3 2021/22: RISK POSITION UNCHANGED - review indicates no change to risk. Q4 2021/22: RISK POSITION UNCHANGED - review indicates no change to risk and balanced budget set for 2022/23 - risk description updated.	Finance Lead Specialist	Deputy Leader & Finance and Assets Portfolio Holder
7	Information Management is not effective	The Council is required to have effective information governance procedures. It will be necessary to manage corporate information by implementing processes, roles and controls - including GDPR and the Data Protection and Information Security Policies.	Below	Annually	Managers are appropriately trained. Requirements in Job Descriptions and appraisals. Internal Audit findings acted on in a timely manner. Internal communication regarding policies and protocols. Review and monitoring of arrangements. Information Governance (IG) Framework in place. Continuous focus on new starters and improvement to existing procedures.	Q3 2017/18: RISK POSITION UNCHANGED - mitigation due dates updated re Information Governance Board Highlights Report 14/12/17. Q4 2017/18: RISK POSITION UNCHANGED Q4 2018/19: RISK POSITION UNCHANGED Q4 2019/20: RISK POSITION IMPROVED - risk reduced via internal communications, improved access to information, processes and data protocols. Q4 2020/21: RISK POSITION UNCHANGED additional mitigations added. Q4 2021/22: RISK POSITION UNCHANGED - work ongoing regarding Information Asset activity.	Director of Strategy, Innovation and Resources	Deputy Leader & Finance and Assets Portfolio Holder

8	The infrastructure required to deliver the Council Plan priorities is not provided.	Infrastructure is required to support businesses and housing objectives. The Council implements the Community Infrastructure Levy (CIL) to fund infrastructure. Protocols for CIL Governance and Infrastructure Delivery Plan. The impacts of Storm Desmond may have implications for future flood resilience measures and infrastructure.	Below	Annually	Annual update of Infrastructure Delivery Plan - completed. Development of protocols for CIL Governance - completed. CIL Review proposed as part of Development Management Policies process - viability study completed.	Q4 2018/19: RISK POSITION IMPROVED - risk reduced due to greater certainty meeting infrastructure requirements. Q4 2019/20: RISK POSITION UNCHANGED. Q4 2020/21: RISK POSITION UNCHANGED. Q4 2021/22: RISK POSITION UNCHANGED.	Strategy Lead Specialist	Leader and Promoting South Lakeland and Innovation Portfolio Holder
9	Essential strategic partnerships required to deliver the Council Plan do not operate effectively.	Robust agreements are needed to continue to work with our identified partners following the decision to reorganise local government in Cumbria. This will require new strategic partnerships to be formed with groups to ensure South Lakeland communities continue to gain maximum benefit in the new unitary councils. This risk continues to apply to all strategic partnerships - eg Local Enterprise Partnership (LEP), LDNPA and existing sovereign councils up until April 2023 and beyond. The risk is not specific to any one initiative or approach from partners, rather their strategic direction and policies and correlation with South Lakeland's Council Plan and the policies of Central Government.	Below	Quarterly	Monitor resource and cost in line with SLDC's Portfolio planning as agreed at Cabinet Away Day 06/09/21. This will enable the Council's existing and future priorities to be embedded in the new unitary council.	Q1 2019/20: RISK POSITION UNCHANGED - SLDC continues to improve collaborative working including Morecambe Bay Health partners. The Morecambe Bay Three Authority partnerships continues to develop within the North West and Government. Q2 2019/20: RISK POSITION IMPROVED - due to improved relationships across Morecambe Bay including local authority, health partners, Local Enterprise Partnership (LEP), County Council, National Parks, Town and Parish Councils and CALC. Q4 2019/20: RISK POSITION INCREASED - due to recent devolution discussions and potential for local government reorganisation. Increased tensions felt between two tiers of government in Cumbria - all other partnerships remain positive. Q1 2020/21: RISK POSITION UNCHANGED - Morecambe Bay partnership in specific areas is strong. Covid-19 response is good example of partnership working. 'Recovery/devolution' information from central Government may lead to increased tensions for all tiers of local government in Cumbria. Q2 2020/21: RISK POSITION UNCHANGED - Q1 commentary remains relevant. Q3 2020/21: RISK POSITION UNCHANGED from Quarter 1 position. Q4 2020/21: RISK POSITION UNCHANGED. Q1 2021/22: RISK POSITION UNCHANGED - intelligence suggests decision is imminent on LGR. Q2 2021/22: RISK POSITION IMPROVED - risk review shows improvement to likelihood score 2 with current mitigations - risk below appetite. Q4 2021/22: RISK POSITION IMPROVED to likelihood score 2 due to CCC Judicial Review ceasing.	Chief Executive	Leader and Promoting South Lakeland and Innovation Portfolio Holder
10	Procurement compliance with new legislation	Archived	Archived	Archived		Archived during Q1 2016/17	Strategy Lead Specialist	Deputy Leader & Finance and Assets Portfolio Holder
11	Planning for the future of the major contracts and workload implications for support services	Archived	Archived	Archived		Archived during Q1 2016/17	Strategy Lead Specialist	Deputy Leader & Finance and Assets Portfolio Holder

12	Health and Safety management of contracts	Archived	Archived	Archived		Archived during Q4 2018/19	Chief Executive	Leader and Promoting South Lakeland and Innovation Portfolio Holder
13	Impact of new projects and initiatives on existing Council Plan priorities	There is a risk that new projects and initiatives take the resources required by other projects and initiatives currently in the programme.	Below	Quarterly	Potential new projects and initiatives are subject to a pre-assessment to measure priority. The Commissioning Strategy will provide a robust basis for the evaluation of business cases for new projects. Council Plan priorities have been reviewed in latest version of Council Plan Feb 2021. Commissioning Strategy being worked into full practice. Response to Covid pandemic still necessitates redirection of resources.	Q2 2017/18: RISK POSITION UNCHANGED Q4 2017/18: RISK POSITION IMPROVED - likelihood reduced via controls and prioritisation against Strategic Projects Log. Q4 2018/19: RISK POSITION UNCHANGED Q4 2019/20: RISK POSITION INCREASED - increase in likelihood and impact due to recovery needs for Covid-19 pandemic. Q1 2020/21: RISK POSITION INCREASED - increase in likelihood with further awareness response/recovery needs. 06/08/20: Review indicates no change to risk. Q2 2020/21: RISK POSITION UNCHANGED due to response and recovery needs. Mitigation added re Council Plan priorities. Q3 2020/21: RISK POSITION UNCHANGED. Q4 2020/21: RISK POSITION UNCHANGED and additional mitigations added. Q1 2021/22: RISK POSITION IMPROVED: Likelihood improved - taken steps through strategic project log meeting to pause and or reschedule projects and have greater awareness of how new initiatives will impact the existing programme. 05/08/21 Interim review at request of Audit Committee: RISK POSITION IMPROVED - improved one place for likelihood due to continued adherence to mitigating measures. Risk now below appetite. Q4 2021/22: RISK POSITION UNCHANGED - potential for greater impact with LGR risk remains below appetite.	Director of Strategy, Innovation and Resources	Leader and Promoting South Lakeland and Innovation Portfolio Holder
14	Unintended impacts of efficiencies and service changes	New efficiencies and changes brought about by one service or organisation can have unintended negative impacts on another service – especially if proposals are not consulted on until to late in the process. Impacts can increase cost of running services. This risk is influenced by Risk 15 Customer Connect Programme.	Below	Quarterly	Managed via operational and budgeting processes. Promote early discussions on potential change with external parties. Customer Connect Programme.	Q1 2019/20: RISK POSITION UNCHANGED - risk remains unchanged during organisational change. Q2 2019/20: RISK POSITION UNCHANGED Q3 2019/20: RISK POSITION UNCHANGED - description updated. Q4 2019/20: RISK POSITION UNCHANGED - unchanged due to Covid-19 emergency response and recovery. Q1 2020/21: RISK POSITION UNCHANGED due to Covid-19. 06/08/20: Review indicates no change to risk due to Covid and budget challenges. Q2 2020/21: RISK POSITION UNCHANGED during period of organisational change and adaptation to Covid-19. Q3 2020/21: RISK POSITION UNCHANGED. Q4 2020/21: RISK POSITION IMPROVED likelihood reduced to a score of 2, risk now below appetite. Q4 2021/22: RISK POSITION UNCHANGED - remains below appetite.	Director of Strategy, Innovation and Resources	Leader and Promoting South Lakeland and Innovation Portfolio Holder

15	Customer Connect Programme (risk type 'Opportunity')	Customer Connect requires a significant change to ways of working. Challenges for the programme include scope and ambition, staff resources and capacity, skills and workforce planning, buy in from customers and training and development for staff and Councillors. Programme Board manages risks via the Customer Connect Risk Log. The Covid-19 pandemic increases risk to the next phase of the programme. (In terms of Risk Management this risk is positive in nature - an 'Opportunity')	Below	Quarterly	Managed via the Programme Board - resources identified year 1 and 2. Programme Risk Log shared with Audit Committee each quarter. New mitigations as a result of Covid-19 have been identified and are to be included for Q1. Final reporting on Programme for January / February 2021.	Q1 2019/20: RISK POSITION UNCHANGED Q2 2019/20: RISK POSITION UNCHANGED Q3 2019/20: RISK POSITION UNCHANGED - mitigation progress updated. Q4 2019/20: RISK POSITION IMPROVED - reduced in likelihood, Programme financial benefits realised and advancements to new ways of working. 06/08/20: Review indicates no change to risk. Programme Management arrangements are resumed. Q2 2020/21: RISK POSITION UNCHANGED - mitigation added re final reporting on Programme. Q3 2020/21: RISK POSITION UNCHANGED - however risk improvement expected by March 2021. Q2 2021/22: RISK POSITION IMPROVED - risk review indicates impact has reduced to score 3 due to programme moving to completion and reporting - risk now below appetite. Q4 2021/22: RISK POSITION IMPROVED - impact reduced to 2 and remains below appetite.	Director of Strategy, Innovation and Resources	Leader and Promoting South Lakeland and Innovation Portfolio Holder
16	Waste Collection – Reversing Manoeuvres	Management of waste collection vehicle manoeuvres on recycling and waste collection rounds. Practical and technological safety precautions in place: waste collection round risk assessments and safe systems of work. All drivers and crews trained. All rounds monitored to ensure safe systems are adhered to. Vehicles have advanced technologies e.g. reversing CCTV and sophisticated radar for safe manoeuvres.	Below	Annually	Safe System of Work, inspections and risk reducing technologies. Reviewed vehicle movements including reversing - findings implemented. Lane End Policy mitigates against hazardous vehicle manoeuvres. New reversing aid installed to assist safer vehicle manoeuvres.	Q4 2017/18: RISK POSITION IMPROVED - target position met due to completed mitigations. Q4 2018/19: RISK POSITION UNCHANGED Q3 2019/20: RISK POSITION UNCHANGED - new mitigation 'Lane End Policy' added. Q4 2019/20: RISK POSITION UNCHANGED. Q4 2020/21: RISK POSITION UNCHANGED. Q4 2021/22: RISK POSITION UNCHANGED - effective mitigations in place.	Director of Customer and Commercial Services	Leader and Promoting South Lakeland and Innovation Portfolio Holder
17	Cyber Security incident	High profile cyber security breaches across the World and the UK. The Council has effective security in place - however threats are becoming ever more sophisticated. Cyber-attacks can cross international boundaries and be initiated by organised criminals, individuals or states. Terrorists are conducting low-level attacks and aspire to more significant acts.	Above	Annually	Cyber security mitigations within the ICT Risk Register. Review of Insurance. Security updates, virus software updates and industry best practice. Business Continuity arrangements strengthened. Further training for all staff has been made available and accessible to all - during September 2020 re cyber security awareness.	Q2 2017/18: RISK POSITION UNCHANGED - insurance mitigation added. Q4 2017/18: RISK POSITION UNCHANGED Q4 2018/19: RISK POSITION UNCHANGED Q4 2019/20: RISK POSITION UNCHANGED Q2 2020/21: RISK POSITION UNCHANGED - mitigation added around further training for staff. Q4 2020/21: RISK POSITION UNCHANGED. Q4 2021/22: RISK POSITION INCREASED - likelihood increased to score 2 during heightened period of cyber attacks nationally and globally - risk above appetite.	Director of Strategy, Innovation and Resources	Leader and Promoting South Lakeland and Innovation Portfolio Holder
18	Potential reduction in income from the disposal of recyclable materials as a consequence of market changes	China is now receiving only very low contaminated recycled waste. As a consequence there will be very large quantities of UK and international waste that cannot be sent to China. Without an alternative outlet the value of this waste will fall significantly. The Council's waste collection approach avoids contamination and so may be less affected. This advantage is confirmed in a recent APSE report. However income provided from	Archived	Annually	Legally compliant, waste recycling processes minimising contamination. Maintain high profile message to residents to avoid contamination of recyclables. Budgeting mitigations in place.	13/03/18: RISK IDENTIFIED - escalation from operational level to Strategic Risks Register. Q4 2018/19: RISK POSITION UNCHANGED - due to the lowered market value of waste. Q4 2019/20: RISK POSITION UNCHANGED - risk remains the same as market remains volatile. Q4 2020/21: RISK POSITION ARCHIVED - risk now fully managed via mitigations.	Director of Customer and Commercial Services	Climate Action and Biodiversity Portfolio Holder

		waste recycling is significant and the market is currently volatile.						
19	Business Continuity: Flu Pandemic - Loss of people, skills and supply chain disruption	Flu Pandemic is listed alongside the top risks in the Cumbria Community Risk Register. Covid-19 global pandemic: the Council is following Government guidelines and working with Cumbria Local Resilience Forum to safeguard the public. The Council has implemented unprecedented Business Continuity arrangements to maintain all essential services - and also to undertake activities outside its normal remit. Business Continuity is key for meeting statutory obligations and mitigations are in place within strategic and operational plans. This risk has increased due to the Covid-19 Pandemic.	Below	Quarterly	Refer to and implement National/PHE advice and guidance. Coordinate with and support comprehensive CLRF response and business continuity arrangements. Have regard to mitigations identified within the Cumbria Flu Pandemic Plan. Organisational and CLRF debriefs. New mitigations as a result of Covid-19 have been identified and are to be included for Q1. Focus on maintaining services during second wave.	13/03/18: RISK IDENTIFIED - escalation to the Strategic Risk Register. 27/09/18: Mitigations updated, BCM audit result 'Substantial Assurance'. Q4 2018/19: RISK POSITION UNCHANGED Q4 2019/20: RISK POSITION INCREASED - due to unprecedented global Covid-19 pandemic. Q1 2020/21: RISK POSITION IMPROVED - likelihood of impacts are reduced with resilient arrangements in place. Note possibility of second pandemic wave. 06/08/20: Review indicates no change to risk. Q2 2020/21: RISK POSITION UNCHANGED - due to emerging second wave and ongoing pressures. Mitigations added re maintaining services. Q3 2020/21: RISK POSITION UNCHANGED during second wave and restrictions. Q4 2020/21: RISK POSITION UNCHANGED during national restrictions. Q1 2021/22: RISK POSITION IMPROVED - Likelihood improved due to the current decrease in Covid infections, risk position below appetite. Q4 2021/22: RISK POSITION IMPROVED - likelihood reduced to score 1 with easing restrictions and successful delivery of services.	Director of Strategy, Innovation and Resources	Leader and Promoting South Lakeland and Innovation Portfolio Holder
20	Capacity for Business as Usual during the transition to the new organisational model.	Risk that vacancies are not filled for roles which are essential for running the organisation and meeting the health and welfare needs of the public. Potential impact on business whilst moving through transition to learn new processes, behaviours etc.	Below	Quarterly	Transition Planning to maintain BAU. Culture Change, Learning & Skill development planning to maintain skills and knowledge. Use of temporary resources to maintain critical posts. During transition extra temporary resources have been put in place. Review required approaching end of temporary resources.	Q1 2019/20: RISK POSITION UNCHANGED Q2 2019/20: RISK POSITION UNCHANGED - time of organisational change. Q3 2019/20: RISK POSITION UNCHANGED Q4 2019/20: RISK POSITION UNCHANGED - due to response and recovery activity for Covid-19 pandemic. Q1 2020/21: RISK POSITION UNCHANGED due to Covid-19. 06/08/20: Review indicates no change to risk. Use of temporary resources to mitigate. Q2 2020/21: RISK POSITION UNCHANGED since recent review. Mitigation added re additional temporary resources during transition. Q3 2020/21: RISK POSITION UNCHANGED. Q4 2020/21: RISK POSITION UNCHANGED, additional mitigation added. Q1 2021/22: RISK POSITION UNCHANGED - further work has progressed to programme outstanding Transition work and associated resources. Q2 2021/22: RISK POSITION IMPROVED - risk review indicates likelihood has improved to score 2 due to moving to Customer Connect programme completion and reporting - risk now below appetite. Q4 2021/22: RISK POSITION IMPROVED - likelihood reduced to score 1 with capacity in place.	Director of Strategy, Innovation and Resources	Leader and Promoting South Lakeland and Innovation Portfolio Holder

21	Accountable Body for large value schemes	The Council acting as 'Accountable Body' for large value grant aided schemes. The Council acts as "the bank" for grant monies - making payments to scheme deliverers. Robust governance, project appraisal, decision making - and clarity over responsibilities and accountabilities will manage and mitigate risks. Lack of adequate governance arrangements could lead to a reduction, suspension, withholding or repayment of grant. The current capital programme contains £5.3M of ERDF flood scheme with a further £2.3M of Coastal Communities Fund, the Cross-a-Moor junction improvement scheme and Cumbria Choice Based Lettings.	Above	Quarterly	Robust governance, decisions and clarity on responsibilities and accountabilities. Partnership Agreement between partners and Council as Accountable Body. Indemnify re legal claims. Monitoring process re potential weaknesses / risks towards corrective action. Each material scheme to be in Operational Risk Registers and monitored. Audit to ensure evidence in line with document retention. Local grant recipients retain original evidence. Regular reporting for accountable body projects to Corporate Management Team.	Q1 2019/20: RISK POSITION UNCHANGED Q2 2019/20: RISK POSITION UNCHANGED Q3 2019/20: RISK POSITION UNCHANGED - reporting mitigation added. Q4 2019/20: RISK POSITION UNCHANGED - due to Covid-19 response and recovery activities. Q1 2020/21: RISK POSITION UNCHANGED due to Covid-19 - delivery timescales may be affected. 06/08/20: Review indicates no change to risk. Q2 2020/21: RISK POSITION UNCHANGED - due to uncertainty about timetable. Q3 2020/21: RISK POSITION UNCHANGED - due to uncertainties around timetable. Q4 2020/21: RISK POSITION UNCHANGED whilst some projects completing funding agreements. Q1 2021/22: RISK POSITION UNCHANGED previous commentary is still valid. Q2 2021/22: RISK POSITION UNCHANGED - review indicates that risk remains the same. Q3 2021/22: RISK POSITION UNCHANGED - review confirms no change to risk. Q4 2021/22: RISK POSITION UNCHANGED.	Director of Strategy, Innovation and Resources	Deputy Leader & Finance and Assets Portfolio Holder
22	Strategic documents may no longer meet post pandemic needs.	Strategic documents include for example the Local Plan and Council Plan. Change in circumstance increases uncertainty in what the Local Plan needs to address. New statistics show population increase with implications for affordable housing delivery and the Housing Strategy. This risk is due to the Covid-19 Pandemic.	Below	Quarterly	Continue to monitor socio economic and demographic indicators. Make greater use of electronic communications. Continue to engage closely with stakeholders and relevant delivery partners. Reviewed Council Plan priorities were adopted February 2021. Local Plan is in review and will take account of post Covid situation.	Q4 2019/20: RISK IDENTIFIED - due to Covid-19 pandemic. Q1 2020/21: RISK POSITION UNCHANGED - risk remains unchanged during Covid-19. 06/08/20: Review indicates no change to risk. Q2 2020/21: RISK POSITION UNCHANGED - however the Council Plan review is underway and this will reflect Covid-19 needs. Q3 2020/21: RISK POSITION IMPROVED due to greater awareness and understanding of impacts and how strategies may need to adapt. Revised Council Plan to be considered by Council in Feb 2021. Q4 2020/21: RISK POSITION IMPROVED likelihood reduced to a score of 1. Q4 2021/22: RISK POSITION UNCHANGED - risk remains similar during period of understanding the longer term impacts of the pandemic.	Director of Strategy, Innovation and Resources	Leader and Promoting South Lakeland and Innovation Portfolio Holder
23	Significant Contracts	There is a potential risk for service provision due to the economic impacts of Covid-19. There is also the potential for budget implications.	Archived	Quarterly	Communication with Government regarding support for providers. Maintaining close contact with providers. Services opened in July with expansion of activities for September. Mitigations in place.	Q4 2019/20: RISK IDENTIFIED - due to Covid-19 pandemic. Q1 2020/21: RISK POSITION UNCHANGED - risk remains unchanged during Covid-19. 05/08/20: Although services have opened this review indicates no change to risk due to uncertainty over future pandemic waves and restrictions. Q2 2020/21: RISK POSITION UNCHANGED - due to increasing restrictions and increased Covid-19 cases. Q3 2020/21: RISK POSITION UNCHANGED due to second pandemic wave and tiered restrictions. Q4 2020/21: RISK POSITION IMPROVED likelihood reduced with roadmap to recovery. Q4 2021/22: RISK ARCHIVED - due to reduction in Covid risk and national easing of mitigations.	Director of Customer and Commercial Services	Deputy Leader & Finance and Assets Portfolio Holder

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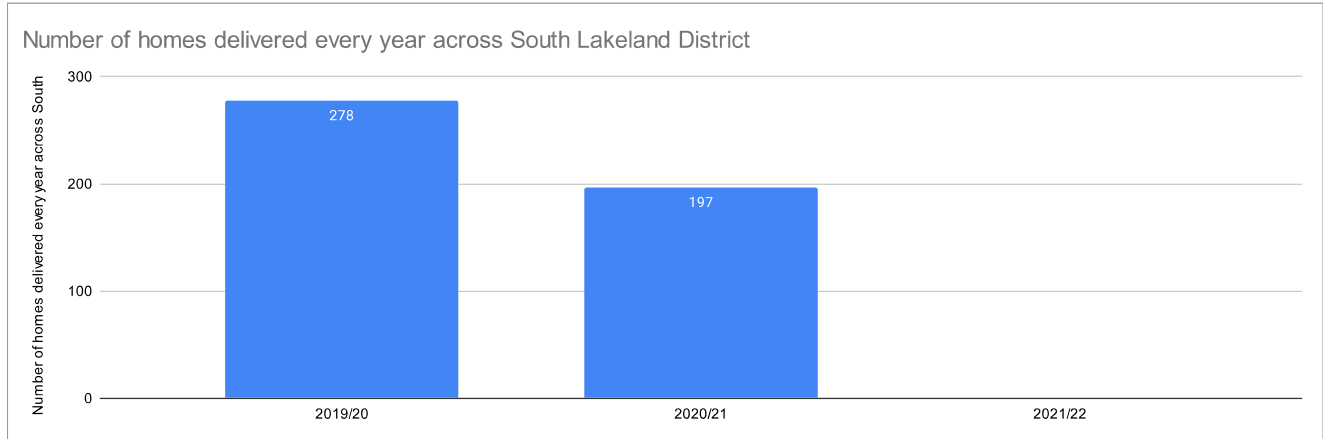
### Council Plan Performance Monitoring Report - Supporting Data

Data sets are listed by the relevant section in the covering report

Business, Economy and Covid-19 information are listed together under the heading 'Business and Economy - supporting data' (graphics 22-60)

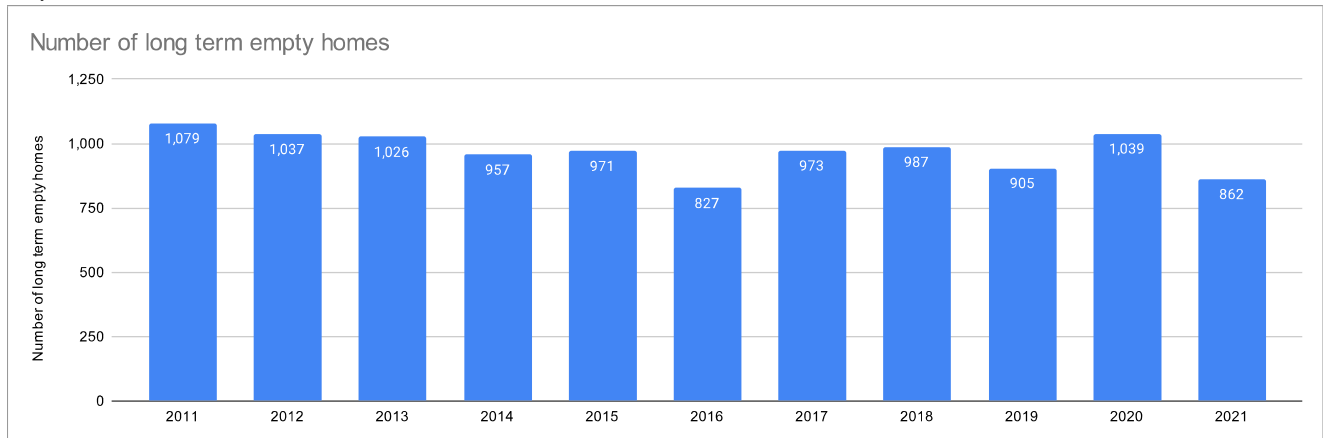
#### Council Plan Performance Monitoring Report Section 3.31 - Housing and communities targets

Graphic 1



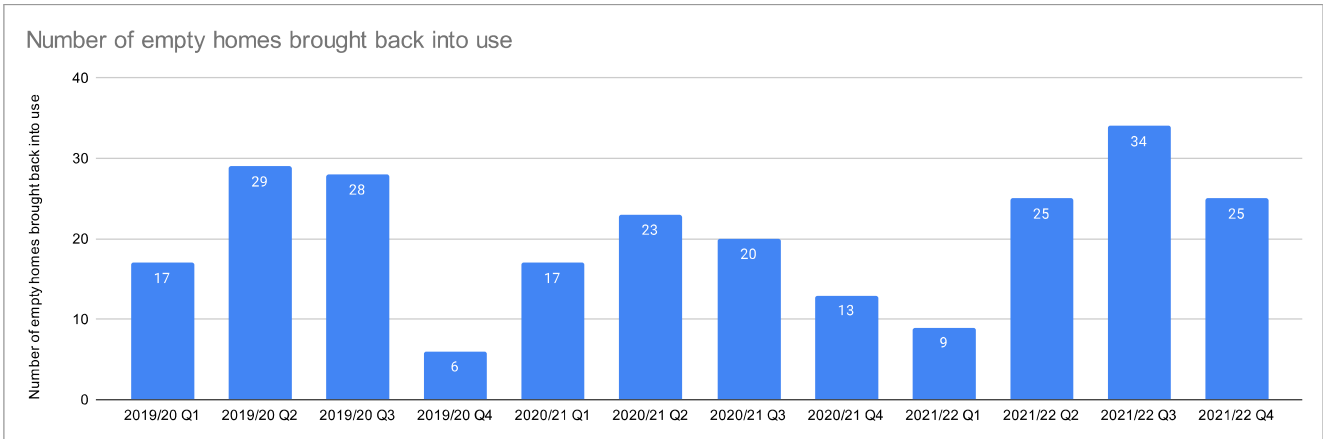
**Note:** For 2019/20 includes 223 homes in the SLDC Planning Authority area, 37 homes in the LDNPA area and 18 homes in the YDNPA area  
 For 2020/21 includes 163 homes SLDC Planning Authority area, 26 homes LDNPA, 8 homes YDNPA. 2021/22 data will be available for Q1 2022 reporting.

Graphic 2



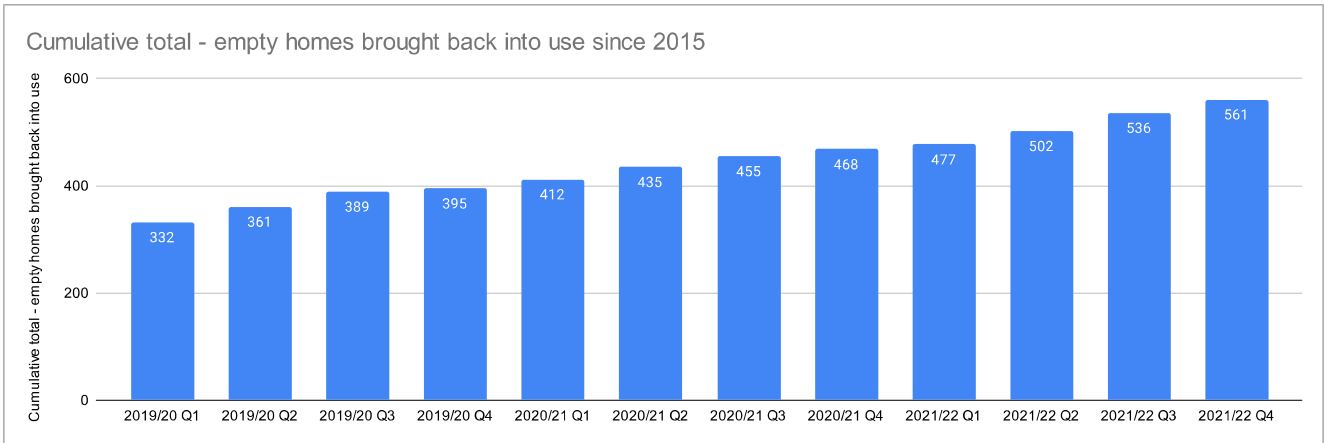
**Note:** Source: MHCLG Live tables on dwelling stock including vacants: table 615. 2022 data not yet available.

Graphic 3



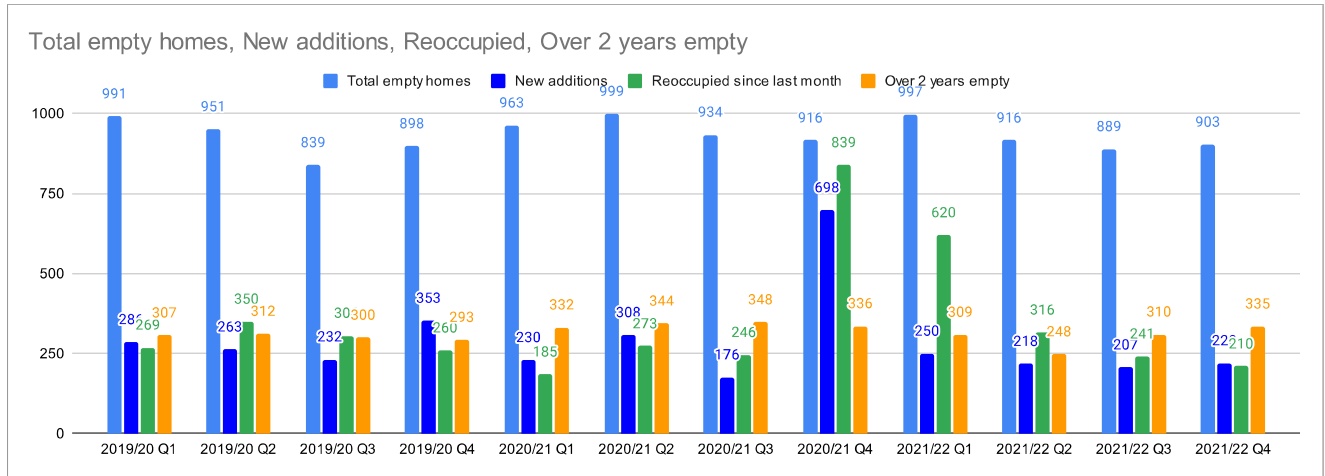
**Note:** Covid-19 lockdowns influenced empty homes due to reduced selling and repairing activity. 2021/22 results show an improving situation.

**Graphic 4**



**Note:** The cumulative total brought back into use since 2015.

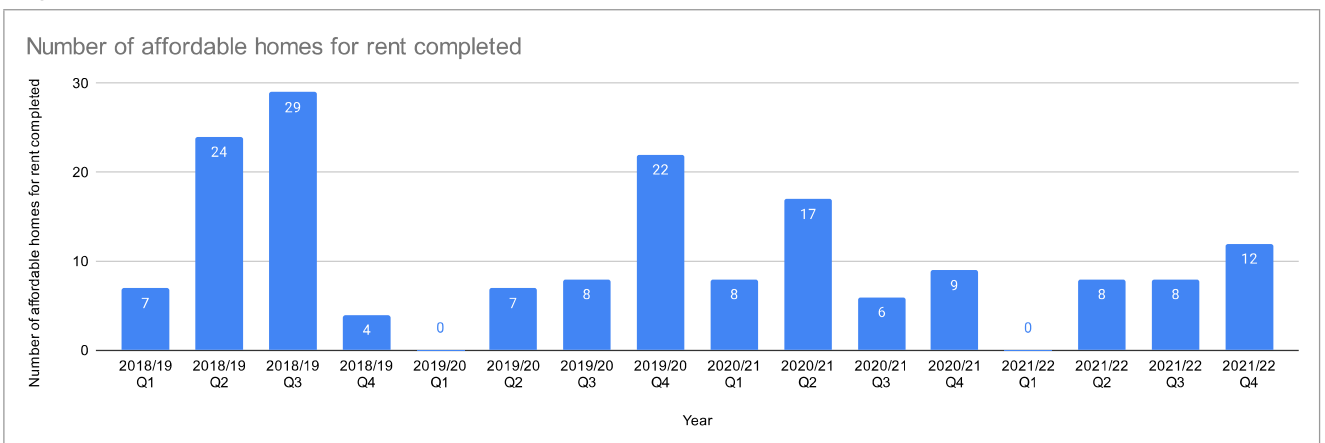
**Graphic 5**



**Note:** This graph provides a detailed breakdown for empty homes each quarter - it can be seen that there were many new empty homes during Q4 2020/21.

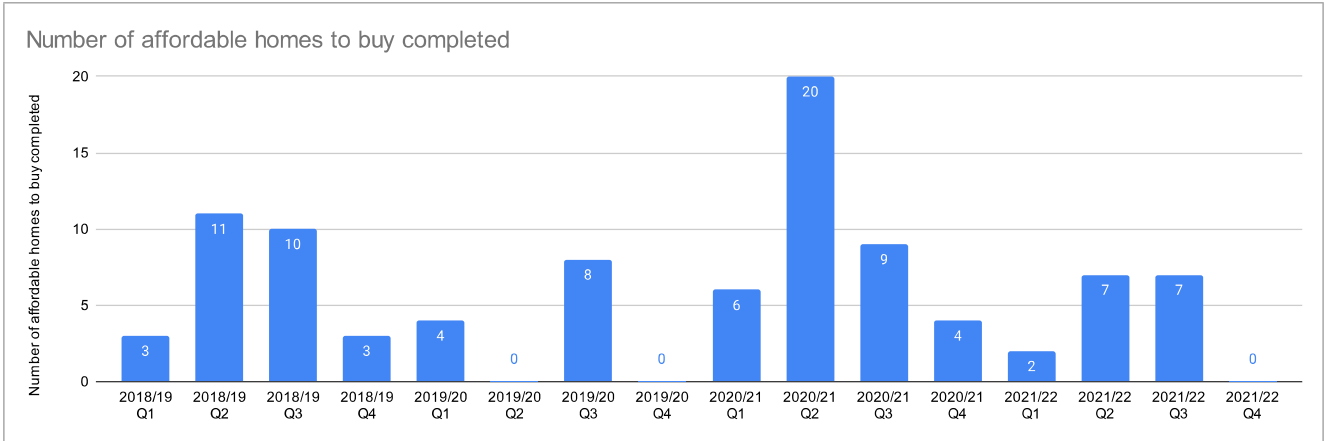
**Council Plan Performance Monitoring Report Section 3.41 - Housing and communities targets**

**Graphic 6**



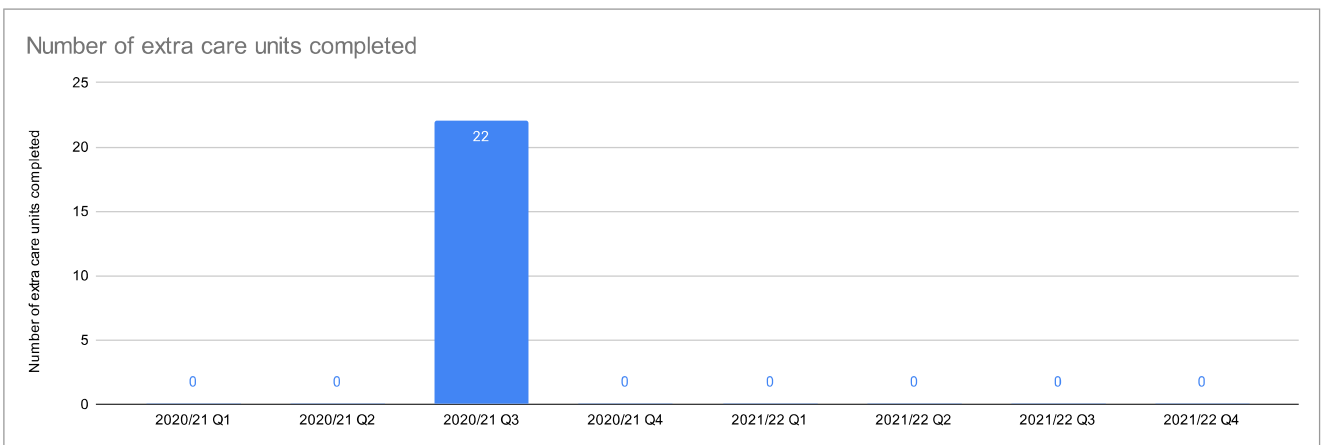
**Note:** There are currently 15 large housing schemes under construction in the District which will deliver around 400 affordable homes for rent and sale.

**Graphic 7**



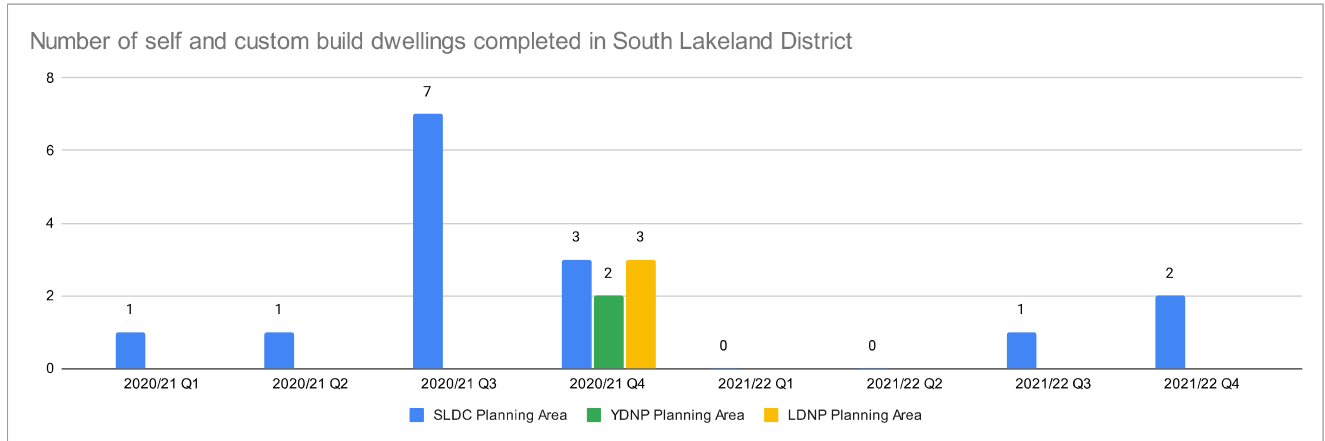
**Note:** There are currently 15 large housing schemes under construction in the District which will deliver around 400 affordable homes for rent and sale.

**Graphic 8**



**Note:** A total of 104 extra care units are expected within 2022

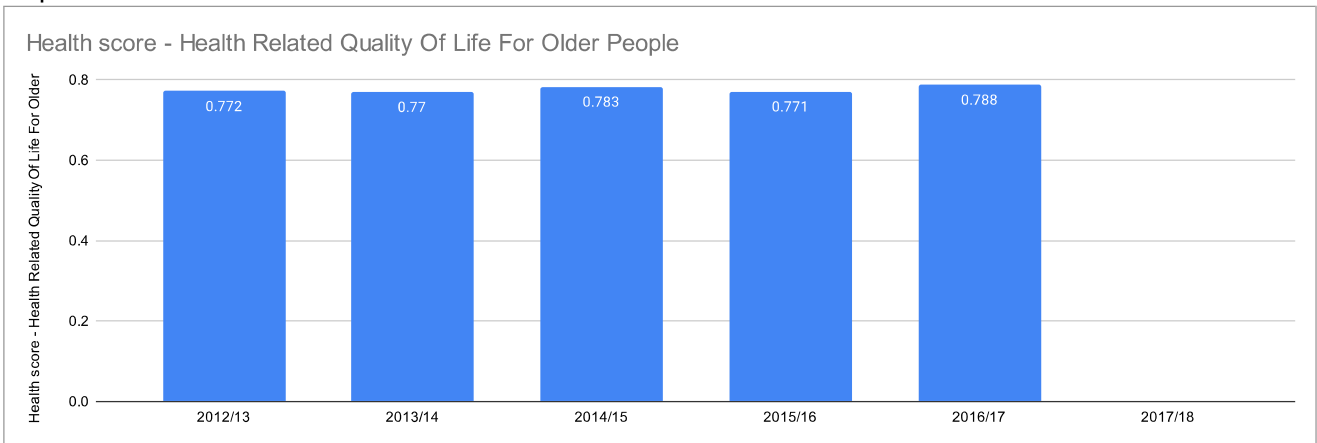
**Graphic 9**



**Note:** National Park data is annual and is displayed at the Q4 position in the graph. YDNP data is estimated.

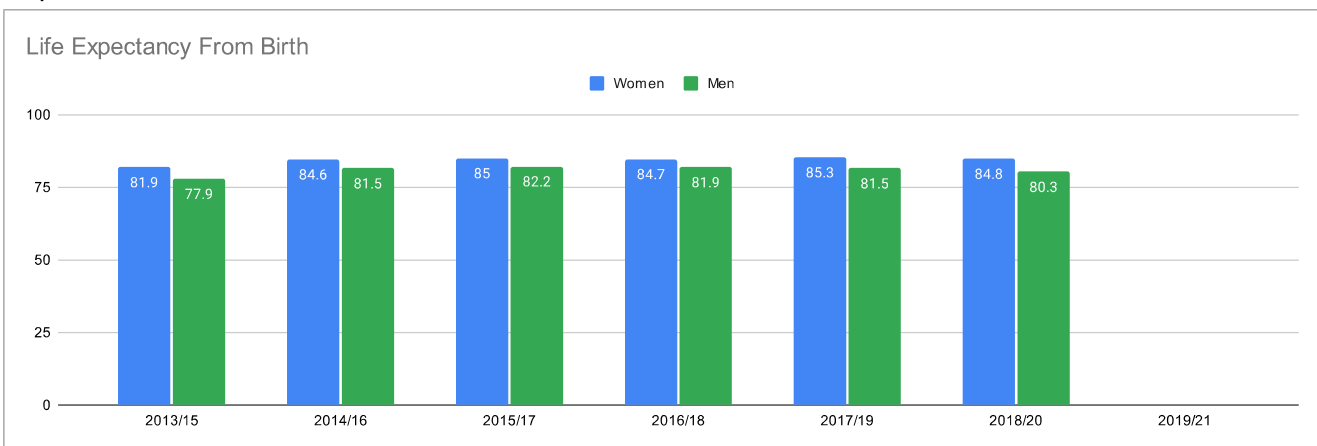
**Council Plan Performance Monitoring Report Section 3.43 - Health and environment targets**

**Graphic 10**



**Note:** Source: Public Health England. A higher score is good. 2017/18 data not yet available.

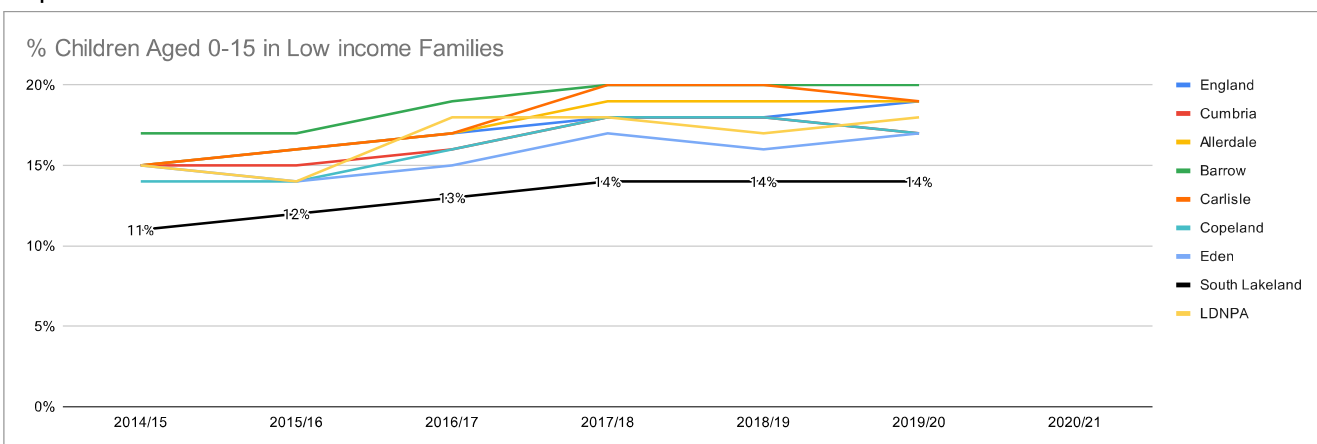
**Graphic 11**



**Note:** Source: Public Health England. 2019/21 data not yet available.

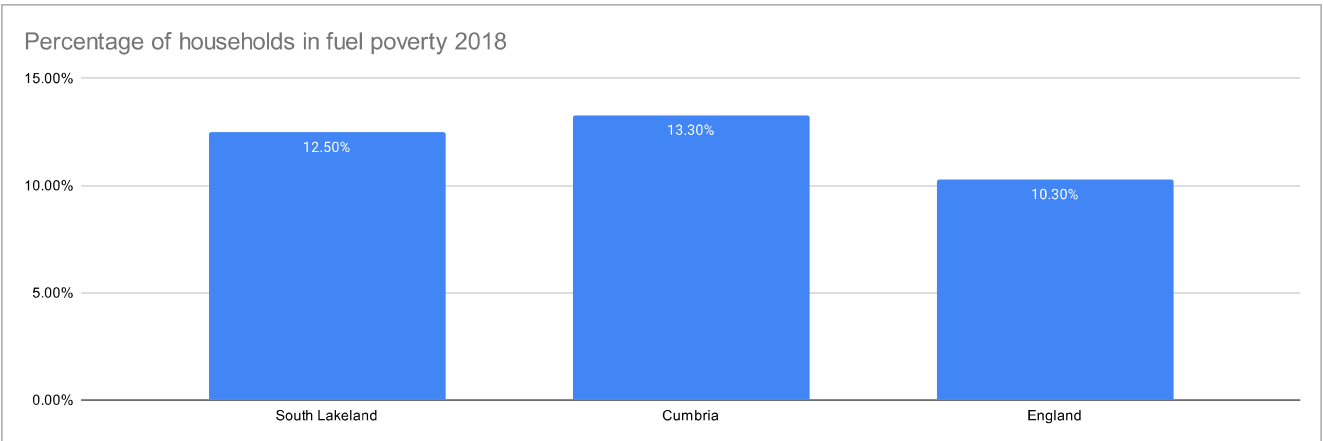
**Council Plan Performance Monitoring Report Section 3.51 - Housing and communities targets**

**Graphic 12**



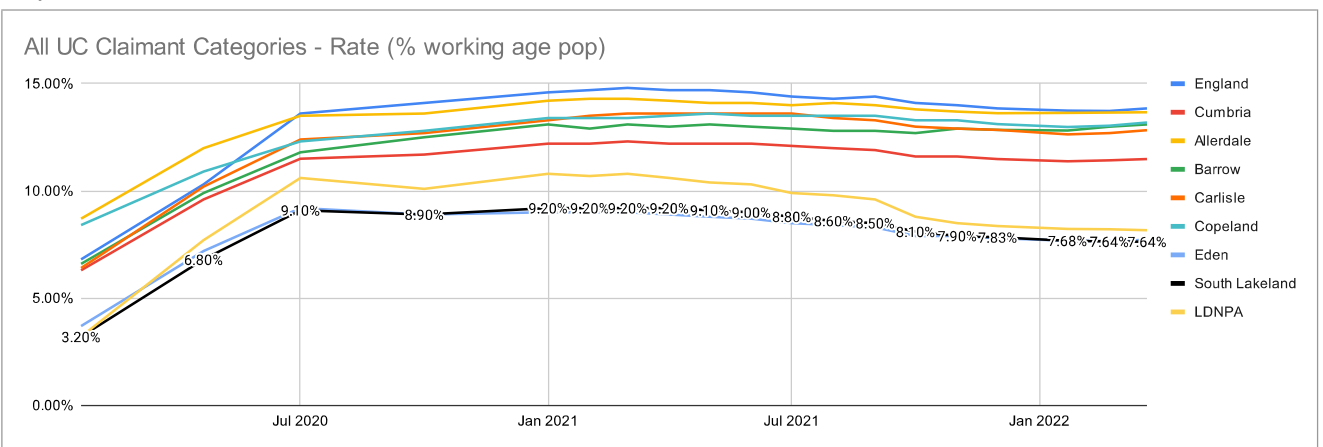
**Note:** This means children in families with income less than 60% of median income 'Before Housing Costs'

**Graphic 13**



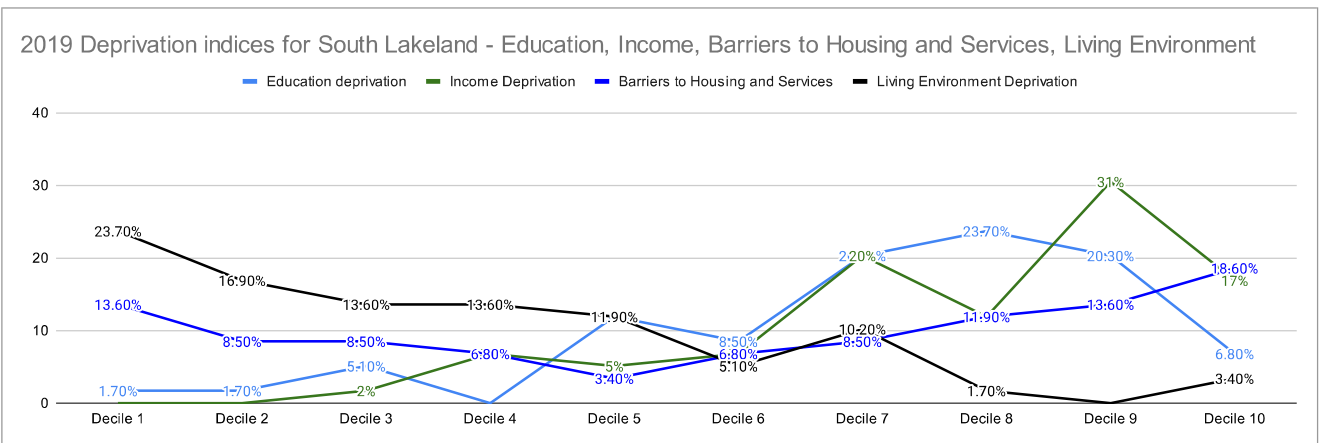
**Note:** This means living in a property of energy efficiency band D or below and with heating costs reducing income below the poverty line

**Graphic 14**



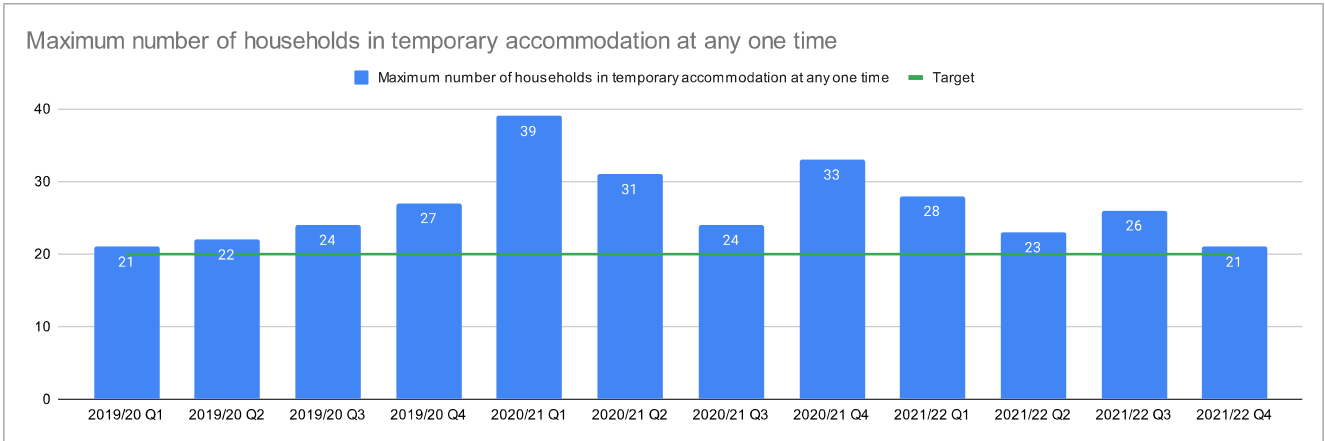
**Note:** The rate now shows a slightly reducing trend in most areas. Rates still remain high compared with January 2020

**Graphic 15**



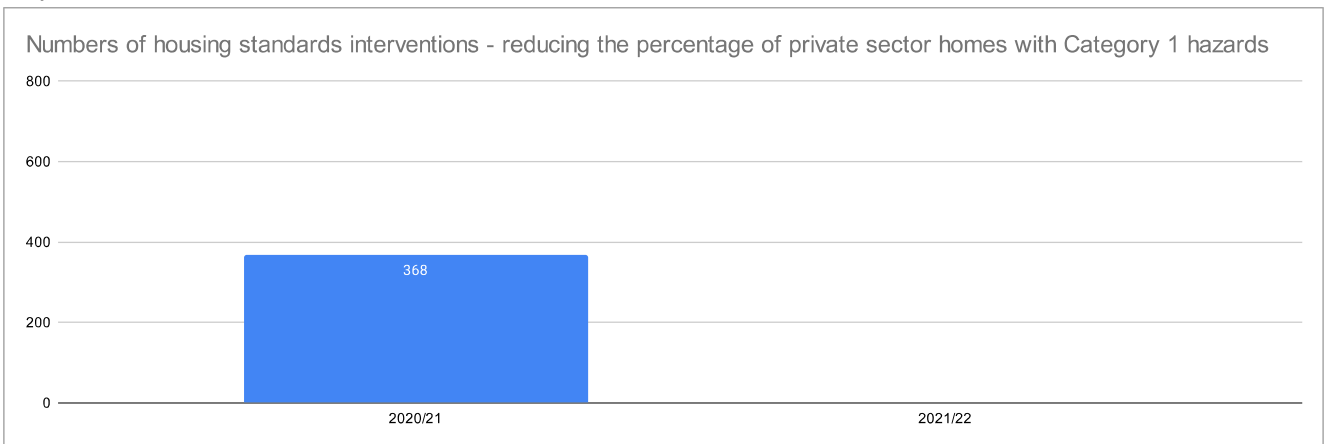
**Note:** Decile 1 equals the most deprived 10% of LSOAs in England while decile 10 is the least deprived 10% of LSOAs (LSOA's are small area/neighbourhoods)

**Graphic 16**



**Note:** The Housing Options service has seen a significant increase in households approaching the service for advice.

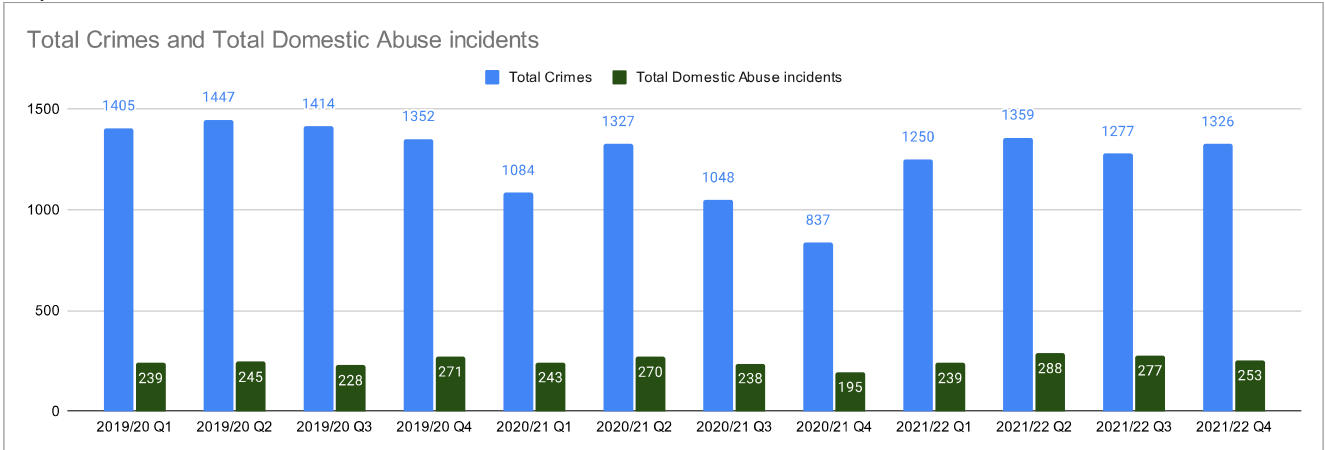
**Graphic 17**



**Note:** Interventions include the Handy Person and Draft Busters schemes, home energy improvements and enforcement.

**Council Plan Performance Monitoring Report Section 3.53 - Health and environment targets**

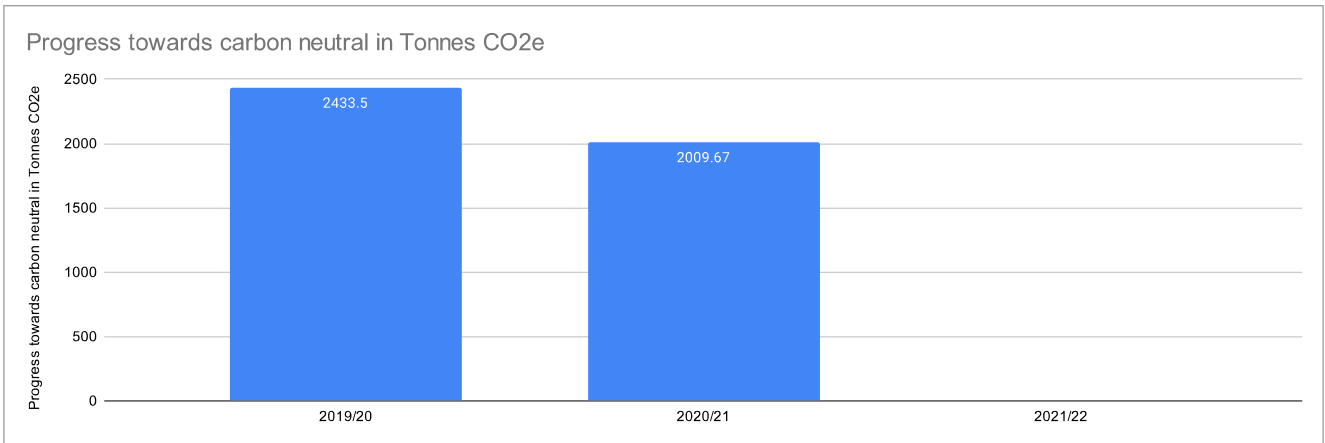
**Graphic 18**



**Note:** Source: Cumbria Constabulary

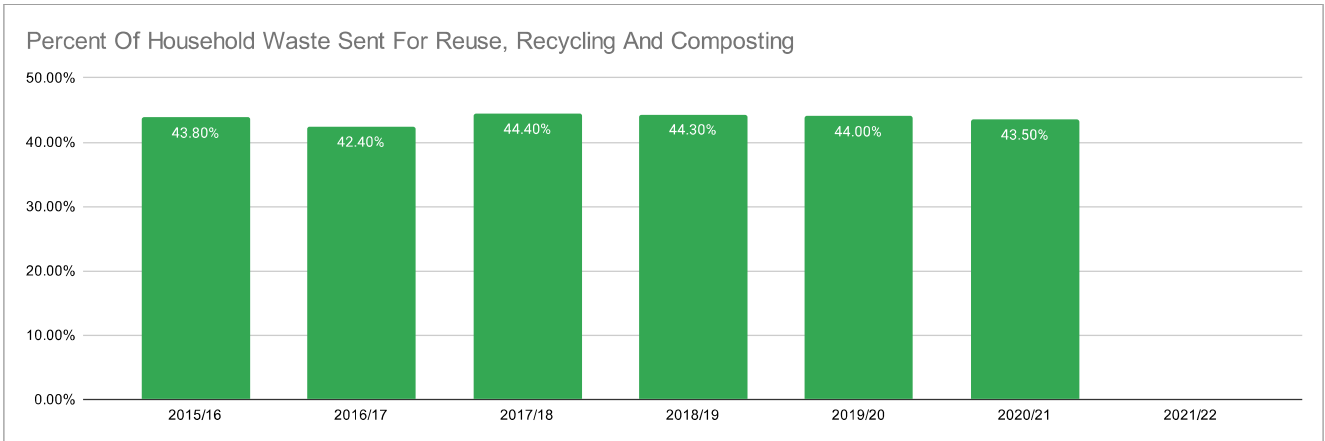
**Council Plan Performance Monitoring Report Section 3.63 - Health and environment targets**

**Graphic 19**



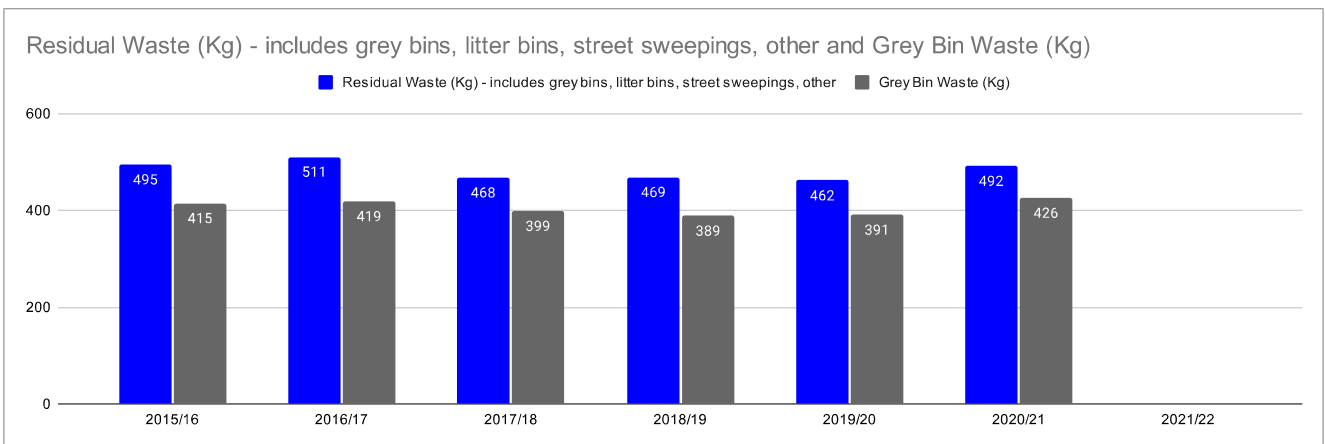
**Note:** CO2e is a carbon equivalent which accounts for all greenhouse gasses

**Graphic 20**



**Note:** Rates are influenced by levels of Green Waste. Data for 2021/22 not yet available

**Graphic 21**



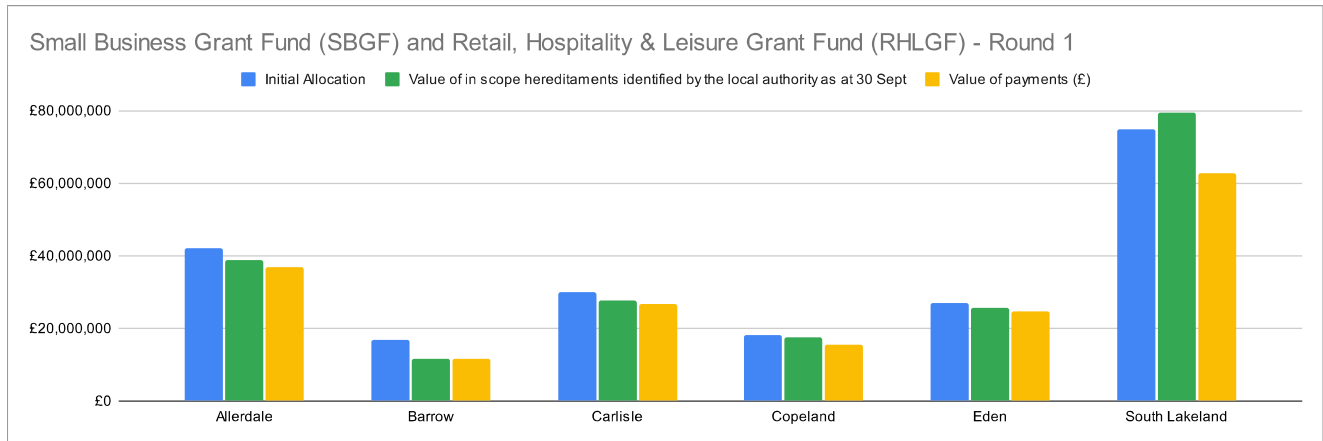
**Note:** South Lakeland's residual household waste is sent for reuse rather than to landfill - to provide fuel for industrial processes  
 In line with other councils, residual waste includes grey bin waste, waste from litter bins, street sweepings and other sources.  
 Data for 2021/22 not yet available.

## Business and Economy - supporting data

### Council Plan Performance Monitoring Report Sections 3.32, 3.42, 3.52 and 3.62 - Economic development and culture targets

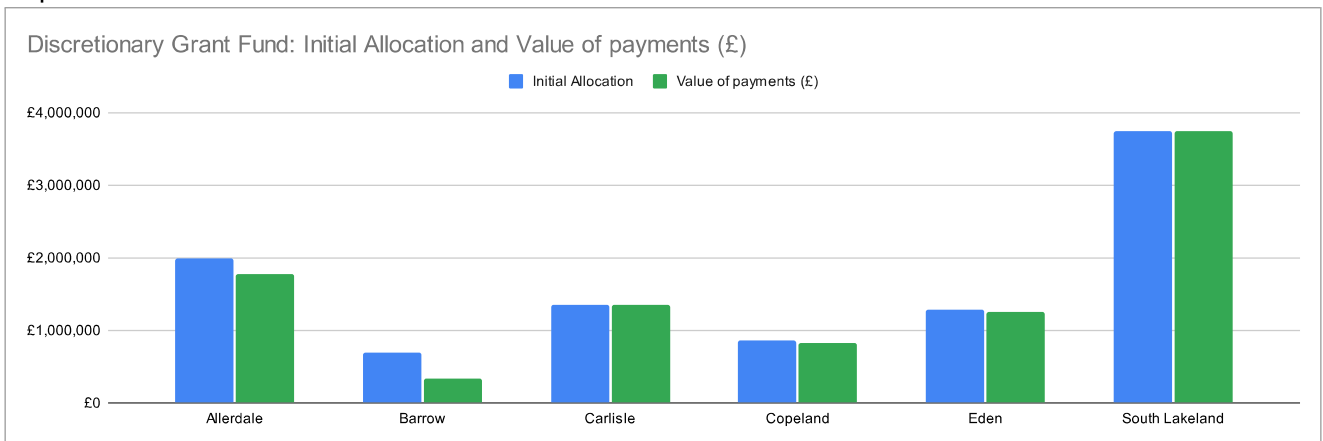
#### COVID-19 Business Grants – Source: District Councils

Graphic 22



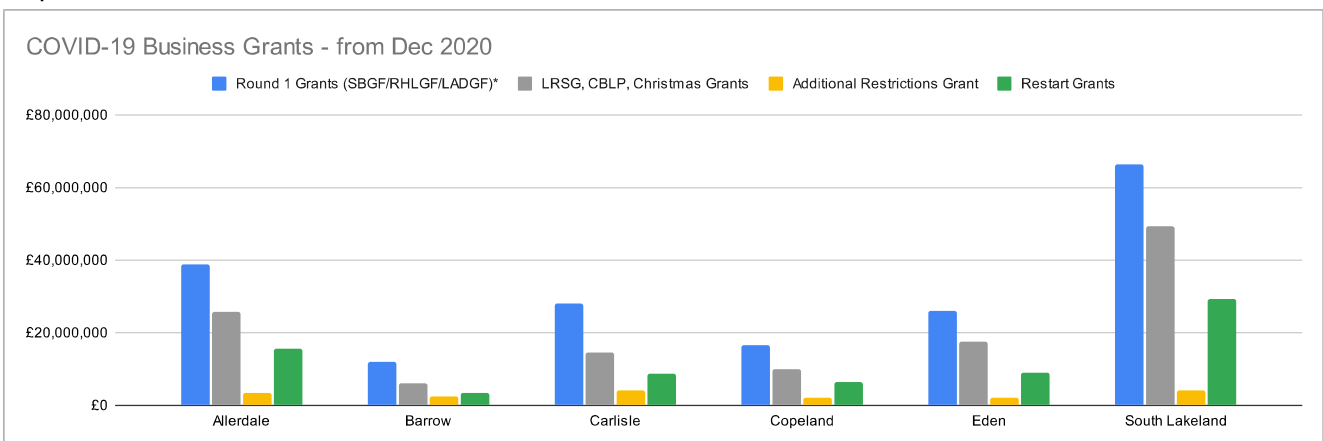
**Note:** This shows business grants administered and paid by SLDC as part of the emergency Covid-19 recovery response. This represents the largest amount in terms of both number and value in Cumbria. Round 1 complete - no further updates.

Graphic 23



**Note:** Covid - Discretionary Grant Fund. Complete - no further updates.

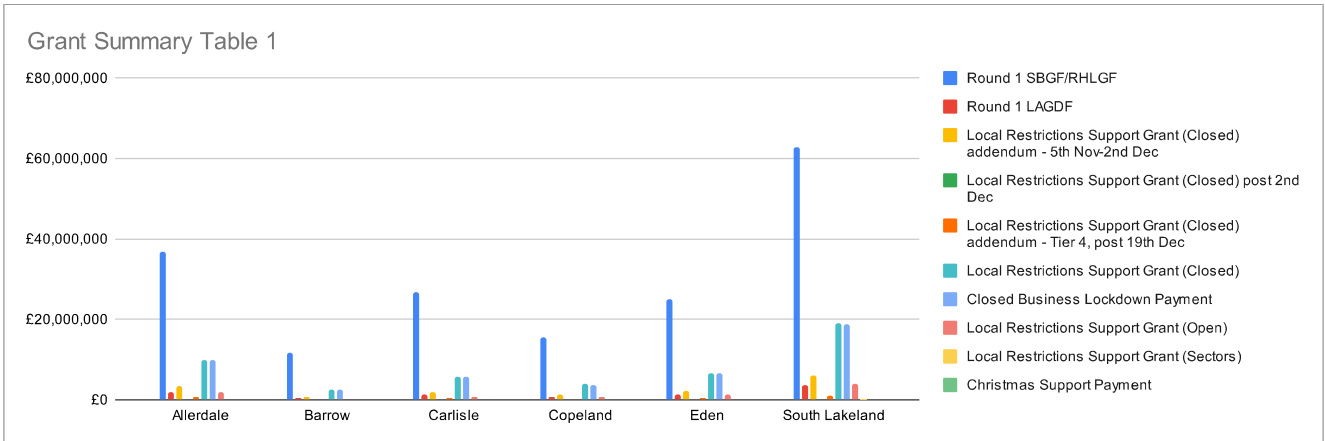
Graphic 24



**Note:** Significant support was required in South Lakeland.

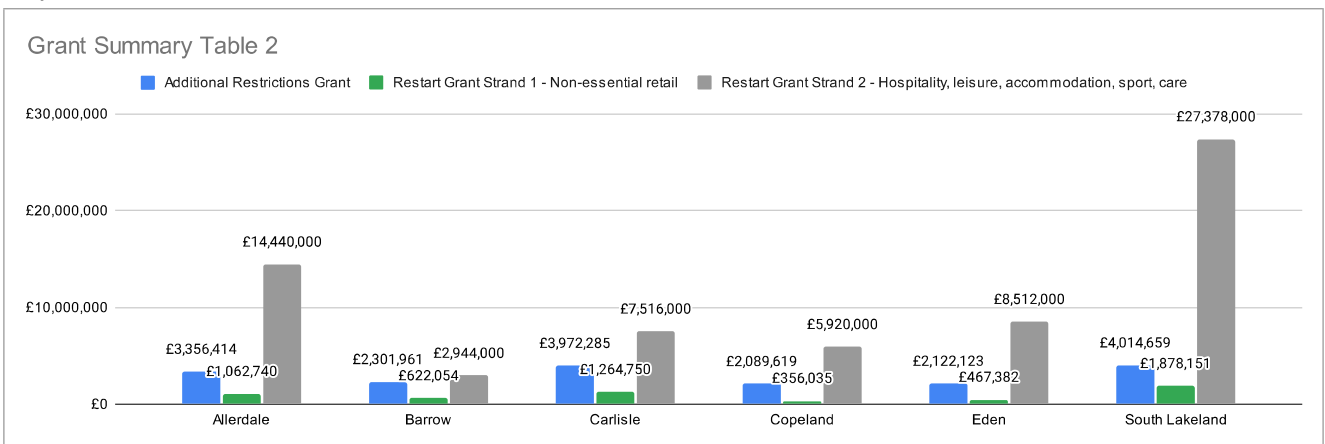


**Graphic 25**



**Note:** Covid - grants summary. Significant support was required in South Lakeland.

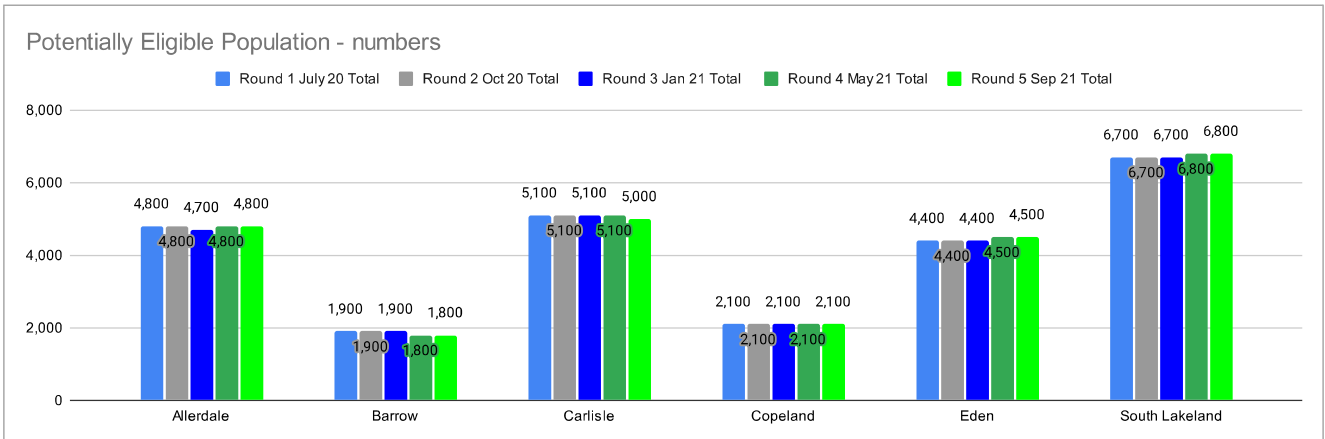
**Graphic 26**



**Note:** Covid - Grant paid for restrictions and restarts. Significant dependency on tourism in South Lakeland - highest for all areas.

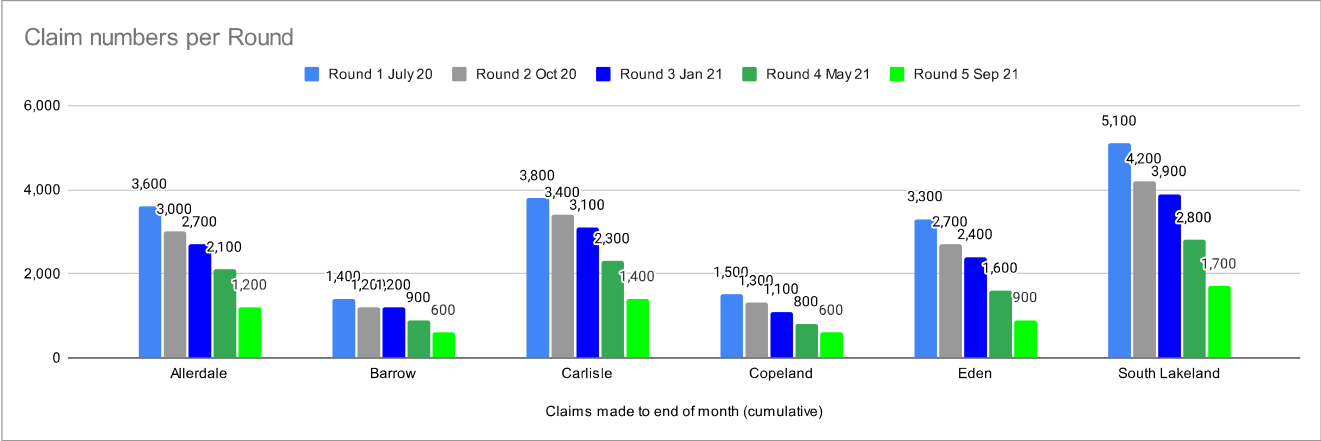
**Self Employment Income Support Scheme (SEISS)**

**Graphic 27**



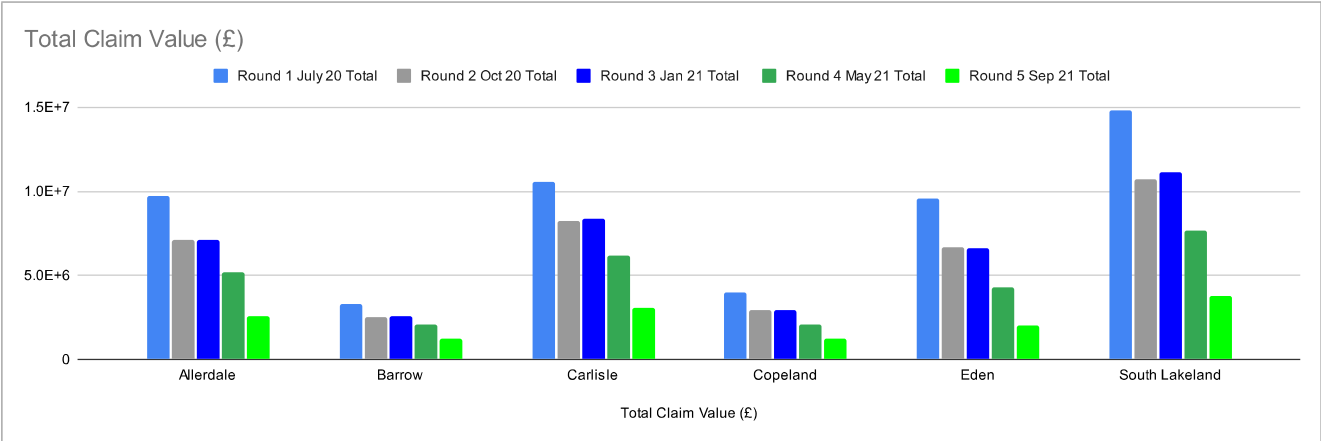
**Note:** South Lakeland had the greatest numbers of eligible people

**Graphic 28**



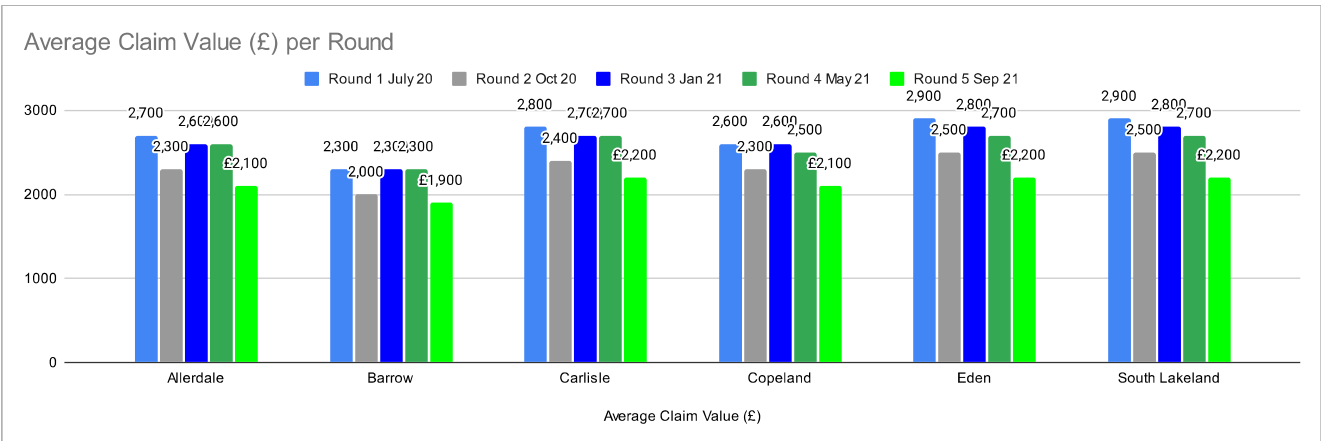
**Note:** During all rounds the highest number of claims were made by South Lakeland residents

**Graphic 29**



**Note:** The total value of claims was highest in South Lakeland

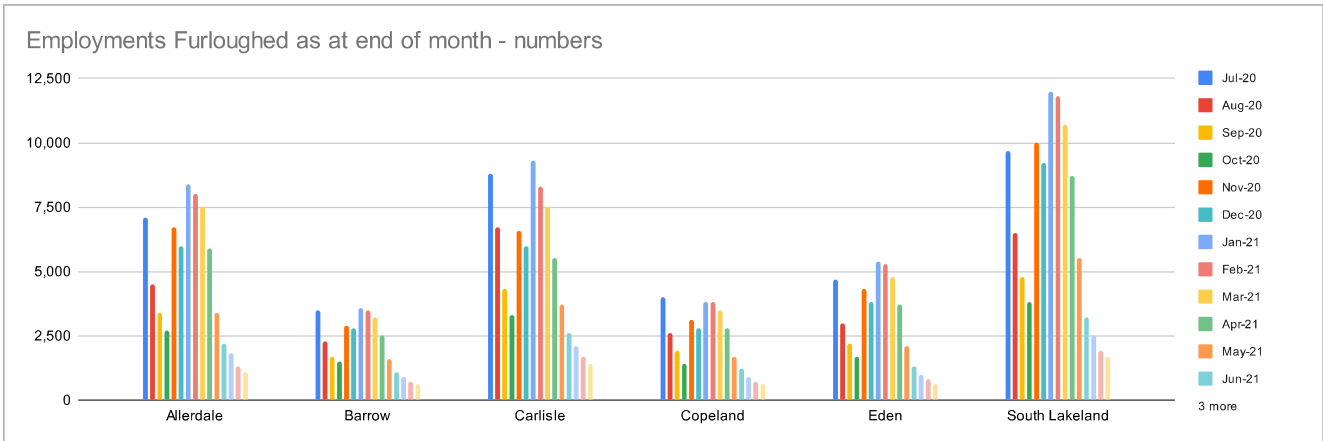
**Graphic 30**



**Note:** The average claim in South Lakeland was higher or equal to all other areas.

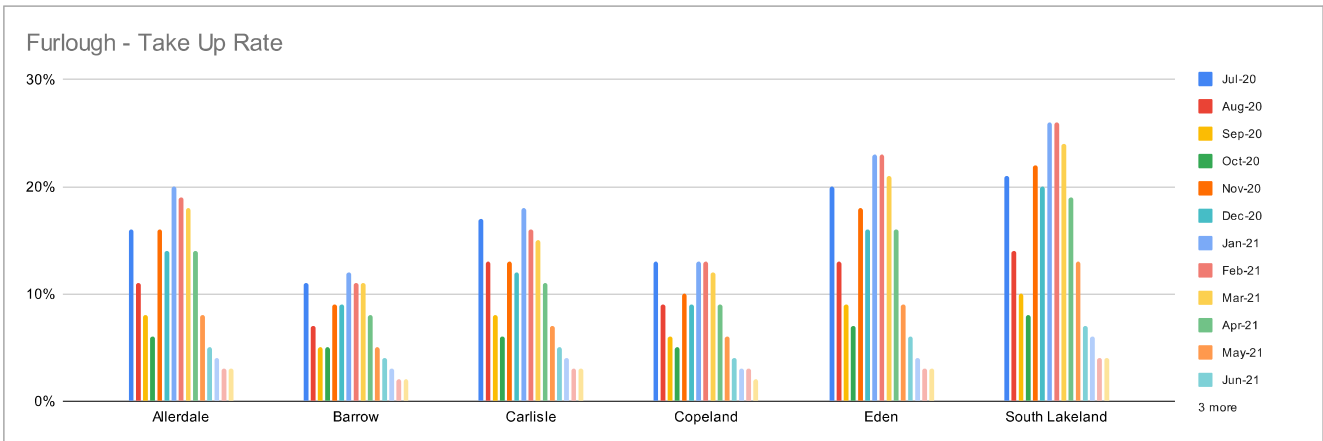
## Coronavirus Job Retention Scheme (CJRS) - Furlough

Graphic 31



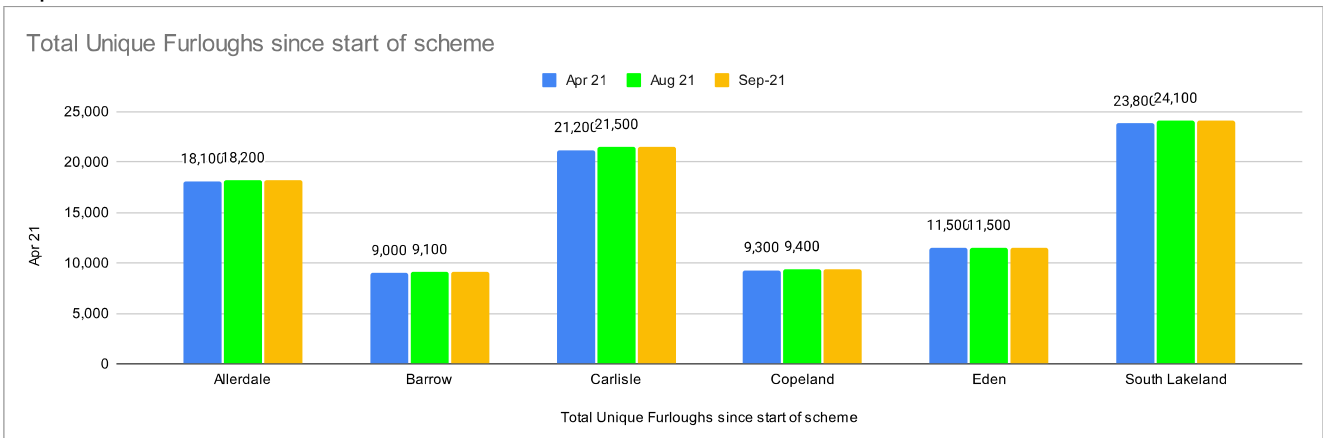
Note: In South Lakeland the number of employments furloughed is significantly higher than any other local authority in Cumbria.

Graphic 32



Note: Furlough take up rate is highest in South Lakeland

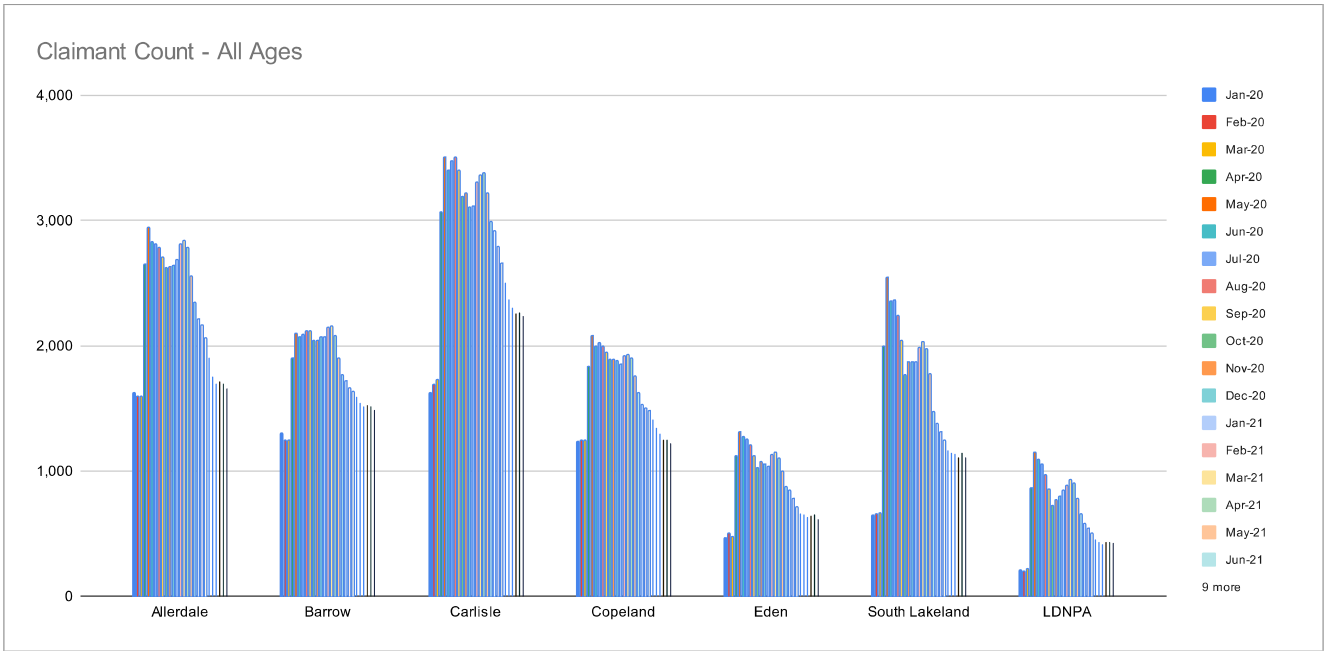
Graphic 33



Note: The total number of unique furloughs is highest in South Lakeland

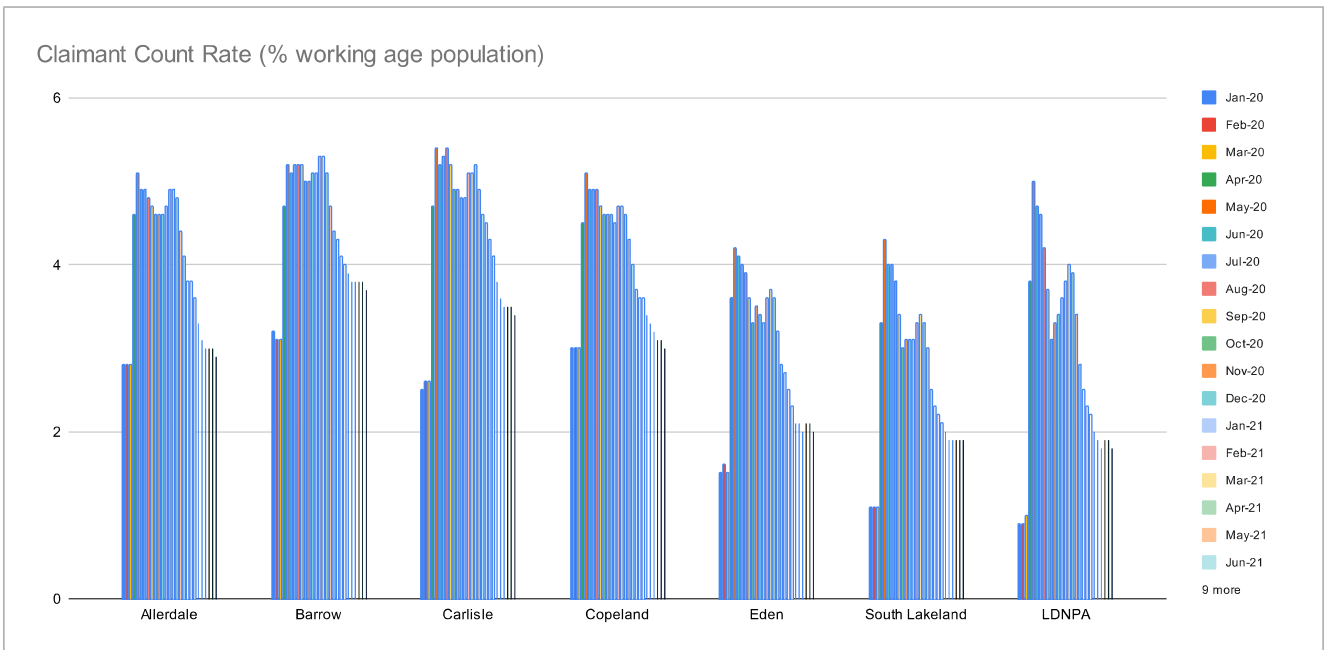
**Claimant Count (Standard)**

**Graphic 34**



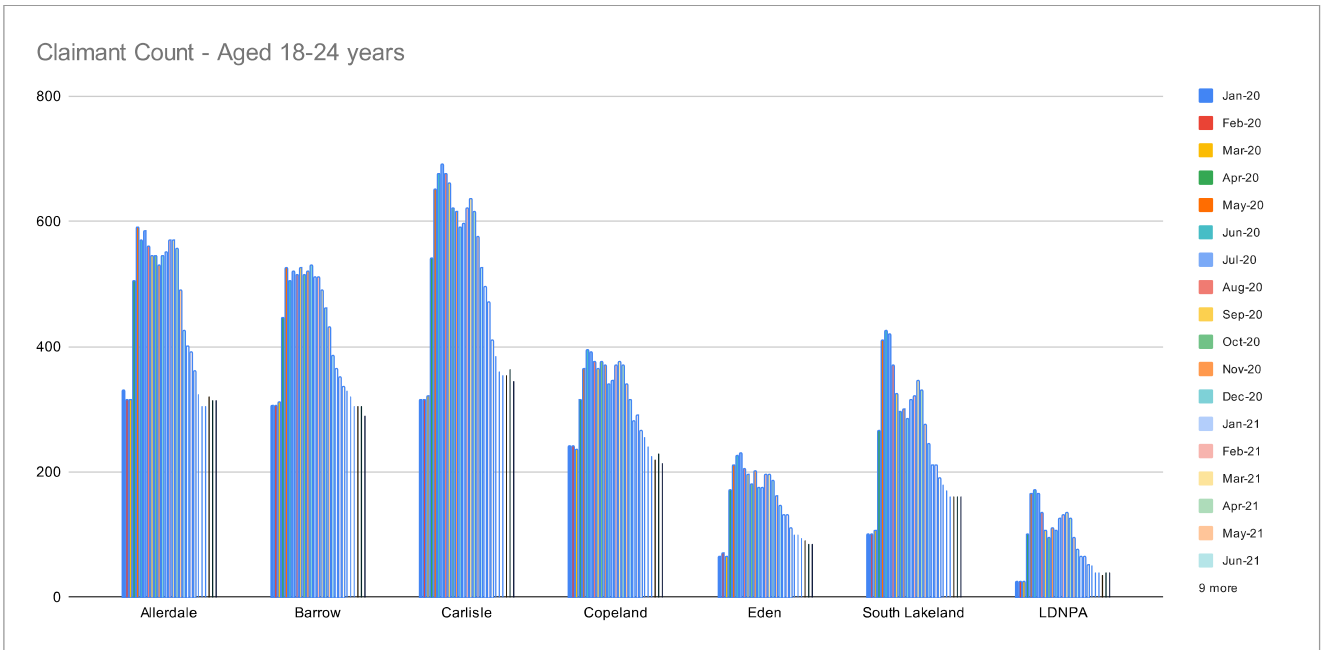
**Note:** The claimant count shows those currently out of work who are actively seeking work. For South Lakeland the claimant count is below county and national average.

**Graphic 35**



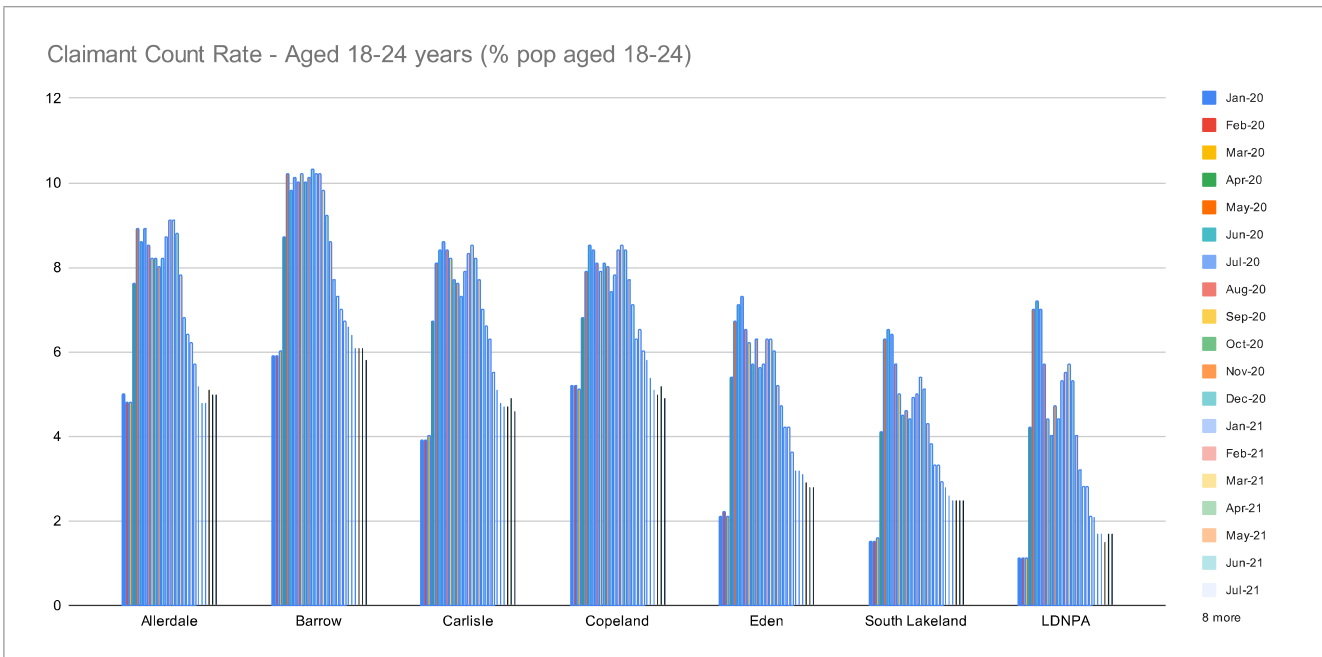
**Note:** The percentage of working age claimants is relatively low in South Lakeland.

**Graphic 36**



**Note:** The numbers of 18-24 years claimants compares well for South Lakeland

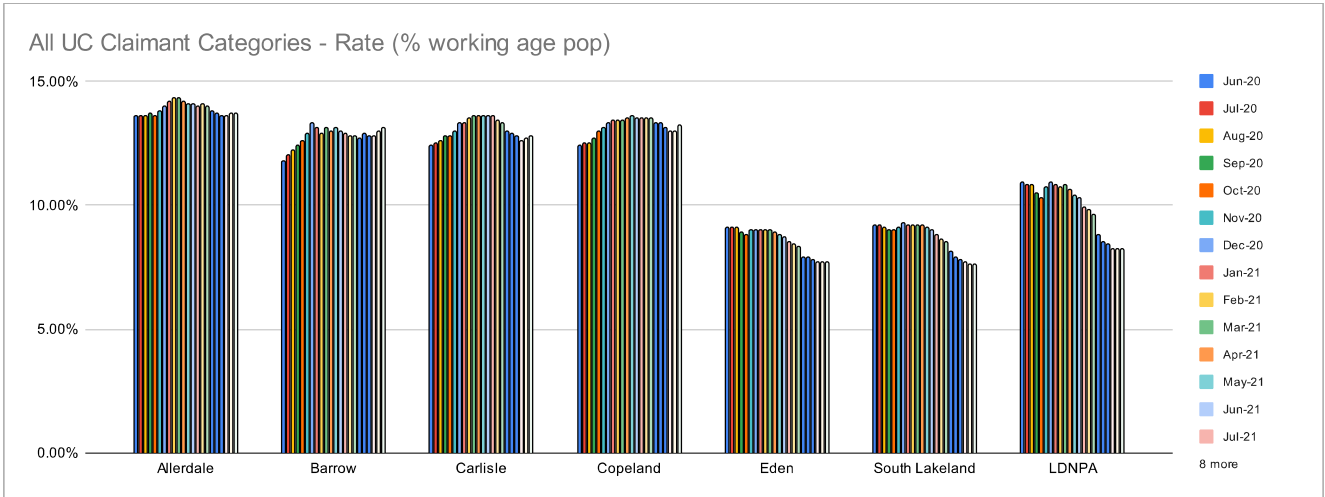
**Graphic 37**



**Note:** The percentage of 18-24 years claimants is lowest when compared with Districts

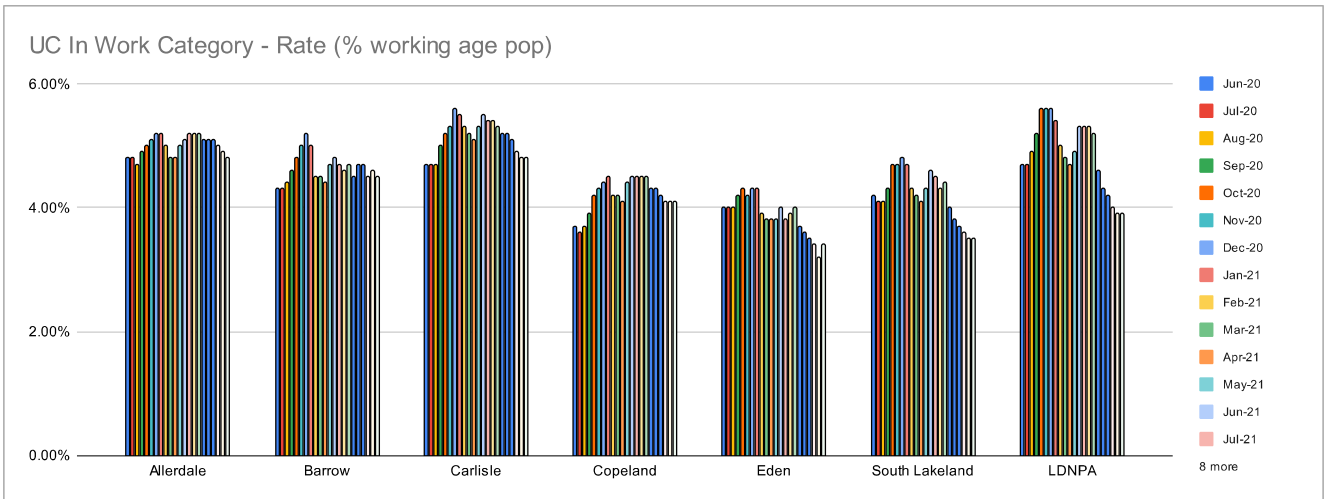
**Universal Credit - Persons by Conditionality Category**

**Graphic 38**



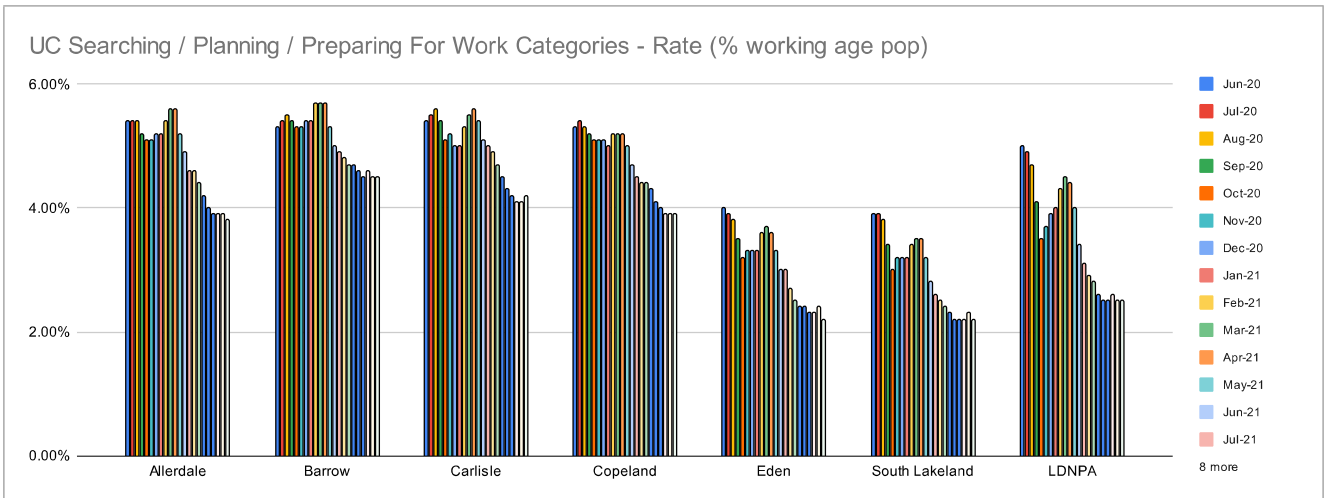
**Note:** This shows all claimants of Universal Credit in South Lakeland - the rate is low when compared with County and national averages

**Graphic 39**



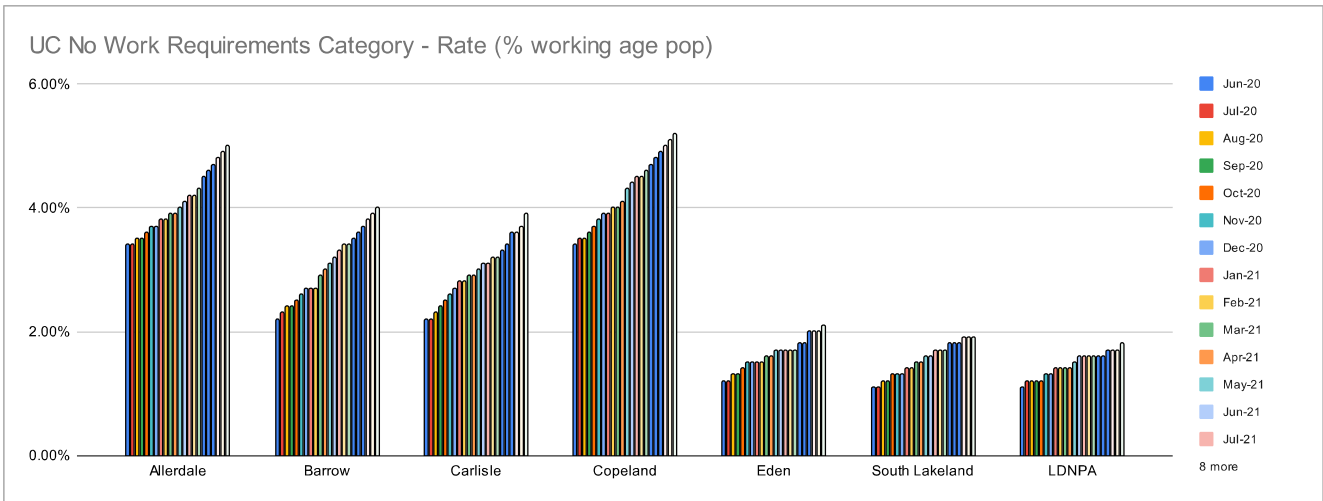
**Note:** The percentage of people in work claiming Universal Credit is about average for South Lakeland

**Graphic 40**



**Note:** The percentage of working age people seeking work is lowest for South Lakeland

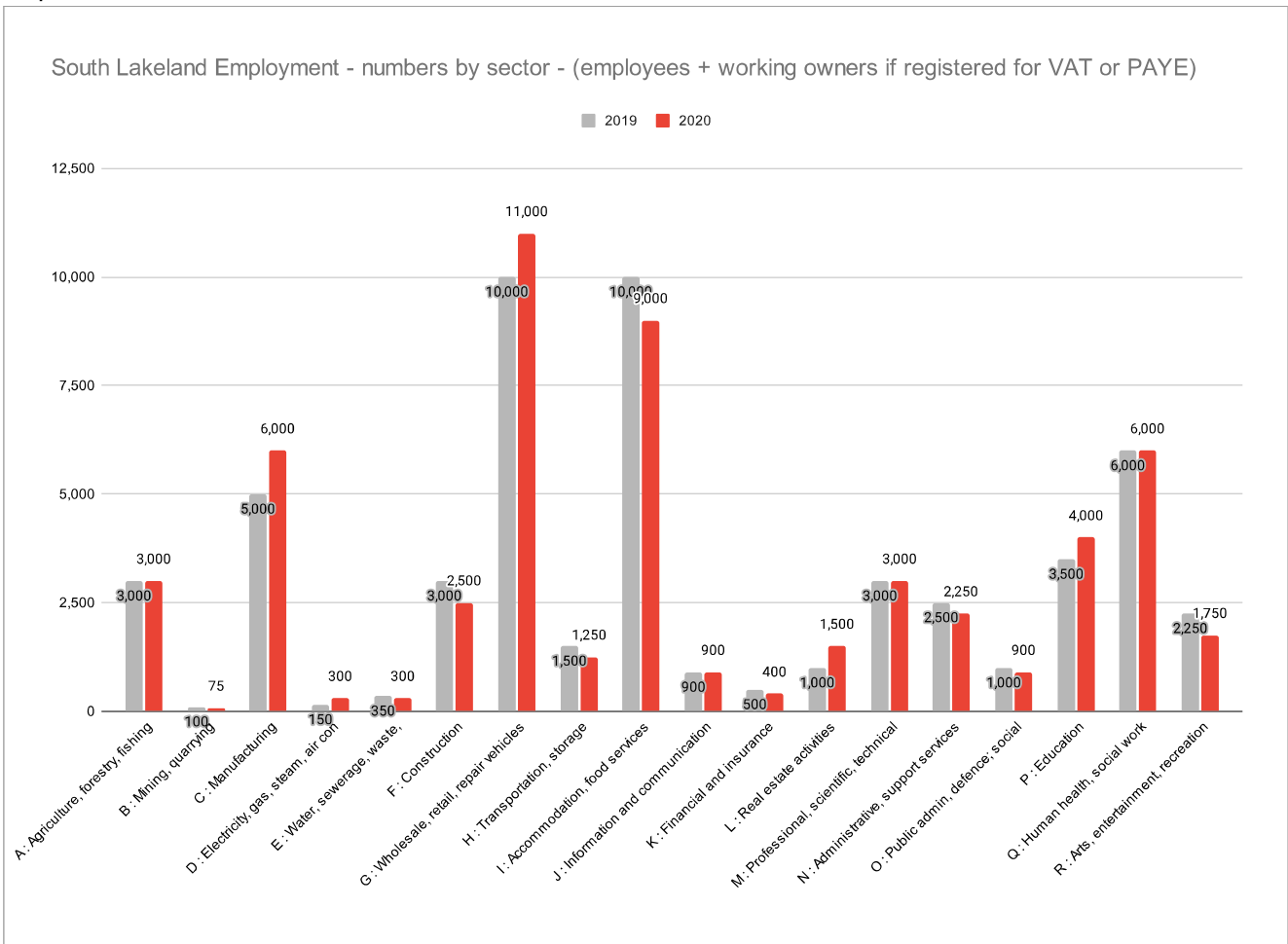
**Graphic 41**



**Note:** The percentage of working age people with no work requirements is low for South Lakeland

**Employment - by Sector and Total Jobs**

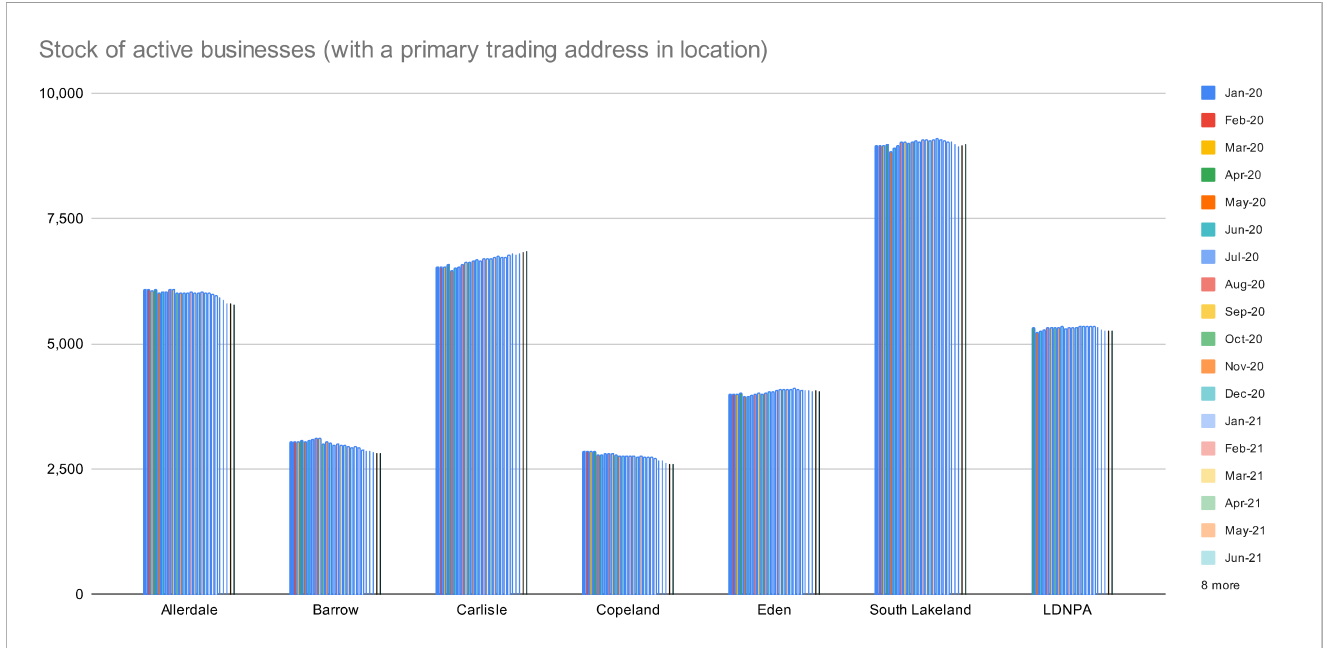
**Graphic 42**



**Note:** In South Lakeland 'Wholesale & Retail' and 'Accommodation and Food' and 'health work' provide the three largest proportions of employment

## Active Businesses

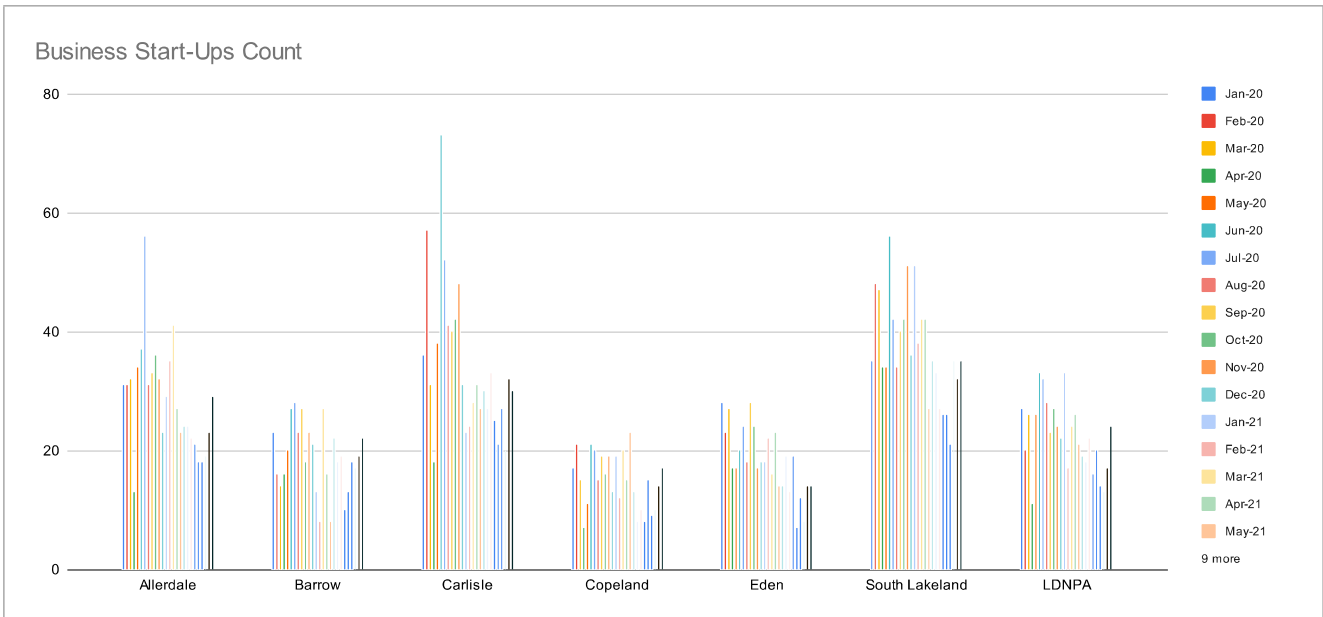
Graphic 43



**Note:** The latest data shows that the number of active businesses trading in South Lakeland is slightly up from re-Covid levels

## Business Start-Ups

Graphic 44

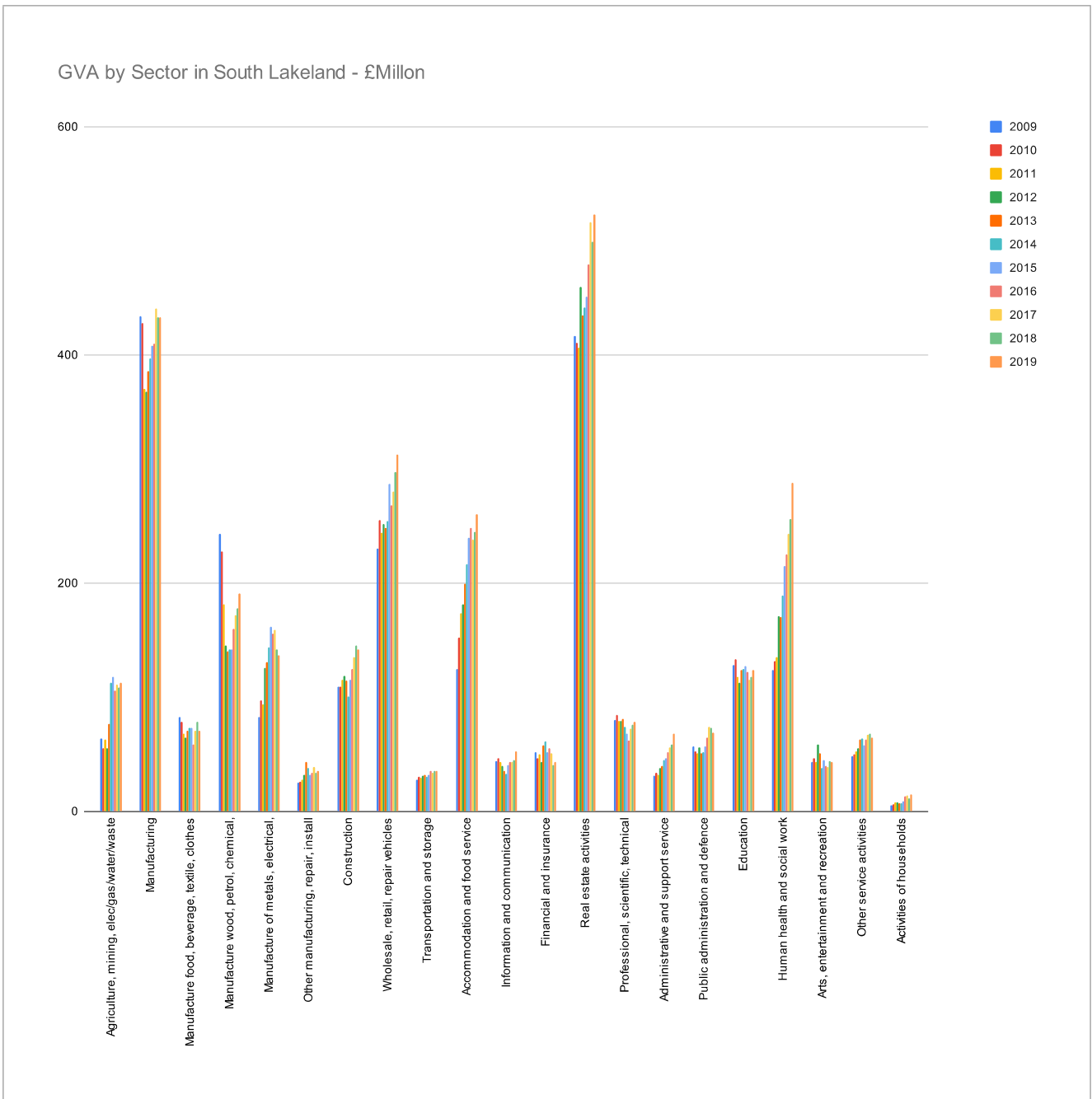


**Note:** There remains a high level of new business start-ups within South Lakeland



**GVA (total)**

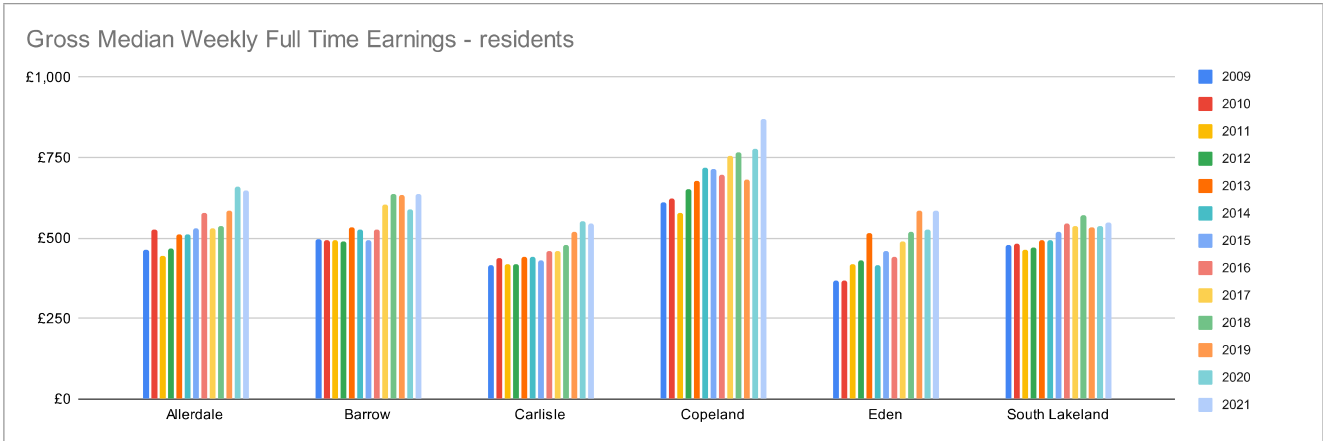
**Graphic 45**



**Note:** For South Lakeland the Real Estate and Manufacturing sectors represent the largest contributions in terms of GVA

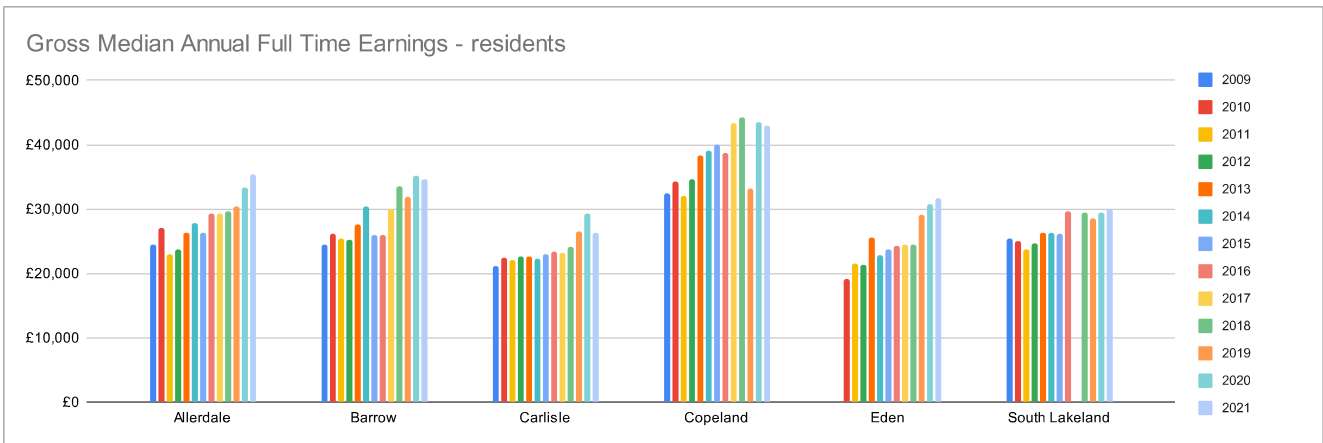
## Earnings - Median Full Time

Graphic 46



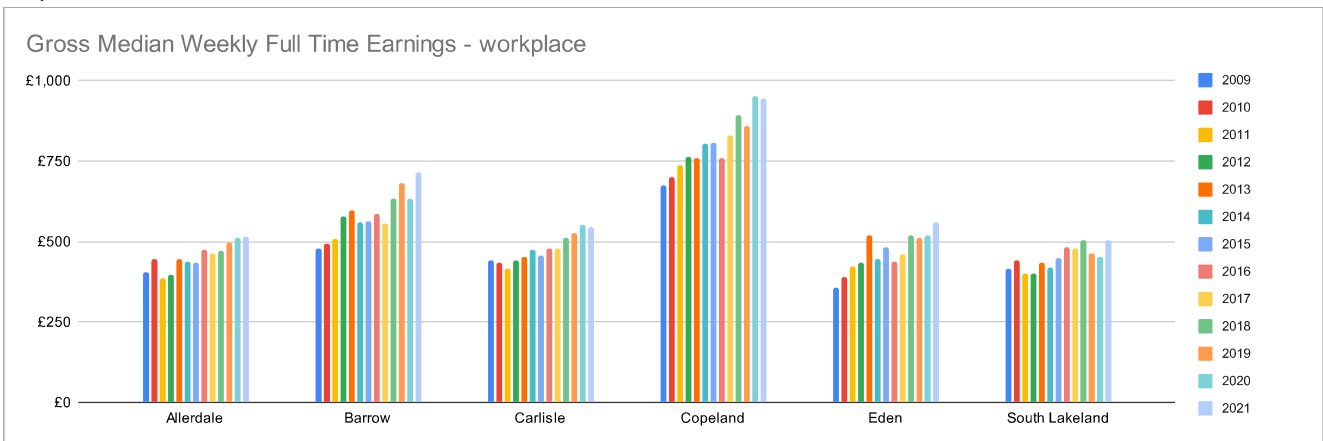
**Note:** People that live within South Lakeland earn less each week when compared with most Districts

Graphic 47



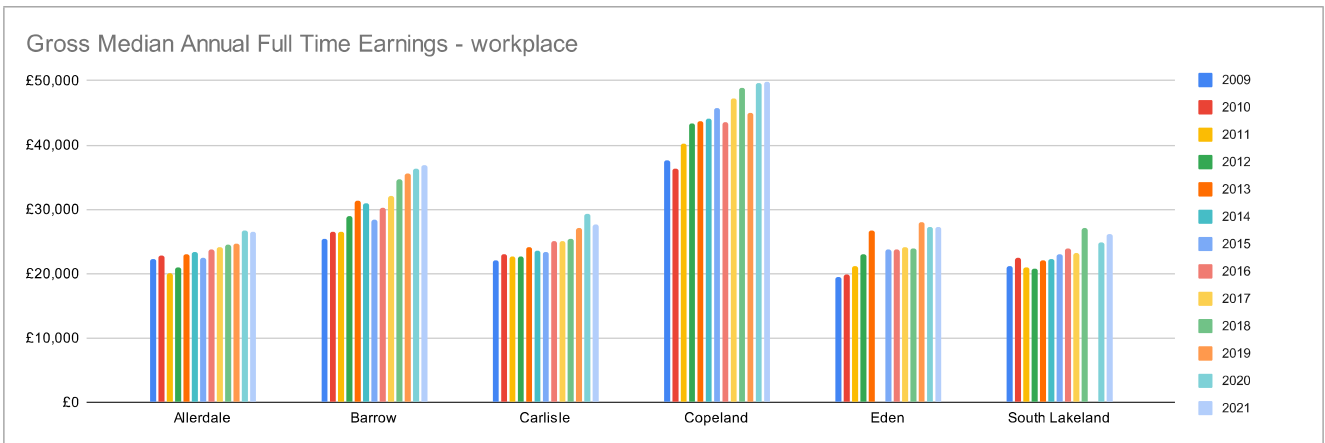
**Note:** People that live within South Lakeland earn less each year when compared with most Districts and the UK

Graphic 48



**Note:** People that work within South Lakeland earn significantly less each week when compared with Districts

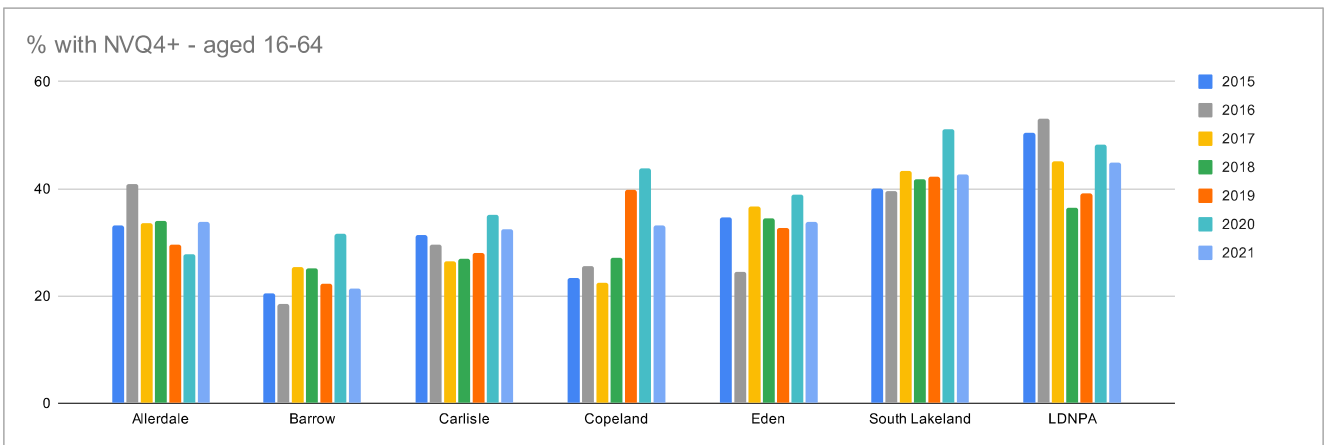
**Graphic 49**



**Note:** People that work within South Lakeland earn significantly less each year when compared with Districts

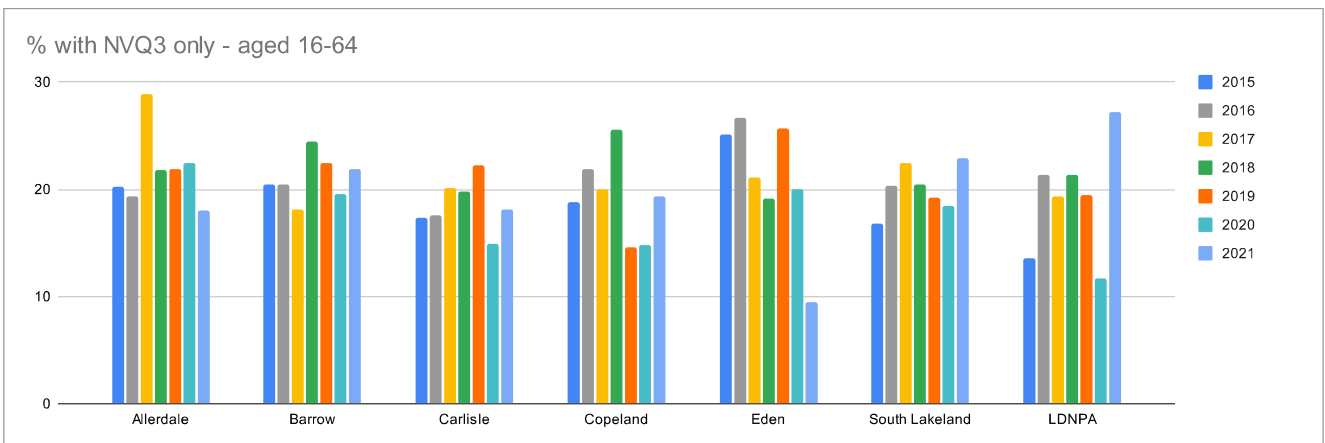
**Qualifications of population aged 16-64**

**Graphic 50**



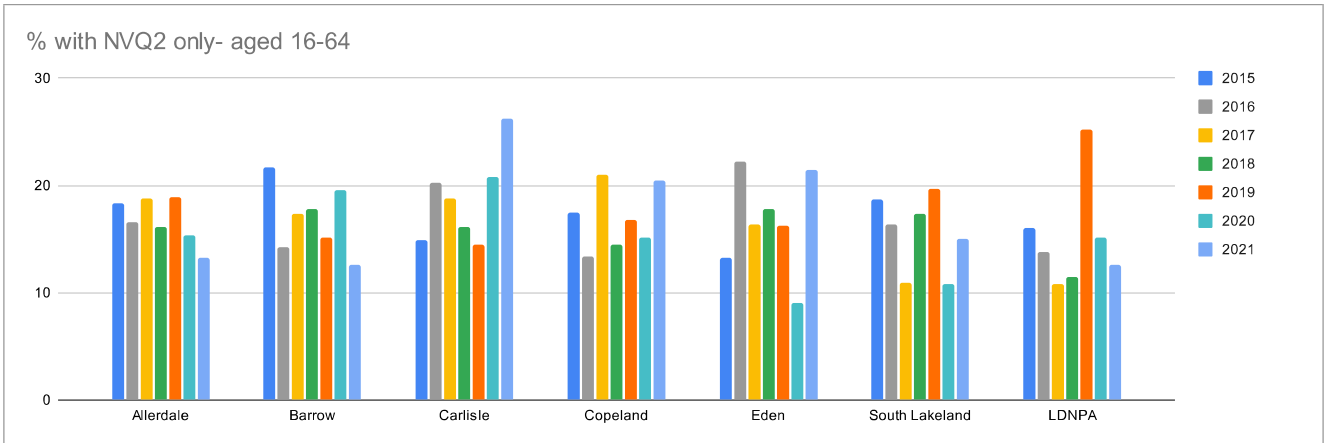
**Note:** South Lakeland's population is highly qualified in both a county and national context

**Graphic 51**



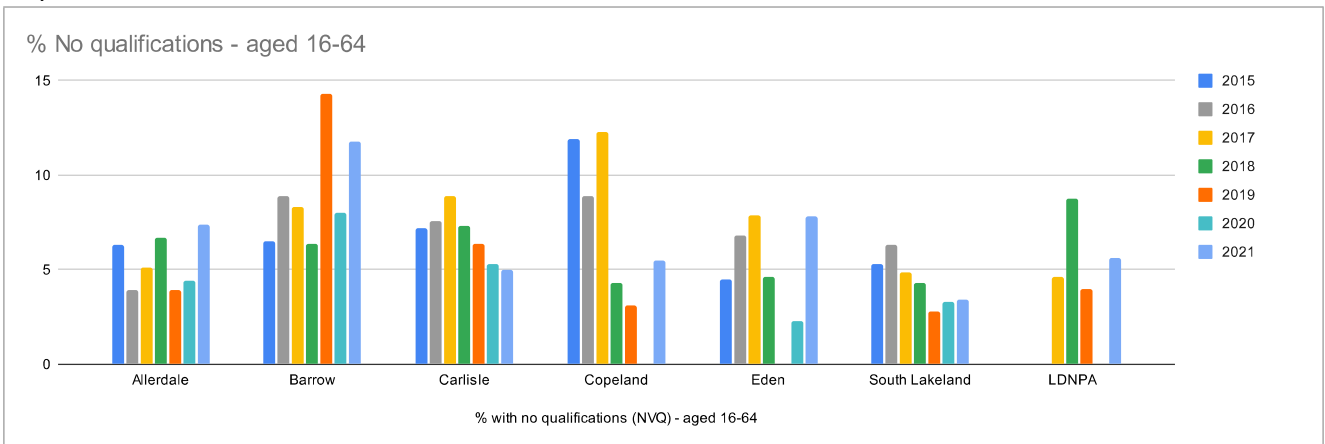
**Note:** South Lakeland's population is highly qualified in both a county and national context

**Graphic 52**



**Note:** South Lakeland's population is highly qualified in both a county and national context

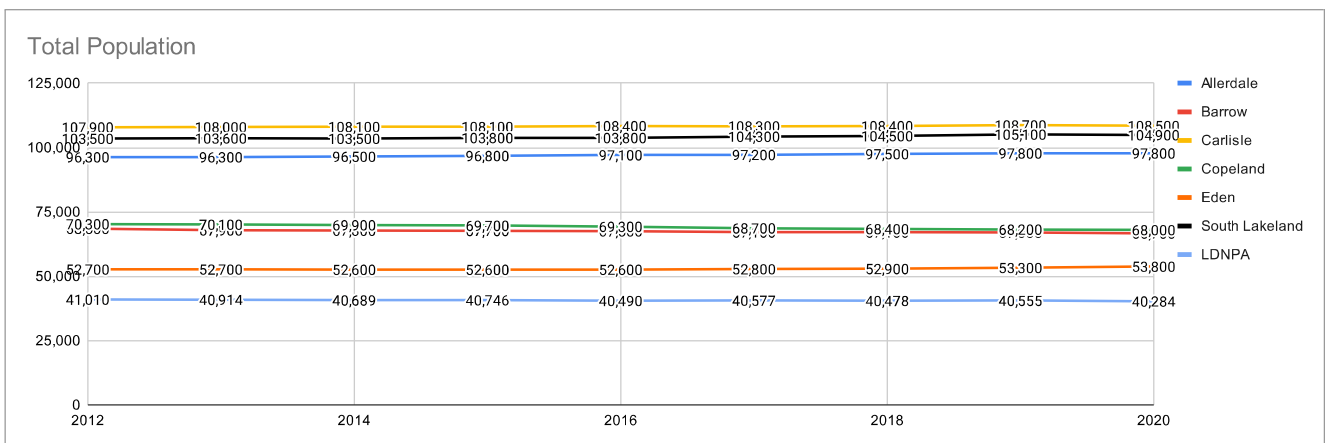
**Graphic 53**



**Note:** The latest data for 2020 shows that in South Lakeland 3.3% of population have no qualifications.

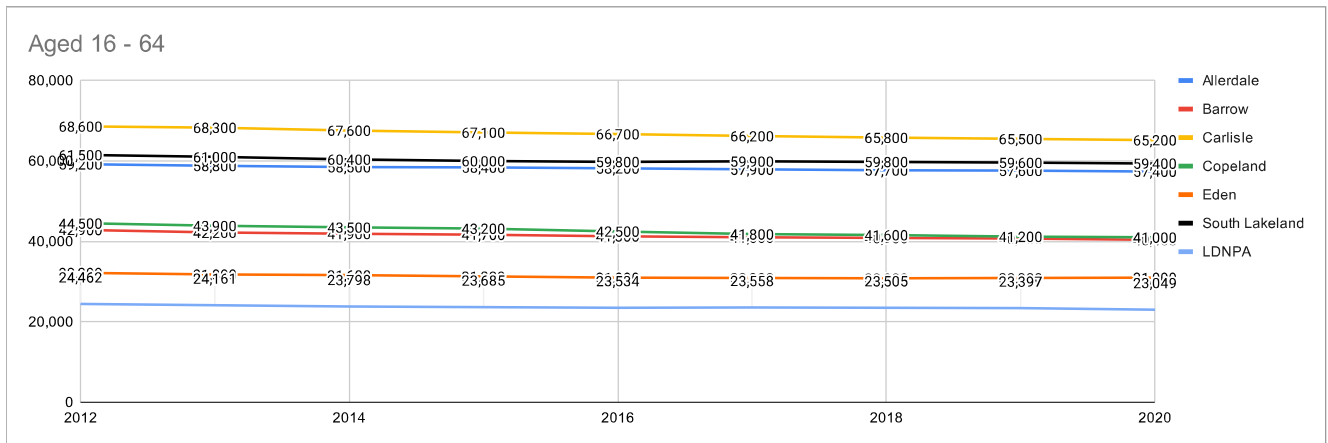
**Population Estimates – working age**

**Graphic 54**



**Note:** In South Lakeland the total population generally increases - whilst the working age population decreases (see graph below)

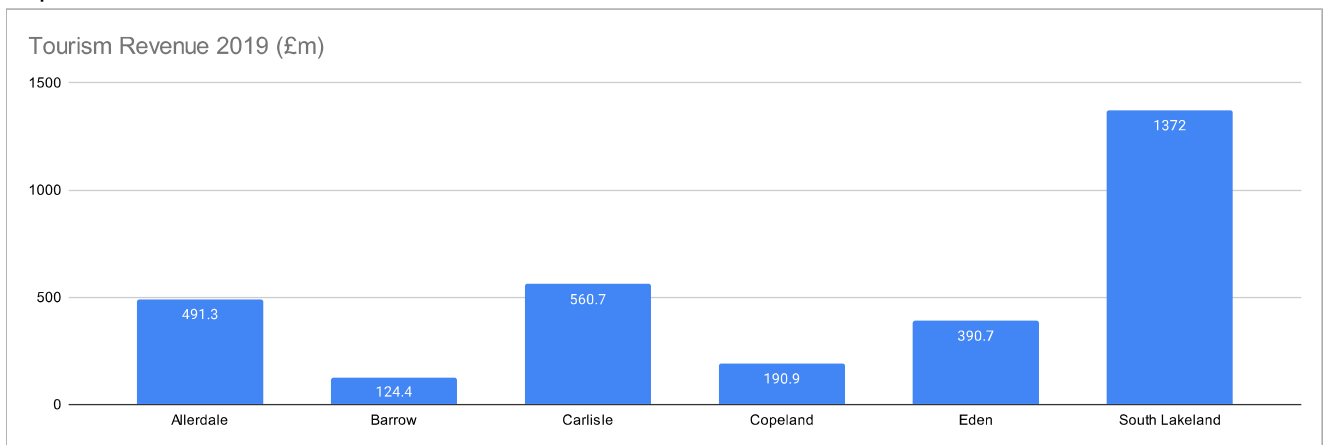
**Graphic 55**



**Note:** For South Lakeland figures show a gradual decline in the number of working age people over the past 10 years

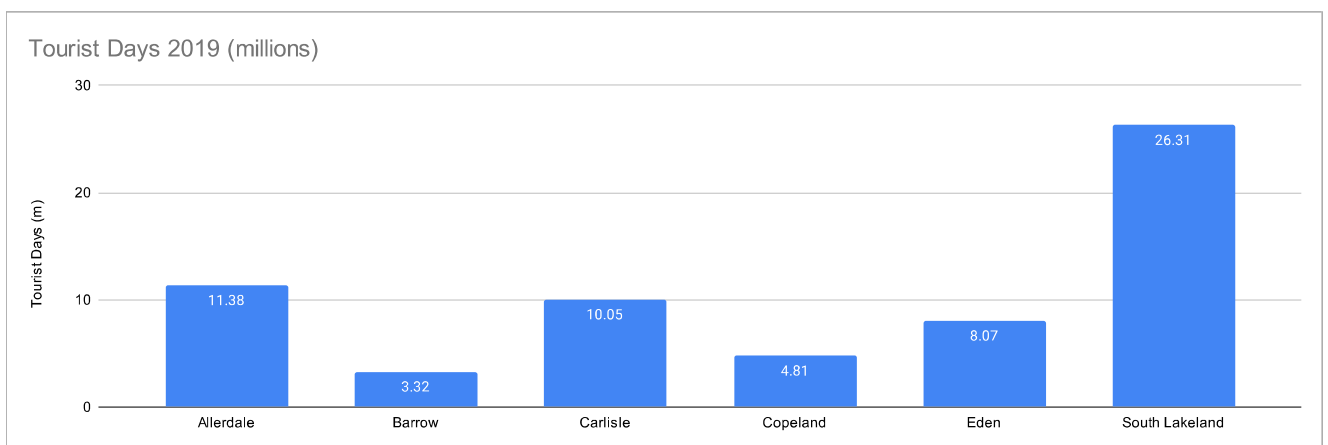
**Tourism visitor numbers and revenue**

**Graphic 56**



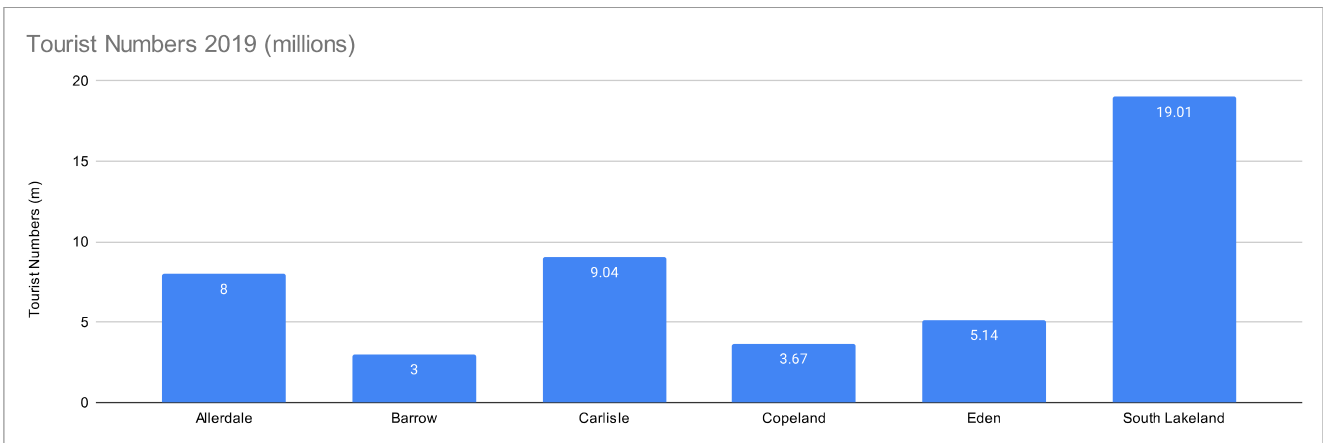
**Note:** South Lakeland had 19.01m visitors in 2019, up from 18.54m the year before. This was worth £1.37bn to the local economy, supporting 16,409 FTE jobs. This represents a significant proportion of the tourism visitor share in Cumbria. Data on visitor numbers for 2020 is not yet available.

**Graphic 57**



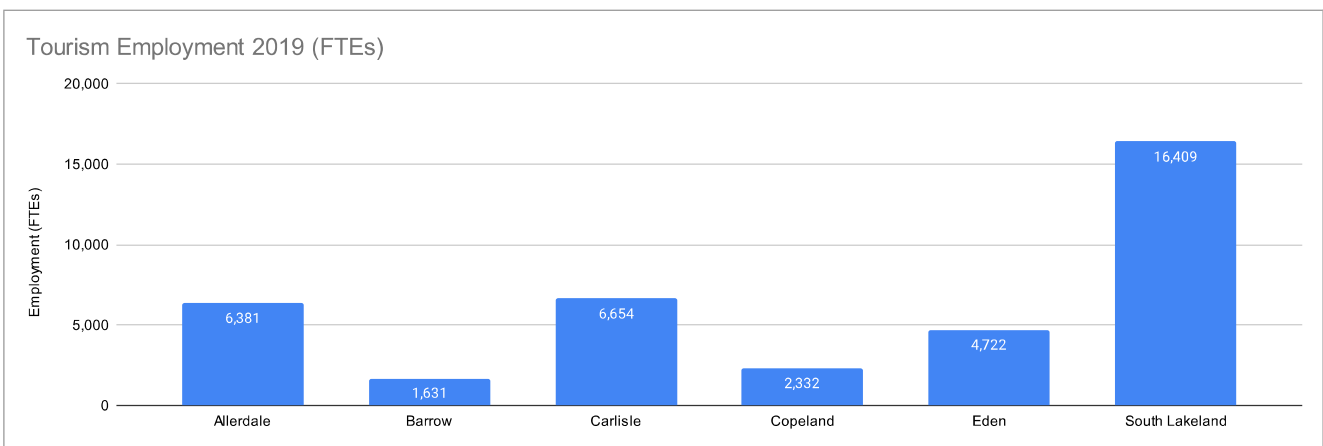
**Note:** The highest numbers of tourist days are in South Lakeland

**Graphic 58**



**Note:** The highest numbers of tourists are in South Lakeland

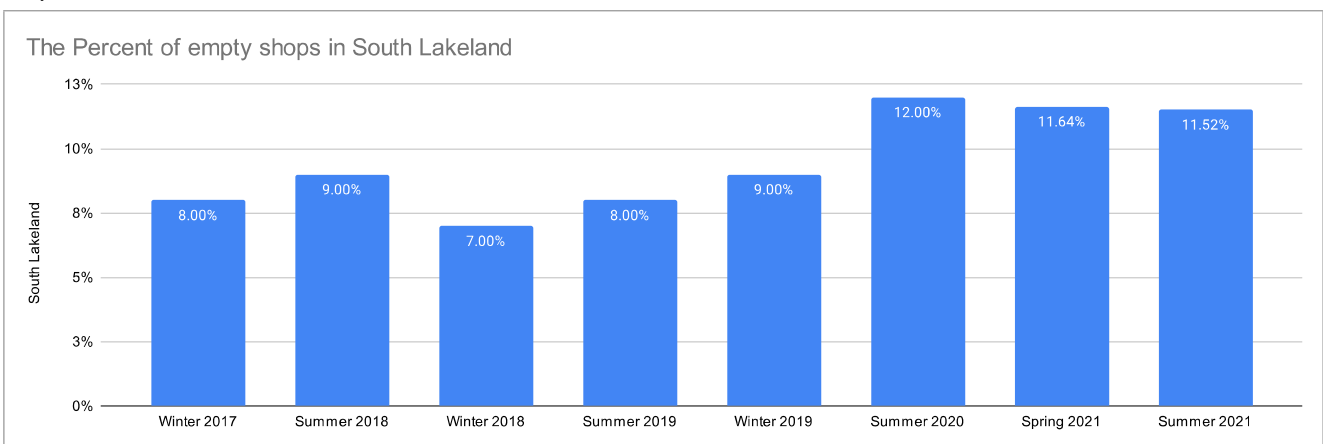
**Graphic 59**



**Note:** The highest dependency on tourism is within South Lakeland

**Town centre vacancy rates (%)**

**Graphic 60**



**Note:** This shows the proportion of shops vacant for several town centres in South Lakeland. The vacancy rate varies by town and indicates an increase since Covid-19

## South Lakeland District Council

### Cabinet

Wednesday, 8 June 2022

## S106 Design Works, Stramongate Kendal

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<b>Portfolio:</b>	Economy, Culture and Leisure Portfolio Holder, Leader of the Council
<b>Report from:</b>	Director of Customer and Commercial Services
<b>Report Author:</b>	Laura Chapman – Interim Specialist Economy and Culture
<b>Wards:</b>	Kendal Town;
<b>Forward Plan:</b>	Budget and Policy Framework Decision included in the Forward Plan as published on 15 March 2022

#### Links to Council Plan Priorities:

Delivering a balanced community – understanding the needs of local businesses by creating an attractive gateway towards the town centre.

Addressing the climate emergency – by developing town centres which are attractive and accessible for living, working and leisure.

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#### 1.0 Expected Outcome and Measures of Success

- 1.1 South Lakeland District Council approves expenditure of S106 monies received from the Sainsbury's development on Shap Road to deliver a public realm project that has been designed to increase visitor footfall to Stramongate and increase the accessibility of the area for pedestrians and cyclists.
- 1.2 The new public realm project has been proposed and guided through the aspirations set out in Kendal Vision and meets the objectives of South Lakeland District Council's own Kendal Town Centre Strategy, which is aligned to Kendal Vision.
- 1.3 This public realm intervention is hoped to provide impetus and inspiration to future town-centre proposals and aims to showcase the aspirations of the Kendal Vision to improve the town for residents and businesses in Kendal.

#### 2.0 Recommendation

##### 2.1 It is recommended that Cabinet :-

- (1) approve the expenditure of up to £246,043.85 comprising £224,043.85 of Section 106 monies and £22,000 Kendal Town Council contribution, to deliver a street scape project at Stramongate, Kendal as previously agreed as part of the revised Capital Programme considered at Council on 18 May 2022; and
- (2) delegate authority to the Lead Specialist Legal Governance and Democracy (Monitoring Officer) [in consultation with the relevant Cabinet member/Leader] to agree terms and enter into a Section 278 agreement with Cumbria County Council to give effect to recommendation (1) and as detailed in section 3 of this report.

### **3.0 Background and Proposals**

- 3.1 South Lakeland District Council is seeking approval for expenditure of S106 monies received from the Sainsbury's development on Shap Road to deliver a public realm project that has been designed to increase visitor footfall to Stramongate and increasing the accessibility of the area for pedestrians and cyclists.
- 3.2 Within the covenance of the S106 funding agreement received from Morbaine it states that the funding must be used towards; 'Town Centre Improvement Contribution: means the sum of two hundred and eight thousand pounds (£208,000.00) to be used by the Council to fund improvements in the Northern Approach from the railway station at Longpool/Longpool Junction to Kendal Town Centre'. This figure was subject to RPI indexation, meaning the Council received £224,043.85 from the Developer, Morbaine.
- 3.3 The proposed scheme falls within the footprint of expenditure and with the opening of Gooseholme Bridge in summer 2022, access from New Road by pedestrians and cyclists is likely to increase the number of people passing through this junction at Stramongate and Blackhall Road. The proposed scheme has also been guided through the aspirations set out in Kendal which is designed to initiated a call to embrace change, new ideas and innovation for Kendal's future.
- 3.4 The upper part of Stramongate is an important shopping street, with a diverse range of businesses, and it also houses the weekly market. It is a well-used walking route between the High Street, the bus station, the railway station, Kendal Museum, Quaker Tapestry, Stramongate School, Kendal College and other local businesses. This scheme is intended to further encourage walking and cycling on Stramongate.
- 3.5 The improvement scheme proposes that a high quality, raised natural stone paved surface is created on the entrance to Stramongate, which while still allowing left-turning vehicles from Blackhall Road, creates a safe, welcoming entrance point for pedestrians, cyclists and vehicles.
- 3.6 The ramp would drop back down onto the existing road surface and the current on street parking provision will remain. Together with the inclusion of small trees, this will provide a soft visual gateway for vehicles and people entering the shopping street from Blackhall Road for a more pleasant shopping and visitor environment.
- 3.7 While the project delivery budget is limited and currently only enables this small scheme to be developed, this project aspires to demonstrate how the use of good quality natural materials, as identified in the Kendal Vision, can bring benefits to businesses, residents and visitors, and provide an example of the future ambitions for the town's public realm. It is just the beginning in terms of developing the Kendal Vision and additional funding streams will continue to be sought to enable the scheme to be further developed in future.
- 3.8 Kendal Town Council contributed an additional £22,000 that South Lakeland District Council received on 11 October 2018. This funding received from Kendal Town Council is to be used as a contribution towards Town Centre Improvement in accordance with the expenditure details outlined in the S106 agreement with Morbaine without any clawback implications.
- 3.9 This gives the Council a budget of up to £246,043.85 to deliver a street scape project at Stramongate, Kendal as previously agreed as part of the revised Capital Programme considered at Council on 18 May 2022.
- 3.10 A section 278 Agreement is required to enable the delivery of the project and in particular to enable the lawful execution of the proposed highway improvements.



Section 278 of the Highways Act 1980 is the legal power by which the Highways Authority (Cumbria County Council) can formally authorise the carrying out of Highways works.

- 3.11 In general terms, the Section 278 Agreement will specify the authorised scope of highways works, the terms on which the works will be carried out (including any timetable) and will include relevant legal protections to ensure the continued protection of highway users, the highway itself and the Highways Authority. The Section 278 Agreement will also include detailed provisions on expenditure, processes for inspection and certification of works, and drafting which addresses liability, step-in rights and remediation processes where something unforeseen happens.

#### 4.0 Appendices Attached to this Report

Appendix No.	Name of Appendix
1	Proposed Scheme S106 Design Works, Stramongate Kendal
2	Health and Sustainability Impact Assessment

#### 5.0 Consultation

- 5.1 A total of three potential schemes were considered by the Town Team which is made up of elected members and lead officers from Kendal Town Council, South Lakeland District Council, Cumbria County Council and Kendal Futures.
- 5.2 The other potential schemes considered by the Town Team included resurfacing Stramongate carriageway with new tarmac to replace existing tarmac, re-laid to existing road levels. The second option considered was to create a raised surface across the carriageway using natural stone sets at the top end of the street from the corner of Kent Street to where the car parking spaces begin.
- 5.3 Option three (Appendix 1) was the unanimous, favoured option by the Town Team to be taken forward as it creates an impactful entrance and has flexibility to expand in the future. The final scheme costings are currently being finalised and as such the scheme may be subject to minor amendments, however the architect's design outlines the suggested use of materials.
- 5.4 A public engagement process concluded on 27 March 2022. The majority of the responses were positive towards the scheme which would increase opportunities for a safer environment for walking and cycling and creates an attractive environment. It was noted that many responses highlighted the need to develop the scheme further up the street when funding is available.
- 5.5 Consideration for the scheme was sought by Cumbria County Council South Lakes Highways and Transportation Working Group on 25 April 2022. The meeting was held to ensure that a decision could be made at the Local Committee for South Lakeland meeting on 12 May 2022. The Working Group voted in favour of removing the trees from the proposed scheme and for this recommendation to be considered by the Local Committee.
- 5.6 The recommendation was considered at Local Committee for South Lakeland on 12 May 2022 and it was resolved that the Local Committee noted that Officers will proceed with the Street scape improvement scheme for Stramongate and the proposal to remove the trees from the scheme was overturned. Therefore South Lakeland District Council and Cumbria County Council will enter into a Section 278 agreement to deliver the scheme and investigate the inclusion of trees upon the highway survey outcomes.

## **6.0 Alternative Options**

- 6.1 Alternative option would be not to grant approval of the expenditure and the S106 money received would be returned to the Developer (Morbaine).

## **7.0 Implications**

### **Financial, Resources and Procurement**

- 7.1 The Council received a total amount of funding available through the Section 106 agreement to deliver the proposed scheme of £246,043.85. The S106 contribution received from Morbaine was £224,043.85 from the Sainsburys development (received on 23 November 2017) with a further contribution of £22,000 from Kendal Town Council received on 11 October 2018. The funding from Morbaine must be spent within the period of 5 years from the payment date (by 23 November 2022).
- 7.2 The expenditure of the S106 money has been included on the Capital Programme considered at Cabinet on 13 April 2022 and approved at Council on 18 May 2022.
- 7.3 Following entering into a Section 278 agreement with Cumbria County Council, the County Council will be take responsibility of procurement and project delivery as the Highways Authority in line with the delivery deadlines. SLDC will work alongside the County Council to ensure that the project is delivered in accordance with the plans and within budget.
- 7.4 Subject to the S278 agreement the proposed scheme can be delivered in accordance with the S106 budget timelines.

### **Human Resources**

- 7.5 No human resource implications have been identified.

### **Legal**

- 7.6 The Council entered into an agreement pursuant to section 106 Town and Country Planning act 1990 on the 22 January 2015. As part of this agreement, the developer Morbaine Ltd agreed on implementation of the development to pay the Council the 'Town Centre Improvement Contribution' of £208,000, index linked to RPI. Accordingly, in November 2017 £224,043.85 was received from Morbaine Ltd. The Council is legally required to spend these monies to fund highway and infrastructure improvements in the Northern Approach from the railway station at Longpool/ Longpool Junction to Kendal town centre within 5 years from the payment date of 23 November 2017. Failure to do so will result in the monies being returned to the developer.
- 7.7 The covenant specifies that the monies should be spent on funding highway and infrastructure improvements to the Northern Approach from Kendal railway station at Longpool/Longpool Junction to Kendal town centre (Kent street). The Council considers that the proposed street scape project complies with this S106 obligation.
- 7.8 In addition, the Council has received a contribution of £22,000 from Kendal Town Council which is to be used towards Town Centre Improvements in accordance with the expenditure details outlined in the S106 agreement with Morbaine without any clawback implications. This provides a total budget of £246,043.85 for the works.
- 7.9 South Lakeland District Council has been requested to enter into a section 278 agreement with Cumbria County Council that will allow the developer (South Lakeland District Council) to enter into a legal agreement with Cumbria County Council as the Highways Authority to make permanent alterations or improvements to a public highway. The agreement must also reflect that Cumbria County Council will be undertaking the works on behalf of South Lakeland District Council as the Highways Authority.

7.10 Whilst the Council is subject to a Direction under section 24 Local Government and public Involvement in Health Act 2007, those obligations do not apply to these capital works as the consideration is less than £1m.

### Health and Sustainability Impact Assessment

7.9 Have you completed a Health and Sustainability Impact Assessment? Yes

7.10 If you have not completed an Impact Assessment, please explain your reasons: Assessment completed, please see appendix 2.

7.11 Summary of Health and Sustainability Impacts:

		Positive	Neutral	Negative	Unknown
Environment and Health	Greenhouse gases emissions		X		
	Air Quality		X		
	Impacts of Climate Change		X		
	Reduced or zero requirement for energy, building space, materials or travel		X		
	Active Travel	X			
Economy and Culture	Inclusive and sustainable development	X			
	Jobs and levels of pay		X		
	Healthier high streets	X			
	Culture, creativity and heritage		X		
Housing and Communities	Standard of housing		X		
	Access to housing		X		
	Crime		X		
	Social connectedness		X		

### Equality and Diversity

7.10 Have you completed an Equality Impact Analysis? No

7.11 If you have not completed an Impact Analysis, please explain your reasons: Not relevant to the delivery of the scheme.

7.12 Summary of Equality and Diversity Impacts:

Please indicate: P = Positive impact; 0 = Neutral; N = Negative; Enter "X"				
Age	P		O	N
Disability			X	
Gender reassignment (transgender)			X	
Marriage & civil partnership			X	
Pregnancy & maternity			X	
Race/ethnicity			X	
Religion or belief			X	
Sex/gender			X	
Sexual orientation			X	
Armed forces families			X	
Rurality			X	
Socio-economic disadvantage			X	

Risk Management	Consequence	Controls required
Budget Control	The scheme delivery budget is overspent due to unforeseen service issues.	All scheme costings are to be obtained ahead of the works commencing and surveys carried out to identify any potential cost increases. (Bill of quantities, Topographical survey, Drainage Survey)
Project Delivery Deadline Dates	The scheme is not delivered in accordance with the	SLDC and CCC to have regular project delivery meetings to ensure the scheme is delivered in accordance with the timeline.
Reputational Risk	Damage to SLDC's reputation with community, residents and businesses if the S106 has be returned to the developer.	SLDC and CCC working together to ensure businesses and residents are not impacted by the works and the scheme is delivered.
Section 278 agreement	Unable to enter into a Section 278 agreement with CCC would impact on the delivery of the scheme.	Work together with CCC to mitigate the risks that would be outlined as part of the S278 agreement and identify any risks or concerns with the project to Officers or Members in

Risk Management	Consequence	Controls required
		accordance with the Council's Constitution and Scheme of Delegation at the earliest opportunity.

### Contact Officers

Laura Chapman, Interim Specialist Economy and Culture

Email: [laura.chapman@southlakeland.gov.uk](mailto:laura.chapman@southlakeland.gov.uk)

### Background Documents Available

Name of Background document	Where it is available
Cabinet Minute CEX/125	<a href="#">Capital Programme 13 April 2022</a>
Cumbria County Council Local Committee for South Lakeland Minute	<a href="#">Highways and Transportation Working Group</a>

### Tracking Information

Signed off by	Date sent	Date Signed off
Section 151 Officer	05/04/22	04/05/22
Monitoring Officer	05/04/22	19/04/22
CMT	02/05/22	04/05/22

Circulated to	Date sent
Lead Specialist	13/04/22
Human Resources Lead Specialist	N/A
Communications Team	13/04/22
Leader	13/04/22
Committee Chairman	N/A
Portfolio Holder	13/04/22
Ward Councillor(s)	N/A
Committee	N/A
Executive (Cabinet)	8 June 2022
Council	N/A

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# Stramongate Resurfacing Works

# STRAMONGATE



Above: Artist's impression illustrating the new continuous footpath junction proposal

Shared space with natural stone setts (Alston, Cumbria)



Making pleasant and continuous people-friendly routes and destinations



Natural flagstone detail as is found in Kendal



## PROPOSALS

A new public realm project for Stramongate has been proposed and guided through the aspirations set out in Kendal Vision, a collaborative document published by Kendal Futures in 2020 which initiated a call to embrace change, new ideas and innovation for Kendal's future.

With the opening of the new Gooseholme bridge in summer 2022, access from New Road by pedestrians and cyclists is likely to increase the number of people passing through this junction at Stramongate and Blackhall Road.

To facilitate the increase in visitor footfall to Stramongate, a proposed new raised footpath across the mouth of the junction will increase the accessible area for pedestrians. Entrance and exit ramps will provide vehicular access across the space whilst Stramongate will remain unchanged beyond the junction at this time.

Planting will provide a softened gateway entrance to this intimate shopping street, and trees will reduce traffic noise and air pollution from Blackhall Road for a more pleasant shopping and visitor environment.

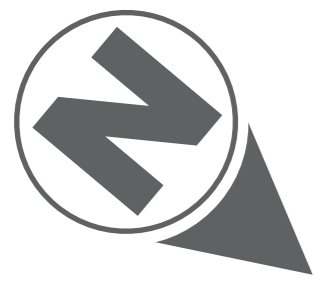
This proposed town centre project will consult guidance in the Kendal Public Realm Design Framework regarding the choice of materials to be used. Stramongate's heritage value has been a major factor in decisions to use natural stone surface materials.

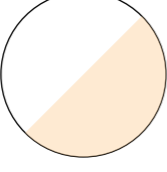
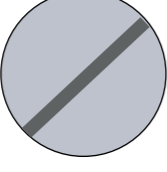
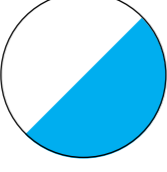
This discreet public realm intervention is hoped to provide impetus and inspiration to future town-centre proposals and aims to showcase the aspirations of Kendal Vision to improve the town for residents and businesses in Kendal.

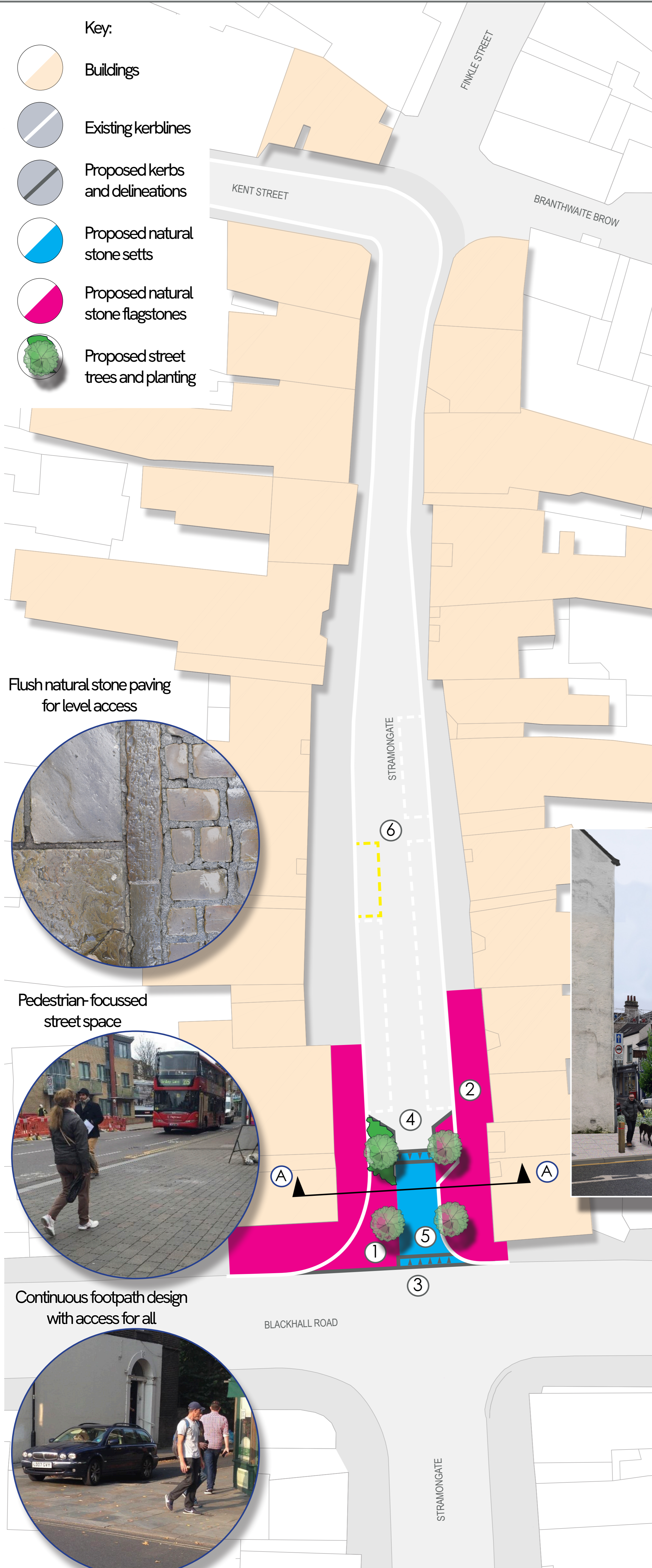
The proposed design incorporates:

- natural stone materials
- street planting and street trees
- raised footpaths across the junction
- improved pedestrian access and space
- an improved shopping environment
- improved air quality
- reduced traffic noise on Stramongate

# STRAMONGATE



- Key:
-  Buildings
  -  Existing kerblines
  -  Proposed kerbs and delineations
  -  Proposed natural stone setts
  -  Proposed natural stone flagstones
  -  Proposed street trees and planting



Flush natural stone paving for level access



Pedestrian-focussed street space



Continuous footpath design with access for all



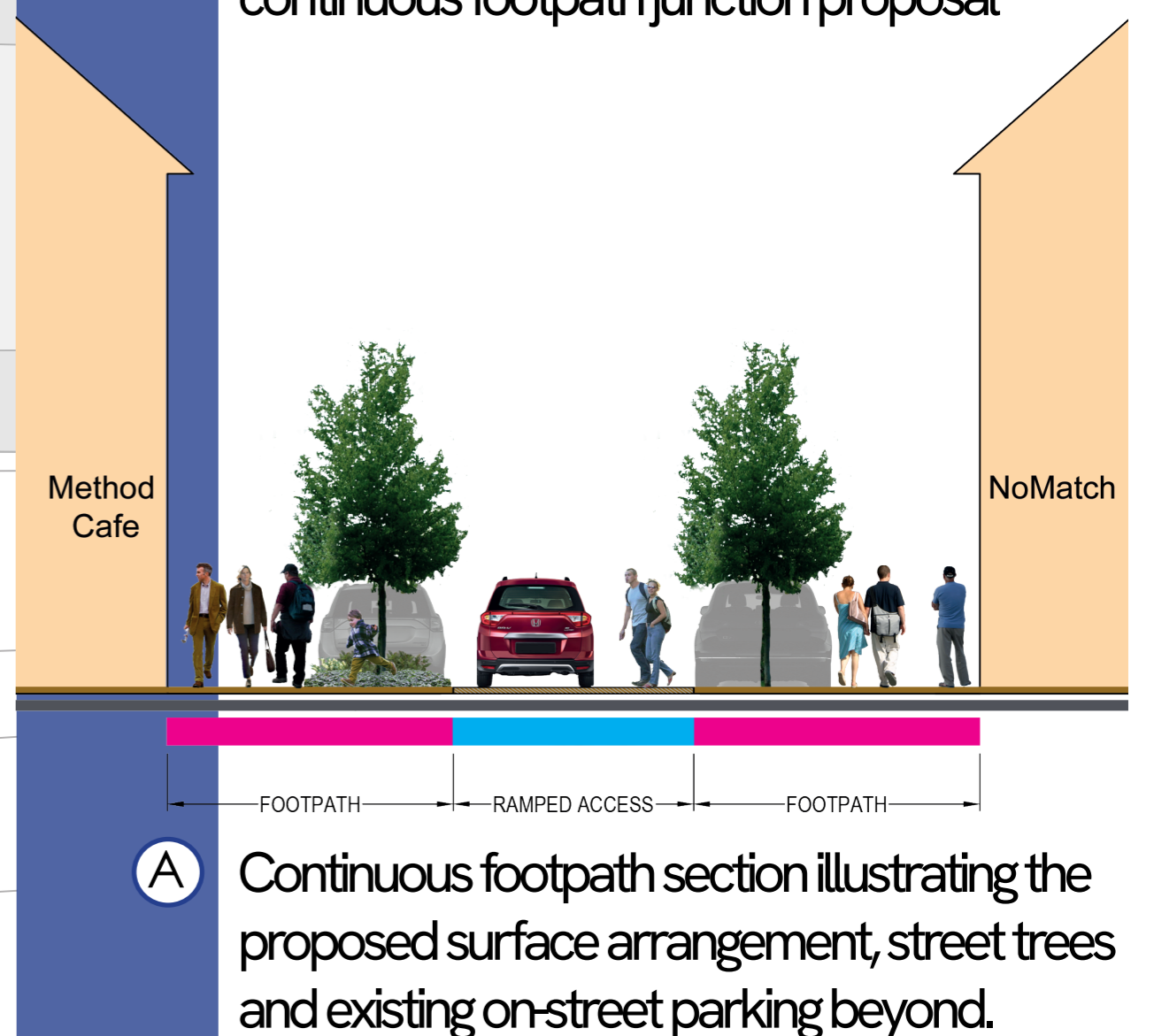
## PROPOSALS

### Stramongate Resurfacing Works:

- 1 Raise roadway levels up to create a continuous footpath across Stramongate using a combination of natural stone setts and flagstones.
- 2 Resurface existing footpaths with natural flagstones to existing levels to achieve continuity across the full width of the street.
- 3 Ramps at the entrance and exit to the continuous footpath constrict the carriageway and slow vehicles down to a crawl, necessitating an understanding that priority is not absolute.
- 4 A chamfered kerbline at the existing parking bays widens the footpath locally for improved mobility across the street. Tree planting in the street surface will frame this part of Stramongate, providing amenity and greenery to an otherwise hard-surfaced shopping street.
- 5 The continuous footpath area will include appropriate new signage and approved mobility paving as part of the new design.
- 6 Elsewhere along Stramongate, existing highway markings and parking arrangements are unchanged.



Above: Artist's impression of the new continuous footpath junction proposal



A Continuous footpath section illustrating the proposed surface arrangement, street trees and existing on-street parking beyond.



# Health and Sustainability Impact Assessment Form

S106 Design Works, Stramongate Kendal



## Environment and health

### Greenhouse gas emissions

SLDC's aim is to be carbon neutral by 2030: How will your proposal affect greenhouse gas emissions?

Consider:

Energy saving, for example preventing unnecessary use of energy - reducing use of appliances or cutting down on journeys that are not required.

Improving energy efficiency - ensures that the maximum benefit is gained from energy that is used. For example energy is not wasted or lost through insulation, heating the right areas and efficient lighting.

Renewable generation for example using renewable resources, such as wind, sunlight, rainwater.

Minimising emissions from transport.

Response: Not applicable.

### Alternative ways to deliver proposal

Please show how you are addressing alternative ways of delivering your proposal with a reduced or zero requirement for energy, building space, materials or travel

How are you using the waste/energy hierarchy – 1) avoid, 2) reduce, 3) reuse?

Response: Not applicable.

### Air quality

Please demonstrate how your project will have an impact on air quality.

Response: The proposed location of scheme are not within an Air Quality Management Area. The inclusion of trees at the entrance will reduce traffic noise from Blackhall Road for a more conducive shopping and visitor environment.

### Biodiversity

Please outline any impacts on biodiversity that your proposal might have

“To halt overall biodiversity loss, support healthy well-functioning ecosystems and establish coherent ecological networks, (create) more and better places for nature for the benefit of wildlife and people”: Biodiversity 2020: A strategy for England's wildlife and ecosystem services, DEFRA.

Response: Street planting options will be explored with the inclusion of plants to enhance biodiversity.

## Climate change impact

How does your proposal mitigate the impacts of climate change?

Assess the risks and impacts associated with climate change (extreme weather events: flooding, heatwaves, droughts and fires) and the implications for our services and communities. Describe measures in place to embed resilience and recovery.

Response: Not applicable.

## Active travel

How does the proposal enable active travel?

Encouraging and facilitating walking, cycling and public transport.

Response: The ramps at the entrance and exit to the continuous footpath constricts the carriageway and slows vehicles down to a crawl, necessitating an understanding that priority is not absolute. This creates a safer environment for walking and cycling and supports future LCWIP proposals.

## Economy and culture

### Sustainable development

How does the proposal contribute to inclusive and sustainable development?

Response: The project aspires to be the epicenter of change in Kendal's Town Centre, showcasing the public realm ambitions of the Kendal Vision for businesses, residents and visitors.

## Pay

How does the proposal impact on jobs and levels of pay?

Response: Not applicable.

## Healthier high streets

Demonstrate how the proposal contributes to healthier high streets.

Response: Stramongate as an important street which links the town centre to public transport and the river but one which would benefit from investment to create a 'balanced street', reduce car dominance and create a pleasanter environment for walking and cycling and a more attractive shopping and visitor environment.

## Culture, creativity and heritage

How does the proposal impact on culture, creativity or heritage and if not can they be embedded in this proposal?

Response: Not applicable.

## Housing and communities

### Housing standards

Does the proposal lead to an improvement in the standard of housing?

Response: Not applicable.

### Access to housing

How does the proposal increase access to housing?

Response: Not applicable.

### Crime and fear of crime

How does the proposal reduce crime or fear of crime?

Response: Not applicable.

### Social connectedness

How does the proposal increase social connectedness?

Response: Not applicable.

## Health and sustainability impact summary

Each category is rated either: Positive, Negative, Neutral, or unknown

### Environment and Health

Greenhouse gases emissions: Type rating (e.g. Positive) for categories below

Air Quality: Neutral

Biodiversity: Neutral

Impacts on climate change: Neutral

Reduced or zero requirement for energy, building space, materials or travel: Unknown

Active travel: Positive

## Economy and Culture

Inclusive and sustainable development: Positive

Jobs and level of pay: Unknown

Healthier high streets: Positive

Culture creativity and heritage: Unknown

## Housing and communities

Standard of housing: Unknown

Access to housing: Unknown

Crime: Unknown

Social connectedness: Unknown

## Health and sustainability action plan

What actions will be taken to eliminate or minimise any negative impacts identified above?

Actions	Who's responsible	Completed (Date)
Not applicable		

What positive actions will be taken to advance health or sustainability?

Actions	Who's responsible	Completed (Date)
Seek future funding opportunities to extend the proposed scheme further on the street.	Economic Development	Ongoing
Seek to install 'quick wins' in the area such as street planters to encourage further footfall.	Economic Development	31/03/23

## Research

Evidence, research and other sources of information used to inform the Impact Assessment.

Scheme Proposal.

## Consultation

Details of any specialists or groups that you have discussed this proposal with and the advice/information provided.

The Town Team met to discuss the proposals the take forward. The proposed scheme was consulted on through an online engagement process.

## South Lakeland District Council Cabinet

Wednesday, 8 June 2022

### Grant Support for Glass Panels to form part of the Kendal Flood Alleviation Scheme

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**Portfolio:** Economy, Culture and Leisure Portfolio Holder, Leader of the Council  
**Report from:** Director of Customer and Commercial Services  
**Report Author:** Laura Chapman – Corporate Support Officer  
**Wards:** Kendal South & Natland; Kendal Town;  
**Forward Plan:** Key Decision included in the Forward Plan as published on 13 April 2022.

**Links to Council Plan Priorities:**

Working across boundaries – Securing additional funding to deliver critical infrastructure in partnership with other authorities.

Addressing the climate emergency – Working with the Environment Agency to deliver the Kendal Flood Risk Management Scheme and mitigate risk of major flooding events.

---

**1.0 Expected Outcome and Measures of Success**

- 1.1 The approval of grant funding of £375,000 towards the installation of Glass Panels along Aynam Road, Kendal, will support the delivery of the Kendal Flood Alleviation Scheme.
- 1.2 The additional funding contribution will support the objective to retain and improve the open aspects of the riverside views along Aynam Road by increasing the total length of glass panels from 92m to 411m and change the glass panel fixing specification from aluminium powder coated to stainless steel in three locations (Gooseholme, Waterside and Aynam Road).
- 1.3 The overarching strategic objective for the Kendal Flood Risk Management Scheme, as outlined in the full business case submitted to MHCLG to receive £5.32m of European Regional Development Fund (ERDF) towards the project delivery, is to promote a scheme which makes the area more resilient to flooding and minimises the economic and social harm of flooding, whilst delivering the wider benefits for people and wildlife.

**2.0 Recommendation**

**2.1 It is recommended that Cabinet:**

**(1) subject to the Environment Agency securing the necessary further planning permissions approve an additional grant of £125,000 to the Environment Agency as a contribution to deliver glass panels along Aynam Road, Gooseholme and Waterside in Kendal as part of the Kendal Flood Alleviation Scheme. This funding having been previously agreed as part of the revised Capital Programme considered by Council on 12 May 2022;**

**(2) Reaffirm its approval to provide a grant of £250,000 to the Environment Agency to deliver the glass panels along Aynam Road, Gooseholme and Waterside in Kendal as previously agreed at Council on 11 November 2021; and**

**(3) subject to the Environment Agency securing the necessary further planning permissions delegate authority to the Director of Customer and Commercial Services in consultation with the Lead Specialist Legal Governance and Democracy (Monitoring Officer) to enter into an appropriate agreement with the Environment Agency within the parameters of the financial approval as detailed in paragraphs 7.1 to 7.3 of this report.**

### **3.0 Background and Proposals**

3.1 The market town of Kendal sits within the River Kent catchment, characterised by steep uplands and a wide floodplain area and located within a rapid response catchment, Kendal and other nearby settlements have a long history of flooding.

3.2 In December 2015, the impact of Storm Desmond resulted in some of the worst flooding on record throughout Cumbria with over 7,400 properties affected including 2,150 home, key roads, bridges and other infrastructure within Kendal.

3.3 In December 2019, approval was granted to receive a total of £5.34million of ERDF funding towards the delivery of the Kendal Flood Risk Management Scheme following the submission of a business case. The scheme includes:

- Linear defences along the River Kent through Kendal Town Centre;
- A new pumping station at the confluence with the Stock Beck at Gooseholme;
- Linear defences within the villages of Burneside, Staveley and Ings;
- Flood storage areas at Kentrigg and Kentmere Tarn in the upper Kent catchment and a catchment drain in the upper Stock Beck catchment.

3.4 The design and construction of flood defences through Kendal began in spring 2021 and is due to be completed by early 2024. Planning approval was received in June 2019, which included approval to install aluminium framed glass flood defence panels in three location along Aynam Road, Kendal.

3.5 In response to the Kendal Flood Risk Management Scheme, Kendal Town Council formed a Flood Relief Scheme Working Group that included representatives from the Environment Agency and South Lakeland District Council to report on the scheme and identify opportunities to improve the visual design of the glass panels in public realm areas of the town. Through the working group and in consultation with residents a new planning application has been submitted to improve the glass panels by extending the total length and upgrading to a stainless steel specification as reflected in the revised planning application. The inclusion of the glass panels is a fundamental aspiration from the local community and will improve the visual design of the defences in these areas whilst still allowing views along the river for residents. Further ground investigations have enabled the EA to improve the design to more effectively control seepage and groundwater using an augered foundations between Jennings Yard Footbridge and Nether Bridge. The inclusion of glass panels will not impact on the safety or the effectiveness of the defences.

3.6 South Lakeland District Council previously sought approval to make a financial contribution of £250,000 towards the cost of the new and improved glass panels to be installed by the Environment Agency along Aynam Road, Waterside and Gooseholme through the Capital Programme at Council on 11 November 2021. This was following the request from Kendal Town Council on behalf of the community to replace the



stonewall flood defences with Glass Panels at these particular locations. The installation of the glass panels would also be dependent on a funding contribution of £150,000 from Kendal Town Council. However since this approval was sought and in light of the new and improved design material costs have since increased and therefore an additional £125,000 is required from South Lakeland District Council in order to deliver the changes. This would increase South Lakeland District Council's funding contribution to £375,000. It is acknowledged that despite recent material cost increases the Environment Agency is respecting the prices outlined in 2019.

- 3.7 Subject to the additional funding being received the Environment Agency would be responsible for:
- The management and proposed delivery;
  - The design, planning, installation and future maintenance of the new improved glass panels.
  - Procurement of the materials in accordance with ERDF requirements.
- 3.8 The Council is seeking expenditure of the total sum of £375,000 to the Environment Agency towards the installation of Glass Panels.
- 3.9 The design of glazed panel flood defences, including support frames, posts and fixing arrangements to connect to supporting structures will be by the Environment Agency's Contractors and suppliers and agreed in consultation with Kendal Town Council and South Lakeland District Council.
- 3.10 The design life of the glazing and associated structural supports shall be minimum 50 years and the design life of replaceable seals and fixing shall be minimum 25 years. All installation fixings shall be tamper proof and provide a high level of security against malicious damage or theft.
- 3.11 The glass panel frame design shall be consistent throughout the three locations of glass panels along Aynam Road, Waterside and Gooseholme.
- 3.12 All glazing shall incorporate measures to reduce colour impurity, provide clear glass, and incorporate a low-maintenance coating to minimise cleaning requirements.

#### 4.0 Appendices Attached to this Report

Appendix No.	Name of Appendix
1	Health and Sustainability Impact Assessment

#### 5.0 Consultation

- 5.1 The Environment Agency, South Lakeland District Council and Kendal Town Council have worked in collaboration during the design development of the glass panel improvements and the wider scheme to ensure that:
- The improved glass panel is designed as a flood defence and per the agreed glass panel specification.
  - The design integrates with the flood defences and other elements of the Environment Agency's Kendal Flood Risk Management Scheme.
  - The design complements the existing Kendal townscape and river environment.
- 5.2 Communication regarding the works shall be undertaken by the Environment Agency as the project lead. They will be responsible for scheme communication and publicity, intended publicity programmes will be shared with partners and the community to ensure consistency.

## 6.0 Alternative Options

- 6.1 The alternative option would be not to approve the additional expenditure of £125,000 however, this would affect the delivery of the Kendal Flood Alleviation Scheme that, in turn would affect the ERDF funding, as well as create reputational damage for the Council.
- 6.2 In accordance with the grant funding agreement the ERDF funding could be clawed back or a fine imposed as a result of any project delays. Should the funding towards the glass panels not be approved, additional funding streams would need to be sought which would create project delays.

## 7.0 Implications

### Financial, Resources and Procurement

- 7.1 The recommendation to approve the expenditure of £250,000 to the Environment Agency as a contribution towards the installation of Glass Panels as agreed in the Capital Programme by Council on 11 November 2021, as well as an additional one off payment of £125,000 has a financial implication on the existing Business Rates Pool as reflected in the Capital Programme approved by Cabinet on 13 April 2022. Council considered the Capital Programme on 12 May 2022.
- 7.2 It is proposed that South Lakeland District Council pay a fixed contribution of £375k in the 2022/23 financial year towards the glass panels due to LGR implications. Kendal Town Council will also pay a fixed contribution of £150k (2022-£35k, 2023-£35k, 2024-£40k, 2025-£40k). It is expected that the Environment Agency will be responsible for all other related costs regarding planning, design, purchase, installation and future maintenance. The Environment Agency will lead on the procurement of goods and materials to deliver the project and must work in accordance with ERDF funding procurement guidance and regulations. The Council as the accountable body for the ERDF fund will undertake appropriate checks to ensure the Environment Agency are working in accordance with the requirements.
- 7.3 The proposed payment scheduled would be as follows:-

Partner	Year	Amount	Date / Milestone
South Lakeland District Council	2022/2023	£375,000	Before 31 March 2023
Kendal Town Council Payment	2022/2023	£35,000	Before 31 March 2023
Kendal Town Council payment	2023/2024	£35,000	Before 31 March 2024
Kendal Town Council Payment	2024/2025	£40,000	Before 31 March 2025
Kendal Town Council Payment	2025/2026	£40,000	Before 31 March 2026
<b>Total</b>		<b>£525,000</b>	

The additional costs for the installation of glass panels is being met by Kendal Town Council and South Lakeland District Council only. The Environment Agency will be responsible for all other related costs regarding planning, design, purchase, installation and future maintenance.

## Human Resources

7.4 No human resource implications have been identified.

## Legal

- 7.5 This report is seeking approval for £125,000 be granted to EA to install glass panels along Aynam Road, Waterside and Gooseholme in connection with the Kendal Flood Alleviation Scheme. South Lakeland District Council previously sought approval for a payment contribution of £250,000 towards the cost of the glass panels through the Capital Programme at Council on 11 November 2021. However, as described in this report the design has since changed and this additional contribution is being requested to cover increased material costs as a result of the new design.
- 7.6 Subject to approval of the additional £125,000 {and planning permission submitted by the Environment Agency}, South Lakeland District Council will enter into an appropriate agreement with the Environment Agency to make a grant of £375,000 in connection with the installation of the glass panels.
- 7.7 A separate grant agreement between Kendal Town Council and Environment Agency would be required to confirm Kendal Town Councils contribution of £150,000.
- 7.8 External legal advice has been taken in connection with this report. The initial advice has been focussed on the powers of South Lakeland District Council to provide funding to EA to carry out these works, and on the subsidy control and procurement position.
- 7.9 In respect of powers, the advice is that the general power of competence under s.1 of the Localism Act 2011 (LA) provides a source of powers for the Council to make a grant to the Environment Agency. This is on the basis that providing a grant to the EA for these purposes is within the scope of things that an individual generally may do. This power is subject to pre and post commencement limitations, but external legal are not aware of any limitations which would impact upon this advice.
- 7.10 In respect of the procurement position, legal advice is that if the Council provides a grant to EA in order to carry out the works in relation to these glass panels (as opposed to entering into an agreement with EA which is in the nature of a services agreement), then this will not be a procurable contract which falls within the scope of the Public Contracts Regulations 2015 (PCR). This reflects the Council's intentions and so it is very unlikely that the agreement with EA would be seen as a procurable contract which is subject to the PCR. Even if it were, it would be below the current threshold for works contracts (currently £5,336,937) and therefore no procurement process would be required to award the contract. The procurement risk in connection with this transaction is therefore very low.
- 7.11 In respect of the subsidy control position, legal advice is that where a public body provides funds to another public body in connection with their public functions, this would sit outside of the subsidy control regime, on the basis that the recipient of funds is not an economic actor in this context and is therefore not capable of receiving a subsidy. The subsidy control risk in connection with this transaction is therefore very low.
- 7.12 It was considered that there may be an interaction between the agreements that South Lakeland District Council has entered into with the Secretary of State for Communities, Housing and Local Government (SOS) and the EA in connection with the ERDF funded flood defence scheme. This was raised by South Lakeland District Council with the ERDF representative, who confirmed that SLDC's funding of the glass panels would not impact upon the agreement in relation to the ERDF funded flood defence scheme. This prior confirmation from the ERDF representative provides comfort that the risk here is low.

7.13 Following the legal advice, it is clear that the Council has the powers to enter into this transaction. The risk of granting an unlawful subsidy or breaching the Council's obligations under the Public Contracts Regulations 2015 is very low. Appropriate legal advice will be taken in connection with the grant agreement. Legal advice will also be provided to ensure compliance with the s.24 Direction.

### Health and Sustainability Impact Assessment

7.14 Have you completed a Health and Sustainability Impact Assessment? Yes

7.15 If you have not completed an Impact Assessment, please explain your reasons: Assessment completed, see appendix 1.

7.16 Summary of Health and Sustainability Impacts:

		Positive	Neutral	Negative	Unknown
Environment and Health	Greenhouse gases emissions		X		
	Air Quality		X		
	Impacts of Climate Change	X			
	Reduced or zero requirement for energy, building space, materials or travel		X		
	Active Travel	X			
Economy and Culture	Inclusive and sustainable development		X		
	Jobs and levels of pay	X			
	Healthier high streets		X		
	Culture, creativity and heritage	X			
Housing and Communities	Standard of housing	X			
	Access to housing		X		
	Crime		X		
	Social connectedness		X		

### Equality and Diversity

7.17 Have you completed an Equality Impact Analysis? No

7.18 If you have not completed an Impact Analysis, please explain your reasons: Not required.

7.19 Summary of Equality and Diversity Impacts:

<b>Please indicate: P = Positive impact; 0 = Neutral; N = Negative; Enter "X"</b>				
<b>Age</b>	<b>P</b>		<b>O</b>	<b>N</b>
<b>Disability</b>			X	
<b>Gender reassignment (transgender)</b>			X	
<b>Marriage &amp; civil partnership</b>			X	
<b>Pregnancy &amp; maternity</b>			X	
<b>Race/ethnicity</b>			X	
<b>Religion or belief</b>			X	
<b>Sex/gender</b>			X	
<b>Sexual orientation</b>			X	
<b>Armed forces families</b>			X	
<b>Rurality</b>			X	
<b>Socio-economic disadvantage</b>			X	

<b>Risk Management</b>	<b>Consequence</b>	<b>Controls required</b>
Flood defence budget and programme will be put at significant risk.	Significant delays and cost implications for the EA if the work is not approved.	Reports to be approved and legal agreements to be put in place to move forward in line with the EA's programme.
SLDC does not approve expenditure of the total funding contribution of £375,000	The Councils reputation is damaged and the project risks being insufficiently funded.	The Council contributes where it can and supports the EA in attracting other possible funding streams. (These would need to be identified)
The new authority does not take forward the funding contributions in the future.	Potential to stop the project progressing, and impacts on the number of properties protected and puts the ERDF funding at risk.	The interests of the communities in South Lakeland are championed through the Local Government reform process.  Legal services will advise regarding implications of s.24 direction.
Reputational Risk	Damage to SLDC's reputation with community, residents and businesses.	Working closely with EA to manage potential risks and timings of works.
Civil disruption	Delays in scheme delivery affecting ERDF timescales, could put businesses and	EA are working with local authorities and others to ensure that these are

Risk Management	Consequence	Controls required
	residential properties at potential risk of flooding.	minimised as much as possible.

### Contact Officers

Laura Chapman, Specialist Economy and Culture

[laura.chapman@southlakeland.gov.uk](mailto:laura.chapman@southlakeland.gov.uk)

### Background Documents Available

Name of Background document	Where it is available
Council Minute C/55 (2021) for previous approval of £250,000	<a href="#">Minute C/55 Corporate Financial Updates Quarters 1 and 2 2021/22</a>
Revised Planning Application (Awaiting consideration)	<a href="#">SL/2022/0286</a>
Previous Planning Application	<a href="#">SL/2018/0925</a>

### Tracking Information

Signed off by	Date sent	Date Signed off
Section 151 Officer	02-04-22	23/05/2022
Monitoring Officer	02-04-22	19-04-22
CMT	02-04-22	04-05-22

Circulated to	Date sent
Lead Specialist	13/04/22
Human Resources Lead Specialist	N/A
Communications Team	N/A
Leader	13/04/22
Committee Chairman	N/A
Portfolio Holder	13/04/22
Ward Councillor(s)	N/A
Committee	N/A
Executive (Cabinet)	8 June 2022
Council	N/A

# Health and Sustainability Impact Assessment Form

Additional Funding for Glass Panels along Aynam Road



## Environment and health

### Greenhouse gas emissions

SLDC's aim is to be carbon neutral by 2030: How will your proposal affect greenhouse gas emissions?

Consider:

Energy saving, for example preventing unnecessary use of energy - reducing use of appliances or cutting down on journeys that are not required.

Improving energy efficiency - ensures that the maximum benefit is gained from energy that is used. For example energy is not wasted or lost through insulation, heating the right areas and efficient lighting.

Renewable generation for example using renewable resources, such as wind, sunlight, rainwater.

Minimising emissions from transport.

Response: Not applicable.

### Alternative ways to deliver proposal

Please show how you are addressing alternative ways of delivering your proposal with a reduced or zero requirement for energy, building space, materials or travel

How are you using the waste/energy hierarchy – 1) avoid, 2) reduce, 3) reuse?

Response: Not applicable.

### Air quality

Please demonstrate how your project will have an impact on air quality.

Response: The proposed locations for the installation of Glass Flood Panels are not within an Air Quality Management Area. The glass panels installed will incorporate a low-maintenance coating to minimize cleaning requirements. Therefore the use of any cleaning chemicals impacting on the air quality will not be used.

### Biodiversity

Please outline any impacts on biodiversity that your proposal might have

“To halt overall biodiversity loss, support healthy well-functioning ecosystems and establish coherent ecological networks, (create) more and better places for nature for the benefit of



wildlife and people”: Biodiversity 2020: A strategy for England’s wildlife and ecosystem services, DEFRA.

Response: The Environment Agency is delivering the Kendal Flood Risk Management Scheme and has committed to plant 6 new trees for every one that is removed. The aim of the project is not just to protect the community but to also enhance biodiversity within Kendal.

Landscaping plans have been designed to improve the environment for some of the most threatened species through woodland planting, foraging opportunities, nest boxes, new wetland habitat that will increase diversity and species richness and native wildflower to boost pollinators.

## Climate change impact

How does your proposal mitigate the impacts of climate change?

Assess the risks and impacts associated with climate change (extreme weather events: flooding, heatwaves, droughts and fires) and the implications for our services and communities. Describe measures in place to embed resilience and recovery.

Response: The overarching strategic objective for Kendal Flood Risk Management Scheme is to promote scheme which makes the areas more resilient to flooding and minimizes the economic and social harm of flooding, whilst delivering the wider benefits for people and wildlife.

## Active travel

How does the proposal enable active travel?

Encouraging and facilitating walking, cycling and public transport.

Response: The scheme will improve cycle and walkways along areas where flood defenses have been installed creating linked up routes to encourage cycling and walking opportunities. South Lakeland District Council has committed £200,000 to link up any areas outside of the scheme to the new cycle and walkways.

## Economy and culture

## Sustainable development

How does the proposal contribute to inclusive and sustainable development?

Response: Not applicable.

## Pay

How does the proposal impact on jobs and levels of pay?

Response: The scheme will increase flood protection to 1717 businesses, including 5 strategically important business and employment sites in Kendal. It will safeguard at least 6,105 jobs worth £277m GVA per annum to the economy.

## Healthier high streets

Demonstrate how the proposal contributes to healthier high streets.

Response: Not applicable.

## Culture, creativity and heritage

How does the proposal impact on culture, creativity or heritage and if not can they be embedded in this proposal?

Response: The scheme will create a Community Garden that will create improved river habitat, mixture of dense and open woodland habitat, planting rich in berries and seeds, footpath and sensory path and information boards on environment and heritage.

## Housing and communities

### Housing standards

Does the proposal lead to an improvement in the standard of housing?

Response: Once completed the scheme will increase flood protection to 170 residential properties.

### Access to housing

How does the proposal increase access to housing?

Response: Not applicable.

### Crime and fear of crime

How does the proposal reduce crime or fear of crime?

Response: Not applicable.

### Social connectedness

How does the proposal increase social connectedness?

Response: The scheme will include reclaimed timber seating and the development and enhancement of the river corridor extending through the whole of the scheme will offer an opportunity for community involvement.

## Health and sustainability impact summary

Each category is rated either: Positive, Negative, Neutral, or unknown

### Environment and Health

Greenhouse gases emissions: Type rating (e.g. Positive) for categories below

Air Quality: Neutral

Biodiversity: Positive

Impacts on climate change: Positive

Reduced or zero requirement for energy, building space, materials or travel: Unknown

Active travel: Positive

### Economy and Culture

Inclusive and sustainable development: Unknown

Jobs and level of pay: Positive

Healthier high streets: Neutral

Culture creativity and heritage: Positive

### Housing and communities

Standard of housing: Positive

Access to housing: Neutral

Crime: Unknown

Social connectedness: Positive

### Health and sustainability action plan

What actions will be taken to eliminate or minimise any negative impacts identified above?

Actions	Who's responsible	Completed (Date)
Not applicable	N/A	

What positive actions will be taken to advance health or sustainability?



Actions	Who's responsible	Completed (Date)
Seek future funding streams to continue to enhance the Towns offer and connectivity.	Economic Development Team	Ongoing

## Research

Evidence, research and other sources of information used to inform the Impact Assessment.

The Environment Agency have undertaken a number of surveys and assessments prior to planning applications for the schemes reaches being submitted. Assessments undertaken considered the environmental impacts (i.e. noise) and biodiversity and species.

## Consultation

Details of any specialists or groups that you have discussed this proposal with and the advice/information provided.

The scheme has been consulted with the community and community groups through the planning process.