

CABINET

10.00 A.M.

20TH APRIL 2010

PRESENT:- Councillors Stuart Langhorn (Chairman), June Ashworth, Jon Barry, Eileen Blamire, Abbott Bryning, Jane Fletcher and David Kerr

Officers in attendance:-

Mark Cullinan	Chief Executive
Heather McManus	Corporate Director (Regeneration) (part)
Roger Muckle	Corporate Director (Finance and Performance) (part)
Peter Loker	Corporate Director (Community Services) (part)
Nadine Muschamp	Head of Financial Services and Section 151 Officer (part)
Derek Whiteway	Internal Audit Manager (part)
Debbie Chambers	Principal Democratic Support Officer

150 MINUTES

The minutes of the meeting held on Tuesday 16 March 2010 were approved as a correct record.

151 ITEMS OF URGENT BUSINESS AUTHORISED BY THE LEADER

The Chairman advised that there were no items of urgent business.

152 DECLARATIONS OF INTEREST

Councillor Langhorn declared a personal interest with regard to the report on the Review of Districtwide Playground Provision in view of his role as Chairman of Caton-with-Littledale Parish Council. (Minute 155 refers).

153 PUBLIC SPEAKING

Members were advised that there had been no requests to speak at the meeting in accordance with the Cabinet's agreed procedure.

154 URGENT BUSINESS DECISIONS

The Monitoring Officer submitted a report to ensure that a proper delegation is in place to enable urgent business decisions to be taken in respect of executive functions.

The options, options analysis, including risk assessment and officer preferred option, were set out in the report as follows:

Option 1 is to approve the proposed delegation as set out in the report.

Option 2 is to approve some other form of delegation that would enable the Chief Executive to take urgent decisions in respect of executive functions.

Officers would recommend that taking no action is not an option, as it is important for both legal and practical reasons for there to be a properly documented delegation to enable urgent action to be taken.

It was moved by Councillor Langhorn and seconded by Councillor Kerr:-

“That the recommendations, as set out in the report, be approved.”

Members then voted:-

Resolved unanimously:

- (1) That with regard to executive functions, Cabinet delegates to the Chief Executive authority:
 - (a) To do all such things as are necessary in relation to all routine matters of day to day administration and management of the Council;
 - (b) To authorise any action necessary to protect the safety or welfare of individuals or the safety of property; and
 - (c) Where it is necessary for any function of the Cabinet to be discharged and it is impracticable or impossible by reason of urgency for the matter to be considered by the Cabinet, (of if a non-key decision, by the relevant portfolio holder) to take such action as he considers appropriate, in consultation, so far as practicable with the Leader and relevant portfolio holder(s).
- (2) That where action is taken under (c) above, the Chief Executive shall submit a report to the next Cabinet meeting recording the urgent circumstances which made the action necessary and detailing the action taken.
- (3) That the amendment to the Scheme of Delegation be reported to Council in accordance with Rule 1.4 of the Cabinet Procedure Rules.
- (4) That Cabinet notes that Council will be recommended to include in the Constitution a separate section on urgent business procedures, which will cover both executive and non-executive functions.

Officers responsible for effecting the decision:

Monitoring Officer
Head of Democratic Services

Reasons for making the decision:

The decision made will best meet the need for the Council's functions to be exercised efficiently and effectively in cases of urgency.

155 REVIEW OF DISTRICTWIDE PLAYGROUND PROVISION (Pages 1 - 2)

(Cabinet Member with Special Responsibility Councillor Barry)

The Head of Environmental Services submitted a report updating Cabinet on the recent review of districtwide playground provision.

The options, options analysis, including risk assessment and officer preferred option, were set out in the report as follows:

Option	Pros	Cons
1- Adopt the policy for playground provision outlined- without consultation	<p>Provides for a comprehensive, well located, well equipped, sustainable playground network.</p> <p>Encourages partnership working with Parish Councils and allows Parish Councils to divert funds that would otherwise be spent on playground inspections and minor maintenance elsewhere.</p> <p>Focuses on quality rather than quantity but ensures there are play areas within easy reach of most children.</p> <p>Identifies gaps in existing provision and makes recommendations as to how best to fill these.</p> <p>Allows officers to plan with certainty.</p>	<p>Doesn't allow for consultation with relevant stakeholders.</p> <p>Reduction in number of play areas</p>
2- Adopt the policy for playground provision outlined – for consultation	<p>Allows for consultation with relevant stakeholders which will influence implementation.</p> <p>Provides for a comprehensive, well located, well equipped, sustainable playground network.</p> <p>Encourages partnership working with Parish Councils and allows Parish Councils to divert funds that would otherwise be spent on</p>	<p>Reduction in number of play areas</p>

	<p>playground inspections and minor maintenance elsewhere.</p> <p>Focuses on quality rather than quantity but ensures there are play areas within easy reach of most children.</p> <p>Identifies gaps in existing provision and makes recommendations as to how best to fill these.</p> <p>Allows officers to plan with certainty.</p>	
3- Adopt / consult on a policy other than that set out in the report		<p>The recommendations set out in the report have been prepared based on Officers knowledge of the condition of current play ground stock, recommendations of insurers, PPG17 and the recommendations of the Parish Task Group.</p>

The officer preferred option is option 2

It was moved by Councillor Barry and seconded by Councillor Ashworth:-

- “(1) That consultation be carried out on the basis of the following list (appended to these minutes).
- (2) That the proposed £50,000 of capital funding for play areas in 2010/11 be used to build a play area in Heysham and further information will be sought on where the other play area is to be built.
- (3) That details of the consultation be brought back to Cabinet in June 2010 for decisions.”

Members then voted:-

Resolved unanimously:

- (1) That consultation be carried out on the basis of the following list (appended to these minutes).
- (2) That the proposed £50,000 of capital funding for play areas in 2010/11 be used

to build a play area in Heysham and further information will be sought on where the other play area is to be built.

- (3) That details of the consultation be brought back to Cabinet in June 2010 for decisions.

Officers responsible for effecting the decision:

Corporate Director (Community Services)
Head of Environmental Services

Reasons for making the decision:

The decision allows for consultation to take place and be reported back to Cabinet before decisions are taken on the individual playground provision sites listed in the report.

156 LANCASTER MARKET - CABINET LIAISON GROUP

(Cabinet Member with Special Responsibility Councillor Barry)

The Chief Executive submitted a report proposing the establishment of a Lancaster Market Cabinet Liaison Group with appropriate terms of reference to carry out work requested by Council at its meeting on 31 March 2010.

The options, options analysis, including risk assessment, officer preferred option and comments, were set out in the report as follows:

Option 1: To establish a Cabinet Liaison Group, as proposed in the report, to carry out the work outlined in resolutions (5), (6), (8) and (9) made by Council on 31 March 2010.

Option 2: To identify some other means of establishing a working group to carry out the work outlined in resolutions (5), (6), (8) and (9) made by Council on 31 March 2010.

Since there is already a mechanism within the Constitution for progressing this type of non-decision making work which can report directly to Cabinet, Option 1, establishing a Lancaster Market Cabinet Liaison Group, chaired by the Leader of the Council, is the officer preferred option.

It was moved by Councillor Barry and seconded by Councillor Langhorn:-

- “(1) That a Lancaster Market Cabinet Liaison Group be established to oversee plans for refurbishment and revitalisation of the market.
- (2) That the draft terms of reference, shown at appendix A of the report, be approved.
- (3) That the portfolio holder be advised that Cabinet’s preference for membership of the Lancaster Market Cabinet Liaison Group be one Member from each group and one named substitute.”

Members then voted:-

Resolved unanimously:

- (1) That a Lancaster Market Cabinet Liaison Group be established to oversee plans for refurbishment and revitalisation of the market.
- (2) That the draft terms of reference, shown at appendix A of the report, be approved.
- (3) That the portfolio holder be advised that Cabinet's preference for membership of the Lancaster Market Cabinet Liaison Group be one Member from each group and one named substitute.

Officers responsible for effecting the decision:

Corporate Director (Regeneration)
Head of Property Services
Head of Democratic Services

Reasons for making the decision:

The decision allows the decisions made by full council on 31 March 2010 regarding Lancaster Market to be progressed with regular reports back to Cabinet.

157 EXCLUSION OF THE PRESS AND PUBLIC

The Chairman asked for any further declarations of interest from Cabinet Members regarding the exempt report.

It was moved by Councillor Langhorn and seconded by Councillor Kerr:-

"That, in accordance with Section 100A(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 could involve the possible disclosure of exempt information as defined in paragraphs 1 and 2 of Schedule 12A of that Act."

Members then voted as follows:-

Resolved unanimously:

- (1) That, in accordance with Section 100A(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 could involve the possible disclosure of exempt information as defined in paragraphs 1 and 2 of Schedule 12A of that Act.

158 SENIOR MANAGEMENT RESTRUCTURE (Pages 3 - 4)

(Cabinet Members with Special Responsibility Councillors Blamire and Langhorn)

(The three Corporate Directors and the Head of Financial Services all declared a personal and prejudicial interest in the Senior Management Restructure report

and left the meeting prior to consideration of the item. The Internal Audit Manager joined the meeting as Deputy Section 151 Officer.)

The Chief Executive submitted a report, which was exempt from publication by virtue of paragraphs 1 and 2 of Part 1 of Schedule 12A of the Local Government Act 1972, to enable Cabinet to consider the next phase of the Senior Management Restructure.

The options were set out in the report as follows:

To progress in accordance with the recommendations in the report or to provide an alternative direction to the Senior Management Restructure.

The Officer preferred option was to progress in accordance with the recommendations in the report and Members approved the recommendations. Those recommendations that had staffing implications would be forwarded to the Personnel Committee for consideration.

Members:-

Resolved unanimously:

- (1) The resolutions are set out in a minute exempt from publication by virtue of paragraphs 1 and 2 of Schedule 12A of the Local Government Act 1972.

Officers responsible for effecting the decision:

Chief Executive

Reasons for making the decision:

The decisions made allow the Senior Management Restructure to progress.

Chairman

(The meeting ended at 11.55 a.m.)

**Any queries regarding these Minutes, please contact
Debbie Chambers, Democratic Services, telephone 01524 582057 or email
dchambers@lancaster.gov.uk**

MINUTES PUBLISHED ON THURSDAY 22 APRIL 2010.

**EFFECTIVE DATE FOR IMPLEMENTING THE DECISIONS CONTAINED IN THESE MINUTES:
FRIDAY 30 APRIL 2010.**

Playground	Comments	Preliminary view
Abbeystead Drive	Hala. New play area to be built.	Close when new play area is built.
Arcon House	Improve nearby Dorrington Road.	Consult with Ward Councillors. Consider replacing by landscaping, natural play humps.
Ambleside Road	Set of swings. Could build new one in conjunction with new allotments.	Discuss with Ward Cllrs and LESS.
Barnacre Close	A fair way from Hala. Need to decide whether this area would be served by new Hala play area.	Consult with Ward Councillors.
Canwood Gardens	This is closed now as there is another play area very nearby. Council had lots of complaints when it was a play area because it was located underneath a rookery	Closed already.
Church Brow	Bolton le Sands. BLS has 2 play areas and the Parish provided one is better than the City Council one so there is an option to rationalise. The Parish would benefit from free inspections and minor repairs as proposed in the report.	Consult with Ward Councillors and Parish Council.
Crag Bank Field	Leave basketball and 5 a-side.	Consult with Ward Councillors and Parish Council.
Forest Park	Can go	Close
Furness Street	One swing	Probably close. Consult with Ward Councillors.
Gregson Road	Nothing wrong with it. No other one for Moorlands particularly. Very poorly located on a busy road junction.	Keep open.
Hala Hill	New play area to be built in this area.	Close when new play area is to be built.
Highgrove Close	Ward Cllrs and public want to close. New one at Essington Avenue, look at relocation.	Close.
Low Moor	Community initiative to build new area, but probably in different place. Possibly in conjunction with tennis courts etc.	Consult with Ward Councillors.
Manor Road,	Really good Parish Council provided play	Consult with Ward

Slyne	area. The Parish would benefit though from free inspections and minor repairs as proposed in the report.	Councillors.
Montrose Crescent	One swing. Proposed new play area in Heysham Village	Close when new play area to be built.
Parliament Street	3 nearby in West End Gardens and also Regent Park	Close.
Skerton Cowshard	Relocate to new site Make sure we consult with nearby residents	Relocate. Consult with Ward Councillors and local residents.
St Austell	Crag Bank, Carnforth- better facilities nearby and its defunct anyway	Close.
The Roods, Warton Village	Village play area to be improved. Allotments to go on this site- that's what Parish are proposing The Parish would benefit though from free inspections and minor repairs as proposed in the report.	Consult with Parish re their plans.

By virtue of paragraph(s) 1, 2 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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