



LANCASTER
CITY COUNCIL

Promoting City, Coast & Countryside

COUNCIL MEETING

Wednesday, 12 September 2012
2.00 p.m.
Morecambe Town Hall

Mark Cullinan,
Chief Executive,
Town Hall,
Dalton Square,
LANCASTER,
LA1 1PJ



LANCASTER CITY COUNCIL

Promoting City, Coast & Countryside

Sir/Madam,

You are hereby summoned to attend a meeting of the Lancaster City Council to be held in the Town Hall, Morecambe on Wednesday, 12 September 2012 commencing at 2.00 p.m. for the following purposes:

In the interests of the efficient running of the meeting, the Mayor will be asked to re-order the agenda, so that items 7 and 12 are dealt with together, and so that item 10 follows item 15.

1. **APOLOGIES FOR ABSENCE**

2. **MINUTES**

To receive as a correct record the Minutes of the Meeting of the City Council held on 18th July, 2012 (previously circulated).

3. **DECLARATIONS OF INTEREST**

To receive declarations by Members of interests in respect of items on this Agenda.

Members are reminded that, in accordance with the Localism Act 2011, they are required to declare any disclosable pecuniary 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).

Whilst not a legal requirement, in accordance with Council Procedure Rule 10 and in the interests of clarity and transparency, Members should declare any disclosable pecuniary interests which they have already declared in the Register, at this point in the meeting.

In accordance with Part B Section 2 of the Code Of Conduct, Members are required to declare the existence and nature of any other interests as defined in paragraphs 8(1) or 9(2) of the Code of Conduct.

4. **ITEMS OF URGENT BUSINESS**

5. **ANNOUNCEMENTS**

To receive any announcements which may be submitted by the Mayor or Chief Executive.

6. **QUESTIONS FROM THE PUBLIC UNDER COUNCIL PROCEDURE RULE 12**

To receive questions in accordance with the provisions of Council Procedure Rules 12.1 and 12.3 which require members of the public to give at least 3 days' notice in writing of questions to a Member of Cabinet or Committee Chairman.

ITEMS OF BUSINESS DEFERRED FROM THE LAST MEETING

The deferred motion on the Storey Institute has been withdrawn by the Members who submitted the motion.

7. **LEADER'S REPORT** (Pages 1 - 3)

To receive the Cabinet Leader's report deferred from the July meeting of Council.

8. **NOTICE OF MOTION - POLICE BUDGETS** (Pages 4 - 5)

To consider the following motion, deferred from the July meeting of Council, submitted by Councillors Ian Pattison, David Smith, Margaret Pattison, David Whitaker, Ron Sands, Paul Aitchinson and Robert Redfern:

This Council requests that the Chief Executive of Lancaster City Council write to the Home Secretary to express growing concerns at the 20% reduction on police budgets, as discussed at a recent meeting of the Lancashire police Authority, which stated that this reduction in the police budget has resulted in an increase in crime.

Lancaster City Council therefore calls upon Teresa May MP to seriously look at reversing these cuts to enable the people across the district to receive the level of protection and police presence they deserve.

(Note: The wording of the motion has changed slightly from that appearing on the Council agenda of 18 July 2012, in accordance with the wishes of the Members who submitted it.)

9. **EXCLUSION OF PRESS AND PUBLIC**

Council is recommended to pass the following recommendation in relation to the following item:-

"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 Paragraph 3 of Schedule 12A of that Act."

Members are reminded that, whilst the following item has been marked as exempt, it is for the Council itself to decide whether or not to consider it in private or in public. In making the decision, Members should consider the relevant paragraph of Schedule 12A of the Local Government Act 1972, and should balance the interests of individuals or the Council itself in having access to information. In considering their discretion Members should also be mindful of the advice of Council Officers.

10. **LANCASTER INDOOR MARKET** (Pages 6 - 27)

To consider the report of the Chief Executive deferred from the July meeting of Council.

(Press and Public will be re-admitted to the meeting at this point if excluded for item 10.)

11. **A DRAFT LOCAL PLAN FOR LANCASTER DISTRICT: PREPARATION OF 'DRAFT PREFERRED OPTIONS' LAND ALLOCATION, DEVELOPMENT MANAGEMENT AND MORECAMBE AREA ACTION PLAN DPDS (Pages 28 - 53)**

To consider the report of the Head of Regeneration and Planning. This report was deferred from the July meeting of Council and, because of the deferral, the timescales given throughout the report have been amended. They now reflect a public consultation beginning, provisionally, on Monday 22 October 2012 and concluding on Friday 14 December 2012 instead of 28 August – 19 October 2012.

Councillors please note: The appendices to this report are in excess of 350 pages and copies have not been printed with the agenda as a matter of course. If you would like a full paper copy for the meeting, please ask Democratic Services to send one out to you.

Copies of the full set of papers are available for Councillors to read in the Members' Rooms at Morecambe and Lancaster Town Halls and also in Democratic Services. An electronic version can be accessed via the agenda for this meeting accessible through the usual link on the Council website:-

<http://www.lancaster.gov.uk/a-to-z/m/meetings-minutes-agendas/>

OTHER BUSINESS

12. **LEADER'S REPORT (Pages 54 - 56)**

To receive the Cabinet Leader's report on proceedings since her last report to Council.

13. **STOREY INSTITUTE (Pages 57 - 64)**

To consider the report of the Chief Executive.

14. **EXCLUSION OF PRESS AND PUBLIC**

Council is recommended to pass the following recommendation in relation to the following item:-

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15. **LANCASTER INDOOR MARKET** (Pages 65 - 119)

To consider the report of the Chief Executive.

(Press and Public will be re-admitted to the meeting at this point if excluded for item 15.)

16. **QUESTIONS UNDER COUNCIL PROCEDURE RULE 13.2**

To receive questions in accordance with the provisions of Council Procedure Rules 13.2 and 13.4 which require a Member to give at least 3 working days notice, in writing, of the question to the Chief Executive.

17. **MINUTES OF CABINET** (Pages 120 - 181)

To receive the Minutes of Meetings of Cabinet held on 29th May, 3rd 17th and 24th July 2012.



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Chief Executive

Town Hall,
Dalton Square,
LANCASTER,
LA1 1PJ

Published on Tuesday 4 September, 2012.

COUNCIL**Leader's Report****12 September 2012****(Deferred from the meeting of Council held on 18 July)****Report of the Leader of the Council****PURPOSE OF REPORT**

To present the Leader's report to Council.

This report is public.

RECOMMENDATIONS

To receive the report of the Leader of Council.

REPORT**1.0 Cabinet**

Information on Cabinet matters is provided in the minutes from the Cabinet meetings held on 29 May and 3 July 2012, later in this agenda.

2.0 Decisions required to be taken urgently

There are no decisions to report since the last Leader's Report on 13 June 2012.

3.0 Leader's Comments

I attended the Shared Revenues and Benefits Service Joint Committee on the 25 May. This meeting was conducted via a video conference facility with Preston City Council. This worked well and will save money and time in the future.

The Lancashire Leaders' Central Sub Group held a meeting at Ormskirk on the 28 May. There was a short update on the Local Enterprise Partnership and on Health and Wellbeing Boards. I asked about the role our local Board can play and was told that they would be consultees.

Councillor Hanson, Mark Cullinan and I met with Eric Ollerenshaw MP on the 01 June to discuss the area. On the agenda were Neighbourhood Planning and the new provisions under the Localism Act. The Homeless Action Centre and their concerns about the Canal Corridor Development and a Lancaster Indoor Market update. Lancaster Castle was also discussed and we are to meet representatives of the Duchy of Lancaster on 9 July in Preston. The University as an Enterprise Zone is a new idea. The Council is fully engaged with the University in discussions about the Science Park and it is hoped that we can pursue further proposals.

United Utilities sewer works were explained and the need to improve the situation without excessive disruption. This work will go on until 2014.

In spite of the deluge, the Olympic Torch Relay was very successful and well attended. Congratulations to the organisers and to those who took part. The Velocity Festival went ahead and I hear that the Council received some praise for organising it. This could become an annual event.

Mark Cullinan and I attended the Local Government Association's Annual Conference in Birmingham at the ICC, a magnificent venue. The conference is the biggest local government conference of the year and attracts over 1000 delegates. There was much debate on issues such as the reforms in planning, local government finance, welfare and benefits and discussion around the role of local authorities in education, social care, self improvement and in response to police and crime commissioners. I also attended workshops on Housing the Nation, Surviving the Squeeze and using planning to deliver for and with your communities.

We were told that although local authorities have made significant savings since the Comprehensive Spending Review, any further cuts will impact on frontline public services.

An LGA report entitled "Funding Outlook for Councils from 2010/11 to 2019/20" projects that, by the end of the decade, town halls could become unable to provide road maintenance, library and leisure centre services because of the rising cost posed by adult social care.

A number of speakers made similar comments, including urging councils to start planning for post-2015; suggesting that local authorities should talk to their communities to find out what services they require, rather than what has always been provided in the past; and that councils should accept that they will be providing different services depending on what they have been asked for.

We heard some interesting speakers, but I felt that the main message seemed to be – congratulations to Local Government on doing more with less, but maybe we may have to do less with even less unless we are very inventive.

The Head of Regeneration and Planning and I attended a 'Visions Forum' breakfast meeting at the University of Cumbria on Friday, 29 June. The event provided an opportunity for us to find out more about the university generally, their aims and their activities relevant to the Lancaster area. We made contact with the management and the Vice Chancellor would like to meet us on a regular basis.

Together with the Mayor and Councillor Sands, I attended a visit to the newly restored Lune Aqueduct. It is said to be the finest and largest masonry aqueduct in the country and was built between 1794-96. Try to visit this amazing listed structure to see the fine restoration work. There is now a disabled access path and a new car park close by.

Don't miss 'Turn Back Time – The Family', filmed in Morecambe. The five part series started on the 26 June. Congratulations to our staff who made it possible, particularly Communications.

4.0 Other Matters

Cabinet minutes are attached at the end of this agenda.

BACKGROUND PAPERS

Cabinet agenda and minutes of the meetings on 29 May and 3 July 2012.

NOTICE OF MOTION

To consider the following motion, deferred from the July meeting of Council, submitted by Councillors Ian Pattison, David Smith, Margaret Pattison, David Whitaker, Ron Sands, Paul Aitchinson and Robert Redfern:

This Council requests that the Chief Executive of Lancaster City Council write to the Home Secretary to express growing concerns at the 20% reduction on police budgets, as discussed at a recent meeting of the Lancashire police Authority, which stated that this reduction in the police budget has resulted in an increase in crime.

Lancaster City Council therefore calls upon Teresa May MP to seriously look at reversing these cuts to enable the people across the district to receive the level of protection and police presence they deserve.

(Note: The wording of the motion has changed slightly from that appearing on the Council agenda of 18 July 2012, in accordance with the wishes of the Members who submitted it.)

OFFICER COMMENTS

Her Majesty's Inspectorate of Constabulary (HMIC) has recently published a report on Lancashire Constabulary's progress in meeting the challenges of the 2010 comprehensive spending review.

A thematic report, *Policing in Austerity: One Year On*, found that police forces across England and Wales have risen to the financial challenge of the spending review, cutting their spending while largely maintaining the service they provide to the public; but HMIC has some concerns about whether all forces have transformed their efficiency to the extent that this can be sustained through the next three years (and into future spending reviews).

Based on the data provided by the force, HMIC found that the Constabulary is not only making the necessary savings, but that it is also taking the opportunity to transform services in order to protect the frontline. (HMIC defines the 'frontline' as *those who are in everyday contact with the public and who directly intervene to keep people safe and enforce the law*, and this includes roles such as custody staff, public protection officers, call takers as well as uniformed officers. According to the report, the Constabulary will have a higher proportion of staff working in all frontline roles by 2015, an 8% increase from 2010).

Lancashire will also have a higher proportion of staff working in **visible** frontline roles than other parts of England and Wales, accounting for 61% of the total workforce. (The HMIC define 'visible' roles as *those staff that work in uniform and are seen by the public*, such as neighbourhood and response officers, traffic and firearms officers.)

And whilst crime continues to reduce overall – there was a 4% reduction in all crime between December 2010 and December 2011 – there is a huge challenge for the force and Police Authority to continue consistently to reduce crime. Notwithstanding the

financial situation, it would be extremely challenging to deliver continuing high levels of crime reduction as seen over the last several years. Whilst the force and Authority are committed to working with partners to reduce crime, there is a need to be realistic about what that might look like in the current climate.

Headline messages are-

- Lancashire Police needs to save £44 million between March 2011 and March 2015. By spring 2012 they had planned how to save 87% of this amount.
- The force is planning to cut its total workforce number (i.e. police officers, police staff and police community support officers) by 610 between March 2010 and March 2015.
- 550 of these will be police officer posts; this means there will be 15% fewer officers in Lancashire Constabulary (compared to the 10% average officer reduction across England and Wales).
- The force plans to have 73% of its workforce in frontline roles by 2015, which is in line with other forces in England and Wales.
- The proportion of officers in frontline roles will increase between March 2010 and March 2015 (from 81% to 89%) Again, this is in line with most other forces.
- Lancashire Constabulary continues to drive down crime and has achieved a larger overall crime reduction than across England and Wales as a whole this year.
- 85% of victims in Lancashire are satisfied with the overall service provided by the force, which is line with the national figures.

Head of Environmental Services

Monitoring Officer Comments

The Monitoring Officer has been consulted and has no further comments

Section 151 Officer Comments

The Section 151 Officer has been consulted and has no further comments

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

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of the Local Government Act 1972.

Document is Restricted

COUNCIL

**A Draft Local Plan for Lancaster District:
Preparation of 'Draft Preferred Options' Land
Allocation, Development Management and Morecambe
Area Action Plan DPDs**

12 September 2012

(Deferred from the meeting of Council held on 18 July)

Report of Head of Regeneration and Planning

PURPOSE OF REPORT

To seek a resolution from Council to publish and consult on a Draft Local Plan for Lancaster District comprising a Land Allocations Development Plan Document (DPD), Development Management (DPD) and an Area Action Plan for Morecambe (MAAP).

This report highlights the key issues which arise from these documents, and advises on how the documents will be progressed through to the formal Publication and Submission stages, commencing with an extensive period of public consultation beginning, provisionally, on Monday 22 October 2012 and concluding on Friday 14 December 2012.

(1) RECOMMENDATION

That Council resolves to publish and consult on a Draft Local Plan for Lancaster District comprising a Land Allocations Development Plan Document (DPD), Development Management (DPD) and an Area Action Plan for Morecambe (MAAP). An extensive period of public consultation will commence, provisionally, on Monday 22 October 2012 and conclude on Friday 14 December 2012.

1.0 Introduction

1.1 Following the adoption of the Lancaster District Core Strategy in 2008 intensive work has been ongoing to prepare three key documents which will form the most significant elements of the future planning framework for Lancaster District. The Head of Regeneration and Planning has prepared advanced drafts of a;

- 1) Development Management (Policies) Development Plan Document (DPD);
- 2) A Land Allocations DPD, accompanied by a Proposal Map,
- 3) A Morecambe Area Action Plan (MAAP).

- 1.2 Advanced drafts of these documents accompany this report; Council is asked to approve these drafts for publication and consultation. Following approval of the recommendation the Head of Regeneration and Planning would then prepare the draft documents for consultation, along with publicity and exhibition material, and then commence a lengthy and extensive period of public consultation, provisionally arranged for the period commencing on Monday 22 October and concluding on Friday 14 December.
- 1.3 Following presentation of the completed drafts to Council further work will be undertaken to prepare publishable editions of the Draft Local Plan documents (the three draft DPDs); including updates and corrections to the text, the inclusion of photographs, illustrative plans, and captions.

The component Development Plan Documents of the Draft Local Plan

The Development Management DPD

- 1.4 The Development Management DPD will contain a series of generic development management policies which will be applicable to all forms of development across the District (unless directed otherwise by other plans, policies or strategies). These policies will cover a wide range of planning issues and will be used by Planning Committee to determine planning applications in light of recommendations from the Head of Regeneration and Planning Services, or directly via the scheme of delegation. Upon adoption the Development Management DPD will supplement the policies in the Core Strategy and replace all the remaining "Saved" policies within the Lancaster District Local Plan of 2004.
- 1.5 The document contains a range of policies relating to a variety of economic, environmental and social issues which will be applied to all development in any area of the District, unless other guidance within the wider Development Plan directs otherwise.
- 1.6 Currently the Development Management DPD contains 16 policy areas, containing 50 detailed policies. This report identifies some of the key issues which will be of interest and will generate debate in future consultation exercises.

The Land Allocations DPD

- 1.7 The Land Allocations DPD will identify land to meet future development needs for residential, employment, commercial and recreational purposes. The document will also seek to protect sites which are recognised to be of an environmental, social or economic value. The DPD is accompanied by a Proposal Maps, with insets for the urban area and town centres. Upon the adoption of the Land Allocations DPD the document will replace the policies which allocate land within the Lancaster District Local Plan and the existing Proposals Map which accompanies the Lancaster District Local Plan.
- 1.8 The Land Allocations DPD should be read in conjunction with the accompanying Proposals Map, which will spatially identify sites which have been designated for either their development potential or in order to be protected due to their value as environmental, social or economic asset.

- 1.9 The Land Allocations document will contain specific policies relating to some of the more significant, major and complex sites which have been identified for future development, the table below summarises the sites which have specific policies. These policies will identify the Council’s position in relation to these sites, setting out the potential proposed uses for the site which the Council will consider to be acceptable and the issues that need to be addressed through any future planning application process. In relation to some of the policies in the Land Allocations DPD further guidance may be provided through specific site briefs.

Sites which have Specific Policies within the Land Allocation DPD	
Land at Whinney Carr, Lancaster	Land at Bulk Road, Lancaster
Land at Bailrigg Lane, Lancaster	Former TDG Site, Warton Road, Carnforth
Lancaster Science Park	Former Pontins Holiday Camp, Middleton
Grab Lane, Lancaster	Galgate Mill, Galgate
Lancaster Canal Corridor	Halton Mills
Lancaster Moor Hospital	Land at Luneside, Lancaster
Land at Nightingale Hall Farm	Lancaster Castle and Lancaster Quay
Ridge Lea Hospital	Lancaster University
Land at Lancaster Leisure Park	University of Cumbria
Land at Lundsfield Quarry, Carnforth	Land at Barton Road, Lancaster
Land at Keer Bridge, Carnforth	Lancaster and Morecambe College
Lune Industrial Estate, Lancaster	Heysham Nuclear Power Station
White Lund Employment Area	Heysham Energy Coast
Port of Heysham	Willow Lane/Coronation Field, Lancaster

Table 1: Sites which have specific policies within the Land Allocations DPD

- 1.10 Whilst the Land Allocations DPD will provide specific guidance for some sites, the sites in Table 1 do not represent all the sites identified for future development. Other sites are identified on the Proposals Maps for development and the Council will expect that any development proposals submitted for these sites to be considered against the policies contained within the Development Management DPD.
- 1.11 As with the Development Management DPD, whilst the whole Land Allocations DPD accompanies this report it would be useful to draw out some of the key issues which will be of interest and will generate debate in future consultation exercises, these are discussed in Section 6 “Key Issues”.

Morecambe Area Action Plan (MAAP)

- 1.12 The MAAP will provide detailed policies and proposals for central Morecambe. These include all development management policies and land allocations proposed specific to central Morecambe. The adopted Core Strategy identifies central Morecambe as the District’s main regeneration

priority. Work to date identifies a dearth of demand to invest in central Morecambe yet regenerating the town means making central Morecambe a place that is attractive to investors. Consequently the draft MAAP focuses on addressing economic underperformance and getting the conditions for investment right so that, among many things, social functioning and the town's ability to attract visitors is improved. Therefore, the draft MAAP contains a range of approaches and proposals primarily to encourage, guide and facilitate regeneration. The document seeks to promote development and change, uniting the seafront with the town and stitching together the many quite fragmented parts of central Morecambe.

1.13 In the current era of restrained public finances many of the actions proposed are about public interventions to facilitate private sector investment. The MAAP will therefore propose a significant role for the local councils, but this would be subject to the organisations being able to resource it. Any related investment proposals would need to be considered as part of future years' budget and planning rounds, should they not be catered for within existing resources. Certain actions proposed in due course will require the city council to make certain investment decisions.

1.14 Sites to have specific policies within the MAAP -

- The Battery – for Leisure Uses
- Morecambe Main Seafront and Promenade – to protect and enhance for informal recreation and enjoyment
- Seafront Headland, central promenade – strategic opportunity for leisure development
- Arndale and Area – Development Opportunity Site for main town centre uses
- Entertainment hub – Development Opportunity Site for main town centre uses (west Northumberland Road and including through to the Festival Market and area),
- Former Frontierland Site - Development Opportunity Site - predominantly for housing

2.0 Proposal Details

2.1 Stages in the preparation of both the Land Allocations DPD and Development Management DPD have been reported to the council's Planning Policy Cabinet Liaison Group (PPCLG) over the past couple of years. Table 2 below describes the stages which have already undertaken in the preparation process to date.

Date	Stage
July 2008	Lancaster District Core Strategy is adopted <i>(Final document published February 2009)</i>
2009 - 2011	Key evidence base is prepared including: <ul style="list-style-type: none"> • Strategic Housing Land Availability Assessment (2009) • PPG17 Open Space and Recreation Study (2010) • Affordable Housing Viability Assessment (2010) • Housing Needs Study (2011)

	<ul style="list-style-type: none"> • ‘Call for Sites’ (2011)
Summer 2010	Combined Scoping Consultation for both Land Allocations and Development Management DPDs.
Autumn 2010 – Spring 2011	Extensive Informal Engagement on the Land Allocations and Development Management DPDs featuring: <ul style="list-style-type: none"> • Thematic Discussion Workshops • Rural Engagement • Spatial Exercises
Summer 2011	‘Developing the Options’ Consultation on Land Allocations and Development Management DPDs. Outcomes of the consultation were published on the Council’s Website in February 2012.

Table 2: Work already undertaken on the Development Plan Process

- 2.2 Similarly, work to prepare the MAAP has involved very extensive engagement and consultations over some two years commencing spring 2010 in: scoping the plan; “debating the issues” and “developing options”.
- 2.3 The level of work that has been undertaken to inform the Land Allocations DPD, Development Management DPD and Morecambe Area Action Plan, is significant; the priority has been to build up a robust evidence base to provide understanding of how policies and allocations should be identified and to ensure that the public and other stakeholders have had sufficient opportunity to ensure and shape the future planning system in the District.
- 2.4 The implications of the content of key evidence base documents are very significant. To be found sound Local Plans must be based on facts and not assumptions or aspirations that cannot be evidenced; in the recent words of a Planning Inspector “Assertion is not the same thing as Evidence”. In particular the SHLAA, supplemented by the later “Call for Sites” permitted ample opportunity for development options to be made known to the Council. Accordingly there are not thought to be any significant opportunities for housing development that have not by now been made known to the Council. The options have been made known to the community, and described and explored, through the “Developing the Options” Consultation work. The time to move forward and make decisions on draft allocations is now.
- 2.5 Whilst significant work has already been undertaken to prepare the draft documents there is still some ongoing work which will be finalised in July. This includes completing evidence base work on Landscape Assessment and Viability Studies. The outcomes of this ongoing work, which is being advanced with the assistance of external professional consultancies, will be incorporated into the refining process for all documents during the course of 2012.
- 3. APPROACH TO DEVELOPMENT PLAN PREPARATION**
- 3.1 The National Planning Policy Framework (NPPF) was published by the Government in March 2012 and provides flexibility in terms of how the local planning authority will be able to approach Development Plan preparation in the future.

- 3.2 The NPPF seek to minimise the use of terminology such as Local Development Frameworks (LDFs) which, since 2004, has been used to describe the suite of planning documents that have been a statutory requirement of local planning authorities to prepare. The NPPF encourages authorities to use more simple and easily understood terms and advocates that local authorities should use the term 'Local Plan' as a preferred description.
- 3.3 Accordingly, Council is advised the Council prepares a 'Local Plan' for Lancaster District which, for now, will comprise the following documents:
- Lancaster District Core Strategy (already adopted);
 - Land Allocations DPD and accompanying Proposals Map;
 - Development Management DPD; and,
 - Morecambe Area Action Plan.
- 3.4 The above documents will represent the core documents within the forthcoming 'Local Plan for Lancaster District'; however, these core documents will be supplemented by other guidance and policy notes which will include:
- Other Development Plan Documents (DPDs) (such as investigating the potential for a Community Infrastructure Levy [CIL]);
 - Supplementary Planning Documents (SPDs) and Practice Notes; and
 - Specific Site Briefs.
- 3.5 The use of the Local Plan terminology will provide improved clarity and greater understanding to the general public and wider stakeholders.

4. PARTIAL REVIEW OF THE CORE STRATEGY

- 4.1 Council is advised that as part of the preparation of the 'Local Plan' some elements of the Lancaster District Core Strategy are reviewed. Given the significant changes in the economic climate and a contemporary understanding of the development requirements in the District there is a need to re-visit some elements of the Core Strategy. This includes:
- The need to re-visit the approach to 'Urban Concentration': Changes to the economy and the challenges to deliver on brownfield sites has resulted in development on these sites not coming forward as quickly as anticipated in the more buoyant economic circumstances prevalent at the time which the Core Strategy was prepared. Members will be aware that in recent years only a proportion of the annualised housing requirement has been delivered. Therefore it is now felt that it is unavoidable that the Council considers the early phasing of delivering Urban Extension/Greenfield sites in order to address the acute need to deliver homes to meet the community's housing requirements;
 - The need to re-visit the approach to 'Sustainable Villages': Eight 'sustainable' villages were identified in Core Strategy Policy SC3. These villages were identified based on the assumptions that these settlements contained a specific number of key services which would benefit the community. It was expected through Core Strategy Policy SC3 that development would be directed to these settlement areas. However, few

development proposals have come forward in these identified settlements to meet rural needs, whilst potentially proposals that could meet such needs have been put forward in other settlements, settlements which have some service provision or have good access to neighbouring settlements. Thus the delivery of further development opportunities to meet local needs in rural areas could be enhanced by a more flexible approach that takes account of local services in a more informed and flexible manner.

- As already discussed, the Core Strategy seeks to deliver a policy of urban concentration, Policy SC2 states that such a policy approach would mean 90% of development would be achieved within Lancaster, Morecambe, Heysham and Carnforth. Consequently the rural areas would only accommodate 10% of the overall volume of development. Whilst this would of course deliver a very significant degree of urban concentration it does not necessarily reflect what we know about the actual housing demand, and more particularly need for housing in the rural areas which are currently home to more than 30% of the district's population.

- 4.2 The 'Draft Preferred Option' documents for both Development Management and Land Allocations DPD incorporate consideration of the changes identified above.

5. KEY ISSUES FROM 'LOCAL PLAN' PREPARATION

Meeting the Housing Requirements of the District

- 5.1 Both the Development Management DPD and Land Allocations DPD (or 'Local Plan') will seek to address the issues of providing for sufficient housing through the life of the plan period. With regard to the Development Management DPD, this will involve the preparation of a series of policies encouraging proposals for residential development to meet identified needs in suitable and appropriate locations; in terms of the Land Allocations DPD this will involve the identification and allocation of site across the District on both Previously Developed Land (Brownfield) and Greenfield sites.

- 5.2 The National Planning Policy Framework (NPPF) states that;

"To boost significantly the supply of housing, local planning authorities should: use their evidence base to ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing in the housing market area, as far as is consistent with the policies set out in the NPPF, including identifying key sites which are critical to the delivery of housing strategy over the plan period."

- 5.3 As part of the preparation of both documents your officers have sought to ensure that that an appropriate balance has been achieved on the need to meet the objectively assessed requirements whilst remaining within the parameters of consistency with sustainable development objectives within the emerging plan period. Criticism is fully anticipated about the extent to which the Local Plan intends to address the objectively assessed housing requirement, and conversely criticism is anticipated about the extent to which this intention impacts on the capacity of the local environment to accommodate development. In short, it is expected that many members of the

local community will feel that too much development is being proposed on Greenfield sites and urban extensions; whilst, conversely, it is expected that the development industry, quoting the Council's own evidence base, will argue that the Council is not going far enough and not moving fast enough to satisfy the clear direction given by the NPPF.

What are the Housing Needs for Lancaster District?

- 5.4 In terms of the quantities of housing to be provided through the course of the plan period a requirement has already been set within Policy SC4 of the Lancaster District Core Strategy. Policy SC4 seeks to deliver housing within the District at a rate of 400 dwellings per year (which would cumulatively deliver 6,000 dwellings over 15 years or 7,200 dwellings over 18 years).
- 5.5 In 2011 the Council prepared a Housing Need Report, commissioned from professional consultants David Coultie Associates, which has provided an up-to-date and objective assessment of the actual needs for both market and affordable housing. The findings of the Housing Needs Report, which have been extensively reported to elected members and other stakeholders, concluded that the actual demand for housing in the district was for the development of 476 Market Homes per year and a need for 339 Affordable Homes per year (generating a cumulative need for the local authority to provide 815 dwellings per year).
- 5.6 It has recommended that preparing a Land Allocations DPD which seeks to meet the delivery of this scale of requirement is neither a feasible nor reasonable objective to seek to achieve. Should a Land Allocations DPD seek to identify sufficient land to meet such a need it is highly unlikely that the local housing market could support the delivery of such a high annual development rate. But it is important to recognise that based on these objective assessments that the need for housing in the District is both high, acute, and, importantly is currently, simply, not being achieved.
- 5.7 Therefore it is recommended that retaining the requirements of Policy SC4, in delivering 400 dwellings per year, represents a reasonable and viable approach to future housing delivery through the plan period and represents an accurate reflection of past take-up rates within the District which have historically trended over recent decades at approximately 400 dwellings per year.

How should the Development Plan seek to meet these Needs?

- 5.8 The proposed approach to addressing the housing needs in the District is therefore to prepare 'Local Plan' documents which make a balanced judgement between addressing the full housing need requirement against the realistic prospects for delivery. This needs to be undertaken against the backdrop of a challenging economic environment where development rates over recent years since 2003 have been suppressed and the 400 dwellings per year requirement has not in reality been achieved.
- 5.9 Therefore the approach of the 'Local Plan' will be in effect to deduct from the housing requirement both the under achievement that has taken place in housing delivery since 2003 and the anticipated under achievement that will inevitably continue as both national and local economies recover. This 'writing off' of housing numbers is presented here as taking a realistic position on the

prospects for housing delivery in the District, recognising that it would be impractical and unrealistic to expect the housing market to recover overnight and start building out at increased rates, even if the housing land supply is supplemented, at a rate that could redress the recent historic shortfalls.

- 5.10 The realistic position being recommended is that the local housing market will be gradual, reflecting national and regional trends, and, that slowly housing completions will rise in the District returning to the historic trend rate of approximately 400 dwellings per year. It is anticipated that the housing market will not have recovered to normal delivery levels before about 2018. In short, the draft Local Plan seeks to allocate land to provide for around 4,800 dwellings and not 6,000 dwellings in the period to 2023/24.
- 5.11 To meet this moderated housing requirement the Land Allocations DPD needs to consider both how and where such a requirement will be met. Whilst the Core Strategy suggest that there should be a focus on 'Urban Concentration' and the regeneration of Brownfield sites the reality of developing such sites in the current economic climate has been significantly challenged. The Core Strategy was adopted in July 2008 within a period where the economy appeared to be strong and stable. Since 2008 there has been significant economic contraction and the financial viability of regenerating constrained brownfield sites has been reduced greatly.
- 5.12 Every Brownfield site has a series of constraints which challenge financial viability. Therefore the 'Local Plan', and in particular the Land Allocations DPD, needs to be realistic in terms of how and when such Brownfield sites will deliver new housing. The reality is that the regeneration of many of the Brownfield sites in the District are significantly longer-term visions than previously thought during the preparation of the Core Strategy in 2008.
- 5.13 Therefore there would be significant danger in the Council preparing a 'Local Plan' which placed an over-reliance on the delivery of challenged brownfield sites, on the basis of an un-evidenced optimism, to meet housing demand, which from the evidence is seen to be acute.
- 5.14 The approach in the 'Local Plan', and in particular the Land Allocations DPD, is to identify a range of sites to meet current and future housing needs, identifying Greenfield sites which have greater viability and can be delivered to meet housing needs in the short to medium term whilst retaining encouragement, through being judiciously cautious about the scale of new Greenfield allocations, toward the regeneration of Brownfield sites which are currently challenged due to their viability but, following economic recovery, will become more deliverable again.
- 5.15 This approach, continuing the encouragement for the regeneration of brownfield sites (whilst recognising the constraints they face) but also seeking to allocate Greenfield sites which have greater viability at this challenging time, can assist in the delivery of housing in the shorter term and deliver improvements to local infrastructure.

The Regeneration of Brownfield Sites to meet Housing Requirements

- 5.16 Despite these challenges, the regeneration of previously developed brownfield sites, such as Lancaster Moor Hospital, Nightingale Hall Farm and

Luneside in Lancaster will remain a priority within the Land Allocations DPD, and the Council will continue their efforts to deliver regeneration to such sites.

- 5.17 The Land Allocations DPD, as can be noted from Table 1 of this report, identifies a series of Brownfield sites across the District where regeneration and redevelopment is encouraged.
- 5.18 Each site mentioned in Table 1 has its own specific policy within the Land Allocations DPD which will set out the Council's approach to potential uses on the site and sets out the issues that must be addressed through any future proposals for the site. Policies for these specific locations will be used as a material consideration in determining any development proposals, these site specific policies will accompany the more generic policies contained within the Development Management DPD.

Allocating Greenfield Land to Meet Housing Requirements

- 5.19 In view of the above considerations the Land Allocations DPD will seek to identify a series of Greenfield sites which are believed to be in more suitable and sustainable locations and which can assist in delivering wider benefits within the locality and the District as a whole. The Greenfield sites which have been identified in the Land Allocations DPD include:
- Land at Whinney Carr, off Scotforth Road, South Lancaster;
 - Land at Bailrigg, South Lancaster; and,
 - Land at Grab Lane, East Lancaster.
- 5.20 The rationale behind the identification of these three sites is that they will seek to deliver for the long term housing requirements of the District and supplement the delivery of the largely previously identified Brownfield sites.
- 5.21 Whilst the identification of Greenfield sites will be a controversial decision for the Council to take, and represent the first expansion of the urban settlement of Lancaster for a generation, there is strong evidence to support such a decision, there is a strong latent demand for housing within the District based on the Housing Need Report of 2011 which the Local Plan needs to address. It would be questionable whether an Urban Concentration approach of purely relying on Brownfield sites would meet such a need. Current economic climate means that the viability of Brownfield sites is severely challenged.
- 5.22 There would be significant dangers in preparing a 'Local Plan' which placed an over-reliance on constrained Brownfield sites to meet the District's current and future housing needs. Such a position would almost certainly be challenged by developers and landowners of Greenfield sites, challenging the deliverability of these brownfield sites based on the requirements of the National Planning Policy Framework which states that through plan-preparation, local authorities should meet their full and objectively assessed needs. The Council would be challenged on the basis that the only way to meet such needs would be through the development of Greenfield sites.
- 5.23 The consequence of such a challenge could lead to the development of Greenfield sites in places which are not considered to be inappropriate and which seriously undermine the aims and objectives of the Council's 'Local Plan'. Such inappropriate development could well gain planning consent solely because the Council will have failed in its requirement to provide a

range of truly deliverable housing sites and cannot demonstrate an achievable five year housing supply.

- 5.24 The above scenario needs to be avoided, and therefore it is necessary and pertinent for the Council, through the preparation of the 'Local Plan', to identify a range of suitable and deliverable housing sites for the short, medium and long term which include a range of Brownfield and Greenfield sites. Members are advised that recent Examinations of Development Plan documents at two north of England local authorities, Wigan and Hull, have been suspended on the basis that Inspectors had significant doubts about the respective Council's attempts to demonstrate that they had identified an adequate supply of deliverable housing. Also at a recent appeal decision, a proposal for 1,150 new homes in Fylde Borough, has been approved by the Secretary of State as he placed significant emphasis on the need for authorities to meet evidenced housing requirements. It is therefore advised that a Local Plan document which fails to properly acknowledge and adequately address evidenced housing requirements is unlikely to be capable of being found sound at the independent examination stage.

The Strategic Sites

- 5.25 Within the Land Allocations DPD a series of Strategic Sites have been identified, these have been defined as 'Strategic' based on their contribution towards meeting the strategic aims of the Lancaster District Core Strategy – whether this be through providing a considerable and reliable level of dwelling completions to meet both housing demands and housing needs, the expansion of town centres or, otherwise, playing a key role in the District's economy. These strategic sites include:

- Land at Whinney Carr, South Lancaster (largely to meet housing demand and needs);
- Land at Bailrigg, South Lancaster (largely to meet housing demand and needs);
- Lancaster Canal Corridor (to provide Lancaster City Centre with an expanded retail role in both the District and wider Sub-Region);
- Lancaster Science Park (to secure future economic growth of knowledge based jobs and investment tied to the university); and
- Port of Heysham/Heysham Energy Coast (for its ongoing economic importance).

- 5.26 It should be noted that the 'Local Plan' for the District places a significant importance on these sites to achieve its aims. Set out below are some of the key issues which must be addressed in order to deliver these Strategic Sites.

Land at Whinney Carr, South Lancaster

- 5.27 The site at Whinney Carr measures approximately 37 hectares and once fully developed could accommodate in the region of 900 dwellings. Whinney Carr consists of agricultural land between the A6 West Coast Main Line (WCML) and agricultural land between the WCML and the Lancaster Canal, south of Ashford Road. This area of land was identified in the deposit draft of the Lancaster District Local Plan and the Council resolved around 2001 to approve a planning application for an Urban Extension which was made by the landowner in partnership with Countryside Homes. This proposal was

“Called In” by the then Secretary of State, and planning permission was not granted on the basis that the proposed homes were not needed to meet the local housing requirements in the pertinent new Regional Spatial Strategy. The site was deleted from the Lancaster District Local Plan by the City Council, prior to the adoption of the Plan. The current Local Plan Proposals Map shows the site as “white land”, that is, there is no specific policy designation.

- 5.28 The significant issue relating to the delivery of this site is the issue of road access and highways capacity, this is the same issue for Bailrigg Lane which is discussed in paragraphs 5.32 to 5.35 of this report. The existing capacity on the A6 Corridor from the City Centre through to Galgate is significantly constrained and therefore a strategic solution is needed to improve capacity. It has been agreed with Lancashire County Council that this strategic solution would be the creation of a link road between the A6 and A588 (Ashton Road) which would create a second southern approach to the City and reduce traffic flows on the existing A6 corridor. This would provide an opportunity to introduce a circular bus route and improve the prospects for the increased use of public transport. A similar proposal was sought through the initial allocation of the Whinney Carr site through the previous Lancaster District Local Plan.
- 5.29 Whilst the solution is clear and agreed, the delivery of such a piece of infrastructure will be complex and costly, particularly in relation to the crossing of the West Coast Main Line. The proposed road link will benefit a number of development proposals in the South of Lancaster, including the Strategic Site of Bailrigg Lane and the Lancaster Science Park (which already has a planning consent), therefore a number of different landowners are expected to contribute to the funding of the road link and bridge, not just the Whinney Carr proposal itself.
- 5.30 These parties will need to come to an agreement over who pays and how / when the infrastructure is delivered. Whilst officers have a broad understanding about how this might be achieved significant further work with parties with different landownership and development interests is required to evidence a mechanism for the delivery of this key infrastructure.
- 5.31 The Land Allocations DPD contains a specific policy relating to developing land at Whinney Carr, the policy includes a requirement that a comprehensive masterplan is prepared for the whole site which addresses wide range of issues, further details can be found within Policy STR1 of the Land Allocations DPD.

Land at Bailrigg, South Lancaster

- 5.32 The site at Bailrigg measures approximately 32 hectares and once fully developed could accommodate in the region of 500 dwellings. This site lies to the south of Hala and to the north and east of Bailrigg Village. The site has the M6 to its east and the A6 to its west. The primary access would be from the A6. The site has a shared boundary with the Lancaster Science Park.
- 5.33 It should be noted that the close proximity to the Whinney Carr site means that similar issues relating to highways capacity on the A6 corridor arise. Therefore, the development of the Bailrigg site relies greatly on the provision of the road link described in paragraphs 5.28 above.

- 5.34 Further to the issue of highway capacity along the A6 Corridor access to the site will be an issue. The main access to the development site will be through the Lancaster Science Park; however, to satisfy the requirements of Lancashire County Council a secondary access will be expected to be provided to the North of the site across Burrow Beck, which is a Biological Heritage Site. Whilst this is not expected to pose significant issue, careful assessment will be required of any proposed impacts of an access road across Burrow Beck. Investigation on a suitable solution to provide the secondary access is on-going.
- 5.35 The Land Allocations DPD contains a specific policy relating to developing land at Bailrigg, the policy includes a requirement that a comprehensive masterplan is prepared for the whole site which addresses wide range of issues, further details can be found within Policy STR2 of the Land Allocations DPD.

Other Strategic and Significant Sites

Land at Grab Lane, East Lancaster

- 5.36 The site at Grab Lane measures approximately 20 hectares and once fully developed could accommodate in the region of 400-450 dwellings. The site occupies agricultural land that sits between the foot of the hill of Williamson's Park and the M6. The now complete residential redevelopment of the Lancaster Moor South site sits just to the north of this land; the Lancaster Leisure Park and Abattoir, also identified in the Local Allocations DPD as housing sites, are to the south of the land at Grab Lane. A high pressure ethylene pipeline runs parallel to the M6 on the eastern part of the, clearly, this part of the site is therefore not developable. The site is currently identified as part of the Key Urban Landscape area which lies between the east of Lancaster and the M6 and runs from junction 34 down to Lancaster University. Development of the site raises a self-evident visual sensitivity because of its proximity to Williamson's Park. A decision to allocate this site for development is one which well illustrates the challenge of achieving the complex balance that must be made in ensuring that an adequate supply of housing land is identified within the parameters of seeking to adhere to a policy of urban concentration if possible in the context of a limited range of realistically developable opportunities within the environmentally and visually sensitive environment that typifies and positively distinguishes Lancaster district. Effectively, given the limited options for development available to the Council, these decisions, and their implications for the district's future well being, are as significant as they are unavoidable.
- 5.37 This site was first identified in the Strategic Housing Land Availability Assessment (SHLAA) of 2009. It was determined to be developable in principle by the Council's external consultants on the basis that, at the time of the assessment it would contribute to meeting the housing requirement in the latter part of the Core Strategy period. As part of the ongoing consultation work initiated by the Developing the Options Consultation in Summer 2011, a developer has submitted extensive representations intended to illustrate how the site be developed in an acceptable form to provide dwelling completions much sooner than anticipated at the time that the SHLAA was prepared. Whilst the outcome of ongoing Landscape Assessment work will very shortly advise on the implications of the existing Local Plan designations on the

principle of the site, and potentially the developable area of the allocation, it is recommended that Grab Lane be identified as a development sites within the draft Local Plan. The outcomes of the Landscape Assessment will be known prior to the making of a formal decision on publication by the City Council.

- 5.38 Development of this site is relatively unconstrained by the need for new infrastructure and it is anticipated that proposals for the development of this site are likely to emerge in any event.

Economic Growth in the Heysham Peninsula

- 5.39 The area in and around the Port of Heysham is seen as a major focus of economic activity in the District, with significant concentrations of employment generating uses in / adjacent to the Port itself and within the industrial / business parks of Lancaster West Business Park, Heysham Industrial Estate and Major Industrial Estate.
- 5.40 The Core Strategy Policy ER2 supports the regeneration of the South of Heysham through providing for port related development, this theme and support has been continued through the preparation of the 'Local Plan' documents recognising the significant economic asset that the Port represents, both in terms of jobs created and investment within the District. Through previous stakeholder consultation Peel Ports (owners of the Port of Heysham) have submitted representations suggesting that further expansion of the Port facility is required to secure its long term future and allow for growth and expansion of the existing facilities that take place at the Port.
- 5.41 Therefore the 'Local Plan', through the Land Allocations DPD, has recognised the need for a sympathetic approach toward the growth of the Port Facility and identified land at the Port of Heysham Industrial Estate as an area for potential growth for the Port Facility.
- 5.42 Such a policy has only been put forward on the basis that the existing uses and businesses on the Port of Heysham Industrial Estate are provided within alternative premises, to an appropriate scale and size and in an appropriate location which is satisfactory to them. Whilst the sustainable growth of the Port should be welcomed this should not be a detrimental to the business which in-directly relate to the Port.
- 5.43 Elsewhere in the Heysham area the existing employment areas will be retained and in places expanded to provide alternative sites to the Port of Heysham Industrial Estate and to allow for growth of the waste treatment sector in line with proposals emerging within the Lancashire County Council Waste and Minerals Plan.
- 5.44 Equally, further expansion of employment uses in the Heysham Peninsula will assist in providing employment sites for future employment growth as a direct result of increased accessibility from the M6 motorway and linkages to the Port. Whilst the challenges of the economy currently restrict employment growth it is anticipated that once recovery is underway available and sustainable sites will be required to meet increased demand.
- 5.45 The Land Allocations DPD contains a specific policy (Policy STR6) which relates to future growth at the Port and the key issues that must be addressed as part of any development proposals.

Growth at Lancaster University

- 5.46 As with the Port of Heysham, Lancaster University is of considerable importance to the District's economy, and support for its sustainable growth through the Development Plan process should be encouraged.
- 5.47 Given the University's position as a 'campus' which is detached from the existing urban area of Lancaster and set within the countryside the way that growth is catered for should be carefully considered. The 'Local Plan' approach must balance the economic benefits that growth of the University can bring against the potential that growth may have on the locality – in particular the local landscape and the amenity of local people.
- 5.48 Therefore the Local Plan will dissuade growth of the University Campus to the South towards Galgate, focusing any future growth to the existing campus itself or on land to the North, looking at the Lancaster Science Park and land on the Strategic Site of Bailrigg Lane. Work to ensuring that adequate consideration is given to existing landscape policy designations in the Bailrigg and University areas in on-going and should be concluded prior to any formal approval of the emerging draft Local Plan.
- 5.49 The 'Local Plan' will encourage greater interaction between the University campus and these proposed development sites and will encourage any future growth, either for educational facilities or accommodation for students to be located in this area.
- 5.50 The Land Allocations DPD contains a specific policy (Policy EDC1) which relates to the future growth of the University and the key issues that must be addressed as part of any development proposals

Lancaster City Centre (Lancaster Canal Corridor)

- 5.51 The Lancaster District Core Strategy Policy ER5 states that new comparison retailing in the District will be focused on the expansion of Lancaster City Centre. This expansion involves the regeneration of land to the East of the existing town centre including land at Lancaster Canal Corridor North.
- 5.52 The planned expansion of Lancaster City Centre through the Local Plan recognises Lancaster's importance as a retail centre, not just of importance to the District but also within the North Lancashire / South Cumbria region.
- 5.53 The proposals for regeneration of the Lancaster Canal Corridor will be required to pay close attention to the protection of the historic fabric of some of the buildings within the locality, learning from previous proposals which failed to do so. It is expected that proposals for the site will come forward as part of a comprehensive masterplan for the site and, whilst primarily retail led, should involve a mixture of uses which include residential and cultural / community uses to compliment those which already exist at the Dukes and Grand Theatre. Given its central location it is also expected that proposals for the Canal Corridor site should involve the provision of a new foodstore.
- 5.54 The regeneration of the Canal Corridor site represents just part of the wider regeneration and improvement proposals for Lancaster City Centre and combined within the suitable re-use of Lancaster Castle and the achievement

of wider aims within the Cultural Heritage Strategy should see Lancaster evolve further as a destination for both local residents and visitors to the District.

- 5.55 The Land Allocations DPD contains a specific policy (Policy STR5) which relates the regeneration of Lancaster Canal Corridor and Policy OPP1 which relates to the regeneration of Lancaster Castle and Quay. These policies set out the key issues which must be addressed as part of any future development proposals.

Central Morecambe Regeneration Priority Area

- 5.56 Central Morecambe is identified as the district's main regeneration priority area within the Core Strategy. This recognises that Central Morecambe is underperforming in economic terms with this impacting negatively on its social function and attraction to visitors. The fundamental issues are under investment and lack of demand.
- 5.57 The first Area Action Plan recognises that the plan must create the right conditions for investment with this likely to be generated from the private sector, especially in an era of restrained public finance. The public sector can however play an important role in creating the conditions to achieve this with a number of public sector interventions possible to aid regeneration.
- 5.58 The Area Action Plan identifies the key assets that should be protected and enhanced including the promenade and main beach, establishes a network of key routes and spaces to which new development in key locations can be structured, identifies improved connections for pedestrians, identifies potential changes to transportation and parking arrangements, encourages incentives for business investment including possible exemption from certain planning requirements and considers relaxing certain controls and support initiatives within the community for and by local businesses.
- 5.59 There are potential financial implications for the council. These include potential for development of certain landholdings, potential for loss of certain existing car parking capacity and associated revenue, proposals for some additional capital expenditure to reconfigure public realm and the likely need for the council to facilitate investment and change in certain locations via drawing in a developer partner(s).
- 5.60 Specific site proposals within the Area Action Plan area are identified under paragraph 1.13 of this report.

Development Management Issues

Approaches to Energy Efficiency and Renewable Energy

- 5.61 Adapting and mitigating against the impacts of climate change represent two of the main challenges facing the UK planning system. Local Planning Authorities are charged with ensuring that communities are prepared for this challenge with the promotion of sustainable development at the forefront of all planning decisions. The increased deployment of renewable energy together with improvements in energy efficiency are central to this, aiding the transition from a high to low carbon economy and providing the diversity needed to ensure long term security of energy supply.

- 5.62 Lancaster district has the potential to be at the forefront of this transition with its topography and natural assets creating opportunity for increased deployment across a range of renewable and low carbon energy technologies. This must however be balanced with the need to protect the district's high quality landscapes, many of which are protected by international and national designations.
- 5.63 The Development Management document aims to build on these opportunities providing a positive and enabling environment for further renewable deployment whilst also ensuring the protection of the district's landscape and environmental assets.
- 5.64 In addition to increasing renewable energy deployment the council through the Development Management document is also looking to reduce the overall energy use of new development and increase energy efficiency. It is intended that this will be achieved by requiring new developments to meet a certain sustainability level. Delivery of the sustainability performance of new development will be made via an assessment of the schemes performance against the Code for Sustainable Homes (CSH) where the scheme is for domestic dwellings or the Building Research Establishment Environmental Assessment Method (BREEAM) where the proposal relates to non-residential development.

The Community Infrastructure Levy (CIL)

- 5.65 The Development Management DPD sets out the Council's intention to investigate the use and role of the Community Infrastructure Levy as a way of securing financial contributions from development to pay for strategic pieces of infrastructure such as schools, roads or recreational spaces.
- 5.66 The Council have appointed consultants GVA to investigate the viability of applying CIL within the District both now (at a time of low growth in the economy) and in the future when it is economy has improved. Once these investigations over viability have been concluded the findings will be reported to the appropriate Council groups, however, it should be important to note that such opportunities are available and are being investigated by the Council through the 'Local Plan' process.
- 5.67 Should the Council be minded to use CIL in the future the relationship it has with the Council's priority of securing financial contributions for affordable housing will have to be closely managed. At this point CIL cannot be used for delivering affordable housing and therefore should the Council introduce a CIL charge in the future this may affect the Council's ability to recoup money for affordable housing as excessive financial demands on development may severely challenge its viability.

Caravan Development and Temporary Holiday Accommodation Occupancy

The Creation or Expansion of Caravan Sites

- 5.68 The pressures over caravan development and in particular the seasons of occupancy for caravan sites have been growing over recent years. In particular the creation or expansion of sites within or adjacent to the AONB's.

- 5.69 Therefore within the Development Management DPD Policy EC3.3 will set a policy presumption against the development or expansion of sites within or adjacent to Areas of Outstanding Natural Beauty, recognising the impact that caravan sites have on both the local landscape but also local infrastructure.
- 5.70 Whilst there is a restrictive policy for caravan development in some areas of the District, the economic value that visitors bring to the District should not be ignored. Therefore the creation of, or expansion of, caravan sites which sit outside areas which have been designated for their landscape importance, have good access to the road network and local services and, where possible, link in with existing visitor facilities, will be encouraged subject to a number of criteria.

Duration of Opening of Caravan Sites

- 5.71 Past planning policy has created a policy presumption against allowing caravan sites to open for a 12 month period, however recent appeal decisions would lead to the conclusion that this position is no longer tenable.
- 5.72 Therefore the Development Management DPD will allow for the duration of opening for caravan sites to be extended to 12 months.
- 5.73 This relaxation of policy over the duration of opening has in-direct effects which will require careful management. Whilst the policy may allow for extension to opening it still restricts on the type of occupancy provided with the permanent residency in caravans being strictly controlled through planning enforcement measures.

6. NEXT STEPS AND TIMETABLING

The Timetable for Preparation of the 'Draft Preferred Options' Document

- 6.1 A proposed timetable has been set for the preparation of the Development Management, Land Allocations and MAAP DPDs. As the DPDs are policy matters resolution is required from Council to approve the documents for publication and public consultation.
- 6.2 The Development Management DPD, Land Allocation DPD and Morecambe Area Action Plan are presented to Members here to secure approval to publish and consult on the draft Local Plan documents. It is important to note that the three documents mentioned have specific and particular inter-relationships and form part of the Local Plan for the District. Therefore it will be beneficial that all three documents secure approval to be consulted on at the same time.
- 6.3 It should be noted that the draft timetable for consultation provided below could be subject to change; however it still provides an indication of how officers expect the documents to be delivered to the public consultation stage later in the year. The timetable below is intended to ensure that Members are provided with sufficient opportunity to have input and understand the content and implications of the documents

Date	Stage
3 rd July 2012	Opportunity for Cabinet to review and endorse emerging Local Plan Documents
4 th and 5 th July	Member Briefings
4 th July	Presentation to Overview and Scrutiny
12 ^h September	Full Council
September – October	Preparation of documents for Public Consultation
Monday 22 nd October	Public Consultation Commences
Friday 14 th December	Public Consultation Concludes

Table 3: Proposed timetable for 'Draft Preferred Options Stage (draft Local Plan) Preparation

- 6.4 It should be noted that this document remains a 'Draft Local Plan' [Preferred Option]'. Therefore the Council still have the opportunity to reflect and consider the comments received through the consultation period from the public, stakeholders, statutory consultees and other parties and agencies, and then revise the document where necessary prior to the publication of formal Publication and Submission Documents. It is advised however that the content of a draft publication will be seen to have some limited "weight" in the determination of planning proposals.

Future Timetabling and Next Steps

- 6.5 Following this 'Draft Preferred Option' stage the Council will prepare a 'Publication' version – this will be the final draft of both DPDs and will be the document which is submitted to the Secretary of State for a formal independent examination. Upon the completion of a 'Publication' version of

both the Development Management and Land Allocations DPD the Council will be acknowledging that both documents are, in their view, comprehensive and robust enough to be used for planning purposes in the District.

Date	Stage
October – December 2012	Draft Preferred Options Consultation
Early 2013	Consideration of Comments Received
Early 2013 – Spring 2013	Preparation of ‘Publication’ documents
Summer 2013	Consultation on ‘Publication’ documents
Autumn 2013	Submission to the Secretary of State
Winter 2013/Spring 2014	Public Examination
Summer 2014	Inspectors Report
Autumn 2014	Adoption for Planning Purposes by the Council

Table 4: Proposed timetable for the Production of a Development Management DPD and a Land Allocations DPD through to Formal Adoption.

- 6.6 Table 4 above sets out the intended timetable for continuing with the preparation of the Local Plan documents; whilst these can only be approximately they provide the most realistic estimation of how process which will have to be undertaken prior to any formal adoption by the Council for planning purposes.

7. Details of Consultation

- 7.1 Exceptionally extensive consultation and engagement has taken place to inform the preparation of the Draft Local Plan documents in the period 2010 to 2012. The details of the outcomes of consultation have been reported to PPCLG and published on the Council’s Website in February 2012. Following a Council resolution to publish and consult on the draft documents a further period of intensive consultation is planned for the period 22 October to 14 December 2012. This will involve officers of the Regeneration and Planning Service, in liaison with officers of the Community Engagement Service, preparing publicity and exhibition materials, and then attending a significant number of engagement sand events to ensure that there is wide knowledge about the content of the Local Plan documents amongst stakeholder and the wider community.

8. Options and Options Analysis (including risk assessment)

	Option 1: Approve the recommendation and thus publish and consult on the Draft Local Plan for Lancaster District Documents	Option 2: Do not approve the recommendation and do not publish and consult on the Draft Local Plan for Lancaster District Documents
Advantages	<p>The NPPF encourages local authorities to advance preparation of Local Plans in accordance with the principles established within the NPPF. The NPPF advises that plans may need to be revised to take into account the policies in the framework. This should be progressed as quickly as possible, either through a partial review or preparing a new Local Plan. For a period of 12 months, which commenced in March 2012 decision makers may continue to give full weight to plans adopted since 2004, there after due weight will be given to existing plans in accordance to their degree of consistency with the NPPF; thus in order to exert local influence upon planning decisions the Council is advised to make speedy progress on preparing its own Local Plan. Publishing a draft Local Plan Document will be an important step in identifying solutions to meeting the district's development needs over the next 15 years. Publishing the detailed documents in support of the spatial principles established in the Core Strategy means that the Council will be in stronger position to influence how and where growth occurs in the district and can secure better outcomes from the implementation of development proposals.</p>	<p>Delay means that more time is available to further investigate detailed solutions to issues such as traffic management before identifying sites in the plan. The ability to describe such solutions would mean that it would be easier to justify the plan's proposals, particularly in south Lancaster, to a potentially sceptical and unsupportive local community.</p>
Disadvantages	<p>Identifying the sites which the Council wishes to direct development to may trigger planning applications in relation</p>	<p>Greater delay will mean that there is a longer period when an up-to-date Local Plan is not in place, thus the Council will find it increasingly</p>

	<p>to both the sites which are identified and the sites which are not identified.</p>	<p>difficult to defend planning appeals if developers opt to pursue applications in advance of an update of the Local Plan, this report in paragraph 5.24 highlights the secretary of state's current stance in such cases. Delay also means that the local evidence base and the large range of studies which support the current draft policies will become out of date and would need to be undertaken again: this may include retailing studies, flood risk studies; housing needs, affordable housing viability studies, development viability appraisals, and open space & recreation studies. This would involve significant time, additional costs and the use of staff limited resources to re-establish an up-to-date evidence base position. Delay will hold back regeneration activity in central Morecambe.</p>
<p>Risks</p>	<p>The proposed approach, which suggests that sites are identified through this preferred options stage when investigative work has still to be undertaken, may encourage planning applications before satisfactory solutions are identified to development implications, particularly traffic management in south Lancaster. Planning Applications may therefore be submitted in advance of a decision on implementing CIL. The proposed approach suggests meeting a reduced housing requirement on the basis of assumptions about realistic levels of delivery. This may risk the Land Allocations Plan being found unsound on the basis that it does not provide sufficient opportunity for housing development to meet the locally evidenced requirement. This would delay the overall process of identifying sites and lead to a longer period when a local plan is in place.</p>	<p>Delay means the Council is exposed to a longer period at of risk when it is exposed to having to determine planning proposals without up to date policies in place, this increases the prospects of loss at appeal and hence development which may not best accord with the community's aspirations. The issues facing central Morecambe are pressing and the continuing lack of a plan risks further decline.</p>

9. Officer Preferred Option (and comments)

9.1 The officer preferred option is option 1.

9.2 Advancing preparation of a Local Plan document for the district will ensure that an up to date planning framework for the district is in place. This is consistent with the Government's requirements to ensure up to date planning policies are in place taking into account the requirements of the newly published NPPF. Publishing the detailed documents in support of the spatial principles established in the Core Strategy means that the Council will be in stronger position to influence how and where growth occurs in the district and will ensure that the Council can secure better outcomes from the implementation of development proposals.

10. Conclusion

10.1 Preparation of the Land Allocations document, Development Management document and Area Action Plan for Central Morecambe will provide the detailed planning policies for the district implementing the strategic policies of the Core Strategy. Together these will provide the local planning policy framework for determining planning applications and directing development proposals and investment in the district for the next fifteen years.

10.2 Advanced drafts of the Development Management DPD, Land Allocations DPD and MAAP DPD are appended to this report. Council is advised that as work is ongoing there may be minor revisions to the documents prior to publication and consultation; including updates and corrections to the text, the introduction of additional photographs, illustrative plans, and captions.

10.3 Council is formally requested to approve the publication of, and consultation on, the draft Local Plan for Lancaster District.

RELATIONSHIP TO POLICY FRAMEWORK

National Planning Policy Framework (2012) – Requires all Local Authorities to prepare a Local Plan for their area setting out opportunities for development and clear planning policies on what will or will not be permitted.

Lancaster District Core Strategy (2008) – Establishes the strategic planning policies for the district and describes how they will be supplemented by policies in subsequent Development Plan Documents.

Lancaster District Corporate Plan 2015-2016 – Policies within the draft Local Plan documents seek to deliver the council priorities described in the corporate plan.

Regeneration and Planning Business Plan – Commits the service to the preparation of additional Development Plan Documents.

CONCLUSION OF IMPACT ASSESSMENT

(including Diversity, Human Rights, Community Safety, Sustainability and Rural

Proofing)

The draft Local Plan documents contain policies to ensure that the development needs of the district are delivered whilst at the same time ensuring that the environmental, social and economic impacts are addressed. The draft Local Plan contains appropriate policies to ensure that this is the case.

Equality, Diversity and Sustainability implications have been taken into consideration in the preparation of the draft Local Plan documents. The document has been subject to the statutory requirements for Strategic Environmental Assessment, Sustainability Appraisal and Habitats Regulation Assessment. Equality, diversity, human rights, community safety, sustainability and rural issues are all considered as part of this process. Officers are confident that this work provides an appropriate impact assessment of the document.

LEGAL IMPLICATIONS

The preparation of the draft Local Plan is subject to statutory regulations for the preparation of Development Plan Documents. Failure to meet these requirements could result in the document being determined unsound at examination or subject to legal challenge by prospective developers and other interest groups. However there are no legal implications directly arising from this report.

FINANCIAL IMPLICATIONS

The Local Plan will ultimately have financial bearing on the Council and this should be appreciated, although it is not possible to quantify what it may mean. There are some key areas to highlight, however:

Land Values

The publication of the draft Local Plan documents has implications for the future use of land across the district. This will have implications for the value of land in both private and public ownership. This could in cases be positive through the uplift in land value received from receiving positive planning consideration, or in some cases negatively where a new land use affects the value of adjacent land.

Local Tax Raising Capacity & Other Income Streams

The Local Plan will ultimately affect the amount of income that can be generated from both council tax (e.g. through increasing the number of homes in the area) and business rates (e.g. through other economic / commercial growth). Under the Local Government Finance Bill, the amount of business rates income collectable will have much more local significance.

Other existing funding streams such as the new homes bonus may be similarly affected by the Local Plan - assuming such funding continues in future.

Tax Increment Financing (TIF) is another potential initiative, being developed as part of the Local Government Finance Bill. Separately the Community Infrastructure Levy (CIL) is referred to in the body of the report.

Such financial changes may provide opportunities for the Council to generate/retain more income in due course, but they will be affected by the detail of new arrangements, Government's assumptions on future growth, and Comprehensive Spending Reviews more generally.

In summary, whilst many of the proposals under the Finance Bill are designed to encourage local economic growth, they are also designed to reduce the country's financial deficit and it is not yet clear what their actual overall impact will be.

Service Demands and Investment

Housing or other economic growth in the area will ultimately increase demand for various council/public services. As a general principle, any increased costs of providing those services should be matched by additional income from specific charging, government funding, or through increased tax raising capacity as referred to above. In practice though, it is not so straightforward.

The draft Local Plan also has potential to impact on the economic regeneration objectives of the City Council with key projects promoted in the document. This may result in growth bids for consideration in future budget rounds.

Other General Comments

As outlined under legal implications failure to prepare and consult on the document correctly could result in failure at examination and/or legal challenges by perspective developers and other interest groups. This would have financial implications for the council in terms of legal costs and staff time spent on defending any challenge.

Failure to have an up to date development plan for the district reduces the authority's power to refuse planning permission and may make it vulnerable to planning appeals in the future. This will have financial implications for the Council with the Council vulnerable to cost applications from developers.

Overall, any implications of the Planning documents will be considered as part of the annual budget process as appropriate.

OTHER RESOURCE IMPLICATIONS

Human Resources:

The Human Resource implications of this document can be accommodated within the existing resource structure of the Council.

Information Services:

None

Property:

[As a significant land owner within the district the Local Plan will have potential implications for land assets within the Council's ownership impacting on land values and future revenue streams.

Open Spaces:

The draft Local Plan seeks to protect and enhance areas of public open space across the district. This may have implications for land within the council's ownership. Future areas of open space may also be developed as a result of the Local Plan which may have future implications for the council.

SECTION 151 OFFICER'S COMMENTS

The S151 Officer has been consulted and her comments reflected within the report.

MONITORING OFFICER'S COMMENTS

The Monitoring Officer has been consulted and her comments reflected within the report.

BACKGROUND PAPERS

Draft Development Management Document
Draft Land Allocations Document and
Proposal Map
Morecambe Area Action Plan (MAAP)

Contact Officer: Maurice Brophy
Telephone: 01524 582330
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Ref:



Leader's Report

12 September 2012

Report of the Leader of the Council

PURPOSE OF REPORT

To present the Leader's report to Council.

This report is public.

RECOMMENDATIONS

To receive the report of the Leader of Council.

REPORT

1.0 Cabinet

Information on Cabinet matters is provided in the minutes from the Cabinet meetings held on 17th and 24th July 2012, later in this agenda.

2.0 Decisions required to be taken urgently

There are no decisions to report since the last Leader's Report on 18 July 2012.

3.0 Leader's Comments

August has been a very quiet month on the whole, apart from the problems with The Storey. Now that the Company has ceased trading and a Liquidator is expected to be appointed, hopefully the way forward will become clearer.

There has been good news on the creation of six additional Apprenticeships, two joiners, two plasterers and two plumbers via our partnership with Forest. This was one of our priorities and I am pleased that we are able to provide genuine high quality Apprenticeships for local people. We are also working with Service Managers to see where we can take vacant posts and convert them into Apprenticeships. For people 16 to 18 years of age who are not in Education,

Employment or Training we are looking at options for a route into Apprenticeships by working with the County Council and the Job Centre.

I have been meeting with some of the funded tenants at the Storey, the Storey Gallery representatives and those of Lit Fest. This is a difficult time for them and for all the Creative Industries tenants whom we are talking to.

There was a Duchy presentation at the Castle on the 22 August. Their plans are very ambitious but are confidential until the end of October when there will be a public consultation.

I also visited the Castle on the 400th Anniversary of the Witch Trials. This was a guided tour of some areas and we were able to go into one of the cells where the witches were said to be detained. The tours have been very successful – drawing hundreds each day. People expressed amazement that the prison cells were only vacated in 2011 as they were so basic. We hope that the Castle will be a major visitor attraction for Lancaster and we will work with the Duchy to make this possible.

The market tenants have been moving out and are to take up many empty shops in the town. I hope that this will be beneficial for both them and for the town and I wish them well for the future. A meeting of Group Leaders will take place on the 04 September to discuss the future of the building.

Finally, at the end of August arrangements were well underway to start a public consultation exercise on proposals to replace the existing national council tax benefit scheme with a local support scheme. This is part of Government's welfare reforms and it will affect many households; only pensioners will be fully protected. In December, the Council will be faced with some difficult decisions on this matter.

4.0 Other Matters

Cabinet minutes are attached at the end of this agenda.

5.0 Key Decisions

The following Key Decisions were taken by Cabinet on 24th July 2012.

- (1) Adoption of Dog Control Orders
- (2) Waste/Recycling Collection – Updated Policies for Householders
- (3) Second Homes Funding 2012/13
- (4) Acceptance of External Funding for Lancaster District CSP
- (5) Empty Homes Enforced Sale Procedure
- (6) Proposed Introduction of Fees for Pre-Planning Application and Householder Development Advice
- (7) Lancaster Business Improvement District (BID) Draft Proposal

The following Officer Delegated (Key) Decision was taken by the Chief Executive on 31.8.12.

- (1) Provision of Security Guarding Contract, White Lund Depot

BACKGROUND PAPERS

Cabinet agenda and minutes of the meetings on 17th and 24th July 2012.
Officer Delegated Decision Notice dated 31.8.12.

COUNCIL**Storey Institute
12 September 2012****Report of Chief Executive****PURPOSE OF REPORT**

To provide an update on the current position regarding the operation of the Storey and seek direction on the future use of the building.

This report is public.

RECOMMENDATIONS

- (1) That the current position be noted.
- (2) That subject to the outcome of the liquidation process for SCIC Ltd and assuming that the headlease be forfeit, or otherwise terminated, Council indicates its preferred direction for the Storey Institute.
- (3) That Officers be authorised to investigate the removal of the restrictive covenant and to develop proposals in support of (2) above.
- (4) That it be noted that future decisions regarding the Storey Institute will be taken by Cabinet, subject to them being in accordance with the direction set under (2) above and the existing budget framework.

1 Introduction

- 1.1 At its meeting on 18 July 2012 Council considered an item of urgent business on the Storey Creative Industries Centre, further to the call-in of Cabinet's earlier decision on this matter. It was resolved:
 - That the Council withdraws support for the SCIC Ltd by seeking forfeiture of the headlease from the company (which would have ceased trading in some way) and requests a report back on all future options for the building.

2 Recent Events

- 2.1 Subsequent to the above, on 15 August the Council learned that the company was to cease trading later that day and that the Board had commenced proceedings to put the company into voluntary liquidation. (Liquidation of the company would allow forfeiture proceedings to commence, in line with the resolution of Council.)
- 2.2 Clarification was sought on whether the building was to close, but it became evident that arrangements were being made to keep the building open, at least to some degree. Details of the arrangements were received from the sub-tenants on 16 August.
- 2.3 Following the company's decision to cease trading, on 17 August Council Officers met with sub-tenants, primarily to share information on the current position. There were still some uncertainties around utility connections and insurance matters and these have been clarified as far as possible. In effect, sub-tenants have taken on various responsibilities so that the building can remain open for the short term, pending the outcome of the liquidation process and the Council setting out its intentions regarding the future of the building.
- 2.4 The sub-tenants indicated that whilst the current interim arrangements could probably be maintained until around mid-October time, they could not be maintained indefinitely. They requested that Council makes a decision about the building's future as soon as possible, so that in turn they can take whatever decisions might be necessary for their own business interests. The sub-tenants stated that they would very much like to see the Storey remain as a creative industries centre and they would expect new lease terms and conditions to apply.
- 2.5 Regarding the company, a creditors' meeting has now been arranged for 04 September and it is reasonable to assume that a Liquidator will be appointed. There is no indication that any other outcome should be expected. This will enable the Council to commence forfeiture proceedings in respect of the lease, although it may be that the Liquidator may seek to disclaim or surrender the lease. Each of these scenarios would have different legal implications for the sub-tenants, although broadly they would have rights to remain in the building.

3 Future Direction and Context

- 3.1 In view of recent events, direction is sought from Council regarding the future for the building.
- 3.2 In considering the way forward, firstly it is perhaps worthwhile to recap on the discussions and decisions taken between 2006 to 2008, in deciding whether to develop the Storey as a Creative Industries Centre. Various reports are referred to as background documents for this report and are available to Councillors as a package on request. The decision-making was far from straightforward, disposal of the building was actively considered and each of the options considered carried significant risks.
- 3.3 Despite recent difficulties, it is also true to say that the Council has achieved what it set out to do in the medium term:
 - restore and convert the Storey Institute;
 - create a workspace and 'hub' for the creative industries sector.

- 3.4 Whilst clearly the management company itself has not proved financially sustainable and the venture has cost the Council more than it originally envisaged, this in itself does not determine the viability prospects for any Creative Industries Centre operation going forward.
- 3.5 It is understood that the building currently provides a base for around 10 organisations, although this is set to reduce as some of the larger companies move out. Although exact occupancy details have not been confirmed, it is known that the building is currently under-utilised in terms of rental space and under-performing financially. The Council has other workspace vacant and whilst those premises may not have the same features and character as the Storey, overall it means that there is scope to strengthen the performance of the Council's property portfolio.
- 3.6 Furthermore the Storey would require capital investment (as well as ongoing maintenance) to allow it to be fully utilised. The building is being assessed as part of the municipal buildings' conditions survey, which is due to be completed in November and reported through to Cabinet in January.
- 3.7 Looking to the future, the redevelopment of Lancaster Castle now presents new opportunities for the Storey, beyond those that may have existed previously.
- 3.8 Strategically, the building could make a significantly larger contribution to the Council's regeneration priorities than it has in recent times and it could work in financial terms. In order to achieve this, however, it is not necessary for the building to remain as a Creative Industries Centre or stay under the Council's control - the private and other sectors could have a role.

4 **Options for the Future**

- 4.1 A number of broad options are set out below. Fully developed and costed proposals would be worked up and reported back to Cabinet, with referral on to Council as need be. All options would require clawback, restrictive covenant, the rights of existing sub-tenants, VAT and various other matters to be addressed.
- 4.2 It is reiterated that only a direction is being sought from Council at this stage, rather than a detailed decision. It is perfectly acceptable for Council to take this approach. Full information and any value for money matters would be reported subsequently, to inform final decision-making. Council's preferred way forward (and the outcome of the liquidation process) will inform decisions regarding the Visitor Information Centre, at least in the short term.
- 4.3 Irrespective of the direction chosen, it does make sense to seek removal of the restrictive covenant to give the building as wider use as possible and this is reflected in the recommendations.

4.4 **Option 1: Seek to continue operating as a Creative Industries Centre**

- 4.4.1 The aim would be to retain the Centre's current core function, albeit on different terms and conditions for sub-tenants (and it may also require some widening of the tenant base to ensure fuller occupancy – a looser definition of “creative industry”). It would involve appraisal of whether the operation should be managed in-house or

externally, drawing on lessons learned from recent experience. The financial and any other operational objectives would also need to be appraised in due course (for example, what level of return would be acceptable and whether it represented value for money). It would also factor in how the current offer and usage could be improved, whilst retaining the building’s core function.

Advantages	Disadvantages	Risks
<p>Would allow creative industries centre to continue and develop, with spin off economic and community benefits.</p> <p>Allows tenants to remain (subject to satisfactory lease terms being in force).</p> <p>Secures a medium term use for the building but still provides opportunity for review, in due course.</p> <p>Retains control over use of building.</p>	<p>Major work and risks involved in setting up management arrangements – this should not be underestimated and it would have an adverse impact on other tasks and council priorities.</p> <p>Risks of ownership (and future investment needs) remain with Council.</p> <p>No rationalisation of property portfolio, although widening of core function / tenant base may assist with this in other ways.</p>	<p>Ongoing exposure in terms of managing the property in-house or procuring suitable external manager (drawing on recent experience).</p> <p>Stakeholder relationships may break down and agreement may not be reached on suitable operating model / lease terms; this aspect may have greater adverse reputational impact on the Council.</p> <p>Still the risk that the operation proves financially unviable.</p> <p>Residual clawback risks would remain.</p>

4.5 Option 2: Seek to sell the building

4.5.1 This would involve winding up the creative industries centre, obtaining vacant possession, giving sub-tenants appropriate time to relocate, and addressing all clawback and restrictive covenant matters etc. These factors would affect timescales for achieving any sale and clearly once sold, the Council would have no further involvement or control over the building. Its future sale may generate a significant capital receipt, which could be used to protect or progress other corporate priorities but there is no guarantee; this would be subject to the clawback position being addressed in a satisfactory manner (or the sale being deferred for a period to manage this). Future development of the Castle area would have a positive impact on sale prospects, in what would otherwise be a very depressed market. Disposal could be on either an open market or restricted basis; these and other details would be considered in due course.

4.5.2 Strategically, if the Council had no clear or affordable use for building in support of progressing its corporate priorities and wished to have no involvement in its future, and/or wished to focus on capital income generation, then this would be the appropriate option to pursue.

Advantages	Disadvantages	Risks
<p>Rationalises Council's property portfolio and transfers future maintenance/investment needs.</p> <p>Avoids the need to set up management arrangements and other work involved, as well as the risks attached in taking on the running of the facility.</p> <p>Allows future owner to establish use / take responsibility for building; transfers associated risks. (May still link with Castle developments.)</p> <p>Potential to generate significant capital income from sale, subject to clawback etc and timing.</p>	<p>Loss of creative industries centre and any spin off benefits for the local economy or community.</p> <p>Disruptions for existing tenants, although time should be available for managed closure and alternative workspace should be available.</p> <p>Likely short to medium term operational implications and difficulties, subject to reaction of current tenancy base, until such time the council is able to gain vacant possession.</p> <p>Building would be empty (or virtually so) for a period at least.</p> <p>No control over use of building, once sold.</p>	<p>Risk that clawback and covenant matters could not be managed satisfactorily, meaning that in worst case, it could take considerable time to dispose of building, or sale could result in little or no income being retained by Council. This would exacerbate the various financial, reputational and operational risks that exist whichever option is chosen.</p>

4.6 **Option 3: Seek redevelopment of the Storey to complement future redevelopment of Lancaster Castle**

4.6.1 Nothing would be ruled in or out under this option, as long as it fitted with wider regeneration aims and sound asset / financial management. It could still involve consideration of future disposal, or mixed use development. The two most important issues to note are:

- the Council could have active involvement or significant control or influence over future development to fit with its corporate priorities; but
- whilst this option would allow some time for sub-tenants to remain, this would be on an interim basis only, at least until the nature of future redevelopment was clearer. Although it is possible that future redevelopment could incorporate some workspace, it would be inadvisable to make this a requirement at this early stage.

Key Advantages	Disadvantages	Risks
<p>Would maximise regeneration opportunities linked to Castle development, with the Council determining the future of the building, working with other key stakeholders.</p> <p>Informed decisions could then be made in context of regeneration aims, and sound asset management and financial planning.</p> <p>Would still be opportunities for significant financial benefits, subject to clawback etc and timing.</p>	<p>Loss of existing creative industries centre over time.</p> <p>Disruptions for existing tenants, although time would be available to help manage this.</p> <p>Lengthens period of uncertainty over future use of building.</p> <p>Likely short to medium term operational implications and difficulties subject to reaction of current tenancy base, until such time the council is able to gain vacant possession.</p> <p>Building would be empty (or virtually so) for a period at least.</p>	<p>At a strategic level, there is some risk that an acceptable future alternative use of the building could not be agreed or secured and this would exacerbate the various substantial financial, reputational and operational risks that exist whichever option is chosen.</p> <p>Risk that clawback and covenant matters could not be managed satisfactorily, meaning that in worst case, it could take considerable time to take advantage of the opportunities arising from redevelopment of the Castle.</p>

5 Details of Consultation

- 5.1 Another meeting is to due to take place with sub-tenants prior to the Council meeting, to share this report. Sub-tenants have been asked (either collectively or individually) to put forward any statements they wish to make to Council, in order that Members can take these into account in their decision-making. Any such statements will be circulated prior to the meeting.

6 Officer Preferred Option

- 6.1 On balance and given the exceptional opportunities that redevelopment of the Castle presents, Option 3 is the Officer preferred option.
- 6.2 Ultimately the way forward comes down to priorities, some of which may conflict, but it may be useful for Council to consider the questions below in reaching a decision on its preferred direction:
- Is current use the best way of using the building in future?
 - How important is tourism development (linked to the Castle), when compared with other aspects of regeneration?
 - How important is capital income?
 - Is there other workspace available for creative industries?
 - How important is it for the Council to have control over or involvement in what happens to the building in future? Is it best placed to manage and resource any such input?

- What direction would be in the best interests of taxpayers, rather than any specific stakeholders?

7 Conclusion

7.1 In view of recent events, Council now needs to set out its preferred direction for the Storey Institute. In doing so, Council is advised to consider not just the existing use of the building, but wider regeneration prospects surrounding the future redevelopment of Lancaster Castle, as well as asset management and financial objectives. Undoubtedly there are many opportunities and risks surrounding the way forward.

RELATIONSHIP TO POLICY FRAMEWORK

The future of the Storey should be considered in context of the Council's regeneration priorities, as well as its core values of providing value for money, drawing on medium term financial and property strategies.

CONCLUSION OF IMPACT ASSESSMENT

(including Diversity, Human Rights, Community Safety, Sustainability and Rural Proofing)

It is considered that there is no such direct impact arising.

FINANCIAL IMPLICATIONS

The financial / value for money implications of options would be assessed and reported back in due course, prior to any firm decisions being taken.

In terms of potential sale proceeds, a full revaluation of the building will be undertaken as part of appraising Council's preferred way forward.

In developing the Creative Industries Centre, the Council received a total of around £3.5M of external funding from a number of organisations.

SECTION 151 OFFICER'S COMMENTS

The s151 Officer has contributed to this report.

LEGAL IMPLICATIONS

The Court upon application can discharge or modify a restrictive covenant. Under the legislation a covenant is obsolete, and will be removed where it is no longer possible for it to serve its original purpose, by changes in the character of the property, or the neighbourhood, or other circumstances of the case which the court may deem material.

The particular nature of the transfer of the Storey to Council would suggest that the land is held under the terms of a charitable trust and Counsel's opinion obtained some years ago advised that the trust cannot be dissolved and must be followed, unless there are grounds for applying for a cy-pres scheme as set out in section 13 of the Charities Act 1993. (A cy-pres scheme is created when the benefit of the trust are transferred to another property and releasing the incumbent property from the trust)

In these circumstances the process for removing the covenant are complex and would require specialist legal advice to establish whether such an application would succeed for

the purposes of the Council's proposals.

MONITORING OFFICER'S COMMENTS

The Monitoring Officer has been consulted and her comments are incorporated in the report.

BACKGROUND PAPERS

Reports and Minutes of:

Cabinet 10 October 2006

Cabinet 24 October 2006

Cabinet 05 June 2007

Council 20 June 2007

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Ref: CE/Committees/Council/12.09.12

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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CABINET

10.00 A.M.

29TH MAY 2012

PRESENT:- Councillors Eileen Blamire (Chairman), Janice Hanson (Vice-Chairman), Jon Barry, Abbott Bryning, Tim Hamilton-Cox, Karen Leytham, Ron Sands and David Smith

Officers in attendance:-

Mark Cullinan	Chief Executive
Graham Cox	Head of Property Services (Minute 4)
Mark Davies	Head of Environmental Services (Minute 10)
Andrew Dobson	Head of Regeneration and Planning Service (Minutes 11 & 12)
Nadine Muschamp	Head of Financial Services and Section 151 Officer
Anne Marie Harrison	Assistant Head (Partnerships), Community Engagement Service (Minute 8)
Gary Watson	Senior Property Officer
Liz Bateson	Principal Democratic Support Officer, Democratic Services

1 MINUTES

The minutes of the meeting held on Tuesday 17 April 2012 were approved as a correct record.

2 ITEMS OF URGENT BUSINESS AUTHORISED BY THE LEADER

The Chairman advised that there was one item of urgent business. This related to the Disposal of Land at Wellington Terrace, Morecambe (Minute 4 refers).

Councillor Blamire declared a personal interest with regard to this item as her son-in-law worked in the same office as the agent referred to in the report. Councillor Blamire vacated the chair and left the meeting at this point and did not vote on this item. Councillor Hanson took the chair.

3 EXCLUSION OF THE PRESS AND PUBLIC

It was moved by Councillor Bryning and seconded by Councillor Leytham:-

"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 paragraph 3 of Schedule 12A of that Act."

Members then voted as follows:-

(6 Members (Councillors Barry, Bryning, Hanson, Leytham, Sands and Smith) voted in favour, and 1 Member (Councillor Hamilton-Cox) voted against).

Resolved

- (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 paragraph 3 of Schedule 12A of that Act.

4 DISPOSAL OF LAND AT WELLINGTON TERRACE, MORECAMBE - ITEM OF URGENT BUSINESS (Pages 1 - 2)

(Cabinet Member with Special Responsibility Councillor Hamilton-Cox)

Cabinet received a report from the Head of Property Services which was exempt from publication by virtue of paragraph 3 of Schedule 12A of the Local Government Act 1972.

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

Councillor Hamilton-Cox proposed, seconded by Councillor Leytham:-

- “(1) That approval be given to the selling of 0.344 acres of land at Wellington Terrace, Morecambe as shown on the plan attached to the exempt report, on the terms and conditions set out in the exempt report.
- (2) That the shortfall in capital receipts be taken into account in re-assessing the 2012/13 Capital Programme, for reporting to Cabinet in due course.”

Councillors then voted:-

Resolved unanimously:

- (1) That approval be given to the selling of 0.344 acres of land at Wellington Terrace, Morecambe as shown on the plan attached to the exempt report, on the terms and conditions set out in the exempt report.
- (2) That the shortfall in capital receipts be taken into account in re-assessing the 2012/13 Capital Programme, for reporting to Cabinet in due course.

Officers responsible for effecting the decision:

Head of Property Services
Head of Financial Services

Reasons for making the decision:

The decision supports the objective of the Morecambe Action Plan to address housing related issues in the central area of Morecambe and the Housing Strategy and is consistent with the Corporate Plan and coalition priorities to implement housing renewal and neighbourhood management in the Poulton Ward.

The Corporate Property Strategy requires that the Council review its asset base and only retain those assets required to meet its agreed objectives and priorities. Where

assets are not required for this purpose they should be disposed of at best value. This is an opportunity sale and removes a liability from the City Council's property portfolio and is an opportunity for the Council to improve the management of its assets.

Councillor Blamire returned to the meeting at this point and took the chair. The press and public were re-admitted to the meeting.

5 DECLARATIONS OF INTEREST

No further declarations were made at this point.

6 PUBLIC SPEAKING

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

7 CABINET LIAISON GROUPS AND APPOINTMENTS TO OUTSIDE BODIES, PARTNERSHIPS AND BOARDS (Pages 3 - 4)

(Cabinet Member with Special Responsibility Councillor Blamire)

Cabinet received a report from the Chief Executive to consider the Cabinet Liaison Groups currently constituted and Cabinet appointments to Outside Bodies, Partnerships and Boards.

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

The options regarding Cabinet Liaison Groups were:

- To note existing arrangements and make no amendments.
- To consider and approve, where appropriate, any proposals from Cabinet Members.

With regard to Outside Bodies, Partnerships and Boards, Cabinet was requested to make appointments, as set out in Appendix C to the report.

It was recommended that appointments be aligned as closely as possible to individual Cabinet Members' portfolios.

Councillor Bryning proposed, seconded by Councillor Hanson:-

- "(1) That the Cabinet Liaison Groups previously constituted, as set out in Appendix B to the report, be re-constituted for the 2012/13 municipal year with the following exception:
- That the Lancaster Market Cabinet Liaison Group be stood down.
- (2) That the Lead Cabinet Member of each Cabinet Liaison Group be requested to inform the Chief Executive of the participants he/she wishes to invite to such meetings.
- (3) That appointments be made to Outside Bodies, Partnerships and Boards as set

out in the appendix to these minutes with the exception of British Resorts Association.”

Councillors then voted:-

Resolved unanimously:

- (1) That the Cabinet Liaison Groups previously constituted, as set out in Appendix B to the report, be re-constituted for the 2012/13 municipal year with the following exception:
 - That the Lancaster Market Cabinet Liaison Group be stood down.
- (2) That the Lead Cabinet Member of each Cabinet Liaison Group be requested to inform the Chief Executive of the participants he/she wishes to invite to such meetings.
- (3) That appointments be made to Outside Bodies, Partnerships and Boards as set out in the appendix to these minutes with the exception of British Resorts Association.

Officers responsible for effecting the decision:

Chief Executive
Head of Governance

Reasons for making the decision:

The establishment of Cabinet Liaison Groups assists the Cabinet in the discharge of executive functions. Representation on Outside Bodies is part of the City Council's community leadership role.

8 SECOND HOMES FUNDING 2012 - 2013

(Cabinet Member with Special Responsibility Councillor Blamire)

Cabinet received a report from the Head of Community Engagement to seek members' views on the use of Second Homes funding for 2012 – 2013.

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

	Advantages	Disadvantages	Risks
Option 1 Funding to secure support core services and facilities for wider group of organisations	A significant multiplier effect with benefits for many organisations Efficiencies achieved by providing some support services centrally	Infrastructure costs are ongoing and SH funds are limited to the amounts available in the current year	Current infrastructure arrangements significantly at risk following funding cuts

(Infrastructure)	Reduces reliance on other external funds for a period of time		
Option 2 Investment in premises and accommodation	<p>Potential to reduce management costs of small organisations</p> <p>Supports more collaboration between organisations</p> <p>Achieves a one off investment for a longer term return</p>	Match funding may be required for a capital scheme	Need has been identified in the district but other potential solutions also need to be considered and these are still emerging
Option 3 Investment in volunteering co-ordination arrangements	<p>Economic contribution of volunteering is significant</p> <p>Protection of important services by increasing levels and quality of volunteering in the district</p> <p>Opportunities for skills development for volunteers</p> <p>Supports better engagement of communities in their local areas</p>	Sustainability model needs to be developed but potentially there may be some costs that are unrecoverable	Volunteer bureau now closed and no current co-ordination arrangement of this type – likely to have a negative impact on levels and services supported by volunteering
Option 4 Investment in small grants via existing schemes	<p>Positive impact from existing schemes suggest these grants are useful</p> <p>Low administration costs</p>	Current schemes funded for 2012 -13 and any further investment would roll into 2013 -14 but requires county council agreement	Expectations around the future of schemes need to be managed
Option 5 Investment in limited number of larger grants to achieve long term benefits	<p>Potential to achieve impacts that may not occur otherwise</p> <p>Longer term legacy achieved and improved sustainability of operations and services</p>	Management arrangements required within the council	Innovative projects may carry some risk but appraisal processes should identify this.

	Promotes collaboration between partners		
Option 6 A combination of the above options	Could present an opportunity to provide benefit widely across VCF and arts sectors	May dilute the impact of funding and make it more difficult to achieve higher impact from a limited number of investments	Risk would be relevant to the preferred options

A preferred option was not recommended as officers were aware that whilst any of the identified options were helpful, there were significant issues and opportunities facing these sectors and the Second Homes funding available was insufficient to address all of these concerns. Cabinet's views were sought on the use of the funds available.

The availability of Second Homes funding had now been informally confirmed by Lancashire County Council and as a result of early discussions it had been agreed that these funds could be used to support the council's investment in the VCF and arts sectors. Cabinet members were being asked to determine which option or combination of options was their preferred approach for the use of the current financial year's allocation of Second Homes funding. A further report giving detailed proposals in line with members suggested approach would be brought back to Cabinet for approval.

Councillor Barry proposed, seconded by Councillor Leytham:-

- "(1) That Cabinet notes the availability of Second Homes funding of approximately £290,000 for 2012 -13.
- (2) That Cabinet supports Option 6, a combination of options 1-5 in the report, to address issues and develop opportunities for the Voluntary, Community and Faith and the Arts sector.
- (3) That a further report be brought back to Cabinet setting out detailed proposals for the use of this fund."

Councillors then voted:-

Resolved unanimously:

- "(1) That Cabinet notes the availability of Second Homes funding of approximately £290,000 for 2012 -13.
- (2) That Cabinet supports Option 6, a combination of options 1-5 in the report, to address issues and develop opportunities for the Voluntary, Community and Faith and the Arts sector.
- (3) That a further report be brought back to Cabinet setting out detailed proposals for the use of this fund."

Officers responsible for effecting the decision:

Head of Community Engagement
Head of Financial Services

Reasons for making the decision:

The decision is consistent with the Priorities, Outcomes, success Measures and Actions identified in the Corporate Plan 2012-15 with regard to the use of the available Second Homes Funding and enables detailed proposals to be brought back to Cabinet in due course.

9 SILVERDALE HOARD**(Cabinet Member with Special Responsibility Councillor Sands)**

Cabinet received a report from the Head of Community Engagement to seek members support for the ambition to secure the Silverdale Hoard for the district.

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

Members had the option to either support or not support the ambition to secure the Silverdale Hoard for the district. There was no risk at this stage as the decision to support securing the Hoard was an in principle one and this would need to be appreciated by all parties and communicated clearly.

The Silverdale Hoard was a significant find for both the district and Lancashire. Acquiring the necessary funding to both secure the Hoard and conserve, research and interpret it within the City Museum would be costly and access to external funding would be required.

Councillor Sands proposed, seconded by Councillor Hanson:-

"(1) That the recommendations, as set out in the report, be approved."

Councillors then voted:-

Resolved unanimously:

- (1) That Cabinet supports, in principle, the ambition to secure the Silverdale Hoard for the district.
- (2) That a further report be brought back to Cabinet setting out the financial implications of securing the Hoard once a valuation has been made and the longer term strategy for the conservation, research and interpretation of the Hoard.

Officers responsible for effecting the decision:

Head of Community Engagement

Reasons for making the decision:

The district's museums and their collections are an important element of the Council's priorities of Economic Regeneration. The Silverdale Hoard is a significant find for both the district and Lancashire as the collection would have significant visitor appeal and the in principle decision is consistent with the following extract from the Corporate Plan: 'An improved future for the district's museums is secured'. The decision enables a further report to be brought back to Cabinet once a valuation has been made.

10 HIGHWAYS MAINTENANCE**(Cabinet Member with Special Responsibility Councillor Smith)**

Cabinet received a report from the Head of Environmental Services to seek a decision on the future of the highway maintenance functions currently provided by the City Council on behalf of the County Council, prior to referral on to Council.

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

	Option 1: Continue to provide Highways Maintenance Services on behalf of the County as per the offer outlined in the report	Option 2: Discontinue provision of Highways Maintenance Services on behalf of the County
Advantages	<ul style="list-style-type: none"> • Local knowledge gained through years of operating in the District is retained. • Services can be used by other Council Services (eg grounds maintenance, council housing, property services). This, in turn, helps improve efficiency and may reduce the net costs for the highways account. • The fixed costs associated with providing a full range of in-house direct services (eg waste collection, cleansing, grounds maintenance, repairs and maintenance, vehicle maintenance) are spread over a wider range of activities. • Consistent with aspects of the Council's corporate plan, other than reducing 	<ul style="list-style-type: none"> • Removes any financial uncertainty of this service. • In purely financial terms is the cheaper option.

	<p>costs.</p> <ul style="list-style-type: none"> Complements other public realm services delivered by the City Council on behalf of the County Council (eg verge grass cutting, highway tree maintenance, weed spraying, pavement gritting) 	
Disadvantages	<ul style="list-style-type: none"> Proposal put forward by County only provides a contribution to overheads incurred in delivering the service. Officers will have to look at ways of reducing overall overheads of functional area, service and Council. (Which is work that is already underway in any case.) The highways maintenance account is always subject to uncertainty. This will not improve the situation. The proposal is outside of the Council's agreed budgetary framework (see financial implications below) 	<ul style="list-style-type: none"> Capacity will need to found from HR to deal with TUPE transfer. Highways Maintenance capacity will be lost. This means that internal work that could offset the cost to the highways account can no longer be undertaken. Reinforces split in functional responsibility between City / County which from a resident perspective is a negative. Inconsistent with some aspects of the Corporate Plan (but consistent with reducing costs).
Risks	<ul style="list-style-type: none"> County may in the future decide to operate in a different way and take back the work. Staff will be the subject of a TUPE transfer. Arrangements would need to be made with regard to vehicles / equipment which would no longer be required. As with previous arrangements there are no guarantees as to the volume of work that the City Council will be requested to undertake. 	<ul style="list-style-type: none"> Currently the highways maintenance function is also involved in supporting the delivery of some other public realm functions which are delivered through a separate arrangement with County. Ceasing to deliver highways maintenance would have a negative impact on this arrangement.

The officer preferred option was option 1. That said, it was considered appropriate to seek a formal review clause in any agreement; a term of one year or so would seem

reasonable. The agreement would also need to be flexible enough to deal with any other future fundamental changes in associated service delivery.

Councillor Smith proposed, seconded by Councillor Hamilton-Cox:-

"(1) That the recommendations, as set out in the report, be approved."

Councillors then voted:-

Resolved unanimously:

- (1) That Cabinet agrees to the principle of the City Council continuing to deliver a highways maintenance service on behalf of the County Council, on the terms set out within the report.
- (2) That as the financial implications of delivering the service on the proposed terms fall outside of the existing budgetary framework, the final decision be referred to Council for approval at its meeting on 13 June 2012.
- (3) That subject to Council's approval of recommendation (1), the agreement of the detail of the terms of the highways maintenance service be delegated to the Head of Environmental Services.

Officer responsible for effecting the decision:

Head of Environmental Services

Reasons for making the decision:

The decision to support in principle the City Council's continuation to provide Highways Maintenance Services on behalf of the County is consistent with the City Council's Corporate Plan priorities in particular 'clean, green and safe places' and 'community leadership.'

11 FUNDING FOR WEST END HOUSING PROJECTS

(Cabinet Member with Special Responsibility Councillor Hanson)

Cabinet received a report from the Head of Regeneration and Planning to obtain authority to spend 'ring-fenced' receipts on the Bold Street regeneration project.

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

	Option 1: Utilise "ring-fenced" receipts to acquire and demolish Bold Street properties	Option 2: Do not utilise receipts for this proposal
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Advantages	Signals progress on West End regeneration Removes eyesores properties Maintains credibility in negotiations to acquire further properties Makes some ongoing revenue savings.	More money available for Chatsworth gardens (or other schemes, though any not related to West End housing would require a change to the MTFS).
Disadvantages	Reduces money available for Chatsworth Gardens or other schemes.	Properties remain empty and deteriorating, with costs and liabilities attached. Reduces confidence in West End Loss of "goodwill" with owners
Risks	Negotiations prove unsuccessful	Spiral of decline

Option 1 was the officer preferred option. There was an immediate and pressing need for action on Bold Street. Whilst the proposal was effectively using funds that could potentially be earmarked for Chatsworth Gardens, it was considered that the proposal made the most appropriate use of some fairly limited resources available to the council. Given the scale of this project, and the expectation that the HCA would take a positive approach going forward, it was not considered that this sum would be critical to finding a solution to the Chatsworth Gardens project.

Councillor Hanson proposed, seconded by Councillor Smith:-

"(1) That the recommendation, as set out in the report, be approved."

Councillors then voted:-

Resolved unanimously:

- (1) That Cabinet agrees to re-use the income from the sale of 9 & 11a Bold St, to fund further property acquisitions, demolitions and temporary re-surfacing elsewhere in Bold Street and that the Capital Programme be updated accordingly.

Officers responsible for effecting the decision:

Head of Regeneration and Planning
Head of Financial Services

Reasons for making the decision:

Regenerating the West End of Morecambe has been a long-standing corporate priority, subject to funding being identified, and was central to the council's health and well being and economic growth aspirations as set out in the Corporate Plan and Local Development Framework. There was an immediate and pressing need for action on Bold Street and the proposal would have local community safety benefits by removing derelict properties which are susceptible to illegal and anti-social activities.

12 LANCASTER SQUARE ROUTES

(Cabinet Member with Special Responsibility Councillor Hanson)

Cabinet received a report from the Head of Regeneration and Planning to propose changes required to better manage access to and traffic within the city centre pedestrian zone, to suggest how to progress these and to update more generally on associated progress with the Square Routes initiative.

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

	Option 1: Make no changes to the traffic management system.	Option 2: Formally request the County Council to consider the traffic management proposals as per Appendix 3 and undertake to implement the associated changes to City Council management practice on an experimental basis.	Option 3: Formally request the County Council to consider the traffic management proposals as per Appendix 3 and undertake to implement the associated changes to City Council management practice on a permanent basis.
Advantages	None.	This option involving an Experimental Traffic Order utilises a regulatory mechanism that builds in requirements to monitor and review and if thought necessary then revise or revoke any changes. This flexibility is needed where changes to traffic management are brought in within a complex environment and not all consequential changes can perhaps be known. Advantages otherwise are as set	This option would involve a revision of the TRO on a permanent basis without any experiment. In principle it might enable changes to be brought forward in one tranche

		out in full in section 2 of the Report.	
Disadvantages	No attempt is made to try to address the deteriorating conditions for pedestrians in the zone that are impairing peoples' experiences as pedestrians, impacting on the trading environment and giving rise to increasing safety concerns. Further, it precludes the ability to take the opportunities arising out of the Square Routes initiative and improvements to make more of Market Square as a meeting place, for a better outdoor market and as an entertainment venue and with all the benefits that these might bring.	The raft of changes put forward in this proposal is quite complicated but inevitably so. Several elements will have some early workload implications for council officers e.g in revising the permit system and informing the public of the changes. Once in effect however the changes should make for better management of the pedestrian zone and less requirement on various city and county council officers and police officers and PCSOs and to deal with traffic management and related problems pedestrian problems in a reactive manner.	This option is not favoured by the county council's highway officers. It would not be a best practice approach. It would be much less flexible in practice than an experimental order and is without the ability to monitor and consult in operation then review and revise and, potentially terminate any changes. Conversely an experimental order provides for this. This option would likely prove much more challenging and take very much longer, involving the highway authority evidencing the need for and considering changes that would be permanent in effect. This would make for significant delay.
Risks	Continuing increasing use of the zone by traffic and consequential reduction in the quality, perceived safety of the pedestrian environment and in time making for conditions more likely to give rise to safety accidents. Indirect further affects on and deterioration in the	Any changes to the management of a public environment as complex as this in how it is used risks adverse consequential effects but the consultations undertaken to date with professional highways officers and others should have teased most of these out. Further, the purpose of an experimental order is	That changes via a permanent revision are not attainable within a short / medium term timescale.

	city centre as a trading environment.	to build in flexibility and monitoring and review.	
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Option 2 involving making the changes as set out in section 2 of the report and summarised in Appendix 2 was the officer preferred option. Officers advised that current arrangements for traffic management within the pedestrian zone were no longer sustainable, not delivering well for economic, social and environmental benefits. Revised arrangements were considered crucial to achieving on corporate and other ambitions for the city centre and as articulated through the Square Routes initiative. Further, it was felt that supporting changes and wider benefits to the pedestrian zone together with the mitigations proposed should outweigh any adverse impacts.

Councillor Hanson proposed, seconded by Councillor Blamire:-

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

Councillors then voted:-

Resolved unanimously:

- (1) That the City Council request of the County Council as highway authority that as soon as possible it make one experimental traffic regulation order for the whole traffic restricted area (pedestrian zone) as per Option 2, including for the following changes:
- core hours of 10.00am to 17.00pm.
removal of the exemption for postal deliveries and parcel packets within core hours
 - introduction of a revised permit system, with withdrawal of permit A and further adjusted providing for: essential maintenance (suggest Permit E); the dismantling of market stalls within set times (suggest Permit M) and temporary access for events and specific other activities (suggest Permit T)
 - removal of the parking spaces dedicated for use by disabled people in Market Square and to the rear of the Old Town Hall
- (2) That subject to the making of such an order Cabinet authorises the Chief Executive to make the following consequential changes to the Council's services and operations:
- re-designating existing car parking spaces within city council off street car parks and including St Nicholas Arcades to provide new dedicated spaces for disabled people
 - adjustment of the Charter Market Rules
 - re-programming council refuse collection in the zone to outside of the new core hours
- (3) That the Head of Regeneration and Planning lead for the council in working with the highway authority to:

- support the making of such an order, subsequent consultations, monitoring and review.
- where appropriate provide additional on street parking bays dedicated for use by disabled people.

and report to the Planning and Highways Regulatory Committee as required concerning any necessary further approvals required.

Officers responsible for effecting the decision:

Head of Regeneration and Planning

Reasons for making the decision:

The decision is consistent with the Economic Growth priority action to 'continue to deliver Lancaster Square Routes scheme and is consistent with the Core Strategy (2008) which identified Central Lancaster as a Regeneration Priority Area of local importance (Policy ER2). The City Council Parking Strategy (2008) 'Improving Access' – Section 14.13 notes the Council's ambition to seek to meet the needs of all users and types of transport. Specifically it seeks to set aside 6% of the total off-street car parking space for 'Blue Badge' holders in car parks where demand is proven and improve public information. The decision both supports and seeks to improve on these ambitions by seeking at least 6% in on and off street car parks where it is thought that access to the centre can be improved. The Council has a duty under the Equality Act 2010 to make areas open to all and not exclude those with significant mobility impairments. As per the assessment of the Parking Strategy policies, it is suggested that the proposal and the wider changes mitigate the removal of the existing provision for disabled access to the zone.

13 SHARED SERVICES PROGRAMME - ONE CONNECT LIMITED

(Cabinet Member with Special Responsibility Councillor Blamire)

Cabinet received a report from the Chief Executive which provided an update on the outcome of negotiations regarding Customer Services and Information and Communications Technology (ICT) provision with One Connect Limited (OCL).

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

	Option 1: Accept Officer Recommendations	Option 2: Put forward alternatives
Advantages	Still gives opportunity to join up face to face customer services for county and city. Allows City Council to develop a clear way forward for ICT.	Depends on alternatives.
Disadvantages		Depends on alternatives.

Risks	Specific risks will be considered in developing proposals for reporting through to Cabinet in due course.	Depends on alternatives – likely to require further reports back to Cabinet.

Councillor Barry proposed, seconded by Councillor Hanson:-

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

Councillors then voted:-

Resolved unanimously:

- (1) That Cabinet notes the outcome of negotiations and:
- in respect of face to face Customer Services, supports separate discussions to progress the development of shared service delivery by the City Council, on behalf of both it and the County Council; and
 - in respect of ICT, supports further development of the City Council's ICT strategy for subsequent consideration by Cabinet.

Officers responsible for effecting the decision:

Chief Executive
Head of Financial Services

Reasons for making the decision:

One of the actions included in the City Council's Corporate Plan was to 'develop a programme with Lancashire County Council and others to reduce costs by sharing more of our services.' The decision to progress the development of a shared service in respect of face to face Customer Services which may have a more visible positive impact for the community as a whole is consistent with the Corporate Plan. Whilst the basic premise of different tiers of local government joining up to provide better integrated and more cost effective services was recognised and supported any arrangements needed to work for all parties involved. With regard to IT, time and energy would now be put into developing an IT strategy rather than a shared service.

14 HEYSHAM MOSSGATE COMMUNITY AND SPORTS FACILITIES

(Cabinet Member with Special Responsibility Councillor Hamilton-Cox)

It was reported that consideration of this item had been deferred to enable Cabinet Members to undertake a Site Visit.

Chairman

(The meeting ended at 11.30 a.m.)

Any queries regarding these Minutes, please contact
Liz Bateson, Democratic Services - telephone (01524) 582047, or email
ebateson@lancaster.gov.uk

MINUTES PUBLISHED ON THURSDAY 31 MAY, 2012.

EFFECTIVE DATE FOR IMPLEMENTING THE DECISIONS CONTAINED IN THESE MINUTES:
TUESDAY 12 JUNE, 2012.

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

Minute Item 7

APPOINTMENTS MADE BY CABINET

ORGANISATION
<i>British Resorts Association</i> (now British Destinations Association)
Children's Trust Partnership Lancaster District (Cabinet Member appointed to Lancaster District Children's Trust Board) Councillor Sands
Historic Towns Forum Councillor Sands
Lancashire Leaders Meeting (Leader) Councillor Blamire
Lancashire Rural Affairs Councillor Hanson
LGA Coastal Issues Special Interest Group Councillor Leytham
LGA Executive (Leader) Councillor Blamire
LGA Rural Commission (Cabinet Member for Rural Affairs +1 Member appointed by Group on rotation) Councillor Hanson
Morecambe Bay Partnership Councillor Sands
Museums Advisory Panel Cabinet Member
North Lancashire Local Action Group executive Group (Member + named substitute) Councillor Hanson
North West Rural Affairs Forum Councillor Hanson
Regional Leaders' Forum (formerly NW Regional Assembly) (Leader) Councillor Blamire
Storey Centre for Creative Industries Councillor Bryning
Lancashire Waste Partnership Councillor Smith

POST LDLSP APPOINTMENTS

Organisation	Basis of appointment
Lancaster District Children's Trust Board	Cabinet Member (+ Cabinet Member substitute) Councillor Sands
Community Safety Partnership	Cabinet Member (+ Cabinet Member substitute) Councillor Smith
Health and Wellbeing Partnership	Cabinet Member (+ Cabinet Member substitute) Councillor Leytham

LANCASTER AND DISTRICT VISION BOARD

ORGANISATION	BASIS OF APPOINTMENT
Lancaster and District Vision Board	Leader Councillor Blamire

CABINET

10.00 A.M.

3RD JULY 2012

PRESENT:- Councillors Eileen Blamire (Chairman), Janice Hanson (Vice-Chairman), Jon Barry, Abbott Bryning, Tim Hamilton-Cox, Ron Sands and David Smith

Apologies for Absence:-
Councillor Karen Leytham

Officers in attendance:-

Mark Cullinan	Chief Executive
Nadine Muschamp	Head of Resources and Section 151 Officer
Sarah Taylor	Head of Governance and Monitoring Officer
Andrew Dobson	Head of Regeneration and Planning Service (Minute 20)
Richard Tulej	Head of Community Engagement Service (Minute 21)
Mark Davies	Head of Environmental Services
Maurice Brophy	Planning and Housing Policy Manager (Minute 20)
Liz Bateson	Principal Democratic Support Officer

15 MINUTES

The minutes of the meeting held on Tuesday 29 May 2012 were approved as a correct record.

16 ITEMS OF URGENT BUSINESS AUTHORISED BY THE LEADER

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

17 DECLARATIONS OF INTEREST

No declarations were made at this point.

18 PUBLIC SPEAKING

Members were advised that there had been a request to speak at the meeting from a member of the public in accordance with Cabinet's agreed procedure, as set out in Cabinet Procedure Rule 2.7, with regard to Heysham Mossgate Community and Sports Facilities (Minute 19 refers).

The Chairman advised the meeting of a change in order to the agenda.

19 HEYSHAM MOSSGATE COMMUNITY AND SPORTS FACILITIES

(Cabinet Member with Special Responsibility Councillor Hanson)

Mrs Jean Yates who had registered to speak on this item in accordance with the City Council's agreed procedure and Cabinet Procedure Rule 2.7, spoke on behalf of the Heysham Mossgate (Communities Facilities) Company Ltd).

Having addressed the meeting and having answered a number of questions from

Cabinet Members Mrs Yates left the meeting at this point.

It was moved by Councillor Smith and seconded by Councillor Bryning:-

“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 paragraph 3 of Schedule 12A of that Act.”

Members then voted as follows:-

6 Members (Councillors Barry, Blamire, Bryning, Hanson, Sands and Smith) voted in favour and 1 Member (Councillor Hamilton-Cox) voted against).

Resolved:

- (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 paragraph 3 of Schedule 12A of that Act.

Cabinet received a report from the Chief Executive which was exempt from publication by virtue of paragraph 3, of Schedule 12a of the Local government Act 1972.

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

Councillor Barry proposed, seconded by Councillor Hanson:-

- “(1) That Heysham Mossgate (Communities Facilities) Company Ltd be encouraged to apply for Second Homes Funding, be requested to provide a copy of their business plan to the City Council and that any funding from the City Council be considered as part of the budget process for 2013/14.”

Councillors then voted:-

Resolved unanimously:

That Heysham Mossgate (Communities Facilities) Company Ltd be encouraged to apply for Second Homes Funding, be requested to provide a copy of their business plan to the City Council and that any funding from the City Council be considered as part of the budget process for 2013/14.

Officers responsible for effecting the decision:

Chief Executive
Head of Financial Services (Resources)

Reasons for making the decision:

Cabinet was mindful that the Council’s own capital programme in the current year was presently on hold, pending receiving sufficient capital receipts and therefore supporting

the request as set out in the exempt report would add to those difficulties. In addition the request fell outside of the budget framework/ medium term financial strategy. The decision enables the request to be considered as part of the budget process for 2013/14.

The press and public were re-admitted to the meeting at this point.

20 PREPARATION OF A NEW 'LOCAL PLAN' FOR LANCASTER DISTRICT

(Cabinet Member with Special Responsibility Councillor Hanson)

Cabinet received a report from the Head of Regeneration and Planning to provide members with the opportunity to review and endorse the emerging Draft Local Plan for Lancaster District; comprising the Development Management Development Plan Document (DPD), Land Allocations DPD, and, Morecambe Area Action Plan (MAAP). The report highlighted the key issues which arose from these documents, and advised on how the documents would be progressed as elements of Draft Local Plan for Lancaster District.

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

	Option 1: Endorse the content and the steps proposed for the continued preparation of the Draft Local Plan Documents	Option 2: Delay the endorsement and the next steps proposed for the continued preparation of the Draft Local Plan Documents whilst awaiting the outcome of other ongoing studies and resolutions to outstanding planning issues before progressing with a local plan
Advantages	The NPPF encourages local authorities to advance preparation of Local Plans in accordance with the principles established within the NPPF. The NPPF advises that plans may need to be revised to take into account the policies in the framework. This should be progressed as quickly as possible, either through a partial review or preparing a new Local Plan. For a period of 12 months, which commenced in March 2012 decision makers may continue to give full weight to plans adopted since 2004, there after due weight will be given to existing plans in accordance to their degree of consistency with the NPPF; thus in order to exert local influence	Delay means that more time is available to further investigate detailed solutions to issues such as traffic management before identifying sites in the plan. The ability to describe such solutions would mean that it would be easier to justify the plan's proposals, particularly in south Lancaster, to a potentially sceptical and unsupportive local community.

	<p>upon planning decisions the Council is advised to make speedy progress on preparing its own Local Plan. Publishing a draft Local Plan Document will be an important step in identifying solutions to meeting the district's development needs over the next 15 years. Publishing the detailed documents in support of the spatial principles established in the Core Strategy means that the Council will be in stronger position to influence how and where growth occurs in the district and can secure better outcomes from the implementation of development proposals.</p>	
Disadvantages	<p>Identifying the sites which the Council wishes to direct development to may trigger planning applications in relation to both the sites which are identified and the sites which are not identified.</p>	<p>Greater delay will mean that there is a longer period when an up-to-date Local Plan is not in place, thus the Council will find it increasingly difficult to defend its planning decisions. Delay also means that the local evidence base and the large range of studies which support the current draft policies will become out of date and would need to be undertaken again: this may include retailing studies, flood risk studies; housing needs, affordable housing viability studies, development viability appraisals, and open space & recreation studies. This would involve significant time, additional costs and the use of staff limited resources to re-establish an up-to-date evidence base position.</p>
Risks	<p>The proposed approach, which suggests that sites are identified through this preferred options stage when investigative work has still to be undertaken, may encourage planning applications before satisfactory solutions are identified to development implications, particularly traffic management in south</p>	<p>Delay means the Council is exposed to a longer period at of risk when it is exposed to having to determine planning proposals without up to date policies in place, this increases the prospects of loss at appeal and hence development which may not best accord with the community's aspirations.</p>

	<p>Lancaster. Planning Applications may therefore be submitted in advance of a decision on implementing CIL. The proposed approach suggests meeting a reduced housing requirement on the basis of assumptions about realistic levels of delivery. This may risk the Land Allocations Plan being found unsound on the basis that it does not provide sufficient opportunity for housing development to meet the locally evidenced requirement. This would delay the overall process of identifying sites and lead to a longer period when a local plan is in place.</p>	
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Option 1 was the officer preferred option. Advancing preparation of a Local Plan document for the district would ensure that an up to date planning framework for the district was in place. This was consistent with the Governments requirements to ensure up to date planning policies are in place taking into account the requirements of the newly published NPPF. Publishing the detailed documents in support of the spatial principles established in the Core Strategy meant that the Council would be in a stronger position to influence how and where growth occurs in the district and would ensure that the Council can secure better outcomes from the implementation of development proposals.

Advanced drafts of the Development Management DPD and Land Allocations DPD were appended to the report. A draft Area Action Plan document would follow shortly. Cabinet Members were advised that as work was ongoing there might be revisions to the documents presented to Council on 18 July. Following presentation of the completed Drafts to Council further work would be undertaken to prepare publishable editions of the Draft Local Plan documents; including updates and corrections, the introduction of additional photographs, illustrative plans, and captions.

Cabinet Members were formally requested to endorse the approach being taken in preparation of these documents in advance of full council on the 18th July.

Councillor Hanson proposed, seconded by Councillor Blamire:-

- (1) "That Cabinet formally endorse the approach being taken in preparing a draft Local Plan for Lancaster District."

Councillors then voted:-

(6 Members (Councillors Blamire, Bryning, Hamilton-Cox, Hanson, Sands and Smith) voted in favour, and 1 Member (Councillor Barry) abstained.)

Resolved:

- (1) That Cabinet formally endorse the approach being taken in preparing a draft Local Plan for Lancaster District.

Officers responsible for effecting the decision:

Head of Regeneration and Planning

Reasons for making the decision:

Preparation of the Land Allocations document, Development Management document and Area Action Plan for Central Morecambe will provide the detailed planning policies for the district implementing the strategic policies of the Core Strategy. Together these will provide the local planning policy framework for determining planning applications and directing development proposals and investment in the district for the next fifteen years.

21 QUARTER 4 CORPORATE PERFORMANCE MONITORING REPORT**(Cabinet Member with Special Responsibility Councillor Blamire)**

Cabinet received a joint report from the Leader of the Council and Cabinet Member with Special Responsibility for Finance in respect of the 4th Quarter of the Performance Review Team Cycle for 2012.

The report was for noting and comment.

Councillor Bryning proposed, seconded by Councillor Blamire:-

“That the report be noted.”

Councillors then voted:-

Resolved unanimously:

- (1) That the report be noted.

Officers responsible for effecting the decision:

Head of Community Engagement

Reasons for making the decision:

The Council's Performance Management Framework requires the regular reporting of operational and financial performance to Cabinet as part of the Performance Review Team cycle of meetings. The Corporate PRT report provides a summary of key issues and associated actions that have arisen in the quarter and have been escalated to the Leader of the Council for attention.

22 PROVISIONAL REVENUE & CAPITAL OUTTURN 2011/12**(Cabinet Member with Special Responsibility Councillor Bryning)**

Cabinet received a report from the Head of Financial Services (Resources) which provided summary information regarding the provisional outturn for 2011/12. It set out information regarding the carry forward of underspent/overspent revenue budgets and capital slippage for Members' consideration. It also incorporated the treasury management outturn report and sought approval of various Prudential Indicators for last year for referral on to Council.

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

The City Council had a legal requirement to ensure that its expenditure was fully funded and to produce a Statement of Accounts in accordance with proper accounting practice. In addition, the Prudential Indicators were a statutory requirement linked to the budgetary framework and therefore there were no alternative options for Cabinet to consider. Members were asked to endorse certain actions taken by the Head of Financial Services (Resources), however Cabinet needed to consider whether it had sufficient information to do so or whether it required any further justification. With regard to reserves contributions, there would be opportunities for these to be amended during the current financial year, as part of the usual arrangements.

The report requested Cabinet to consider a number of revenue budget carry forward matters and capital slippage. The framework for considering these was set out in the report but basically Cabinet may:

- Approve any number of the items / requests, in full or part.
- Refuse any number of the requests and if commitments have already been incurred, require alternative funding options to be identified. Cabinet should note, however, that this may impact on other areas of service delivery.
- Request further information regarding them, if appropriate. Cabinet is asked to bear in mind any work required against the value of the individual bids.

Officer recommendations regarding any carry forward of overspendings were set out in Appendix F, as attached to the report. Where there were alternative options for other aspects of the outturn, in view of the comments made above there were no specific officer preferred options put forward.

As at 31 March the Council had improved its financial standing overall by generating net efficiency savings and through other underspendings. Balances were again higher than forecast and this gave the Council some flexibility and comfort for addressing future challenges. Efforts to draw out ongoing efficiencies and other budget savings should be taken wherever possible, to improve value for money as well as financial planning.

Cabinet then voted individually on each of the recommendations, as set out in the report and made a further recommendation regarding possible use of part of the underspends. Members voted unanimously on all of the recommendations.

Councillor Bryning proposed, seconded by Councillor Smith:-

- “(1) That the provisional outturn for 2011/12 be noted, including the transfers to provisions and reserves actioned by the Head of Financial Services (Resources) as set out in section 4.2 of the report.”

Councillor Bryning proposed, seconded by Councillor Blamire:

- “(2) That Cabinet approves the recommendations regarding carry forward of overspendings as set out at Appendix F of the report.”
- “(3) That Cabinet approves the requests to carry forward underspent revenue budgets as set out in Appendix G of the report with the exception of request 13 - Williamsons Park – Improved Visitor Attractions.”
- “(4) That Cabinet approves the requests for capital slippage as set out at Appendix J of the report.”
- “(5) That the Annual Treasury Management report as set out at Appendix K of the report be noted and referred on to Council.”
- “(6) That the Prudential Indicators as at 31 March 2012 as set out at Appendix L of the report be approved for referral on to Council.”

Councillor Hanson proposed, seconded by Councillor Blamire:

- “(7) That the possibility of utilising part of the underspends as matchfunding towards the Empty Homes Grant together with other sources of funding be included in the Housing Regeneration report scheduled for September’s Cabinet, feeding into the subsequent MTFS report .”

Resolved unanimously:

- (1) That the provisional outturn for 2011/12 be noted, including the transfers to provisions and reserves actioned by the Head of Financial Services (Resources) as set out in section 4.2 of the report.
- (2) That Cabinet approves the recommendations regarding carry forward of overspendings as set out at Appendix F of the report.
- (3) That Cabinet approves the requests to carry forward underspent revenue budgets as set out in Appendix G of the report with the exception of request 13 - Williamsons Park – Improved Visitor Attractions.
- (4) That Cabinet approves the requests for capital slippage as set out at Appendix J of the report.
- (5) That the Annual Treasury Management report as set out at Appendix K of the report be noted and referred on to Council.
- (6) That the Prudential Indicators as at 31 March 2012 as set out at Appendix L of the report be approved for referral on to Council.
- (7) That the possibility of utilising part of the underspends as matchfunding towards

the Empty Homes Grant together with other sources of funding be included in the Housing Regeneration report scheduled for September's Cabinet, feeding into the subsequent MTFS report.

Officers responsible for effecting the decision:

Head of Financial Services (Resources)

Reasons for making the decision:

The City Council has a legal requirement to ensure that its expenditure is fully funded and to produce a Statement of Accounts in accordance with proper accounting practice. In addition, the Prudential Indicators are a statutory requirement linked to the budgetary framework. The decision enables Members to endorse certain actions taken by the Head of Financial Services (Resources), and with regard to reserves contributions, there will be opportunities for these to be amended during the current financial year, as part of the usual arrangements.

23 SENIOR MANAGEMENT CAPACITY

(Cabinet Member with Special Responsibility Councillor Blamire)

Cabinet received a report from the Chief Executive to ask Cabinet to consider the capacity of the City Council's senior management.

At its meeting on the 14 February 2012, Cabinet approved a revised Senior Management Structure which was implemented immediately with the exception of filling the Property, Partnerships and Performance post as Cabinet requested further consideration be given to the capacity of senior management across the Council.

Number of Chief Officers based on the future needs of the Council

The current numbers at chief officer level was considered to be sufficient to deliver the Corporate Plan Priorities and actions. A more appropriate Senior Management Structure was to dispense with the new chief officer post, and create additional capacity below chief officer level, to ensure the structure was capable of delivering the Council's priorities in an efficient and effective manner as per Appendix A to the report.

With effect from the 18 June 2012, the connection into the Chief Officer structure of the shared property functions had been placed with the Head of Financial Services, with the exception of Parking Administration, Markets and CCTV, which had been placed with the Head of Environmental Services. As Information Services was also a function within Financial Services, the service had been renamed "Resources" to better identify with the range of functions undertaken within it. The post of Head of Financial Services had therefore, become 'Head of Resources'. It was also considered that re-titling 'Regeneration and Policy' to 'Regeneration and Planning' was more meaningful.

Capacity at Senior Management level

Following consideration, a particular need had been identified in the Regeneration and Planning Service. A more detailed report in respect of this would be considered later on the Agenda (Minute 25 refers).

Councillor Hanson proposed, seconded by Councillor Smith:-

“That the report be noted.”

Councillors then voted:-

Resolved unanimously:

- (1) That the report be noted.

Officers responsible for effecting the decision:

Chief Executive

Reasons for making the decision:

The report was for noting and clarified issues regarding senior management capacity raised at the Cabinet meeting on 14th February 2012.

24 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 Hanson and seconded by Councillor Bryning:-

“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 or 3 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 or 3 of Schedule 12A of that Act.

25 REINFORCING SENIOR MANAGEMENT CAPACITY IN THE REGENERATION AND PLANNING SERVICE

(Cabinet Member with Special Responsibility Councillor Hanson)

Cabinet received a report from the Head of Regeneration and Planning to respond to Cabinet’s request that senior management capacity in the Regeneration and Planning Service be reinforced following the disestablishment of the post of Deputy Chief Executive. The report was exempt from publication by virtue of paragraphs 1 and 2 of Schedule 12A of the Local Government Act 1972.

The options, options analysis, including risk assessment and officer preferred option, were set out in the exempt report.

Councillor Hanson proposed, seconded by Councillor Bryning:-

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

Councillors then voted:-

(6 Members (Councillors Barry, Blamire, Bryning, Hanson, Sands and Smith) voted in favour, and 1 Member (Councillor Hamilton-Cox) abstained.)

Resolved:

- (1) That Cabinet agrees to fund the creation of a new post of Senior Planning Officer graded at SCP36-41 (Grade 6) from savings made through the deletion of the Deputy Chief Executive post, with the General Fund Revenue Budget being updated accordingly.
- (2) That Cabinet agrees to review funding for any ongoing need for the temporary post referred to in the exempt report.

Officers responsible for effecting the decision:

Head of Regeneration & Planning
Head of Financial Services (Resources)

Reasons for making the decision:

The Corporate Plan includes economic growth, support for the Energy Coast and major infrastructure projects, housing regeneration and developing the visitor economy as its priorities. The decision will enable senior management capacity in the Regeneration and Planning Service to be reinforced following the disestablishment of the post of Deputy Chief Executive. Cabinet were satisfied that the proposals represented sound use of some of the budgetary savings arising from the latest changes to senior management structure and the proposals fit with the approved Medium Term Financial Strategy (MTFS).

At this point Councillor Bryning declared a personal and prejudicial interest in the following item in view of him being the Council's representative to the Storey Centre for Creative Industries outside body. Councillor Bryning left the meeting at this point, did not take part in the discussions and did not vote on this item.

26 STOREY CREATIVE INDUSTRIES CENTRE

(Cabinet Member with Special Responsibility Councillor Hanson)

Cabinet received a report from the Chief Executive to provide an update on the Storey Creative Industries Centre (SCIC) Ltd's current financial position and to determine the way forward regarding the Council's involvement in the Centre. An exempt version of the report that included commercially sensitive information had been produced to support Cabinet's decision-making.

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

OPTIONS FOR THE WAY FORWARD

The way forward therefore depended on whether the Council wished to provide a creative industries centre or whether it wished to pursue an alternative future for the building.

In terms of the Council's Corporate Plan, there was nothing specific regarding the continuation of a creative industries centre although having a successful operation could contribute to:

- maximising the district's cultural offer
- increasing participation in arts, culture and entertainment events.

The Council has committed to working with the Duchy to consider options for the long term use of Lancaster Castle. The Storey building occupies a prominent position and in future there may be other potential avenues to be explored regarding its use.

The Council still had service level agreements in place with Litfest and the Storey Gallery but these placed no obligations on the Council in connection with the Storey building itself.

Options for consideration were as follows:

Option1

Withdraw support for the Storey being used as a creative industries centre, and request a report back on all future options for the building.

Advantages	Disadvantages	Risks
<p>Avoids the need to set up management arrangements and other work involved, as well as the risks attached in taking on the running of the facility.</p> <p>Allows consideration and development of alternative uses for the building in future. Such options and any opportunities may be influenced by the future plans for Lancaster Castle.</p>	<p>Loss of creative industries centre and any spin off benefits for the local economy or community.</p> <p>Major disruptions for existing tenants, including VIC potentially.</p> <p>Likely short to medium term operational implications and difficulties subject to reaction of current tenancy base, until such time the council is able to gain vacant possession.</p> <p>No clear alternative use of building at present. It would be empty (or virtually</p>	<p>At a strategic level, there is a risk that an acceptable future alternative use (or disposal) of the building could not be identified or secured and this would exacerbate the various substantial financial, reputational and operational risks that exist whichever option is chosen.</p>

	so) for a period at least. Involves formal legal action, which could be protracted and would tie up staff resources, as would development of alternatives for the building. This would have adverse impact on other workloads and priorities.	
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Option 2

Continue to support the Storey being used as a creative industries centre but under the Council's direct management and control, authorising the Chief Executive to take actions as necessary, prior to reporting back to Cabinet.

Advantages	Disadvantages	Risks
<p>Would allow creative industries centre to continue, with spin off economic and community benefits.</p> <p>Allows tenants to remain (subject to satisfactory lease terms being in force).</p> <p>Secures a medium term use for the building but still provides opportunity for review, in due course.</p>	<p>Major work and risks involved in setting up management arrangements and in taking on the running of the facility – this should not be underestimated and it would have an adverse impact on other tasks and council priorities.</p>	<p>Greater exposure in terms of managing the property, HR and financial risks attached to taking on the running of the facility.</p> <p>Stakeholder relationships may break down, particularly with the Company and with staff / tenants; this aspect may have greater adverse reputational impact on the Council.</p> <p>Still the risk that the operation proves financially unviable.</p>

On the basis that the Council still wished to provide a base for creative industries and accepted the risks attached, Option 2 was the preferred officer option.

Councillor Blamire proposed, seconded by Councillor Hanson:-

- “(1) That Cabinet notes that SCIC Ltd is in default of the loan agreement with the City Council and further notes the actions taken in view of that default.”
- “(2) That Cabinet notes the statement put forward by the SCIC Board.”
- “(3) That Option 2 be approved as the preferred way forward for the Storey building.”
- “(4) That any actions necessary to progress the preferred way forward, within the financial framework as set out, be delegated to the Chief Executive and the Chief Executive be requested to report back on actions taken and the details of proposed future arrangements for consideration by Cabinet.”

- “(5) That the Chairman of Overview and Scrutiny Committee be consulted with regard to waiving call-in.”

Councillors then voted:-

Resolved unanimously:

- (1) That Cabinet notes that SCIC Ltd is in default of the loan agreement with the City Council and further notes the actions taken in view of that default.
- (2) That Cabinet notes the statement put forward by the SCIC Board.
- (3) That Option 2 be approved as the preferred way forward for the Storey building.
- (4) That any actions necessary to progress the preferred way forward, within the financial framework as set out, be delegated to the Chief Executive and the Chief Executive be requested to report back on actions taken and the details of proposed future arrangements for consideration by Cabinet.
- (5) That the Chairman of Overview and Scrutiny Committee be consulted with regard to waiving call-in.

Officers responsible for effecting the decision:

Chief Executive
Head of Financial Services (Resources)

Reasons for making the decision:

The current set up for managing the Storey had clearly failed, exposing the Council to financial and other risks, and requiring significant staff time to help manage the current position. The company had accepted that it was in financial crisis and could not continue to operate as before; it now sought support in some form from the City Council, as landlord.

Chairman

(The meeting ended at 12.35 p.m.)

**Any queries regarding these Minutes, please contact
Liz Bateson, Democratic Services - telephone (01524) 582047, or alternatively email
ebateson@lancaster.gov.uk**

MINUTES PUBLISHED ON FRIDAY 6 JULY, 2012.

**EFFECTIVE DATE FOR IMPLEMENTING THE DECISIONS CONTAINED IN THESE MINUTES:
MONDAY 16 JULY, 2012.**

CABINET

9.00 P.M.

17TH JULY 2012

PRESENT:- Councillors Eileen Blamire (Chairman), Janice Hanson (Vice-Chairman), Jon Barry, Tim Hamilton-Cox, Karen Leytham, Ron Sands and David Smith

Apologies for Absence:-

Councillor Abbott Bryning (In view of a previous declaration of a personal and prejudicial interest, minute 26 refers).

Officers in attendance:-

Mark Cullinan	Chief Executive
Nadine Muschamp	Head of Resources and Section 151 Officer
Sarah Taylor	Head of Governance and Monitoring Officer
Alan Humphreys	Legal Services Manager
Stephen Metcalfe	Principal Democratic Support Officer, Democratic Services

27 ITEMS OF URGENT BUSINESS AUTHORISED BY THE LEADER

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

28 DECLARATIONS OF INTEREST

No declarations were made at this point.

29 CALL-IN DECISION - STOREY CREATIVE INDUSTRIES CENTRE

(Cabinet Member with Special Responsibility Councillor Hanson)

A referral from the Overview and Scrutiny Committee was considered by Cabinet following the Overview and Scrutiny call-in meeting held prior to Cabinet in relation to the Storey Creative Industries Centre (SCIC).

The recommendations were: -

Cabinet is urged to approve the following 2 points as new recommendations in place of its decision on 3rd July 2012.

1. Council continues to support the vision for the Storey Creative Industries Centre.
2. Council consider removing restrictions on the nature of business carried out by those taking tenancies within the building so as to increase the potential for full occupation of the lettable space in the building.

Cabinet also considered a statement from the Board of Storey Creative Industries Centre Limited, dated the 16th July 2012, together with a covering email from the Chairman of the Board, and an officer briefing note. Cabinet was advised that, as indicated in the briefing note, and because of events that had unfolded over the past two

weeks, option 2 as set out in the Cabinet report of the 3rd July, was now more difficult to achieve and had greater risks and costs than was the case two weeks ago. It was now reasonable to assume that the costs could not be managed within existing budgets, and Council approval would therefore be required for option 2.

The available options were to do nothing (option 1), which would not require any actual decision, or to proceed with option 2, which would now require Council approval.

It was moved by Councillor Karen Leytham and seconded by Councillor David Smith:-

“That the Chief Executive be asked to request the Mayor to allow the matter to be considered as an item of urgent business at the meeting of Council to be held on 18th July 2012.”

Members then voted as follows.

Resolved: -

(6 Members voted in favour (Councillors Eileen Blamire, Janice Hanson, Tim Hamilton-Cox, Karen Leytham, Ron Sands and David Smith) and 1 Member voted against (Councillor Barry).

That the Chief Executive be asked to request the Mayor to allow the matter to be considered as an item of urgent business at the meeting of Council to be held on 18th July 2012.

Officers responsible for effecting the decision:

Chief Executive.
Head of Financial Services (Resources).

Reasons for making the decision:

On the basis that the available options were to do nothing (option 1), which would not require any actual decision, or to proceed with option 2, which would require Council approval, and because of the urgency of the matter, Cabinet resolved to ask the Chief Executive to request the Mayor to allow the matter to be considered as an item of urgent business at the meeting of Council to be held on 18th July 2012. This would enable Council to proceed with Option 2 should it be so minded.

Chairman

(The meeting ended at 9.30 p.m.)

**Any queries regarding these Minutes, please contact
Stephen Metcalfe, Democratic Services - telephone (01524) 582073, or email
sjmetcalfe@lancaster.gov.uk**

MINUTES PUBLISHED ON FRIDAY, 20th JULY, 2012.

**EFFECTIVE DATE FOR IMPLEMENTING THE DECISIONS CONTAINED IN THESE MINUTES:
IMMEDIATE IMPLEMENTATION.**

CABINET

10.00 A.M.

24TH JULY 2012

PRESENT:- Councillors Eileen Blamire (Chairman), Jon Barry, Abbott Bryning, Tim Hamilton-Cox, Karen Leytham, Ron Sands and David Smith

Apologies for Absence:-

Councillor Janice Hanson (Vice-Chairman)

Officers in attendance:-

Mark Cullinan	Chief Executive
Nadine Muschamp	Head of Resources and Section 151 Officer
Mark Davies	Head of Environmental Services (Minutes 35 & 37)
Richard Tulej	Head of Community Engagement (Minute 35)
Andrew Dobson	Head of Regeneration & Planning (Minutes 38 & 39)
Nick Howard	Environmental Protection Manager (Minute 34)
Susan Clowes	Senior Environmental Health Officer (Minute 34)
Paul Broadley	Senior Regeneration Officer (Minute 38)
Paul Rogers	Senior Regeneration Officer (Minute 39)
Liz Bateson	Principal Democratic Support Officer

30 MINUTES

The minutes of the meeting held on Tuesday 3 July 2012 were approved as a correct record.

31 ITEMS OF URGENT BUSINESS AUTHORISED BY THE LEADER

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

32 DECLARATIONS OF INTEREST

No declarations were made at this point.

33 PUBLIC SPEAKING

Members were advised that there had been a request to speak at the meeting from a member of the public in accordance with Cabinet's agreed procedure, as set out in Cabinet Procedure Rule 2.7, with regard to Adoption of Dog Control Orders (Minute 34 refers).

34 ADOPTION OF DOG CONTROL ORDERS

(Cabinet Member with Special Responsibility Councillor Leytham)

Mr Adam Hanlon who had registered to speak in accordance with the City Council's agreed procedure and Cabinet Procedure Rule 2.7 addressed the meeting on this item and responded to questions raised by Cabinet Members.

Cabinet received a report from the Head of Health & Housing to seek approval to make Dog Control Orders.

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

Three straightforward options reflecting responses received during public consultation were presented in the table below. Officers advised against Option 3. Members might make DCOs on any other basis than the recommendations contained in the report. However there might be complications and it would be necessary to address legal, financial and practical implications before finalising any DCO formulated differently than either Option 1 or 2.

	Option 1: Adopt the DCOs as proposed in the consultation document, including amendments so that the Dogs on Leads DCO does not apply to cycle ways or to quiet rural lanes with speed limits of 40mph or higher	Option 2: Adopting the DCOs as originally proposed, retaining control under the Dogs on Leads DCO for cycle ways and all highways	Option 3: Do not adopt the DCOs
Advantages	<ul style="list-style-type: none"> • Reflects the majority of representations made during the public consultation. • Enables less able-bodied people to continue to exercise dogs off leads on the flat hard surfaces of 'cycle ways'. • More consistent and less confusing enforcement. • More rapid, effective and efficient enforcement using Fixed Penalty Notices, compared to the majority current method of prosecuting through the court system. • Supportive of Dogs on Leads under Direction DCO in areas not included in a Dogs on 	<ul style="list-style-type: none"> • More consistent and less confusing enforcement. • More rapid, effective and efficient enforcement using Fixed Penalty Notices, compared to the majority current method of prosecuting through the court system. • Supportive of Dogs on Leads under Direction DCO in areas not included in a Dogs on Leads DCO. 	<ul style="list-style-type: none"> • Saving on staff time to implement new Dog Control Orders, and advertising or signage costs.

	Leads DCO.		
Disadvantages	<ul style="list-style-type: none"> None identified 	<ul style="list-style-type: none"> Unpopularity within local communities of applying Dogs on Leads DCO to cycle ways and roads with a speed limit over 40mph. Reduced availability of off-lead dog exercise areas, particularly in areas where there are few alternatives. Need for additional enforcement compared to Option 1. 	<ul style="list-style-type: none"> Continuation of the current enforcement system which is inconsistent and confusing for the public. Unnecessary expense and complications in having to prosecute for offences instead of applying fixed penalty notices available under option 1 or 2, leading to delays and lower efficiency and cost-effectiveness. The extent of land within the district on which regulatory dog controls apply would remain limited.
Risks	<ul style="list-style-type: none"> The decision concerning Dogs on Leads would not reflect the views of a minority of consultees 	<ul style="list-style-type: none"> The decision to go against the majority opinion of consultees could lead to some public dissatisfaction. 	<ul style="list-style-type: none"> The decision not to introduce available dog-related regulatory measures for public protection would lead to criticism, particularly given the strength of public feeling about aspects of irresponsible dog ownership

Option 1 to adopt the DCOs as proposed in the consultation document, with the exception that the Dogs on Leads DCO does not apply to cycle ways or to quiet rural lanes with a 40mph speed limit or higher was the officer preferred option. This option addressed the need for public protection, supported future enforcement and most closely reflected the majority of public comment arising from the consultation.

Councillor Leytham proposed, seconded by Councillor Barry-

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

Councillors then voted:-

Resolved unanimously:

- (1) That four Dog Control Orders be made, to include provisions as set out in the report attached to the agenda.
- (2) That the Leader, in accordance with Rule 1.4 of the Cabinet Procedure Rules amends the Officer Scheme of Delegation, (which forms part of the executive arrangements), to delegate to the Head of Health and Housing authority to designate in writing authorised officers for the purposes of Part 6 of the Clean Neighbourhoods and Environment Act 2005.

Officers responsible for effecting the decision:

Head of Health & Housing

Reasons for making the decision:

Dog Control Orders were an important component of maintaining the statutory minimum level of dog-related enforcement in future. Adoption of the proposed DCOs as revised would lead to more effective dog control and enforcement in the district. The purpose of the public consultation had been to bring proposals to the attention of local communities and to consider all representations made. This particular consultation resulted in a high volume of responses, particularly relating to cycleway proposals, and the proposals had been amended to take public opinion into account.

35 WASTE/ RECYCLING COLLECTION- UPDATED POLICIES FOR HOUSEHOLDERS
(Pages 1 - 6)

(Cabinet Member with Special Responsibility Councillor Smith)

Cabinet received a report from the Head of Environmental Services to seek approval for a set of updated policies for household waste collection / recycling.

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

	Option 1: To adopt the set of policies outlines	Option 2: To adopt only parts of the policies outlined	Option 3: Not to adopt the policy outlined
Advantages	<p>Clear guidelines for officers to work to.</p> <p>Consistent service to householders.</p> <p>Encourages householders to maximise recycling.</p>	<p>Clear guidelines for officers and consistent service to householders where parts of the draft Policy have been adopted.</p>	

	<p>Achieve the success measures set out in the corporate priority Clean, Green & Safe Places.</p> <p>Continue to deliver the objectives of the Lancashire Waste Strategy 2008-2020</p> <p>Supports the control measures for monitoring costs of replacing wheeled bins and recycling boxes .</p> <p>Can be delivered within existing budgets.</p> <p>Tried and tested and adapted to local needs.</p>		
Disadvantages		<p>Lack of clarity and consistency, where parts of the draft Policy have not been adopted.</p> <p>Potential of not achieving all the objectives of Clean, Green & Safe Places.</p> <p>May not be possible to deliver within existing budgets.</p> <p>Not tried and tested</p>	<p>No clear guidelines for officers to work to.</p> <p>No consistency in service to householders.</p> <p>No restraint to grey bin capacity to householders.</p>
Risks	<p>Dissatisfaction of some householders that the quality of the service falls below their level of expectation</p>		<p>Dissatisfaction of some householders at perceived differences in level of service</p> <p>The potential to</p>

			lead to continued budget requests, through the budget process, if requests for replacements continue to rise.
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Option 1 – to formally agree the tried and tested set of policies as set out above was the officer preferred option. The adoption of these would provide clear and consistent guidelines for both officers and householders, encourage householders to maximise recycling and make the most efficient use of limited Council resources.

Councillor Smith proposed, seconded by Councillor Hamilton-Cox:

“(1) That Cabinet approves the waste / recycling collection updated policies for householders as appended to the minutes.”

Councillors then voted:-

Resolved unanimously:

(1) That Cabinet approves the waste / recycling collection updated policies for householders as appended to the minutes.

Officers responsible for effecting the decision:

Head of Environmental Services

Reasons for making the decision:

The decision will enable the waste/recycling collection policies, which have been designed to take account of the diverse needs of the residents of the district, to be applied consistently throughout the district. The policies have evolved over a long period of time and have been reviewed and updated to take into account feedback from residents, elected members, staff and best practice from other areas.

36 SECOND HOMES FUNDING 2012-13

(Cabinet Member with Special Responsibility Councillor Blamire)

Cabinet received a report from the Head of Community Engagement to consider and confirm arrangements for application and decision making processes for Second Homes Funding for 2012 – 2013.

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

	Advantages	Disadvantages	Risks
<p>Option 1</p> <p>A two fold process to include smaller and larger grants with indicative allocations</p>	<p>Flexible approach that allows funds to be steered towards projects of all sizes</p> <p>Inclusive and accessible for organisations of all sizes and varying capacity</p> <p>Allows investment in both larger, collaborative initiatives with longer term benefits and also specific initiatives assisting individual organisations and the services they deliver</p> <p>Likely to promote good value for money by encouraging applications for funding at levels appropriate to the size and scope of the project</p>	<p>Range of proposals likely to be broader making decision making processes more complex</p>	<p>Categories will need to be treated separately to ensure fair consideration of bids</p>
<p>Option 2</p> <p>All grants limited to £10,000, or agreed alternative ceiling, to support individual bids to support development and sustainability</p>	<p>Easier to access for all eligible organisations</p> <p>Possible to approve more individual applications</p>	<p>Larger initiatives creating higher, longer term benefits would not be eligible.</p> <p>No scope to underpin support structures which are required by many organisations</p> <p>Lost chance to increase sustainability, develop sector wide opportunities and achieve efficiencies in relation to VCF and Arts organisations for the future</p> <p>Administrative costs likely to increase</p>	<p>None specifically noted</p>
<p>Option 3</p>	<p>All funds focused on larger initiatives with</p>	<p>Likely to exclude smaller</p>	<p>None specifically noted</p>

All grants limited to £50,000 or agreed alternative ceiling, to support larger collaborative bids to create longer term sustainable benefits across organisations	wider and longer term benefits	organisations Likely to preclude specific, smaller scale but useful initiatives	
Option 4 Carnforth Local Information Centre is funded, at this stage, within Options 1 and 2	This would provide the funding to allow the Information Centre to continue for a further two years	No means of assessing the proposal against scheme criteria No current arrangements in place to assist other organisations facing immediate difficulty.	No clear business plan has been submitted and assessed so no way to ascertain whether the Information Centre will be able to operate at a sustainable level after funding has ceased

The officer preferred option was Option 1. This approach was accessible to more potential applicants and encouraged a broader range of proposals. Any additional complexity arising from this was likely to be very manageable within the processes proposed.

Cabinet members views were sought on Option 4, which could be considered alongside the funding arrangements described in Option 1 or 2.

Councillor Barry proposed, seconded by Councillor Blamire:-

- “(1) Cabinet approves the proposed arrangements to allocate £294,808 of Second Homes Funding through an open bidding process to Voluntary, Community, Faith and Arts organisations including Friends Groups.
- (2) That the fund is promoted as the *Take Pride* Community Fund.
- (3) That an advisory panel is established to consider funding applications, recommend allocations and oversee progress with final funding allocations being determined by Cabinet.
- (4) That Cabinet appoints Councillors Barry and Blamire as the relevant city council portfolio holders to act as members of the advisory panel and requests that Lancashire County Council nominate the relevant county council portfolio holder to the advisory panel.
- (5) That applications are now invited for investment grants leading to development of the Voluntary, Community and Faith sector and the Arts sector in line with the options agreed by Cabinet in May 2012 (Minute 8 refers).
- (6) That the specific request for funding support from Carnforth Local Information Centre is not approved at this time, but Cabinet invites the Carnforth Local information Centre to bid for the investment grants through the bidding process.

- (7) That the remaining £13,847 of unallocated Second Homes funding from 2011 – 2012 is used to provide the necessary administration resources to ensure the funds are managed and monitored in line with the council's role as accountable body and county council requirements."

Councillors then voted:-

Resolved:

(6 Members (Councillors Barry, Blamire, Bryning, Leytham, Sands and Smith) voted in favour, and 1 Member (Councillor Hamilton-Cox) abstained.)

- (1) Cabinet approves the proposed arrangements to allocate £294,808 of Second Homes Funding through an open bidding process to Voluntary, Community, Faith and Arts organisations including Friends Groups.
- (2) That the fund is promoted as the *Take Pride* Community Fund.
- (3) That an advisory panel is established to consider funding applications, recommend allocations and oversee progress with final funding allocations being determined by Cabinet.
- (4) That Cabinet appoints Councillors Barry and Blamire as the relevant city council portfolio holders to act as members of the advisory panel and requests that Lancashire County Council nominate the relevant county council portfolio holder to the advisory panel.
- (5) That applications are now invited for investment grants leading to development of the Voluntary, Community and Faith sector and the Arts sector in line with the options agreed by Cabinet in May 2012 (Minute 8 refers).
- (6) That the specific request for funding support from Carnforth Local Information Centre is not approved at this time, but Cabinet invites the Carnforth Local information Centre to bid for the investment grants through the bidding process.
- (7) That the remaining £13,847 of unallocated Second Homes funding from 2011 – 2012 is used to provide the necessary administration resources to ensure the funds are managed and monitored in line with the council's role as accountable body and county council requirements.

Officers responsible for effecting the decision:

Head of Community Engagement

Reasons for making the decision:

Requirements for the use of the available Second Homes funding were entirely consistent with the Priorities, Outcomes, Success Measures and Actions identified in the Council's Corporate Plan 2012 – 15. The VCF and Arts sectors were important to the local economy and also in terms of the valuable services they deliver. However, both sectors were affected by the impact of funding cuts and other economic factors. The funding available provided an invaluable opportunity to generate new ideas, promote cooperation and deliver benefits for the district. Key themes of the proposed bidding

arrangements were longer term sustainability and building on collaboration, to create the resilience needed for the future so that services and benefits for the district were protected.

37 ACCEPTANCE OF EXTERNAL FUNDING FOR LANCASTER DISTRICT CSP

(Cabinet Member with Special Responsibility Councillor Smith)

Cabinet received a report from the Head of Environmental Services to agree to the acceptance of external funding and act as accountable body, on behalf of Lancaster District CSP.

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

	Option 1: Accept the funding	Option 2: Reject the funding
Advantages	The CSP projects can go ahead as planned	None
Disadvantages	None	Another accountable body would need to be found.
Risks	Council resources are required to investigate and put right any issues identified in the running of the planned projects	A delay in agreeing the funding arrangements for these projects could jeopardise their implementation

The Officer preferred option was Option 1. The Council has acted as accountable body for CSP funds for a number of years and has overseen the successful delivery of many projects that meet the aims and objectives of the Council and its partners. It was therefore requested that the Cabinet authorised the acceptance of funds on the CSP's behalf.

Councillor Smith proposed, seconded by Councillor Hamilton-Cox:-

“(1) That the recommendation, as set out in the report, be approved.”

Councillors then voted:-

Resolved unanimously:

- (1) That the City Council accept £47,000 of external funding during 2012/13 on behalf of Lancaster District CSP, and that as in previous years acts as accountable body for that funding.

Officers responsible for effecting the decision:

Head of Environmental Services
Head of Resources

Reasons for making the decision:

The decision to accept and act as accountable body for this funding will provide a

positive impact on the issue of community safety across the District. The Community Safety Action Plan forms part of the Council's Policy Framework, and as well as the overarching theme of partnership working, the projects these funds will deliver will impact on the Council's corporate priorities of:

- Clean and Safe Streets
- Community Leadership

38 EMPTY HOMES ENFORCED SALE PROCEDURE

(Cabinet Member with Special Responsibility Councillor Hanson)

Cabinet received a report from the Head of Regeneration & Planning to seek approval for the adoption of an Enforced Sale Procedure as a mechanism to bring problematical long-term empty dwellings in the private sector back into habitable use in cases where Council debts have been registered as a local land charge against the property and not discharged.

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

	Option 1: Adopt enforced sales procedure	Option 2: Do not adopt enforced sales procedure
Advantages	Will bring long term empty properties back into use. Help regenerate the area, provide accommodation and recoup outstanding debts. It signals the council's commitment to addressing the empty property issues.	None. Officer time will be relocated to other projects
Disadvantages	There will be some additional burden on the authority's legal resources	These properties will continue to deteriorate, be detrimental to the community, may detract from private investment and will be a waste of a valuable asset.
Risks	Risk of bad publicity if the process is not managed correctly.	These dilapidated properties will continue to have an adverse effect on the area they are located in.

Option 1 was the officer preferred option because it would remove and/or regenerate long term empty properties, provide valuable accommodation, recoup outstanding debts and indicate the Council's commitment to addressing the empty property issue.

The use of the Enforced Sale Procedure should be seen as a last resort. It was expected that all informal and formal action would have been taken and exhausted by the Council in order to resolve the existence of the empty dilapidated property and its associated problems. The Council was committed to carrying out its duties in a fair and consistent manner. This policy would be applied having regard to the Council's Public Protection Enforcement Policy and the Enforcement Concordat in the regulation of private sector housing.

Councillor Leytham proposed, seconded by Councillor Hamilton-Cox:-

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

Councillors then voted:-

Resolved unanimously:

- (1) That Cabinet agrees to adopt the Enforced Sales Procedure appended to the report in the agenda.
- (2) That Cabinet authorises Officers to implement the adopted Enforced Sale procedure in appropriate cases.

Officers responsible for effecting the decision:

Head of Regeneration & Planning

Reasons for making the decision:

Bringing empty properties back into use is one of the key actions in delivering the Council's health and well being priorities as set out in the Corporate Plan and has significant community safety and sustainability benefits.

39 PROPOSED INTRODUCTION OF FEES FOR PRE-PLANNING APPLICATION AND HOUSEHOLDER DEVELOPMENT ADVICE

(Cabinet Member with Special Responsibility Councillor Hanson)

Cabinet received a report from the Head of Regeneration & Planning to seek to introduce fees for currently free householder development advice and pre-planning application advice.

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

	Option 1: To introduce charges for both Householder Questionnaire Advice and Pre-Application Advice	Option 2: To introduce a charge solely for Householder Questionnaire Advice	Option 3: To introduce a charge solely for Pre-Application Advice	Option 4: To not introduce charges for either activity
Advantages	This would allow for a more formal and	This would allow a fee to be levied for permitted	This would require a new, formal and transparent process to	No advantages to the Service. Although the activities would

	<p>transparent process to the pre-planning application regimes and would provide added certainty for developers pursuing development projects. It would also provide an income stream based on cost recovery which aims to cover the cost of service demands.</p>	<p>development enquiries which are time-consuming and are not a statutory function, also providing an income stream which could potentially support existing service provision for this element.</p>	<p>responding to pre-application enquiries which would assist Officers and would provide added certainty for developers pursuing their development projects. Again this could provide an income stream which could potentially support existing service provision for this element.</p>	<p>remain free of charge to the user, this free service would need to continue to be limited and this is unlikely to provide any improvements in service provision.</p>
Disadvantages	<p>The new system could potentially be more resource-intensive than the current informal system, dependent upon developer interest. The introduction of fees for Householder Development advice may be off-putting to some householders, who may choose to continue with a development project irrespective of whether they require permission or not (although with lenders often demanding</p>	<p>The introduction of fees for Householder Development advice may be off-putting to some householders, who may choose to continue with a development project irrespective of whether they require permission or not.</p> <p>Introducing a fee for this service activity alone would not respond to the demand for pre-application advice from developers.</p>	<p>The new system could potentially be more resource-intensive, dependent upon developer interest.</p>	<p>This would not assist in addressing the capacity issues and ongoing modernisation of the Development Management Service.</p>

	evidence of PD rights this is unlikely).			
Risks	The process would require annual review to be certain that staffing capacity and fee levels are commensurate with the service being offered.	This is a service that is currently provided free of charge and so it is anticipated that it would not result in an increase in workload which would create staffing capacity issues.	The process would require annual revision to be certain that staffing capacity and fee levels are commensurate with the service being offered.	Service provision would continue in accordance with current priorities, with little capacity for pre-application discussions.

Option 1 was the officer preferred option. This would allow appropriate and commensurate fees to be levied regarding the existing Householder Questionnaire service and the proposed new Pre-Application Advice service. The setting of fees for these activities would allow the Development Management Service to formalise its current arrangements. A formal, chargeable process would put greater onus upon applicants and developers to provide quality, written information to the Development Management Service at the earliest opportunity, thus allowing for a considered, formal, written response from Planning Officers. The clarity offered by the new arrangement would be a significant improvement to the quality of service. The potential income stream arising from the introduction of charges could potentially be redirected to ensure that permanent staffing capacity remains commensurate with the service's pre-planning application workload.

Councillor Blamire proposed, seconded by Councillor Leytham:-

"(1) That the recommendations, as set out in the report, be approved."

Councillors then voted:-

Resolved unanimously:

- (1) That the principle of charging for householder development advice and pre-planning application advice be agreed.
- (2) That responsibility for determining the precise fees in each case each year is delegated to Cabinet, working in conjunction with Financial Services and that the General Fund Revenue Budget is updated to reflect the estimated additional income for 2012/13 during the Revised Budget process.
- (3) That future years' fees are incorporated into the council's Fees and Charges policy for review thereafter as part of the annual budget and planning process, taking into account service demands.

Officers responsible for effecting the decision:

Head of Regeneration & Planning
Head of Resources

Reasons for making the decision:

The proposals would improve the quality of service being offered to potential planning applicants and would lead to greater consideration of development proposals by all parties, thus resulting in a more transparent, usable and sustainable local planning system. The proposals had the potential to deliver a new income stream for the Regeneration & Planning Service, which in turn increased its ability to cover the cost of existing service provision. This was an in principle decision with further details brought back to Cabinet in due course.

40 LANCASTER BUSINESS IMPROVEMENT DISTRICT (BID) DRAFT PROPOSAL**(Cabinet Member with Special Responsibility Councillor Hanson)**

Cabinet received a report from the Head of Regeneration & Planning to provide information to enable a decision on endorsing the draft proposals for the Lancaster Business Improvement District, to enable progression to a ballot with the aim of formally establishing the BID. The report updated Members on potential pre- and post- ballot issues and resource implications in relation to the role of the City Council in the BID development/implementation.

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

	Advantages	Disadvantages	Risks
Option 1: Do nothing	No advantages.	Loss of credibility with business community. No contribution to council's Corporate objectives.	Council may be in breach of statutory duties to support BID proposer as defined in BID legislation.
Option 2: Endorse the draft BID proposals reserving formal approval decision on Final Proposals to an appropriate delegated authority.	Gives early indication that the council believes the BID proposal will benefit the business community. Clear message to the business community that the direction of proposals to date is sound and final document is likely to be compatible with BID regulations and council policy.	Reputational implications for council and other statutory services of "committing" to a baseline service provision over BID lifetime, even though this is not a legal commitment. Allocated resource for BID proposer/partnership to move to 'BID readiness' will need	Council officer resources required pre and post ballot. No guarantee that BID ballot will ultimately be successful.

	<p>Allows for scrutiny of final proposals to ensure clarifications and changes are compatible with BID Regulations and policy framework.</p> <p>Allows the Steering Group to develop its pre-election canvassing strategy and marketing/publishing activities around the BID proposals with confidence.</p>	<p>to be supplemented by council officer resources.</p> <p>Relatively long lead in period to ballot to ensure best possible chance of success.</p>	
<p>Option 3: Reject the draft proposals</p>	<p>Avoids wasted effort and expense for the Steering Group if Members are of a mind that based on the content of the draft, a final proposal would be vetoed.</p> <p>Allows for revised proposals to come forward more compatible with council policy and regulatory requirements</p>	<p>Reputational implications for council if proposals are not endorsed without good reason.</p> <p>Ballot date will probably be put back. Assuming an approval is secured at some stage, it may cause the council operational difficulties in trying to develop its systems in time for 2013/14 billing year assuming a vote in favour.</p>	<p>Risks for the council will mainly be around timing of the ballot and the ability to implement systems the later in the year a ballot takes place. The onus would be on the Steering Group to 'turn around' any issues in preparing a revised proposal.</p>

On submission of a final proposal unless it failed the regulatory and policy tests outlined in paragraph 2.2 of the report the local authority was effectively obliged to endorse the BID proposal and approve it to go forward to a ballot. The draft proposals provided a good indication of whether it was likely the Council would need to use its veto powers.

The draft proposals did not conflict to a material extent with any published policies and a successful BID should actively support the Council's corporate objectives particularly in the areas of Economic Growth, Clean Green & Safe Places and Community Leadership. The informal work of the Steering Group in canvassing opinion and consultation appeared to show a good level of support for the way the BID proposals had been shaped, particularly around the development of broad objectives with some specific highlighted actions.

The proposals clarified the structure of the proposed BID levy and how the financial

burden of the BID was to be distributed among ratepayers. An approach which targets hereditaments over £10K might appear to place a burden on higher payers, but the vast majority of the rateable value in the town centre area was attributable to these hereditaments in any case. While there were numerous hereditaments below £10K the actual total RV, and therefore potential levy take, from these properties was not significant.

The amount of prior discussion between the BID proposer and the local authority before submitting the BID draft proposals to the authority had been sufficient and it was expected consultation would continue up to the submission of final proposals. The costs incurred and due in developing BID proposals, canvassing and balloting have been budgeted for within the Council's grant award to the Lancaster Chamber.

The draft proposals did not fully meet the core documentation requirements and there were outstanding matters to be resolved in the final proposal document. But these were either minor issues of content or technical matters around levy collection, distribution and operations which need to be arranged between the Council and the final BID body (likely to be either the Lancaster Chamber or North West Chamber) who would receive and use the BID levy monies

The preferred Option was therefore Option 2, to endorse the draft proposals and associated draft baseline document. It followed that an appropriate level of delegated authority was required to ensure outstanding matters were addressed and final proposals could be approved to move forward to ballot. As these issues were mainly technical and operational it was appropriate for this to be undertaken through an officer report by the Chief Executive in consultation with Management Team.

Councillor Smith proposed, seconded by Councillor Sands:-

- (1) That the draft proposals for the Lancaster Business Improvement District (BID) are endorsed as being in compliance with statutory regulatory requirements.
- (2) That approval of Final BID Proposals and the issuing of instructions to proceed to ballot are delegated to the Chief Executive.
- (3) That the content of the draft Operating Agreement (Appendix 3a to the report) and subsidiary draft Baseline Agreement (Appendix 3b to the report) is noted and final approval of the formal BID implementation framework is delegated to the Chief Executive.
- (4) That the contents of the initial baseline statement (Appendix 4 to the report) are noted and approved for use in pre- ballot consultation and marketing alongside final BID Proposals."
- (5) That Councilor Hanson be advised of concerns specifically regarding:
 - Financial implications including 3 year funding commitment
 - Duties of street ambassadors including possible duplication
 - Free parking on Events daysand be requested to table these issues in forthcoming discussions with the BID group."

Councillors then voted:-

Resolved:

(6 Members (Councillors Barry, Blamire, Bryning, Leytham, Sands, and Smith) voted in favour, and 1 Member (Councillor Hamilton-Cox) abstained.)

- (1) That the draft proposals for the Lancaster Business Improvement District (BID) are endorsed as being in compliance with statutory regulatory requirements.
- (2) That approval of Final BID Proposals and the issuing of instructions to proceed to ballot are delegated to the Chief Executive.
- (3) That the content of the draft Operating Agreement (Appendix 3a to the report) and subsidiary draft Baseline Agreement (Appendix 3b to the report) is noted and final approval of the formal BID implementation framework is delegated to the Chief Executive.
- (4) That the contents of the initial baseline statement (Appendix 4 to the report) are noted and approved for use in pre- ballot consultation and marketing alongside final BID Proposals.
- (5) That Councilor Hanson be advised of concerns specifically regarding:
 - Financial implications including 3 year funding commitment
 - Duties of street ambassadors including possible duplication
 - Free parking on Events daysand be requested to table these issues in forthcoming discussions with the BID group.

Officers responsible for effecting the decision:

Chief Executive
Head of Regeneration & Planning

Reasons for making the decision:

The decision enables the Final Proposal and approval process to be undertaken in the autumn and progression to a ballot with the aim of formally establishing the BID should follow towards the end of 2012. In working towards implementation of Business Improvement Districts the Council will be achieving and/or reviewing and improving upon a number of its corporate objectives/outcomes as defined in the Corporate Plan 2011-14. The draft BID proposals will actively support Economic Growth, Clean Green & Safe Places and Community Leadership outcomes, success, measures and actions. Support for development of a BID in Lancaster is a Priority Action in the Lancaster Cultural Heritage Strategy.

Chairman

(The meeting ended at 11.25 a.m.)

**Any queries regarding these Minutes, please contact
Liz Bateson, Democratic Services - telephone (01524) 582047, or email
ebateson@lancaster.gov.uk**

MINUTES PUBLISHED ON FRIDAY 27 JULY, 2012.

**EFFECTIVE DATE FOR IMPLEMENTING THE DECISIONS CONTAINED IN THESE MINUTES:
MONDAY 6 AUGUST, 2012.**

WASTE / RECYCLING COLLECTION- UPDATED POLICIES FOR HOUSEHOLDERS

<p>1</p>	<p>Households Requiring Additional Residual Containers (grey bins)</p>	<p>Residents are not automatically entitled to additional containers for non-recyclable waste (grey bins). If a resident requests an additional grey bin, a questionnaire will be issued to the householder for their completion and return.</p> <p>Following receipt of the completed questionnaire a waste audit will be arranged. The purpose of the audit is to ensure that the householder is recycling fully and to allow Council officers to provide waste minimisation advice.</p> <p>If the request is approved, the householder will be issued with an additional 140L container.</p> <p>If the request is declined, the householder will be sent a letter setting out the reasons why.</p>
<p>2</p>	<p>Replacement of Wheeled Bins</p>	<p>Replacement wheeled bins will only be provided after investigating the loss of the container.</p> <p>In the first instance requests for replacements would be made via Customer Services.</p> <p>A maximum number of three containers will be replaced per household.</p> <p>If it is found that bins are being misused, they will be removed and the household will instead be provided with orange sacks. Household waste produced by the property will then be monitored to ensure that bags are being left out on the appropriate day etc (in line with the council's enforcement procedures).</p> <p>For damaged bins, if the cause of the damage is found to be due to neglect/abuse of the container, householders will be charged the cost of the replacement container.</p> <p>If the Council has caused the loss or damage, the Council will provide the replacement free of charge.</p>
<p>3</p>	<p>Misuse of Grey Wheeled Bins</p>	<p>It is important that householders make full use of the recycling facilities provided by the Council and that householders don't misuse grey bins by trying to dispose of types of waste that the Council doesn't collect.</p> <p>If the grey bin is continually contaminated with non-</p>

		<p>residual waste (eg chemicals, batteries, paint, oil) or contains waste that could be recycled / composted every effort will be made to help the householder rectify this situation.</p> <p>These efforts will be made through education and if appropriate enforcement to help the householder rectify the situation</p> <p>It is recognised that in most cases educating the householder will be all that is required.</p> <p>Where continued efforts fail to work a strict rule of 'three strikes and you are out' will apply; (giving the householder two chances to improve the situation).</p> <p>If no effort is made to improve, on the third 'strike', the bin will be removed.</p> <p>The bin will be replaced with orange sacks and waste from the property will be monitored to ensure that bags are being left out on the appropriate day etc (in line with the council's enforcement procedures).</p> <p>The bin will only be replaced subject to the householder providing, in writing, an undertaking that future misuse does not occur.</p>
<p>4</p>	<p>Misuse of Green Wheeled Bins</p>	<p>If the green bin is continually contaminated with non-compostable waste (this includes household waste) bin tags will be left on the bin to inform the residents the reason why the bin has not been emptied.</p> <p>Efforts will be made through education and if appropriate enforcement to help the householder rectify the situation.</p> <p>It is recognised that in most cases educating the householder will be all that is required.</p> <p>Where these efforts fail to work a strict rule of 'three strikes and you are out' will apply; (giving the householder two chances to improve the situation).</p> <p>If no effort is made to improve, on the third 'strike', the bin will be removed</p> <p>The bin will be replaced with compostable bags and waste from the property will be monitored to ensure that bags are being left out on the appropriate day etc (in line with the council's enforcement procedures).</p> <p>The bin will only be replaced subject to the householder confirming, in writing, an undertaking ensuring future abuse does not occur.</p>

5	Misuse of Recycling Boxes	<p>If householders do not use the boxes for their intended use (the storage of appropriate recyclables) efforts will be made through education and if appropriate enforcement to help the householder rectify the situation.</p> <p>It is recognised that in most cases educating the householder will be all that is required.</p> <p>Where these efforts fail to work a strict rule of 'three strikes and you are out' will apply; (giving the householder two chances to improve the situation).</p> <p>If no effort is made to improve, on the third 'strike', the recycling boxes will be removed.</p> <p>Officers will continue to work with the householder to help them recycle before enforcement action is taken against them.</p> <p>Box cards will be used to inform the residents the reason why the box has not been emptied.</p>
6	Misuse of Food Waste Caddies.	<p>For the benefit of the health and safety of the collection staff, food waste must be presented for collection in a solid form and not liquid.</p> <p>If food waste is not presented appropriately a bin tag will be left for the householder to inform them of why it has not been collected.</p> <p>Officers will educate and support the householders to improve the situation.</p>
7	Side Waste	<p>In order to encourage householders to minimise and segregate their waste into recyclable and non-recyclable waste, side waste <i>will not</i> be collected.</p> <p>Education of householders to minimise and manage their waste will continue.</p> <p>Enforcement action will be considered once all other options have been exhausted.</p> <p>This will be relaxed for two weeks following the Christmas holiday period when a limited amount of side waste will be removed. To avoid abuse, this will not be widely advertised.</p>

8	Side Recyclables	<p>The purpose of the waste and recycling scheme is to maximise recycling.</p> <p>Therefore, additional recycling <i>will</i> be taken.</p> <p>Householders can have their additional recycle alongside their recycling boxes in carrier bags or bundled for collection.</p> <p>For safety reasons glass should be only be left for collection in the recycling boxes.</p>
9	Side Green Waste	<p>It is expected that green waste will be contained in a wheeled bin or compostable sacks.</p> <p>Exceptions may be made on an individual basis and if the capacity of the vehicle is deemed sufficient.</p> <p>A maximum of 3 green 240L containers will be provided per property.</p>
10	Assisted Collections	<p>Criterion will be applied to point of storage collections that are offered to elderly and disabled residents.</p> <p>The householders will receive the usual wheeled bins and recycling boxes.</p> <p>Following collection the containers will be returned back to the point of storage.</p> <p>Before qualifying for this service a questionnaire will be signed by the occupant to declare they do require assistance.</p> <p>A list of properties requiring assisted collections will be maintained and reviewed on a regular basis.</p> <p>Assistance <i>will not</i> be provided if there is an able bodied person in the property to put out the bins and boxes.</p>
11	Small Bin Collections	<p>140 litre bins will be issued on request to properties where there is narrow access or lack of storage and where an assisted collection is unnecessary.</p> <p>140 litre containers will be issued to households who have qualified for an additional container.</p> <p>140 Litre containers have been issued to the area within West End of Morecambe known as Zone 3</p>

		(approx 770 properties) where on-street recycling facilities are provided.
12	Medical Waste Collections	<p>Additional 140L bins will be provided to households where there is a requirement for medical waste collections that falls outside the clinical waste collection service.</p> <p>A questionnaire will be completed by the householder and reviewed on an annual basis.</p> <p>A waste audit will take place to ensure that the residents are recycling fully.</p>
13	Sack Collection	<p>Every effort will be made to allow people to use wheelie bins and recycling boxes.</p> <p>In flats this will include communal waste and recycling areas.</p> <p>Special collection systems are provided for areas (eg within the West End of Morecambe and in Lancaster city centre) where it is difficult to provide containers due to access issues.</p> <p>Sacks containing residual waste are collected on a weekly basis in some specific areas. Weekly collections will only be available once other collection methods have been determined to be unfeasible.</p> <p>Every effort will be made to reduce the number of properties on weekly sack collections.</p> <p>Residents who refuse to use the other aspects of the waste management system (eg recycling) would not be provided with a weekly collection.</p>
14	Private Drives	<p>Householders will be expected to pull their bins and boxes out to the end of private drives to the edge of their property at the nearest point to the highway.</p> <p>Assistance will be provided as necessary according to certain criteria (see point 10).</p>
15	Composite Dwellings (A shop/business with residence above).	<p>An allowance will be made for composite dwellings whereby a proportion of payments will be made as per existing arrangements. Recycling boxes will be provided.</p> <p>Payments will be made to cover the business</p>

		element of the waste.
16	Missed Bins	<p>Drivers will provide at the end of each day a list of properties where grey/green bins were not presented for collection.</p> <p>Should a resident contact us to inform of a missed collection and their property is on the list, we will not return to the property for the container.</p> <p>We aim to collect genuine missed collections within 72 working hours.</p>
17	Enforcement of Unauthorised Containers	<p>Unauthorised containers will be removed from properties.</p> <p>Removal of unauthorised containers will be ad-hoc, as and when we come across them or through targeted enforcement action.</p> <p>Contact via letter or face-to-face will inform the residents of the procedure for approving additional containers.</p>