

CABINET

6.00 P.M.

6TH OCTOBER 2015

PRESENT:- Councillors Eileen Blamire (Chairman), Janice Hanson (Vice-Chairman), Abbott Bryning, Darren Clifford, Karen Leytham, Richard Newman-Thompson and Margaret Pattison

Apologies for Absence:-

Councillor David Smith

Officers in attendance:-

Sarah Taylor	Chief Officer (Governance) and Monitoring Officer
Nadine Muschamp	Chief Officer (Resources) and Section 151 Officer
Mark Davies	Chief Officer (Environment)
Andrew Dobson	Chief Officer (Regeneration and Planning)
Liz Bateson	Principal Democratic Support Officer

The Chairman on behalf of Cabinet expressed her deepest sympathy at the sad passing away of Councillor Chris Leadbetter

32 MINUTES

The minutes of the meeting held on Tuesday 1st September 2015 were approved as a correct record.

33 ITEMS OF URGENT BUSINESS AUTHORISED BY THE LEADER

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

34 DECLARATIONS OF INTEREST

No declarations were made at this point.

35 PUBLIC SPEAKING

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

36 CABLE STREET LEASE TERMINATION – RELOCATION OF COUNCIL HOUSING OFFICES

(Cabinet Member with Special Responsibility Councillor Bryning)

Cabinet received a joint report from the Chief Officer (Resources) and Chief Officer (Health & Housing) to advise members of the relocation of Council Housing Services away from Cable Street into Lancaster Town Hall, given the forthcoming early termination of the lease, and as part of the rationalisation of accommodation to deliver

efficiencies.

No options were presented for Cabinet's consideration; this report was for information only. Officers had accepted terms for the termination of the lease under delegated powers, on the basis that there was no case for not doing so. Furthermore, as there was sufficient space within Lancaster Town Hall to accommodate staff and services, no alternative options were presented in that regard.

Councillor Bryning proposed, seconded by Councillor Leytham:-

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

Councillors then voted:-

Resolved unanimously:

- (1) That the arrangements for relocating Council Housing Services currently provided from Cable Street, Lancaster, into Lancaster Town Hall, in view of the early termination of the lease be noted.

Officers responsible for effecting the decision:

Chief Officer (Resources)
Chief Officer (Health & Housing)

Reasons for making the decision:

The decision is consistent with current corporate aims regarding property rationalisation and securing value for money.

37 STOREY - TASTING GARDEN

(Cabinet Member with Special Responsibility Councillor Hanson)

Cabinet received a report from the Chief Officer (Environment) which sought a decision on the future of the Tasting Garden.

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

OPTION 1- Consider that restoration of the artwork is a priority for the Council and that in its role as a steward the Council should properly lead on it.

In order to arrive at this option Cabinet would need to consider the following-

- What actual evidence is there that this is generally what our citizens want?
- How would the restoration be funded? If the Council was to allocate resources for the Garden, in effect they would need to be redirected from another initiative or activity. Realistically, the Council does not have the resources to directly fund restoration and if so, external funds would need to be raised. We have been told that there are likely to be funds available out there. Experience tells us that obtaining external funding is a complicated and time consuming exercise and

match funding may well be required.

- How would the project be resourced? As stated above just raising the funds is likely to be time consuming and complicated. Due to the need to prioritise and focus on core activities the Council does not currently have available officer time or expertise that could be allocated to this, if such a route was chosen. Therefore, in theory Cabinet would need to consider this as an area for growth. In practice budget reductions from central government mean that 'growth' is not an option that can be realistically considered, so Cabinet would have to consider redirection of resource.
- How would the restored project be maintained? The ongoing maintenance of the artwork would be intensive and would again require ongoing growth – this need is a very real difficulty given the financial outlook and the same point referred to above would apply.
- Even if external funds are available obtaining them could take a number of years, depending on the route chosen, and in any event the timescales would not fit with the review of the Storey operation, required by 2017/18. What does the Council do with the garden in the interim and how will that support the Storey business plan? What about the future? What would need to change?

OPTION 2- Consider that restoration of the artwork is a priority for the Council, but only on the firm basis that it was resource- and risk- free for the authority, and so could only take place if full responsibility could be transferred, in some way, to a third party.

There are some examples of this type of model that work well within the District (e.g. Fairfield). Typically land is leased to a community group for a specific purpose, with strict stipulations. However, the examples we have are ones where the risks are much less than this and the projects are of much lower profile.

In order to arrive at this option Cabinet would need to consider the following-

- The Council are properly stewards of the garden. How would transferring/delegating this responsibility to a third party fit with that?
- What evidence is there that the general desire of our citizens is that a valuable space is delegated to a third party to manage in the hope that funds can be raised to restore the artwork therein?
- What would happen if the third party lost interest in the project, or got into difficulties, especially bearing in mind previous experience?
- How would the long term maintenance of the project be funded and managed?
- How would this fit in with the business plan of the Storey, and the requirement for the operation to be reviewed prior to 2017/18?
- This is the most risky of all the options. Does the Council really want to agree to a project that creates so many potential risks?

Cabinet need to be aware that gaining satisfactory answers to these questions may prove impossible – there is no guarantee that this option is viable and it could tie up much Officer time pursuing it, to no avail.

OPTION 3- Consider that restoration of the artwork is a priority for the Council but on the basis that the work involved in identifying funding and then bidding for it is undertaken by a specifically constituted 'Friends of' group, supported by an

officer. In this case the ownership and ongoing management would still rest with the Council.

In order to arrive at this option Cabinet would need to consider the following (much of which is in common with the considerations of previous options)-

- Where would the funds and resources for the long term maintenance of the project come from?
- What would happen if there was not enough interest to form a Friends Of group and if formed there was not sufficient capacity to identify and put together funding bids etc. This would be supported by an officer but the Officer would only have time to advise as opposed to doing the actual work. Were the Officer to do the actual work then it would be effectively OPTION 1.
- How would this fit in with the business plan of the Storey, and the requirement for the operation to be reviewed prior to 2017/18?

OPTION 4- Accept that ideally the artwork would be restored and would support the wider aims of the Storey and provide an attraction for our citizens but that the reality is that the policy and financial context of the Council mean that this is an unrealistic option. Therefore the most pragmatic option is to make the very best of the gardens, within the resources we have, and in a way that goes to meeting the needs of our citizens and the business plan for the Storey. The details to be determined through the master planning process that Cabinet have already agreed.

In order to arrive at this option Cabinet would need to consider the following-

- What is the current and future financial position of the Council and what are the competing priorities?
- This option may be seen by some as not supporting wider aims and objectives for arts and culture in the District. However, this needs to be balanced by the fact that the Council already provides considerable ongoing support to arts and culture within the District.
- The view expressed by many citizens is that what really matters is that the gardens are brought back into use. Done properly this option could support the wider plans for the Storey and could (subject to testing through the masterplan process) reasonably include use of the garden to promote arts and culture.
- There is already an active 'Friends of' group who the Council could continue to work with to improve the gardens in the short term and deliver aspects of the masterplan once agreed.
- This option is based around the current financial realities facing the Council so would be designed to be delivered within existing resources, and could fit with the future review of the wider Storey operation.
- As this option would be accompanied by a Masterplan it provides the opportunity for the Council and Friends Of Group to bid for funds as they become available. Working in this way is far less intensive and resource draining as the options that are focussed on the main aim of restoring the Tasting Garden.

Whatever option is chosen it is expected further more detailed reports will be brought back to Cabinet.

Councillor Hanson proposed, seconded by Councillor Leytham:-

“That the recommendations, as set out in the report, be approved with Option 4 being the preferred option.”

Councillors then voted:-

Resolved unanimously:

- (1) That ideally the artwork would be restored and would support the wider aims of the Storey and provide an attraction for our citizens but that the reality is that the policy and financial context of the Council mean that this is an unrealistic option. Therefore the most pragmatic option is to make the very best of the gardens, within the resources we have, and in a way that goes to meeting the needs of our citizens and the business plan for the Storey. The details to be determined through the master planning process that Cabinet have already agreed.
- (2) That further reports on how the decision will be delivered be brought back to Cabinet as required.

Officer responsible for effecting the decision:

Chief Officer (Environment)

Reasons for making the decision:

The financial position of the Council is very bleak. The decision to pursue option 4 is based around current financial constraints and can be delivered within existing resources.

38 VOLUNTARY, COMMUNITY AND FAITH SECTOR - FUTURE COMMISSIONING ARRANGEMENTS

(Cabinet Member with Special Responsibility Councillor Pattison)

Cabinet received a report from the Chief Officer (Governance) to outline options with regard to the future provision of support to the Voluntary, Community and Faith Sector beyond current commissioning contracts which expire in March 2016.

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

	Option 1: To extend existing commissioning contracts for one year to 31 March 2017	Option 2: To refresh the Commissioning Framework and initiate an updated Commissioning Plan for 2016 - 19	Option 3: To consider withdrawing support from the VCFS sector	Option 4: To consider delivering services through a grant funding arrangement

Advantages	<p>Ensures that providers currently performing well continue to deliver corporate outcomes and services</p> <p>Allows good working relationships to continue whilst staff develop their skills and capacity to take any future arrangements forward.</p>	<p>Ensures the council builds on existing arrangements, past experience and intelligence to drive the delivery of outcomes that meet current and future demands in the district.</p> <p>Provides further opportunities to take advantage of the commissioning approach to reinforce positive engagement with partners.</p>	<p>Potential to realise savings in future years (2015/16 budget is £252,800) and reduce resource requirements to carry out commissioning process that may protect other higher priority spending needs</p>	<p>Can be awarded subject to conditions requiring the achievement of specific outcomes</p> <p>May not be subject to complex procedure and procurement rules and appropriate where the council does not want a specific services delivered in a specified way but wish to support a particular activity or project.</p>
	Option 1: To extend existing commissioning contracts for one year to 31 March 2017	Option 2: To refresh the Commissioning Framework and initiate an updated Commissioning Plan for 2016 - 19	Option 3: To consider withdrawing support from the VCFS sector	Option 4: To consider delivering services through a grant funding arrangement
Advantages (continued)	<p>Provides additional time to consider future levels of support in the context of competing demands and financial constraints</p>	<p>Secures longer term planning opportunities for delivery partners.</p> <p>Provides a robust framework in which to help demonstrate VFM, in accordance with statutory requirements</p>		<p>May be appropriate should Cabinet seek to reduce the amount of financial support available for VCFS</p>
Disadvantages	Does not	Requires staff	Requires staff	Will not be

ges	<p>address longer term planning opportunities for the delivery of priority services</p> <p>Less of a fit with the Ensuring Council ethos</p>	<p>and financial resources to undertake the commissioning process and deliver commissioned contracts</p> <p>Process needs to take account of significant changes in recent years including the impact of welfare reform and the ensuring council ethos</p> <p>Less of a fit with the Ensuring Council ethos</p>	<p>resources to consult and manage any withdrawal.</p> <p>There would be adverse impact on meeting the needs of the district and future corporate plan expected outcomes would need to be amended.</p>	<p>possible to include specific delivery outcomes and needs or value for money objectives and requirements for the delivery of services.</p> <p>The recipient of the grant is only obligated to return the grant without having delivered the services funded by the grant.</p> <p>Requires staff resources to develop proposals and provide assurances on performance</p>
	Option 1: To extend existing commissioning contracts for one year to 31 March 2017	Option 2: To refresh the Commissioning Framework and initiate an updated Commissioning Plan for 2016 - 19	Option 3: To consider withdrawing support from the VCFS sector	Option 4: To consider delivering services through a grant funding arrangement
Risks	Possible concerns of current delivery organisations for the future support of the sector	<p>May be insufficient internal capacity to carry out the engagement and development of the commissioning plan due to other council priorities.</p> <p>May prove unaffordable, if</p>	<p>May result in legal challenge, so imperative that Council undertakes appropriate consultation and an equality impact assessment.</p> <p>A lack of support mechanisms</p>	<p>May be insufficient internal capacity to develop arrangements and realise assurances on performance in line with the Council's statutory obligations regarding VFM</p>

		sufficient savings are not made in other areas. Funding to deliver the commissioned services may not be available resulting in a withdrawn or reduced delivery of services.	elsewhere in the district may result in an increased demand for council support and a reduction in the wellbeing of vulnerable residents	(continuous improvement) and procurement. Service delivered may not meet an identified need and not represent value for money
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A balance needs to be struck between the advantages and disadvantages of commissioning versus grant funding. The council has a legal obligation for continuous improvement and value for money. In light of this, and in the context of competing demands and priorities and uncertainty around affordability, the officer preferred option is to extend existing commissioning contracts to 31 March 2017, subject to available funding, with the advantage that this will maintain delivery of services for another year whilst further consideration is given to continuous improvement and value for money in the investment of VCFS services in the future.

Councillor Pattison proposed, seconded by Councillor Clifford:-

“That recommendation 1(a) (option1) as set out in the report, be approved.”

Councillors then voted:-

Resolved unanimously:

- (1) That approval be given to invest in the delivery of key services by the Voluntary, Community and Faith (VCFS) Sector through a one year extension to existing commissioning contracts to 31 March 2017, subject to budget requirements.

Officers responsible for effecting the decision:

Chief Officer (Governance)
Chief Officer (Resources)

Reasons for making the decision:

The 2015-18 Corporate Plan makes reference to ongoing support to the Voluntary, Community and Faith Sector. Extending existing commissioning contracts for another year will enable organisations who are currently performing well and delivering corporate outcomes to continue for another year and given the current financial situation Cabinet feel that the decision will be welcomed by those organisations.

39 CANAL CORRIDOR NORTH DEVELOPMENT**(Cabinet Member with Special Responsibility Councillor Hanson)**

Cabinet received a report from the Chief Officer (Regeneration & Planning) to update Cabinet on the latest position with regard to legal advice on the options available to the Council under the Canal Corridor North Development Agreement.

The Leader advised the meeting that Group Leaders had been briefed with regard to the confidential legal advice provided by Eversheds. It was anticipated that updated advice from White Young Green on the need for further retail capacity in Lancaster District in the post-recession economic climate would be available in late December.

Councillor Blamire proposed, seconded by Councillor Hanson:-

“That the Canal Corridor North Development Agreement with British Land has reached the stage where it should be reviewed. It is proposed that the range of options available and the implications for each one be reported to the December meeting of Full Council. The Canal Corridor North site is of strategic importance to the District and decisions about its future need careful consideration.”

Councillors then voted:-

Resolved unanimously:

- (1) That the Canal Corridor North Development Agreement with British Land has reached the stage where it should be reviewed. It is proposed that the range of options available and the implications for each one be reported to the December meeting of Full Council. The Canal Corridor North site is of strategic importance to the District and decisions about its future need careful consideration.

Officers responsible for effecting the decision:

Chief Executive
Chief Officer (Regeneration & Planning)

Reasons for making the decision:

The Canal Corridor Development has been pursued as a regeneration priority by the City Council since 2004 and remains a key project in the Local Development Framework, supported by the Corporate Plan priority for economic growth. The decision enables full Council to decide on the most appropriate way forward to secure a viable regeneration of the site.

Chairman

(The meeting ended at 6.20 p.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 9TH OCTOBER, 2015.

**EFFECTIVE DATE FOR IMPLEMENTING THE DECISIONS CONTAINED IN THESE MINUTES:
MONDAY 19TH OCTOBER, 2015.**