

CABINET

10.00 A.M.

20TH JANUARY 2009

PRESENT:- Councillors Roger Mace (Chairman), Evelyn Archer, Jon Barry, Eileen Blamire, Abbott Bryning, Shirley Burns, Susie Charles, John Gilbert and David Kerr

Apologies for Absence

Councillor Jane Fletcher

Officers in attendance:-

Mark Cullinan	Chief Executive
Heather McManus	Corporate Director (Regeneration)
Roger Muckle	Corporate Director (Finance and Performance)
Peter Loker	Corporate Director (Community Services)
Nadine Muschamp	Head of Financial Services and Section 151 Officer
Graham Cox	Head of Property Services (part)
Debbie Chambers	Principal Democratic Services Officer

111 MINUTES

The Minutes of the meeting held on 9th December 2008 were signed by the Chairman as a correct record.

112 ITEMS OF URGENT BUSINESS AUTHORISED BY THE LEADER

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

113 DECLARATIONS OF INTEREST

Councillors Blamire and Burns declared personal and prejudicial interests with regard to the report concerning Williamson Park, in view of their membership of the Williamson Park Board of Directors. (Minute 134 refers).

The Corporate Director (Finance and Performance) declared an interest with regard to the report concerning Williamson Park in view of his role as Secretary to the Williamson Park Board of Directors (Minute 134 refers).

114 PUBLIC SPEAKING

Members were advised that there had been two requests to speak by members of the public at the meeting in accordance with Cabinet's agreed procedure, set out in Cabinet Procedure Rule 2.7 with regard to Review of Community Transport (Minute 115 refers) and Star Chamber (Minute 117 refers).

115 REVIEW OF COMMUNITY TRANSPORT

(Cabinet Member with Special Responsibility Councillor Mace)

(Mr Blears, who had registered to speak on this item in accordance with the City Council's agreed procedure and Cabinet Procedure Rule 2.7, spoke to this item on behalf of Lune Valley Transport).

The Chief Executive submitted a report to determine whether there should be changes in the provision of Community Transport for NoWcard holders within the Lancaster City Council district.

The options, options analysis, including risk assessment for Community Transport and Service Level Agreement, were set out in the report as follows:

Community Transport

Option 1 – No change to the present service provided by Lune Valley Transport. Under this option financial commitment may rise in future years due to the continued increase in demand for the service. The increase in costs will depend to a large degree on the level of contract and hire work achieved by the present operator.

Option 2 – Restrict the use of Community Transport to either the disabled only or to include in the restriction those over 60s who live in “hard to reach areas”. With this option, many of the over 60s may move to the standard Concessionary Fare Scheme resulting in an additional cost to the Council under this budget area, however, this would reflect the true costs of this service. There may be other issues arising, linked to the extent of the reduction in operation.

Option 3 – Achieve a % reduction, as determined by Cabinet, in agreement with the Lancashire County Council Community Transport Team and Lune Valley Transport. The reduction could be achieved by capping the number of single journeys claimed or setting a budget amount for Lune Valley at the beginning of each financial year. There would be practicalities attached to adopting this approach, however.

Option 4 – Introduce a half fare charge for all journeys made by the over 60s and disabled who use Lune Valley Transport. This charge is already in operation in Burnley, Pendle and Blackpool.

Option 5 – Remove the provision of Community Transport within the Lancaster City Council district. The saving made by this option will be approximately £156,000 in 2009/10, increasing to £164,000 in 2010/11 and £172,000 in 2011/12. It is likely the removal of Community Transport will result in numerous complaints and a potential backlash against the removal of the means of “social inclusion” for the disabled and those isolated from the public transport network. There could also be implications for Lune Valley Transport as an organisation affecting their drivers, employees, etc. Also, there is a further risk that many of the over 60s would move

to the standard Concessionary Fare Scheme and in so doing add an additional cost to the Council in a different budget.

Service Level Agreement

Option 1 – Continue with an SLA between Lancaster City Council and Lune Valley Transport. A continuation of the SLA would result in a financial commitment of £3,300 per year.

Option 2 – Discontinue the SLA with Lune Valley Transport. In removing the SLA there would be no guarantee that the provision of the service (as set in section 4 of the report) would continue.

Community Transport officer preferred option:

Option 5 – Discontinue providing funding for a Community Transport Scheme within the Lancaster City District. This will clearly make a saving but extra costs will be born by the Concessionary Travel budget by the over 60s and disabled moving over to use standard bus services.

Service Level Agreement officer preferred option:

Option 2 – Discontinue with the Service Level Agreement as above.

The meeting adjourned at 10.18am and reconvened at 10.40am.

It was moved by Councillor Barry and seconded by Councillor Archer:

“(1) That the Service Level Agreement between Lancaster City Council and Lune Valley Transport continue.”

Members then voted as follows:

Resolved unanimously:

(1) That the Service Level Agreement between Lancaster City Council and Lune Valley Transport continue.

By way of addendum, it was moved by Councillor Barry and seconded by Councillor Mace:

“(2) That a flat fare charge of £1.30 per journey be introduced, to be fed into the budget proposals for 2009/10.”

By way of amendment, which was not accepted as a friendly amendment by the mover of the original proposition, Councillor Gilbert proposed and Councillor Blamire seconded:

“(3) That the flat fare charge be waived for disabled service users.”

2 Members (Councillors Blamire and Gilbert) voted in favour of the amendment, 6 Members voted against (Councillors Archer, Barry, Bryning, Burns, Charles and Mace)

and 1 Member (Councillor Kerr) abstained from voting, whereupon the Chairman declared the amendment to be lost.

Resolved:

(7 Members (Councillors Archer, Barry, Burns, Charles, Gilbert, Kerr and Mace) voted in favour, 1 Member (Councillor Blamire) voted against and 1 Member (Councillor Bryning) abstained)

- (2) That a flat fare charge of £1.30 per journey be introduced, to be fed into the budget proposals for 2009/10.

Officers responsible for effecting the decision:

Corporate Director (Regeneration)

Reasons for making the decision:

The introduction of a charge for each journey will allow the Community Transport service provision to continue but with the introduction of a fare.

116 FINAL REPORT OF THE ANTI-SOCIAL BEHAVIOUR TASK GROUP

(Cabinet Member with Special Responsibility Councillor Blamire)

Cabinet received the final report and recommendations of the Overview and Scrutiny Anti-Social Behaviour Task Group.

The recommendations of the Task Group and officer comments were set out in the report as follows:-

Recommendation 1

That consideration be given to establishing funding to enable the creation of a part-time post in the MAPs Office to deal with co-ordination between Council Services and with partner agencies of reported incidents of anti-social behaviour, as an item of growth. This could link closely to the part-time Domestic Violence Co-ordinator post.

Officer Comments on Recommendation 1

Currently there is no funding available within the Community Safety Partnership budget to create such a post. It is unlikely that the County allocation to the CSP from the Area Based Grant will increase so this would need to be a growth bid into the Council's 2009/10 budget process.

Recommendation 2

That, as part of the agreement for the Council's part funding of 4 Police Community Support Officers (PCSOs) (out of a total of 20) totalling £44,000 per year, the Council be provided evidence that they are working to enforce the Council's byelaws and issuing fixed penalty notices to ensure the authority receives value for money.

Officer Comments on Recommendation 2

PCSO evaluation is also a requirement of the Community Safety Partnership which currently allocates some £110,000 into their funding. So this evaluation of the “environmental” PCSO’s could be built into that work.

Recommendation 3

That the City Council endorses the ‘Restorative Justice’ Programme and explores future involvement in the initiative in conjunction with Lancashire Constabulary where resources permit, applying this process to cases falling under the Council’s jurisdiction.

Officer Comments on Recommendation 3

The Task Group report outlines the principles of Restorative Justice which does seem to have great potential. However, the funding bid for a local scheme was unsuccessful. There has been a pilot project in Preston and Members might want to consider the evaluation of that scheme before endorsing such an approach.

Recommendation 4

That a single form for reporting incidents of anti-social behaviour (ASB) be developed as part of the re-design of the City Council’s website, using Wyre Borough Council’s form as an example of best practice.

Officer Comments on Recommendation 4

Whilst a single form could be developed fairly easily, the Community Safety Partnership would need to consider its support for such a development and, more essentially, how that form would then be used for onward referral to relevant agencies who can take action.

Recommendation 5

That all PCSOs be issued with the City Council’s Customer Service Centre telephone numbers, and possibly other useful numbers such as Lancashire County Council Customer Services, to inform residents who raise queries with them.

Officer Comments on Recommendation 5

This is an operational recommendation which has already been actioned.

Recommendation 6

That the City Council seeks additional and significant funding from the LDLSP via the Children and Young People Thematic Group to provide sufficient ‘diversionary activities’ to enable young people who are vulnerable, at risk or disadvantaged, to have the opportunity to participate in positive activities designed to prevent a range of negative outcomes. Furthermore that a report be brought back to Members and budgets be updated accordingly.

Officer Comments on Recommendation 6

The Children and Young People Thematic Group are currently developing action plans for the seven agreed priority themes relating to LAA targets. NI 110 ‘increase young people’s participation in positive activities’ will potentially provide the rationale for seeking additional funding from the LDLSP to develop appropriate activities. The Children and Young People Thematic Group will need to consider possible joint funding application with other relevant Thematic Groups in the LDLSP in respect of this.

Recommendation 7

That Council Housing Services incorporate the findings of the Anti-social Behaviour Task Group when they review their published statutory "Anti-social Behaviour Policy Statement" and "Summary of Policies and Procedures" in 2009.

Officer Comments on Recommendation 7

Council Housing Services will be reviewing its published statutory "Anti-social Behaviour Policy Statement" and "Summary of Policies and Procedures" in 2009/2010. This will be reflected in their Service Business Plan for 2009/2010 and will also include specific actions arising out of a self assessment against the Tenancy and Estate Management KLOE.

Recommendation 8

That the Council investigates the possibility of providing PCSOs with the powers to issue parking tickets in particular with regard to areas outside schools.

Officer Comments on Recommendation 8

The recent decision by the County Council in respect of the allocation of enforcement responsibilities for on-street and off-street car parking control means that it is the County who are the on-street enforcement authority so this request could be passed to County for their consideration and liaison with the Police.

Recommendation 9

That in the development of the Local Development Framework the City Council encourages development of a policy aimed at locating areas for young people (over 14 yrs) to frequent in agreeable locations, in light of their exclusion from local playing areas.

Officer Comments on Recommendation 9

The Local Development Framework is entering its next phase where two important detail documents will begin to be prepared - The Land Allocations and Development Management Development Plan documents. The development of such a policy could be considered for the development management document but resources would need to be identified to develop that policy.

Recommendation 10

That Cabinet formally note the comments of those who attended Task Group meetings and provided comments to the Council website and request responses from the relevant Services to the issues raised, and these be reported back to Cabinet for further consideration.

Officer Comments on Recommendation 10

If Cabinet wants to receive service responses back then it would help to know which areas it wants services to respond to.

Recommendation 11

That Services responsible for responding to Anti-social Behaviour investigate developing a joint approach with regard to prevention and enforcement policies in combating Anti-social Behaviour, and a Corporate Policy be adopted in order to ensure clarity of the Council's prevention and enforcement policy. This should include all types of anti-social behaviour including dog fouling, littering and infringement of alcohol free zones.

Officer Comments on Recommendation 11

Services with enforcement responsibilities are already signed up to the Enforcement Concordat developed through the Cabinet Office and LGA in 1998. This seeks to achieve a consistent approach to enforcement balanced with actions on prevention. In addition, joint working is co-ordinated through the MAPs Team.

Recommendation 12

That at manager discretion, all reports with probable impact on Community Safety be forwarded to the Community Safety Officer for comments prior to consideration of draft reports by Corporate Management Team and publication of Agenda.

Officer Comments on Recommendation 12

Our standard report format already requires that due consideration of Community Safety impact is taken account of by report writers and guidance is available. In addition, the Head of Corporate Strategy can advise authors.

Recommendation 13

That Cabinet notify Overview and Scrutiny of any further work on specific items they wish to be carried out as a result of the findings contained within this report.

(No Officer comments on Recommendation 13)

It was moved by Councillor Mace and seconded by Councillor Blamire:-

- “(1) That Task Group recommendation 1 be referred to the 2010/11 budget.
- (2) That Task Group recommendation 2 be referred to the next Cabinet meeting.
- (3) That, in response to Task Group recommendation 3, Cabinet agrees with the principles of Restorative Justice and requests information on the evaluation of the pilot project underway in Preston.
- (4) That Task Group recommendation 4 be referred to the Community Safety Partnership for consideration.
- (5) That Task Group recommendation 6 be referred to the Lancaster District Local Strategic Partnership’s Children and Young People Thematic Group for consideration.
- (6) That Task Group recommendation 7 be referred to Council Housing Services.
- (7) That Task Group recommendation 8 be referred to the County Council for its consideration and liaison with the Police.
- (8) That Cabinet supports Task Group recommendation 9 in principle and refers it to the Head of Planning Services.
- (9) That Task Group recommendation 5 and recommendations 10-13 be noted.”

Members then voted as follows:-

Resolved unanimously:

- (1) That Task Group recommendation 1 be referred to the 2010/11 budget.
- (2) That Task Group recommendation 2 be referred to the next Cabinet meeting.
- (3) That, in response to Task Group recommendation 3, Cabinet agrees with the principles of Restorative Justice and requests information on the evaluation of the pilot project underway in Preston.
- (4) That Task Group recommendation 4 be referred to the Community Safety Partnership for consideration.
- (5) That Task Group recommendation 6 be referred to the Lancaster District Local Strategic Partnership's Children and Young People Thematic Group for consideration.
- (6) That Task Group recommendation 7 be referred to Council Housing Services.
- (7) That Task Group recommendation 8 be referred to the County Council for its consideration and liaison with the Police.
- (8) That Cabinet supports Task Group recommendation 9 in principle and refers it to the Head of Planning Services.
- (9) That Task Group recommendation 5 and recommendations 10-13 be noted.

Officers responsible for effecting the decision:

Chief Executive
Head of Democratic Services

Reasons for making the decision:

The decision allows the recommendations of the Anti Social Behaviour Task Group to be noted by Cabinet and taken forward as appropriate.

117 STAR CHAMBER

(Cabinet Member with Special Responsibility Councillor Mace)

(Mr Hamilton-Cox, who had registered to speak on this item in accordance with the City Council's agreed procedure and Cabinet Procedure Rule 2.7, spoke to this item).

The Corporate Director (Finance and Performance) submitted a report updating members on the Star Chamber meetings held since the last report to Cabinet of 9th December 2008.

It was moved by Councillor Mace and seconded by Councillor Charles:-

"That the report be noted."

Members then voted as follows:-

Resolved unanimously:

- (1) That the report be noted.

Officers responsible for effecting the decision:

Corporate Director (Finance and Performance)
Head of Financial Services

Reasons for making the decision:

The decision is in line with the requirement for Cabinet to receive regular updates on Star Chamber meetings.

118 REFERRAL TO CABINET - THE DOME

(Cabinet Member with Special Responsibility Councillor Fletcher)

The Head of Democratic Services submitted a report requesting Cabinet to consider a recommendation from the Overview and Scrutiny Committee in relation to the Call-in on the Dome.

It was moved by Councillor Mace and seconded by Councillor Charles:-

“That the further report requested with regard to the Dome (Cabinet Minute 97 (3) refers) contain details of the urgent works and financial implications of running the Dome until 1st June 2009.”

Members then voted as follows:-

Resolved:

(5 Members (Councillors Barry, Bryning, Charles, Gilbert and Mace) voted in favour, 2 Members (Councillors Blamire and Burns) voted against and 2 Members (Councillors Archer and Kerr) abstained)

- (1) That the further report requested with regard to the Dome (Cabinet Minute 97 (3) refers) contain details of the urgent works and financial implications of running the Dome until 1st June 2009.

Officers responsible for effecting the decision:

Corporate Director (Regeneration)
Head of Cultural Services

Reasons for making the decision:

The decision is in line with the Overview and Scrutiny recommendation to Cabinet following the call-in of Cabinet’s decision to close the Dome.

(Cabinet Member with Special Responsibility Councillor Mace)

The Corporate Director (Finance and Performance) and the Head of Financial Services submitted a joint report informing members about the latest budget position for current and future years, to allow Cabinet to make recommendations to Council on Council Tax levels for 2009/10. The report was split into four parts:-

Corporate Plan
 General Fund Revenue Budget
 General Fund, Capital Programme
 Housing Revenue Account Budget and Capital Programme

The options, options analysis, including risk assessment regarding the Corporate Plan, were set out in the report as follows:

Corporate Plan

Option 1:- To approve the draft Corporate Plan as set out in Appendix A to the report as a basis for consultation in accordance with the agreed timetable and as the basis for determining its budget proposals.

Option 2:- To approve an amended version of the draft Corporate Plan as set out in Appendix A to the report as a basis for consultation in accordance with the agreed timetable and as the basis for determining its budget proposals.

Option 1 is the officer preferred option regarding the Corporate Plan as this best reflects the latest position on local priorities.

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

“That Cabinet approves the draft 2009/10 Corporate Plan attached as Appendix A to the report, as a basis for consultation in accordance with the agreed timetable and as the basis for determining its budget proposals, subject to the reference to Street Pride under “Safe and Healthy Communities” (page 6) being rewritten into “Clean and Green” (page 4).”

By way of amendment, which was accepted as a friendly amendment by the mover and seconder of the original proposition, Councillor Gilbert proposed and Councillor Bryning seconded:

“(1) That Cabinet approves the draft 2009/10 Corporate Plan attached as Appendix A to the report, as a basis for consultation in accordance with the agreed timetable and as the basis for determining its budget proposals, subject to

- the reference to Street Pride under “Safe and Healthy Communities” (page 6) being rewritten into “Clean and Green” (page 4)

- and that the narrative part of the report contains references to the current global economic recession.”

Members then voted as follows:-

Resolved unanimously:

“(1) That Cabinet approves the draft 2009/10 Corporate Plan attached as Appendix A to the report, as a basis for consultation in accordance with the agreed timetable and as the basis for determining its budget proposals, subject to

- the reference to Street Pride under “Safe and Healthy Communities” (page 6) being rewritten into “Clean and Green” (page 4)
- and that the narrative part of the report contains references to the current global economic recession.”

Officers responsible for effecting the decision:

Corporate Director (Finance and Performance)
Head of Financial Services

Reasons for making the decision:

The decision made allows Cabinet to agree the Corporate Plan in order for it to meet the requirements of the agreed timetable for bringing forward its Budget and Policy Framework proposals.

120 BUDGET AND POLICY FRAMEWORK UPDATE - GENERAL FUND REVENUE BUDGET

(Cabinet Member with Special Responsibility Councillor Mace)

The Corporate Director (Finance and Performance) and Head of Financial Services submitted a joint report providing information on the General Fund Revenue Budget, to allow Cabinet to make recommendations to Council on Council Tax levels for 2009/10.

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

Options are dependent very much on Members’ views on spending priorities balanced against Council Tax levels. As such, a full options analysis could only be undertaken once any alternative proposals are known and it should be noted that Officers may require more time in order to do this. Outline options are highlighted below, however.

- With regard to the Revised Budget and resulting overspending, Cabinet could consider other proposals that may influence the Revised Budget for the year.
- In terms of surplus Balances generally, it could consider retaining balances at a higher level than the minimum or a different phased use of balances.

- Regarding Council Tax increases, various options are set out at section 6 of the report. In considering these, Members should have regard to the impact on service delivery, the need to make savings or provide for growth, the impact on future years and the likelihood of capping.
- With regard to items for noting, no options are presented.

With regard to options to produce a budget in line with preferred Council Tax levels, any proposals put forward by Cabinet should be considered alongside the development of Cabinet priorities, and emphasis should be very much on achieving recurring reductions to the revenue budget, and avoiding any “unidentified” savings targets that undermine the robustness of the budget and financial planning arrangements generally.

Under the Constitution, Cabinet is required to put forward budget proposals for Council’s consideration, in time for them to be referred back as appropriate. This is why recommendations are required to feed into the Council meeting on 04 February, prior to the actual Budget Council.

The Officer Preferred options are as reflected in the report’s recommendations.

It was proposed by Councillor Barry and seconded by Councillor Gilbert:

“That Cabinet recommend a Council Tax increase of 4% to Council for 2009/10.”

Members then voted as follows:

Resolved:

(7 Members (Councillors Archer, Barry, Blamire, Bryning, Burns, Gilbert and Kerr) voted in favour and 2 Members (Councillors Charles and Mace) voted against)

- (1) That Cabinet recommend a Council Tax increase of 4% to Council for 2009/10.

It was proposed by Councillor Mace and seconded by Councillor Kerr:

“That recommendations 1-6 in the General Fund Revenue Budget report be approved”.

It was proposed by Councillor Barry that “Cabinet receive an options report on how the City Council can address the public inquiry into the Canal Corridor”.

However, it was noted that there was no seconder to the proposition and, therefore, the proposition was deemed to have fallen.

Councillor Mace proposed and Councillor Charles seconded:

- (1) That Cabinet supports in principle the savings items set out in Appendix F to the report, and the growth items also included, but that the growth items be subject to further consideration, depending on sufficient progress being made to achieve the budget savings required to meet any approved Council Tax increase.
- (2) That further consideration of budget proposals be undertaken by Star Chamber, including the use of other earmarked reserves as set out in 4.5 of the report, in

order that a fully balanced set of revenue budget proposals can be developed for formal consideration by Cabinet at its February meeting.

- (3) That Council considers the General Fund revenue budget proposals to date, for initial consideration, subject to the decisions made at Cabinet today.”

Resolved unanimously:

- (2) That the 2008/09 Revised Budget of £23.782M be referred on to Council for approval, with the net overspending of £571K being met from Balances.
- (3) That Cabinet notes the position regarding the Local Government Finance Settlement and capping.
- (4) That Cabinet recommends to Council that the minimum level of General Fund Balances be retained at £1M from 01 April 2009.
- (5) That Cabinet approves the reassessment of other earmarked reserves and provisions as set out in section 4 of the report.
- (6) That Cabinet notes the Council Tax Base of 43,200 Band D properties for 2009/10.
- (7) That subject to all the above, Cabinet notes the resulting draft 2009/10 General Fund Revenue Budget of £25.701M, and the indicative spending projections of £27.040M for 2010/11 and £27.987M for 2011/12.

(7 Members (Councillors Archer, Blamire, Bryning, Burns, Charles, Kerr and Mace) voted in favour and 1 Member (Councillor Barry) abstained)

Note: Councillor Gilbert was not present when the vote was taken.

- (8) That Cabinet supports in principle the savings items set out in Appendix F to the report, and the growth items also included, but that the growth items be subject to further consideration, depending on sufficient progress being made to achieve the budget savings required to meet any approved Council Tax increase.
- (9) That further consideration of budget proposals be undertaken by Star Chamber, including the use of other earmarked reserves as set out in 4.5 of the report, in order that a fully balanced set of revenue budget proposals can be developed for formal consideration by Cabinet at its February meeting.
- (10) That Council considers the General Fund revenue budget proposals to date, for initial consideration, subject to the decisions made at Cabinet today.

Officers responsible for effecting the decision:

Corporate Director (Finance and Performance)
Head of Financial Services

Reasons for making the decision:

This set of decisions is part of the process towards setting a Council Tax level for 2009/10 and is in line with the Corporate Plan objective of keeping the Council Tax rise to a maximum of 4%.

121 BUDGET AND POLICY FRAMEWORK UPDATE - GENERAL FUND, CAPITAL PROGRAMME

(Cabinet Member with Special Responsibility Councillor Mace)

The Corporate Director (Finance and Performance) and Head of Financial Services submitted a joint report providing information on the General Fund Capital Programme, to allow Cabinet to make recommendations to Council on Council Tax levels for 2009/10.

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

Funding Assumptions and Achieving a Balanced Capital Programme

The broad options for achieving a balanced programme are set out below and are very much dependent on Members' views on spending priorities. As such, a full options appraisal and risk assessment cannot be completed until budget proposals are known in more detail. That said, the basic options for achieving savings include:

- removing schemes from the draft programme, taking account of service needs and priorities;
- reducing proposed net expenditure on schemes, where possible;
- generating additional capital resources (e.g. receipts, direct revenue financing or borrowing), within affordable limits;
- deferring projects into later years – although this would not help with the overall five-year programme unless schemes were deferred until after 2013/14.

Should surplus resources be available, these could be used:

- to repay borrowing, or to reduce the call on the revenue budget;
- to fund new capital schemes;
- to make provision for other anticipated liabilities.

As referred to in earlier reports, setting a balanced capital programme is an iterative process, essentially balancing service delivery impact and aspirations against what the Council can (and is prepared to) afford.

In deciding the way forward, Cabinet is asked also to take into account the relevant basic principles of the Prudential Code, which are:

- *that the capital investment plans of local authorities are affordable, prudent and sustainable, and*
- *that local strategic planning, asset management planning and proper options appraisal are supported.*

The Officer preferred options are as set out in the recommendations of the report.

Councillor Mace proposed and Councillor Charles seconded:

- (1) That Cabinet notes the latest position regarding the General Fund Capital Programme and supports in principle the funding assumptions from 2008/9 onwards as set out, but that these be reviewed in light of the further work underway.
- (2) That the outcome of the work ongoing as set out in the report, including the capital receipts review and updates on the issues outlined in sections 2 and 3 of the report, be fed into Star Chamber for initial consideration, in order that a fully balanced programme can be developed for formal consideration by Cabinet at its February meeting.
- (3) That the current capital position be referred on to Council for consideration.”

Members then voted as follows:

Resolved:

(8 Members (Councillors Archer, Blamire, Bryning, Burns, Charles, Gilbert, Kerr and Mace) voted in favour and 1 Member (Councillor Barry) abstained)

- (1) That Cabinet notes the latest position regarding the General Fund Capital Programme and supports in principle the funding assumptions from 2008/9 onwards as set out, but that these be reviewed in light of the further work underway.
- (2) That the outcome of the work ongoing as set out in the report, including the capital receipts review and updates on the issues outlined in sections 2 and 3 of the report, be fed into Star Chamber for initial consideration, in order that a fully balanced programme can be developed for formal consideration by Cabinet at its February meeting.
- (3) That the current capital position be referred on to Council for consideration.

Officers responsible for effecting the decision:

Corporate Director (Finance and Performance)
Head of Financial Services

Reasons for making the decision:

The decisions made allow Cabinet to make progress in developing its capital investment proposals and the supporting Investment Strategy.

**122 BUDGET AND POLICY FRAMEWORK UPDATE - HOUSING REVENUE ACCOUNT
BUDGET AND CAPITAL PROGRAMME**

(Cabinet Member with Special Responsibility Councillor Kerr)

The Corporate Director (Community Services) and Head of Financial Services submitted a joint report updating the Housing Revenue Account (HRA) revised budget position for the current year and setting out the recommended budget for 2009/10 and future years. It also set out the updated Capital Programme for 2008/9 and the proposed programme to 2013/14.

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

With regard to the Revised Budget, Cabinet could consider other proposals that may influence the Revised Budget for the year and the call on revenue balances.

The options available in respect of the 2009/10 rent increase are to:

- i) Set the average housing rent at 5% as proposed in paragraph 2.3.1 to the report;
- ii) Set the rent at a lower level: this would reduce the income available to the Housing Revenue Account. For example a 1% change in the rent equates to a change of around 59 pence per week per property and a £111K change in annual income for the HRA.
- iii) Set the rent increase at a higher level, up to 5.9%, i.e. within the Limit Rent
- iv) Set the rent increase at a level higher than 5.9%, i.e. above the Limit Rent. Although this would generate additional income, around 60% of that income would have to be paid over to the Government through Rent Rebate Subsidy Limitation.

The options available in respect of the minimum level of HRA balances are to set the level at £350,000 in line with the advice of the Section 151 Officer, or to adopt a different level. Should Members choose not to accept the advice on the level of balances, then this should be recorded formally in the minutes of the meeting, and could have implications for the Council's financial standing, as assessed by its external auditors.

The options available in respect of the revenue budgets for 2009/10 to 2011/12 are to recommend the budget as set out to Council for approval, or to consider other proposals for incorporation.

The options available in respect of the Capital Programme are:

- i) To approve the programme in full, with the financing as set out;
- ii) To incorporate other increases or reductions to the programme, with appropriate sources of funding being identified.

Any risks attached to the above would depend very much on what measures Members proposed, and their impact on the council housing service. As such, a full options analysis could only be undertaken once any alternative proposals are known. It should be noted that Officers may require more time in order to do this.

The Officer Preferred options are to:

- approve the 2008/09 revised Revenue Budget as set out;
- approve the provisions, reserves and balances positions as set out;
- set a 5% increase in average rents, and to approve the draft revenue and capital budgets as set out in the appendices to the report, and as amended for any revenue growth supported by Cabinet, for referral on to Council as appropriate.

These are as reflected in the Member recommendations.

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

“That this agenda item be deferred until 28th January when additional information required to make a decision will be available.”

2 Members (Councillors Barry and Bryning) voted in favour of the proposal, 4 Members (Councillors Blamire, Burns, Gilbert and Kerr) voted against and 3 Members (Councillors Archer, Charles and Mace) abstained, whereupon the Chairman declared the motion to be lost.

It was moved by Councillor Kerr and seconded by Councillor Burns:

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

Members then voted as follows:

Resolved:

(6 Members (Councillors Archer, Blamire, Burns, Gilbert, Kerr and Mace) voted in favour of the proposal, 2 Members (Councillors Barry and Bryning) voted against and 1 Member (Councillor Charles) abstained)

- (1) That the Housing Revenue Account Revised Budget for 2008/09, as set out at Appendix A to the report, be recommended to Council for approval.
- (2) That the revenue growth bids as set out at Appendix B be supported, to be funded by reductions in the contributions into the Major Repairs Reserve.
- (3) That the Housing Revenue Account Budget for 2009/10 as set out at Appendix A to the report, as amended for growth above, be recommended to Council for approval.
- (4) That Cabinet recommend to Council that the minimum level of HRA unallocated balances be retained at £350,000 from 01 April 2009, and that the Statement on Reserves and Balances be noted and referred to Council for information.
- (5) That average council housing rents for the year commencing 01 April 2009 be set at £59.56, representing an increase of 5%.
- (6) That future year budget projections continue to assume a 5% year on year increase in average rents.

- (7) That the Capital Programme as set out at Appendix E of the report be referred on to Council for approval.
- (8) That Cabinet notes that the proposed revenue budgets and capital programme will be referred to the District Wide Tenants Forum on 28 January 2009, and that any issues arising will be fed directly into Council.

Officers responsible for effecting the decision:

Corporate Director (Finance and Performance)
Head of Financial Services

Reason for making the decision:

The City Council is required, under statutory provisions, to maintain a separate ring-fenced account for all transactions relating to the provision of local authority housing, known as the Housing Revenue Account (HRA). This account includes all transactions relating to the maintenance and management of the Council's housing stock. The decision to set the rent levels for 2009/10 at this meeting meets the deadline to notify tenants of the rent variation by 1st March 2009. The decisions to recommend a balanced budget and fully financed Capital Programme to Council for agreement on 4th February 2009 is in line with the budget timescale.

123 HEALTH AND STRATEGIC HOUSING FEES & CHARGES 2009/10

(Cabinet Member with Special Responsibility Councillor Kerr)

The Corporate Director (Community Services) submitted a report prepared as part of the 2009/10 estimate procedure, which set out options for increasing the level of fees and charges.

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

The options to Members include:

- (i) To approve either the 2%, 5% or 10% increase in fees for Health & Strategic Housing charges.
- (ii) To approve a different % increase.
- (iii) To approve an increase to £25.00 (with a reduction to £12.50 for those in receipt of Council Tax and/or Housing Benefit) for rats, mice and flea treatments.
- (iv) To approve the fees for rats, mice and fleas in line with the other increases or a different amount.
- (v) To approve an increase of £100 in the base Exclusive Right of Burial (EROB) fee.

- (vi) To approve the proposed fees and charges for the provision of new cemetery services.

The Officer preferred option is (i) 5% increase, (iii), (v) and (vi) for reasons set out in the report.

It was moved by Councillor Kerr and seconded by Councillor Archer:

- “(1) That the Health & Strategic Housing fees in Appendix 1 to the report should be increased by 5% with the exception of the fees for rats, mice and fleas and the fee for Exclusive Right of Burial (EROB).
- (2) That the fees for rats, mice and fleas are increased to £25.00 with a reduction to £12.50 for customers in receipt of Council Tax and/or Housing Benefit.
- (3) That the EROB base fee is increased by £100 to reflect the costs of maintaining cemeteries and bring our charges in line with most other Councils.
- (4) That Cabinet agrees to the introduction of new charges for cremated remains, memorial vaults and reduced EROB fee for purchased baby graves at 50% of the adult fee applicable at the time of purchase.”

By way of amendment to (3) above, it was moved by Councillor Barry and seconded by Councillor Gilbert:

“That the EROB base fee is increased by 5%.”

2 Members (Councillors Barry and Gilbert) voted in favour of the amendment and 7 Members (Councillors Archer, Blamire, Bryning, Burns, Charles, Kerr and Mace) voted against, whereupon the Chairman declared the amendment to be lost.

It was further proposed by Councillor Mace and seconded by Councillor Burns:

“(5) That the decisions in (1)-(4) are made subject to budget considerations”.

Members then voted as follows on each recommendation in turn:-

Resolved:

(8 Members (Councillors Archer, Barry, Blamire, Bryning, Burns, Charles, Kerr and Mace) voted in favour and 1 Member (Councillor Gilbert) abstained)

- (1) That the Health & Strategic Housing fees in Appendix 1 to the report should be increased by 5% with the exception of the fees for rats, mice and fleas and the fee for Exclusive Right of Burial (EROB).

Resolved:

(6 Members (Councillors Archer, Barry, Blamire, Bryning Burns and Kerr) voted in favour and 3 Members (Councillors Charles, Gilbert and Mace) abstained)

- (2) That the fees for rats, mice and fleas are increased to £25.00 with a reduction to £12.50 for customers in receipt of Council Tax and/or Housing Benefit.

Resolved:

(6 Members (Councillors Archer, Blamire, Bryning, Burns, Kerr and Mace) voted in favour, 2 Members (Councillors Barry and Gilbert) voted against and 1 Member (Councillor Charles) abstained)

- (3) That the EROB base fee is increased by £100 to reflect the costs of maintaining cemeteries and bring our charges in line with most other Councils.

Resolved:

(8 Members (Councillors Archer, Barry, Blamire, Bryning, Burns, Gilbert, Kerr and Mace) voted in favour and 1 Member (Councillor Charles) abstained)

- (4) That Cabinet agrees to the introduction of new charges for cremated remains, memorial vaults and reduced EROB fee for purchased baby graves at 50% of the adult fee applicable at the time of purchase.

Resolved:

(6 members (Councillors Archer, Blamire, Bryning, Burns, Charles and Mace) voted in favour, 2 Members (Councillors Barry and Gilbert) voted against and 1 Member (Councillor Kerr) abstained)

- (5) That the decisions in (1)-(4) are made subject to budget considerations.

Officers responsible for effecting the decision:

Corporate Director (Community Services)
Head of Health and Strategic Housing

Reasons for making the decision:

The decision will generate additional income, bring the Exclusive Right of Burial charges in line with most other councils and provide new cemetery services.

124 MEMORIAL SAFETY PROGRAMME

(Cabinet Member with Special Responsibility Councillor Kerr)

The Corporate Director (Community Services) submitted a report informing Cabinet of the options for the future of the Council's Memorial Safety Programme.

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

	Options	Advantages	Disadvantages	Risk Assessment	Financial
1	To make the Memorial Safety Team (reduced to 2 posts), permanent.	<p>Retains expertise to allow:</p> <ul style="list-style-type: none"> ▪ Implementation of rolling testing programme. ▪ Ability to repair unsafe and vandalised memorials. ▪ Ability to monitor work of private masons to ensure future compliance with standards. ▪ Provide the necessary operational resources to deliver essential services required at the time of burial. ▪ To carry out permanent repair to previously staked and banded memorials. ▪ Provides extra resilience for business continuity in the event of a major incident. 	<ul style="list-style-type: none"> ▪ Ongoing revenue costs as outlined in financial implications section. ▪ One post made redundant 	Ensures Council is complying with legal responsibilities and cemeteries good management.	<ul style="list-style-type: none"> ▪ 2-man team including equipment, tools and vehicle approximately £55k/year. ▪ In 2009/10 up to £6,000 redundancy costs required

	Options	Advantages	Disadvantages	Risk Assessment	Financial
2	To cease the Memorial Safety Programme.	<ul style="list-style-type: none"> ▪ Approved budget of £55K in 2009/10 would result in savings to the Council minus redundancy costs. <p>Approximate saving of £45K</p>	<ul style="list-style-type: none"> ▪ Council will be failing its statutory duties under Health & Safety at Work Act 1974 and Owner Occupiers Liability responsibilities. ▪ No testing programme in place. The Council would run the risk of being found guilty of maladministration should a complaint be made. ▪ Closed churchyards not tested yet.. ▪ Council will not be following established guidance. ▪ Temporarily staked and banded memorials left indefinitely and thereby will present an ever increasing risk as time elapses. ▪ Unable to monitor work of private masons. 	<ul style="list-style-type: none"> ▪ Could lead to bad PR for Service and Council ▪ Potential for unsafe memorials. ▪ No defence in future litigation or claims following an accident, as recognised by Cemeteries Internal Audit Report dated 21 September 2007. ▪ Council risks prosecution under Health & Safety and/or Corporate Manslaughter legislation. 	<p>Redundancy costs estimated as follows:</p> <ul style="list-style-type: none"> ▪ Costs for enhanced package = £9,799.83 ▪ Costs for statutory package = £6,584.44 <p>All employees with more than 2 years service are entitled, in the appropriate circumstances, to redundancy payments.</p>

	Options	Advantages	Disadvantages	Risk Assessment	Financial
2 Cont.			<ul style="list-style-type: none"> ▪ Cemeteries team's operational flexibility will be lost leading to reduced service delivery. 		
3	Support a memorial safety programme using an external contractor	<ul style="list-style-type: none"> ▪ Testing programme would be carried out quicker. ▪ Opportunity for Council to assess benefits of using external contractors/ partnership working to deliver part of service. 	<ul style="list-style-type: none"> ▪ Would need to engage each year to carry out testing. Also need to engage contractor to carry out any temporary re-fix. ▪ Much more expensive than in house team option. 	<ul style="list-style-type: none"> ▪ Would need to take up references re competency. ▪ Less control over contractor costs leading to increased cost of test and repair programme. 	Cost of permanently repairing unsafe memorials and carrying out testing using an external contractor is approximately 40% more expensive than an in-house team.
4	To retain the Memorial Safety Team (reduced to 2 posts) for a further 12 months until 31 March 2010 subject to a review of the Memorial Safety Programme for future years.	<ul style="list-style-type: none"> ▪ Uses the budget already approved for 2009/10 and does not commit the Council to further costs. ▪ Enables testing programme to be implemented including closed churchyards. ▪ A limited amount of repair work could be undertaken. 	<ul style="list-style-type: none"> ▪ Delays decision on long term future of temporarily staked and banded memorials and testing programme for future years. 	<ul style="list-style-type: none"> ▪ Protects Council's interests re testing programme for further 12 months. 	£55K approved for 2009/10 and is sufficient for a further 12 months.

Option 1 is the officer preferred option, recommended for approval.

This option is recommended based on the operational experience gained over the last 2½ years and being the most cost effective way of delivering the memorial safety programme to ensure the Council meets its legal obligations

Option 2 is not recommended and has only been included in the report at the request of Members following the Star Chamber budget exercise.

Option 4 is a “stop gap” measure which would allow continuation of the Memorial Safety Programme and protect the Council’s legal responsibilities for a further 12 months.

It was moved by Councillor Mace and seconded by Councillor Charles:-

“(1) That Cabinet support an in-house memorial safety team and that a further report be requested for the next Cabinet meeting on setting up a programme of work for the safety team equivalent to 2-3 days per week over the year on memorial safety work, and for the rest of the time to be spent on grounds maintenance.”

By way of amendment, which was accepted as a friendly amendment by the mover and seconder of the original proposition, Councillor Barry proposed and Councillor Burns seconded:

“(2) That a further report be requested on options regarding the laying down of gravestones not repaired by owners.”

Members then voted as follows:-

Resolved unanimously:

- (1) That Cabinet support an in-house memorial safety team and that a further report be requested for the next Cabinet meeting on setting up a programme of work for the safety team equivalent to 2-3 days per week over the year on memorial safety work, and for the rest of the time to be spent on grounds maintenance.
- (2) That a further report be requested on options regarding the laying down of gravestones not repaired by owners.

Officers responsible for effecting the decision:

Corporate Director (Community Services)
Head of Health and Strategic Housing

Reasons for making the decision:

The decision will ensure that the Council can comply with its legal responsibilities and be able to deliver an effective burial service to the public.

125 APPROVAL OF PAY AND GRADING STRUCTURE**(Cabinet Member with Special Responsibility Councillor Kerr)**

The Chief Executive submitted a report to enable Cabinet to consider the updated financial information in respect of its preferred new pay and grading structure and to recommend Council to approve the new structure.

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

Options for the new pay and grading structure have previously been considered by the JCC, by Personnel Committee and by Cabinet, and as a result of the preference expressed for structure 9.5.4.5, that option is now presented for further consideration and approval with structure 9.5.4 included for comparison and evaluation purposes. As the projected cost of the either new structure in future years falls outside the budget and policy framework, it will be necessary for it to be approved by Council.

In addition to the pay and grading structure, it is intended that other elements will form part of the new pay package, which have been reported to Cabinet previously. These are pay protection, on the basis of 100% in the first year, 50% of the difference between old and new salary in the second year and 25% in the third year, market supplement where this can be objectively justified for a particular post, and a basic annual leave entitlement of 26 days plus eight statutory days.

The officer preferred option is to proceed with 9.5.4.5.

It was moved by Councillor Mace and seconded by Councillor Kerr:

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

Members then voted as follows:-

Resolved unanimously:

- (1) That structure 9.5.4.5 be recommended to Council.

Officer responsible for effecting the decision:

Chief Executive

Reasons for making the decision:

The decision reflects previous considerations by the Joint Consultative Committee, the Personnel Committee and Cabinet and is in line with the agreed process and timetable for implementing Fair Pay.

126 PUBLIC SPEAKING AT CABINET**(Cabinet Member with Special Responsibility Councillor Mace)**

The Head of Democratic Services submitted a report to allow Cabinet to review the procedure for public speaking at meetings of Cabinet, as previously requested.

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

The options are set out below:-

Public Speaking at Cabinet meetings:

Option No.	OPTION	IMPLICATIONS AND RISK ANALYSIS
1	<p>That the current arrangements be continued, with the Council Business Committee being recommended to consider allowing members of the general public to speak on items of urgent business or items submitted after the publication of the Agenda, as detailed within the report . In considering this option Cabinet may feel it to be appropriate to make recommendations on the amendment of Cabinet Procedure Rules for Ward Councillors speaking to be in line with those of the general public (i.e. with the same deadlines). This could involve extending the deadline for reports that are submitted late, or are to be considered as urgent business until 12 Noon on the Monday prior to the meeting, or other time that Members may feel appropriate.</p> <p>Cabinet may also wish to incorporate Rules relating to speaking on more than one occasion being introduced in order to bring into line with those of the Planning Committee.</p>	<p>This would mean that members of the public and Ward Councillors would be allowed to speak at meetings of Cabinet on all items of business that are known to require a decision prior to the meeting. A report would need to be submitted to the Council Business Committee on any Cabinet recommendations that would require amendment to the City Council's Constitution.</p> <p>Allowing the general public and/or Ward Councillors to speak on urgent business items or reports submitted after the publication of the Agenda would, with such a late deadline, not give Officers enough time to re-order the Agenda and notification of speakers would need to be given at the meeting.</p> <p>Adopting procedures in accordance with those of the Planning Committee would make the Council's Rules consistent and would also ensure that there was no duplication in making a repeated address to Cabinet.</p>
2	<p>That the existing procedure be continued with no alterations.</p>	<p>This approach would support the public being allowed to speak at meetings of Cabinet on any topic within the Council's area of responsibility and ensure that there was an element of consistency</p>

Option No.	OPTION	IMPLICATIONS AND RISK ANALYSIS
		<p>with other meetings of the Council. However, it would not support the public or Ward Councillors speaking on urgent business items or reports submitted after the publication of the Agenda where the content of the report is unknown when the deadline for speaking has passed.</p> <p>There would be benefits such as savings on printing costs that would be required with a new leaflet and meetings of Cabinet may be shorter with the possibility of fewer public speakers.</p>
3	That Cabinet make alternative recommendations on the process.	Any alternative proposals may require a more detailed report to consider the implications of the proposals.

Officers would support option 1 to continue to allow speaking by members of the general public and to recommend the amendment of the Constitution by the Council Business Committee to enable both the general public and Ward Members to speak on items of urgent business and reports circulated after the publication of the Agenda. It would also bring a more consistent approach mirroring the process of the Planning Committee.

It was moved by Councillor Mace and seconded by Councillor Charles:-

“That Cabinet recommend to Council Business Committee that public speakers at Cabinet make a written version of their speech or questions available for Cabinet Members prior to the meeting.”

By way of amendment, Councillor Barry proposed and Councillor Burns seconded:

“(1) That Cabinet recommend to Council Business Committee that public speakers at Cabinet be asked to provide a written version of their speech or questions in advance wherever possible and be prepared to respond to questions from Cabinet Members at the meeting, if necessary.”

Members then voted as follows:-

Resolved unanimously:

(1) That Cabinet recommend to Council Business Committee that public speakers at Cabinet be asked to provide a written version of their speech or questions in advance wherever possible and be prepared to respond to questions from Cabinet Members at the meeting, if necessary.

Officers responsible for effecting the decision:

Chief Executive
Head of Democratic Services

Reasons for making the decision:

The decision allows Cabinet to propose the changes it would like to effect to Cabinet public speaking procedure to the Council Business Committee for incorporation in to the Constitution.

127 CHARITIES REVIEW**(Cabinet Member with Special Responsibility Councillor Mace)**

(Councillor Gilbert declared a personal interest in the following item in view of his wife's involvement with the James Bond/Henry Welch Trust)

Cabinet received a report setting out a recommendation from Council Business Committee on the options for use of existing charity funds for which the Council is responsible which are currently dormant.

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

	Option	Advantages	Disadvantages/risks
1	To proceed with the proposed amalgamations of Charity Trust Funds as set out in paragraphs 1.4 and the transfer of funds as set out in 1.5	Retains control over the allocation of funds via a Management Committee of Trustees appointed by the Council	Significant additional workload for staff in Democratic Services, initially to work with the Charity Commission to set up the new arrangements and on an ongoing basis to management the Trust Fund, the Management Committee and the allocation of funds
2	To agree to support the proposed setting up of the CFL and identify sufficient funds from the bequests listed in Appendix A for transfer to the CFL over the next 3 years, holding the remaining sums in abeyance until the operation of the CFL has been evaluated, but with the long term intention of transferring all unused funds to the CFL	Takes advantage of the opportunity to be part of the Lancashire Community Foundation, utilising the expertise available in grant funding Expected to ensure that grant allocations show a demonstrable contribution to LAA outcomes More cost effective than administering the funds 'in-house'	Could be seen as handing over Lancaster District money to the County The Lancashire Community Foundation may fail

3	To agree to support the proposed setting up of the CFL and identify sufficient funds from the bequests listed in Appendix A for transfer to the CFL over the next 3 years and continue with the proposed amalgamations of Charity Trust Funds for the remaining bequests.	Takes advantage of the opportunity to be part of the Lancashire Community Foundation, utilising the expertise available in grant funding Expected to ensure that grant allocations show a demonstrable contribution to LAA outcomes More cost effective than administering the funds 'in-house'	Could be seen as handing over Lancaster District money to the County The Lancashire Community Foundation may fail Work on amalgamations may be wasted if there is a later decision to transfer further funds to the CFL
4	Take no action in respect of any of the funds listed in Appendix A.		Money continues to accumulate and is not used for the benefit of the community

The officer preferred option is 2 above as this brings into use funds which have lain dormant for many years. This proposal takes full advantage of the expertise of a specialist grant making organisation and provides better value for money than the administration of individual Trust Funds by the City Council. Grant allocations will still be made for the benefit of the Lancaster District.

It was moved by Councillor Mace and seconded by Councillor Blamire:-

- “(1) That Council Business Committee’s recommendation to proceed with the proposed amalgamations of Charity Trust Funds and the transfer of funds as set out in paragraphs 1.4 and 1.5 of the report (Option 1) be approved, subject to (2) and (3) below:
- (2) That the funds referred to in 1.5 of the report, relating to current and former educational establishments, be transferred to the relevant Board of Governors for use as prize money for the school without delay.
- (3) That the consolidation of the charities to form five charities to be managed by Lancaster City Council, referred to in 1.4 of the report, be deferred until resources are available in Democratic Services to carry out the work required to set up and support the five charities proposed.”

Members then voted as follows:-

Resolved unanimously:

- (1) That Council Business Committee’s recommendation to proceed with the proposed amalgamations of Charity Trust Funds and the transfer of funds as set out in paragraphs 1.4 and 1.5 of the report (Option 1) be approved, subject to (2) and (3) below:

- (2) That the funds referred to in 1.5 of the report, relating to current and former educational establishments, be transferred to the relevant Board of Governors for use as prize money for the school without delay.
- (3) That the consolidation of the charities to form five charities to be managed by Lancaster City Council, referred to in 1.4 of the report, be deferred until resources are available in Democratic Services to carry out the work required to set up and support the new arrangements.

Officers responsible for effecting the decision:

Chief Executive
Head of Democratic Services

Reasons for making the decision:

The decision is taken in line with the recommendation of the Council Business Committee and takes account of the staff resources available to deal with the significant additional workload for staff in Democratic Services to set up and support the new arrangements.

128 SUPPORT FOR BUSINESS START UP

(Cabinet Members with Special Responsibility Councillors Archer and Bryning)

The Head of Economic Development and Tourism submitted a report seeking approval for proposals for the delivery of the NWDA Business Start Up Service in Lancaster District from April 2009.

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

The following options have been identified:

Option	Advantages	Disadvantages	Risks
1. Do nothing ie no co-funding arrangement, NWDA select local deliverer	Minimal City Council staff input required as no local project management implications	Extent of service limited by NWDA allocation of funding Limited opportunity to target local priorities	
2. City Council provides co-funding and acts as Accountable Body for project based on District footprint	Co-funding would allow enhanced service which can be extended to include local priorities City Council selects local deliverer	Co-funding would require an additional budget growth item for business counselling activity as there is no appropriate existing budget (nb this would be additional to the budget growth request already submitted for the Rent Grant Scheme)	Usual risks associated with Accountable Body status related to managing funding, achieving outputs

		Any associated external audit costs would need to be met in full by the City Council	
3. Enter into an agreement with Lancashire County Council who will provide co-funding and act as Accountable Body for project based on District footprint	City Council does not need to act as Accountable Body. Co-funding allows enhanced service which can be extended to include local priorities. County/City Councils select local deliverer. Allows firm link to be made with LSP/LAA targets for business start up. Funding fully committed to service delivery within the District. Any associated external audit costs would be the County Council's responsibility	County Council influences priorities and deliverer selection (mitigated by agreement between the two authorities on the co-funding arrangements)	
4. Join Mid-Lancashire grouping, with lead local authority acting as Accountable Body	City Council does not need to act as Accountable Body. Co-funding requirement possibly met by other authorities and/or Lancashire County Council. Possible re-allocation of resources within the grouping in response to high local level of demand	Options in selecting local deliverer(s) potentially more restricted. Opportunities to address local priorities potentially more limited. Possible re-allocation of resources within the grouping in response to low local level of demand	It is possible that the City Council would be required to agree a risk sharing arrangement with the lead authority for the group to mitigate their financial risks as Accountable Body (eg grant clawback and audit costs).

As background to Option 4 it should be noted that within Lancashire it was always likely that the two Multi Area Agreement local authority groups, Pennine Lancashire and the Fylde, would propose arrangements for delivery of the Business Start Up project within their respective boundaries. Consequently, one possible arrangement was for the remaining Mid Lancashire authorities, including Lancaster, to act as a third grouping with one of the authorities acting as Accountable Body. This option has not been actively pursued, the preference being to establish a dedicated service for Lancaster District's distinctive economic footprint.

Option 3 is the officer preferred option as this provides the optimum arrangement for a locally focused business start up service, enhanced by County Council co-funding.

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

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

Members then voted as follows:-

Resolved unanimously:

- (1) That the proposed arrangements for delivery of the NWDA Business Start Up Service in Lancaster District from April 2009 be approved with specific reference to the proposed partnership arrangement with Lancashire County Council, under which the County Council will act as Accountable Body in respect of a co-funding/co-procurement agreement with the Northwest Development Agency.
- (2) That the Corporate Director (Regeneration), in consultation with the Cabinet Members with joint economic/regeneration responsibilities, be authorised to finalise agreements with Lancashire County Council and the Northwest Development Agency as required for delivery of the Business Start Up Service, including the allocation of funding to priority groups and areas.

Officers responsible for effecting the decision:

Corporate Director (Regeneration)
Head of Economic Development and Tourism

Reasons for making the decision:

The decision provides the optimum arrangement for a locally focused business start up service, enhanced by County Council co-funding.

129 NEIGHBOURHOOD MANAGEMENT CABINET LIAISON GROUP

(Cabinet Member with Special Responsibility Councillor Mace)

The Corporate Director (Community Services) submitted a report proposing an amendment to the Terms of Reference of the Neighbourhood Management Cabinet Liaison Group.

The proposed amendment was the addition of the words *and/or third tier Councils* into the first part of the Group's terms of reference as shown below:-

- (1) That a Cabinet Liaison Group be formed, chaired by the Portfolio Holder responsible for Neighbourhood Management, to advise the Cabinet Portfolio Holder on options for the development of neighbourhood management arrangements for the District. The terms of reference of the Group to be that it should examine the options of an effective model for the delivery of Neighbourhood Management, considering how this would integrate into mainstream service delivery for Lancaster City Council *and/or third tier Councils*, and how such a model would relate to the LDLSP, and the community engagement agenda, and be supportive of the Council's priorities

and Core Values around Putting Our Customers First and Leading Our Communities.

It was moved by Councillor Mace and seconded by Councillor Charles:-

“(1) That Cabinet approves the amendment recommended by the Neighbourhood Management Cabinet Liaison Group to its terms of reference, adding the words “*and/or third tier Councils*” as indicated in the report.”

Members then voted as follows:-

Resolved unanimously:

(1) That Cabinet approves the amendment recommended by the Neighbourhood Management Cabinet Liaison Group to its terms of reference, adding the words “*and/or third tier Councils*” as indicated in the report.

Officer responsible for effecting the decision:

Corporate Director (Community Services)

Reasons for making the decision:

The decision allows a necessary change to the Cabinet Liaison Group’s Terms of Reference. As the original terms of reference were agreed by Cabinet, the amendment needed to be considered by Cabinet.

130 REVIEW OF PARKING FEES AND CHARGES 2009/10

(Cabinet Member with Special Responsibility Councillor Mace)

The Corporate Director (Regeneration) submitted a report asking members to consider the Annual Review of Parking Fees and Charges for 2009/10.

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

The following options for pay and display and public permits have been put forward for consideration. The temporary benefit of the reduced standard rate of VAT from 1st April to 31st December 2009 as outlined in paragraph 2.3 has been taken into account in the Financial Implications section of the report.

Option 1 a

This option is aimed at minimal price increases and achieving the budgetary commitments, but only after allowing for the VAT increase:

Pay and Display

Tariff Description	Current Tariff	Proposed Tariff	Additional Income
Increase Up to 1 hour on all car parks	£0.90	£1.00	£23,000

This option limits the price increases as shown above and assumes that 60% of customers already pay £1.00 as per a sample analysis that has been undertaken. The City Council's pay and display machines can be either programmed to accept overpayments and issue a pay and display ticket, or to reject incorrect payments and only accept the correct fee and not print a pay and display ticket. The City Council's machines are programmed to allow the customer to purchase their pay and display ticket.

Total estimated additional income for Option 1 a - £23,000

Option 1 b

This option is aimed at discouraging long stay parking whilst addressing the budgetary commitments:

Pay and Display

Tariff Description	Current Tariff	Proposed Tariff	Additional Income
Increase Up to 1 hour on all car parks	£0.90	£1.00	£23,000
Long Stay Car Parks			
Increase Up to 3 hours	£2.00	£2.20	£15,000
Increase Over 3 hours (Morecambe)	£3.00	£3.20	£4,500
Increase Up to 5 hours (Lancaster)	£3.50	£3.70	£2,000

Public Permit Charges

Permit Type	Current Tariff	Proposed Tariff	Additional Income
Increase Lancaster and Morecambe General Permit by 15%	£770.00	£885.00	£12,200
Increase Morecambe General Permit by 5% (see Note 1)	£475.00	£500.00	£800
Increase Specific Permit by 15%	£1,230.00	£1,415.00	£1,900

Note 1: The Morecambe permit will not sustain a 15% increase due to the daily cost of all day long stay parking in Morecambe being £3.00 compared with £6.00 in Lancaster.

This option is directly linked to the Parking Strategy in that it discourages long stay parking. Resistance and reduced sales has been allowed for in calculating the estimated income that is outlined in the table at paragraph 3.2 of the report.

Under this option it is also suggested that officers investigate the introduction of Green Permit options for next year's review. This would potentially allow price reductions for vehicles with low cubic capacity or low emissions but research would have to be undertaken with other Council's to gauge the success of this type of scheme and to see how administrative and enforcement arrangements are dealt with.

Total estimated additional income for Option 1 b - £59,400**Option 1 c**

This option proposes a range of increases across short stay and long stay car parks and increases public permits by approximately inflation.

Pay and Display

Tariff Description	Current Tariff	Proposed Tariff	Additional Income
Increase Up to 1 hour on all car parks	£0.90	£1.00	£23,000
Short Stay Car Parks			
Increase Up to 3 hours	£2.40	£2.50	£7,000
Increase Up to 4 hours	£3.20	£3.40	£6,000
Long Stay Car Parks			
Increase Up to 3 hour charge	£2.00	£2.20	£15,000
Increase Over 3 hours (Morecambe)	£3.00	£3.20	£4,500
Increase Up to 5 hours (Lancaster)	£3.50	£3.70	£2,000

Public Permit Charges

Permit Type	Current Tariff	Proposed Tariff	Additional Income
Increase Lancaster and Morecambe General Permit by 5%	£770.00	£810.00	£8,800
Increase Morecambe General Permit by 5%	£475.00	£500.00	£800
Increase Specific Permit by 5%	£1,230.00	£1,290.00	£1,800

This option recommends a range of inflationary increases for pay and display and public permits and is primarily aimed at achieving the budgetary commitments in 2009/10 and subsequent years.

This option meets some of the aims of the Parking Strategy in that it allows the continuation of making provision for longer stay parking in peripheral car parks and for business users by providing contract parking at a limited number of car parks. However, applying only inflationary increases does not address concerns about the level of commuter parking and the wider aims of reducing long stay parking particularly in Lancaster city centre.

Total estimated additional income for Option 1 c - £68,900**Staff and Member Permits**

Following the review of Employee and Elected Member Parking in July 2008, Cabinet now needs to determine the level of charges in line with the minute outlined at paragraph 3.3 of the report.

Option 2 is limited to applying inflation to the current charges for 24-7 permits and Option 3 has several options for determining the charges for 24-5 permits.

Option 2**Inflation added to Current 24-7 Permit Charges**

The current Staff and Member permit charges were set in December 2007. Applying the rate of inflation from this date until the end of October results in proposed 24/7 permit charges from 1st April 2009 as follows:

Permit	Current Charge	Proposed Charge
Staff General	£190.00	£200.00
Staff Specific	£320.00	£330.00
Member	£190.00	£200.00

Option 3**Options for 24-5 Permits**

As previously mentioned Cabinet has already approved the implementation of an option to introduce a separately priced 5-day permit [i.e. 24-5] for all permit holders with effect from 1st April 2009. This was on the basis that the permit would be at a lower cost than the equivalent 24-7 permit.

A number of options are included in the following table for the 24-5 permit ranging from a reduction of 5% to a reduced charge based on 5/7ths of the proposed 24-7 permit.

OPTION 3	(a)	(b)	(c)	(d)	(e)
Permit Type	Less 5%	Less 10%	Less 15%	Less 20%	5/7 of 24-7
Staff General	£190.00	£180.00	£170.00	£160.00	£145.00
Staff Specific	£315.00	£300.00	£280.00	£265.00	£235.00
Member	£190.00	£180.00	£170.00	£160.00	£145.00

It is extremely difficult to estimate the uptake of the 24-5 permit and therefore the financial implications of each charging option. However, if all permit holders elect to purchase the 24-5 permit at the price detailed under option (e) then it would result in a reduction of income estimated at £13,600 per annum.

Cabinet has since approved the Parking Strategy and the policy documents that inform the strategy support the reduction of commuter and long stay parking in town and city centres. The City Council is also faced with managing the reduction in long stay parking in Lancaster city centre as part of the proposed Canal Corridor redevelopment.

In setting the level of discount offered Cabinet needs to consider the impact on both the management of parking and the existing budgetary commitments. Although increasing the level of discount is likely to increase sales and therefore reduce the financial impact, the sustainability and parking management issues are considered to more important in policy terms.

It is therefore recommended that Option 3 (a) is approved for setting the 24-5 permit charges.

On-Street Pay and Display Charges

As previously outlined at paragraph 3.5 on-street charges should be higher than off-street charges. Under Options 1a, 1b and 1c it is proposed to increase the Up to 1 hour off-

street charge from £0.90 to £1.00. The following increased charges are therefore recommended:

Charges	Current	Recommended
Tariff 1 Castle Hill (spaces for TIC)	Up to ½ hour – 50p	Up to ½ hour – 60p
Tariff 2 e.g. Dalton Square/ Church Street	Up to ½ hour – 50p Up to 1 hour - £1.00	Up to ½ hour – 60p Up to 1 hour - £1.20
Tariff 3 e.g. Robert street/ Quarry Road	Up to 1 hour - £1.00	Up to 1 hour - £1.20
Tariff 4 e.g. High Street/ Queen Street	Up to 1 hour - £1.00 Up to 2 hours - £2.00	Up to 1 hour - £1.20 Up to 2 hours - £2.00 (No change)

The recommended charges represent a 20% increase with the exception of the 2 hour charge where no increase is proposed due to the off-street charge being £1.60. These charges are sometimes perceived as the City Council's charges rather than the County Council's charges. However, if approved, further increases would not be required for several years as there would be sufficient headroom for the 1 hour off-street charge to be subsequently increased from £1.00 to £1.10 as part of future annual reviews. It is also expected the proposed charges would re-encourage the use of off-street car parks.

The officer preferred options are listed below and are based on the background information and the options and options analysis supplied within this report:

- 1) Option 1b for pay and display and public permit charges as this meets the requirements of the Parking Strategy whilst also exceeding the income requirements.
- 2) Option 2 for the 24-7 Staff and Member Permit charges.
- 3) Option 3 (a) for the 24-5 Staff and Member Permit charges as this meets the requirements of Cabinet's earlier decision whilst also addressing the requirements of the Parking Strategy and minimising any potential financial implications.
- 4) To finalise discussions with Lancashire County Council over increased on-street pay and display charges for 2009/10.

Options for a 24-5 public permit were circulated at the meeting. Under Option 1b, the officer preferred option, the costs were set out as follows:

For a Lancaster permit £840; a Morecambe permit £475; a specific permit £1,345 (i.e. a reduction from the 24-7 permit cost as identified in Option 1b)

For Option 1c the costs were set out as follows:

For a Lancaster permit £770; a Morecambe permit £475; a specific permit £1,230 (i.e. a reduction from the 24-7 permit cost as identified in Option 1c)

Discussion of this item was adjourned for officers to obtain information requested by Cabinet Members and to allow Cabinet to proceed with the agenda. Discussion of this item then re-commenced when the information was available.

It was moved by Councillor Mace and seconded by Councillor Charles:-

- “(1) That Option 1b for Pay and Display for 2009/10 be approved
- (2) That Option 1c for Public Permit Charges for 2009/10 be approved
- (3) That Option 2 for the 24-7 Staff and Member Permit Charges for 2009/10 be approved
- (4) That Option 3a for the 24-5 Staff and Member Permit Charges for 2009/10 be approved
- (5) To confirm the City Council recommends that Lancashire County Council increases on-street pay and display charges for 2009/10 as outlined in paragraph 5.7 of the report.
- (6) That new 24-5 public permits be introduced and that the charge for these 24-5 permits be set at 5% less than the 24-7 tariffs set out in Option 1c of the report, equating to £770 for a Lancaster permit; £475 for a Morecambe permit and £1,230 for a specific permit.”

By way of amendment to (1) above, Councillor Barry proposed:

- “(1) That Option 1c for Pay and Display for 2009/10 be approved

The Chairman advised that there was no seconder to the amendment and it was, therefore, declared lost.

By way of amendment to (3) above, Councillor Barry proposed and Councillor Gilbert seconded:

- (3) That 24-7 permits should not be made available to Councillors and staff who do not work weekends.”

2 Members (Councillors Barry and Gilbert) voted for the amendment, 6 Members voted against the amendment (Councillors Archer, Bryning, Burns, Charles, Kerr and Mace) and 1 Member (Councillor Blamire) abstained, whereupon the Chairman declared the amendment lost.

Members then voted on each recommendation as follows:-

Resolved:

(8 Members (Councillors Archer, Blamire, Bryning, Burns, Charles, Gilbert, Kerr and Mace) voted in favour and 1 Member (Councillor Barry) voted against)

- (1) To approve Option 1b for Pay and Display for 2009/10.

Resolved unanimously:

- (2) To approve Option 1c for Public Permit Charges for 2009/10.

Resolved:

(6 Members (Councillors Archer, Bryning, Burns, Charles, Kerr and Mace) voted in favour, 1 Member voted against (Councillor Gilbert) and 2 Members (Councillors Barry and Blamire) abstained)

- (3) To approve Option 2 for the 24-7 Staff and Member Permit Charges for 2009/10.

Resolved:

(7 Members (Councillors Archer, Blamire, Bryning, Burns, Charles, Kerr and Mace) voted in favour and 2 Members (Councillors Barry and Gilbert) abstained)

- (4) That Option 3a for the 24-5 Staff and Member Permit Charges for 2009/10 be approved.

Resolved:

(8 Members (Councillors Archer, Barry, Blamire, Bryning, Burns, Charles, Kerr and Mace) voted in favour and 1 Member (Councillor Gilbert) abstained)

- (5) To confirm the City Council recommends that Lancashire County Council increases on-street pay and display charges for 2009/10 as outlined in paragraph 5.7 of this report.

Resolved:

(8 Members (Councillors Archer, Barry, Blamire, Bryning, Charles, Gilbert, Kerr and Mace) voted in favour and 1 Member (Councillor Burns) abstained)

- (6) That new 24-5 public permits be introduced and that the charge for these 24-5 permits be set at 5% less than the 24-7 tariffs set out in Option 1c of the report, equating to £770 for a Lancaster permit; £475 for a Morecambe permit and £1,230 for a specific permit.

Officers responsible for effecting the decision:

Corporate Director (Regeneration)
Head of Property Services

Reasons for making the decision:

The City Council reviews parking fees and charges annually to meet its transportation policy and budget commitments.

131 REVIEW OF COMMUNICATIONS AND MARKETING

(Cabinet Member with Special Responsibility Councillor Gilbert)

The Corporate Director (Regeneration) submitted a report providing an update on the progress of the communications and marketing review.

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

Option 1

This would provide a centralised co-ordinated approach to all council marketing activity – internal, local and external. It is made up of the core team’s current areas of work plus:

- Management and co-ordination of all short lifespan leaflets, adverts, fliers, newsletters, together with distribution, monitoring and evaluating
- Management, co-ordination and development of all council website activity, including the development of the council’s e-marketing capacity (as described above).
- All council advertising
- All ‘external’ marketing activity (economic development, tourism, festivals/events)
- Corporate sponsorship
- Member, including civic, communications
- All marketing budgets will be pooled centrally.

This approach requires a core team sufficiently resourced to deliver within agreed time/quality levels, especially where service income targets are affected. A centralised function means a small residual function will still be required within the service to liaise with the corporate team. As is the case with each of the options, evidence demonstrates that a centralised function works most effectively where all officers are co-located.

Advantages	Disadvantages
Most closely mirrors the best practice models identified via the research phase of the review and likely to deliver the benefits the research identified (set out in 4.0 above)	This option must be fully resourced otherwise it risks failing services, in some cases impacting on their bottom line.
Most closely delivers the objectives set out in the review project plan	
Allows greater economies of scale	
Income opportunities via corporate approach to sponsorship	
Increases customer awareness and take up where appropriate	

Option 2

This option sees the centralisation of all marketing functions, as set out in option 1, plus tourism services and the whole festivals and events team.

It sits outside the scope of the original project plan but has arisen out of concerns that separating tourism marketing from the tourism delivery function may be detrimental to the service delivery of that area. Option 2 therefore transfers the whole of those functions – festivals and events team, tourism and the TICs – so avoiding any potential downside caused by splitting the functions.

Advantages	Disadvantages
As in Option 1 – but extends the level of integration further.	Outside the scope of the project mandate
Avoids any potential negative impact that might be caused by splitting marketing away from the tourism/events functions	Potentially more complex and time consuming to deliver
Event management skills and expertise could be shared across the council	

Option 3

This consists of option 2, but would also include Customer Services

Again, it is outside of the scope of the original project plan but has been put forward by the project group in recognition that communications and marketing is interlinked with good customer service. Both are based around identifying our wide range of customers/service users, the information they require, providing that information in the formats and ways that suit them best. They are about ensuring no unnecessary contact, making customers aware of the services available and how to access them and supporting a smooth customer journey, ultimately driving up customer satisfaction. A view from members of the project group is that in examining the most efficient, coherent and corporate strategy for dealing with service users/customers, the review should also consider joining up all functions/sub-functions that interact with them.

Advantages	Disadvantages
As in Option 2 – but achieves the greatest level of integration	Outside the scope of the project mandate
Potentially enables a truly coherent corporate approach to customer communication	Much more work will need to be done to identify how workable this approach is. It will also be much more complex and disruptive to deliver
Gain a better understanding of our customers and their needs. This information can be used to shape future delivery of services council wide	It will take longer to deliver and if the decision is to go straight to option 3 in a non phased way it will delay the ability to bring about quicker benefits identified in options 1, 2 and 4
Supports the council's delivery around the Avoidable Contact National Indicator	

Option 4

This is basically Option 2. However, totally separate to the new Communications and Marketing Unit, the TICs would be managed by Customer Services which is consistent with the Access to Services project.

Advantages	Disadvantages
As in Option 1 and 2.	Effect of splitting TICs away from rest of tourism functions unknown
Avoids any potential negative impact that might be caused by splitting marketing away from the events function	
Event management skills and expertise could be shared across the council	
This option offers opportunities for the greatest efficiencies, equivalent at least to the saving previously required by Cabinet.	

Option 4 is the preferred officer recommendation

This would provide a centralised co-ordinated approach to all Council marketing activity – internal, local and external, maximise opportunities for efficiencies, and is consistent with the objectives of the current Access to Services project.

The research demonstrates such an approach will achieve significant benefits including financial and greater value for money, reduced duplication, a unified approach to communications, marketing, website and consultation, strategically driven campaigns aligned to the corporate priorities, a stronger brand, a rise in customer satisfaction, pooled expertise and greater career progression, service staff able to get on with the day job, increased staff morale, and more.

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

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

Members then voted as follows:-

Resolved unanimously:

- (1) That Cabinet approve in principle the restructuring proposal set out in Option 4 for improving the efficiency and effectiveness of the Council’s current Communications and Marketing function
- (2) That the financial implications of the restructuring be developed further for inclusion in the 2009/10 budget proposals

Officers responsible for effecting the decision:

Corporate Director (Regeneration)
Head of Corporate Strategy

Reasons for making the decision:

The decision will provide a centralised co-ordinated approach to all Council marketing activity – internal, local and external - maximise opportunities for efficiencies, and is consistent with the objectives of the current Access to Services project.

132 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 Kerr and seconded by Councillor Burns:-

“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 items of business, on the grounds that they could involve the possible disclosure of exempt information as defined in paragraph(s) 1 and 2 of Schedule 12A of that Act.”

Members then voted as follows:-

Resolved unanimously:

- (1) That, in accordance with Section 100A(4) of the Local Government Act, 1972, the press and public be excluded from the meeting for the following item of business, on the grounds that they could involve the possible disclosure of exempt information as defined in paragraph(s) 1 and 2 of Schedule 12A of that Act.

133 EMPLOYEE ESTABLISHMENT - VACANCY AUTHORISATION

(Cabinet Member with Special Responsibility Councillor Mace)

The Chief Executive submitted a report seeking Cabinet's approval for the filling of established vacancies where recommended.

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

The information contained within each form provides details related to the risks of not filling the related vacancy. Cabinet has the option of releasing funding on either a time limited or permanent basis or withholding funding. If funding is not released, there will be an impact on Service provision. If funding is time limited, it will be more difficult and possibly more expensive to fill a post.

The officer preferred option is to fill those posts as recommended by Service Heads unless Cabinet identifies the work as being of a low priority.

It was moved by Councillor Mace and seconded by Councillor Charles:

- “(1) That the filling of post AD0071 be deferred until the end of March 2009.”

It was moved by Councillor Mace and seconded by Councillor Gilbert:

- “(2) That post PP0021 be filled.”

It was proposed by Councillor Charles and seconded by Councillor Mace:

- “(3) That posts GM0200-224 and posts GM0012; CH0272; CHO156 and PS0023 be filled.”

Members then voted as follows:-

Resolved unanimously:

- (1) That the filling of post AD0071 be deferred until the end of March 2009.
- (2) That post PP0021 be filled.
- (3) That posts GM0200-224 and posts GM0012; CH0272; CHO156 and PS0023 be filled.

Note: Councillor Gilbert was not present when the vote on (3) was taken.

Officer responsible for effecting the decision:

Chief Executive

Reasons for making the decision:

The decisions enable the decision made at Cabinet on 11th November 2008, removing the delegated decision making to fill employee vacancies away from Service Heads to Cabinet to be implemented.

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

134 WILLIAMSON PARK UPDATE REPORT

(Cabinet Member with Special Responsibility Councillor Fletcher)

(It was noted that Councillors Blamire and Burns had previously declared personal and prejudicial interests in the following item in view of their role as members of the Williamson Park Board of Directors. Councillors Blamire and Burns left the meeting prior to consideration of this item. It was further noted that the Corporate Director (Finance and Performance) had also declared an interest as Secretary to the Williamson Park Board of Directors. He also left the meeting prior to consideration of this item.)

The Head of Cultural Services submitted a report updating Cabinet on the latest position at Williamson Park following the interim management arrangements undertaken by Cultural Services.

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

Option	Advantages	Disadvantages	Risks
1. Current interim management arrangements continue and estimated budget for 2009/2010 is agreed, to include annual	The operation of the Park would continue thus enabling appropriate time to review key areas with further reports to Cabinet provided on	Additional cost to Council of £82,000 from 2009/20010 onwards. Additional grant support not providing	Would place significant pressure on existing Cultural Services work programme and business plan, as well as other key Council

<p>growth of £82,000 from 2009/2010 onwards.</p>	<p>options to improve current operation.</p> <p>Support would continue to be provided to current staff and various improvements planned and identified in the Audit report would be able to be implemented.</p> <p>Council has clearer picture over value for money received in return for the subsidy provided.</p>	<p>value for money.</p> <p>Significant additional work impact on Cultural Services and other services would need addressing.</p>	<p>Services involved.</p>
<p>2. Continue current interim management arrangements, with a view to bringing operation back “in-house”, on the basis that no growth bid will be required.</p>	<p>The operation of the Park would continue, but possibly at a reduced level (possibly part closure of some facilities).</p> <p>£82,000 growth based on Private Sector Accounting principles, therefore potential for efficiencies should the Park operate under Local Authority Finance rules.</p>	<p>Possibility that current operation could only reasonably be achieved on the basis that the estimated budget for 2009/2010 is agreed, to include a growth of £82,000 in 2009/1010, however it is not yet known whether the Park is operating as efficiently as it could.</p> <p>Potential costs of decommissioning elements of the current park operation or winding up of the Company (costs not yet determined).</p>	<p>Without the additional growth of £82,000 in 2009/1010 or reduced level or change in operation the Park will not be viable.</p> <p>Limited guarantee of any need for future support in addition to that already being offered from Council.</p>

Theoretically, there is a further option of retaining the status quo i.e., where Williamson Park reverts to operating without support of interim management arrangements from City Council and estimated budget for 2009/2010 remains at standard inflationary increase on previous year. However, this is not really a viable option for the Council as the Company is Local Authority Controlled, therefore the Council would still be obligated to take some remedial action. As such the above is not included in the options and options analysis.

The officer preferred option, (option two above), allows the operation of the Park to continue, at a reduced or more efficient level, without the need for the Council to increase its revenue contribution over and above the original estimated budget for 2009/2010.

It was moved by Councillor Mace and seconded by Councillor Barry:

- “(1) That Cabinet notes progress to-date on the interim management arrangements for Williamson Park, including:
- additional grant support of £50,000 being required for 2008/09, noting that this is a provisional figure, subject to clarification for the remainder of the year;
 - the need for the Council to make provision to cover previous years’ estimated losses, estimated at £100,000; and
 - the need to provide additional cash flow support to the Company during 2008/09, but that this be on a short term basis only, thereby avoiding any further charge on the City Council’s budget.
- (2) That Cabinet’s preferred option for the management and operation of Williamson Park with effect from 2009/2010 is Option 2 as set out in the report, with a view to receiving a further detailed report on the future management arrangements for Williamson Park before final implementation.”

By way of an amendment, which was accepted as a friendly amendment by the mover and seconder of the original proposition, Councillor Gilbert proposed:

- “(3) That arrangements be made for member involvement in the future of the Park for the first year of implementation.”

Members then voted on the proposition, as amended.

Resolved:

(5 Members (Councillors Barry, Bryning, Charles, Gilbert and Mace) voted in favour and 2 Members (Councillors Archer and Kerr) abstained)

- (1) That Cabinet notes progress to-date on the interim management arrangements for Williamson Park, including:
- additional grant support of £50,000 being required for 2008/09, noting that this is a provisional figure, subject to clarification for the remainder of the year;
 - the need for the Council to make provision to cover previous years’ estimated losses, estimated at £100,000; and
 - the need to provide additional cash flow support to the Company during 2008/09, but that this be on a short term basis only, thereby avoiding any further charge on the City Council’s budget.
- (2) That Cabinet’s preferred option for the management and operation of Williamson Park with effect from 2009/2010 is Option 2 as set out in the report, with a view to receiving a further detailed report on the future management arrangements for Williamson Park before final implementation.
- (3) That arrangements be made for member involvement in the future of the Park for the first year of implementation.

Officers responsible for effecting the decision:

Corporate Director (Regeneration)
Head of Financial Services
Head of Cultural Services

Reasons for making the decision:

The decision allows the operation of the Park to continue, at a reduced or more efficient level, without the need for the Council to increase its revenue contribution over and above the original estimated budget for 2009/2010.

Chairman

(The meeting ended at 5.15 p.m.)

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

MINUTES PUBLISHED ON: TUESDAY 27th JANUARY 2008.

**EFFECTIVE DATE FOR IMPLEMENTING THE DECISION CONTAINED IN THESE MINUTES:
WEDNESDAY 4th FEBRUARY 2008.**