

CABINET

6.00 P.M.

8TH AUGUST 2017

PRESENT:- Councillors Eileen Blamire (Chairman), Janice Hanson (Vice-Chairman), Darren Clifford, Brendan Hughes, James Leyshon, Margaret Pattison, Andrew Warriner and Anne Whitehead

Officers in attendance:-

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| Susan Parsonage | Chief Executive |
| Nadine Muschamp | Chief Officer (Resources) and Section 151 Officer |
| Andrew Dobson | Chief Officer (Regeneration and Planning) |
| Suzanne Lodge | Chief Officer (Health and Housing) |
| Anne Streeter | Interim Legal Services Manager |
| Paul Rogers | Senior Regeneration Officer |
| Liz Bateson | Principal Democratic Support Officer |

14 MINUTES

The minutes of the meeting held on Monday 26th June 2017 were approved as a correct record.

15 ITEMS OF URGENT BUSINESS AUTHORISED BY THE LEADER

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

16 DECLARATIONS OF INTEREST

No declarations were made at this point.

17 PUBLIC SPEAKING

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

18 CONSULTATION ON THE INTRODUCTION OF SELECTIVE LICENSING IN THE PRIVATE RENTED SECTOR

(Cabinet Member with Special Responsibility Councillor Warriner)

Cabinet received a report from the Chief Officer (Health & Housing) which advised on the benefits of introducing a Licensing scheme for Private Rented Housing in a designated area of Morecambe, and sought approval to begin a consultation on its introduction.

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

| | OPTION 1 | OPTION 2 |
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| | Not go ahead with a consultation on the introduction of licensing | Carry out a consultation exercise on the introduction of a licensing scheme in Morecambe |
| ADVANTAGES | <p>The council operates a minimum service to meet its statutory obligation.</p> | <p>A properly administered licensing scheme should be cost neutral to the council but deliver positive benefits to the housing stock and local area.</p> <p>Residents, potential residents and investors will be reassured of the council's commitment to making improvements to the private rented sector.</p> <p>A licensing scheme would complement existing regeneration programmes.</p> <p>Resources from the TCA grant will fund the consultation.</p> |
| DISADVANTAGES | <p>The council are not taking advantage of all statutory tools available to them to improve conditions in the private rented sector.</p> <p>The council are not maximising the funding offered by the TCA grant.</p> <p>The council are not taking advantage of a self-financing intervention that has been demonstrated to encourage housing regeneration</p> <p>Investors interested in Morecambe may not be reassured of the council's commitment to improvement of the area as a whole.</p> | <p>There will be some officer time committed to the consultation exercise.</p> |
| RISKS | <p>Failure to meet the corporate priority of improvements to the private rental sector.</p> | <p>Complaints from landlords about increased regulation.</p> |

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| | Failure to meet outcomes for TCA grant. | |
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The officer recommendation is to approve a consultation exercise on the development of a Licensing Scheme in an area of the West End of Morecambe. The exact boundary is defined in Appendix 4 of the report.

The private rented sector is the only housing option available to some of the most vulnerable people in our society. However, in some areas, properties in this sector suffer from poor conditions, management and low-level anti-social behaviour. The introduction of a licensing scheme offers the opportunity to promote a successful private rented sector. This, alongside other interventions already in place in the renewal areas of Morecambe will bring about further benefits for the community.

Councillor Warriner proposed, seconded by Councillor Hanson:-

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

Councillors then voted:-

Resolved unanimously:

- (1) That approval be given to the development of a Morecambe Licensing Scheme including the definition of a proposed designated area.
- (2) That approval be given to the commencement of a consultation exercise with all persons who are likely to be affected by the designation in accordance with the requirements of the Housing Act 2004.
- (3) That, following the consultation exercise and prior to the Morecambe Licensing Scheme being implemented, a report be brought back to Cabinet for final approval.

Officer responsible for effecting the decision:

Chief Officer (Health & Housing)

Reasons for making the decision:

Improvements in the private rented sector and housing renewal in the West End of Morecambe have been identified as priorities in the 2016 - 2020 Corporate Plan to support positive improvements in the health and wellbeing of residents in the district. Completion of a feasibility study is one of the success measures to the outcome of improving the health and wellbeing of our citizens.

19 COMMUNITY HOUSING FUND

(Cabinet Member with Special Responsibility Councillor Warriner)

Cabinet received a report from the Chief Officer (Regeneration & Planning) which sought authority to establish a new governance and decision making framework for the

allocation of the Community Housing Fund for Lancaster district.

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

| | Option 1: Retain the DCLG funding and approve the framework and policy to allocate the Community Housing Fund and implement accordingly, and use the £29,645 to increase officer resources in the Planning Policy Team | Option 2: Do not approve the framework and policy set out in the report and either request officers to develop an alternative or hand the grant back to DCLG (if required) |
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| Advantages | <p>The proposed governance framework will allow the timely allocation of funding to investigate and bring community led developments into fruition.</p> <p>The approval of a jointly funded officer post will increase the officer resources available to Fylde and Lancaster on a pilot basis and will allow officers to review its effectiveness.</p> <p>The Grant Policy clearly sets out the circumstances that the council will support projects and how the fund will be allocated, administered and managed.</p> <p>The additional officer resources in the Planning Policy Team will ensure the Service can respond to the necessary legislative requirements, for a fixed period of time to run alongside whatever DCLG funding is provided and by virtue of extending the hours of two existing officer posts only.</p> | <p>The DCLG funding allocations are non ring-fenced grants and were direct awards not subject to a bid process.</p> <p>There will be no officer resources required to implement and manage the Community Housing Fund.</p> |

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| Disadvantages | <p>The level of funding allocated will only provide a relatively small element of funding with pre-determined thresholds within the grant policy, which will require community groups to identify and pursue other forms of funding.</p> | <p>There would be a loss of opportunity to support potential projects that would benefit from an allocation of the Community Housing Fund, including the provision of affordable housing and residential schemes that could potentially meet a more diverse or more bespoke need that could directly benefit communities.</p> <p>If funding is available in future years, there would be limited/no opportunity to secure any further allocation of funding if the council cannot evidence the money has been put to good use and allocated in the way it is intended.</p> <p>There will still be legislative requirements around the development and maintenance of a Brownfield Register/Self and Custom Build Register</p> |
| Risks | <p>Given that the proposed jointly funded officer post will be directly employed by Fylde Council, this a more complex arrangement than employing a dedicated officer who is appointed by and reports solely to Lancaster City Council.</p> <p>Given the nature of the funding and its intended use, the fund could be incurring abortive costs in paying for up-front costs that may not be deliverable or come into fruition for a number of reasons.</p> | <p>Reputational damage upon the council if the funding is not utilised as Government intended / or if handed back.</p> <p>Could weaken relationships between the council and communities including those parishes currently developing Neighbourhood Plans.</p> <p>No real impact if funding was discontinued.</p> <p>Non-compliance of legislative requirements could lead to challenge.</p> |

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| | <p>Some community groups may require extensive support to bring schemes into fruition and deliver schemes within the required timescales.</p> <p>It may be difficult for some groups to access the appropriate level of match funding required, much of which would be outside of the council's control.</p> <p>If groups do not fulfil their requirements there may be a need to reclaim the funding.</p> <p>There is no absolute certainty of how long the DCLG funding is being provided for and could be discontinued.</p> | |
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The officer recommendation is option 1 as it will provide a robust framework for the allocation of the Community Housing Fund and it will allow the funding to be put to good use and aligns to the guidance issued by DCLG.

The allocation of DCLG Community Housing Fund to Lancaster City Council is a very positive and welcome opportunity for the council to provide direct support to community groups to meet their own identified housing needs. The provision of additional officer resources should enable both Fylde Borough Council and Lancaster City Council to explore any potential projects, and evidencing this should improve the prospect of a future allocation of funding. Using the separate additional £29,645 DCLG funding will bolster the existing officer hours in the Planning Policy Team which will ensure the new legislative requirements to develop and maintain Brownfield/Self and Custom Build Registers are properly resourced.

Councillor Hanson proposed, seconded by Councillor Warriner:-

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

Councillors then voted:-

Resolved unanimously:

- (1) That the proposed governance framework for the allocation of £707,630 Community Housing Fund be approved.

- (2) That the draft Grant Policy for allocation of the Community Housing Fund be approved.
- (3) That funding from the Community Housing Fund be set aside to support a jointly funded officer post along with Fylde Borough Council to support and develop community led projects.
- (4) That Cabinet notes the receipt of 2 further grants totalling £29,645 for two new government initiatives, intended to support the council in preparation of and maintenance of a Brownfield Land Register and a Self and Custom Build Housing Register, and endorses their use to provide additional staff resources on a fixed term basis from the DCLG allocation.
- (5) That the Chief Officer (Resources) be authorised to update the General Fund Revenue Budget to reflect any decisions taken under recommendation 2 above and also 3 and 4 and 5, to be funded from the Revenue Grants Unapplied Reserve, and subject to there being a nil impact on the Council's resources.

Officers responsible for effecting the decision:

Chief Officer (Regeneration & Planning)
Chief Officer (Resources)

Reasons for making the decision:

The decision is consistent with the Corporate Plan linking directly with improving the quality and availability of housing including the provision of affordable housing in some instances. The new post holder will be able to raise awareness and undertake a wide range of engagement work so that the policy is inclusive and will maximise opportunities.

20 STRATEGIC PLANNING AND BUDGET TIMETABLE 2018/19 TO 2021/22

(Cabinet Member with Special Responsibility Councillor Whitehead)

Cabinet received a joint report from the Chief Executive and Chief Officer (Resources)

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

Cabinet may approve the proposals as set out in the report, or require changes to be made to the suggested approach. The overriding aim of any corporate planning and budget setting process is to approve a balanced budget by statutory deadlines, allocating resources to help ensure delivery of the Council's corporate and service objectives to achieve clear outcomes for the district. The proposed approach is in line with that broad aim, drawing on the time and other resources available to the Council, to help ensure a robust approach, whilst giving flexibility to respond to any changing needs and circumstances.

Any changes that Cabinet puts forward should be framed in that context. The proposals are designed to help develop and improve the management of the many risks facing the Council – as well as taking advantage of opportunities – and key strategic and other risks will be reported for consideration as part of the process.

A strategic, multi-level approach to operational and financial planning will assist the Council in delivering positive outcomes for the district, whilst helping to achieve financial sustainability. Cabinet is therefore asked to approve the proposed approach as set out in the report.

Councillor Whitehead proposed, seconded by Councillor Hanson:-

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

Councillors then voted:-

Resolved unanimously:

- (1) That the approach and outline timetable for the 2018/19 to 2020/22 strategic planning and budget setting process be approved.

Officers responsible for effecting the decision:

Chief Executive
Chief Officer (Resources)

Reasons for making the decision:

To put in place robust and structured arrangements for establishing budget and corporate planning proposals for 2018/19.

21 EXCLUSION OF THE PRESS AND PUBLIC

It was moved by Councillor Hanson and seconded by Councillor Pattison:-

“That, in accordance with Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following item of business, on the grounds that it could involve the possible disclosure of exempt information as defined in paragraph 3 of Schedule 12A of that Act.”

Members then voted as follows:-

Resolved unanimously:

- (1) That, in accordance with Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following item of business, on the grounds that it could involve the possible disclosure of exempt information as defined in paragraph 3 of Schedule 12A of that Act.

**22 CHATSWORTH GARDENS HOUSING REGENERATION PROJECT -
CONSIDERATION OF PHASE 2 PROPOSALS**

(Cabinet Member with Special Responsibility Councillor Hanson)

Cabinet received a report from the Chief Officer (Regeneration & Planning) to consider detailed proposals and authorise officers to progress Phase 2 of the Chatsworth

Gardens Housing Scheme. The report was exempt from publication by virtue of paragraph 3, of Schedule 12A of the Local Government Act, 1972.

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

Councillor Hanson proposed, seconded by Councillor Clifford:-

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

Councillors then voted:-

Resolved unanimously:

- (1) That Cabinet approves the preferred Option 2, to secure an agreement with PlaceFirst for Phase 2 refurbishment of council owned properties on Chatsworth Gardens to deliver new homes for market rent.
- (2) That on the basis of the heads of terms outlined in the exempt report, and in conjunction with PlaceFirst, officers draw up final contract documentation for delivery of Phase 2.
- (3) That the 21 site properties be disposed of simultaneously to PlaceFirst as set out in the exempt report.
- (4) That, subject to HCA lifting its charge on the properties, authority to sign the final legal agreements be delegated to the Interim Legal Services Manager.
- (5) That the Chief Officer (Resources) be authorised to update the General Fund Capital Programme and General Fund Revenue Budget as appropriate.

Officers responsible for effecting the decision:

Chief Officer (Regeneration & Planning)
Chief Officer (Resources)
Interim Legal Services Manager

Reasons for making the decision:

The decision is consistent with the Corporate Plan and the vision for Morecambe and Heysham as a confident community with a regenerated living, working and leisure environment. PlaceFirst's proposals for Phase 2 represents the final part of a site-wide solution to Chatsworth Gardens which fulfils the City Council's longstanding objectives for West End regeneration. It is clear from the outturn of Phase 1 that the quality of both the development and management regime that PlaceFirst bring to their projects will ensure the Council's regeneration objectives are finally realised. The decision will allow officers to secure an agreement with PlaceFirst which both reduces the Council's risk burden and secures a positive outcome with a high degree of certainty.

Cabinet received a report from the Chief Officer (Resources) which sought approval to enter into a conditional sale contract in connection with a development plot of land owned by the City Council in the area known as the Heysham Gateway. The report was exempt from publication by virtue of paragraph 3, of Schedule 12A of the Local Government Act, 1972.

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

Councillor Leyshon proposed, seconded by Councillor Clifford:-

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

Councillors then voted:-

Resolved unanimously:

- (1) That the City Council enters into a conditional sale contract for the land in question on the heads of terms as set out in *Appendix A to Annex 3* of the exempt report.
- (2) That Cabinet authorises the Chief Officer (Resources) to approve any subsequent revisions needed to the sale terms in respect of conditional matters below the key decision threshold, following consultation with the Property Portfolio Holder; anything over the key decision threshold to be reported back to Cabinet for approval with the final terms being reported retrospectively to Cabinet.

Officer responsible for effecting the decision:

Chief Officer (Resources)

Reasons for making the decision:

Sustainable economic growth is one of the Council's four priorities and Heysham Gateway is identified as a regeneration priority in the Core Strategy and emerging Local Plan. The disposal of the site would be the first significant step for both the City and County Council in transforming the area known as Heysham Gateway into a high quality sustainable employment area which can fully realise the Port of Heysham's role as one of the UK's main ports for trade with the Irish Republic, Northern Ireland and the Isle of Man and capitalise on key growth sectors. It would also secure a capital receipt and the consequential revenue savings in capital financing costs.

Chairman

(The meeting ended at 6.45 p.m.)

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

MINUTES PUBLISHED ON MONDAY 14TH AUGUST, 2017.

**EFFECTIVE DATE FOR IMPLEMENTING THE DECISIONS CONTAINED IN THESE MINUTES:
TUESDAY 22ND AUGUST, 2017.**