

CABINET

10.00 A.M.

22ND JANUARY 2008

PRESENT:- Councillors Roger Mace (Chairman), Evelyn Archer, June Ashworth, Jon Barry, Eileen Blamire, Abbott Bryning, John Gilbert, Tony Johnson, David Kerr and Maia Whitelegg.

Also Present:-

Councillors Jim Blakely (Minute 94 refers) and Jane Fletcher (Minute 93 refers).

Officers in attendance:-

Mark Cullinan	Chief Executive
Roger Muckle	Corporate Director (Finance and Performance)
Peter Loker	Corporate Director (Community Services)
Graham Cox	Head of Property Services (part)
Nadine Muschamp	Head of Financial Services and Section 151 Officer
David Owen	Head of Cultural Services (part)
Stephen Metcalfe	Principal Democratic Support Officer

89 MINUTES

The Minutes of the meeting held on Tuesday, 11th December, 2007 were signed by the Chairman as a correct record.

90 ITEMS OF URGENT BUSINESS AUTHORISED BY THE LEADER

The Chairman advised that he had accepted 1 item of urgent business regarding Williamson Park Company Ltd (Minute 95 refers).

He also informed of supplementary information that had been circulated since the publication of the Agenda with regard to Grants to Voluntary Organisations – New Service Level Agreements (Minute 94 refers) and the Budget and Policy Framework – Update (Minutes 113 to 116 refers).

91 DECLARATIONS OF INTEREST

Councillor June Ashworth declared a prejudicial interest with regard to the part of the report on Grants to Voluntary Organisations – New Service Level Agreements that referred to Morecambe Citizens Advice Bureau (CAB) (Minute 94 refers).

Councillor John Gilbert declared a prejudicial interest with regard to the the part of the report on Grants to Voluntary Organisations – New Service Level Agreements that referred to Lancaster Citizens Advice Bureau (CAB) (Minute 94 refers).

Councillors Eileen Blamire and Tony Johnson declared prejudicial interests with regard to Williamson Park Company Ltd due to them being members of the Williamson Park Board of Directors (Minute 95 refers).

92 PUBLIC SPEAKING

Members were advised that there had been 2 requests by members of the public to speak at the meeting in accordance with Cabinet's agreed procedure, set out in Cabinet Procedure Rule 2.7.

The Chairman advised that he had also agreed to 1 Ward Member speaking at the meeting upon the report regarding Land at Scotforth Road, Lancaster in accordance with Cabinet's agreed procedure, set out in Cabinet Procedure Rule 2.6.

93 LAND AT SCOTFORTH ROAD, LANCASTER

(Cabinet Member with Special Responsibility Councillor Evelyn Archer)

(Mr. T. Hamilton-Cox and Mr. M. Hardy, who had registered to speak on this item in accordance with the City Council's agreed procedure, spoke in opposition to the recommendations included in this item in accordance with Cabinet Procedure Rule 2.7. Councillor Fletcher, in her capacity as Ward Councillor, spoke in opposition to the recommendations in this item in accordance with Cabinet Procedure Rule 2.6).

The Corporate Director (Finance and Performance) submitted a report that enabled Cabinet to consider the tender documents prepared for the site and determine whether the site should be marketed with a view to its disposal.

A supplementary report of the Overview and Scrutiny Committee was circulated at the meeting.

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

Option 1 – to approve the tender documents and allow the marketing of the land to proceed. This option would enable the Council to receive a capital receipt for land that currently has no alternative, operational use for the Council. This would be in line with the initial resolution of Cabinet. There remains a major risk however that whilst the site could be marketed, the value would be dependent on the granting of planning permission. The tender details recognise that the granting of planning permission for this site is by no means straight forward and there is therefore a risk that a major receipt may not be forthcoming. In terms of timing, whilst the Council is anticipating a receipt in 2008/09, then subject to an early resolution over the choice of a developer/occupier, it could be anticipated that a receipt may be expected in the final quarter of the 2008/09 financial year. Delays in this process would affect the Council's funding of the capital programme as indicated in the Financial Implications.

Option 2 – not to approve the tender documents. This option would not offer the Council an opportunity to obtain a capital receipt for land that currently has no operational use. The Council's land would remain for small scale grazing in the immediate future.

The preferred officer option was option 1. This would allow the Council an opportunity to obtain a capital receipt for land that currently has no operational use, provided that a suitable planning permission is forthcoming.

It was moved by Councillor Roger Mace and seconded by Councillor Evelyn Archer: -

- “(1) That Cabinet endorses the principles set out in the draft tender brief, subject to:
- (i) the final version explicitly excluding from the land to be offered for sale a narrow strip of land at the southern extremity of the land to be sold and,
 - (ii) the northern boundary of the land to be offered for sale running in a straight line at right angles from the A6 to a point south of the bridge and,
- (2) That Officers investigate in conjunction with the Footpath Officer, the feasibility of turning the informal path that runs from east to west at the south of the properties in Rays Drive into a permissive path or designating it as a public right of way.”

By way of amendment it was moved by Councillor Eileen Blamire and seconded by Councillor Abbott Bryning : -

“That this matter be referred to the Local Development Framework process.”

Upon being put to the vote, 5 Members voted in favour of the amendment (Councillors Jon Barry, Eileen Blamire, Abbott Bryning, John Gilbert and Maia Whitelegg) and 5 Members voted against (Councillors Evelyn Archer, June Ashworth, Tony Johnson, David Kerr, Roger Mace), whereupon the Chairman, using his casting vote, declared the amendment to be lost.

Members then voted on the original motion as follows.

Resolved:

5 Members voted in favour (Councillors Evelyn Archer, June Ashworth, Tony Johnson, David Kerr, Roger Mace), 4 Members voted against (Councillors Jon Barry, Eileen Blamire, Abbott Bryning and Maia Whitelegg) and 1 Member abstained from voting (John Gilbert)

- (1) That Cabinet endorses the principles set out in the draft tender brief, subject to:
- (iii) the final version explicitly excluding from the land to be offered for sale a narrow strip of land at the southern extremity of the land to be sold and,
 - (iv) the northern boundary of the land to be offered for sale running in a straight line at right angles from the A6 to a point south of the bridge and,
- (2) That Officers investigate in conjunction with the Footpath Officer, the feasibility of turning the informal path that runs from east to west at the south of the properties in Rays Drive into a permissive path or designating it as a public right of way.

Officers responsible for effecting the decision:

Corporate Director (Finance and Performance).
Head of Property Services.

Reason for making the decision:

The decision allows the Council an opportunity to market the site with the aim of obtaining a capital receipt for land that currently has no operational use, provided that a suitable planning permission is forthcoming. The tender documents have been amended to reflect the recommendations of the Overview and Scrutiny Committee who previously had considered this matter. The decision also enables Officers to investigate turning an informal path into a permissive path, or designating it as a public right of way.

94 GRANTS TO VOLUNTARY ORGANISATIONS - NEW SERVICE LEVEL AGREEMENTS

(Cabinet Member with Special Responsibility Councillor David Kerr)

(Councillors June Ashworth and John Gilbert had declared prejudicial interests in the following item due to them being representatives on the Lancaster and Morecambe Citizens Advice Bureaux respectively and left the meeting prior to consideration thereof.)

(Councillor Jim Blakely, in his capacity as Chairman of the Budget and Performance Panel, presented the report in accordance with Cabinet Procedure Rule 2.6).

Cabinet considered the recommendations submitted by the Budget and Performance Panel regarding grants to voluntary organisations as part of the budget process.

A supplementary report advising of the recommendations of the Budget and Performance Panel had been circulated prior to the meeting.

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

- (1) To agree future funding and Service Level Agreements for 3 years on the same basis as currently for 2008 - 2011.
- (2) To agree funding and Service Level Agreements on a revised basis.
- (3) To discontinue funding and Service Level Agreements.

Option 1 above will have advantages in that renewing Service Level Agreements for a further 3 years will provide continuity, maintain good working relationships with local organisations and assist with the achievement of Council priorities. Granting a 3 year agreement provides certainty of funding to the voluntary organisations to enable them to plan the provision of services more effectively.

However, there are disadvantages in that tying the Council into an arrangement for a 3 year period could exclude other interested parties and limit the Council's choice for future years and for this reason Members may wish to consider Option (2) and offer funding for a shorter period of time. The risk in this instance is that it is less likely that organisations would agree to the provisions of a Service Level Agreement without the certainty of future funding.

Members of the Budget and Performance Panel have spent some time interviewing representatives of each organisation and considering past performance on existing agreements. Recommendations include variations to the service level agreements and level of funding where appropriate.

Option 3 will provide savings in respect of any Service Level Agreements and associated funding which are discontinued.

Whilst there are risks associated with the commitment of funds to voluntary organisations, the signing of a Service Level Agreement and the revised and improved monitoring procedure introduced following the report of the Grants Task Group (approved by Cabinet on 27th July 2007) will provide some mitigation to the level of risk.

It was moved by Councillor Roger Mace and seconded by Councillor David Kerr: -

“That the recommendations, as set out in the supplementary report, be approved, and further that Cabinet ends the system of free parking permits to outside bodies.”

By way of amendment it was moved by Councillor Tony Johnson and seconded by Councillor Roger Mace: -

“That the following resolution replaces recommendations (5) and (6):

- (5) That Cabinet approve the proposed grant awards for Lancaster and Morecambe CABs, as recommended by the Budget and Performance Panel, but for a one year period only.
- (6) That the CAB Northern Regional Office be requested to develop proposals through a new SLA for providing CAB services throughout the Lancaster district for an initial 2 year period for an annual grant of £132,450 (this being approximately 1.5 times the amount recommended for the Morecambe CAB).

2 Members voted in favour of the amendment (Councillors Tony Johnson and Roger Mace) and 6 Members voted against (Councillors Evelyn Archer, Jon Barry, Elaine Blamire, Abbott Bryning, David Kerr and Maia Whitelegg), whereupon the Chairman declared the amendment to be lost.

By way of further amendment it was moved by Councillor Tony Johnson and seconded by Councillor Roger Mace: -

“That the following resolution replaces recommendations (5) and (6):

- (5) That Cabinet approve the proposed grant awards for Lancaster and Morecambe CABs, as recommended by the Budget and Performance Panel, but for a one year period only, pending further consideration by Star Chamber.

3 Members voted in favour of the amendment (Councillors Abbott Bryning, Tony Johnson and Roger Mace) and 3 Members voted against (Councillors Jon Barry, David Kerr and Maia Whitelegg) and 2 Members abstained from voting (Councillors Evelyn Archer and Elaine Blamire), whereupon the Chairman, using his casting vote, declared the amendment to be carried.

Note: Councillor Maia Whitelegg left the meeting at this point.

Members then voted as follows.

Resolved Unanimously:

- (1) That Officers explore the opportunity to offer a three year SLA for £2,000 per annum with no inflation for the provision of equality and diversity assistance and advice in the district.
- (2) That the Council offers a further three year SLA to Relate toward the rent of a fixed £6,800 per annum with no inflation.
- (3) That the Council offers a further three year SLA to One Voice at £6,000 per annum with no inflation via a joint SLA with Thumbprint if possible.
- (4) That the Council offers a further three year SLA to Lancaster International Twinning Society at £4,100 per annum, with inflation, and that the Council offers assistance/promotional material where possible.
- (5) That Cabinet approves the proposed grant awards for Lancaster and Morecambe CABs, as recommended by the Budget and Performance Panel, but for a one year period only, pending further consideration by Star Chamber.
- (6) That the Council offers a further three year SLA to Morecambe and Heysham Citizens Advice Bureau at £88,300 per annum with no inflation and that the opportunity be explored for a money advice case worker to be located in the Customer Service Centre within Morecambe Town Hall at no additional cost to the Council. Furthermore a requirement be included in the SLA for both Citizens Advice Bureaux to continue to explore potential efficiency savings through closer working.
- (7) That the Council offers a further three year SLA to North Lancashire Victim Support at £5,000 per annum with no inflation.
- (8) That the Council offers a further three year SLA to Preston Community Transport at £12,600 with inflation per annum.
- (9) That the Council offers a one year SLA to Lune Valley Transport at £3,300 with a future SLA subject to consideration of further information arising from the review of Community Transport Contracted services to support the new statutory Concessionary Travel scheme.
- (10) That the Council offers a further three year SLA to Age Concern Lancashire at £7,500 per annum with no inflation.
- (11) That the Council offers a new SLA to the Samaritans of Lancaster and District for three years at £1,500 per annum with no inflation.
- (12) That the Council offers a new three year SLA to Thumbprint at £4,000 per annum with no inflation via a joint SLA with One Voice if possible.

- (13) That Officers report back on options to improve the administrating, monitoring, reporting, and allocating of SLAs and grant monies to non-housing voluntary organisations to ensure that the Council receives value for money. The scope of the report should also include: -
- (a) how links can be made with the relevant Head of Service, where appropriate, to enable closer working and monitoring of services and the commissioning of relevant services,
 - (b) opportunities for future SLAs to be explored with existing and alternative service providers, where possible, in order to secure improved services and value for money,
 - (c) whether a Cabinet Member should be appointed with responsibility for each Service Level Agreement.
- (14) That the Head of Democratic Services be authorised to negotiate and sign Service Level Agreements in accordance with (1) to (12) above in consultation with the relevant Cabinet Member.
- (15) That the system of free parking permits to outside bodies be terminated from the end of the existing permit period.

Officers responsible for effecting the decision:

Chief Executive.
Head of Democratic Support.

Reason for making the decision:

The decision allows for the continuation of financial support to a large number of voluntary organisations and reflects the recommendations of the Budget and Performance Panel. The decision also requires a further explanation of which organisations should provide equality and diversity awareness. In respect of the CABs, the decision allows the Council to undertake further work over the next year concerning the value for money aspects of these SLAs. The decision also requests Officers to bring back proposals for improving further the current administration and reporting of SLAs and accommodation within the Council. The removal of free car parking provides consistency and clarity in the Council's approach to supporting voluntary organisations.

95 ITEM OF URGENT BUSINESS - WILLIAMSON PARK COMPANY LTD

(Cabinet Members with Special Responsibility Councillor Evelyn Archer and Maia Whitelegg)

(Councillors Eileen Blamire and Tony Johnson declared prejudicial interests in the following item due to being members of the Williamson Park Board of Directors and left the meeting prior to consideration thereof.)

In accordance with Section 100B (4) of the Local Government Act 1972, the Chairman agreed to consider the report as an item urgent business as it may have budget

implications for the Council that needed to be considered as part of the 2008/9 budget process.

The Corporate Director (Finance and Performance) submitted a report that gave consideration to the recommendations of the Williamson Park Board that had met on 10th January 2008 in respect of their considerations regarding the future management arrangements of the Company.

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

To continue with the existing arrangements is not an option and therefore there are only 2 realistic alternatives

Option 1 - To agree to the request from the Williamson Park Board.

This would mean Williamson Park retaining its existing company status but with support arrangements formalised through service level agreements.

As officer support to the Company has been on an ad hoc basis, there is no detailed record of the level of support that has been provided to date. This option would therefore require officers from both the Council and the Company to meet to scope and cost up the arrangements that would be required in order for the Company to achieve its business plan objectives.

Until this exercise has been undertaken, it is impossible to say if the Council would incur additional costs. If indeed the required support could not be provided from within existing resources or accommodated within service business plans, then it is certain that additional costs would be incurred.

Option 2 – Decide to dissolve the company and bring the operation back into the Council.

This would mean dissolving the company and transferring the Parks staff and budgets to the City Council. In effect, the Parks operation would be subsumed into the Council's existing services. The Council would then be responsible for reviewing and delivering the Company's existing business plan objectives.

It is likely that the transfer of staff would take place under TUPE conditions and this transfer could incur costs in relation to any improvements in staff conditions of service that may be required.

Bringing the Company back into the Council would also require consideration of the same officer support requirements as referred to in option 1 but maybe not on the same scale.

It is further likely that the dissolution of the company would itself have costs attached but these have not been costed at this stage.

There were no preferred officer recommendations.

It was moved by Councillor Roger Mace and seconded by Councillor Abbott Bryning:-

“That Option 1 as an in principle decision, as set out in the report, be approved.”

Members then voted as follows.

Resolved:

(6 Members voted in favour (Councillors June Ashworth, Jon Barry, Abbott Bryning, John Gilbert, Roger Mace and Maia Whitelegg) and 1 Member abstained from voting (Councillor Evelyn Archer)

- (1) That, in principle, Cabinet agrees to the request from the Williamson Park Board in respect of the future management arrangements of Williamson Park.

Officer responsible for effecting the decision:

Corporate Director (Finance & Performance).

Reason for making the decision:

The decision means that Williamson Park retains its existing company status, but with support arrangements formalised through service level agreements.

The ‘in principle’ decision has been made at this time in order for further detailed work to be carried out and reported back to Members before a final decision is made.

96

PLANNING DELIVERY GRANT ALLOCATION 2007/8

(Cabinet Member with Special Responsibility Councillor Eileen Blamire)

The Head of Planning Services submitted a report upon the securement of an agreement for the expenditure of the 2007/8 Planning Delivery Grant allocation.

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

Option 1: To agree the distribution of Planning Delivery Grant as suggested in the report. This option supports the Service Management Team’s objectives in making investments which maintain the improvements already undertaken in recent years and ensure that the Service is ready to respond to the significant planning challenges facing the Council in the future.

Option 2: To treat this year’s Planning Delivery Grant as a significant revenue income and use it to subsidise current Service delivery and ease pressure on the Revenue budget generally. This option would have the benefit of easing this year’s budget position, but would either result in new growth items having to be generated to deliver the essential Service infrastructure improvements which Government performance targets demand, or an abandonment of programmed improvements. The later scenario would result in the Council’s performance position slipping back and affect the potential for receiving future grant applications. It would also increase the risk of the City Council being listed again as a Best Value Planning Authority and affect future CPA assessments.

Option 3: To agree to some of the expenditure headings but retain a proportion of the grant to cover costs incurred in planning appeal. This option would involve using £78,000 of the grant to cover the costs awarded against the Council in the Mayfield Chicks planning appeal, as was considered in the corporate performance review team (PRT) report. The use of this amount of the funds would require some of the items identified in the report being dropped. Although all the items identified for investment are important, those less crucial to maintaining business performance, which would need to be forgone to release funds to pay the costs, are item b) Revised Conservation Area Appraisals and item i) part time Section 106 Contributions officer. Dropping these two items would release £80,000 to cover the costs. This would obviously mean delaying business development in the area of Conservation Area Appraisals and income generation through Section 106 contributions. However, this is a matter for Members to decide and the option is a viable alternative.

The preferred Officer option was option 1. Planning Delivery Grant is awarded to help Local Planning Authorities invest in improving their services and giving them the capacity to operate effectively in place shaping and delivering the sustainable communities agenda. Just as importantly it is a grant rewarding the performance of the Council's Officers and they are highly motivated by seeing significant investment returns for their efforts. This Council is aiming to improve its CPA rating; continuing improvement in Planning, one of its most high profile Services, is important to achieve this.

It was moved by Councillor Eileen Blamire and seconded by Councillor John Gilbert:-

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

Resolved Unanimously:

- (1) That the spending proposals set out in the body of the report under Option 1 be agreed.
- (2) That the general fund revenue budget and general fund capital programme be updated to take account of these proposals, subject to there being a nil impact on the Council's resources and the outcome of the 2008/09 Budget Process.

Officers responsible for effecting the decision:

Chief Executive.
Head of Planning Services.

Reason for making the decision:

The decision supports the Council's objectives in making investments which maintain the improvements already undertaken in recent years and ensure that the Council is ready to respond to the significant planning challenges in the future.

Previous years' significant investment in Planning has already resulted in a step change in service provision. This puts the City Council in a good position to demonstrate that it has mainstreamed planning as a corporate function and has a commitment to performance management. Failure to capitalise on this position could lead to the situation where performance reduces and the initiative is lost. Further investments as proposed will

maintain the momentum of modernisation, and the recognition this Council deserves as one of the most improved authorities in the region.

97 FEES AND CHARGES 2008/09 - HEALTH & STRATEGIC HOUSING

(Cabinet Member with Special Responsibility Councillor David Kerr)

The Corporate Director (Community Services) submitted a report that had been prepared as part of the 2008/09 estimate procedure and 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:

- (i) To approve either the 2.5% or 4.5% increase in fees for Environmental Health charges.
- (ii) To approve the fee increases for HMO licensing and APS fees.
- (iii) To approve a different fee structure for HMO licensing and APS fees.
- (iv) Increase the fee for rats, mice and fleas in line with the other increases, or a different amount. This would make the collection of the fee on site slightly more time consuming and inefficient for the Pest Control Officers.

The preferred officer options were options (i) and (ii) for reasons set out in the report.

It was moved by Councillor Roger Mace and seconded by Councillor David Kerr: -

“That the recommendations, as set out in the report, be approved, subject to the increase in fees and charges being 2.5% and that charges for the removal of wasp infestations in domestic properties be not increased.”

Resolved Unanimously:

- (1) That Cabinet increases the Health and Strategic Housing's fees by 2.5%, as set out below, with the exception of fees for rats, mice or fleas, which remain at £20.00, with a reduction to £10.00 for customers in receipt of Council Tax and/or Housing Benefit and that charges for the removal of wasp infestations in domestic properties be not increased.

HEALTH AND STRATEGIC HOUSING**FEES AND CHARGES FOR THE YEAR 2008/9****OPTION FOR CEMETERY CHARGES**

	PRESENT CHARGE £	2.5% OPTION PROPOSED Charge £
Exclusive Right of Burial:		
i) For the exclusive right of burial for a period of 75 years from the date of purchase, of a single earthen grave, walled grave or vault	500.00	512.50
ii) Exclusive right of burial in a woodland area		
- 2 space	500.00	512.50
- 1 space	250.00	256.25
Transfer of Grave Deed	Legal Costs	
Duplicate Grave Deed	73.50	75.25
Searches – hourly rate	33.00	33.75
Interment Charges		
(a) For the interment in a grave or woodland site either where the exclusive right of burial HAS or HAS NOT been granted:-		
i) of the body of a child whose age at the time of death exceeded one year but did not exceed 16 years.	150.75	154.50
ii) of the body of a person whose age at the time of death exceeded 16 years.	508.75	521.50
iii) interment of cremated remains	122.00	125.00
iv) interment of cremated remains under headstone	185.75	190.50
(b) There is no charge for the interment or burial of cremated remains of a non-viable foetus, the body of a still-born child or a child whose age at the time of death did not exceed one year.		
Scattering of Cremated Remains	31.75	32.50

Use of Cemetery Chapel	83.50	85.50
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	PRESENT CHARGE	2.5% OPTION PROPOSED Charge
	£	£
Walled Graves & Vaults:		
For one person	884.50*	906.50*
For two persons	1473.75*	1510.50*
For opening and resealing vault	296.00*	303.50*
Garden of Remembrance Memorials		
(a) Aluminium Plaque – Carnforth	101.00*	103.50*
(b) Bronze plaque – Price on Application		
(c) Torrisholme, Scotforth, Skerton, Hale Carr,		
Old Style:		
i) Granite memorial incorporating flower vase and inscription up to 3 lines	424.50*	435.00*
ii) Each additional line (up to 6 in total)	41.00*	42.00*
iii) Carriage fee for returning memorials for additional inscription	38.25*	39.25*
New Style:		
i) Granite memorial incorporating flower vase and full inscription	450.00*	461.25*
ii) Deed of grant fee	30.00*	30.75*
iii) New inscription	90.00*	92.25*
iv) Motif	10.00*	10.25*
* = PLUS VAT		

	PRESENT CHARGE £	2.5% OPTION PROPOSED Charge £
Memorial Fees		
For the permit to erect a memorial on a particular grave in respect of which the exclusive right of burial has been granted.		
A memorial not exceeding 6' (1800 mm) in height	87.75	90.00
Kerb or border stones not exceeding 2' 6" (750 mm) in height:		
(a) enclosing a space not exceeding 7' 9" (2325 mm) in length by 3' 3" (975 mm) in width	117.75	120.75
(b) enclosing a space not exceeding 7' 9" (2325 mm) in length by 7' 3" (2175 mm) in width	236.00	242.00
A tablet or footstone not exceeding 1' 6" (450 mm) by 1' (300 mm)	53.75	55.00
Additional charge for exceeding above size	33.75	34.50
An inscribed vase	29.00	29.75
Temporary marker	12.75	13.00
* = PLUS VAT		
Lawn Sections		
A memorial not exceeding 4' (1200 mm) in height, 2' 6" (750mm) in width and 1' 6" (450 mm) in depth from front to back.	87.75	90.00
<i>The charges indicated include one inscription (name)</i>		
for each additional inscription (name), the charge is	29.00	29.75
Annual Registration Fee for Memorial Masons Registration Scheme	37.00	38.00

OPTIONS FOR KENNELING OF DOGS CHARGES

	PRESENT CHARGE £	2.5% OPTION PROPOSED Charge £
Kennelling charge per day	9.75	10.00
Detention Fee	8.00	8.25
Dog faeces bags	1.30/100	1.35/100

OPTIONS FOR DISINFESTATION CHARGES

	Present Charges £	2.5% OPTION PROPOSED Charge £
Common Insects:		
Domestic Premises		
- Cockroaches and bedbugs	FREE	FREE
- Fleas	20.00	20.00
- Those in receipt of Housing and/or Council Tax benefits.	10.00	10.00
- All others (note: charges for wasp infestations not being increased)	33.50	34.25
Business Premises		
- All visits (including wasps) (minimum 1 hour)	65./hr*	66.50/hr*
Rodents:		
- Domestic premises	20.00	20.00
- Those in receipt of Housing and/or Council Tax benefits.	10.00	10.00
- Business premises (minimum 1 hour)	59.25/hr*	60.75/hr*
* = PLUS VAT		

	Present Charges £	2.5% OPTION PROPOSED Charge £
Emergency Callouts:		
- Weekday (outside 0800-16.30 hrs)	Standard Rate x 1.5	Standard Rate x 1.5
- Saturday	Standard Rate x 1.5	Standard Rate x 1.5
- Sunday and Bank Holidays	Standard Rate x 2	Standard Rate x 2
Disclosure of Information on Health & Safety matters:		
- Full factual statement which may also include sketches, copy of F2508, witness statements, etc.	118.25	121.25
- Brief statement where the information may be of limited use to the recipient.	41.50	42.50
- Photographs & an administration charge	£2.30 each & admin charge to be £11.75	2.40 each & admin charge to be 12.00
- Photocopying	12p/sheet	13p/sheet
Contaminated Land Information:		
- Domestic enquiry	91.00*	93.25*
- Industrial enquiry	115.75*	118.75*

PORT HEALTH CHARGES

Ship Inspection Charges		
Gross Tonnage:		
Up to 3,000	-	100
3,001-10,000	-	150
10,001-20,000	-	200
20,001-30,000	-	230
Over 30,000	-	300
With the exception of:		
• Vessels with the capacity to carry between 50 and 1000 persons -		300
• Vessels with the capacity to carry more than 1000 persons -		500
Water Sample Charges:		
Water sample as part of sanitation certificate	-	75.00
Water sample from Heysham Port	-	82.50
Water sample from Glasson Dock	-	95.00

STRATEGIC HOUSING:

	Present Charge £	Proposed Charge £	
- Immigration Inspection Charges	52.50	53.75 (+2.5%)	54.75 (+4.5%)
- Accredited Property Scheme	30.00	50.00	
- HMO Licence Fees:			
Discounted Rate (Renewal within 2 months)	£250	£400	(Proposed fee per additional unit) £60
Basic Rate	£350	£500	(Proposed fee per additional unit) £70
Admin Fee		£60	
* = PLUS VAT			

- (2) That Cabinet approves the new fees for Port Health Ship Inspections and the taking of water samples.
- (3) That Cabinet approves the proposals to increase fees for the Accredited Property Scheme and HMO Licence fees as outlined in the report.

Officers responsible for effecting the decision:

Corporate Director (Community Services).

Head of Health and Strategic Housing.

Reason for making the decision:

The decision notes the risks associated with no increase at all are that no additional income could be generated. The risks of setting the fees too high are that the City Council may receive negative media coverage and complaints, or residents may choose to engage another provider (particularly pest control).

(The meeting adjourned at 11.55 a.m. and re-convened at 12.20 p.m.)

98 ANNUAL REVIEW OF PARKING FEES AND CHARGES

(Cabinet Members with Special Responsibility Councillors John Gilbert and Roger Mace)

The Head of Property Services submitted a report that gave consideration to the Annual Review of Parking Fees and Charges for 2008/09.

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

The following options have been put forward for consideration in light of the discussions with the Chamber Groups and the need to meet the budgetary commitments. The options are limited to minor changes rather than across the board increases in the anticipation that the additional usage previously mentioned can be maintained. However, Cabinet needs to be aware of the risks associated with this assumption combined with relying on some tariff increases raising the required additional income and the introduction of a new tariff. The traffic and parking implications are highlighted where applicable.

Please note that an allowance for resistance has now been included in the following Pay and Display projections.

Option 1

Pay and Display – Short Stay

Tariff Description	Tariff	Additional Income
Introduce Up to 4 hours (assumes no increased sales and 10% change from up to 3 and over 3 hour tariffs)	£3.20	£6,600
Amend Over 3 hours to Over 4 hours and increase charge by £1.00	£8.00	£8,000

Public Permits

Increase General and Specific by 5% in line with table at 3.3	£11,700
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This option provides the additional tariff of Up to 4 hours that is effectively a 3 to 4 hour charge. As indicated the estimates assume 10% of existing 3 hour and Over 3 hour

customers will elect to stay longer in the new Up to 4 hour category. This new tariff may attract some customers from the existing long stay Up to 5 hour category in Lancaster and this would transfer vehicles from long stay to short stay car parks. If successful, the new tariff may affect the turnover of spaces at peak periods although this may not necessarily affect income. Clearly there are risks associated with introducing a new tariff and this tariff or charge may need to be reviewed next year if there is a subsequent adverse variance.

This option also includes increasing the amended Over 4 hour tariff from £7.00 to £8.00 to discourage long stays on short stay car parks. However, this is estimated to only raise an additional £8,000.

A 5% increase in public permits is broadly in line with inflation and this reduces the level of discount offered to commuters compared with daily parking costs. However, the same level of sales is anticipated and this does not discourage further reductions in commuting and the use of long stay car parks.

This option does not achieve the budgetary commitment with an estimated shortfall of £26,400.

Option 2

Pay and Display – Short Stay

Tariff Description	Tariff	Additional Income
Increase Up to 2 hours by 0.10p	£1.70	£30,000
Introduce Up to 4 hours (assumes no increased sales and 10% change from 2 and over 3 hour tariffs)	£3.20	£6,600
Amend Over 3 hours to Over 4 hours and increase charge by £1.00	£8.00	£8,000

Public Permits

Increase General and Specific by 5% in line with table at 3.3	£11,700
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This option is similar to Option 1 but includes increasing the existing Up to 2 hour charge from £1.60 to £1.70. This is estimated to raise an additional £30,000 in view of the number of customers using this tariff. As previously mentioned the 4 hour tariff and charge may need to be reviewed in the 2009/10 review in light of parking patterns and usage.

In budgetary terms this option is estimated to generate a total of £56,300 against the budgetary commitment of £52,700.

Option 3

Pay and Display - Short Stay

Tariff Description	Tariff	Additional Income
Increase Up to 3 hours by 0.10p	£2.50	£11,000
Introduce Up to 4 hours (assumes no increased sales and 10%	£3.20	£6,600

change from 2 and over 3 hour tariffs)		
Amend Over 3 hours to Over 4 hours and increase charge by £1.00	£8.00	£8,000

Public Permits

Increase General and Specific by 5% in line with table at 3.3	£11,700
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Again this option is similar to option 2. This option provides an alternative by increasing the Up to 3 hour tariff from £2.40 to £2.50. This option reduces the differential between the cost of 3 and 4 hour parking and may help to encourage shoppers and visitors to stay for the additional hour.

Combined with the permit increases this option is estimated to generate additional income that is £15,400 below the required budget commitment.

Option 4

The final option is to do nothing and retain the existing level of fees and charges. This will not achieve the budget commitment unless increased pay and display usage significantly exceeds the level experienced in the first half of 2007 and possibly combined with increased permit sales. This option is clearly a significant risk to the revenue budget and assumes further substantial increased use due to price stability or other factors outside the Council's control.

The preferred officer option was Option 2 in that it introduces an inflationary increase on the Up to 2 hour tariff and introduces the new Up to 4 hour tariff along with inflationary increases in public permits charges. This option could raise up to £56,300 in additional revenue but it is suggested the original budgetary commitment of £52,700 is still included in the budget to assist with any subsequent adverse variance issues.

It was moved by Councillor John Gilbert and seconded by Councillor Roger Mace: -

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

By way of amendment it was moved by Councillor Jon Barry and seconded by Councillor Maia Whitelegg: -

"That the charge for car parking for up to 1 hour be increased from 0.90p to £1 for revenue purposes."

Upon being put to the vote, 3 Members voted in favour (Councillors Jon Barry, David Kerr and Maia Whitelegg), 6 Members voted against (Councillors Evelyn Archer, June Ashworth, Eileen Blamire, Abbott Bryning, John Gilbert and Roger Mace) and 1 Member abstained from voting (Councillor Tony Johnson), whereupon the Chairman declared the amendment to be lost.

Members then voted upon the original proposition.

Resolved:

(8 Members voted in favour (Councillors Evelyn Archer, June Ashworth, Eileen Blamire, Abbott Bryning, John Gilbert, Tony Johnson, David Kerr and Roger Mace) and 2 Members voted against (Councillors Jon Barry and Maia Whitelegg))

- (1) That Cabinet approves Option 2 of the Annual Review of Fees and Charges for 2008/09 consisting of:
- a) Increase the Short Stay Up to 2 hour tariff to £1.70.
 - b) Introducing a Short Stay Up to 4 hour tariff at £3.20.
 - c) Amending the Short Stay Over 3 hour tariff to Over 4 hours and increasing the charge to £8.00.
 - d) Increasing all General and Specific Public Permits by 5%.

Officers responsible for effecting the decision:

Corporate Director (Finance and Performance).
Head of Property Services.

Reason for making the decision:

The decision introduces an inflationary increase on the Up to 2 hour tariff and introduces the new Up to 4 hour tariff along with inflationary increases in public permits charges.

99 THE DOME, MORECAMBE - OPTIONS

(Cabinet Member with Special Responsibility Councillor Maia Whitelegg)

The Head of Cultural Services presented a report that gave consideration to options for the future of the Dome.

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

Option A Closure and demolition of the Dome, with no transfer of events.

In option A an estimate for demolition of the Dome ("*to one metre below ground level, grubbing up and sealing off of services, removal of debris and arisings off site, etc*") has been received from Birse Civils Limited. At December 2006 prices the total cost estimate stood at £79,400 (£83,400 at 2008/2009 prices). This capital growth has yet to be highlighted as an item for the Capital Programme and approval would be dependent on a project appraisal.

Assumptions;-

- Cessation of all operations at Dome.
- One permanent staff member subject to redeployment, with effect from April 1st 2008. Staff member may alternatively take redundancy option which would result in subsequent redundancy costs.

- Effective 1st April 2008, subject to no contractual costs relating to cancellation of existing bookings.
- Pumping Station expenditure (see paragraph 2.10)

Projected revenue savings of £103,900 best case and £58,900 worst case scenario based on 2008/09 draft estimates. The projected savings for 2009/10 and 2010/11 are £114,300 and £122,000. A breakdown of the Option A financial appraisal was attached as an appendix to the report.

Risks:-

- The above would have a potentially damaging impact on the reputation of the Council and district. The closure of the Dome and no transfer of events would be viewed negatively in terms of the impact that shows and events make to the district and undermine the events strategy undertaken since the creation of Cultural Services. High profile event/shows such as those undertaken in 2007/2008, including; - the "Arctic Monkeys", "Athlete", and "Reverend & the Makers" would cease through the loss of the existing revenue budget.
- The above assumes an effective date of the 1st April 2008, and no contractual costs relating to cancellation of existing bookings. However, based on existing bookings scheduled for the Dome in 2008/2009, the potential maximum estimated contractual costs of cancellations, to-date have been calculated at £45,000. Pending Cabinet's decision with regards to a preferred option on the future of the Dome, to avoid the risk of reputational damage the above is hypothetical, as no event promoter or organiser has yet been contacted with a view to negotiating an alternative venue (which could offset some of the potential contractual cancellation costs). However, if the decision was taken now to close the Dome with effect from April 2009, there would be no contractual costs relating to cancellation of bookings, as to-date no bookings have been confirmed for 2009/2010. A decision should be made to coincide with the end of the 2008/2009 season to ensure no commitments are made for events to be held in 2009/2010.
- Permanent staff member could take statutory redundancy if redeployment not successful which would result in a cost, calculated at £6,000 (based on an end date of 31st March 2008, with no enhancements).
- No budget approval as present to demolish the Dome.

Option B - Closure and Demolition of the Dome, Transferring the Majority of Events to the Platform and/or Alternative Venues within the District (Including Private Sector Venues) – Subject to Availability.

Assumptions: -

- Cessation of all operations at Dome.
- Transfer of events from the Dome to the Platform and/or alternative venues within the District (including related expenditure and income) – subject to availability.

- Retention of permanent staff – transferred to within Cultural Services to support events held in alternative venues.
- Effective 1st April 2008, subject to no contractual costs relating to cancellation of existing bookings.
- Pumping Station expenditure (see paragraph 2.10)

This option would result in a net revenue saving of £101,700 best case and £56,700 worst case scenario based on 2008/09 draft estimates. The projected savings for 2009/10 and 2010/11 are £105,300 and £109,300. A breakdown of the Option B financial appraisal is attached as an appendix to the report.

As already referred to in option A, option B also contains an estimate for demolition of the Dome. At December 2006 prices the total demolition cost estimate stood at £79,400 (£83,400 at 2008/2009 prices). This capital growth has yet to be highlighted as an item for the Capital Programme and approval would be dependent on a robust business case and project appraisal.

In the event that Cabinet wishes to consider relocating the Dome based events/shows to the Platform, the latter would require a capital investment (staging, “blackouts”, lighting and sound systems, etc) to bring the Platform to an equivalent operational standard - estimated at £130,000 (at 2008/2009 prices). These improvements have been identified as a request for growth within the Capital Programme but are subject to approval dependent on a robust business case and project appraisal.

Risks:-

- The above assumes an effective date of the 1st April 2008, and no contractual costs relating to cancellation of existing bookings. However, based on existing bookings scheduled for the Dome in 2008/2009, the potential maximum estimated contractual costs of cancellations; to-date has been calculated at £45,000. Pending Cabinet's decision with regards to a preferred option on the future of the Dome, to avoid the risk of reputational damage the above is hypothetical, as no event promoter or organiser has yet been contacted with a view to negotiating an alternative venue (which could offset some of the potential contractual cancellation costs). However, if the decision was taken now to close the Dome with effect from April 2009, there would be no contractual costs relating to cancellation of bookings, as to-date no bookings have been confirmed for 2009/2010. A decision should be made to coincide with the end of the 2008/2009 season to ensure no commitments are made for events to be held in 2009/2010.
- It should be noted that non-availability and layout of other potential venues within the District would mean a small percentage of events could not be considered for transfer. For the purposes of consistency all projections within this report are based on transferring 100% of the events from the Dome to Platform, as at this stage it is not possible to determine otherwise without discussing the situation with promoters.
- No budget approval at present to demolish the Dome.
- No capital investment approval at present to upgrade the Platform, and this would be subject to the business case.

- Failure to manage effective redirection of shows from the Dome to the Platform.
- Failure to achieve show income as estimates.

Option C - Continue current operation

In this option the City Council would continue to operate the Dome, presumably until such time as the outcome of the Morecambe promenade redevelopment is determined. Within this option it would be prudent to commission a Dome condition survey, estimated at a one-off cost of £5,000. The costs of this survey would need to be funded through savings within the existing service budget or an additional revenue growth bid request. The outcome of the condition survey would likely identify additional capital and/or revenue implications for the continued use of the Dome. This option also allows for a wider debate about performance venues in Morecambe, within the context of not only the Promenade Redevelopment but also the future of the Winter Gardens.

Assumptions:-

- Although there would be demolition costs associated with the Dome, estimated at £83,400 at 2008/09 prices, it is assumed that they would be offset against the overall costs of the redevelopment of Morecambe Promenade.
- Subject to a satisfactory outcome to the Morecambe promenade redevelopment, and if Cabinet still wished to consider relocating the Dome based events/shows to the Platform and/or alternative venues within the District (including private sector venues), the former would require a capital investment (staging, "blackouts", lighting and sound systems, etc) to bring the Platform to an equivalent operational standard - estimated at £130,000 (at 2008/2009 prices). These improvements have been identified as a request for growth within the Capital Programme but are subject to approval dependent on a robust business case and project appraisal.
- There would also be revenue consequences linked to the above, in respect of additional expenditure and income (including staffing costs), associated with staging more events/shows in the Platform. At this time these costs have not been determined.
- Pumping Station expenditure
- A breakdown of the Option C financial appraisal was attached as an Appendix to the report.

Risks:-

- No approval of budget allocation at present in respect of the condition survey.
- That the condition survey identifies additional significant capital and/or revenue budget requirements associated with the continued use of the Dome.
- No capital investment approval at present to upgrade the Platform, and this would be subject to the business case.

- No revenue budget approval at present to transfer Dome events/shows to the Platform.

Option D - Seeking a private operator to take on the operation of the Dome.

An informal approach undertaken a few years ago, by the Corporate Director (Regeneration), identified only one potential private operator. The matter was not pursued as that operator sought a prohibitively large management fee from the City Council.

To-date this option has not been further costed and would involve market testing via a Tendering process, at an initial cost of £1,500 to cover the cost of advertising for expressions of interest, including a pre-tender questionnaire. There would be significant work required to prepare and produce a specification, evaluate the tenders and subsequently a requirement to monitor the "contract". The whole tendering process and any subsequent award of contract would include consideration of Transfer of Undertaking of Public Employees (TUPE), taking up references and financial checks, etc. Based on previous tendering experiences, to allow for preparation of documents, pre and post-tender evaluation and a hand-over period, the earliest transfer to a potential private sector operator would take at least six months. Within this option it would be necessary to commission a Dome condition survey, estimated at a one-off cost of £5,000. The outcome of the condition survey would likely identify additional capital and/or revenue implications for the continued use of the Dome (as part of the landlord and tenant relationship between the City Council and facility operator).

Assumptions; -

- The outcome of the above would likely involve a Management Fee from the City Council to any operator and would therefore not yield any financial savings.
- Pumping Station expenditure

Risks:-

- The likelihood of finding a suitable and affordable operator for the Dome, for the time that remains before the redevelopment of Morecambe Promenade. It is difficult to identify where any operator would make any savings with regards to fixed costs, such as utilities, etc.
- Cabinet are reminded that the whole Bubbles Complex, including the Dome, has in the past been operated by a private contractor (as part of the Compulsory Competitive Tendering regime). Ultimately that contractor failed and the operation of the facilities reverted to the City Council.
- In the event that a private sector operator was identified for the Dome, it would likely operate in direct competition to the Platform and may impact on the programming and financial viability of the Platform.
- No budget approval at present in respect of the condition survey.
- That the condition survey identifies significant capital and/or revenue budget requirements associated with the continued use of the Dome.

Pumping Station

The Bubbles site, to the rear of the Dome, incorporates a Surface Water Station – which will be required, irrespective of the future operation of the Dome or any other facility, unless the ground level is raised to that of the Promenade. The current site will still be liable to flooding, with or without a facility as the site is below sea level. This is currently under funded and it is recommended, by Engineering Services, that this be increased from the current budget allocation of £2,100 to £5,000. This expenditure arises in all the options (A to D above). This increase to the existing budget allocation of £2,900 is subject to “growth” approval in the 2008/09 budget process.

Risks:-

- No additional budget approval at present in respect of the pumping station.

The Options and Options analysis were as set out in paragraphs 2.1 to 2.10 of the report and as set out above.

The Officer preferred Option was Option A as it provided the greatest financial saving, whilst option B would allow the Council to retain a programme of events, and option C a deferral on one or both of the above. In view of the uncertainty regarding the long-term future of the Dome and the previous experience with a private operator, option D was not a preferred option.

It was moved by Councillor Maia Whitelegg and seconded by Councillor Tony Johnson: -

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

By way of amendment, which was accepted as a friendly amendment by the mover and seconder of the original proposition, it was moved by Councillor Roger Mace and seconded by Councillor June Ashworth: -

“That the Condition Survey be undertaken as cheaply as possible and to be funded through the Renewals Reserve.”

By way of further amendment, which was accepted as a friendly amendment by the mover and seconder of the original proposition, it was moved by Councillor Roger Mace and seconded by Councillor Eileen Blamire: -

“That Cabinet approves an increase in the budget, as set out in the report, for Pumping Station works.”

Members then voted upon the proposition, as amended.

Resolved:

(9 Members voted in favour (Councillors Evelyn Archer, June Ashworth, Jon Barry, Eileen Blamire, Abbott Bryning, John Gilbert, Roger Mace, Tony Johnson and Maia Whitelegg) and 1 Member voted against (Councillor David Kerr)

- (1) That the current operation at the Dome be continued in accordance with Option C, with the Condition Survey being undertaken as cheaply as possible and to be funded through the Renewals Reserve, and with a report back to Cabinet about the performance venues in Morecambe.
- (2) That Cabinet approves an increase in the budget, as set out in the report, for Pumping Station works.
- (3) That the revenue and capital consequences identified within the report be taken forward and considered as part of the wider deliberation by Cabinet on the 2008/209 budget process.

Officers responsible for effecting the decision:

Head of Cultural Services.
Head of Financial Services.

Reason for making the decision:

The decision would enables the continued operation of the Dome, until such time as the outcome of the Morecambe promenade redevelopment is determined. Within this option it would be prudent to commission a Dome condition survey that can be financed from the Renewals Reserve. The outcome of the condition survey would determine any additional capital and/or revenue implications for the continued use of the Dome. This option also allows for a wider debate about performance venues in Morecambe, within the context of not only the Promenade Redevelopment but also the future of the Winter Gardens.

100 CORPORATE PROPERTY STRATEGY***(Cabinet Member with Special Responsibility Councillor Evelyn Archer)***

The Corporate Director (Finance and Performance) submitted a report that gave consideration to a revision to the Corporate Property Strategy to allow consideration of sales of property at less than market value.

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

Option 1 - To update the Corporate Property Strategy to provide a framework for allowing consideration of disposal of assets at less than market value, in support of well being powers. The updating of the Strategy bears no risks in itself. Any risks would arise in individual cases should the Council wish to consider the use of the General Disposal Consent to sell land at an under value.

Option 2 – To update the Corporate Strategy in a manner that reflects Cabinet's wishes. This would give the opportunity to consider whether the amount of "under value" referred to in the General Consent is appropriate for the City Council as a District Council. Under the consent, which is available to all authorities regardless of size, the maximum under value is £2m and Cabinet may wish to consider whether a lower value would be appropriate to the City Council. In addition, members may wish to consider whether any additional criteria would be relevant to add into the Corporate Strategy, or whether any are considered to be not relevant. Risks in this option are as identified in option 1.

Option 3 – Make no changes to the Corporate Strategy as currently written until the revised Government guidelines are in place. The existing Strategy would still be in place as would the General Consent, and the Council could consider how to deal with individual cases as they arose. Risks in this option are as identified in option 1.

Option 4 – Confirm the Corporate Property Strategy in its current format and not utilise the discretion of the Council to utilise the provisions of the General Disposal Consent should it be so minded.

The officer preferred option was option 1 in which Cabinet is asked to update the Corporate Property Strategy to provide a framework for allowing consideration of the disposal of assets at less than market value in support of the "well being powers" under the provisions of the ODPM Circular 06/2003 Local Government Act 1972: General Disposal Consent (England) 2003.

It was moved by Councillor Roger Mace and seconded by Councillor John Gilbert: -

"That there be no change to the Property Strategy at this time, pending the more extensive review of the Strategy that is expected to be undertaken in the near future."

Members then voted as follows.

Resolved Unanimously:

- (1) That there be no change to the Property Strategy at this time, pending the more extensive review of the Strategy that is expected to be undertaken in the near future.

Officers responsible for effecting the decision:

Corporate Director (Finance and Performance).
Head of Property Services.

Reason for making the decision:

The decision for no changes to be made at the current time has been made as a more extensive review of the Strategy is expected to be undertaken in the near future when revised Government guidelines become available. The decision was also justified as the option to allow for the disposal of assets at less than market value in support of the "well being" powers exists on an ad hoc basis as currently exists under ODPM Circular 06/2003, Local Government Act 1972 – General Disposal Consent (England) 2003.

101 CHILDREN AND YOUNG PEOPLE STRATEGIC PLAN***(Cabinet Member with Special Responsibility Councillor Maia Whitelegg)***

The Corporate Director (Finance and Performance) submitted a report that sought Cabinet's approval of a Children and Young People Strategy.

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

- 1 To approve the Strategic Plan and refer the growth bids to the budget process.

Operational Risk

There is a statutory duty to co-operate with named agencies that are involved with children and young people. 2008 will see the emergence of a local Lancaster District Children's Trust.

As well as not complying with legislation, not having such an integrated documented strategic approach to these issues puts at risk our ability to ensure the well being of children and young people in our district as well as diluting the Council's impact and influence on the development of a local children's trust.

Financial Risk

It should be noted that a number of growth bids have been submitted to assist in delivery of elements of the plan, most notably a bid in support of the recommended re-designation of the Children and Young People Manager post from part time to full time. In addition further smaller bids have been submitted to provide a small operating budget for the CYP team (none exists at present), funding to support development of our responses to the emerging local children's trust and Year 1 funding to support establishment of the Young Advisors Scheme (referred to in the Plan). Failure to support these bids will hinder delivery of the Plan in terms of what is achievable within reasonable timescales with the resources available.

2. To recommend amendments to the Strategic Plan prior to its approval recognising the operational and financial risks identified above.

Key documents are currently under revision and this strategy, if adopted, will be revised to take account of the Council's Corporate Plan for 2008/09 and the new Lancaster District Sustainable Community Strategy, as well as the outcome of the budget process.

The preferred officer option was option 1, that the Strategic Plan be approved as drafted and thereafter widely disseminated across the Council and regularly updated as and when future policy and operating arrangements are developed.

It was moved by Councillor Maia Whitelegg and seconded by Councillor David Kerr: -

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

By way of amendment, which was accepted by the mover and seconder of the original proposition as a friendly amendment, it was moved by Councillor Mace: -

“That Cabinet refers the Strategy to the LSP as the Council’s contribution to the negotiation of the Children and Young People component of the LSP’s Sustainable Community Strategy.”

Members then voted upon the proposition, as amended.

Resolved Unanimously:

- (1) That the Children and Young People Strategic Plan be approved and that the growth bids be considered as part of the 2008/09 budget process.
- (2) That Cabinet refers the Strategy to the LSP as the Council’s contribution to the negotiation of the Children and Young People component of the LSP’s Sustainable Community Strategy.

Officers responsible for effecting the decision:

Corporate Director (Finance and Performance).
Head of Corporate Strategy.
Head of Financial Services.

Reason for making the decision:

The decision to approve the Strategic Plan, as drafted, will enable the Plan to be, thereafter, widely disseminated across the Council and regularly updated as and when future policy and operating arrangements are developed.

A Children and Young People Strategic Plan has been developed which sets out what the Council is currently doing to ensure the wellbeing of children and young people in the district. It is one of the means by which we will be complying with the Council’s statutory duties which includes co-operating with those agencies involved with children and young people.

The decision also enables the document to be referred to the LSP as the Council’s contribution to the negotiation of the Children and Young People component of the LSP’s Sustainable Community Strategy.

102 GALGATE COMMUNITY ROOMS

(Cabinet Member with Special Responsibility Councillor Tony Johnson)

The Head of Economic Development and Tourism submitted a report that advised that Ellel Parish Council had requested short term, repayable financial assistance pending receipt of Pathfinder in Practice funding towards the development of Community Rooms in Galgate. The report outlined the background to the request, noted the potential joint arrangement with Lancashire Economic Partnership and raised the implications of funding such requests.

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

Option	Advantages	Disadvantages	Risks
1. Refuse the request to provide short term finance	Avoids setting precedent for similar requests	Substantial external funding for community project not taken up City Council perceived as unsupportive	No financial risk to the City Council Project potentially put at risk as unable to bridge period pending receipt of PiP funding
2. Provide short term repayable funding, jointly with LEP, against contractor invoices and charge interest of approx £900-1000	Project able to proceed as planned. City Council perceived as supportive of rural community projects No financial loss to the City Council when loan repaid in full	Increases overall project costs to the Parish Council Depending on LEP approach, there may be a mismatch in the handling of interest on the loan	Whilst the offer of PiP funding has been secured, payment will be subject to the project meeting the terms and conditions set by the funder. It is conceivable that payment of PiP grant could be withheld and repayment to the City Council delayed. Risk of setting precedent
3. Provide short term repayable funding, jointly with LEP, against contractor invoices and forego interest of approx £900-1000	Project able to proceed as planned City Council perceived as supportive of rural community projects	Loss of interest on the funding provided	Whilst the offer of PiP funding has been secured, payment will be subject to the project meeting the terms and conditions set by the funder. It is conceivable that payment of PiP grant could be withheld and repayment to the City Council delayed. Risk of setting precedent
4. Approach	Potential to reduce	LEP initially	Risk of delay in

Lancashire County Council with a view to the required finance being met equally with LEP and the City Council	the commitment of resources and risk for the City Council	approached the County Council which indicated that it would not be able to provide support from the Rural Development Budget (the most appropriate budget) in the current financial year. The timescale required for any further approaches and consideration by the County Council probably dictates against this option being taken forward.	confirming the availability of short term funding on a tripartite basis
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The preferred officer option was option 3. If Members wished to support the request for short term finance, it should be noted that Lancashire Economic Partnership do not generally charge interest on the finance provided. If this is LEP's confirmed approach in this instance, Members may wish to adopt a consistent approach ie Option 3.

It was moved by Councillor Tony Johnson and seconded by Councillor John Gilbert: -

"That the recommendations, as set out in the report, be approved, subject to there being no interest charge."

Resolved Unanimously:

- (1) That Cabinet approves the request from Ellel Parish Council and provide the required advance of up to £80,000, subject to Lancashire Economic Partnership providing an equivalent sum and that no interest be charged on the finance provided.

Officer responsible for effecting the decision:

Head of Economic Development and Tourism.

Reason for making the decision:

The decision enables the project to proceed as planned with the City Council being supportive of rural community projects.

103 CUSTOMER SERVICE CENTRES***(Cabinet Member with Special Responsibility Councillor Evelyn Archer)***

The Corporate Director (Finance and Performance) submitted a report that updated Members on the progress within the Customer Service Centres and to consider the ways of accessing the Lancaster Town Hall.

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

Public Access to Lancaster Town Hall

Option 1 – leave the front doors open. This would possibly retain a situation where some customers may think that the front doors still provide access to the Town Hall and therefore make an unnecessary trip up the front steps only to find the doors are closed and access is required around the side of the Town Hall. This option does allow the existing doors to be retained for fire exit purposes and still gives an impression that the Town Hall is open for business.

Option 2 – close the front doors. The doors would be opened for civic occasions and for evening and weekend meetings as required. The doors would also have to be altered at a budget cost of £8,000 + VAT to allow for their emergency use as a fire escape.

Staff and Member Access to Lancaster Town Hall

Option 1 – implement a new controlled access scheme into Lancaster Town Hall. This system would allow for a much improved security access to the Town Hall which can be adapted to be used in other buildings as part of the Access to Services review. More importantly, it has the key benefit of improving emergency evacuation procedures. Funding is already available within the Customer Service Centre budget as set out in the Financial Implications section of the report.

Option 2 – retain existing access arrangements for staff and Members. A saving in the Customer Service Centre budgets would be made amounting to £11,100. This would not lead to any improvements in access arrangements and retains the existing safety risk to visiting staff/ members in that they cannot easily be identified as being present in the building during an emergency evacuation. In addition, should any legal action be taken against the Council for having insufficient evacuation procedures, it is likely that the Council's defence would be inadequate. For instance, a member of staff injured as a result of being untraced in an emergency, would have a reasonable case for negligence against the authority.

The officer preferred options were set out in the report as follows:

Public Access to Lancaster Town Hall

Cabinet are asked to determine their preferred option in respect of the front doors at Lancaster Town Hall.

Staff and Member Access to Lancaster Town Hall

Option 1 was the preferred option as this would be more user friendly and provide improved security and evacuation procedures within a budget that is available.

It was moved by Councillor Evelyn Archer and seconded by Councillor David Kerr: -

“(1) That there be no change to the current arrangements for the front door of Lancaster Town Hall, but that improved signage, facing 3 ways, be provided.”

Members voted unanimously in favour of (1) above. Members then voted on the second proposal, as set out below:

“(2) That the proposal for staff and member access to Lancaster Town Hall, as set out in option 1, be approved.”

3 Members voted in favour (Councillors Evelyn Archer, June Ashworth and David Kerr), 5 Members voted against (Councillors Jon Barry, Eileen Blamire, John Gilbert, Tony Johnson and Maia Whitelegg) and 1 Member abstained from voting (Councillor Roger Mace), whereupon the Chairman declared proposition (2) to be lost.

Note: Councillor Abbott Bryning did not vote on (2) above.

Resolved Unanimously:

(1) That there be no change to the current arrangements for the front door of Lancaster Town Hall, but that improved signage, facing 3 ways, be provided.

(2) That Cabinet note the information relating to customer access to the new customer Service Centres.

Officers responsible for effecting the decision:

Report of Corporate Director (Finance and Performance).
Head of Property Services.

Reason for making the decision:

The decision allows the existing doors to be retained for fire exit purposes and still gives the impression that the Town Hall is open for business during opening hours.

With regard to staff and member access to Lancaster Town Hall the decision to retain existing access arrangements for staff and Members avoids expenditure in the Customer Service Centre budgets amounting to £11,100.

104 CABINET PUBLIC SPEAKING

(Cabinet Member with Special Responsibility Councillor Roger Mace)

The Head of Democratic Services submitted a report that reviewed the procedure for public speaking at meetings of Cabinet meetings.

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

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 with other meetings of the Council. However, it would not support the public or Ward Councillors speaking on urgent business items or reports</p>

Option No.	OPTION	IMPLICATIONS AND RISK ANALYSIS
		<p>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.

The preferred officer option was 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 Roger Mace and seconded by Councillor Eileen Blamire:-

“That the present system be continued and that the position be reviewed at the December 2008 Cabinet meeting.”

Members then voted as follows.

Resolved Unanimously:

- (1) That the present system be continued and that the position be reviewed at the December 2008 Cabinet meeting.

Note: Councillor David Kerr was not present when the vote was taken.

Officers responsible for effecting the decision:

Chief Executive.
Head of Democratic Services.

Reason for making the decision:

The decision supports the public being allowed to speak at meetings of Cabinet on any topic within the Council's area of responsibility and ensures that there is an element of consistency with other meetings of the Council.

There are also 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.

105 ALLOCATION OF CABINET APPOINTMENTS AND CONSIDERATION OF OVERVIEW & SCRUTINY REFERRAL

(Cabinet Member with Special Responsibility Councillor Roger Mace)

The Head of Democratic Services submitted a report that advised of the recommended reallocation of Cabinet responsibility for AONB issues and of a recommendation from the Overview and Scrutiny Committee regarding a Champion for mental health matters.

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

With regard to the appointment of Cabinet Members as Council representatives it is for Cabinet to approve the replacement of Councillor Eileen Blamire by Councillor Tony Johnson.

It was for Cabinet to consider appointing, or not appointing, a Cabinet Member as champion for mental health matters, in accordance with the referral from the Overview and Scrutiny Committee.

There are no officer preferred options. However, in relation to the Overview and Scrutiny Committee recommendation regarding the appointment of a Champion for mental health matters, Cabinet should be aware that the Council did not focus its services around people's special needs and there would be no identifiable benefit in selecting one particular client group in this way.

It was moved by Councillor Roger Mace and seconded by Councillor Abbott Bryning:-

"That recommendation (1), as set out in the report, be approved and that Cabinet does not appoint a Champion for mental health matters."

Members then voted as follows.

Resolved Unanimously:

- (1) That Councillor Tony Johnson replaces Councillor Eileen Blamire as the Cabinet Member with Special Responsibility for AONB issues and be appointed as the Council's Representative on the Arnside and Silverdale AONB Unit, and Arnside and Silverdale AONB (Forum, Countryside Management Service and Limestone Heritage Project) and the Forest of Bowland AONB Advisory Committee.
- (2) That Cabinet does not appoint a Champion for mental health matters.

Note: Councillor David Kerr was not present when the vote was taken.

Officers responsible for effecting the decision:

Chief Executive.

Head of Democratic Services.
Head of Planning Service.

Reason for making the decision:

The appointment of a Member with special responsibility for AONB issues is in accordance with the previous request from Council and it is for Cabinet to appoint a Councillor to the position. In relation to the Overview and Scrutiny Committee recommendation regarding the appointment of a Champion for mental health matters, Cabinet notes that the Councillors who represent the Council on the LSP Executive have a role in mental health matters.

106 STAR CHAMBER

(Cabinet Member with Special Responsibility Councillor Roger Mace)

The Corporate Director (Finance and Performance) submitted a report that updated Members on the Star Chamber meetings held since the last report to Cabinet of 11th December 2007.

It was moved by Councillor Roger Mace and seconded by Councillor Abbott Bryning:-

“That the report be noted.”

Resolved Unanimously:

- (1) That the report be noted.

Officer responsible for effecting the decision:

Corporate Director (Finance and Performance).

Reason for making the decision:

The decision notes the issues considered at the most recent meetings of the Star Chamber.

107 URGENT BUSINESS REPORT

(Cabinet Member with Special Responsibility Councillor Roger Mace)

Cabinet considered a report that advised Members of action taken by the Chief Executive, in consultation with the Leader and relevant Cabinet Members.

It was moved by Councillor Roger Mace and seconded by Councillor John Gilbert: -

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

Resolved Unanimously:

- (1) That the actions taken by the Chief Executive, in consultation with the Leader, the relevant Cabinet Member and the Chairman of the Overview and Scrutiny

Committee in accordance with the Scheme of Delegation, in relation to the following matter, be noted:

- (1) Health and Strategic Housing Fees and Charges 2008/09.

Officer responsible for effecting the decision:

Chief Executive.

Reason for making the decision:

The decision fulfils the requirements of the City Council's Constitution in advising Cabinet of urgent decisions taken by the Chief Executive in accordance with the City Council's Scheme of Delegation.

108 LANCASTER MARKET

(Cabinet Member with Special Responsibility Councillor Evelyn Archer)

The Corporate Director (Finance and Performance) submitted a report that advised Members of the current situation at Lancaster Market and provided options for the Council to consider in terms of the future of the Market.

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

Option 1 – No Change. The Council would continue to operate the market and this would result in a continued deficit being incurred at the market in excess of £400,000. However, a recent announcement has been made which has indicated that the freehold of the market is to be sold which may result in some changes to the form of the landlord's management. At the time of writing, this is most likely to be a sale of the whole Marketgate Shopping Centre rather than just the Market Hall building. It may be that from the sale, there could be some reductions in the level of service charge payable by the Council. Alternatively, charges could increase, though this would have to be agreed with the City Council. Until the new landlord is in place, no estimate can be given, but a substantial deficit will remain for the Council.

Option 2 – The Council to acquire the freehold of the market. This option has arisen as a result of the recent inclusion of the freehold of the market building in a public auction. Had the auction proceeded, this option would have been a possibility in that the Council could consider the cost of borrowing against the cost of renting the building. However, the freehold of the market was withdrawn from the auction and at this time, this option is not available to the Council as the existing landlord is understood to be including it in a sale of the whole Marketgate Shopping Centre. Should such a sale fail, or if a new landlord wished to rationalise the property holding, this option may become possible at sometime in the future.

Option 3 – Increase Income. This has been the policy of the Council for the last 2.5 years. It is clear that the demand for stalls in the market is limited and whilst new traders arrive, existing traders leave. This gives limited opportunity for increased income. Rental levels are at a point where there is little scope for an increase without the real potential for

traders leaving the market resulting in a worse position for the Council. Option 3 is directly linked to options 4 and 5 below.

Option 4 – Reduced expenditure. A complete look at the expenditure has been undertaken which has shown that there is limited scope for further reductions. A high proportion of expenditure is taken up by the rent and service charges payable to the Council's landlord which amount to approximately £506,200 per annum with a rent review outstanding which could lead to an increase in this amount. As an alternative, the Council has considered a proposal by the Landlord for an additional retail unit to be created in the market building which would result in reduced rental and service charge payments, but this has not been progressed by the current landlord. Time will tell whether a new landlord would wish to proceed along similar lines.

Option 5 – Consider increasing the occupation by including the Assembly Rooms Market and Charter Market (street market) in the main market building.

- (a) Due to the success of the Charter Market, which created a surplus of over £37,000 in 2006/07, it would not be possible for all of the existing traders to physically fit into the market building. There could be a risk in this instance that by splitting the Charter Market to achieve a fuller market building but smaller Charter Market, the Council could end up with having two unsuccessful market operations. It should also be noted that the Charter Market only trades on each Wednesday and Saturday and, therefore, unless the traders decide to stay in the indoor market permanently, the effect of improving trade would be limited. From knowledge of the Charter Market traders, many stand on different markets during the week, and it is, therefore, unlikely that they would change to stay in Lancaster, an option that has already been offered to individual traders with no take-up.
- (b) A complete review of the Assembly Rooms Market took place in January 2006 when the Lancaster and Morecambe Markets Committee resolved that the Market should stay in its current format as it was becoming a more attractive proposition to retain for the Council from the point of view of income generation and service provision. Since that time the Assembly Rooms Market has not changed and it remains fully occupied, producing a surplus in excess of £9,000 in 2006/07. Subject to some detailed survey of stall sizes being completed, it may be possible to fit most of the Assembly Rooms market into the indoor market. However, the Assembly Rooms market only operates from Tuesday to Saturday from 10.00 to 16.00 and not every trader can attend each day so that a "buddy" system operates where adjoining traders look after each others stalls. This would not fit with the opening hours of the indoor markets and it is therefore likely that some Assembly Rooms traders would be cease trading. If such an option was to proceed, the existing Assembly Rooms Market premises would need to be re-let.

If this option were to proceed, in either format, there would be risks associated with affecting the success of two markets whilst not significantly reducing the problems associated with the main market.

Option 6 – Consider whether the market should be handed over to the Market Traders who, according to press reports wish to manage the Market. Alternatively consideration could be given to transferring the operation to a third party market operator, should one be available. Under this option it would clearly be preferable for a new operator to completely cover the Council's rent and service charge to the landlord, but a market operator may indicate that they can only operate at a certain level of expenditure/income. The terms of a transfer, should one be possible, would determine the level of remaining deficit, if any.

Option 7 – Consider whether the market should close. Many traders occupy on the basis of leases that are due to expire in March 2009 – the market could not close before that date without incurring costs as part of an agreement with traders. If the market closes with no alternative user identified the Council would have to continue paying rent and landlord service charges. This would mean that there was very little difference to the existing deficit. If an alternative retail user could be found, the opportunity would exist to assign the Council's lease to that retailer and, thereby, eliminate any deficit. Should such an option be preferred, there are legal timescales involved which would need to commence in 2008/09, with any financial benefit commencing in 2009/10.

There were no preferred Officer options.

It was moved by Councillor Roger Mace and seconded by Councillor Evelyn Archer: -

- “(1) That Officers investigate the feasibility of surrendering the lease, subletting to a single tenant or assigning the lease of the Market to a single tenant, all with effect from 1st April 2009, and report back to Cabinet on these options within three months, with a view to eliminating or substantially reducing the current annual deficit of around £400,000 per annum, which is equivalent to approximately 6% of the City's current Council Tax.
- (2) That another report be presented to Cabinet at the same time, to outline options open to the Council to advise, support and assist market tenants affected by the proposals to relocate their businesses with effect from any closure.”

By way of amendment it was moved by Councillor Jon Barry and seconded by Councillor Maia Whitelegg: -

- “(1) That the City Council makes every attempt to purchase the freehold of the Market.
- (2) That the City Council attempts to revitalise the market in terms of layout and lettings using outside experts, if necessary.”

3 Members (Councillors Jon Barry, Tony Johnson and Maia Whitelegg) voted in favour of the amendment, 6 Members voted against (Councillors Evelyn Archer, June Ashworth, Eileen Blamire, Abbott Bryning, David Kerr and Roger Mace) and 1 Member (Councillor John Gilbert) abstained from voting, whereupon the Chairman declared the amendment to be lost.

Members then voted as follows on the original proposition.

Resolved:

(8 Members voted in favour (Councillors Evelyn Archer, June Ashworth, Eileen Blamire, Abbott Bryning, John Gilbert, Tony Johnson, David Kerr and Roger Mace) and 2 Members voted against (Councillors Jon Barry and Maia Whitelegg)

- (1) That Officers investigate the feasibility of surrendering the lease, subletting to a single tenant or assigning the lease of the Market to a single tenant, all with effect from 1st April 2009, and report back to Cabinet on these options within three months, with a view to eliminating or substantially reducing the current annual deficit of around £400,000 per annum, which is equivalent to approximately 6% of the City's current Council Tax.
- (2) That another report be presented to Cabinet at the same time, to outline options open to the Council to advise, support and assist market tenants affected by the proposals to relocate their businesses with effect from any closure.

Officers responsible for effecting the decision:

Corporate Director (Finance and Performance).
Head of Property Services.

Reason for making the decision:

The decision enables various options to be explored in order to reduce the current annual deficit. The decision notes that the level of subsidy is not considered to be acceptable to the Council. The decision also requests further work to be undertaken on supporting market tenants in the event that the market has to close.

109 MORECAMBE FOOTBALL CLUB***(Cabinet Member with Special Responsibility Councillor Evelyn Archer)***

The Corporate Director (Finance and Performance) submitted a report that gave consideration to the details for Morecambe Football Club to redevelop land at Westgate, Morecambe for a new stadium and ancillary facilities, including the need for land disposals.

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

Option 1 – to proceed with the negotiations with Morecambe Football Club to sell the land at Westgate, subject to the provision of alternative facilities for Westgate Wanderers. This would be subject to a full set of Heads of Terms being provided to Cabinet to provide the basis of a development agreement. It is clear that there is still much work to be done to ensure the agreement of all parties and there is a risk that the transactions may not proceed. This option does, however, potentially secure the futures of both Morecambe FC and Westgate Wanderers, and would result in a capital receipt to the Council. If this is the preferred option chosen by Cabinet Members are asked to refer to the exempt report.

Option 2 – do nothing. This would result in Morecambe FC remaining in their current facilities at Christie Park and the reduction of benefits to the local community. As in option

1, this would leave the Council with the potential for a future capital receipt, but in the meantime, Westgate Wanderers would be unaffected and the Council's rental income would remain.

The preferred officer option was option 1 as this would give the opportunity to improve the futures of both Morecambe FC and Westgate Wanderers, whilst also providing the Council with a capital receipt.

(The meeting adjourned at 2.30 p.m. and re-convened at 2.40 p.m).

It was moved by Councillor Roger Mace and seconded by Councillor Evelyn Archer: -

"That the resolution passed at Cabinet on 24th July 2007 be confirmed, which facilitates negotiation between the parties to draw up a detailed proposal and Cabinet further resolves:

- (1) That any disposal of City Council land negotiated as part of the proposal be at full value.
- (2) That the Trustees of Christie Park be included in the discussions.
- (3) That the County Council and Ward Councillors be included in the discussions with regard to any relocation of Westgate Wanderers."

Members then voted as follows.

Resolved:

(9 Members voted in favour (Councillors Evelyn Archer, June Ashworth, Jon Barry, Eileen Blamire, Abbott Bryning, John Gilbert, David Kerr, Roger Mace and Maia Whitelegg) and 1 Member abstained from voting (Councillor Tony Johnson)

That the resolution passed at Cabinet on 24th July 2007 be confirmed, which facilitates negotiation between the parties to draw up a detailed proposal and Cabinet further resolves:

- (1) That any disposal of City Council land negotiated as part of the proposal be at full value.
- (2) That the Trustees of Christie Park be included in the discussions.
- (3) That the County Council and Ward Councillors be included in the discussions with regard to any relocation of Westgate Wanderers.

Officers responsible for effecting the decision:

Corporate Director (Finance and Performance).
Head of Property Services.

Reason for making the decision:

The decision facilitates negotiation between the parties to draw up a detailed proposal with the disposal of City Council land negotiated as part of the proposal being at full value. It also ensures involvement of Trustees, the County Council and Ward Councillors in various aspects of the decision. The decision also gives the opportunity to improve the futures of both Morecambe Football Club and Westgate Wanderers, whilst also providing the Council with a capital receipt.

110 EXCLUSION OF THE PRESS AND PUBLIC

The Chairman asked for any further declarations of interest from Cabinet Members regarding the exempt report. No further declarations were made at this point.

It was moved by Councillor Tony Johnson and seconded by Councillor Eileen Blamire: -

“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 ground 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 ground that it could involve the possible disclosure of exempt information as defined in paragraph 3 of Schedule 12A of that Act.

111 DISPOSAL OF LAND AT WELLINGTON TERRACE, MORECAMBE***(Cabinet Member with Special Responsibility Councillor Evelyn Archer)***

The Corporate Director (Finance and Performance) submitted a report that requested Cabinet to give consideration and approve the disposal of land at Wellington Terrace, Morecambe.

The options, options analysis, including risk assessment, and preferred Officer option were set out in the report for Members' consideration.

It was moved by Councillor Jon Barry and seconded by Councillor John Gilbert: -

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

Resolved:

(9 Members voted in favour (Councillors Evelyn Archer, June Ashworth, Jon Barry, Eileen Blamire, Abbott Bryning, John Gilbert, Tony Johnson, David Kerr and Maia Whitelegg) and 1 Member abstained from voting (Councillor Roger Mace)

- (1) That Cabinet approves the sale of the land at Wellington Terrace, Morecambe on the terms and conditions as set out in the report.
- (2) That any capital receipts obtained should be taken into account in assessing the funding available for the 2008/09 Capital Programme.

Officers responsible for effecting the decision:

Corporate Director (Finance and Performance).
Head of Financial Services.
Head of Property Services.

Reason for making the decision:

The decision will allow a development opportunity to take place in this area of Morecambe, which will have community and economic benefits.

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

112 ADJOURNMENT OF MEETING

It was moved by Councillor Roger Mace and seconded by Councillor Tony Johnson: -

“That the meeting stand adjourned and the remaining items of business be considered at a re-convened meeting of Cabinet to be held on Wednesday, 24th January, 2008, commencing at 10.00 a.m. at Lancaster Town Hall.”

Members then voted as follows.

Resolved unanimously:

- (1) That the meeting stand adjourned and the remaining items of business be considered at a re-convened meeting of Cabinet to be held on Wednesday, 24th January, 2008, commencing at 10.00 a.m. at Lancaster Town Hall.

The meeting reconvened at 10 a.m. on Wednesday, 24th January, 2008.

PRESENT

Councillors Roger Mace (Chairman), Evelyn Archer, June Ashworth, Jon Barry, Eileen Blamire, John Gilbert, Tony Johnson. David Kerr and Maia Whitelegg.

In attendance: -

Mark Cullinan - Chief Executive
Roger Muckle - Corporate Director (Community Services)
Peter Loker - Corporate Director (Finance and Performance)
Richard Tulej - Head of Corporate Strategy (part)
Nadine Muschamp - Head of Financial Services and Section 151 Officer
Stephen Metcalfe - Principal Democratic Support Officer

Apologies for Absence: -

It was noted that Councillor Abbott Bryning would not be in attendance at the commencement of the meeting.

113 BUDGET AND POLICY FRAMEWORK UPDATE***(Cabinet Member with Special Responsibility Councillor Roger Mace)***

The Corporate Director (Finance and Performance) and Head of Financial Services submitted a joint report that sought Cabinet's approval of the draft 2008/9 Budget and Policy Framework proposals to be used in a limited consultation exercise in accordance with the agreed timetable prior to submission to Council.

Cabinet also considered supplementary reports that had been circulated prior to the meeting.

It was moved by Councillor Roger Mace and seconded by Councillor Tony Johnson:-

"(1) That the City Council priorities, set out on pages 170 to 172 of the Agenda, be amended by inserting the words "all" in 6.3 in replacement of the words "our diverse communities" and by amending the final sentence in section 6.3 to become: "Develop Civic Pride targets relating to opportunities for the celebration (in 2009) of the centenary of the opening of Lancaster Town Hall, the celebration of the centenary of the donation of Williamson Park to the City, and 75 years since the opening of Morecambe Town Hall."

(2) That the priorities, as amended, be endorsed for recommendation by Council."

By way of amendment it was moved by Councillor Jon Barry and seconded by Councillor Maia Whitelegg: -

"That the words "and action on Climate Change" be added to "6 Support sustainable communities" contained within Lancaster City Council's Draft Corporate Priorities for 2008/11, contained on page 170 of the Agenda."

Note: Councillor Abbott Bryning in attendance.

7 Members (Councillors Evelyn Archer, June Ashworth, Jon Barry, Eileen Blamire, Abbott Bryning, David Kerr and Maia Whitelegg) voted in favour of the amendment and 2 Members voted against (Councillors Tony Johnson and Roger Mace), whereupon the Chairman declared the amendment to be carried.

Note: Councillor Abbott Bryning did not vote.

Members then voted as follows on the proposition, as amended:

Resolved Unanimously:

- (1) That Cabinet approves the draft 2008/9 Corporate Plan, as amended, as a basis for consultation in accordance with the agreed timetable.
- (2) That the draft 2008/9 Corporate Plan and revenue and capital budget proposals be referred to Council for their consideration on the 6th February 2008.

Note: Councillor Abbott Bryning did not vote.

Officers responsible for effecting the decision:

Corporate Director (Finance and Performance).
Head of Financial Services.

Reason for making the decision:

The decision enables Cabinet to continue its schedule of consultation and to recommend a draft 2008/9 Corporate Plan and revenue and capital budget proposals for the forthcoming year to Council for its consideration on the 6th February 2008.

114 BUDGET AND POLICY FRAMEWORK - GENERAL FUND REVENUE BUDGET**(Cabinet Member with Special Responsibility Councillor Roger Mace)**

The Corporate Director (Finance and Performance) and Head of Financial Services presented a joint report that provided information on the latest budget position for current and future years, to allow Cabinet to make recommendations to Council on Council Tax levels for 2008/09.

A revised Appendix F was circulated at the meeting for Members' consideration.

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

Options were 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 were known and it should be noted that Officers may require more time in order to do this. Outline options were highlighted within the report, however.

- With regard to the Revised Budget and resulting underspending, Cabinet could consider other proposals that may influence the Revised Budget for the year, or it could consider leaving the underspent resources in General Fund Balances.
- 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 were 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 special expenses and other items for noting, no options were 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 was required to put forward budget proposals for Council's consideration, in time for them to be referred back as appropriate. This is why recommendations were required to feed into the Council meeting on 6th February, 2008 prior to the actual Budget Council.

The Officer Preferred options were as reflected in the report's recommendations.

It was moved by Councillor Roger Mace and seconded by Councillor Evelyn Archer: -

"That the recommendations (1) to (8), as set out in the report, together with the following additional recommendations, be approved.

- 9 (a) That Cabinet approve the savings and growth proposals set out in the revised Appendix F to be included in the revenue budget recommendations to Council on February 6th 2008.
- 9 (b) That Cabinet recommend to Council that the City Council Tax increase for 2008/09 be 4.5% for the non-parished areas of the district.
- 9 (c) That, in the event that there be a net budgetary impact arising from the issues referred to in paragraph 3.4 of the report, or the actual revenue finance settlement, it should be met initially from, or contribute to, balances, reserves, or provisions.

By way of amendment it was moved by Councillor Jon Barry and seconded by Councillor Maia Whitelegg: -

"That 9 (c) be amended with the insertion of the words "considered in future meetings of Cabinet and Council" after the word "be" and the remaining words deleted."

3 Members (Councillors Jon Barry, John Gilbert and Maia Whitelegg) voted for the amendment, 4 Members (Councillors Evelyn Archer, Tony Johnson, David Kerr and Roger Mace) voted against and 3 Members (Councillors June Ashworth, Eileen Blamire and Abbott Bryning) abstained from voting, whereupon the Chairman declared the amendment to be lost.

Members then voted as follows:

Resolved:

(5 Members voted in favour (Councillors Evelyn Archer, June Ashworth, Tony Johnson, David Kerr and Roger Mace), 2 Members voted against (Councillors Jon Barry and Maia Whitelegg) and 3 Members abstained from voting (Councillors Eileen Blamire, Abbott Bryning and John Gilbert)

- (1) That the 2007/08 Revised Budget of £22.034M be referred on to Council for approval, with the net underspend of £275K being transferred into Balances.
- (2) That Cabinet notes the position regarding the Local Government Finance Settlement and capping.
- (3) That Cabinet recommends to Council that the minimum level of General Fund Balances be retained at £1M from 1st April 2008.
- (4) That Cabinet approves the reassessment of other earmarked reserves and provisions as set out in Appendix E to the report.
- (5) That Cabinet notes the proposals regarding the declaration of Special Expenses.
- (6) That Cabinet notes the position regarding Pension Employer Contribution Rates for future years.
- (7) That Cabinet notes the Council Tax Base of 43,150 Band D properties for 2008/09.
- (8) That, subject to all the above, Cabinet notes the resulting draft 2008/09 General Fund Revenue Budget of £23.274M, and the indicative spending projections of £24.706M for 2009/10 and £26.242M for 2010/11.
- 9 (a) That Cabinet approve the savings and growth proposals, set out in the revised Appendix F, to be included in the revenue budget recommendations to Council on February 6th 2008.
- 9 (b) That Cabinet recommend to Council that the City Council Tax increase for 2008/09 be 4.5% for the non-parished areas of the district.
- 9 (c) That, in the event that there be a net budgetary impact arising from the issues referred to in paragraph 3.4 of the report, or the actual revenue finance settlement, it should be met initially from, or contribute to, balances, reserves, or provisions.

Officers responsible for effecting the decision:

Corporate Director (Finance and Performance).
Head of Financial Services.

Reason for making the decision:

The decision takes account of the progress that has been made in meeting the targets included in the Medium Term Financial Strategy, and sets out proposals in order for Cabinet to make recommendations to Council on 6th February 2008 regarding the level of Council Tax for 2008/09. The proposals are aligned with Cabinet priorities agreed after public consultation and used as the basis for the proposed 2008/09 Corporate Plan.

115 BUDGET AND POLICY FRAMEWORK - GENERAL FUND CAPITAL PROGRAMME

(Cabinet Member with Special Responsibility Councillor Roger Mace)

(Mark Cullinan declared a personal interest in that part of the report that referred to Lunesside East)

The Corporate Director (Finance and Performance) and Head of Financial Services presented a joint report that provided the latest information on the General Fund capital position for both current and future years, to allow Cabinet to make progress in developing its capital investment proposals and the supporting Investment Strategy.

The options, 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 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 2012/13.

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.

Noting the Actions of the Head of Financial Services regarding Vehicle Acquisitions

The only alternative option would be to defer noting the actions, pending receiving further information.

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

It was moved by Councillor Roger Mace and seconded by Councillor Evelyn Archer: -

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

Members then voted as follows:

Resolved:

(8 Members (Councillors Evelyn Archer, June Ashworth, Eileen Blamire, Abbott Bryning, John Gilbert, Tony Johnson, David Kerr and Roger Mace) voted in favour and 2 Members (Councillors Jon Barry and Maia Whitelegg) abstained from voting

- (1) That the draft Capital Investment Strategy be updated to reflect the changes in financing assumptions, as outlined in sections 1.1 to 1.5 of the report.
- (2) That Cabinet notes the delegated actions of the Head of Financial Services with regard to the funding of vehicle acquisitions as outlined in section 1.4 (iii) of the report.
- (3) That Cabinet notes the latest position regarding the General Fund Capital Programme and funding assumptions from 2007/08 onwards, together with the work ongoing, and takes action to ensure that a fully balanced Programme is presented for Cabinet's consideration at the February meeting, for subsequent referral on to Council.
- (4) That the draft Treasury Strategy for 2008/09 and associated Prudential Indicators be updated in line with the above recommendations.

Officers responsible for effecting the decision:

Corporate Director (Finance and Performance).
Head of Financial Services.

Reason for making the decision:

The decision is based on the information and outline options for Cabinet to consider in formulating its proposals for a balanced Capital Programme to 2012/13 in line with the Prudential Code. The decision allows Cabinet to present to Council in February its Capital Programme proposals in line with the agreed timetable.

The investment needed in Council owned buildings and facilities represents a major call on resources, and that opportunities may exist for generating significant capital receipts, but further work is needed to ensure that the final proposals to Council are prudent, affordable and financially sustainable.

116 BUDGET AND POLICY FRAMEWORK - HOUSING REVENUE ACCOUNT BUDGET AND CAPITAL PROGRAMME

(Cabinet Members with Special Responsibility Councillors John Gilbert and David Kerr)

The Corporate Director (Finance and Performance) and Head of Financial Services presented a joint report that updated the Housing Revenue Account (HRA) revised budget position for the current year and set out the recommended budget for 2008/09 and future

years. It also set out the updated Capital Programme for 2007/08 and a proposed programme to 2012/13.

The options, 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 2008/09 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;
- iii) Set the rent increase at a higher level, up to 5.5%, i.e. within the Limit Rent
- iv) Set the rent increase at a level higher than 5.5%, 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 were to set the level at £350,000 in line with the advice of the Section 151 Officer, or to adopt a different level.

The options available in respect of the revenue budgets for 2008/09 to 2010/11 were to recommend the budget as set out to Budget Council for approval, or to consider other proposals for incorporation.

The options available in respect of the Capital Programme were:

- 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 supported 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 were known. It should be noted that Officers may require more time in order to do this.

The Officer Preferred options were to approve a 5% increase in average rents, and to approve the draft revenue and capital budgets as set out in the appendices. These were as reflected in the recommendations of the report.

It was moved by Councillor John Gilbert and seconded by Councillor David Kerr: -

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

By way of amendment it was moved by Councillor Jon Barry and seconded by Councillor Maia Whitelegg: -

"That the rent increase be 4.5% and the shortfall of £60,000 come from the Supervision and Management expenditure."

Upon being put to the vote 2 Members (Councillors Jon Barry and Maia Whitelegg) voted for the amendment and 8 Members (Councillors Evelyn Archer, June Ashworth, Eileen Blamire, Abbott Bryning, John Gilbert, Tony Johnson, David Kerr and Roger Mace) voted against, whereupon the Chairman declared the amendment to be lost.

Members then voted upon the original proposition as follows:

Resolved:

(8 Members (Councillors Evelyn Archer, June Ashworth, Eileen Blamire, Abbott Bryning, John Gilbert, Tony Johnson, David Kerr and Roger Mace) voted in favour and 2 Members (Councillors Jon Barry and Maia Whitelegg) voted against)

- (1) That the Housing Revenue Account Revised Budget for 2007/08, as set out at Appendix A to the report, be recommended to Budget Council for approval, with the net savings being used to help finance future years' capital investment.
- (2) That the revenue growth bids, set out at Appendix B to the report, be supported.
- (3) That the Housing Revenue Account Budget for 2008/09, as set out at Appendix A to the report, be recommended to Budget Council for approval.
- (4) That Cabinet recommends to Council that the minimum level of HRA unallocated balances be retained at £350,000 from 1st April 2008, and that the Statement on Reserves and Balances be noted and referred to Budget Council for information.
- (5) That average council housing rents for the year commencing 1st April 2008 be set at £56.86, 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 to the report, be referred on to Budget Council for approval.
- (8) That the revenue budgets and capital programme be referred to the District Wide Tenants Forum on 6th February 2008, and that any issues arising are fed into Cabinet, prior to Budget 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 City Council's housing stock, which are financed by Housing Subsidy received from central government, and by housing rents. Proposals reflect agreed Council priorities included in the Housing Strategy and the 30 year Council Housing Business Plan.

Chairman

(The meeting ended at 12.35 p.m.)

**Any queries regarding these Minutes, please contact
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MINUTES PUBLISHED ON: MONDAY, 28TH JANUARY, 2008.

**EFFECTIVE DATE FOR IMPLEMENTING THE DECISIONS CONTAINED IN THESE MINUTES:
TUESDAY, 5TH FEBRUARY, 2008.**