

## CABINET

10.00 A.M.

7TH OCTOBER 2008

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

Apologies for Absence

Councillor Eileen Blamire

Also in attendance:-

Councillor Rebekah Gerrard (for minute 62)

Officers in attendance:-

Mark Cullinan	Chief Executive
Peter Loker	Corporate Director (Community Services)
Roger Muckle	Corporate Director (Finance and Performance)
Andrew Dobson	Head of Planning Services (part)
Nadine Muschamp	Head of Financial Services and Section 151 Officer
Peter Sandford	Head of Economic Development and Tourism (part)
Anne Marie Harrison	Principal European and Regeneration Programmes Officer (part)
David Hopwood	Parking and Administration Manager (part)
Debbie Chambers	Principal Democratic Support Officer
Elizabeth Bateson	Senior Democratic Support Officer (part)

### 58 MINUTES

The Minutes of the meeting held on 2<sup>nd</sup> September 2008 were signed by the Chairman as a correct record.

### 59 ITEMS OF URGENT BUSINESS AUTHORISED BY THE LEADER

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

### 60 DECLARATIONS OF INTEREST

Councillor Archer declared a personal and prejudicial interest with regard to the report concerning Sea Change Funding - Winter Gardens in view of her involvement with the Winter Gardens, Morecambe. (Minute 64 refers).

Councillor Burns declared a personal and prejudicial interest with regard to the report concerning Williamson Park Company in view of her role as a member of the Williamson Park Board of Directors. (Minute 76 refers).

The Corporate Director (Finance and Performance) declared an interest with regard to the report concerning Williamson Park Company in view of his role as Secretary to the Williamson Park Board of Directors. (Minute 76 refers).

## 61 PUBLIC SPEAKING

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

## 62 COUNCIL ASSETS TASK GROUP

**(Cabinet Member with Special Responsibility Councillor Evelyn Archer)**

***(Councillor Gerrard, in her capacity as Chairman of the Council Assets Task Group, was allowed to speak on the item in accordance with Cabinet Procedure Rule 2.6).***

Councillor Gerrard presented the findings of the Council Assets Task Group to Cabinet and asked that members consider adopting the recommendations set out in the Task Group's report.

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

- "(1) That Cabinet notes recommendations 1, 2, 3(b), 3(c), 5 and 6 of the Assets Task Group.
- (2) That Cabinet prioritises the works identified in the conditions survey within the Capital Programme (item 12 on the Agenda) in accordance with recommendation 3a.
- (3) That a report be produced setting out the resource implications of taking forward recommendations 4(a)-(g)."

Members then voted as follows:-

***Resolved unanimously:***

- (1) That Cabinet notes recommendations 1, 2, 3(b), 3(c), 5 and 6 of the Assets Task Group.
- (2) That Cabinet prioritises the works identified in the conditions survey within the Capital Programme (item 12 on the Agenda) in accordance with recommendation 3a.
- (3) That a report be produced setting out the resource implications of taking forward recommendations 4(a)-(g).

**Officers responsible for effecting the decision:**

Corporate Director (Regeneration)  
Head of Property Services

**Reason for making the decision:**

The decision recognises the importance of taking forward the programme of works from the Condition Surveys as a priority and of looking into the resource implications involved in improving the maintenance, storage, preservation and exhibition of key documents and assets as outlined in the Task Group report.

**63 PARKING STRATEGY****(Cabinet Member with Special Responsibility Councillor Mace)**

The Head of Property Services submitted a report asking Cabinet to approve an updated Parking Strategy for the district following consideration by the Overview and Scrutiny Committee.

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

Option 1 is to approve the updated Strategy and formally adopt it as the Parking Strategy for the district. The Strategy draws on the advice and guidance contained within various policy documents and would be used as a framework to inform officers on the management and development of parking assets within the context of this development framework. By reviewing the Strategy and Action Plan on an annual basis this would allow the management of parking assets to take account of regeneration and redevelopment proposals and other issues affecting the strategic management of parking in the district.

Option 2 is not to adopt the updated Strategy. This would result in there being no Parking Strategy and Action Plan to guide and inform officers on the strategic management of parking assets in the district. There would be no opportunity to review the Strategy and Action Plan to take account of initiatives and proposals that impact on the district's economic prosperity.

Option 1, to approve the updated Strategy as the Parking Strategy for the district, is the preferred option for the reasons outlined above.

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

- (1) That the Cabinet Member with responsibility for Parking Policy approves the updated Parking Strategy as the Parking Strategy for the District.
- (2) That the Parking Strategy be reviewed and updated on an annual basis in consultation with the Cabinet Member and any issues be reported to Cabinet as appropriate.

Members then voted as follows:-

**Resolved:**

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

- (1) That the Cabinet Member with responsibility for Parking Policy approves the updated Parking Strategy as the Parking Strategy for the District.
- (2) That the Parking Strategy be reviewed and updated on an annual basis in consultation with the Cabinet Member and any issues be reported to Cabinet as appropriate.

**Officers responsible for effecting the decision:**

Corporate Director (Regeneration)  
Head of Property Services

**Reason for making the decision:**

The Strategy draws on the advice and guidance contained within various policy documents and will be used as a framework to inform officers on the management and development of parking assets within the context of this development framework. Reviewing the Strategy and Action Plan on an annual basis will allow the management of parking assets to take account of regeneration and redevelopment proposals and other issues affecting the strategic management of parking in the district.

**64 SEA CHANGE FUNDING - WINTER GARDENS****(Cabinet Member with Special Responsibility Councillor Mace)**

***(It was noted that Councillor Archer had previously declared a personal and prejudicial interest in the following item in view of her involvement with the Winter Gardens, Morecambe. Councillor Archer left the meeting prior to consideration of this item.)***

The Corporate Director (Regeneration) submitted a report requesting Cabinet's agreement to support the submission of a funding application based around the Winter Gardens restoration, under the new national grant scheme to support regeneration projects in seaside towns, Sea Change.

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

<b>Option</b>	<b>Advantages</b>	<b>Disadvantages</b>	<b>Risk and Mitigation</b>
Option 1 Proceed with the submission of a Sea Change	<ul style="list-style-type: none"> <li>• Potentially secures a major injection of external funding and the</li> </ul>	<ul style="list-style-type: none"> <li>• Accountable body status confers risk and responsibility on the Council.</li> <li>• Significant officer</li> </ul>	Further officer support can be given to assist the Trust in identifying the

<p>application based on the Winter Gardens restoration</p>	<p>restoration of a key landmark building in Morecambe</p> <ul style="list-style-type: none"> <li>Allows for progress on a key element of the Vision and council priority.</li> </ul> <p>This is the preferred option.</p>	<p>time required to assist the Trust with capacity building and ensure that the Council's position as accountable body is protected</p> <p>Reputational risk to the Council if the Trust withdraw or the project fails</p>	<p>areas where it may need to improve its capacity, and funding is available within the £300,000 grant from NWDA to support the Trust with this activity.</p>
<p>Option 2</p> <p>Develop an alternative Sea Change application and submit for Round 3</p>	<ul style="list-style-type: none"> <li>A project delivered directly by the Council (eg public realm) would carry lower risk</li> </ul>	<ul style="list-style-type: none"> <li>Less likely to be seen by CABE as transformational and therefore less likely to be successful</li> <li>There is likely to be greater competition for funds under Round 3</li> <li>Unlikely to be supported by NWDA who wish to see other NW resorts supported in Round 3</li> <li>Leaves the Winter Gardens with uncertainty about future funding and could set back the restoration project by several years</li> </ul>	
<p>Option 3</p> <p>Do not submit a Sea Change bid</p>	<ul style="list-style-type: none"> <li>No risk</li> </ul>	<ul style="list-style-type: none"> <li>Misses an important opportunity to secure significant funds for Morecambe's regeneration</li> <li>Sends a negative message to external funders and local stakeholders</li> </ul>	

The officer preferred option is option 1, to proceed with submission of a Sea Change application based on the Winter Gardens restoration. However, it will be essential that the Council is satisfied that the Winter Gardens Trust has sufficient capacity to deliver the project effectively before the Council formally commits itself to the project (if the Sea Change bid is successful). This can be assessed as part of the formal project appraisal and appropriate recommendations made back to Cabinet for approval.

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

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

Members then voted as follows:

***Resolved unanimously:***

- (1) That Cabinet endorses the submission of a Sea Change bid based on the Winter Gardens Restoration
- (2) That a further report is brought to report on the implications for the Council in acting as Accountable Body for this project, and to agree any requirements that may need to be specified to Winter Gardens Trust to protect the Council's position, following a full project appraisal.

**Officers responsible for effecting the decision:**

Corporate Director (Regeneration)  
Head of Economic Development and Tourism

**Reason for making the decision:**

The decision to endorse the submission of a Sea Change bid will potentially secure a major injection of external funding and the restoration of a key landmark building in Morecambe. It also allows for progress on a key element of the Vision and council priority. However, Cabinet notes it will be essential that the Council is satisfied that the Winter Gardens Trust has sufficient capacity to deliver the project effectively before the Council formally commits itself to the project (if the Sea Change bid is successful). This can be assessed as part of the formal project appraisal and appropriate recommendations made back to Cabinet for approval.

***(Councillor Archer returned to the meeting).***

**65 LANCASTER DISTRICT ECONOMIC VISION**

**(Cabinet Members with Special Responsibility Councillors Archer and Bryning)**

The Corporate Director (Regeneration) submitted a report to update Cabinet on emerging policy from national government, to advise on progress regarding the refresh of the District's Economic vision and the work of Lancaster District Local Strategic Partnership, in relation to the local economy.

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

**Option 1** Approve the proposed framework for delivery of the Economic Vision, including the five Area Themes. This option allows for quick progress towards development of Investment Strategies and for the Council and the District to be well prepared to deal with a delegation of funds to the local area at an early stage. Whilst it reflects local priorities, it takes account of funders' requirements to maximise opportunities for funding. As the proposal is based on the current policy framework and therefore fits with corporate objectives and those of the LDLSP, this option does not suggest any obvious disadvantages.

**Option 2** Develop an alternative framework for delivery of the Economic Vision. This option allows for development of alternative themes but activity will still need to relate clearly to the current policy framework. Development of an alternative approach, consultation with partners and further liaison with funders would be likely to take some months, delaying progress and potentially losing opportunities for funding.

Option 1 is the preferred option. This approach provides a useful way forward that relates to the existing policy framework, has been developed in partnership and takes account of funders' requirements, maximising opportunities to bring regeneration funding into the District.

Councillor Bryning proposed, and Councillor Charles seconded:-

- (1) That Members note the update on the emerging policy framework, including the Government White Paper - 'Transforming Places – Changing Lives'.
- (2) That Members note progress of the LDLSP Economy Thematic Group Action Plan, which will be presented for approval by the Council as part of the Sustainable Community Strategy.
- (3) That Cabinet approves the proposed strategic framework for the Economic Vision, based on the LDLSP Action Plan, including the five Area Themes.
- (4) That the refreshed Economic Vision and Action Plan are presented to Council with a recommendation that these are formally accepted as an update of the Council's Economic Regeneration Strategy.
- (5) That Cabinet approves the submission of a funding application to provide a fully developed Investment Strategy and detailed Performance Framework for the proposed Economic Regeneration Strategy, that will provide funders with the strong investment rationale they require and that should the bid be successful, the Revenue Budget will be updated accordingly.
- (6) That Cabinet notes the proposed arrangements for a mid term review of the West End Masterplan as set out in section 2.4 of the report.
- (7) That Cabinet approves the immediate removal of the Central Park project from the West End Masterplan and Capital Programme, and that this be built into the capital update for referral on to Council."

Members then voted as follows:

*(Votes were taken on each recommendation in turn).*

***Resolved unanimously:***

- (1) That Members note the update on the emerging policy framework, including the Government White Paper - 'Transforming Places – Changing Lives'.
- (2) That Members note progress of the LDLSP Economy Thematic Group Action Plan, which will be presented for approval by the Council as part of the Sustainable Community Strategy.

***(7 Members (Councillors Archer, Bryning, Burns, Charles, Gilbert, Kerr and Mace) voted for, 2 Members (Councillors Barry and Fletcher) abstained)***

- (3) That Cabinet approves the proposed strategic framework for the Economic Vision, based on the LDLSP Action Plan, including the five Area Themes.
- (4) That the refreshed Economic Vision and Action Plan are presented to Council with a recommendation that these are formally accepted as an update of the Council's Economic Regeneration Strategy.
- (5) That Cabinet approves the submission of a funding application to provide a fully developed Investment Strategy and detailed Performance Framework for the proposed Economic Regeneration Strategy, that will provide funders with the strong investment rationale they require and that should the bid be successful, the Revenue Budget will be updated accordingly.

***Resolved unanimously:***

- (6) That Cabinet notes the proposed arrangements for a mid term review of the West End Masterplan as set out in section 2.4 of the report.

***(8 Members (Councillors Archer, Bryning, Burns, Charles, Fletcher, Gilbert, Kerr and Mace) voted for, 1 Member (Councillor Barry) abstained)***

- (7) That Cabinet approves the immediate removal of the Central Park project from the West End Masterplan and Capital Programme, and that this be built into the capital update for referral on to Council.

**Officers responsible for effecting the decision:**

Corporate Director (Regeneration)  
Head of Economic Development and Tourism

**Reason for making the decision:**

This approach will provide a useful way forward that relates to the existing policy framework, has been developed in partnership and takes account of funders' requirements, maximising opportunities to bring regeneration funding into the District.



**66 MORECAMBE CENTRE AREA ACTION PLAN, REVISION TO LOCAL DEVELOPMENT SCHEME****(Cabinet Member with Special Responsibility Councillor Archer)**

The Corporate Director (Regeneration) submitted a report requesting Cabinet's approval to undertake an Area Action Plan for Morecambe Centre under the terms of the Planning and Compulsory Purchase Act 2004. The report also sought Cabinet approval to revise the Local Development Scheme for submission to the Government Office for the North West.

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

**Option 1** – Produce only those documents contained in the existing Local Development Scheme, albeit to revised timetables. This would increase the potential of being able to produce the Land Allocations and Development Control Policies documents within a reasonable timescale and within existing resource availability.

**Option 2** - Produce those documents contained in the existing Local Development Scheme, albeit to revised timetables, in addition to the Morecambe Centre Area Action Plan. This would retain the ability to produce the Land Allocations and Development Control Policies documents within a reasonable timescale whilst also producing the Area Action Plan. This, however, would require extra resources to be directed to the Council's plan making function.

**Option 3** – Prioritise the Morecambe Centre Action Area Plan and delay production of other LDF documents. This would increase the likelihood of being able to produce the Area Action plan within a reasonable timescale and within existing resource availability but would delay other key documents which would undermine the Council's Planning Framework, create uncertainty in the development industry and in the minds of the public. This option may also prejudice bids for external funding and future Housing and Planning Delivery grant settlements.

Option 2 is the officer preferred option as this would ensure an up-to-date planning framework which would help maximise the potential to promote the sustainable regeneration of the District whilst making a significant step in promoting the Council's regeneration priority of central Morecambe.

Councillor Kerr moved, and Councillor Archer seconded:-

“That Cabinet:

- (1) Authorises the production of an Area Action Plan for Morecambe Centre in accordance with Option 2 in the report, in addition to the other Local Development Documents already committed in the Local Development Scheme;
- (2) Instructs the Head of Planning Services to produce a revised Local Development Scheme, including detailed project plans for each document with relevant portfolio holders, for consideration at a future cabinet meeting.”

Members then voted as follows:

**Resolved unanimously:**

That Cabinet:

- (1) Authorises the production of an Area Action Plan for Morecambe Centre in accordance with Option 2 in the report, in addition to the other Local Development Documents already committed in the Local Development Scheme;
- (2) Instructs the Head of Planning and Building Control to produce a revised Local Development Scheme, including detailed project plans for each document with relevant portfolio holders, for consideration at a future cabinet meeting.

**Officers responsible for effecting the decision:**

Corporate Director (Regeneration)  
Head of Planning and Building Control

**Reason for making the decision:**

The decision will ensure an up-to-date planning framework which will help maximise the potential to promote the sustainable regeneration of the District whilst making a significant step in promoting the Council's regeneration priority of central Morecambe. The involvement of Cabinet portfolio holders ensures that the recommendations put before Cabinet will be those of the Cabinet members.

**67 HARBOUR BAND ARENA****(Cabinet Member with Special Responsibility Councillor Archer)**

The Corporate Director (Regeneration) submitted a report seeking authority to use Northwest Development Agency funds to deliver a regeneration project to clear the Harbour Band Arena adjacent the Midland Hotel and lay it out as open space for the amenity of the public.

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

Options

This is to accept the NWDA funding offer and to undertake the works as soon as possible. It utilises existing expertise in the Council's Engineering team who have vast experience of undertaking works on Morecambe seafront. There are certain financial risks to the Council given that any expenditure in excess of the NWDA maximum sum would need to be met by the Council. The Head of Planning Services is, however, confident the Engineering Team can manage the project so the risks are properly mitigated and that the project will achieve value for money.

To not accept the NWDA funding offer and therefore to not deliver the project.

Analysis

Option 1 removes factors that worsen peoples' experience and enjoyment of both the Midland hotel and the Stone Jetty and helps maximise the positive impact of the Midland Hotel on investment in central Morecambe. Option 2 poses no direct risks to the Council but would be to pass up a significant opportunity to deliver a project that would secure real environmental improvements at, potentially, no costs to the Council. It would mean the condition of the old fairground site would continue to impact negatively on peoples' experiences and impressions and could only impair both the ongoing viability of the Midland hotel business and perceptions of the town more generally including those of potential investors. This potentially puts at risk further investment in central Morecambe and undermines other regeneration schemes. How long the Harbour Band Arena would otherwise continue in its present eyesore condition is open to question. There is of course a prospect that Urban Splash can bring forward its proposed CPA redevelopment relatively quickly and, as part of this deliver Seaside Square but there is also significant chance that this scenario may not materialise. Whatever, this option would leave a prominent eyesore in place for a longer period than as per option 1 with the consequential problems as identified in this report.

To deliver the project as per Option 1 offers the Council an excellent opportunity to remedy a long-standing environmental problem, support the Midland Hotel and help sustain the regeneration of the town. Given the NWDA financial support this option offers real value for money to the Council.

Councillor Burns proposed and Councillor Archer seconded:-

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

Members then voted as follows:

***Resolved unanimously:***

- (1) That Cabinet authorises the Corporate Director (Regeneration) to deliver a project to clear the Harbour Band Arena and lay it out as open space for the amenity of the public.
- (2) That Cabinet authorises the Head of Financial Services to revise the Capital Fund General Programme as appropriate to provide for this project subject to there being nil additional capital or revenue implications for the Council.

**Officers responsible for effecting the decision:**

Corporate Director (Regeneration)  
Head of Planning and Building Control  
Head of Financial Services

**Reason for making the decision:**

The decision provides the Council with an excellent opportunity to remedy a long-standing environmental problem, support the Midland Hotel and help sustain the regeneration of the town. Given the NWDA financial support this option offers real value for money to the Council.

**68 REFERRAL TO CABINET - FOOD WASTE****(Cabinet Member with Special Responsibility Councillor Barry)**

The Head of Democratic Services submitted a report requesting Cabinet to consider a referral regarding Food Waste as a result of the Call-in of Cabinet's decision with regard to Food Waste (Minute 47 refers). The referral asked that Cabinet reconsiders its decision to adopt Options 1 and 2, taken at its meeting on 2<sup>nd</sup> September 2008, and look again at the most cost effective and efficient schemes, including Option 3 and other schemes not yet discussed, for example home composting and using green bins instead of the food waste caddy.

The options in the referral report were set out as follows:-

1. Reaffirm the decision of Cabinet of 2<sup>nd</sup> September 2008.  
The original report to Cabinet on Implications of the Lancashire Municipal Waste Strategy and PFI Funded Waste Disposal Arrangements and the relevant minute are attached to this report.
2. Accept the recommendations either wholly or in part made by the Overview and Scrutiny Committee at the Call-in on 23<sup>rd</sup> September and make resolutions in line with those recommendations.
3. Take a different decision, although if the decision is not in accordance with option 1 and 2 above it is subject to call-in.

Councillor Barry moved, and Councillor Fletcher seconded:-

"That all households be provided with a 23 litre caddy for food waste, as set out in Option 1 of the original report to Cabinet on 2<sup>nd</sup> September 2008."

By way of amendment, it was moved by Councillor Mace and seconded by Councillor Archer that:-

- "(1) Cabinet notes the recommendations of the Overview and Scrutiny Committee
- (2) Cabinet notes the objective of diverting food waste from the residual waste stream, so as to reduce the amount of waste sent to landfill
- (3) Cabinet notes the unacceptable extent of cuts in services likely to be necessary to achieve targets for the maximum increase in Council Tax in the medium term if options 1 or 2 are selected
- (4) Cabinet recommends that the costs outlined in the report for the collection of food waste (Option 3 of the original report to Cabinet on 2<sup>nd</sup> September 2008) are built into the forthcoming review of the Medium Term Financial Strategy (MTFS) for subsequent referral on to council

- (5) That, subject to the outcome of the above, a service for the collection of food waste, as outlined in Option 3 of the original report to Cabinet on 2<sup>nd</sup> September 2008, is implemented in April 2010.”

By way of further amendment, which was accepted as a friendly amendment by the mover and seconder of the amendment, Councillor Bryning proposed that a further point be added as follows:

- “(6) That the City Council works with the Lancashire Waste Partnership locally to promote waste minimisation and home composting.”

By way of a further amendment, which was not accepted as a friendly amendment by the mover of the original proposal, Councillor Barry proposed and Councillor Fletcher seconded:

“That Cabinet instructs officers to consider the costs of providing a small food caddy to those with green waste bins and to report back at a later date.”

2 Members (Councillors Barry and Fletcher) voted in favour of the further amendment, 5 Members voted against (Councillors Archer, Bryning, Burns, Kerr and Mace) and 2 Members (Councillors Charles and Gilbert) abstained from voting, whereupon the Chairman declared the further amendment to be lost.

Members then voted on the earlier amendment as follows:-

**Resolved:**

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

- (1) Cabinet notes the recommendations of the Overview and Scrutiny Committee
- (2) Cabinet notes the objective of diverting food waste from the residual waste stream, so as to reduce the amount of waste sent to landfill
- (3) Cabinet notes the unacceptable extent of cuts in services likely to be necessary to achieve targetes for the maximum increase in Council Tax in the medium term if options 1 or 2 are selected
- (4) Cabinet recommends that the costs outlined in the report for the collection of food waste (Option 3 of the original report to Cabinet on 2<sup>nd</sup> September 2008) are built into the forthcoming review of the Medium Term Financial Strategy (MTFS) for subsequent referral on to council
- (5) That, subject to the outcome of the above, a service for the collection of food waste, as outlined in Option 3 of the original report to Cabinet on 2<sup>nd</sup> September 2008, is implemented in April 2010
- (6) That the City Council works with the Lancashire Waste Partnership locally to promote waste minimisation and home composting.

**Officers responsible for effecting the decision:**

Corporate Director (Community Services)  
Head of City Council Direct Services

**Reason for making the decision:**

The decision is made in line with the recommendations of Overview and Scrutiny Committee that Cabinet reconsiders its decision and looks again at the most cost effective and efficient schemes, including Option 3.

**69 REFERRAL TO CABINET FROM BUDGET & PERFORMANCE PANEL 2007-08  
BUDGET VARIANCES - OUTTURN****(Cabinet Member with Special Responsibility Councillor Mace)**

The Budget and Performance Panel submitted a report to Cabinet on the outcomes of the special Budget and Performance Panel meeting convened to consider significant variances within the Capital and Revenue Outturn Report.

Councillor Mace proposed, and Councillor Fletcher seconded:-

- “(1) That Cabinet notes the resolutions from the Budget and Performance Panel
- (2) That the report on Community Pools to be presented to Councillor Fletcher as part of the 2009/10 budget exercise to review activity and identify efficiency savings, be extended to include consideration of both the Dome and Salt Ayre with special attention given to the issues raised by the Budget and Performance Panel.”

Members then voted as follows:-

***Resolved unanimously:***

- (1) That Cabinet notes the resolutions from the Budget and Performance Panel
- (2) That the report on Community Pools to be presented to Councillor Fletcher as part of the 2009/10 budget exercise to review activity and identify efficiency savings, be extended to include consideration of both the Dome and Salt Ayre with special attention given to the issues raised by the Budget and Performance Panel.

**Officers responsible for effecting the decision:**

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

**Reason for making the decision:**

The decision is made in line with the referral report from the Budget and Performance Panel.

**70 EXCLUSION OF THE PRESS AND PUBLIC**

The Chairman asked for any further declarations of interest from Cabinet Members regarding the exempt appendices to the report. Mark Cullinan, Chief Executive, declared an interest in that part of the report regarding Luneside East Regeneration Project, should it be discussed.

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

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

Members then voted as follows:-

***Resolved unanimously:***

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

**71 2008/09 CAPITAL INVESTMENT STRATEGY UPDATE****(Cabinet Member with Special Responsibility Councillor Mace)**

The Head of Financial Services presented a report updating Cabinet on the position regarding the progress on the Capital Programme and the overall funding position, in line with the requirements of the Capital Investment Strategy, and to gain Cabinet's approval for updating both this year's capital funding assumptions and the draft funding principles for the period from 2009/10 onwards.

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

With regard to the current year, basic options are as follows:

To approve the updated programme as set out in Appendix A and the way forward as set out in section 4.2 of the report.

The main risk attached to this course of action is that sufficient capital receipts will not be generated in future, to offset the short-term increase in borrowing. This would increase the pressure on the revenue budget and therefore on service delivery and Council Tax. Given the potential for receipts generation, this risk is felt manageable in order to deliver key capital schemes. Furthermore there would be an opportunity to take further action later during the budget process if need be. It would not be possible to contractually commit all outstanding schemes in such a short period of time, and so opportunities for other remedial action would still exist.

To defer approval of the programme pending work being done to identify alternative funding sources, and / or to consider deferring or cutting schemes that have not yet started.

Given that some of this work will be done as part of the budget anyway, there is little tangible benefit in deferring the programme. The recommended programme as set out represents best information available at this time and therefore the Head of Financial Services would advise reflecting this in the financial plans of the Council. It is recognised, however, that there will be significant slippage as only half of this financial year now remains – though the slippage can only be quantified once the funding position is clarified. Deferring approval could avoid some additional costs in this year (see financial implications later), but not all outstanding works could be deferred. Some key works would still need to be progressed on health and safety grounds, irrespective of any Member decision in force. This is provided for under Financial Regulations.

In considering whether to defer or cut schemes that have not yet started, only full Council may delete schemes (in their entirety) from the approved Programme. This control exists to ensure that Cabinet undertakes capital investment in line with the budget and policy framework set by Council. Risks would very much depend on the schemes being considered.

Other potential funding arrangements, such as drawing on the extra revenue funds available following the outturn, have been discounted for now as they can be picked up during the budget in any event.

With regard to future years' funding principles, options are basically to approve the principles as set out in section 6, together with the supporting reviews, or to determine alternative proposals. In doing so however, Cabinet would need to have regard to their proposed corporate priorities and the principles of the Prudential Code, namely prudence, affordability and sustainability. Risks would depend very much on the nature of any alternatives put forward.

The Officer preferred options are to approve:

- the updated capital programme as set out at Appendix A and the way forward as set out at section 4.2 of the report;
- the draft capital investment and funding principles as set out in section 6.

Councillor Mace proposed, and Councillor Archer seconded:-

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

Members then voted as follows:

***Resolved unanimously:***

- (1) That the current position regarding the Capital Programme position be noted, and that the updated Capital Programme as set out at Appendix A to the report be approved, subject to any other amendments arising from items elsewhere on the agenda.



- (2) That the 2008/09 Capital Programme funding be updated to provide for a £1.4M underlying increase in unsupported borrowing, on the basis that this be 'repaid' in 2009/10, and that this be referred on to Council for approval.
- (3) That the funding changes in (2) above be reviewed further as part of the 2009/10 Budget.
- (4) That the draft capital funding principles as set out in section 6 of the report be approved, and that they form the initial basis on which Cabinet develops its capital programme proposals for the five year period from 2009/10 onwards, subject to:
- a separate review of potential asset sales being reported back to the December Cabinet meeting;
  - any other potential changes in investment needs arising from the review of priorities;
  - the outcome of the position regarding Luneside East; and
  - the levels of any unsupported borrowing being reviewed regularly throughout the budget process, as the revenue position develops.

**Officers responsible for effecting the decision:**

Corporate Director (Finance and Performance)  
Head of Financial Services

**Reason for making the decision:**

The decision is taken in line with the requirements of the Capital Investment Strategy.

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

**72 FESTIVALS AND EVENTS CABINET LIAISON GROUP**

**(Cabinet Member with Special Responsibility Councillor Burns)**

The Corporate Director (Regeneration) submitted a report asking Cabinet to consider the establishment of a Festivals and Events Cabinet Liaison Group and its terms of reference.

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

Option No.	OPTION	IMPLICATIONS AND RISK ANALYSIS
1	To not establish the Festival & Events Cabinet Liaison Group.	This may put at risk the full consideration of issues that Cabinet may feel appropriate to pursue.

Option No.	OPTION	IMPLICATIONS AND RISK ANALYSIS
2	To establish the Festival & Events Cabinet Liaison Group with the proposed terms of reference.	This option will allow for full consideration of issues that are felt appropriate by Cabinet in order to progress matters in this area as recommended by the Lead Cabinet Member.
3	To establish the Festival & Events Cabinet Liaison Group with the revised terms of reference.	This option will allow for full consideration of issues that are felt appropriate by Cabinet in order to progress matters in this area.

Option 2 is the preferred Option in that this option will allow for full consideration of issues that are felt appropriate by Cabinet in order to progress matters in this area.

Councillor Burns proposed, and Councillor Archer seconded:-

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

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 Mace and seconded by Councillor Charles:-

“That Cabinet confirms the establishment of a Festivals and Events Cabinet Liaison Group and approves its terms of reference as set out in Appendix A to the report, subject to the second point in the terms of reference being amended to read ‘To develop, as appropriate, policies and strategies relating to Festivals and Events for referral through Cabinet subject to budget allocations’.”

Members then voted as follows:

***Resolved unanimously:***

- (1) That Cabinet confirms the establishment of a Festivals and Events Cabinet Liaison Group and approves its terms of reference as set out in Appendix A to the report, subject to the second point in the terms of reference being amended to read ‘To develop, as appropriate, policies and strategies relating to Festivals and Events for referral through Cabinet subject to budget allocations’

**Officers responsible for effecting the decision:**

Corporate Director (Regeneration)  
Head of Cultural Services

**Reason for making the decision:**

The decision will allow for full consideration of issues that are felt appropriate by Cabinet in order to progress festivals and events matters.

Cabinet considered a report from the Corporate Director (Finance and Performance) to agree a process for developing the information to be used in the public consultation exercise for preparing the 2009/10 Corporate Plan.

The options and options appraisal were set out in the report as follows:

Option 1 - that authority for agreeing the information to be used in the public consultation exercise be delegated to the Leader of the Council.

Option 2 – that Cabinet approve an alternative arrangement for agreeing the information to be used in the public consultation exercise

The preferred option is option 1. This allows the information to be used for the public consultation to be co-ordinated and agreed without calling a special meeting of Cabinet. Full consideration of the outcome of the consultation exercise will be reported back into Cabinet to allow further consideration of the priorities to be included in the 2009/10 Corporate Plan prior to recommendation to full Council.

Councillor Mace moved and Councillor Barry seconded:-

- “(1) That, in light of the recent extensive public consultation exercise undertaken by the Lancaster District Local Strategic Partnership (LDLSP) in refreshing its Sustainable Community Strategy, the scheduled public consultation exercise to refresh the Council’s Corporate Plan be postponed until Autumn 2009.
- (2) That Cabinet continues to develop proposals for refreshing the Corporate Plan to enable consultation with stakeholders to take place in January 2009 in accordance with the agreed budget timetable.”

Members then voted as follows:

***Resolved unanimously:***

- (1) That, in light of the recent extensive public consultation exercise undertaken by the LDLSP in refreshing its Sustainable Community Strategy, the scheduled public consultation exercise to refresh the Council’s Corporate Plan be postponed until Autumn 2009.
- (2) That Cabinet continues to develop proposals for refreshing the Corporate Plan to enable consultation with stakeholders to take place in January 2009 in accordance with the agreed budget timetable.

**Officer responsible for effecting the decision:**

Corporate Director (Finance and Performance)

**Reason for making the decision:**

The decision to postpone the public consultation exercise is taken in light of the recent extensive public consultation exercise undertaken by the LDLSP. The new date for consultation is in accordance with the agreed budget timetable.

**74 PAY AND GRADING STRUCTURE****(Cabinet Member with Special Responsibility Councillor Kerr)**

The Chief Executive submitted a report to update Cabinet on the Fair Pay process and on the development of a new pay and grading structure.

The options and options analysis, including risk assessment, were included in the report as follows:

Cabinet is asked to note progress of the development of a pay and grading structure and the change to the timetable for Cabinet approval of the structure. There are still risks attached to the timetable, however, should there be any difficulties in data checking, and also depending on the consultation exercise with Trade Unions.

Members then voted as follows:

***Resolved unanimously:***

- (1) That Cabinet notes the progress made with the development of a pay and grading structure and the revised timetable for approval of a new structure.

**Officers responsible for effecting the decision:**

Chief Executive  
Head of Legal and HR

**Reason for making the decision:**

The National 2004 Pay Agreement between Local Authorities and Trade Unions requires councils to conduct a review of pay and grading arrangements. This decision updates the Cabinet, the body responsible for the financial and budgetary elements of staffing, on progress.

**75 EXCLUSION OF THE PRESS AND PUBLIC**

The Chairman asked for any further declarations of interest from Cabinet Members regarding the exempt appendix to the report and the supplementary report.

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

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

Members then voted as follows:-

***Resolved unanimously:***

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

## 76 WILLIAMSON PARK COMPANY - REQUEST FOR ASSISTANCE

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

The Chief Executive submitted a report asking Cabinet to consider the request of the Williamson Park Board for both operational and financial assistance in order to secure the long term viability of the Park.

Members were also provided with a supplementary report, exempt from publication by virtue of paragraph 2 of the Local Government Act 1972 (as amended) advising Members of an urgent business decision.

Councillor Fletcher moved and Councillor Archer seconded:-

- “(1) That Cabinet notes the request from the Williamson Park Company for further council support and agrees the following :-
  - Endorses the urgent business decision in respect of interim management arrangements within the Park as a result of staff sickness absence.
  - That Financial Services provide interim financial management support for the Company, the exact extent of the support to be determined by the Head of Financial Services, in conjunction with the Head of Cultural Services, following a review of the current arrangements
  - That the Council provides short term cash flow support to the Company pending a full review of the financial position.
- (2) That Cabinet receives a further report back on the long term future viability of the Company as part of the 2009/10 budget process pending the outcome of the reviews detailed above and receives a report on the latest position at the next Cabinet meeting.”

Members then voted as follows:

***Resolved unanimously:***

- (1) That Cabinet notes the request from the Williamson Park Company for further council support and agrees the following :-

- Endorses the urgent business decision in respect of interim management arrangements within the Park as a result of staff sickness absence.
  - That Financial Services provide interim financial management support for the Company, the exact extent of the support to be determined by the Head of Financial Services, in conjunction with the Head of Cultural Services, following a review of the current arrangements
  - That the Council provides short term cash flow support to the Company pending a full review of the financial position.
- (2) That Cabinet receives a further report back on the long term future viability of the Company as part of the 2009/10 budget process pending the outcome of the reviews detailed above and receives a report on the latest position at the next Cabinet meeting.

**Officers responsible for effecting the decision:**

Chief Executive  
Head of Financial Services  
Head of Cultural Services

**Reason for making the decision:**

The decision provides an opportunity for the Cabinet to revisit its previous decision regarding the options for the long term viability of the Company.

---

Chairman

(The meeting ended at 1.17 p.m.)

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

**MINUTES PUBLISHED ON THURSDAY 9<sup>TH</sup> OCTOBER 2008.**

**EFFECTIVE DATE FOR IMPLEMENTING THE DECISIONS CONTAINED IN THESE MINUTES:  
FRIDAY 17<sup>TH</sup> OCTOBER 2008.**