

CABINET

10.00 A.M.

9TH DECEMBER 2008

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

Officers in attendance:-

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

93 MINUTES

The Minutes of the meeting held on 11th November 2008 were signed by the Chairman as a correct record.

94 ITEMS OF URGENT BUSINESS AUTHORISED BY THE LEADER

The Chairman advised that there was one item of urgent business regarding a referral from the Festivals and Events Cabinet Liaison Group (Minute 102 refers).

95 DECLARATIONS OF INTEREST

No declarations were made at this point.

96 PUBLIC SPEAKING

Members were advised that there had been one request to speak by a member of the public at the meeting in accordance with Cabinet's agreed procedure, set out in Cabinet Procedure Rule 2.7 with regard to Lancaster Market (Minute 100 refers).

97 DOME - OPTIONS

(Cabinet Member with Special Responsibility Councillor Fletcher)

The Corporate Director (Regeneration) submitted a report asking Cabinet to consider options for the future of the Dome.

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

Option 1 – Closure and demolition of the dome, with no transfer of events.

In Option 1 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 2009/10 prices the total cost estimate stood at £85,100 (2008/09 Base plus 2% inflation). Any capital growth in respect of the above 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 2009. Staff member may alternatively take redundancy option which would result in subsequent redundancy costs.
- Effective 1st April 2009, subject to no contractual costs relating to cancellation of existing bookings.

Projected revenue savings of £111,900 best case and £66,900 worst case scenario based on 2009/10 draft estimates. The projected savings for 2010/11 and 2011/12 are £121,200 and £127,200. A breakdown of the Option 1 financial appraisal is 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”, “Reverend & the Makers”, and “the Kooks”, etc., would cease through the loss of the existing revenue budget.
- The above assumes an effective date of the 1st April 2009, and no contractual costs relating to cancellation of existing bookings. Based on the earlier work undertaken as part of the January 2008 report to Cabinet, bookings scheduled for the Dome in 2008/2009, the potential maximum estimated contractual costs of cancellations were calculated at £45,000 (there has not been time to-date to adjust the figures to reflect 2009/2010 pre-booked events). 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 2010, there would be no contractual costs relating to cancellation of bookings, as to-date no bookings have been confirmed for 2010/2011. A decision could be made to coincide with the end of the 2009/2010 season to ensure no commitments are made for events to be held in 2010/2011.
- Permanent staff member could take statutory redundancy if redeployment not successful which would result in a cost, calculated at £6,000 (note this figure is

based on March 2008 figures, with no enhancements. There has not been time to-date to adjust the figures to March 2009).

- No budget approval as present to demolish the Dome.

Option 2 - 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 2009, subject to no contractual costs relating to cancellation of existing bookings.

This option would result in a net revenue saving of £91,100 best case and £46,100 worst case scenario based on 2009/10 draft estimates. The projected savings for 2010/11 and 2011/12 are £93,200 and £95,000. A breakdown of the Option 2 financial appraisal is attached as an appendix to the report.

As already referred to in option 1, option 2 also contains an estimate for demolition of the Dome. At 2008/09 prices the total cost estimate stood at £85,100 (2008/09 Base + 2% inflation). 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 £132,600 (2008/09 Base + 2% inflation). 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 2009, and no contractual costs relating to cancellation of existing bookings. Based on the earlier work undertaken as part of the January 2008 report to Cabinet, bookings scheduled for the Dome in 2008/2009, the potential maximum estimated contractual costs of cancellations were calculated at £45,000 (there has not been time to-date to adjust the figures to reflect 2009/2010 pre-booked events). 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 2010, there would be no contractual costs relating to cancellation of bookings, as to-date no bookings have been confirmed for 2010/2011. A decision could be made to coincide with the end of the 2009/2010 season to ensure no commitments are made for events to be held in 2010/2011.

- 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 3 - 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.

Assumptions:-

- Although there would be demolition costs associated with the Dome, estimated at £85,100 (2008/09 Base + 2% inflation), 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 £132,600 (2008/09 Base + 2% inflation). 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.
- That expenditure identified in the Capita Symonds Condition Survey will be capital in nature, starting in 2009/10. These improvements have not yet been submitted as growth within the Capital Programme and are still subject to robust review by both Cultural and Financial Services.

- A breakdown of the Option 3 financial appraisal is attached as an appendix to the report.

Risks:-

- No approval of budget allocation at present in respect of the condition survey.
- 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 4 - Seeking a private operator to take on the operation of the Dome.

Within the January 2008 report, Cabinet was informed of an informal approach undertaken by the former Corporate Director (Regeneration), to identify a potential private operator. The matter was not pursued as only one operator was identified and the management fee sought from the City Council by the operator was prohibitively large.

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.

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.

Option 1 provides the greatest financial whole-life saving, whilst option 2 would allow the Council to retain a programme of events, and option 3 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 4 is not a preferred option.

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

- “(1) That the Council immediately cease taking further bookings for the Dome for any period beyond 1st June 2009
- (2) That Cabinet approves, in principle, closure of the Dome on 1st June 2009

- (3) That Cabinet requests a further report from officers on the best way to do this.”

By way of amendment, which was accepted as a friendly amendment by the mover and seconder of the original proposal, Councillor Mace proposed, and Councillor Charles seconded, some additional wording:-

- “(4) That Officers investigate the business case and possible external funding for the £132K improvements to The Platform, bearing in mind that in present circumstances the City Council cannot commit to this capital expenditure.”

Members then voted as follows:-

Resolved:

6 Members (Councillors Bryning, Barry, Charles, Fletcher, Gilbert and Mace) voted in favour, 4 Members (Councillors Archer, Blamire, Burns and Kerr) voted against.

- (1) That the Council immediately cease taking further bookings for the Dome for any period beyond 1st June 2009
- (2) That Cabinet approves, in principle, closure of the Dome on 1st June 2009
- (3) That Cabinet requests a further report from officers on the best way to do this
- (4) That Officers investigate the business case and possible external funding for the £132K improvements to The Platform, bearing in mind that in present circumstances the City Council cannot commit to this capital expenditure.

Officers responsible for effecting the decision:

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

Reasons for making the decision:

The decision is consistent with the Council’s strategy for redeveloping Morecambe’s Central Promenade. It will result in revenue savings on the Dome whilst exploring possibilities for external funding for improvements to the Council’s other venue in Morecambe, The Platform.

98 LANCASTER PUBLIC REALM

(Cabinet Member with Special Responsibility Councillor Bryning)

The Corporate Director (Regeneration) submitted a report to advise members that the NorthWest Development Agency has offered funding for the Council to prepare detailed design proposals to enhance streets and places in the city centre that are its priorities for improvement and to seek authority to proceed.

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

Option 1 - To proceed as set out in this report and prepare designs for the locations proposed, utilising the funding available from the NWDA.

Option 2 - Not to proceed and decline the funding offer from NWDA.

A comprehensive policy review and close liaison with the NWDA informs Option 1 and its priorities for design work. Option 2 would lose for the Council any opportunity to drive forward improvements to public realm in the city centre.

The Officer preferred option was Option 1 given what is proposed fits very well to the Council's policy framework and has won the funding support of the NWDA and the encouragement of the Highway Authority.

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

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

Members then voted as follows:-

Resolved:

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

- (1) That the Head of Financial Services is authorised to amend the Council's General Fund Revenue Budget for 2008/09 and that proposed for 2009/2010 to provide for expenditures in preparing design proposals for the city centre subject to these expenditures being fully funded by grant income from the NorthWest Development Agency (NWDA) up to a maximum of £90,000 in costs
- (2) That, to meet NWDA programming requirements, Cabinet delegates to the Corporate Director (Regeneration) authority to select and commission consultants for the required design work after a proper competitive process in accordance with Council procedures.
- (3) That the Head of Planning Services to report to Cabinet on the design options prepared and subsequent public consultation into these in order that Cabinet can then select its preferred options.
- (4) That Cabinet notes there are issues concerning the management of traffic on adopted highways within the pedestrian zone that may require resolution before any designs can be finalised and request a further report on this be submitted to Cabinet as early as possible in the New Year.

Officers responsible for effecting the decision:

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

Reasons for making the decision:

The decision made fits well with the Council's policy framework and has won the funding support of the NWDA and the encouragement of the Highway Authority.

99 EXCLUSION OF THE PRESS AND PUBLIC

The Chairman asked for any further declarations of interest from Cabinet Members regarding the exempt reports.

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

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

100 LANCASTER MARKET**(Cabinet Member with Special Responsibility Councillor Archer)**

(Mr D Buczynski, who had registered to speak on this item in accordance with the City Council's agreed procedure and Cabinet Procedure Rule 2.7, spoke to this item on behalf of the Lancaster Market Tenants Association).

The Corporate Director (Regeneration) submitted a report asking Members to consider the current position with regard to Lancaster Market. The report requested Cabinet to consider the options set out in the exempt report and indicate its preferred option.

(Councillor Bryning left the meeting at 12.25pm.)

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

"That Cabinet

- (1) Notes the comments received from the Lancaster Market Tenants Association
- (2) Resolves that approval be given to Officers to negotiate directly with retailers to try and procure a single retailer for the Market Hall on the basis that the preferred option would be that the current deficit is reduced to zero or, as an alternative, to report back to Cabinet should a single retailer be prepared to

take up occupation of the Market Hall on the basis of the Council contributing an amount that is less than the deficit currently being faced by the Council

- (3) Requests a further report on Lancaster Market as soon as possible as part of the budget process from 2009/10, (a) identifying the financial obligations under the lease from Allied, in particular the frequency, basis and mechanism of rent reviews, and the mechanism of termination and (b) identifying the same information in respect of the leases to current sub tenants and (c) setting out options, including any firm proposal from Cooltrader, and in addition to any options resulting from resolution 2 above for mitigating the loss of £518,100 that is shown in the estimates for 2009/10 and exceeds the rent of £409,000 due to Allied.

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

“That Cabinet notes that approval be given to officers to negotiate directly with retailers to try to reduce the deficit of the market. This would include:

- A report back on the intentions of Cooltrader (or other traders with similar intentions) to expand on the bottom floor
- Look at all costs associated with service charges and identify areas where they could be reduced
- Using parts of the market for other Council uses
- To create a market with niche choices for shoppers. This could utilise external funding and partnership working
- Look at other areas for increasing income, such as those outlined in subpoint 6 on page 2 of the note from the Lancaster Market Tenants Association.”

3 Members (Councillors Barry, Fletcher and Gilbert) voted in favour and 6 Members (Councillors Archer, Blamire, Burns, Charles, Kerr and Mace) voted against, whereupon the Chairman declared the amendment to be lost.

By way of an amendment, which was accepted as a friendly amendment by the mover and seconder of the original proposition, it was moved by Councillor Kerr and seconded by Councillor Burns:

“That “and the possibility of using part of the space in the market for City Council purposes” be added to 3 (c) of the proposition.”

By way of a further amendment, which was not accepted as a friendly amendment by the mover and seconder of the original proposition, it was moved by Councillor Barry and seconded by Councillor Fletcher:

“That

- To explore options to create a market with niche choices for shoppers. This could utilise external funding and partnership working
- To look at other areas for increasing income, such as those outlined in subpoint 6 on page 2 of the note from the Lancaster Market Tenants Association

be added to the proposition.”

3 Members (Councillors Barry, Fletcher and Gilbert) voted in favour of the further amendment and 6 Members (Councillors Archer, Blamire, Burns, Charles, Kerr and Mace) voted against, whereupon the Chairman declared the further amendment to be lost.

Members then voted on the substantive motion, as amended, as follows:

Resolved:

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

That Cabinet

- (1) Notes the comments received from the Lancaster Market Tenants Association
- (2) Resolves that approval be given to Officers to negotiate directly with retailers to try and procure a single retailer for the Market Hall on the basis that the preferred option would be that the current deficit is reduced to zero or, as an alternative, to report back to Cabinet should a single retailer be prepared to take up occupation of the Market Hall on the basis of the Council contributing an amount that is less than the deficit currently being faced by the Council
- (3) Requests a further report on Lancaster Market as soon as possible as part of the budget process from 2009/10, (a) identifying the financial obligations under the lease from Allied, in particular the frequency, basis and mechanism of rent reviews, and the mechanism of termination and (b) identifying the same information in respect of the leases to current sub tenants and (c) setting out options, including any firm proposal from Cooltrader, and in addition to any options resulting from resolution 2 above, and the possibility of using part of the space in the market for City Council Purposes, for mitigating the loss of £518,100 that is shown in the estimates for 2009/10 and exceeds the rent of £409,000 due to Allied.

Officers responsible for effecting the decision:

Corporate Director (Regeneration)
Head of Property Services

Reasons for making the decision:

The decision allows for options to be explored to reduce the current deficit and mitigate future estimated losses for the City Council related to Lancaster Market.

101 EMPLOYEE ESTABLISHMENT - VACANCY AUTHORISATION

(Cabinet Member with Special Responsibility Councillor Roger Mace)

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

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

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

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

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

“That Cabinet notes the presumption that staffing vacancies are not filled, and resolves as follows:-

- CL0358 Reject recommendation - delete post - i.e. accepting that this reduces service level
- CH0272 Partially accept proposal - raise to 3/4 post for current job share - review after 31 March 09
- CH0040 Accept recommendation - reason: contract with County
- CH0018 Recruit new 1/2 job share
- CH0162 Temporary appointment, not exceeding term of contract with County
- CH0092 Agree proposal
- CH0056 Internal advert only / potential redeployment opportunity
- CS0309 Temporary appointment, not exceeding duration of agreed external funding
- New Post Temporary appointment, not exceeding duration of agreed external funding
- PL0032 Hold vacant for remainder of 08-9: i.e. accepting that this reduces service level - and review after 31 March 2009
- RS0514 Accept recommendation - reason related cost saving
- RS0192 Accept recommendation to defer for 3 months and review position then
- RS0165 Accept recommendation - reason corporate service
- RS0401 Accept recommendation - consider secondment possibilities to cover maternity leave
- RS0005 Accept recommendation - potential workload for head of service”

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

- “(1) That all posts be filled except Post CL0358 to be held vacant until January 2009 and Post RS0192 to be deferred for three months and then reviewed
- (2) Cabinet identifies in January where priorities are in the establishment and where savings can be made”

On being put to the vote, 4 Members voted in favour (Councillors Barry, Blamire, Fletcher and Gilbert), 3 Members voted against (Councillors Charles, Kerr and Mace) and two members abstained (Councillors Archer and Burns) whereupon the Chairman declared the amendment to be carried.

Members then voted on the substantive motion as follows:-

Resolved:

4 Members (Councillors Barry, Blamire, Fletcher and Gilbert) voted in favour, 3 Members (Councillors Charles, Kerr and Mace) voted against and 2 members (Councillors Archer and Burns) abstained.

- (1) That all posts be filled except Post CL0358 to be held vacant until January 2009 and also Post RS0192 to be deferred for three months and the position reviewed then
- (2) Cabinet identifies in January where priorities are in the establishment and where savings can be made"

Officer responsible for effecting the decision:

Chief Executive

Reasons for making the decision:

The decision is in line with the decision made at Cabinet on 11th November 2008, removing the delegated decision making to fill employee vacancies away from Service Heads to Cabinet.

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

102 ITEM OF URGENT BUSINESS - REFERRAL FROM THE FESTIVALS AND EVENTS CABINET LIAISON GROUP

(Cabinet Member with Special Responsibility Councillor Shirley Burns)

The Corporate Director (Regeneration) submitted a report seeking Cabinet's support for recommendations from the Chair of the Festivals and Events Cabinet Liaison Group.

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

Option	Advantages	Disadvantages	Risks
1, To support the recommendations of the Chair of the Festival and Events Cabinet Liaison Group in respect of the Festivals and Events programme for 2009/10, as set out in the report.	The above will provide for a mixed programme of Festivals and Events in 2009, throughout the District.	The above represents a total expenditure of £74,800 from the 2009/2010 proposed budget allocation.	Unsuccessful implementation – failure to meet objectives. Reductions to budgets later in the budget process, preventing delivery and giving rise to associated reputational risks.

2, Not to support the recommendations of the Chair of the Festival and Events Cabinet Liaison Group in respect of the Festivals and Events programme for 2009/10, as set out in the report	A revenue saving of £74,800 from the 2009/2010 proposed budget allocation, and opportunities to generate further savings associated with support costs.	No City Council programme of Festivals and Events in 2009	Potential reputational damage and possibility of an adverse response from external funding agencies that support other elements of the Cultural programme within the Lancaster District.
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Option 1 is the Officer preferred option in that it provides for a balanced programme of core and FIF supported Festivals and Events in 2009/2010.

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

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

By way of amendment in place of recommendation (3), which was accepted as a friendly amendment by the mover and seconder of the original proposition, Councillor Gilbert proposed and Councillor Kerr seconded:

“(3) That the £2,000 set aside for advertising and the remaining balance of £2,400 be removed from the fund”.

By way of further amendment, Councillor Fletcher proposed, and Councillor Barry seconded:-

“(1) That the 4 core events that cover Lancaster and Morecambe be approved (the Heritage Gala, Lancaster Jazz Festival, Bands in Happy Mount Park and Fireworks Spectacular)

(2) that other Festivals Innovation Fund grant allocations for 2009/10 be referred to Star Chamber.”

Upon being put to the vote, 5 Members voted in favour (Councillors Barry, Blamire, Charles, Fletcher and Mace) and 4 Members voted against (Councillors Archer, Burns, Kerr and Gilbert) whereupon the Chairman declared the amendment to be carried.

Members then voted on the substantive motion as follows:-

Resolved:

5 Members (Councillors Barry, Blamire, Charles, Fletcher and Mace) voted in favour, 3 Members (Councillors Archer, Burns and Kerr) voted against and 1 Member (Councillor Gilbert) abstained.

- (1) That the 4 core events that cover Lancaster and Morecambe be approved (the Heritage Gala, Lancaster Jazz Festival, Bands in Happy Mount Park and Fireworks Spectacular)
- (2) That other Festivals Innovation Fund grant allocations for 2009/10 be referred to Star Chamber.

Officers responsible for effecting the decision:

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

Reasons for making the decision:

The decision will provide for a programme of core FIF supported Festivals and Events in 2009/2010.

103 REVIEW OF HR POLICIES

(Cabinet Member with Special Responsibility Councillor Kerr)

The Chief Executive submitted a report advising Cabinet on the financial implications of reviewing the effectiveness of the Council's existing HR policies in particular the Early Termination of Employment Policy and the Redeployment Policy

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

Option 1 – Commission the NWEO in the near future to undertake this work. Initially this would be a 'desk top' study and this might need to be followed up by a more detailed piece of work. This would enable the work to be completed in the near future which would be timely given the current budget situation.

Option 2 – To undertake this work when the Fair Pay process has progressed sufficiently to free up internal human resources. It is difficult to estimate when this would be, but would not be possible in the next six months.

The preferred Officer option is Option 1 for the reason outlined in the report

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

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

Resolved unanimously:

- (1) That the North West Employers Organisation (NWEO) be requested to undertake a 'desk top' review of the City Council's "Early Termination of Employment Policy" and the related "Redeployment Policy" and to identify from published best practice, any immediate improvements that could be made.

- (2) That the NWEO be asked to identify how many days' work would be required to customise best practice in this area of activity to produce policies in line with Lancaster City Council's Policy Framework, and it be noted that such work would be funded by the Fairpay Reserve.

Officers responsible for effecting the decision:

Chief Executive
Head of Legal and Human Resources

Reasons for making the decision:

The Council needs to have effective HR policies in place to maximise the use of its limited resource, support delivery of its corporate objectives and meet its statutory responsibilities. The decision to commission an outside body to review the effectiveness of the Council's Early Termination of Employment Policy and related Redeployment Policy will allow the work to be undertaken in the next 6-8 months. Due to the time and resource constraints facing the Council, this would not be possible in-house.

104 PAY AND GRADING STRUCTURE

(Cabinet Members with Special Responsibility Councillors Mace and Kerr)

The Chief Executive submitted a report providing further information to Cabinet on the financial and human resource implications of the four possible structures previously circulated, to enable Cabinet to express a preference for the Council's future pay and grading structure.

A supplementary report was provided to Members informing Cabinet of the views of the Joint Consultative Committee (JCC) on the pay and grading structure, further to the JCC meeting held on 2nd December 2008.

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

The options open to Cabinet are to express a preference for any one or more of the four structures set out in Appendix 1, or to decline to express any preference at this stage. Personnel Committee too, at its meeting on the 11th December, will be asked for its further views in the light of Cabinet's preference(s). If the options can be narrowed down in this way, so that there is a consensus that one or more of the options should be discounted at this stage, officers will continue to work on the financial and human resources implications of the preferred options only. This will ensure that detailed information and risk assessment is available for Members to consider before a final decision is taken. If one or more preference is expressed, officers would not then intend to provide any further information to the January meetings on the discounted option(s), unless in the meantime any substantial changes to the information provided in this report came to light which might have affected the decision to discount. If Members do not feel that they can express a preference at this stage, then work would continue on all four options, and these would then be brought back to the January meetings. In conjunction with expressing any preference or declining to express a preference, it is open to Members to request any further information that they may feel would assist in making a decision.

The Officer preferred option is structure 9.5.4.5.

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

“That Cabinet’s preference for Pay and Grading Structure 9.5.4.5 be noted.”

Members then voted as follows:-

Resolved:

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

(1) That Cabinet’s preference for Pay and Grading Structure 9.5.4.5 be noted.

Officers responsible for effecting the decision:

Chief Executive
Head of Legal and Human Resources

Reasons for making the decision:

The decision allows Cabinet to express its preference for a particular pay and grading structure at this point in the fair pay process.

105 BUDGET AND POLICY FRAMEWORK - UPDATE

(Cabinet Member with Special Responsibility Councillor Mace)

The Corporate Director (Finance and Performance) and Head of Financial Services submitted a report informing members about progress made since the last Cabinet meeting in bringing forward options to refresh the 2009/10 Corporate Plan and to consider if any action is required, and also to note progress in respect of updating the Medium Term Financial Strategy (MTFS) and budget exercise and to determine any actions that might be required.

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

Refresh of Corporate Plan

Option 1 - To note progress made on refreshing the Corporate Plan and to agree any actions that might be required to meet the agreed deadlines as set out in the Budget and Policy framework timetable.

Option 2 - To note progress and determine an alternative process for refreshing the Corporate Plan.

MTFS / Budget Exercise

Option 1 - To note the latest position in respect of the MTFS and budget exercise.

Option 2 - To agree an alternative to Option 1.

The Officer preferred option for both is Option 1.

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

- “(1) That the latest progress made on refreshing the 2009/10 Corporate Plan be noted
- (2) That progress made in respect of the MTFs and budget exercise be noted.”

Members then voted as follows:-

Resolved unanimously:

- (1) That the latest progress made on refreshing the 2009/10 Corporate Plan be noted.
- (2) That progress made in respect of the MTFs and budget exercise be noted.

Officers responsible for effecting the decision:

Corporate Director (Finance and Performance)
Head of Financial Services

Reasons for making the decision:

The decision allows Cabinet to monitor progress made on refreshing the Corporate Plan and to note the latest position in respect of the MTFs. The refresh of the Corporate Plan and MTFs is an integral part of the Council's Policy Framework and used as the basis for allocating resources in the budget exercise.

106 CORPORATE PERFORMANCE MONITORING SECOND QUARTER CORPORATE REPORT

(Cabinet Member with Special Responsibility Councillor Charles)

The Corporate Director (Finance and Performance) submitted a report asking Cabinet to consider the information provided to the Corporate PRT meeting held on 26th November 2008.

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

There is only one option for this report which is also the officer preferred option. To consider whether any action is required by Cabinet as a result of consideration of the information contained within the report.

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

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

By way of amendment, which was accepted as a friendly amendment by the proposer and seconder of the motion, Councillor Mace proposed and Councillor Charles seconded replacing recommendation (2) with:

“(2) That Cabinet endorses the actions taken as a result of the information contained within the PRT report and action plan.”

Members then voted as follows:-

Resolved unanimously:

- (1) That the information provided to the Corporate PRT meeting held on the 26 November 2008 and the associated action plan that was developed as a result of consideration of that information be noted.
- (2) That Cabinet endorses the actions taken as a result of the information contained within the PRT report and action plan.

Officers responsible for effecting the decision:

Corporate Director (Finance and Performance)
Head of Financial Services

Reasons for making the decision:

The decision allows Cabinet Members to note information on the Council Performance during the second quarter of 2008/9.

107 STAR CHAMBER

(Cabinet Member with Special Responsibility Councillor Roger Mace)

The Corporate Director (Finance and Performance) submitted a report updating the Cabinet on the Star Chamber meetings held since the last report to Cabinet of 11th November 2008.

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

“That the report be noted.”

Members then voted as follows:-

Resolved unanimously:

- (1) That the report be noted.

Officers responsible for effecting the decision:

Corporate Director (Finance and Performance)
Head of Financial Services

Reasons for making the decision:

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

108 INTERNATIONAL YOUTH GAMES 2009**(Cabinet Members with Special Responsibility Councillors Gilbert and Fletcher)**

The Chief Executive submitted a report to inform Cabinet of the options in respect of proposals for Lancaster to host the International Youth Games in the summer of 2009.

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

	Option	Advantages	Disadvantages/Risks
1	Continue with the arrangements currently underway to hold the Games in the Lancaster District in the summer of 2009, utilising the identified budget of £55,000.	Honours the invitations already extended to the Council's Twin Towns and meets the expectations of local sports Clubs.	Does not assist in the pursuit of the £1.8m savings required to balance the budget for 2009/10.
2	Cancel the proposed Games in the Lancaster District in 2009, saving the budget of £55,000.	Saves £55,000 in the 2009/10 budget	Having already issued invitations to the Games, the Council's reputation with our Twin Towns may suffer both from a civic perspective but also in the disappointment for young people who will already be preparing themselves to compete. Similarly, there are expectations from young people in this district who will be taking part in trials and working towards competing in the Games in their home country.
3	Continue with arrangements to hold the Games in the Lancaster District in the summer of 2009, but reduce expenditure by cancelling the civic invitations and making cuts to other areas of expenditure.	Provides some savings in the 2009/10 budget. Honours the invitations already extended to the Council's Twin Towns and meets the expectations of local sports clubs.	Having already issued invitations to the Games, the Council's reputation with our Twin Towns may suffer from a civic perspective but this will be mitigated by continuing with the Games in a reduced format to enable the young people to participate. Does not provide the full £55,000 saving which would be achieved by cancelling the Games.

There is no officer preferred option. Work to prepare for and organise a Games in Lancaster has been included in the Business Plans for both Cultural Services and Democratic Services.

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

“(1) That the proposed Youth Games in the Lancaster District in 2009 be cancelled, saving the budget of £55,000”.

By way of amendment, Councillor Gilbert proposed and Councillor Blamire seconded:

“That the arrangements to hold the Youth Games in the Lancaster District in the 2009 continue, but expenditure be reduced by cancelling the civic invitations and making cuts to other areas of expenditure and that officers look for any other possible savings.”

On being put to the vote, 2 Members voted in favour (Councillors Blamire and Gilbert) and 7 Members (Councillors Archer, Barry, Burns, Charles, Fletcher, Kerr and Mace) voted against the amendment, whereupon the Chairman declared the amendment lost.

Members then voted on the original proposition as follows:-

Resolved:

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

(1) That the proposed Youth Games in the Lancaster District in 2009 be cancelled, saving the budget of £55,000.

Officers responsible for effecting the decision:

Chief Executive
Head of Democratic Services

Reasons for making the decision:

The decision will result in a saving of £55,000 in the Council's 2009/10 budget.

109 TOURISM STRATEGY UPDATE REPORT

(Cabinet Member with Special Responsibility Councillor Burns)

The Head of Economic Development and Tourism submitted a report seeking formal approval for the Tourism Strategy Update 2008 document and its publication on the website.

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

Option 1 - Do nothing. Failure to publish an Update Report would be contrary to the approved strategy. Some members and private sector partners may question why one has not been published.

Option 2 - Amend the Tourism Strategy Update. The report has already undergone a number of revisions and was discussed at the Quarter 1 PRT meeting. Further revisions would delay the publication unless they were minor ones.

Option 3 - Approve the Tourism Strategy Update document and publish it on the website. This can also be used for positive publicity for the City Council.

The Officer preferred option is Option 3, as relevant members have seen the current Update and no further revisions have been requested. A publicity story can then be produced and the Update published on the website. It is not proposed to publish a paper version of the Tourism Strategy Update document.

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

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

Members then voted as follows:-

Resolved unanimously:

- (1) That the Tourism Strategy Update 2008 document and its publication on the website be approved.

Officers responsible for effecting the decision:

Corporate Director (Regeneration)
Head of Economic Development and Tourism

Reasons for making the decision:

The decision allows publication of the Tourism Strategy Update 2008. This can act as a basis of discussions with the Local Strategic Partnership and lead towards the writing of a new Tourism Strategy for the district in 2010.

110 URGENT BUSINESS REPORT

The Head of Democratic Services submitted a report advising members of actions taken by the Chief Executive, in consultation with the relevant Cabinet Members and the Chairman of the Overview and Scrutiny Committee.

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

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

Members then voted as follows:-

Resolved unanimously:

- (1) That the actions taken by the Chief Executive in consultation with the relevant Cabinet Members and the Chairman of the Overview and Scrutiny Committee in accordance with the Scheme of Delegation, in respect of the following, be noted:

- a) Yorkshire Purchasing Agency (YPO) Electricity Contract
- b) Filling of vacant posts in Financial Services

Officer responsible for effecting the decision:

Chief Executive.

Reasons for making the decision:

The decision fulfils the requirements of the City Council's Constitution in advising Cabient of urgent decisions taken by the Chief Executive in accordance with the City Council's scheme of delegation.

Chairman

(The meeting ended at 4.00 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: FRIDAY 12th DECEMBER 2008.

**EFFECTIVE DATE FOR IMPLEMENTING THE DECISIONS CONTAINED IN THESE MINUTES:
MONDAY 22nd DECEMBER 2008.**