

## CABINET

10.00 A.M.

2ND JUNE 2009

**PRESENT:-** Councillors Stuart Langhorn (Chairman), Evelyn Archer, June Ashworth, Jon Barry, Eileen Blamire, Abbott Bryning, Jane Fletcher, David Kerr, Roger Mace and Malcolm Thomas

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)
Nadine Muschamp	Head of Financial Services and Section 151 Officer
Paul Rogers	Regeneration Officer
Debbie Chambers	Principal Democratic Support Officer

### 1 ABBEYSTED DISASTER

The Chairman advised the meeting that the 23<sup>rd</sup> May marked the 25<sup>th</sup> Anniversary of the Abbeystead disaster where a number of residents of St. Michaels-On-Wyre, visiting a pumping station in Abbeystead, had been killed.

The Chairman requested Members to hold one minute's silence to commemorate those people who had lost their lives in the tragedy.

### 2 MINUTES

The minutes of the meeting held on Tuesday 21<sup>st</sup> April 2009 were approved as a correct record.

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

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

### 4 DECLARATIONS OF INTEREST

No declarations were made at this point.

### 5 PUBLIC SPEAKING

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

The Chairman advised that Councillor Robinson would be speaking as Ward Councillor regarding the West End Masterplan item.

**6 CABINET APPOINTMENTS TO COMMITTEES, LIAISON GROUPS, OUTSIDE BODIES, PARTNERSHIPS AND BOARDS (Page 1)**

The Chief Executive submitted a report asking Members to consider the membership and terms of reference of the Cabinet Committee, Cabinet Liaison Groups and also Cabinet Appointments to Outside Bodies, Partnerships and Boards.

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

The options are:

- a) To note existing arrangements and make no amendments other than to the memberships.
- b) To consider and approve, where appropriate, any proposals from Cabinet Members.

With regard to Outside Bodies, Partnerships and Boards, Cabinet is requested to make appointments as set out in Appendix C to the report.

The Officer recommendation is that appointments be aligned to individual Cabinet Members' portfolios.

Members considered each Cabinet Committee and Cabinet Liaison Group in turn (a table showing all the decisions is appended to these minutes for clarity).

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

"That the Lancaster and Morecambe Markets Cabinet Committee be stood down."

Members then voted:-

***Resolved:***

***(6 Members (Councillors Archer, Ashworth, Kerr, Langhorn, Mace and Thomas) voted in favour and 4 Members (Councillors Barry, Blamire, Bryning and Fletcher) voted against.)***

- (1) That the Lancaster and Morecambe Markets Cabinet Committee be stood down.

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

"That the Canal Corridor Cabinet Liaison Group be continued and retain the Leader of the Council as Chairman."

Members then voted:-

***Resolved:***

***(9 Members (Councillors Archer, Ashworth, Blamire, Bryning, Fletcher, Kerr, Langhorn, Mace and Thomas) voted in favour and 1 Member (Councillor Barry) voted against.)***

- (2) That the Canal Corridor Cabinet Liaison Group be continued and retain the Leader of the Council as Chairman.

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

“That the Children and Young People Cabinet Liaison Group be stood down.”

3 Members (Councillors Langhorn, Mace and Thomas) voted in favour of the proposition and 7 Members (Councillors Archer, Ashworth, Barry, Blamire, Bryning, Fletcher and Kerr) voted against, whereupon the Chairman declared the proposition to be lost.

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

“That the Climate Change Cabinet Liaison Group be continued.”

Members then voted:-

**Resolved:**

**(8 Members (Councillors Archer, Ashworth, Barry, Blamire, Bryning, Fletcher, Kerr, and Thomas) voted in favour and 2 Members (Councillors Langhorn and Mace) voted against.)**

- (3) That the Climate Change Cabinet Liaison Group be continued.

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

“That a decision on the continuation of the District Wide Tenants Liaison Group be deferred until views are sought from the Tenants Forum.”

Members then voted:-

**Resolved:**

**(7 Members (Councillors Archer, Ashworth, Barry, Blamire, Bryning, Fletcher and Kerr) voted in favour, 1 Member (Councillor Langhorn) voted against and 2 Members (Councillors Mace and Thomas) abstained.)**

- (4) That a decision on the continuation of the District Wide Tenants Liaison Group be deferred until views are sought from the Tenants Forum.

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

“That the Festivals and Events Cabinet Liaison Group be stood down.”

Members then voted:-

**Resolved unanimously:**

- (5) That the Festivals and Events Cabinet Liaison Group be stood down.

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

“That the Gypsy and Traveller Cabinet Liaison Group be continued until work is completed on the Gypsy and Traveller Strategy.”

Members then voted:-

**Resolved:**

**(8 Members (Councillors Archer, Ashworth, Barry, Blamire, Bryning, Fletcher, Kerr and Thomas) voted in favour, 1 Member (Councillor Langhorn) voted against and 1 Member (Councillor Mace) abstained.)**

- (6) That the Gypsy and Traveller Cabinet Liaison Group be continued until work is completed on the Gypsy and Traveller Strategy.

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

“That the Lancaster and District Chamber Cabinet Liaison Group be continued.”

Members then voted:-

**Resolved unanimously:**

- (7) That the Lancaster and District Chamber Cabinet Liaison Group be continued.

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

“That the Morecambe Retail, Commercial and Tourism Cabinet Liaison Group be continued with the Cabinet Member for Economy as Chairman.”

Members then voted:-

**Resolved unanimously:**

- (8) That the Morecambe Retail, Commercial and Tourism Cabinet Liaison Group be continued with the Cabinet Member for Economy as Chairman.

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

“That the Neighbourhood Management Cabinet Liaison Group be stood down.”

Members then voted:-

**Resolved:**

**(6 Members (Councillors Archer, Ashworth, Kerr, Langhorn, Mace and Thomas) voted in favour, 2 Members (Councillors Blamire and Bryning) voted against and 2 Members (Councillors Barry and Fletcher) abstained.)**

- (9) That the Neighbourhood Management Cabinet Liaison Group be stood down.

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

“That the Planning Policy Cabinet Liaison Group be continued with the Chairman to include the portfolio holders for Economy, Environment, Valuing People and Health in its membership.”

Members then voted:-

**Resolved:**

**(9 Members (Councillors Archer, Ashworth, Barry, Blamire, Bryning, Kerr, Langhorn, Mace and Thomas) voted in favour and 1 Member (Councillor Fletcher) abstained.)**

- (10) That the Planning Policy Cabinet Liaison Group be continued with the Chairman to include the portfolio holders for Economy, Environment, Valuing People and Health in its membership.

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

“That the Recycling Cabinet Liaison Group be continued.”

Members then voted:-

**Resolved:**

**(6 Members (Councillors Barry, Blamire, Bryning, Fletcher, Kerr, and Thomas) voted in favour and 3 Members (Councillors Ashworth, Langhorn and Mace) voted against and 1 Member (Councillor Archer) abstained.)**

- (11) That the Recycling Cabinet Liaison Group be continued.

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

“That the Transport Cabinet Liaison Group be stood down, subject to a suitable group being set up within the Lancaster District Local Strategic Partnership (LDLSP) Economy Thematic Group to cover this area.”

Members then voted:-

**Resolved unanimously:**

- (12) That the Transport Cabinet Liaison Group be stood down, subject to a suitable group being set up within the LDLSP's Economy Thematic Group to cover this area.

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

“That the Universities Cabinet Liaison Group be continued with the Cabinet Member for Education, Skills and Opportunities as Chairman.”

Members then voted:-

**Resolved:**

**(9 Members (Councillors Archer, Ashworth, Barry, Blamire, Bryning, Kerr, Langhorn Mace and Thomas) voted in favour and 1 Member (Councillor Fletcher) abstained.)**

- (13) That the Universities Cabinet Liaison Group be continued with the Cabinet Member for Education, Skills and Opportunities as Chairman.

Members acknowledged that, with the change in portfolio responsibilities, the Lead Members of each Cabinet Liaison Group may change and their Terms of Reference may need to be reviewed. Any amendments to Liaison Group Terms of Reference would, necessarily, be brought back to Cabinet for ratification.

Members then went on to consider appointments made by Cabinet.

Councillor Langhorn proposed, and Councillor Thomas seconded:-

“That Members be appointed to organisations as follows:-”

<b>Table 1: Appointments to Outside Bodies</b>	
<b>ORGANISATION</b>	<b>Cabinet Member</b>
Arnside and Silverdale AONB Unit Executive Committee	Barry
British Resorts Association	Archer
Children’s Trust Partnership Lancaster District	Ashworth
Cycling Demonstration Town Board	Barry and Blamire
Historic Towns Forum	Bryning
Forest of Bowland AONB Advisory Committee	Langhorn
Lancashire Economic Partnership	Archer
Lancashire Leaders Meeting (Leader)	Langhorn
Lancashire Police Authority – Partnerships Forum	Blamire
Lancashire Rural Affairs	Archer
Lancashire Rural Partnership	Bryning
Lancaster and District YMCA Management Board	Fletcher
Lancaster Canal Restoration Partnership (formerly Northern Reaches SG)	Thomas
Lancaster District Community Safety Strategy Partnership Executive Member	Blamire
Lancaster University Public Arts Strategy Group	Ashworth
LGA Coastal Issues Special Interest Group	Archer
LGA Executive (Leader)	Langhorn
LGA Tourism Forum	Archer
Morecambe Bay Partnership	Langhorn
Morecambe Bay Tobacco Control Alliance	Recommend to Council that this be an Overview and Scrutiny

	Member.
North Lancashire Local Action Group executive Group (Member + substitute)	Archer
North West Rural Affairs Forum	Mace
Storey Centre for Creative Industries	Bryning
Waste Management Strategy Steering Group	Barry

Members then voted:-

***Resolved unanimously:-***

(14) That Members be appointed to the organisations as shown in Table 1 above.

Councillor Langhorn proposed, and Councillor Mace seconded:-

“That miscellaneous appointments be made as follows:-”

<b>Table 2: Miscellaneous Appointments</b>		
<b>ORGANISATION</b>	<b>BASIS OF APPOINTMENT</b>	<b>MEMBER</b>
Lancaster and District Vision Board	Cabinet Member	Mace
Lancaster District Community Safety Strategy Group	Cabinet Members X 2	Blamire Fletcher
LGA Rural Commission	Cabinet Member for Rural Affairs plus one on rotation	Langhorn
Museums Advisory Panel	Cabinet Member and Overview and Scrutiny Committee	Ashworth

By way of amendment, Councillor Kerr moved and Councillor Ashworth seconded:

“That Councillor Archer be appointed to the Lancaster and District Vision Board”.

5 Members (Councillors Archer, Ashworth, Barry, Kerr and Fletcher) voted in favour of the amendment and 5 Members (Councillors Blamire, Bryning, Langhorn, Mace and Thomas) voted against, whereupon the Chairman used his casting vote and declared the amendment to be lost.

Members then voted on the substantive motion:-

***Resolved:***

***(9 Members (Councillors Ashworth, Barry, Blamire, Bryning, Fletcher, Kerr, Langhorn, Mace and Thomas) voted in favour and 1 Member (Councillor Archer) abstained.)***

(15) That miscellaneous appointments be made as shown in Table 2 above.

Members then went on to consider appointments to the LDLSP.

Councillor Langhorn proposed and Councillor Archer seconded:

“That the following appointments be made to the LDLSP:-”

<b>Table 3: LDLSP</b>		
<b>Organisation</b>	<b>Basis of appointment</b>	<b>Member</b>
LSP Partnership Board (+ substitute)	Cabinet Member (+ Cabinet Member substitute)	Mace Sub: Langhorn
LSP Management Group (+ substitute)	Cabinet Member (+ Cabinet Member substitute)	Langhorn Sub: Mace
LSP Children & Young People Thematic Group	Cabinet Member appointed to the Children’s Trust Partnership Lancaster District	Ashworth
LSP Economy Thematic Group	Cabinet Member	Archer
LSP Environment Thematic Group	Cabinet Member	Barry
LSP Safety Thematic Group	Cabinet Member appointed to Community Safety Partnership Executive	Blamire
LSP Health and Wellbeing Thematic Group	Cabinet Member	Kerr
LSP Education, Skills and Opportunities Thematic Group	Cabinet Member	Bryning
LSP Valuing People Thematic Group	Cabinet Member	Fletcher

Members then voted:-

***Resolved unanimously:-***

(16) That appointments be made to the LDLSP as shown in Table 3 above.

**Officer responsible for effecting the decision:**

Chief Executive

**Reasons for making the decision:**

Representation on outside bodies is part of the City Council’s Community Leadership role. The most appropriate time to align appointments as closely as possible to individual Cabinet Member’s portfolios is considered to be the start of the new Municipal Year.



**7 MIGRANT IMPACT FUND****(Cabinet Member with Special Responsibility Councillor Thomas)**

The Corporate Director (Finance and Performance) submitted a report asking Members to consider a request from the Lancaster District Local Strategic Partnership for the City Council to become the Accountable Body for Migrant Impact Fund should its bid to central government be successful.

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

- 1 That, depending upon Government Office's response to these bids from across Lancashire, discussions take place between the City Council and Lancashire County Council as to which organisation is best placed to become the Accountable Body for this fund. If it is determined that that the City Council is best placed to be that body then Cabinet agrees to become the Accountable body for the Migrant Impact Fund.
- 2 To not agree to become the accountable body for this funding.

**Risk Analysis**

This grant allocation (if successful) is not ring-fenced and has no mandatory reporting process against it other than that already required (e.g. national indicators). The LSP will be asked to submit a self assessment setting out project progress.

As the City Council already acts as Accountable Body for the LDLSP in respect of second homes funding, accounting procedures are already in place in respect of transfer of funds to the LDLSP and therefore the City Council could become the Accountable Body should discussions with Lancashire County Council recommended that course of action.

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

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

Members then voted:-

***Resolved unanimously:***

- (1) That, subject to discussions with Lancashire County Council as to who would be best placed to become the Accountable Body for the Migrant Impact Fund should the LDLSP's bid to central government be successful, that, if required, Lancaster City Council agree to undertake the role.
- (2) That subject to the above, the Revenue Budget be updated accordingly.

**Officers responsible for effecting the decision:**

Corporate Director (Finance and Performance)  
Head of Financial Services

**Reasons for making the decision:**

The decision is supportive of the LSP's bid, allowing flexibility depending upon the outcome of discussions with Lancashire County Council.

**8 2008/09 4TH QUARTER CORPORATE PERFORMANCE REVIEW****(Cabinet Member with Special Responsibility Councillor Langhorn)**

The Corporate Director (Finance and Performance) submitted a report for noting on the fourth quarter of Performance Review Team meetings for 2008/09.

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

"That the report be noted."

Members then voted:-

***Resolved unanimously:***

- (1) That the report be noted.

**Officers responsible for effecting the decision:**

Corporate Director (Finance and Performance)

**Reasons for making the decision:**

The Council's Performance Management Framework requires the regular reporting of performance to Cabinet as part of the Performance Review Team cycle of meetings.

**9 WEST END MASTERPLAN MID-TERM REVIEW****(Cabinet Member with Special Responsibility Councillor Archer)**

***(Councillor Robinson, who had requested to address Cabinet as a Harbour Ward Councillor, spoke to this item.)***

The Corporate Director (Regeneration) submitted a report updating members on the Mid-term Review of the West End Masterplan and recommendations arising from appraisal and outline the next steps in implementing and maintaining local scrutiny of the refreshed priorities.

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

The following options have been identified:

Option	Advantages	Disadvantages	Risks
1. Do nothing – make no decision on West End Masterplan priorities.	No advantages identified.	No clear statement of direction, in either strategic or development terms, of Council priorities for economic regeneration in the West End.	Potential for ‘drift’, confusion and waste in allocation of financial and human resources in development and delivery.
2. Cabinet endorses Mid-term review recommendations and implementation plan and notes the independent appraisal and consultation feedback appended to the report.	<p>Clear commitment to and direction for economic and housing regeneration work in the West End.</p> <p>Independent appraisal has endorsed recommendations.</p> <p>The West End Partnership has been consulted and provided formal feedback that has led to some changes in priority.</p>	Although formal community consultation feedback has been received appraisal process has essentially been officer led.	Usual risks associated with practical delivery relating to achieving development funding, managing and shaping projects and initiatives.

While the focus of the review is around the economic regeneration theme, it should be noted that particular economically ‘low ranking’ proposals may find support within the LDLSP’s other Thematic Groups and their associated priorities. Essentially the West End Masterplan Mid-term Review and the implementation plan is a programme rather than a collection of individual projects. It provides a strategic overview and a framework for any projects that are supported. As individual projects are developed they will be subject to detailed internal appraisal and conform to the Council’s project management systems.

Option 2 is the Officer preferred option as this provides a clear commitment and direction for economic and housing regeneration work in the West End through the stated priorities and outline implementation plan. Cabinet can be reassured by the fact that the projects and recommendations have been subject to independent appraisal and community consultation.

The Local Governance and Scrutiny of Masterplan implementation options, options analysis, including risk assessment, were set out in the report as follows:

Option	Advantages	Disadvantages	Risks/Issues
1. Do	Council has no view	No clear Council position	‘Drift’ and

nothing	on the future governance and community scrutiny of Masterplan projects/ proposals. No advantages identified.	on local engagement in strategic or implementation for the West End.	uncertainty of position in relation to local engagement in ongoing West End proposals/projects.
2. New Morecambe Parish Council takes on West End 'local engagement' – potentially through its own sub-group or WEP.	The Parish Council can make a decision on resourcing 'neighbourhood' level input. It may choose to develop a new West End focus group or 'adopt' the WEP or some elements of it.  Provides a democratic first 'port of call' for raising West End issues, proposals and initiatives with the community.	The Parish Council has not made a decision on how it wants to conduct its business and whether it requires 'neighbourhood' level input.	'Gap' until the new Council becomes operational and uncertainty of WEP position until elections and decisions on neighbourhood input requirements and resourcing.  WEP (if a vehicle that the Parish Council wants to support) will still require its meetings serviced and a resource needs to be found to meet costs.
3. WEP supported to continue as an independent body.	Retains considerable local experience and capacity and could provide useful local commentary and input into projects and initiatives which have the potential to impact on the West End.  Could interact, assist and co-operate with Parish Council on an informal basis.	No direct current funding to manage or distribute so relevance and usefulness of an independent body in the West End is questionable.  Potential duplication of effort as issues will still need to be raised with the Parish Council and may work against achieving a clear community view with which to inform West End ongoing work.	WEP will still require its meetings serviced and a resource needs to be found to meet administration costs although the number of meetings could be reduced.  Potential for uncertainty if an independent City Council supported group stands outside the new Parish Council structure.
4. Input and scrutiny via a specific West End Cabinet	Direct West End Councillor involvement is maintained. Links to Parish Council and wider project based	City Council led and may be perceived as closed to wider community input. Issues will still need to be raised with the Parish Council with potential	No substantive role for WEP would inevitably lead to loss of a well developed group that has a detailed

liaison group or Overview and Scrutiny task group?	community consultation also maintained.	duplication of effort.	understanding of the Masterplan and other neighbourhood issues.
5. Utilise LDLSP Community Engagement Framework.	West End engagement could be accommodated within LDLSP's Community Engagement Framework.	LDLSP has still to determine its optimum methods of engagement. Work is ongoing in evaluating which methods are working well and which solutions it will adopt.  Detailed community input on particular proposals may be difficult to achieve or it may be inappropriate to channel such work through LDLSP.	Uncertainty of position on West End local engagement until LDLSP makes a decision on its preferred engagement methods.

Officers have considered all of the practical solutions to governance and would recommend that one of the options 2 to 5 would provide a robust governance structure.

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

“That Cabinet endorse the Mid-term review recommendations and implementation plan and notes the independent appraisal and consultation feedback appended to the report.”

Members then voted:-

**Resolved unanimously:**

- (1) That Cabinet endorse the Mid-term review recommendations and implementation plan and notes the independent appraisal and consultation feedback appended to the report.

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

“That Cabinet defer the decision on the options regarding local governance and scrutiny of the Masterplan implementation until Morecambe Parish Council is formed and the role be carried out by the West End Partnership until that time.”

By way of amendment, which was accepted as friendly amendment by the mover and seconder of the original motion, Councillor Barry proposed:-

“That Cabinet defer the decision on the options regarding local governance and scrutiny of the Masterplan implementation until the City Council has asked Morecambe Parish Council whether or not it wishes to take on West End local engagement (Option 2 in the report) and that the role be carried out by the West End Partnership until that time.”

By way of amendment, which was again accepted as a friendly amendment by the mover and seconder of the original motion, Councillor Mace proposed:-

“That Cabinet defer the decision on the options regarding local governance and scrutiny of the Masterplan implementation until the City Council has asked Morecambe Parish Council, as a matter of urgency, whether or not it wishes to take on West End local engagement (Option 2 in the report) and that the role be carried out by the West End Partnership until that time.”

Members then voted:-

***Resolved unanimously:***

- (2) That Cabinet defer the decision on the options regarding local governance and scrutiny of the Masterplan implementation until the City Council has asked Morecambe Parish Council, as a matter of urgency, whether or not it wishes to take on West End local engagement (Option 2 in the report) and that the role be carried out by the West End Partnership until that time.

**Officer responsible for effecting the decision:**

Corporate Director (Regeneration)

**Reasons for making the decision:**

Resolution (1) will provide a clear commitment for economic and housing regeneration work in the West End through the stated priorities and outline implementation plan.

Resolution (2) allows for robust governance and scrutiny of the Masterplan implementation structure to continue without incurring support costs for the West End Partnership which will now service its own meetings and supply a meeting room.

## **10 NATIONAL TRANSPORT AWARDS**

The Corporate Director (Community Services) submitted a report advising Cabinet that a joint County Council/District Council submission promoting cycling on Morecambe Promenade had been shortlisted for a National Transport Award and for Cabinet to consider if they wish to send representatives to the award ceremony.

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

- (1) Do not send representatives to the National Transport Awards dinner
- (2) The City Council to be represented at the National Transport Awards dinner by two Members and one officer.

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

“That the City Council does not send representatives to the National Transport Awards dinner.”

Members then voted:-

***Resolved unanimously:***

- (1) That the City Council does not send representatives to the National Transport Awards dinner.

**Officer responsible for effecting the decision:**

Corporate Director (Community Services)

**Reasons for making the decision:**

The decision reflects Cabinet's view that funding be prioritised for cycling projects not sending representatives to the awards ceremony.

**11 REVIEW OF COUNCIL HOUSING RENT INCREASES 2009/10**

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

The Corporate Director (Community Services) and Head of Financial Services submitted a joint report updating Cabinet on the recent changes that Government introduced regarding the Housing Revenue Account (HRA) subsidy arrangements for 2009/10, and the associated implications and options for councils housing rents for the current year.

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

The Council has two options:

- (1) Do nothing; i.e. leave council housing rent levels as they are.
- (2) Reduce the average annual council housing rent increase for 2009/10 from 5% to 3.05%, resulting in an average rent of £58.45 over the year, and implement as set out in the report, with the associated updates to the revenue budget.

The advantages of the 'do nothing' option are that there would be no additional administrative burden to either Council Housing (new rent letters and additional IT system changes) or the Housing Benefits section (retrospective benefit entitlement changes). The main disadvantages are that tenants have been asked to pay rent increases substantially higher than the level of inflation and there is a general expectancy, after the Government's recent announcements, that rent increases will be lowered; 'doing nothing' would not meet these expectations. Also, under this option the Council would lose the opportunity to benefit from the associated increase in subsidy. In the circumstances, it would be difficult to justify keeping the rent increase at 5%.

In terms of the option for changing rent levels, whilst there would be additional administrative work generated as a result and potential difficulties in communicating effectively the associated implications for tenants, overall, financially, both tenants and the City Council would gain from the proposals in the current year. As the whole

year reduction will be condensed and applied in total to the remaining 32 weeks of the year, the advantage to the tenant is in the real reduction of rent by an average £1.66 per week. This amounts to a 2.79% reduction in average rent (from £59.56 to £57.90) for the 32-week period.

That said, it is not known whether there would be any implications for future years – this would be dependent on Government's future proposals and the outcome of its much wider review of the housing subsidy system. It should be noted, however, that for 2010/11, it would be expected that any rent increase would be calculated on the revised year average rent of £58.45, and not the condensed average of £57.90. This could create difficulties in tenants' future perceptions.

There is, therefore, some risk attached regarding future years, but any financial implications cannot really be measured as yet. Cabinet should note that this proposal focuses only on rents for 2009/10 – future years' prospects and targets would be picked up as part of the next budget process.

The Officer preferred Option is Option 2 – to reduce the average annual council housing rent increase for 2009/10 from 5% to 3.05%, resulting in an average rent of £58.45 over the year, and implement as set out in the report, with the associated updates to the revenue budget.

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

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

Members then voted:-

***Resolved unanimously:***

- (1) That the average annual council housing rent increase for 2009/10 be reduced from 5% to 3.05%, resulting in an average rent of £58.45 over the year.
- (2) That in line with the above, weekly average rents payable be reduced accordingly with effect from 03 August 2009, or as soon as possible thereafter, subject to any implications arising from receiving the final rent determination from Government.
- (3) That the 2009/10 revenue budgets for the Housing Revenue Account be updated accordingly, as set out in the report.

**Officers responsible for effecting the decision:**

Corporate Director (Community Services)  
Head of Financial Services

**Reasons for making the decision:**

This decision will lower rent increases, in line with tenants' expectations, whilst giving the Council the opportunity to benefit from the associated increase in subsidy.



## 12 STREET SERVICES AGREEMENT WITH LANCASHIRE COUNTY COUNCIL

### (Cabinet Member with Special Responsibility Councillor Archer)

The Corporate Director (Regeneration) submitted a report informing Members that the current Residual Highways Agreement between Lancaster City Council and Lancashire County Council was due to terminate at the end of June 2009. The report proposed the adoption of a revised agreement called the Street Services Agreement which has been offered in its place by the County Council. This would continue to allow the City Council to maintain its assets on the highway and permit other activities within the highway which would be of benefit to the City Council.

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

Option	Advantages	Disadvantages
<b>Option 1</b> Enter into the Street Services Agreement	Financial support and local control of the maintenance of highway verges and associated work. Streamline mechanism for carrying out work within the highway.	Can be held to account for performance by the County Council
<b>Option 2</b> Do not enter into the Street Services Agreement	Do not have any responsibility for maintenance of highways	No local control of verge maintenance. No mechanism for carrying out maintenance work within the highway. Every entry onto the highway would require formal permissions City Council highway improvement schemes would involve much lengthier processes.

Option 1, to enter into the Street Services agreement with Lancashire County Council is the Officer preferred option.

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

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

Members then voted:-

***Resolved unanimously:***

- (1) That Lancaster City Council enters into a legal agreement with Lancashire County Council named the Street Services Agreement until March 2014 with an option for a review after two years and options for further extension.

**Officers responsible for effecting the decision:**

Corporate Director (Regeneration)  
Head of Planning Services

**Reasons for making the decision:**

Whilst Lancaster City Council no longer has a Highways Agency it is important to maintain the ability to carry out work in the highway to the benefit of the local population. This agreement will provide the means for the continuation of this work.

**13 URGENT BUSINESS**

The Head of Democratic Services submitted a report informing Members of 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.

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

- “(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 relation to the following matters, be noted.
- (a) Seven Day per Week Opening of Morecambe Visitor Information Centre – Trial Period
  - (b) Quick Response Vehicle
  - (c) Freedom of Information Request – Canal Corridor.”

Members then voted:-

***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 relation to the following matters, be noted.
- (a) Seven Day per Week Opening of Morecambe Visitor Information Centre – Trial Period

- (b) Quick Response Vehicle
- (c) Freedom of Information Request – Canal Corridor.

**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 Cabinet of urgent decisions taken by the Chief Executive in accordance with the City Council's Scheme of Delegation.

**14 EXCLUSION OF THE PRESS AND PUBLIC**

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

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

"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 1 and 2 of Schedule 12A of that Act."

Members then voted as follows:-

***Resolved unanimously:***

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

**15 FUNDING OF THE EMPLOYEE ESTABLISHMENT**

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

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

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

Approval for the filling of current vacancies

The information contained within each form provides details related to the risks of not filling the related vacancy. Cabinet has the option of releasing funding on either a time limited or permanent basis or withholding funding. If funding is not released, there will

be an impact on Service provision. If funding is time limited, it will be more difficult and possibly more expensive to fill a post.

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

Review of process for the filling of established vacancies

- (a) That the status quo is maintained, whereby Cabinet approval is required for the filling of established vacancies.
- (b) That the process set out in 1.3 of the report is reinstated (the procedure that was in place prior to Cabinet resolving to implement the current process).

The Officer preferred option is that Cabinet reinstates the previous process of Service Head delegation, noting that Cabinet Members can discuss turnover issues with Service Heads in the Services they oversee.

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

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

Members then voted:-

**Resolved:**

***(8 Members (Councillors Archer, Ashworth, Barry, Blamire, Bryning, Fletcher, Kerr and Langhorn) voted in favour, 1 Member (Councillor Mace) voted against and 1 Member (Councillor Thomas) abstained)***

- (1) That Cabinet agrees that the vacancies recommended for filling by Service Heads are filled as soon as possible.
- (2) That the Revenue Budget be updated accordingly, for any deleted or deferred posts.
- (3) That Cabinet reinstates the previous process of Service Head delegation, noting that Cabinet Members can discuss turnover issues with Service Heads in the Services they oversee.

**Officers responsible for effecting the decision:**

Chief Executive  
Head of Financial Services.

**Reasons for making the decision:**

Resolution (1) enables the decision made at Cabinet on 11<sup>th</sup> November 2008, removing the delegated decision making to fill employee vacancies away from Service Heads to Cabinet, to be implemented.

Resolution (3) removes the extra layer of bureaucracy added by Cabinet's involvement by returning to the procedure in place prior to 11<sup>th</sup> November 2008, whilst noting that Cabinet Members can discuss turnover issues with Service Heads in the Services they oversee.

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Chairman

(The meeting ended at 12.25 p.m.)

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

Appendix to Cabinet minutes of 2<sup>nd</sup> June 2009**Appointments to Cabinet Committees, Liaison Groups, Outside Bodies, Partnerships and Boards.****Cabinet Committee**

<b>Name of Committee</b>	<b>Decision</b>
<b>Lancaster and Morecambe Markets Cabinet Committee</b>	<b>Stood down</b>

**Cabinet Liaison Groups**

<b>Name of Cabinet Liaison Group</b>	<b>Decision</b>
<b>Canal Corridor</b>	<b>Continued – Leader of the Council retained as Chairman</b>
<b>Climate Change</b>	<b>Continued</b>
<b>District Wide Tenants</b>	<b>Decision on the continuation of the Group deferred until views are sought from the Tenants Forum</b>
<b>Festivals and Events</b>	<b>Stood down</b>
<b>Gypsy and Traveller</b>	<b>Continued – until work is completed on the Gypsy and Traveller Strategy</b>
<b>Lancaster and District Chamber</b>	<b>Continued</b>
<b>Morecambe Retail, Commercial and Tourism</b>	<b>Continued with Cabinet Member for Economy as Chairman</b>
<b>Neighbourhood Management</b>	<b>Stood down</b>
<b>Planning Policy</b>	<b>Continued – Chairman to include the Portfolio holders for Economy, Environment, Valuing People and Health in its membership</b>
<b>Recycling</b>	<b>Continued</b>
<b>Transport</b>	<b>To be stood down, subject to a suitable group being set up within the LDLSP's Economy Thematic Group to cover Transport</b>
<b>Universities</b>	<b>Continued with Cabinet Member for Education, Skills and Opportunities as Chairman</b>