

CABINET

10.00 A.M.

7TH DECEMBER 2010

PRESENT:- Councillors Stuart Langhorn (Chairman), June Ashworth, Jon Barry, Eileen Blamire, Abbott Bryning, Jane Fletcher, David Kerr and Peter Robinson

Officers in attendance:-

Mark Cullinan	Chief Executive
Heather McManus	Deputy Chief Executive
Mark Davies	Head of Environmental Services
Andrew Dobson	Head of Regeneration and Policy Service (Minute 79 only)
Nadine Muschamp	Head of Financial Services and Section 151 Officer
Sarah Taylor	Head of Legal and Human Resources and Monitoring Officer (Minute 86 only)
Adrian Robinson	Head of Revenues and Benefits (Minute 81 only)
Liz Bateson	Principal Democratic Support Officer

74 MINUTES

The minutes of the meeting held on Tuesday 9 November 2010 were approved as a correct record.

75 ITEMS OF URGENT BUSINESS AUTHORISED BY THE LEADER

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

76 DECLARATIONS OF INTEREST

Councillor Langhorn declared a personal interest with regard to the Shared Service Delivery – Public Realm report, as Chairman of Caton-with-Littledale Parish Council. (Minute 80 refers).

Councillor Ashworth declared a personal interest with regard to the Shared Service Delivery – Public Realm report, as a member of Morecambe Town Council. (Minute 80 refers).

Councillor Kerr declared a personal interest with regard to the Shared Service Delivery – Public Realm report, as a member of Morecambe Town Council (Minute 80 refers).

77 PUBLIC SPEAKING

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

78 LANCASTER JOHN O' GAUNT WATER CENTRE

(Cabinet Members with Special Responsibility Councillors Ashworth and Bryning)

Cabinet received a report from the Head of Community Engagement in order to decide whether to offer Council support to develop a regionally significant centre for rowing, canoeing and kayaking at the current site of the Lancaster John O' Gaunt Rowing Club on the River Lune in Lancaster.

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

	Option 1: Members approve officers to provide advice and support to the scheme	Option 2: Members do not approve officer support for this scheme.
Advantages	Officers could work with the various clubs, community and architects to ensure the proposal proceeds in line with corporate objectives.	Officers free to utilise time on other areas of work.
Disadvantages	The scheme proceeds with minimal involvement from the Council and opportunities to maximise consultation/ benefits for clubs and community and energy saving implications are not provided.	Scheme is in its infancy and efficiencies around community/club integration, tourism and energy would not be explored.
Risks	As the scheme develops it requires considerable officer time – would need to be managed by regular reporting to ensure work programmes are appropriate.	Council not associated in a scheme which could positively impact on tourism, residents and clubs resulting in poor publicity.

Officer Preferred Option (and comments)

There was no officer preferred option but as the scheme was in its early stages officers would have to monitor their time spent against demands from other areas on their time should option 1 be approved.

Councillor Bryning proposed, seconded by Councillor Ashworth:-

- “(1) Cabinet notes the details of the proposal, progress to date and partners involved.
- (2) Cabinet supports the concept of providing a regionally significant centre for rowing, canoeing and kayaking at the current site of the Lancaster John O' Gaunt Rowing Club on the River Lune in Lancaster.
- (3) Cabinet agrees to provide officer support from within the Community Engagement and Regeneration and Policy services as appropriate to assist the

development of the water centre.”

Councillors then voted:-

Resolved:

(7 Members (Councillors Ashworth, Barry, Blamire, Bryning, Fletcher, Kerr and Langhorn) voted in favour, and 1 Member (Councillor Robinson) abstained.)

- (1) Cabinet notes the details of the proposal, progress to date and partners involved.
- (2) Cabinet supports the concept of providing a regionally significant centre for rowing, canoeing and kayaking at the current site of the Lancaster John O' Gaunt Rowing Club on the River Lune in Lancaster.
- (3) Cabinet agrees to provide officer support from within the Community Engagement and Regeneration and Policy services as appropriate to assist the development of the water centre.

Officers responsible for effecting the decision:

Head of Community Engagement
Head of Regeneration and Policy

Reasons for making the decision:

The decision fits in with the corporate priorities with regard to visitor economy, energy coast and partnership working and the scheme is potentially a considerable improvement on the current offer. Other than officer time the club was not seeking financial support from the Council.

79 MORECAMBE CENTRAL PROMENADE DEVELOPMENT AGREEMENT

(Cabinet Member with Special Responsibility Councillor Bryning)

Members noted that additional information had been received in relation to this item and it was proposed by Councillor Langhorn, seconded by Councillor Kerr and resolved unanimously:

Resolved unanimously:

That the item be deferred for consideration at a reconvened meeting on Tuesday 14 December 2010 at 10.00am in Lancaster Town Hall.

80 SHARED SERVICE DELIVERY- PUBLIC REALM

(Cabinet Members with Special Responsibility Councillors Barry and Langhorn)

(Councillor Langhorn declared a personal interest in this item in view of his role as Chairman of Caton-with-Littledale Parish Council. Councillors Ashworth and

Kerr declared personal interests in this item in view of their role as Morecambe Town Councillors.)

Cabinet received a report from the Head of Environmental Services which sought approval for the principle of the City Council directly delivering a range of public health services on behalf of the County Council.

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

	Option 1: To enter into a public realm agreement with the County Council for direct delivery by the City Council of a range of services	Option 2: To not enter into a public realm agreement
Advantages	<p>Joins up District and County public realm services</p> <p>Improved customer service</p> <p>Improved efficiency</p> <p>Consistent service for rural settlements / Parishes</p> <p>Improved consistency of service between rural and urban areas.</p>	
Disadvantages	<p>Parish Councils that previously directly undertook work on behalf of the County Council may feel they have less control of service delivery.</p>	<p>Contrary to Corporate Plan and goes against agreed shared services programme.</p>
Risks	<p>The County Council decide to offer Parishes the option to deliver some of the services themselves- in which case the business case on which our agreement would be based would no longer be viable.</p> <p>As a result of the comprehensive spending review the County Council reduces budgets available for this work.</p>	

Officer preferred option

Option1 is the officer preferred option for the reasons set out.

Councillor Barry proposed, seconded by Councillor Blamire:-

- “(1) That Cabinet approve the principle of the City Council directly delivering a range of public realm services on behalf of the County Council.
- (2) That the Head of Environmental Services is delegated to agree the details of the public realm agreement with County.
- (3) That, once details are agreed relevant general fund budgets are updated accordingly, subject to there being no costs falling to the City Council.”

Councillors then voted:-

Resolved unanimously:

- (1) That Cabinet approve the principle of the City Council directly delivering a range of public realm services on behalf of the County Council.
- (2) That the Head of Environmental Services is delegated to agree the details of the public realm agreement with County.
- (3) That, once details are agreed relevant general fund budgets are updated accordingly, subject to there being no costs falling to the City Council.

Officers responsible for effecting the decision:

Head of Environmental Services
Head of Financial Services

Reasons for making the decision:

The decision will enable closer working and shared delivery arrangements between Lancaster City and Lancashire County Councils and provide better value for money and improved service delivery standards for citizens of Lancashire. A key action of the City Council's corporate plan is 'to implement the Council's agreed programme for shared services and research other opportunities for working wherever possible.'

81 SHARED SERVICE ARRANGEMENT WITH PRESTON CITY COUNCIL FOR REVENUES AND BENEFITS SERVICE

(Cabinet Member with Special Responsibility Councillor Langhorn)

Cabinet received a report from the Head of Financial Services to seek approval for entering into a full shared service with Preston City Council for the provision of Revenues and Benefits services on the basis as set out in the business case, subject to the necessary constitutional changes being approved in due course.

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

Option 1: to approve the business case for entering into a full shared service with Preston City Council for the provision of Revenues and Benefits services, on the basis as set out at Appendix A to the report (with supporting recommendations regarding contractual and constitutional matters). This provided for a full appraisal of this option, including risk considerations.

Option 2: to not approve the business case and instead instruct officers to pursue an alternative option as outlined in the business case. Whilst the key advantages and disadvantages are outlined in the Appendix to the report, depending on the alternative chosen, officers may need to undertake further development work and report back accordingly.

Officer Preferred Option (and comments)

The Officer preferred option is Option 1, as this is considered to be the most cost-effective option at this time; the full rationale is set out in the attachment to the report.

Councillor Langhorn proposed, seconded by Councillor Kerr

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

Councillors then voted:-

Resolved unanimously:

- (1) That having considered the Business Case as set out at Appendix A, Cabinet approves a shared service arrangement for the delivery of the Revenues and Benefits service, with Preston City Council acting as host authority.
- (2) That further reports be presented to Members in due course to address the further details of the governance and contractual arrangements.
- (3) That in due course Personnel Committee be requested to update the Council's establishment.
- (4) That the Revenue Budget be updated accordingly, including changes in respect of any approved efficiency proposals.

Officers responsible for effecting the decision:

Head of Financial Services
Head of Revenues & Benefits

Reasons for making the decision:

The Business Case demonstrates that there is a strong case for creating a shared service in Revenues and Benefits and highlights opportunities for improving service efficiency at a much reduced cost. The Officer Project Board has endorsed the Business Case and considers that the full shared service delivery model best meets the needs of both Councils.

82 BUDGET & POLICY FRAMEWORK 2011/12

(Cabinet Member with Special Responsibility Councillor Langhorn)

Members noted that in view of a further delay in the issuing of the settlement information consideration of this report which had been marked 'to follow' on the agenda had been deferred.

83 LANCASTER MARKET

(Cabinet Member with Special Responsibility Councillor Barry)

Councillor Barry confirmed that the Lancaster Market Cabinet Liaison Group were due to receive a presentation from the market experts at their meeting that evening (7 December).

Resolved unanimously:

(1) That the oral update be noted.

Officers responsible for effecting the decision:

Deputy Chief Executive
Head of Property Services

Reasons for making the decision:

The terms of reference of the Lancaster Market Cabinet Liaison Group stipulate regular reports to Cabinet.

84 EXCLUSION OF THE PRESS AND PUBLIC

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

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

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

85 FACILITIES MANAGEMENT REVIEW & PROPERTY SERVICES RESTRUCTURE
(Pages 1 - 5)

(Cabinet Member with Special Responsibility Councillor Langhorn)

Cabinet received a report from the Deputy Chief Executive which was exempt from publication by virtue of paragraphs 1 & 2 of Part 1 of Schedule 12A of the Local Government Act 1972.

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

Councillor Langhorn, seconded by Councillor Kerr proposed the recommendations as set out in the exempt report.

Councillors then voted:-

(6 Members (Councillors Ashworth, Barry, Fletcher, Kerr, Langhorn and Robinson) voted in favour, and 2 Members (Councillors Blamire and Bryning) abstained.)

Resolved:

- (1) The resolution is set out in a minute exempt from publication by virtue of paragraphs 1 & 2 of Schedule 12A of the Local Government Act 1972.

Officer responsible for effecting the decision:

Deputy Chief Executive

Reasons for making the decision:

The reasons for making the decision are set out in a minute exempt from publication by virtue of paragraphs 1 & 2 of Schedule 12A of the Local Government Act 1972.

The meeting adjourned at 12.10pm and reconvened in public at 10.00am on Tuesday 14 December 2010 at Lancaster Town Hall in accordance with the resolution within minute 79.

The following officers were present: Chief Executive, Deputy Chief Executive, Head of Governance/MO Officer and the Principal Democratic Support Officer.

86 CONSIDERATION OF DEFERRED ITEM MORECAMBE CENTRAL PROMENADE DEVELOPMENT AGREEMENT - MINUTE 79 REFERS

(Cabinet Member with Special Responsibility Councillor Bryning)

The Deputy Chief Executive advised the meeting that in light of the recent discussions with Urban Splash where the City Council had been unable to come to any agreement regarding the amendment of the Development Agreement taking into account the marina

feasibility study, officers would recommend that members defer dealing with the extension of the Development Agreement until the formal planning position on the pending application from Urban Splash was known. Officers would then be able to see how this met with the current contractual position with Urban Splash.

The letter from Urban Splash advised that they were not in a position to consider amending by agreement and would like to see the planning application determined.

Councillor Langhorn proposed, seconded by Councillor Kerr:-

“That consideration of the Morecambe Central Promenade Development Agreement be deferred until the pending planning application by Urban Splash had been determined.”

Councillors then voted:

Resolved:

(7 Members (Councillors Ashworth, Barry, Bryning, Blamire, Fletcher, Kerr and Langhorn) voted in favour, and 1 Member (Councillor Robinson) voted against.

- (1) That consideration of the Morecambe Central Promenade Development Agreement be deferred until the pending planning application by Urban Splash had been determined.

Officer responsible for effecting the decision:

Deputy Chief Executive.

Reasons for making the decision:

The outcome of the feasibility study in its current form is not considered robust enough to challenge any existing planning policies, and Urban Splash have advised that they would not be prepared to amend the current Agreement unless significant funds are made available by the Council. Urban Splash have requested that the Planning application is determined, and as such, any further discussions regarding the Contractual position should be deferred, until the outcome of the planning position is known.

Chairman

(The meeting ended at 10.12 a.m.)

**Any queries regarding these Minutes, please contact
Liz Bateson, Democratic Services - telephone (01524) 582047 or email
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MINUTES PUBLISHED ON WEDNESDAY, 15TH DECEMBER 2010.

**EFFECTIVE DATE FOR IMPLEMENTING THE DECISIONS CONTAINED IN THESE MINUTES:
THURSDAY 23RD DECEMBER, 2010.**

By virtue of paragraph(s) 1, 2 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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