

CABINET

10.00 A.M.

6TH NOVEMBER 2012

PRESENT:- Councillors Eileen Blamire (Chairman), Janice Hanson (Vice-Chairman), Jon Barry, Abbott Bryning, Tim Hamilton-Cox, Karen Leytham, Ron Sands and David Smith

Officers in attendance:-

Mark Cullinan	Chief Executive
Nadine Muschamp	Head of Resources and Section 151 Officer
Richard Tulej	Head of Community Engagement Service
Mark Davies	Head of Environmental Services
Liz Bateson	Principal Democratic Support Officer

67 MINUTES

The minutes of the meeting held on Tuesday 9 October 2012 were approved as a correct record.

68 ITEMS OF URGENT BUSINESS AUTHORISED BY THE LEADER

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

69 DECLARATIONS OF INTEREST

Councillors Barry, Hamilton-Cox, Hanson and Leytham declared an interest with regard to the Take Pride Community Fund report in view of their involvement with a number of the organisations involved in the bidding process. (Minute 72 refers). Councillors Barry and Hamilton-Cox advised the meeting that they would abstain from voting on that item.

70 PUBLIC SPEAKING

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

71 COMMISSIONING ARRANGEMENTS FOR ARTS AND VOLUNTARY, COMMUNITY AND FAITH SECTOR

(Cabinet Member with Special Responsibility Councillor Barry)

Cabinet received a report from the Head of Community Engagement to propose commissioning arrangements to support the voluntary, community and faith sector in delivering services to meet current and emerging local needs and to recommend a timetable for Arts commissioning following the publication of the Arts Strategy for the district.

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

	Option 1: Council investment for VCFS is focused on sector support, volunteering coordination, advice and information services and a small grant scheme	Option 2: Modifications are made to the proposals, linked to community and sector needs	Option 3: Do Nothing
Advantages	<ul style="list-style-type: none"> • Of the options available, these meet needs and opportunities identified as part of the engagement and Local Assessment work • These offer most potential to achieve high impact for the level of investment possible. • These help to provide early intervention and preventative actions to reduce the need for other VCF and public sector services. • Support will be available to a wide range of sector organisations rather than limited to a few. • Supports better forward planning for service delivery. 	<ul style="list-style-type: none"> • Dependent on modifications made. 	<ul style="list-style-type: none"> • Some officer time saved in 2012 – 2013 as procurement processes would no be required.

	Option 1: Council investment for VCFS is focused on sector support, volunteering coordination, advice and information services and a small grant scheme	Option 2: Modifications are made to the proposals, linked to community and sector needs	Option 3: Do Nothing
Disadvantages	<ul style="list-style-type: none"> • Some support 	<ul style="list-style-type: none"> • Dependent on 	<ul style="list-style-type: none"> • Process for

	<p>may be necessary to help organisations move to more collaborative models of service delivery.</p>	<p>modifications made.</p>	<p>allocations of grant is less transparent as current SLA's have been in place for some years.</p> <ul style="list-style-type: none"> • Current SLA's are not designed around current needs and opportunities although do make a useful contribution. • Value for Money and overall impact reduced. • Opportunity to underpin wide support structures for VCFS will be limited. • Opportunities for more collaboration likely to be limited.
<p>Risks</p>	<ul style="list-style-type: none"> • Services recommended will require other funding support, which may be at risk in the future as funding contracts. • Mitigation includes service efficiencies, joint working and revenue income generation. 	<ul style="list-style-type: none"> • Dependent on modifications made 	<ul style="list-style-type: none"> • Less clarity around current investment arrangements, the council's objectives and procurement processes.

The officer preferred option was Option 1 as this reflected the findings of the Local Assessment, the engagement workshops and also provided the most efficient and effective way of maximising impact by providing benefits across the VCFS and supporting a very wide range of services indirectly.

The Council had taken steps towards introducing the commissioning arrangements proposed in the report over the last two years. A detailed review of current SLA's, an assessment of local needs and opportunities and communications and engagement work with the VCFS had been undertaken, leading to the proposals. The recommendations provided a means of steering the Council's investment in VCFS services to achieve the maximum impact linked to current needs and opportunities in the

district. In addition, they would provide clear, transparent arrangements that focused on Value for Money and Impact and supported the principle already agreed by Cabinet at earlier meetings. Specific steps had been taken to work with Lancashire County Council with the potential to invest jointly providing a more strategic investment in some services. The report recommended that Arts commissioning took place following the publication of the Arts Strategy in early 2013.

Councillor Barry proposed, seconded by Councillor Blamire:-

- (1) That the Commissioning Framework for Arts and Voluntary, Community and Faith sector services be approved in principle.
- (2) That the Commissioning of Arts sector services be undertaken following the publication of the Arts Strategy in early 2013 and that existing Arts Service Level Agreements remain in place for the next twelve months
- (3) That Investment in VCFS services for the three year period from 2013 – 2016 be focused on:
 - support for VCFS organisations
 - volunteering coordination
 - advice and information services and
 - small development grants
- (4) That indicative sums be agreed for each of these services by the portfolio holder and Leader once more information is available on the cost of support for VCFS organisations and volunteer co-ordination, subject to final confirmation as part of the budget process.
- (5) That subject to the introduction of a small development grants scheme, the council's Welfare Grants Scheme be removed.
- (6) That final decisions on service delivery be determined as part of the procurement process and in line with the Council's Contract Procedure Rules.
- (7) That the General Fund Revenue Budgets be updated accordingly as part of the 2013/14 Budget Process.
- (8) That the Commissioning Plan and service specification be approved at the December Cabinet meeting, prior to the publication of the plan."

Councillors then voted:-

Resolved unanimously:

- (1) That the Commissioning Framework for Arts and Voluntary, Community and Faith sector services be approved in principle.
- (2) That the Commissioning of Arts sector services be undertaken following the publication of the Arts Strategy in early 2013 and that existing Arts Service Level Agreements remain in place for the next twelve months
- (3) That Investment in VCFS services for the three year period from 2013 – 2016 is focused on:
 - support for VCFS organisations
 - volunteering coordination
 - advice and information services and

- small development grants
- (4) That indicative sums be agreed for each of these services by the portfolio holder and Leader once more information is available on the cost of support for VCFS organisations and volunteer co-ordination, subject to final confirmation as part of the budget process.
 - (5) That subject to the introduction of a small development grants scheme, the council's Welfare Grants Scheme be removed.
 - (6) That final decisions on service delivery be determined as part of the procurement process and in line with the Council's Contract Procedure Rules.
 - (7) That the General Fund Revenue Budgets be updated accordingly as part of the 2013/14 Budget Process.
 - (8) That the Commissioning Plan and service specification be approved at the December Cabinet meeting, prior to the publication of the plan.

Officers responsible for effecting the decision:

Head of Community Engagement
Head of Resources

Reasons for making the decision:

The proposals potentially impacted on a wide range of people and organisations and the work undertaken to understand local needs and the VCFS issue and opportunities had helped to inform the proposals which sought to have a positive impact within the limits of the funding available.

The decision fits with the Corporate Plan priorities and Outcomes as follows:

- The voluntary, community and faith sector has capacity to deliver services for the district
- Local communities are actively working with partners to improve where they live in ways that matter to them
- Efficiency savings and service improvements achieved through joint working and shared services
- Impact of welfare reforms managed well to avoid any unnecessary impact on local communities

72 TAKE PRIDE COMMUNITY FUND

(Cabinet Member with Special Responsibility Councillor Blamire)

Councillors Barry, Hamilton-Cox, Hanson and Leytham declared interests in the following item in view of their involvement with some of the organisations referred to in the report. Councillors Barry and Hamilton-Cox advised the meeting that they would abstain from voting on this item.

Cabinet received a report from the Head of Community Engagement to make recommendations on the allocation of the Take Pride Community Fund (previously referred to as Second Homes Funding for 2012/13).

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

	Advantages	Disadvantages	Risks
<p>Option 1 Agree the recommendations as proposed</p>	<p>Early start for supported projects to ensure expenditure is achieved in line with the required timescales.</p> <p>Early achievement of community benefits.</p> <p>Projects selected via a fair and transparent process and collaboration maximised.</p>	<p>None</p>	<p>Some projects may fail to spend their funding in good time. Proactive monitoring needed to mitigate this.</p>
<p>Option 2 Allocate the funding to different projects</p>	<p>Gives Cabinet the opportunity to address other pressing issues</p>	<p>Potential loss of funding as expenditure may not occur within required timescales.</p> <p>County Council and Community expectations that the funding will be allocated in line with publicised arrangements would not be met.</p> <p>Work by organisations to bring forward proposals in this report would be wasted.</p>	<p>Reputational risk as County Council community expectations are that funding will be allocated in line with publicised arrangements.</p> <p>Funding allocated for later projects might have difficulty meeting financial deadlines.</p>
<p>Option 3 Allocate none or only some of the funding</p>	<p>Keeps some funding available for potential future projects</p>	<p>Potential loss of funds to the district if expenditure deadlines cannot be met</p> <p>Work by organisations to bring forward proposals in this report would be wasted.</p> <p>Loss of benefits to be delivered by the funds.</p>	<p>Reputational risk if funding is held back without a clear rationale. Funding allocated for later projects might have difficulty meeting financial deadlines.</p>

The officer preferred option was Option 1. It confirmed the fair, transparent and Member-

led process that had resulted in the recommended allocations.

The massive amount of interest in the Take Pride Community Fund had shown the effectiveness of the advertising process, the evident passion organisations have to continue their good work, and also the extent of the need for support for the VCF and Arts/ Leisure sectors in these difficult times. The Member Panel has had to make difficult choices in agreeing these recommendations but ultimately the proposed projects would deliver the greatest lasting benefit to local people and the organisations concerned.

Councillor Blamire proposed, seconded by Councillor Hanson:-

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

Councillors then voted:-

Resolved:

(6 Members (Councillors Blamire, Bryning, Hanson, Leytham, Sands and Smith) voted in favour, and 2 Members (Councillors Barry and Hamilton-Cox) abstained.)

- (1) That the process undertaken to seek bids to manage the bidding round for Take Pride Community Funding and the involvement and support of Lancashire County Council be noted.
- (2) That the recommendations of the Member Panel for the allocation of Take Pride Community Funding to the full amount of £283,725 be approved.
- (3) That authority be delegated to the Leader of the Council for any future changes to funding allocations, to ensure that all funding is appropriately utilised in line with the criteria for the scheme.
- (4) That the General Fund Revenue budget and Capital Programme be updated to reflect the recommendations in this report.

Officers responsible for effecting the decision:

Head of Community Engagement
Head of Resources

Reasons for making the decision:

. Requirements for the use of the available Second Homes funding are entirely consistent with the Priorities, Outcomes, Success Measures and Actions identified in the Council's Corporate Plan 2012 - 15. The Member Panel has had to make difficult choices in agreeing these recommendations but ultimately the proposed projects which this decision endorses, will deliver the greatest lasting benefit to local people and organisations concerned.

73 STOREY CREATIVE INDUSTRIES CENTRE: PROGRESS UPDATE

(Cabinet Member with Special Responsibility Councillor Hanson)

Cabinet received a report from the Head of Resources to provide an update on the position regarding the Storey Creative Industries Centre as requested by Cabinet on 9 October 2012 (Minute 61 refers).

Cabinet were informed that a variety of parties had expressed an interest in assisting the Council take forward the Storey venture.

As the report was presented primarily for information no options were presented. A visit to the Storey and a meeting with the tenants had been arranged and the report provided outline issues for consultation and discussion at that meeting.

Councillor Hanson proposed, seconded by Councillor Leytham:-

“(1) That the report be noted.”

Councillors then voted:-

Resolved unanimously:

(1) That the report be noted.

Officers responsible for effecting the decision:

Head of Resources

Reasons for making the decision:

At its meeting on 9 October 2012 Cabinet requested written updates on the Storey Creative Industries Centre be tabled at each meeting. (Minute 61 refers).

74 BUDGET AND POLICY FRAMEWORK UPDATE MID YEAR REVIEW - MEDIUM TERM FINANCIAL STRATEGY

(Cabinet Member with Special Responsibility Councillor Bryning)

Cabinet received a report from the Head of Resources which provided an update on the Council's financial prospects for future years in order to help inform development of its budget strategy.

The report was primarily for information and for seeking direction from Cabinet and other than for council tax, no specific options were put forward at this time.

The options regarding council tax targets were basically to either:

- reduce the existing council tax target to no more than 2% for future years; or
- recommend alternative council tax target increases for future years; or
- delay making recommendations at this stage, until later in the budget process.

The level of any net savings requirement (and the associated risks) would depend on the tax level proposed. Clearly the compensation arrangements in support of a council

tax freeze required specific consideration.

The main risks attached to any option follow on from the information in the report and the ability of the Council to take decisions on matching service levels with the money available to fund them. The impact on council tax payers was key; the reputation and public perception of the Council might well be affected. The key risks could be summarised as follows:

- Actual savings targets prove to be substantially different from those shown, due to changes in financial projections.
- Required savings targets can't be met, without having an unacceptable impact on service delivery – either from the Council's own viewpoint or from public perception.
- Government / the public perceive council tax levels to be too high, resulting in capping action being taken against the Council and/or a negative impact on public relations and the Council's reputation.
- Council tax targets are too low, resulting in them being unsustainable in the longer term, without having adverse effects on future service delivery and/or the Council's financial standing and reputation.

To counter these risks, there would be further opportunities to review target increases later during the budget process.

Planning the Council's finances continued to be very challenging, especially given all the uncertainties. Nonetheless, it was impossible to get away from the fact that lower government funding and lower council tax increases ultimately meant that more savings were needed – with more pressure therefore to reduce service provision. Redirection of resources would be needed to support any new growth needs.

Councillor Bryning proposed, seconded by Councillor Smith:-

- “(1) That the current position regarding current spending and forecasts for future years be noted, together with associated risks and uncertainties.
- (2) That the Government's proposed council tax threshold of 2% for 2013/14 be noted, and that any recommendations of any formal changes to council tax targets be reconsidered in December when more information should be available.
- (3) That Cabinet notes the work underway in developing the budget but also commissions officers to bring forward such budget options that would address a reduction of up to 10% in future government funding.
- (4) That the key issues arising from this review be reported to Council for information.”

Councillors then voted:-

Resolved unanimously:

- (1) That the current position regarding current spending and forecasts for future years be noted, together with associated risks and uncertainties.

- (2) That the Government's proposed council tax threshold of 2% for 2013/14 be noted, and that any recommendations of any formal changes to council tax targets be reconsidered in December when more information should be available.
- (3) That Cabinet notes the work underway in developing the budget but also commissions officers to bring forward such budget options that would address a reduction of up to 10% in future government funding.
- (4) That the key issues arising from this review be reported to Council for information.

Officers responsible for effecting the decision:

Head of Resources

Reasons for making the decision:

The Medium Term Financial Strategy is part of the current budget and policy framework. The report was primarily for information and for seeking direction from Cabinet and deferred the consideration of council tax targets until more comprehensive information became available.

75 CUSTOMER COMMENTS, COMPLIMENTS AND COMPLAINTS POLICY AND GUIDANCE

(Cabinet Member with Special Responsibility Councillor Blamire)

Cabinet received a report from the Head of Environmental Services which sought the approval of Cabinet to the recommendations of the Overview and Scrutiny Committee with regard to the revised Customer Comments, Compliments and Complaints policy.

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

OPTION 1- The first of these was direct involvement in the investigation/review process via a member panel at Stage 2. Should members wish to pursue this option considerable staff resource would be required to service the panel. This included advice from the Service Head concerned to advise the panel, the Stage 1 investigating officer to answer any technical issues and Democratic Services to arrange meetings, call any witnesses and advise the complainant on the process and their rights to attend. If such a panel were to be set up a Constitutional update might be required and the approval of Full Council needed. Clearly this option complicated the process and would likely add to the time spent handling complaints. This in turn increased the risk of failing to meet the LGO's expectation that the complaints process (all stages) be completed within 12 weeks. As outlined it would also require considerable additional resource. At this stage no indication of additional cost was available.

OPTION 2- was for Elected Members to review complaints data on a regular basis, (eg through Performance Review Team meetings) which could give an indication of overall performance – i.e. complaints trends could indicate service areas in need of improvement. Reports could be provided to the relevant committee at agreed intervals.

This would provide an overview of the types of issues that were being complained about and then allow for Elected Members the opportunity to explore these areas further if required.

The Council's Overview and Scrutiny committee recommended approval of the revised Policy and Guidance relating to Customer Comments, Compliment and Complaints. With regard to the options for more Elected Member involvement Overview and Scrutiny recommended the following-

- (1) That Cabinet be recommended to approve option 2 as set out in the report.
- (2) That Budget and Performance Panel be requested to undertake performance monitoring of the complaints procedure.
- (3) That sample complaints be reviewed on a regular basis.

If the number and type of formal complaints received from each service area was added to the reporting that takes place through the Performance Review Team process the recommendation made could be managed within existing resources. This would provide Elected Members with much more information than was currently provided. Based on these reports if members of Budget and Performance Panel or relevant Portfolio holders wanted further information based on trends or particular areas of concern then that could be requested.

Therefore, it was proposed that Cabinet –

- Approve the revised Customer Comments, Compliments and Complaints Guidance.
- Approve the recommendations of Overview and Scrutiny with regard to Elected Member involvement.

Councillor Hanson proposed, seconded by Councillor Sands:-

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

Councillors then voted:-

Resolved unanimously:

- (1) That the revised Customer Comments, Compliments and Complaints Policy be approved.
- (2) That the recommendations of Overview and Scrutiny Committee with regard to direct Elected Member involvement be approved:
 - (a) That Cabinet approve Option 2 as set out in the report
 - (b) That the Budget and Performance Panel be requested to undertake performance monitoring of the complaints procedure.
 - (c) That sample complaints be reviewed on a regular basis.

Officers responsible for effecting the decision:

Head of Environmental Services

Reasons for making the decision:

The new Customer Comments, Compliments and Complaints Policy and Guidance has been developed based on best practice as defined by the LGO and as such will ensure that the policy operates effectively. Regular reporting of complaints will enable efficient and effective member involvement in the process.

76 EXCLUSION OF THE PRESS AND PUBLIC

It was moved by Councillor Hanson and seconded by Councillor Leytham:-

“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 paragraph 3 of Schedule 12A of that Act.”

Members then voted as follows:-

Resolved unanimously:

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

77 PARKSAFE MANAGEMENT AGREEMENT (Pages 14 - 19)

(Cabinet Member with Special Responsibility Councillor Hamilton-Cox)

Cabinet received a report from the Head of Environmental Services to outline options for the future management of the Parksafes Car Park in Lancaster and establish, in principle, Cabinet's preferred option. The report was exempt from publication by virtue of paragraph 3, 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 Hamilton-Cox proposed, seconded by Councillor Leytham:-

- “(1) That Option 2a – to negotiate a contract extension with Parksafes be approved.”

Councillors then voted:-

Resolved:

(7 Members (Councillors Barry, Blamire, Bryning, Hamilton-Cox, Hanson, Leytham and Sands) voted in favour, 1 Member (Councillor Smith) abstained.)

- (1) That Option 2a – to negotiate a contract extension with Parksafes be approved.

Officers responsible for effecting the decision:

Head of Environmental Services

Reasons for making the decision:

The decision is consistent with the Council's Corporate Plan 2012 – 2015 priorities of Economic Growth and Clean, Green and Safe Places and the key supporting themes of Working Together in Partnership and Managing the Council's Resources. The ongoing provision of a high quality guaranteed security car park is also consistent with the Council's Parking Strategy and commitment to community safety.

Chairman

(The meeting ended at 11.15 a.m.)

**Any queries regarding these Minutes, please contact
Liz Bateson, Democratic Services - telephone (01524) 582047, or email
ebateson@lancaster.gov.uk**

MINUTES PUBLISHED ON THURSDAY 8 NOVEMBER, 2012.

**EFFECTIVE DATE FOR IMPLEMENTING THE DECISIONS CONTAINED IN THESE MINUTES:
FRIDAY 16 NOVEMBER, 2012.**

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted