

CABINET

6.00 P.M.

6TH AUGUST 2019

PRESENT:- Councillors Erica Lewis (Chair), Kevin Frea (Vice-Chair), Dave Brookes, Tim Hamilton-Cox, Janice Hanson, Caroline Jackson, Jean Parr, John Reynolds, Alistair Sinclair and Anne Whitehead

Officers in attendance:

Kieran Keane	Chief Executive
Daniel Bates	Director of Corporate Services
Mark Davies	Director for Communities and the Environment
Jason Syers	Director for Economic Growth and Regeneration
Paul Thompson	Chief Financial Officer (Head of Finance & Section 151 Officer)
Rephael Walmsley	Acting Head of Legal Services and Monitoring Officer
Liz Bateson	Principal Democratic Support Officer

1 MINUTES

Having been present at the previous Cabinet meeting, Councillor Hanson proposed and Councillor Whitehead seconded that the minutes of the Cabinet meeting held on 5 March 2019 be approved as a correct record.

2 ITEMS OF URGENT BUSINESS AUTHORISED BY THE LEADER

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

3 DECLARATIONS OF INTEREST

Councillor Frea declared a personal interest with regard to the Applications for Grant Funding from Lune Valley Community Land Trust and Halton Senior Co-Housing report, in view of him being a member of Lune Valley Community Land Trust. Councillor Frea informed the Cabinet that he did not consider his interest to be prejudicial.

4 PUBLIC SPEAKING

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

5 REPORT FROM OVERVIEW AND SCRUTINY - CUSTOMER SERVICES AND FUTURE COMPLAINTS POLICY (Pages 10 - 12)

Cabinet considered a report from the Overview and Scrutiny Committee with regard to the recommendations of the Customer Services and Future Complaints Policy Informal Task Group. Having been on the task group Councillor Jackson introduced the report and endorsed the recommendations.

The options were set out in the report as follows:

1. To accept the recommendations of Overview and Scrutiny

2. Not to accept the recommendations of Overview and Scrutiny
3. To make alternative proposals to those recommended by Overview and Scrutiny.

It was proposed by Councillor Jackson and seconded by Councillor Hanson:

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

Councillors then voted.

Resolved unanimously:

- (1) That the recommendations, as set out in the Informal Task Group report and appended to the minutes, be approved.
- (2) That the Director for Communities and the Environment refers the recommendations to the Head of Community Involvement and Leisure for implementation.
- (3) That Cabinet directs the Director for Communities and the Environment to produce a draft Customer Service Strategy for consideration by Cabinet for referral to Council.

Officer responsible for effecting the decision:

Director for Communities and the Environment

Reasons for making the decision:

The recommendations as set out in the report will assist the City Council in meeting all of its priorities within the Council Plan. If a new Customer Services Strategy is created this will be as key policy for consideration by Full Council.

6 ADVISORY GROUPS AND EXTERNAL APPOINTMENTS (Pages 13 - 14)

(Cabinet Member with Special Responsibility Councillor Lewis)

Cabinet received a report from the Chief Executive to establish a structure of Advisory Groups for Cabinet members to engage with communities and stakeholders on the Council's core priorities. Cabinet were also required to make appointments to outside bodies, partnerships and boards.

The Leader outlined proposals to establish a network of groups, which would reflect the full range of Cabinet's core priorities. The Leader tabled several revisions to the report. The Community Wealth-Building Partnership would become the Building Community Wealth Partnership Group with amended terms of reference, appended to the Minutes. The Climate Change and Environment Advisory Group would be re-named as the Climate Emergency and Environment Advisory Group with the actions that had previously been referred to the Flooding Cabinet Liaison Group, which was being stood down, referred to that Advisory Group.

A number of appointments to the Outside Bodies were then agreed and these would be appended to the minutes.

Councillor Sinclair proposed, seconded by Councillor Reynolds:-

“That the recommendations, as set out in the report, be approved with the following revisions:

- Community Wealth-Building Partnership to become the Building Community Wealth Partnership Group with amended terms of reference.
- Climate Change and Environment Advisory Group re-named as the Climate Emergency and Environment Advisory Group with the actions referred to the Flooding Cabinet Liaison Group, which was being stood down, referred to that Advisory Group.

Councillors then voted:-

Resolved unanimously:

- (1) That the Advisory Groups as appended to the report be established noting :
 - the Climate Change and Environment Advisory Group has been re-named as the Climate Emergency and Environment Advisory Group
 - the Community Wealth-Building Partnership has been re-named the Building Community Wealth Partnership Group with amended terms of reference appended to the minutes.
- (2) That the Lead Cabinet Member of each Advisory Group be requested to inform the Chief Executive of the arrangements and participants required for the group.
- (3) That the following Cabinet Liaison Groups in operation in 2018-19 – Planning Policy, Housing Regeneration, Museums, Property Review and Flooding be stood down,
- (4) That the actions referred to the Flooding Cabinet Liaison Group be referred to the Climate Emergency and Environment Advisory Group.
- (5) That the appointments to outside bodies be agreed and appended to the minutes.
- (6) That the Constitution be amended to reflect the change in Executive Arrangements with the changes reported to the next Full Council.

Officer responsible for effecting the decision:

Chief Executive
Monitoring Officer

Reasons for making the decision:

Advisory Groups provide an opportunity for Cabinet Members to meaningfully engage with communities and stakeholders on significant topics across the policy landscape, with members benefiting from an enhanced range of perspectives to inform decision-making. Representation on Outside Bodies is part of the City Council’s Community Leadership role.

7 LANCASHIRE POLICE AND CRIME PANEL**(Cabinet Member with Special Responsibility Councillor Lewis)**

Cabinet received a report from the Leader to make appointments to the Police and Crime Panel for the municipal year 2019-2020.

It was reported that negotiations regarding the political composition of the Panel of which Blackburn-with-Darwen was the host authority, were still ongoing but Lancaster had been requested to appoint one Labour Member at this time. It was noted that the City Council might be requested to make a further appointment once the composition issues had been settled.

Cabinet was recommended to appoint Councillor Sinclair the portfolio holder for Communities and Justice, to the Panel and appoint a named substitute in the event of Councillor Sinclair being unable to attend a meeting.

Councillor Lewis proposed, seconded by Councillor Parr:-

“That the recommendations as set out in the report be approved and that Councillor Wood be appointed as a substitute.”

Councillors then voted:-

Resolved unanimously:

- (1) That Councillor Sinclair be appointed to the Lancashire Police and Crime Panel with Councillor Wood appointed as the named substitute.

Officer responsible for effecting the decision:

Director of Corporate Services

Reasons for making the decision:

The decision is consistent with the Council Plan priority of Clean Green and Safe Neighbourhoods.

8 PROVISIONAL REVENUE, CAPITAL AND TREASURY MANAGEMENT OUTTURN 2018-19

Cabinet received a report from the Chief Finance Officer, which provided summary information regarding the provisional outturn for 2018/19, including treasury management. It also set out information regarding the carry forward of capital slippage and other matters for Members' consideration.

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

The Council has a legal requirement to ensure that its expenditure is fully funded and to produce accounts in accordance with proper accounting practice. In addition, the

Prudential Indicators are a statutory requirement linked to the budgetary framework. For these aspects, therefore, there are no alternative options for Cabinet to consider. Members are being asked to endorse certain actions taken by the Chief Finance Officer, and Cabinet should consider whether it has sufficient information to do so or whether it requires any further justification.

The report requests Cabinet to consider a number of revenue overspending, capital slippage and other budget adjustment matters. The framework for considering these is set out in the report but basically Cabinet may:

- Endorse any number of the items / requests, in full or part.
- Refuse various requests and if commitments have already been incurred, require alternative funding options to be identified. Cabinet should note, however, that this may impact on other areas of service delivery.
- Request further information regarding them, if appropriate.

The Officer preferred options are as set out in the recommendations, on the assumption that Members continue to support their previously approved spending plans.

Councillor Whitehead proposed, seconded by Councillor Dave Brookes:-

“That the recommendations, as set out in the report, be approved with recommendation (1) revised to include the Reserves Strategy being referred to the Financial Resilience Advisory Group before consideration by Cabinet.”

Councillors then voted:-

Resolved unanimously:

- (1) That the provisional outturn for 2018/19 be endorsed, including the transfers to Reserves and Balances actioned by the Chief Finance Officer with the Reserves Strategy referred to the Financial Resilience Advisory Group before consideration by Cabinet.
- (2) That Cabinet approves the request to carry forward underspent revenue budgets as set out in section 6 and Appendix 6 of the report.
- (3) That the requests for capital slippage and the adjustments to reflect accelerated capital spending on projects as set out at Appendix 8 of the report be endorsed, with the Capital Programme being updated accordingly.
- (4) That Cabinet approves the redirection of funding in 2019/20 from the HRA Business Support Reserve for the remodelling of Beck View as set out at section 7.3 of the report.
- (5) That the Annual Treasury Management report and Prudential Indicators as set out at Appendix 2 of the report be noted and referred on to Council for information.

Officer responsible for effecting the decision:

Chief Finance Officer

Reasons for making the decision:

The Outturn and Statement of Accounts report on all the financial resources generated and/or used by the Council in providing services or undertaking other activities under the Policy Framework. Although the General Fund budget and associated Government funding reduced again in 2018/19, the Council continued to manage the financial pressures well and it has again improved the Fund's overall financial standing as at 31 March 2019. Similarly, the HRA's standing is currently sound. Although various actions have been outlined in the report, there are no wholly new matters arising that have not previously been reported or highlighted in some form, and this should give some comfort with regard to the adequacy of the Council's financial planning and monitoring arrangements.

**9 DELIVERING OUR AMBITIONS: PERFORMANCE, PROJECTS AND RESOURCES
QUARTER 4 AND END OF YEAR 2018-19****(Cabinet Member with Special Responsibility Councillor Whitehead)**

Cabinet received a report from the Chief Executive, which provided a summary of performance against key indicators during 2018/19 and set out arrangements for future reporting on progress towards achieving the Council's Ambitions for 2018-22

Delivering the Council's ambitious plans for 2018-22 required strong alignment between strategy, resource allocation and operational activity and an integrated quarterly 'Delivering Our Ambitions: Performance, Projects and Resources' report from Quarter 1 (April-June 2019) onwards would be trialled. In order to ensure meaningful alignment of performance, project and resource information, it would be categorised according to the Council's four Ambitions for 2018-22:

- A Thriving and Prosperous Economy
- Clean, Green and Safe Neighbourhoods
- Health and Happy Communities
- A Smart and Forward-Thinking Council

Some development of the performance measures was required to ensure Cabinet's priorities were reflected in the key indicators of success with measures reviewed incrementally and updated where appropriate. Each measure and corporate project would be allocated to a Portfolio Holder for monitoring.

Councillor Whitehead proposed, seconded by Councillor Reynolds:-

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

Councillors then voted:-

Resolved unanimously:

- (1) That the proposed arrangements for reporting on performance, projects and resources during 2019-20 be approved and the update on performance against key indicators for 2018-19 be noted.

Officer responsible for effecting the decision:

Chief Executive

Reasons for making the decision:

Performance, project and resource monitoring provides a link between the Council Plan and operational achievement by providing regular updates on the impact of operational initiatives against strategic aims.

10 EXCLUSION OF THE PRESS AND PUBLIC

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

“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.

11 PROPOSED PROPERTY INVESTMENT DECISIONS**(Cabinet Member with Special Responsibility Councillor Whitehead)**

Cabinet received a report from the Portfolio Holder for Finance to update Cabinet on the decisions made by the Capital Strategy Group on 4 July 2019 to commence to the due diligence stage for two property acquisitions. The report was exempt from publication by virtue of Paragraph 3 of Schedule 12A of the Local Government Act 1972.

No options analysis was required as this stage as the report was for consideration of endorsement. A further report would be considered by Cabinet on 3 September 2019 following the conclusion of the due diligence process.

Councillor Whitehead proposed, seconded by Councillor Hanson:-

“That the contents of the report be endorsed.”

Councillors then voted:-

Resolved unanimously:

- (1) That the contents of the report be endorsed.

Officer responsible for effecting the decision:

Director for Corporate Services

Reasons for making the decision:

The purchase of investment properties is consistent with the Council's Property Investment Strategy which is part of the Funding the Future Strategy. In accordance with the Property Investment Strategy governance process, if after due diligence, the purchases are reported to and approved by Cabinet on 3 September this will be reported to Council on 25 September.

12 APPLICATIONS FOR GRANT FUNDING FROM LUNE VALLEY COMMUNITY LAND TRUST AND HALTON SENIOR CO-HOUSING GROUP LTD**(Cabinet Member with Special Responsibility Councillor Caroline Jackson)**

Cabinet received a report from the Director of Economic Growth and Regeneration with regard to applications for grant funding from Lune Valley Community Land Trust and Halton Senior Co-Housing Group Ltd which 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.

Cabinet Members raised a number of questions and sought the advice of the Monitoring Officer. Having noted the issues raised by the Monitoring Officer during the discussions Councillor Jackson proposed, seconded by Councillor Lewis:-

"That consideration of the item be deferred to September Cabinet to enable clarification to be sought on a number of issues."

Councillors then voted:-

Resolved unanimously:

That consideration of the item be deferred to September Cabinet to enable clarification to be sought on a number of issues.

Officers responsible for effecting the decision:

Director for Economic Growth and Regeneration
Director of Corporate Services

Reasons for making the decision:

Deferring the decision will provide the opportunity for Cabinet to reconsider the proposals once the concerns raised at the meeting have been addressed.

13 EDEN PROJECT NORTH (Pages 15 - 16)**(Cabinet Member with Special Responsibility Councillor Lewis)**

Cabinet received a report from the Chief Executive to consider the City Council's proposed agreement with Eden Project International Ltd for the development of the new Eden Project North in Morecambe.

The options, options analysis, including risk assessment and officer preferred option, were set out in a report exempt from publication by virtue of paragraph 3 of Schedule 12A of the Local Government Act.

Resolved unanimously:

- (1) The resolution is set out in a minute exempt from publication by virtue of paragraph 3 of Schedule 12A of the Local Government Act 1972,

Officer responsible for effecting the decision:

Chief Executive

Reasons for making the decision:

Eden Project North provides an opportunity to deliver considerable social and economic benefits for Morecambe and the wider area. To enable the project to proceed, Eden and the Council need a comprehensive agreement in respect of the land earmarked for the development.

Chair

(The meeting ended at 7.20 p.m.)

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

MINUTES PUBLISHED ON TUESDAY 13 AUGUST 2019.

**EFFECTIVE DATE FOR IMPLEMENTING THE DECISIONS CONTAINED IN THESE MINUTES:
WEDNESDAY 21 AUGUST, 2019.**

**CUSTOMER SERVICES AND FUTURE COMPLAINTS POLICY INFORMAL TASK GROUP
APPROVED RECOMMENDATIONS**

Recommendation 1 – Customer Services

- (1) That all complaints to Lancaster City Council be logged, monitored and dealt with, where possible, centrally by the Customer Services Team.
- (2) That each member of staff is responsible for customer service throughout the Council's range of services.
- (3) That the Council should take more responsibility as the 'go to' Council. Where possible avoid making referrals to other agencies and contact other organisations or agencies on behalf of complainants. where appropriate
- (4) That it be recognised across all Council services and teams that the Customer Services Team is the ultimate source of information regarding all complaints where possible.
- (5) That the Task Group notes that the City Council has no officer as part of the complaints handling process who specifically deals with mental health or vulnerable people. The Task Group however, noted that these issues were dealt with positively by officers but recommend that this situation is kept under review.

Recommendation 2 – Customer Service Strategy

- (1) That the Directorate for Communities and the Environment draft a brief statement on the Customer Service Strategy, based on our attitudes and behaviours to customer service.
- (2) To support the Customer Service Strategy that two simple flow charts be produced, one for internal complainants and one for external complainants, outlining in simple, accessible language the basic complaints procedure.

Recommendation 3 – Amendments to the Complaints Policy and Guidance on Handling Complaints

- (1) That the term “Service Users” be replaced with “Customers” throughout both the Complaints Policy and the Guidance on Handling Complaints.
- (2) That the following amendments be made to the Complaints Policy;
 - a. That at Paragraph 5.2, “*complaints*” be replaced with “*problems*”.
 - b. That at Paragraph 9.4, add “*welcome comments, but*” after “*The council...*”
 - c. That at Paragraph 11.5 “Within each Service” be deleted.
- (3) That the following amendments be made to the Guidance on Handling Complaints:
 - a. That wording at paragraph be added at Paragraph 7 to include guidance on how Managers and Supervisors should support frontline staff to resolve problems at the point of service delivery and reference to Line Managers responsibilities.
 - b. At Paragraph 13.1, “complaint” be replaced with “problem”.
 - c. At Paragraph 13.2, add in “find out what the complainant wants/desired outcomes”.
 - d. At Paragraph 13.36, add wording on the tone of response letters to complainants and guidance on the way to respond.
 - e. At Paragraph 14, include further guidance on what should be expected from Stage 1 of the complaints process and that where necessary, after informing the complainant, complaints should be sent back to Stage 1 if the Stage 2 handler feels there is more work to be undertaken to resolve the problem.

Recommendation 4 – Training

- (1) Provision of training on complaints handling to be provided to all new Councillors.
- (2) Training to be provided to officers on letter writing, particularly with regard to the handling of complaints.
- (3) That the Task Group recommends the continued positive use of social media by the Council in order to promote the services provided by the Council and to highlight best practice.

Recommendation 5 – Plain English Mark

- (1) The Council explore the possibility of signing up to the Plain English Mark.

Recommendation 6 – Executive Team

- (1) That Complaints be a standing item on all Lancaster City Council Executive Team agenda and that the Team be briefed at each meeting on current complaints and any of the lessons that can be learnt.
- (2) That Key Performance Indicators (KPIs) are set for all senior managers on handling of complaints and customer satisfaction in accordance with the Council Plan.
- (3) That the Customer Complaints Survey results from this review be circulated to the Executive Team and other relevant officers.
- (4) That it be noted that a press release has been issued to inform of results and, those persons completing the survey have been thanked.

Recommendation 7 – Persistent Complainants

- (1) That reports to Lancaster City Council's Executive Team on the designation and review of Persistent Complainers be shared with the complainant, with comments sought and taken into consideration prior to being reported to Executive Team.
- (2) Once the Council has gone through the designation process, we will share with the complainant what we will do and what we expect from them.
- (3) The system should separate genuine complaints from vexatious complaints and this process should sit with the Customers Services Team for them to review and manage.
- (4) Once a complainant is designated as "Persistent" further contact should be directed through the Customer Services Team who will, where possible, deal with any genuine service requests and alternative complaints separately to the main complaint for which the designation of Persistent Complainer has been applied.

Recommendation 8 – Stage 2 Complaints

- (1) All possible efforts to be made by Officers to ensure that complaints are resolved at Stage 1 rather than moving to Stage 2. This should include senior officer advice and conflict resolution where appropriate.
- (2) If the Stage 2 officer feels that the matter has not been dealt with thoroughly then the complaint should be referred back to the Stage 1 Officer for further investigation.

APPOINTMENTS TO OUTSIDE BODIES MADE BY CABINET

ORGANISATION
Lancaster Community Fund Grants Panel (Cabinet Member and 1 member nominated by Council) Councillor Alistair Sinclair
Lancashire Leaders Meeting (Leader of the Council – Councillor Erica Lewis)
LGA Coastal Issues Special Interest Group – Councillor Kevin Frea
Morecambe Bay Partnership – Jean Parr
Lancashire Waste Partnership – Councillor Dave Brookes
Community Safety Partnership (Cabinet Member (& Reserve): Councillor Alistair Sinclair (Councillor Caroline Jackson reserve)
Health and Wellbeing Partnership Cabinet Member & Reserve) Councillor Alistair Sinclair (Councillor Caroline Jackson reserve)
BID Company Ltd – Councillor Janice Hanson
Lancaster Business Improvement District (BID) Management Group Councillor Tim Hamilton-Cox
Yorkshire Dales National Park Board – Councillor Kevin Frea
Growth Lancashire – Cabinet Member & Reserve Councillor Tim Hamilton-Cox (Councillor Erica Lewis reserve)

Building Community Wealth Partnership Group

Co-Chairs: Leader & tbc

Terms of Reference:

To be the co-ordinating and exchange point between our advisory groups.

To provide a community-focused reflective space focused on the values which support the nurturing of an inclusive and prosperous local economy.

To support the Cabinet and Council in developing a new municipalist approach to its work, noting the role of the council as:

- A significant & active economic agent for social justice across the district
 - Protecting the commons,
 - Community wealth-building
 - Challenging all forms of discrimination & exclusion
- Holding a space and place for the exercise & expansion of local democratic power
 - Through greater engagement with residents & local organisations
 - Prioritising collaboration over hierarchy

To support the Cabinet and Council in the embedding of the five Community Wealth Building Principles within LCC & across the district:

- (1) Fair employment and just labour markets
- (2) Progressive procurement of goods and services
- (3) Plural ownership of the economy
- (4) Socially just use of land and property
- (5) Making financial power work for local places

To support the Cabinet & Council in its exploration and development of new asset/strength-based approaches which will facilitate the embedding of strength-based principles and practice within the council and across the Lancaster District.

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