



LANCASTER
CITY COUNCIL

Promoting City, Coast & Countryside

COUNCIL MEETING

**Wednesday, 22 June 2022 –
6.00 p.m.
Morecambe Town Hall**

Lancaster City Council welcomes members of the public to attend meetings. However, space in the public gallery is limited to 30 seats due to Fire Regulations. We intend to livestream the meeting using teams and a link will be posted [HERE](#) two or three days before the meeting. If you have any queries or would like to register to speak or ask a question at the meeting please contact Democratic Services on 01524 582656, or email democracy@lancaster.gov.uk The deadline to register is 12 noon on 17th June 2022.

Mark Davies,
Chief Executive,
Town Hall,
Dalton Square,
LANCASTER,
LA1 1PJ



LANCASTER CITY COUNCIL

Promoting City, Coast & Countryside

Sir/Madam,

You are hereby summoned to attend a meeting of the Lancaster City Council to be held in the Town Hall, Morecambe on Wednesday, 22 June 2022 commencing at 6.00 p.m. for the following purposes:

1. **APOLOGIES FOR ABSENCE**

2. **MINUTES**

To receive as a correct record the Minutes of the Meetings of the City Council held on 13th and 16th May 2022 (previously circulated).

3. **DECLARATIONS OF INTEREST**

To receive declarations by Councillors of interests in respect of items on this Agenda.

Councillors are reminded that, in accordance with the Localism Act 2011, they are required to declare any disclosable pecuniary interests which have not already been declared in the Council's Register of Interests. (It is a criminal offence not to declare a disclosable pecuniary interest either in the Register or at the meeting).

Whilst not a legal requirement, in accordance with Council Procedure Rule 9 and in the interests of clarity and transparency, Councillors should declare any disclosable pecuniary interests which they have already declared in the Register, at this point in the meeting.

In accordance with Part B Section 2 of the Code of Conduct, Councillors are required to declare the existence and nature of any other interests as defined in paragraphs 8(1) or 9(2) of the Code of Conduct.

4. **ITEMS OF URGENT BUSINESS**

5. **ANNOUNCEMENTS**

To receive any announcements which may be submitted by the Mayor or Chief Executive.

6. **QUESTIONS FROM THE PUBLIC UNDER COUNCIL PROCEDURE RULE 11**

To receive questions in accordance with the provisions of Council Procedure Rules 11.1 and 11.3 which require members of the public to give at least 3 days' notice in writing of questions to a Member of Cabinet or Committee Chairman.

7. **PETITIONS AND ADDRESSES**

To receive any petitions and/or addresses from members of the public which have been notified to the Chief Executive in accordance with the Council's Constitution.

8. **LEADER'S REPORT** (Pages 5 - 8)

To receive the Cabinet Leader's report on proceedings since the last meeting of Council.

REPORTS REFERRED FROM CABINET, COMMITTEES OR OVERVIEW AND SCRUTINY

9. **HEAT DECARBONISATION - BOILER REPLACEMENT PROGRAMME** (Pages 9 - 12)

Report of Cabinet.

MOTIONS ON NOTICE

10. **ACTION ON FLY-TIPPING** (Pages 13 - 14)

To consider a motion submitted by Councillors Whitaker, Wood, Hartley and Redfern.

The motion is set out in the agenda papers. The officer's briefing note is to follow.

OTHER BUSINESS

11. **COMMUNITY GOVERNANCE REVIEW** (Pages 15 - 21)

Report of the Head of Democratic Services

12. **ALLOCATION OF SEATS TO POLITICAL GROUPS** (Pages 22 - 26)

Report of the Head of Democratic Services

13. **APPOINTMENTS TO OUTSIDE BODIES - TRUSTEE OF MORECAMBE FOOTBALL CLUB COMMUNITY SPORTS** (Pages 27 - 28)

Report of the Head of Democratic Services

14. **APPOINTMENTS AND CHANGES TO COMMITTEE MEMBERSHIP**

Group Administrators to report any changes to Committee Membership.

15. **QUESTIONS UNDER COUNCIL PROCEDURE RULE 12**

To receive questions in accordance with the provisions of Council Procedure Rules 12.2 and 12.4 which require a Member to give at least 3 working days' notice, in writing, of the question to the Chief Executive.

16. **MINUTES OF CABINET** (Pages 29 - 37)

To receive the minutes of the meeting of Cabinet held 12th April 2022.

A handwritten signature in black ink, appearing to read 'Mark', with a long horizontal flourish extending to the right.

.....

Chief Executive

Town Hall,
Dalton Square,
LANCASTER,
LA1 1PJ

Published on 14th June 2022.



Leader's Report

22 June 2022

Report of the Leader of the Council

PURPOSE OF REPORT

To present the Leader's report to Council.

This report is public.

RECOMMENDATIONS

To receive the report of the Leader of Council.

REPORT

1.0 Cabinet

1.1 Information on Cabinet matters is provided in the minutes from the Cabinet meeting held 12 April 2022, later in this agenda.

2.0 Decisions required to be taken urgently

No urgent Cabinet decisions had been taken in this period.

3.0 Leader's Comments

3.1 Since last report we have had the end of our Mayoral year

3.2 **Cabinet** - Over the last 5 weeks cabinet has been busy with a number of major projects. There have been briefings on the replacement for EU funding the UK shared Prosperity Fund, a visit from Sarah Kemp current Chief executive for the LEP and soon to replace Sue Black at Lancaster University and the first of our Shared Leadership meetings which are intended to give Cabinet and the executive team opportunity to discuss matters in greater depth than cabinet briefings. The report for the first stage of Outcome Based Resourcing was received and discussed. We are currently waiting for the tenders for the second stage, for the detailed directorate by directorate work, to be returned. The next stage of the Canal Quarter development is currently moving forward with a further consultation.

- 3.3** Cabinet members have been involved in an extensive site visit and workshop to explore elements of housing, green space and travel in and through the site. The cabinet meeting considered and passed motions on three further SPDs that form part of the Local Plan Review, placed funds aside to make sure we can match fund grants to decarbonise heat in council buildings and received the Quarterly Monitoring report. Cllr Lewis requested to step down from her portfolio and will be replaced for a six-month period by Cllr Wood.
- 3.4 Matters beyond our borders** - No further progress has been made on the local government reform agenda. Further discussions are taking place across the country on the substance of “county deals”. The outcome of the May elections has meant few major changes to district leadership in Lancashire and the discussion of the Plan 2050 format, including who will lead the sub committees, will take place before next full council
- 3.5 Staff Matters** - In April we welcomed Mark Davies as Chief Exec, stepping up from his director role. A number of members were happy to have him visit their wards to get a greater perspective on the resident and councillor view of the council. The very limited opening of the town halls was reviewed in the light of resident demand and they are now open every day which has been very well received. Members report they have found themselves with better access to the Town Halls and a greater number of face-to-face meetings are being booked into both Morecambe and Lancaster Town Hall. Members are still waiting for the report on Working Well to fully understand the new working conditions for staff and organisation of council premises.
- 3.6 Eden** - The Levelling Up Fund round 2 bid for a £50 million is being prepared by Eden and external experts with the support of Lancaster University, LEP, Lancashire County Council and Lancaster City Council. The bid is being prepared in stages and each draft is being shared with the city council. The Eden team have been to Morecambe and met with all the bid partners. Whilst the whole process is rigorous and pressurised, particularly in its examination of the sustainability of the project, there is a great sense of optimism that we will see a positive announcement from government in the autumn. The Eden team visit was combined with the inaugural Eden lecture, part of the Lancaster University lecture series, given at the Winter Gardens by Sir Tim Smit to a large audience.
- 3.7 Community Meetings and Events** - Mayor Making was celebrated in style this year for the first time since 2019. It was wonderful to see everyone involved and enjoying both the ceremonial and the socialising afterwards. The Town Hall looked beautiful and we are grateful to the staff who worked so hard to make the event enjoyable and to find all the lost and put away equipment that hadn't been seen since pre-lockdown. Especial mention for Democratic Services who had to manage without Jenny Kay at the last minute. Cllr Pritchard looked amazing in the first of her charity shop outfits and her intention to source all her clothing from the mayoral year in the same way is a challenge to us all. The last six weeks has also seen a raft of community events attended by myself and other cabinet members which includes the launch of the second round of the Poverty Truth Commission in a packed meeting at the Storey; two major Eid celebrations; a well-attended Chamber lunch at which both Mark Davies and I spoke; the opening of the Police

Museum in Lancaster Castle (well worth a visit); Festa Italia organised by the BID and Totally Local Lancaster and the Carnforth Annual Assembly showcasing once again, the remarkable amount of activity in the town.

- 3.8** The biggest community event was undoubtedly the Jubilee, celebrated in so many ways - from all those informal ward events like the Ridge community barbecue I attended, to the formal Lancashire wide church service at Blackburn Cathedral very beautifully organised but attended with great ceremonial and such formality of dress that our Mayor was asked where her hat was. The highlight in formal celebrations for me was the Priory service with amazing choral music and the beacon lighting performed by the Lord Lieutenant and his deputy Pam Barker. However, the standout Jubilee event was, of course, Morecambe's record-breaking Big Lunch. It brought a huge amount of positive and excited media coverage and a crowd of over 5000 people to participate plus many, many more who came to watch the fun. All credit goes to the organising team from Morecambe town council led by cabinet member and MTC leader, Cary Matthews and to Luke Trevaskis their proper officer. Thanks too, to all city council staff who gave support.
- 3.9** As a footnote to the last report we have had a further meeting of the Community Safety Partnership regarding serious concerns about increased anti-social behaviour in both Lancaster and Morecambe including evidence of victimisation and hate crime. Due to police deployment and closer work with social services the incidence of this behaviour seems to have dropped. However, it has brought with it increased reflection on the health and well-being of young people in the Lancaster district following the pandemic and concern that resources are found to support their mental and physical needs.
- 3.10 Significant District Developments** - A cabinet meeting with officers on Frontierland developments agreed that a Constraints report on the site be commissioned and completed by July and that following this the city council would invite expressions of interest on ways to use the site. Cabinet members also met with Homes England to discuss a recent article mentioning Morecambe as a suitable place for regeneration funding including housing. Further meetings are planned. Weeds and weed spraying have been a topic of interest for several years now. Meetings have taken place with the county council who are responsible for the matter and the good news is that more will be spent this year on weed control. Cabinet members continue to meet with Lancaster Vision which is providing excellent information on specific problems like buddleia damaging the infrastructure as well as consideration of the whole problem of weeds as we all acknowledge that spraying cannot be the long-term answer.
- 3.11 Low Carbon Futures** - The Salt Ayre solar array was officially turned on by our departing Mayor Cllr Greenall and the off-gas project is continuing to attract a large amount of interest from all over the country. Officers report a very large saving in energy bills for Salt Ayre leisure centre and in circumstances where councils are considering closing pools because of heating costs we are very fortunate to have been so far-sighted. Other developments on our climate action agenda included a meeting organised at Lancaster and Morecambe college engaging local contractors to promote green skills in the construction work force. In the Sunny Slopes area of Heysham a good number of residents turned out to take part in the

first part of a seed sowing project supported by Eden, to restore meadows to increase biodiversity in the district. A meeting developed by Cllr Lewis at Cumbria University set off a project to investigate the way UN Sustainable Development Goals can become part of the way we monitor progress in our district. It was good to see our Housing department figure as a leader in using the goals.

3.12 Finally, amongst all this activity and celebration, there was the huge shock of Cllr Janice Hanson's death. I don't think we have yet come to terms with how much we will miss her as a wise, hard-working and resilient member of our councillor community. Her funeral brought together many friends from across our community to mourn and to celebrate her life with her family. It felt very fitting to stand in line in our robes to attend the arrival of the funeral procession to the crematorium.

4 Decisions

The following decisions were scheduled to be considered by Cabinet on 7 June 2022:

Supplementary planning documents to support the Climate Emergency Local Plan Review (Suite 2)
Heat Decarbonisation Programme
Delivering our priorities Q4 & End of year 2021/2
Appointments to Outside Bodies and Lancashire Police & Crime Panel

No Officer Delegated Key Decision has been taken since the last Leaders report.

The following Individual Cabinet Member Decisions were taken since the last Leader's report:

ICMD22	Mainway next steps – appointment of strategic management and construction delivery partner	Published on 11.5.22 Taken by Cllr Matthews
ICMD1	Aldcliffe with Stodday Neighbourhood Plan Decision to Proceed to Referendum	Published on 18.5.22 Taken by Cllr Dowding
ICMD2	Insurance Decision – exempt report & decision	Published on 26.5.22 Taken by Cllr Matthews Call-in waived

Background Papers

Cabinet agenda of the meeting held on 7 June 2022.

COUNCIL**Heat Decarbonisation: Baseline Capital Funding
22nd June 2022****Report of Cabinet****PURPOSE OF REPORT**

To seek £300k capital growth in the 22/23 – 25/26 capital programme for sites where gas boilers are reaching end of life. Sites include, Palatine Hall, The Storey & Williamson Park.

Decarbonised heating solutions have been identified. Capital funding will be required to support future Public Sector Decarbonisation Scheme (PSDS) funding opportunities, should applications be successful.

RECOMMENDATIONS

- (1) That Council approve £300,000 capital growth and make the necessary adjustments to the Capital Programme to ensure the buildings remain fit for purpose and support the council's decarbonisation pathway.**
- (2) The Council's Capital Financing Requirement (CFR), Authorised Limit and operational boundary for external debt be increased by £300,000.**

1.0 Introduction

- 1.1 The council's CO2 emissions from its direct activities (scope 1) are split between gas (heating) and road diesel. In 19/20 natural gas accounted for 59.6%
- 1.2 In February 2021, the council received £6.8M of PSDS funding to decarbonise Salt Ayre Leisure Centre, reducing natural gas emissions by 35%. The project was completed in March 2022.
- 1.3 In March 2022, using £114,750 from Low Carbon Skills Fund, officers completed a Building Energy Decarbonisation Plan for the council's corporate estate.
- 1.4 The plan, which was completed by specialist consultants Buro Happold, outlined all the viable options for decarbonisation and provided a fully costed roadmap to 2030, primarily built around when the current gas boilers are due for replacement (see background papers).
- 1.5 The Decarbonisation Plan outlines the capital cost to reach net zero across the corporate estate by 2030 to be in the region of £15m and over the next four years up to £3.5m would be needed across three general fund sites: Palatine Hall, The Storey & Williamson Park.

- 1.6 Cabinet 7th June 2022 **Resolved unanimously** That Cabinet refers the capital growth requested to Council for approval to ensure the buildings remain fit for purpose and deliver on the projects listed within the Building Heat Decarbonisation Plan, should funding become available.

2.0 Proposal Details

- 2.1 Officers expect further PSDS schemes to be announced over the coming months and intend to apply for funding to deliver two sites (Palatine & The Storey) in 22/23, should the opportunity arise.
- 2.2 For all new PSDS opportunities Local Authorities now have to make a funding contribution, equivalent to the replacement gas boiler costs. Only sites with boilers reaching end of life are considered eligible and it is expected that LA's will have capital funding available to contribute (boiler replacement budgets).
- 2.3 The expected costs for replacement gas boilers has been estimated in the heat decarbonisation plan and equates to £295,665 over the next four years (Excl. £43,290 for HRA).
- 2.4 In order to support the council's decarbonisation agenda and take advantage of imminent funding opportunities, officers wish to establish a £300k capital budget to cover boiler replacements due in the 22/23 – 25/26 capital programme
- 2.5 Should the full range of energy improvements be delivered as part of the scheme it is expected that this would reduce energy costs across all three sites by up to £115,000 p/a over conventional gas boiler replacements.

3.0 Details of Consultation

The Climate Emergency Projects team have been working in collaboration with Property Services on the development and completion of the council's Building Energy Decarbonisation Plan.

4.0 Options and Options Analysis (including risk assessment)

	Option 1: Approve	Option 2: Reject
Advantages	<p>Eligible to apply for up to £3.5M of new PSDS funding and deliver on the council's BEDP</p> <p>Gas boilers at all three sites are reaching end of life. Replacement is required irrespective of the decarbonisation plans.</p> <p>If the full range of measures listed in the BEDP are implemented the council should expect to see a substantial reduction in operating costs</p>	<p>None</p>
Disadvantages		<p>Does not support the climate emergency ambitions.</p> <p>The council will not be eligible for PSDS funding without making a capital contribution</p>

	None	Gas boilers are reaching end of life at three of the council's key buildings. Should action not be taken this could pose operational and financial risks Revenue savings will not be realised.
Risks	Further due diligence on capital costs in light of market volatility PSDS criteria for next round of funding is unknown at this stage, although unlikely to differ from those in phases 2 & 3a Supply chains	As above

5.0 Officer Preferred Option (and comments)

5.1 Approve: Capital funding is now required for all future PSDS funding opportunities. Boiler replacements are necessary at these sites irrespective of the climate emergency. The capital growth request represents the boiler replacement costs.

Given the rising energy costs and savings that can be derived from decarbonisation, it makes financial sense to support the approach outlined in this report and provide the council with an opportunity to bid for up to £3.5M when the opportunities arise.

6.0 Conclusion

6.1 As above

**CONCLUSION OF IMPACT ASSESSMENT
(including Health & Safety, Equality & Diversity, Human Rights, Community Safety, Sustainability and Rural Proofing):**

As set out in the report

LEGAL IMPLICATIONS

Legal Services have been consulted and have no comment to make at this stage. Legal Services will be able to assist in respect of any contracts or legal agreements relating to any funding in respect of these projects in the future

FINANCIAL IMPLICATIONS

Total funding available and technologies will depend on new grant criteria but, should the PSDS funding be secured, enabling a full range of measures to be delivered, it is estimated that revenue savings of up to £115k per annum before capital financing costs could be achieved as set out in the table below.

	Boiler Replacement Year	Capital Required (£)	Costs (£)		
			Projected Gas Costs p/a	Est. Post Project Elec Costs p/a	Savings
Palatine Hall	21/22	92,400	£42,761.20	£22,298.08	£20,463.12
Williamson Park	25/26	72,072	£84,463.11	£42,384.16	£42,078.95
The Storey	21/22	131,193	£62,038.73	£9,196.23	£52,842.50
	Total	295,665	£189,263.04	£73,878.47	115,384.57

The capital expenditure will create an additional MRP strain on the council's revenue budget of £11,200 in 22/23, rising to £14,800 by 25/26. The interest cost of borrowing an additional £300k based on a 50-year PWLB maturity loan at 3.35% would be £10,050 per annum.

If the full range of measures can be delivered the net revenue saving is estimated to be £90,550 per annum.

OTHER RESOURCE IMPLICATIONS, such as Human Resources, Information Services, Property, Open Spaces

All decarbonisation projects will be delivered by the Climate Emergency team in collaboration with the operational teams, property services and external consultants where appropriate.

SECTION 151 OFFICER'S COMMENTS

This project currently sits outside of the Council's approved Capital Programme and Treasury Management Strategy and so will require approval by Council in order to bring it within the Budget & Policy Framework. If approved by Council, Cabinet would then be responsible for approving any external funding bid that is above the Key Decision threshold.

Should any bid not be successful any further requests for funding would be subject to the normal capital budget cycle.

MONITORING OFFICER'S COMMENTS

The Monitoring Officer has been consulted. The Constitution allows for In-Year Budget Changes. Full Council is responsible for approving any proposed budget change that falls outside of the Budget and Policy Framework, normally on referral from Cabinet

BACKGROUND PAPERS

- Building Energy Decarbonisation Plan. SharePoint Link: [Lancaster CC BEDP P05 \(No Appendices\).pdf](#)
- Cabinet Report 07/06/22

Contact Officer: Elliott Grimshaw
Telephone: 01524 582833
Email: egrimshaw@lancaster.gov.uk

BRIEFING NOTE

MOTION: Action on Fly Tipping

Lancaster City Council notes:

- a) Fly tipping instances are a growing concern of residents across the District.
- b) In response to a question from Cllr Whitaker in December 2021, the Cabinet Member for Environmental Services, Cllr Brookes, stated “We also attended a Keep Britain Tidy webinar on fly-tipping, highlighting a programme of evidence-based interventions KBT developed and tested in the London Borough of Newham. KBT is offering to deliver this programme with a limited number of other councils around the country, and we are pursuing bringing this to Lancaster district, with a focus on hotspots in Morecambe. In the meantime we have joined the Keep Britain Tidy Network which gives us access to resources, learning events, best practice guidance etc.”
- c) This Council meeting marks the week in which the six-week trial (from 16th May 2022) ends, where different measures to combat fly tipping were tested in Poulton, Harbour, Overton, Skerton East and Skerton West Wards.
- d) The trial interventions in the selected Wards were promised to be “... robustly monitored and evaluated with a view to understanding how effective they are in reducing illegal dumping, both in the short term and over a longer period.”
- e) The recent success reported by Newham LBC working collaboratively with Keep Britain Tidy on initiatives to address Fly Tipping.
- f) Newham LBC’s five fly tipping interventions piloted since 2018, namely:

Crime scene tape – placement of high-visibility tape and stickers on fly tips and leaving these for three days before removal, plus local communications about responsible ways to deal with waste. – Reducing fly tipping by an average of 67%

Social impact stencils – stencilling the spots where fly tipping had been cleared, with messages about the fact resources are drawn away from the community when spent on clearing fly tipping, and to show that fly tips haven’t just ‘disappeared’. – Reducing fly tipping by an average of 64%

No waste on streets – installation of specially designed units to ‘containerise’ and remove from view waste that is put out for collection at a specified time on a busy high street where it tended to attract fly tipping and litter. – Reducing fly tipping by an average of 24%

Empowering schools – educating young people in four schools about fly tipping and its impacts. – Resulting in a 79% increase in students reporting that they know a lot about fly tipping after the project

Love your ward weekends – pop-up community events including an on-the day collection of bulky waste, as well as educational activities and beautification of the area through resident created murals and planters. – Resulting in four events attended by 430 residents. 70% of attendees surveyed agreed the events made them think twice about fly tipping in future. 68% of attendees agreed the events made them realise the lasting effect fly tipping can have on the community. One tonne of bulky waste was collected.

Lancaster City Council resolves to:

1. Provide a report to all members within three months of this meeting on the impact of the implementation social impact stencils six-week trial in Poulton and Harbour Wards; and crime scene tape trial on instances of fly tipping in the Wards of Harbour, Overton and Skerton East and Skerton West; and

2. Provide quarterly updates to our community on all initiatives being trialled or implemented to further reduce fly tipping across the district to commence no later than November 2022.

PROPOSERS:

Cllrs Whitaker, Wood, Hartley, and Redfern

OFFICER BRIEFING NOTE

As reported nationally, fly tipping is the top environmental challenge faced by many local authorities which leads to large financial and environmental costs.

Lancaster City Council's Public Realm team and leading environmental charity Keep Britain Tidy started the above-mentioned fly tipping interventions on the week commencing 16th May 2022 with the key aim of educating residents around waste disposal.

Interventions on stencils and crime scene tape have been trialled in different wards as an educational tool to show residents that current behaviour methods are unacceptable and ultimately illegal.

The intervention period is currently still active, with door knocking, leaflet engagement and public perception surveys yet to be undertaken. Therefore, it is very early to draw a full conclusion of the overall success of the trial.

Early indications suggest that the district is seeing a reduction in cases of illegal dumping across all intervention areas, with individual case numbers and tonnage of waste reducing.

The frontline teams are reporting a high level of resident engagement, with some cases of illegal dumping being removed or taken back into properties prior to collection. Many residents have commented on an increased presence and there have been a small number of individual days when there has been no dumping of waste in in some intervention areas.

A full evaluation will be undertaken by Public Realm and Keep Britain Tidy in due course, and this will form part of our future consideration around a strategy moving forward. This will be reported within three months of the end of the intervention period.

Officers intentions were always to offer quarterly updates to report on the success of the interventions, to facilitate with workload planning and to assist with the monitoring of any ongoing fluctuations in illegal dumping across the district.

SECTION 151 OFFICER'S COMMENTS

The Section 151 Officer has been consulted and has no comments.

MONITORING OFFICER'S COMMENTS

The Monitoring Officer has been consulted and has no comments.

COUNCIL**Community Governance Review
22 June 2022****Report of Head of Democratic Services****PURPOSE OF REPORT**

To update Council on the current position regarding a Community Governance Review of the District.

This report is public.

RECOMMENDATIONS

(1) That the report be noted.

1.0 Introduction

1.1 At the Council meeting on 27 April 2022, Council received a report seeking approval to commence two discrete Community Governance Reviews (CGRs) one involving Scotforth Parish Council and the other, Quernmore Parish Council. At that point, the Elections team would have been able to commence and complete the reviews within the mandatory 12 month time frame, had Council agreed to move forward with them.

1.2 Council did not choose to take forward the issues raised in the report, instead resolving:

“That the report be withdrawn to allow Democratic Services to consult with Councillors and Parish Councils and submit a report of all the issues raised to the Council meeting in June 2022.”

1.3 This report provides an update.

2.0 Consultation

2.1 Councillors and Parish Councils were contacted following the April meeting. Several issues were raised, which will need to be looked at in detail, in conjunction with the Local Government Boundary Commission for England (LGBCE), to determine whether these are issues which could be resolved by the CGR process or not.

2.2 A brief summary of the issues raised is attached for information.

3.0 Full Community Governance Review

3.1 When bringing the report to Council in April, it was never the intention of officers to give the impression that resources were available for a district-wide CGR during 2022/23.

The Election Team's priority must be to prepare for the City Council and Parish Elections during this time as well as implement the wide-ranging implications of the Elections Act, including Voter ID and new requirements around postal voting. In addition, the Elections Manager will have new boundaries to implement following the LGBCE Boundary Review of the district.

- 3.2 In short, Democratic Services do not have the resources to carry out a large scale CGR at this point in time, and to try to do so would be likely to put the elections at risk. CGR's take twelve months, which would be in the period of preparing for and delivering the polls.
- 3.3 The Elections Team will be informing those who have raised boundary issues of the position above. All issues raised will be kept on file until such time as a full CGR can be held. This looks likely to be 2026, the next year without any scheduled elections in May. It may be possible to carry one or two small reviews (such as the ones put forward in the report to Council in April) before 2026. However, as the Council is looking to carry out a full review, then this is likely to have to wait for some time.
- 3.4 For information, it is good practice, as detailed in the Government and LGBCE's Guidance on Community Governance Reviews to carry out a CGR every 10-15 years. The last full scale CGR was carried out in 2017/18, so If the next one could be carried out in 2026, this would be well within this timescale for good practice and could be built into the budgets for 2026/27 and 2027/28. The last review had a budget of £35K split as follows: £10K in 2017/18 and 25K in 2018/19.
- 3.5 It should also be noted that Community governance reviews may be triggered by local people presenting public petitions to the City Council, if the number of signatories meets the required thresholds set down in the Local Government and Public Involvement in Health Act 2007. The percentage thresholds vary from 10-50% dependent upon the number of residents in the area.

4.0 Conclusion

- 4.1 Council is asked to note the information in this update.

**CONCLUSION OF IMPACT ASSESSMENT
(including Health & Safety, Equality & Diversity, Human Rights, Community Safety, Sustainability and Rural Proofing):**

None.

LEGAL IMPLICATIONS

Chapter 3 of Part 4 of The Local Government and Public Involvement in Health Act 2007 devolved the power to take decisions about such matters as the creation and amendment of parishes and their electoral arrangements to local government and local communities in England. Principal councils are required, by Section 100(4) of the 2007 Act, to have regard to guidance issued by the Secretary of State when undertaking review and the guidance has been followed in drafting this report to Council.

FINANCIAL IMPLICATIONS

As detailed in the report, the cost of the previous review had a budget cost of £35K. Allowing

for inflation, a future review, including any necessary referenda, is estimated to cost c.£40K and there is currently no budgetary provision for this in future projection for 2025/26 and 2026/27. Therefore, should Members agree to the timescales identified, future budgets would need to be updated at the next available opportunity.

OTHER RESOURCE IMPLICATIONS, such as Human Resources, Information Services, Property, Open Spaces

None.

SECTION 151 OFFICER'S COMMENTS

The Section 151 Officer has been consulted and has no further comments.

MONITORING OFFICER'S COMMENTS

The Monitoring Officer has been consulted and has no further comments.

BACKGROUND PAPERS

Contact Officer: Debbie Chambers
Telephone: 01524 582057
Email: dchambers@lancaster.gov.uk
Ref:

Aldcliffe-with-Stodday PC

In response to your email dated 6th May to Parish Clerks, we would like to propose a minor amendment to the parish boundary as part of the Community Governance Review process. The boundary in question is on the southern side of the boundary at OS Grid Reference SD 464 582. The current boundary runs along the old farm buildings boundary and does not take account of the fact that these buildings were converted to residential properties. The boundary therefore does not include these properties' gardens and access areas. It is proposed that the boundary is moved a short distance south at this point to incorporate the full extent of the land attached to these properties.

At this location, the boundary is shared with Thurnham with Glasson CP, who we hope will be amenable to the proposed change. The properties and residents are all currently registered within Aldcliffe with Stodday PC and the Scotforth West Ward for electoral and Council Tax purposes.

We would be grateful if you would consider this amendment as part of the ongoing Review.

(A map was included)

Raised by Councillor Heath:

There is one particular anomaly in the Morecambe Town Council wards, although the general view of town council members seems to be that the original town council wards, which followed City Council boundaries made far more sense.

The one in question is Lune Drive. This has a total of 40-60 residents, unlike other wards with at least 1000 per councillor. It is situated at the Lancaster side of the by-pass, Bay Gateway, and I understand is actually in a Skerton ward in City. It certainly seems a nonsense for these handful of streets to have its own councillor on Morecambe Town Council. Could you please ensure that the wards of Morecambe Town Council, and in particular Lune Drive are reconsidered in a more evenly spread, democratic way.

Quernmore Parish Council - Raised by Lower Lune Valley Ward Councillors

The boundary is the ancient parish boundary. I'm thinking we can't change a Parish boundary? So if the ward boundary changes the parish will remain as it is now? They were also concerned about the parosh precept, this enables Quernmore to support the Church, Chapel and Sports facilities in Quernmore.

The Lune Valley Estate on Caton Road is also part of the Quernmore Parish, if the M6 becomes the boundary will this affect this part of the Parish of Quernmore?

Quernmore Parish Council

If the proposal is to make the M6 the boundary to Quernmore Parish then there are two main pockets of land which are in Quernmore Parish but are located to the west of the M6.

The northern one encompasses The Post House Hotel and Lancaster Business Park and the southern one bounds both Bulk Ward and John O'Gaunt Ward. We understand it is part of the southern area which is under consultation mainly because there are separate plans to develop a large number of properties on two sites in this area.

Quernmore Parish Council would like to know the reasons behind this change and exactly what is being proposed.

Secondly what effect this boundary change would have on the Council Tax Base for Quernmore Parish.

Thirdly another possible knock on effect of this boundary change would be to take these properties out of the 'catchment area' for Quernmore Primary School. Would this be the case?

Quernmore Parish Council would welcome a response to the above issues and a firm proposal on the proposed changes on which they can make final comments.

Yealand Redmayne and Yealand Conyers Parishes

The parishes of Yealand Redmayne and Yealand Conyers are in the process of collating a petition to the District Council to request a CGR with regard to the Parishes merging.

We understand that although the two parishes are in separate wards, this would not preclude the merger, but is an issue that could be addressed at the next boundary review.

Middleton Parish Council

We have a few odd areas, like where the boundary meanders through the middle of Ocean Edge caravan park, across parts of the old ICI site and the electricity substations towards the bypass. If they're looking at this type of anomalies, it might be worth considering that part of our boundary to head off any complications for future development on those sites.

Community Governance Review

Scotforth Parish Council welcomes the opportunity to comment on the scope of a Community Governance Review (CGR).

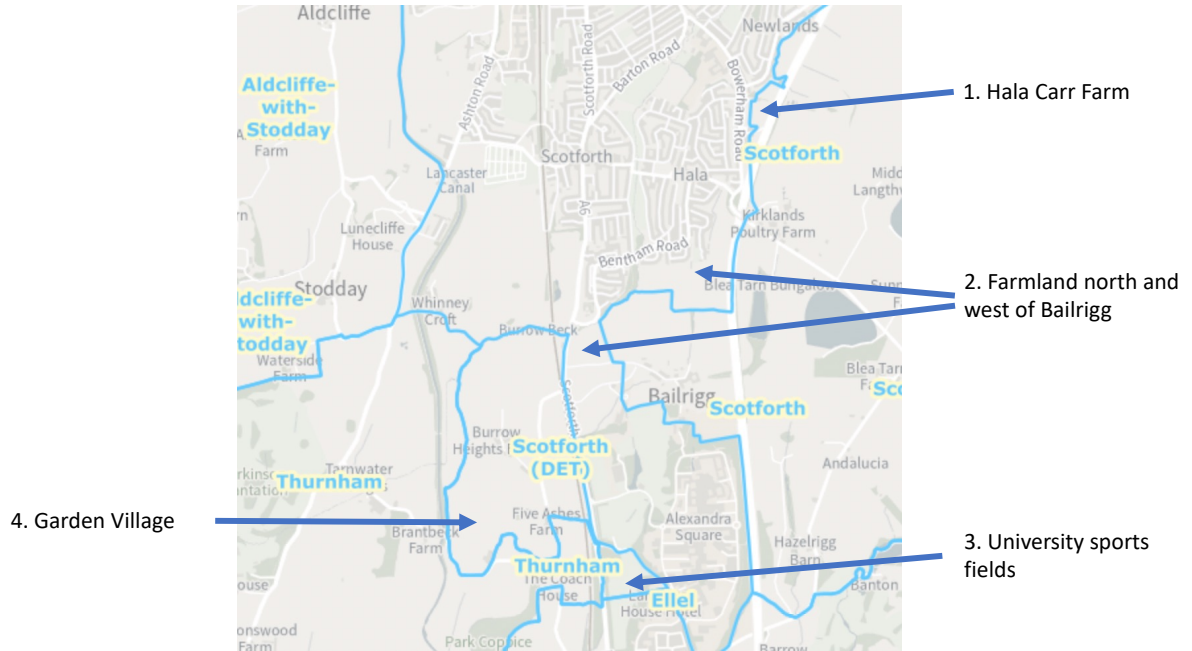
We note that Lancaster City Council (LCC) received a paper in April 2022 regarding anomalies in the parish boundary caused by the housing developments on pasture land (designated as a Key Urban Landscape within planning policy E31) at Hala Carr Farm. LCC decided to seek further input from councillors and parish councils regarding the scope of a CGR.

We propose that 3 issues can be addressed within an immediate CGR and that the fourth issue arising from the proposed garden village is addressed in a subsequent CGR.

1. Scotforth Parish Council originally highlighted the anomaly and agrees with the proposed solution of moving the parish and district ward boundaries to the centre line of the M6 motorway between Blea Tarn Road and Wyresdale Road. In the meantime, the Parish Council will provide its full services to the new households within the current parish boundaries at Hala Carr Farm.
2. The parish boundary south of Scotforth East runs through the middle of open land where outline planning permission is sought for 680 houses (ref 19/01135/OUT). The parish council strongly objects to this proposal and no decision has been made by LCC regarding what, if any development, will be permitted but it would be illogical for any development that satisfies the garden village principles of “community” to then straddle a parish boundary. The logical solution is to move the parish boundary northwards up to the edge of the existing housing of Scotforth East and also that the pocket of unparished farmland between Bailrigg Lane and Collingham Park Road be incorporated into the parish. As a result the current fields would all be within the rural parish of Scotforth, as would the whole of Public Right of Way (ref 1-29-FP3; Bailrigg Lane to Winmarleigh Road) which the parish council already unofficially maintains. In addition, if any garden village style development were ever to be permitted then it would all be within the parish where its sense of village community would be best and fully nurtured.
3. There is an anomaly of a triangle of land bounded by Green Lane, the A6 and Lancaster House Hotel that is part of Lancaster University and has sports fields upon it but is part of Scotforth Parish. As far as we know it pre-dates the University - nobody lives there and the only use will be by the University and therefore we propose that it is transferred from the Parish to the unparished University ward.
4. Finally, the Lancaster South Area Action Plan (AAP) will determine the allocation of land for development of around 3,500 houses. It is anticipated, and strongly supported by the Parish Council, that the development will be concentrated into a garden village outlined in the Masterplan generated in 2021 by JTP Consultants. The masterplan of the garden village is principally but not exclusively within Scotforth Parish, with some parts within Thurnham and Ellel parishes and possibly overflowing

into Aldcliffe-with-Stodday. It is important that the garden village community is contained within a single parish, be it an existing or a brand new parish and therefore we recommend that a separate CGR is conducted as part of the AAP process.

The four areas are marked on the map below:



Conclusion

Scotforth Parish Council recommends that an immediate Community Governance Review address items 1, 2 and 3 and that a separate Community Governance Review address item 4 as part of the Lancaster South Area Action Plan process.

COUNCIL AGENDA REPLACEMENT PAGE 23

Highlighted text shows the changes made

3.0 Seats Across Committees

3.1 Calculating each committee separately and individually, as shown in 3.2 below, would give an overall total out of the 78 seats of:-

Labour	4+2+4+10	=	20
Green	3+2+4+5	=	14
Conservative	2 ¹ / ₂ +2+2+5	=	11 ¹ / ₂
MBI	2 ¹ / ₂ +2+2+5	=	11 ¹ / ₂
Independent Group	1+1+2+5	=	9
Eco-Socialist	1+ ¹ / ₂ +2+ (2 ¹ / ₂)	=	6
Lib Dem	as above	=	6
			<u>78</u>

3.2 15 Member Committee (Planning Regulatory)

Labour	15/59x15 = 3.8136	(4)
Green	11/59x15 = 2.7966	(3)
Conservative	10/59x15 = 2.5424	(2 ¹ / ₂)
MBI	10/59x15 = 2.5424	(2 ¹ / ₂)
Independent Group	5/59x15 = 1.2712	(1)
Eco-Socialist	4/59x15 = 1.0169	(1)
Lib Dem	4/59x15 = 1.0169	(1)
		<u>(15)</u>

There are only 15 seats. The Conservative and MBI groups, having the same residual, tie for the last seat on the Planning Committee.

10 Member Committee (Licensing Regulatory)

Labour	15/59x10 = 2.5424	(2)
Green	11/59x10 = 1.8644	(2)
Conservative	10/59x10 = 1.6949	(2)
MBI	10/59x10 = 1.6949	(2)
Independent Group	5/59x10 = 0.8474	(1)
Eco-Socialist	4/59x10 = 0.6780	(¹ / ₂)
Lib Dem	4/59x10 = 0.6780	(¹ / ₂)
		<u>(10)</u>

There are only 10 seats. The Eco-Socialists and Lib Dem groups, having the same residual, tie for the last seat on the Licensing Committee

9 Member Committees x 2 (Overview and Scrutiny, Budget and Performance)

Labour	15/59x9 = 2.2881	(2)
Green	11/59x9 = 1.6780	(2)
Conservative	10/59x9 = 1.5254	(1)
MBI	10/59x9 = 1.5254	(1)
Independent Group	5/59x9 = 0.7627	(1)
Eco-Socialist	4/59x9 = 0.6102	(1)
Lib Dem	4/59x9 = 0.6102	(1)
		<u>(9)</u>

There are only 9 seats. The groups with the lowest residuals, the Conservative and MBI groups, are rounded down.

COUNCIL

Allocation of Seats to Political Groups 22 June 2022

Report of the Head of Democratic Services

PURPOSE OF REPORT

To advise Council of the calculations relating to the allocation of seats in accordance with the Local Government and Housing Act 1989 to allow Council to appoint to Committees as required at the annual meeting, as set out in Part 3, Section 1, Paragraph 1 (h) of the Constitution.

This report is public.

RECOMMENDATIONS

- 1) **That in accordance with Section 15 of the Local Government and Housing Act, 1989 and Part 4 of the Local Government (Committees and Political Groups) Regulations, 1990, the City Council approves the calculations and allocation of seats set out in this report, including the adjustments set out in paragraph 5.**

1.0 Introduction

- 1.1 A calculation of political composition is undertaken at each annual council meeting to determine the political balance on the council's committees. Re-calculations are made as and when the political make-up of the council changes.
- 1.2 The calculation has been revised in this report to take into account the sad passing of Councillor Janice Hanson and the result of a recent by-election in Ellel Ward.

2.0 Composition of the Council

- 2.1 The current make-up of the Council is:-

Labour	15
Green	11
Conservative	10
Morecambe Bay Independents (MBI)	10
Independent Group	5
Eco-Socialist	4
Liberal Democrat	4
	59

There is one vacant seat in Harbour ward.

3.0 Seats Across Committees

3.1 Calculating each committee separately and individually, as shown in 3.2 below, would give an overall total out of the 78 seats of:-

Labour	4+3+4+10	= 21
Green	3+2+4+5	= 14
Conservative	$2\frac{1}{2}+2+2+5$	= $11\frac{1}{2}$
MBI	$2\frac{1}{2}+2+2+5$	= $11\frac{1}{2}$
Independent Group	1+1+2+5	= 9
Eco-Socialist	1+0+2+ ($2\frac{1}{2}$)	= ($5\frac{1}{2}$)
Lib Dem	as above	= ($5\frac{1}{2}$)
		<u>78</u>

3.2 15 Member Committee (Planning Regulatory)

Labour	$15/59 \times 15 = 3.8136$	(4)
Green	$11/59 \times 15 = 2.7966$	(3)
Conservative	$10/59 \times 15 = 2.5424$	($2\frac{1}{2}$)
MBI	$10/59 \times 15 = 2.5424$	($2\frac{1}{2}$)
Independent Group	$5/59 \times 15 = 1.2712$	(1)
Eco-Socialist	$4/59 \times 15 = 1.0169$	(1)
Lib Dem	$4/59 \times 15 = 1.0169$	(1)
		(15)

There are only 15 seats. The Conservative and MBI groups, having the same residual, tie for the last seat on the Planning Committee.

10 Member Committee (Licensing Regulatory)

Labour	$15/59 \times 10 = 2.5424$	(3)
Green	$11/59 \times 10 = 1.8644$	(2)
Conservative	$10/59 \times 10 = 1.6949$	(2)
MBI	$10/59 \times 10 = 1.6949$	(2)
Independent Group	$5/59 \times 10 = 0.8474$	(1)
Eco-Socialist	$4/59 \times 10 = 0.6780$	(0)
Lib Dem	$4/59 \times 10 = 0.6780$	(0)
		(10)

9 Member Committees x 2 (Overview and Scrutiny, Budget and Performance)

Labour	$15/59 \times 9 = 2.2881$	(2)
Green	$11/59 \times 9 = 1.6780$	(2)
Conservative	$10/59 \times 9 = 1.5254$	(1)
MBI	$10/59 \times 9 = 1.5254$	(1)
Independent Group	$5/59 \times 9 = 0.7627$	(1)
Eco-Socialist	$4/59 \times 9 = 0.6102$	(1)
Lib Dem	$4/59 \times 9 = 0.6102$	(1)
		(9)

There are only 9 seats. The groups with the lowest residuals, the Conservative and MBI groups, are rounded down.

7 Member Committees x 5 (Personnel, Audit, CBC, Appeals, Standards)

Labour	15/59x7=	1.7797	(2)
Green	11/59x7=	1.3051	(1)
Conservative	10/59x7=	1.1864	(1)
MBI	10/59x7=	1.1864	(1)
Independent Group	5/59x7=	0.5932	(1)
Eco-Socialist	4/59x7=	0.4746	$\frac{1}{2}$
Lib Dem	4/59x7=	<u>0.4746</u>	$\frac{1}{2}$
			(7)

There are only 7 seats. There is a tie for the last seat between the Eco-Socialist and Liberal Democratic groups being the two groups with the largest residual.

- 3.3 However, the calculation of the 78 committee places on all standing committees cannot be calculated separately and individually. It **must** be undertaken using rules A-E, set out in s. 15(5) of the Local Government and Housing Act 1989. Those rules are explained in **Appendix A** and the aggregate calculation is show below:-

4.0 Aggregate Calculation (RULE C)

Political Group	Number in each group/total number of Cllrs in political groups (59) X total number of committee seats (78)	Actual	Rounded
Labour	15/59x78	19.8305	20
Green	11/59x78	14.5424	15
Conservative	10/59x78	13.2203	13
MBI	10/59x78	13.2203	13
Independent Group	5/59x78	6.6102	7
Eco-Socialist	4/59x78	5.2881	5
Liberal Democrat	4/59x78	5.2881	5
			(78)

5.0 Adjustments to be made

- 5.1 A list has been circulated to all Group Administrators showing the ideal spread of places each committee would have if the calculation at 3.1 could be used, as well as the number of seats each group **must** have overall as per the table in 4.0 above.

6.0 Committee System Working Group

- 6.1 Council established a nine member task and finish Working Group, politically balanced, in December 2019.
- 6.2 The Group currently has 2 Labour, 2 Green, 1 Conservative, 1 MBI, 1 Independent, 1 Eco-Socialist Independent and 1 Liberal Democrat member. This is consistent with the 9 member calculation and does not need any adjustment.

7.0 Conclusion

7.1 Members are requested to agree the new calculation so that appointments can be made to Committees.

CONCLUSION OF IMPACT ASSESSMENT

(including Diversity, Human Rights, Community Safety, Sustainability and Rural Proofing)

There are no direct implications as a result of this report.

FINANCIAL IMPLICATIONS

There are no financial implications as a direct result of this report.

SECTION 151 OFFICER'S COMMENTS

The Section 151 Officer has been consulted and has no comments

LEGAL IMPLICATIONS

This report has been prepared in accordance with the provisions of Section 15 of the Local Government and Housing Act, 1989 and Part 4 of the Local Government (Committees and Political Groups) Regulations 1990.

MONITORING OFFICER'S COMMENTS

The Monitoring Officer has been consulted and has no comments.

BACKGROUND PAPERS

Affiliation to Political Groups file.

Contact Officer: Debbie Chambers

Telephone: 01524 582057

E-mail: dchambers@lancaster.gov.uk

THE RULES

The main rules are set out in s. 15(5) LGHA, and they are to be applied sequentially. So Rule B cannot override Rule A; Rule C cannot override Rules A and B; and Rule D cannot override Rules A, B or C. An additional rule is set out in s. 16.

Rule A: all the seats on a committee or sub-committee may not be allocated to members of the same political Group. Note that this does not require that each political Group needs to be represented on each committee or sub-committee.

Rule B: where a majority of the members of Council are members of the same political Group, a majority of the seats on each committee and sub-committee must be allocated to that political Group. So, where there is a majority Group, it must be allocated a minimum of 2 seats on each committee or sub-committee of 3 members, 3 seats on each committee or sub-committee of 4 members, and so on. This means that, where a political Group enjoys a narrow majority on Council, that majority Group will be allocated significantly more seats than would result from simple proportionality. Incidentally, the combination of Rules A and B reinforces the point that the minimum size of a committee or sub-committee ought to be 3.

Rule C: deals with the aggregate of seats on all committees, taken together. [It does not apply to sub-committees, joint committees or outside bodies (see later)]. It provides that, subject to Rules A and B, the relationship between the total number of committee seats allocated to each Group and the total number of seats on all committees must, as near as possible, be the same as the relationship between the number of members of the Group as a proportion of the total number of members of Council. This is subject to Rules A and B.

Rule D: Having worked out how many committee seats are to be allocated to each political Group, Rule D then determines which committees those seats relate to. Rule D now says that, taking each committee separately, the seats on that committee must be allocated as close to proportionately as possible, without offending Rules A, B or C.

There is also a "**Rule E**", inserted into s.16 by reg. 16(3), which provides that, where appointments to seats are to be made other than in accordance with Rules A to D (i.e. to seats which are not allocated to a political Group) then the Council or the committee must appoint members to those seats who are not members of a political Group. The exact wording is:

“(2A) Where appointments fall to be made to seats on a body to which section 15 applies otherwise than in accordance with a determination under that section, it shall be the duty of the authority or the committee, as the case may be, so to exercise their power to make appointments as to secure that the persons appointed to those seats are not members of any political Group.”

COUNCIL**Appointments to Outside Bodies – Trustee of
Morecambe Football Club Community Sports****22 June 2022****Report of the Head of Democratic Services****PURPOSE OF REPORT**

To consider nominating a Councillor to be appointed a Trustee of Morecambe Football Club Community Sports.

This report is public

RECOMMENDATION

- (1) That Council notes a vacancy which has arisen on for a Trustee of Morecambe FC Community Sports.
- (2) That Council re-confirms that the basis of appointment should be by nomination and voting at Council.
- (3) That nominations be made and voted upon at this meeting and an appointment made until the next City Council Elections.

1.0 Introduction

- 1.1 Councillor Janice Hanson was the Council nominated Trustee of Morecambe FC Community Sports. Due to her sad passing, there is now a vacancy for the Council to make a nomination.
- 1.2 Council is asked to consider making a nomination to the Trust for appointment as a Trustee.

2.0 Proposal Details

- 2.1 In May 2019 Council confirmed that the nomination for appointment to the Morecambe FC Community Sports Trust be filled by nomination and voting at full Council. Unless a different proposition is put forward at this meeting, the same basis of appointment will apply. Members are therefore asked to make nominations and appoint at this meeting.

3.0 Meetings of the Trust

- 3.1 The Trust works alongside Morecambe Football Club in delivering its charitable objectives.

3.2 Democratic Services understand that the meetings of Trustees take place at least every quarter. There can be times when meetings need to take place more frequently. They take place usually in an evening and last two to two and a half hours.

4.0 Conclusion

4.1 Council is asked to consider making a nomination for the Trust to consider appointing.

<p>CONCLUSION OF IMPACT ASSESSMENT (including Health & Safety, Equality & Diversity, Human Rights, Community Safety, Sustainability and Rural Proofing) None directly arising from this report.</p>	
<p>LEGAL IMPLICATIONS None directly arising from this report.</p>	
<p>FINANCIAL IMPLICATIONS Members of outside bodies are entitled to travel expenses. Costs resulting from this appointment should be minimal and would be met from existing democratic representation budgets.</p>	
<p>OTHER RESOURCE IMPLICATIONS None</p>	
<p>SECTION 151 OFFICER'S COMMENTS The Section 151 Officer has been consulted and has no comments.</p>	
<p>MONITORING OFFICER'S COMMENTS The Monitoring Officer has been consulted and has no comments.</p>	
<p>BACKGROUND PAPERS None</p>	<p>Contact Officer: Debbie Chambers Telephone: 01524 582057 E-mail: dchambers@lancaster.gov.uk Ref:</p>

CABINET

6.00 P.M.

12TH APRIL 2022

PRESENT:- Councillors Kevin Frea (Vice-Chair), Dave Brookes, Gina Dowding, Tim Hamilton-Cox, Tricia Heath, Erica Lewis, Sandra Thornberry and Anne Whitehead

Apologies for Absence:-

Councillors Caroline Jackson (Chair) and Cary Matthews

Officers in attendance:-

Mark Davies	Chief Executive
Suzanne Lodge	Interim Director for Communities and the Environment
Paul Thompson	Chief Financial Officer (Head of Finance & Section 151 Officer)
Debbie Chambers	Head of Democratic Services and Deputy Monitoring Officer
Mark Cassidy	Head of Planning and Place
Maurice Brophy	Service Manager - Planning and Housing Strategy
Paul Rogers	Senior Regeneration Officer
Eleanor Huddleston	Planning Officer
Liz Bateson	Principal Democratic Support Officer

In the absence of the Leader, the Deputy Leader took the Chair

The Chair invited the Chief Executive to provide a brief update on the current Covid situation within the district as this was still proving to be a significant issue. It was noted that statistics needed to be treated with caution with fewer people testing and reporting test results. Health protection officers were now looking at wider protection control and the meeting were advised of the creative steps that were being taken to help reduce health inequalities and promote healthy behaviour.

97 MINUTES

The minutes of the meeting held on Tuesday 1st March 2022 were approved as a correct record.

98 ITEMS OF URGENT BUSINESS AUTHORISED BY THE LEADER

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

99 DECLARATIONS OF INTEREST

No declarations were made at this point.

100 PUBLIC SPEAKING

Members were advised that there had been no requests to speak at the meeting in

accordance with Cabinet's agreed procedure.

At this point, with the agreement of the meeting, the Chair suspended standing orders (Rule 18) to enable other members present to participate in the meeting.

101 HACKNEY CARRIAGE FARE REVIEW 2022

(Cabinet Member with Special Responsibility Councillor Brookes)

Cabinet received a report from the Licensing Committee to approve the recommendations agreed by the Licensing Committee on 7 April 2022 regarding setting a new Hackney Carriage Fare Tariff. Consideration of the Hackney Carriage Fare Review had been deferred from February's Cabinet (Minute 75 refers) to allow for a consultation exercise with hackney carriage drivers before the item was reconsidered by the Licensing Committee and referred to Cabinet for endorsement.

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

	Option 1: Uplift of 50p to flagfall across 3 tariffs and apply 10p uplift to waiting charges as set out in Appendix 4	Option 2: Increase to flag fall, rolling rate and amend yardage applied as proposed by the licencing trade and set out in Appendix 4	Option 3: Applying Retail Price Index (RPI) at the current rate 7.8% as set out in Appendix 4	Option 4: Applying baseline Retail Price Index (RPI) at 22.25% as set out in Appendix 4
Advantages	Passengers are aware of the maximum increase to journey	Represents rising fuel/insurance costs Widely supported by the trade (82%)	Minimal uplift for public across the tariff.	Represents baseline position, sets out what the tariff would look like if policy to apply RPI had been applied since adoption of the policy in Nov 2104.
Disadvantages	No increase to rolling rate – minimal uplift for trade. Trade unresponsive of this tariff	Increase for public too great, uplifting flag-fall, rolling rate and waiting times. Amending yardage may confuse or	Applying 7.8% does not represent true RPI rate as changes monthly; consistent approach needed. eg,	Increase for public too great uplifting flag-fall, rolling rate and waiting times Drivers need to carry pennies or

		alarm passengers as metre will change every 1/10 mile	use Nov RPI rate. Drivers need to carry pennies or round down fares	round down fares Most expensive for first 2-mile when comparing with Lancashire/Cumbrian authorities
Risks	Tariff does not represent rising fuel/insurance costs Drivers may leave the trade to find alternative employment	Public use alternative public transport	Tariff does not represent rising fuel/insurance costs	Public use alternative public transport

Members of Licensing Committee considered the 4 tariff options, the advantages, disadvantages and risks associated with each both in terms of public perception and how it would affect the licensed trade at a time of increased fuel costs and rising cost of living. Members considered the consultation responses and preferred tariff of the licensed trade and recommended that option 2 was approved as the Hackney Carriage Fare Tariff for the year, along with commitment to an annual review of the tariff by way of application of retail price index (RPI) to both flag fall and rolling rate, rounding down figures to the nearest 5p.

Future reviews should be considered by the taxi working party before any amended tariff was presented to Licensing Committee. This would allow for consultation with representatives of the licensed trade. There has been an exceptional response to the survey; it had proved useful to gauge the opinion of many licence holders.

Councillor Brookes proposed, seconded by Councillor Hamilton-Cox:-

"That Option 2, as set out in the appendix to the report, be adopted as the Hackney Carriage Fare Tariff 2022/23."

Councillors then voted:-

Resolved unanimously:

- (1) That Option 2, as set out in the appendix to the report, be adopted as the Hackney Carriage Fare Tariff 2022/23."

Officer responsible for effecting the decision:

Interim Director for Communities & the Environment

Reasons for making the decision:

The setting of fares is an Executive function as it is not one that is listed in the Local Authorities (Function and Responsibilities) (England) Regulations 2000 and therefore falls to the Cabinet to make the decision. In its capacity as an advisory Committee to Cabinet, the Licensing Committee were required to refer any decision to Cabinet for approval.

102 SUPPLEMENTARY PLANNING DOCUMENTS TO SUPPORT THE CLIMATE EMERGENCY LOCAL PLAN REVIEW

(Cabinet Member with Special Responsibility Councillor Dowding)

Cabinet received a report from the Director for Economic Growth & Regeneration the purpose of which was for Members to consider the draft Flood Risk and Sustainable Drainage Supplementary Planning Document, the draft Flood Risk – Sequential Test and Exception Test Supplementary Planning Document and the draft Provision of Electric Vehicles Charging Infrastructure Supplementary Planning Document and seek authorisation for the Service Manager – Planning and Housing Strategy to proceed with informal and statutory consultation.

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

Option 1: Progress the draft SPDs through informal and statutorily defined consultation process.

Advantages: The consultation process will provide engagement with stakeholders and allow them to influence the content of the draft SPDs. Consultation and appropriate consideration of the responses will ensure that the SPDs can be afforded weight when determining planning applications. On adoption the SPDs will support the Council's aspirations to address the climate emergency, mitigate risks to our community from climate change and support an inclusive transition to zero carbon living.

Disadvantages:
No disadvantages.

Risks: No risks.

Option 2: Do not progress the draft SPDs through informal and statutorily defined consultation process.

Advantages: No advantages.

Disadvantages: Additional guidance about the criteria within planning policies will not be available for prospective applicants or as a decision-making tool. The SPDs will not be available to support the Council's aspirations to address the climate emergency, mitigate risks to our community from climate change and support an inclusive transition to zero carbon living.

Risks: Processing the draft SPDs without the necessary consultation will reduce any weight which could be attached to it in the decision-making process.

The officer preferred option is Option 1 - Progress the draft SPDs through informal and statutorily defined consultation process to ensure that if adopted it can be given weight in decision making.

Councillor Dowding proposed, seconded by Councillor Lewis:-

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

Councillors then voted:-

Resolved unanimously:

- (1) That Cabinet approve the draft SPDs and delegate authority to the Service Manager – Planning and Housing Strategy to advance the draft SPDs through informal and statutory defined consultation processes.
- (2) That the SPDs will then be adopted unless the consultation results in any significant changes, in which case the amended SPD will be reported back to Cabinet for final endorsement.

Officer responsible for effecting the decision:

Director for Economic Growth & Regeneration

Reasons for making the decision:

The Corporate Plan and Priorities (January 2022) includes a priority to create a sustainable district by taking action to meet the challenges of the climate emergency and transitioning to a low carbon transport system and to provide for healthy and happy Communities by supporting wellbeing. The CERLP includes policies which seek to address flood risk and provide for electric vehicle charging infrastructure. The draft SPDs will support the implementation of policies within the CERLP.

103 THE COUNCIL TAX ENERGY REBATE SCHEME

(Cabinet Member with Special Responsibility Councillor Whitehead)

Cabinet received a report from the Head of Shared Services that sought approval to implement a Council Tax Energy Rebate Scheme, following the recent introduction by Government of a package of support measures to offer help with rising energy bills, worth £9.1b nationally in 2022/23. The Council is tasked with implementing both a statutory and discretionary rebate as part of the new scheme, following the latest Government guidance and details of the Discretionary Energy Rebate Scheme and how it will work in practice can be found under Appendix A to the report.

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

In response to the energy crisis the Government has allocated funds to local Councils to support households financially in the form of Council Tax Energy Rebates awarded to those that meet the statutory criteria. At the same time the Government has allocated funds to local Councils to determine a discretionary scheme in support those households

that don't necessarily meet the statutory criteria, or to provide a top-up in existing statutory support.

Option 1 – Agree to the proposal as recommended

The Council Tax Energy Rebate scheme sets out a formal approach to awarding relief and follows government guidance to determine eligibility under both the statutory and discretionary schemes. The approach adopted seeks to maximise use of funds to support the most vulnerable households in an open and equitable way given the limited funds available.

Option 2 – Refuse to access government funds on behalf of vulnerable households

Whilst the statutory scheme would be administered as instructed the Council would not access the Discretionary Fund and no relief would be awarded under that scheme. Subsequently, vulnerable households that do not meet the statutory scheme criteria would not receive much needed support towards their energy bills.

It is recommended that Option 1 be approved. The scheme enables a formal approach to eligibility, with criteria in line with Council priorities, offering financial support in the form of an energy rebate to those households that are considered vulnerable in relation to the rise in energy costs.

Councillor Whitehead proposed, seconded by Councillor Heath:-

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

Councillors then voted:-

Resolved unanimously:

- (1) That Cabinet approves the Council Tax Energy Rebate Scheme, including the discretionary scheme principles as set out under Appendix A to the report; and
- (2) That Cabinet authorises the S151 Officer to make final amendments to the scheme to accommodate evolving guidance and any technical issues in relation to the scheme and to make all other necessary arrangements for its implementation with immediate effect.

Officers responsible for effecting the decision:

Director of Corporate Services

Reasons for making the decision:

The scheme principles are in line with Council priorities, with the fund:

- supporting households at a difficult time as they struggle to pay energy bills
- helping to build a sustainable and just local economy for residents and communities.

The scheme principles are considered a good use of limited discretionary funds to achieve the greatest benefit for a range of vulnerable households suffering financial hardship in relation to the energy crisis.

104 MORECAMBE VISION CABINET ADVISORY GROUP**(Cabinet Member with Special Responsibility Councillor Heath)**

Cabinet received a report from the Director for Economic Growth & Regeneration that proposed that Cabinet form an Advisory Group to engage with stakeholders and partners to consider future regeneration and economic development work in Morecambe Town Centre and the adjoining neighbourhoods.

To assist the council to achieve the 2030 Priorities it is proposed to establish an advisory group to take a consultative and non-decision making role to consider how the council and local partners can help shape, influence and inform regeneration and economic development work in Morecambe Town Centre and the adjoining neighbourhoods. Membership of the group is at the discretion of the Chair and will be established as part of the group's formation; it is envisaged that membership will include a mix of elected members, partners, stakeholder businesses and other cross-sector partners.

Councillor Heath proposed, seconded by Councillor Dowding:-

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

Councillors then voted:-

Resolved unanimously:

- (1) That Cabinet establishes a Morecambe Vision Advisory Group.
- (2) That the Advisory Group be established based on the Terms of Reference proposed in Appendix A to the report, recognising that the Advisory Group itself will have a role in shaping its specific activities.

Officer responsible for effecting the decision:

Director for Economic Growth & Regeneration

Reasons for making the decision:

The proposal is entirely consistent with and supports Lancaster City Council's policy. It contributes to the Plan 2030 Priorities for an inclusive and prosperous local economy and a cooperative, kind and responsible council. The proposal makes a strong contribution to the strategic objective of Community Wealth Building – building a sustainable and just local economy that benefits people and organisations.

105 GATEWAY, NO. 1 GATEWAY, WHITE LUND INDUSTRIAL ESTATE, MORECAMBE: FIRE DAMAGE REINSTATEMENT AND INSURANCE MATTERS**(Cabinet Member with Special Responsibility Councillor Hamilton-Cox)**

Cabinet received a report from the Director for Economic Growth & Regeneration that sought authority for the Chief Executive to accept construction tenders for the insured reinstatement works following damage from a fire within tenanted units at the city council's property at Gateway, Southgate, Morecambe.

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

Option 1: Delegated authority is given to the Chief Executive to issue and accept construction tenders for the insured reinstatement works.

Advantages: Allows the insured fire damage reinstatement works to progress and for the industrial unit to be brought back into commercial use at the earliest opportunity.

Disadvantages: No disadvantages identified.

Risks: There is a minor residual financial risk arising from progression of insured works as the insurer may not finally agree pay for all reinstatement works. The insurer will not pay for additional works over and above reinstatement as this is classed as betterment. However, it is considered that all designed reinstatement works will fall under the remit of the insurance policy.

Option 2: No authority is given to officers to issue and accept construction tenders for the insured reinstatement works.

Advantages: No advantages identified.

Disadvantages: The insured fire damage reinstatement works cannot progress, and the industrial unit is not brought back into commercial use.

Risks: Leaving the unit in a fire damaged state will have a detrimental effect on the council's commercial property income and the council's financial position.

The officer preferred option is Option 1.

Councillor Hamilton-Cox proposed, seconded by Councillor Whitehead:-

"That recommendations (1) & (2), as set out in the report, be approved with a revised recommendation (3): "the mechanism for contractor payments direct from the insurance company and handling of VAT is noted;" and an additional recommendation (4): "the cost of any residual financial risk arising from progression of insured works is approved in line with constitutional requirements ."

Councillors then voted:-

Resolved unanimously:

- (1) That Officers tender the insured reinstatement works via the Chest procurement portal.
- (2) That authority to accept the preferred tender and contract the works is delegated to the Chief Executive.
- (3) That the mechanism for contractor payments direct from the insurance company and handling of VAT is noted.

- (4) That the cost of any residual financial risk arising from progression of insured works is approved in line with constitutional requirements .

Officer responsible for effecting the decision:

Director for Economic Growth & Regeneration

Reasons for making the decision:

Lancaster City Council is the contracting body for the repair works on this occasion. While insurance is covering the repair costs, the city council needs to abide by its Contract Procedure Rules, initiate a formal / compliant tender process, and secure an appointment for the reinstatement contract value. The decision is consistent with prudent management of the City Council's commercial property portfolio.

Chair

(The meeting ended at 6.45 p.m.)

**Any queries regarding these Minutes, please contact
Liz Bateson, Democratic Services - email ebateson@lancaster.gov.uk**

MINUTES PUBLISHED ON TUESDAY 19 APRIL ,2022.

**EFFECTIVE DATE FOR IMPLEMENTING THE DECISIONS CONTAINED IN THESE MINUTES:
WEDNESDAY 26 APRIL, 2022.**