

CABINET

Urgent Business Report

2nd June 2009

Report of Head of Democratic Services

PURPOSE OF REPORT			
To advise Members of actions taken by the Chief Executive, in consultation with the relevant Cabinet Members and the Chairman of the Overview and Scrutiny Committee.			
Key Decision		Non-Key Decision	Referral from Officers
			X
This report is public.			

1.0 RECOMMENDATION

That the actions taken by the Chief Executive, in consultation with the relevant Cabinet Members and the Chairman of the Overview and Scrutiny Committee in accordance with the Scheme of Delegation, in respect of the following, be noted;-

1.1 Seven Day per Week Opening of Morecambe Visitor Information Centre – Trial Period

- (1) To approve the opening of the Morecambe VIC for 7 days per week as a trial period during April and May, 2009, and during October and November, 2009.
- (2) That a further report is produced at the end of the trial to consider the feasibility of further extending the 7 days per week operation of Morecambe VIC from the spring of 2010 onwards.

1.2 Quick Response Vehicle

- (1) That Cabinet accepts the Lancaster District Local Strategic Partnership offer to provide £60,000 to fund the quick response vehicle and 2 staff for 2009/10.
- (2) That the General Fund Revenue Budget is updated accordingly.
- (3) That the Overview & Scrutiny Chairman be consulted with a view to waiving call in, in accordance with Overview & Scrutiny Procedure Rule 17, to enable immediate implementation.

- (4) That the Overview & Scrutiny Chairman be consulted with a view to waiving the requirement to include the decision in the Forward Plan, in accordance with Access to Information Procedure Rule 16.

1.3 Freedom of Information Request – Canal Corridor

- (1) That Cabinet remove the exemption that is currently in place with relation to the Canal Corridor Report considered by Cabinet on 22 March 2005 (item 168).
- (2) That the Overview & Scrutiny Chairman be consulted with a view to waiving call in, in accordance with Overview & Scrutiny Procedure Rule 17, to enable immediate implementation.

2.0 Background

2.1 Seven Day per Week Opening of Morecambe Visitor Information Centre – Trial Period

The issue of 7 day per week opening for the Morecambe VIC was looked at following a request at the Cabinet and MP liaison meeting on 21st April, 2008. The original request was to consider the possibility of Sunday opening throughout the whole year and not just during the summer months. However, it was clear that the financial implications of this would be likely to require budget growth. It was therefore proposed that an initial trial period of extended opening be undertaken to assess the levels of demand and income generation, during the “shoulder” months of the season in April and May, 2009, and the following October and November.

The trial period will allow the full implications of the costs, income and service to the public to be assessed to allow an informed decision to be made about the feasibility of extending 7 day per week opening into 2010.

The urgency for this decision was to allow implementation one week after Easter on 26th April in order to allow for the 13 additional Sundays proposed in the trial period (the VIC is already open for the 3 bank Holiday Sundays in the spring). There would be 4 additional Sundays in the spring and 9 in the autumn shoulder period (October-November).

It was requested that the Chief Executive be asked to waive call-in. In the absence of both the Chairman and Vice-Chairman of the Overview and Scrutiny Committee, the Mayor of the City of Lancaster was consulted, but was not in agreement with the decision to waive call-in. The Chief Executive subsequently decided that this decision was subject to call-in in accordance with Overview and Scrutiny Procedure Rule 17(a).

2.2 Quick Response Vehicle

One of the priorities of the neighbourhood management project undertaken by the West End Partnership and Poulton Neighbourhood Management was to improve the environment of the area. To help achieve this they funded a Quick Response Vehicle (QRV) and 2 staff that would reduce the time taken to deal with reports of fly tipping to 1 working day. The vehicle and staff were provided and managed by City Council (Direct) Services.

In terms of providing an immediate response to fly tipping, reducing incidents of arson and other types of anti-social behaviour this approach has been successful.

As the neighbourhood management project has come to an end this funding is no longer available. A bid to continue to fund the QRV and 2 staff in 2009/10 was submitted to the Lancaster District Local Strategic Partnership (LDLSP). The outline of the bid was the QRV would provide a similar type of service but within defined 'hotspot' areas throughout the whole of the District. For 2009/10 the revenue funding required to operate the QRV is estimated to be £60,000. The LDLSP have offered to contribute the whole of the funding requirement for 2009/10.

An Urgent Business Decision was sought to enable the funding bid for the LDLSP to be accepted immediately, which allowed the Quick Response Vehicle and 2 staff to continue to operate without any loss of service. This decision was a Key Decision on financial grounds, but it had not been included on the Forward Plan, as such the Chairman of Overview and Scrutiny Committee agreed to this being treated as a matter of special urgency in accordance with Access to Information Procedure Rule 16, and gave approval for the Chief Executive to take the decision in advance of the usual five days notice.

2.3 Freedom of Information Request – Canal Corridor

At the meeting of Cabinet on 22 March 2005, a report on the Canal Corridor proposals was presented by former Councillor Alex Stone and Councillor Abbott Bryning. Due to the commercial sensitivity of this report it was classified as exempt.

In February 2009, a Freedom of Information Request was received requesting a copy of this report. Despite the report being exempt under the Local Government Act, consideration must be given as to whether exemptions apply under the Freedom of Information Act. Advice was sought from Legal and Human Resources as to whether the report should be continue to be withheld. The Legal Services Manager advised that in his opinion there are no commercially sensitive areas remaining, due to the elapse of time since this report, it is therefore considered appropriate to remove the exemptions and release the report under the Freedom of Information Act.

This item was considered as a matter of urgency due to the time constraints dictated by the Freedom of Information Act. Owing to the time taken to consider the issue of exemptions, the Council's response was already overdue and in breach of the requirements of the Act. To allow immediate implementation of this decision a request was made that the call in be waived in accordance with Overview and Scrutiny Procedure 17(a).

3.0 Conclusion

Approval was given to the above actions, which are reported to this meeting in accordance with the City Council's Constitution.

RELATIONSHIP TO POLICY FRAMEWORK

This is in accordance with the Constitution.

CONCLUSION OF IMPACT ASSESSMENT

(including Diversity, Human Rights, Community Safety, Sustainability etc)

Not applicable.

FINANCIAL IMPLICATIONS

Comments were contained in the original reports.

SECTION 151 OFFICER'S COMMENTS

Comments were contained in the original reports.

LEGAL IMPLICATIONS

Comments were contained in the original reports.

MONITORING OFFICER'S COMMENTS

Comments were contained in the original reports.

BACKGROUND PAPERS

1. Letters to the Leader of the Council, Cabinet Member with Special Responsibility and Chairman of the Overview and Scrutiny Committee.

Contact Officer: Tom Silvani

Telephone: (01524) 582132

E-mail: tsilvani@lancaster.gov.uk

Ref ID: UB69/JT

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