

CABINET

Referral from Overview and Scrutiny Committee 16th February 2010

Report of Head of Democratic Services

PURPOSE OF REPORT				
To request Cabinet to consider a recommendation from the Overview and Scrutiny Committee in relation to the Call-in on Community Swimming Pools.				
Key Decision	<input type="checkbox"/>	Non-Key Decision	<input type="checkbox"/>	Referral from Overview & Scrutiny
Date Included in Forward Plan				<input checked="" type="checkbox"/>
This report is public				

RECOMMENDATIONS OF OVERVIEW AND SCRUTINY COMMITTEE

- (1) That the Overview and Scrutiny Committee recommend that Cabinet should not give notice to terminate the contract until a suitable agreement is obtained from Lancashire County Council to take over community swimming. If no agreement can be reached within 12 months then Cabinet should review the funding. Parish and Town Councils should be involved in the talks.

1.0 Introduction

- 1.1 The Chief Executive agreed to a request by Councillors Roe, Bray, Histed, Rogerson and Johnson to Call-in the decision made by Cabinet at its meeting on 19th January 2010 in relation to Community Swimming Pools. (Cabinet Minute 118 refers).

2.0 Proposal Details

- 2.1 At the Call-in held on 8th February 2010, the Overview and Scrutiny Committee made the following recommendation to Cabinet:

That the Overview and Scrutiny Committee recommend that Cabinet should not give notice to terminate the contract until a suitable agreement is obtained from Lancashire County Council to take over community swimming. If no agreement can be reached within 12 months then Cabinet should review the funding. Parish and Town Councils should be involved in the talks.

3.0 Officer Comments in relation to the proposal

- 3.1 In the event that Cabinet endorses the recommendation from Overview and Scrutiny Committee, the financial impact is that Lancaster City Council cannot achieve the savings of £147,700 with effect from 1st April 2011 and beyond, as set out in option A of the original Cabinet report of the 19th January 2010 which is attached as an appendix to this report, along with the Cabinet minute. The Officer preferred option remains the same.
- 3.2 It should be noted that not giving notice to terminate the agreement as recommended by Overview and Scrutiny Committee, effectively postpones the financial impact of the original Cabinet Resolution because the agreement requires a *“full twelve months notice to terminate”*.

RELATIONSHIP TO POLICY FRAMEWORK

As per original report to Cabinet.

CONCLUSION OF IMPACT ASSESSMENT

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

As per report to Cabinet.

FINANCIAL IMPLICATIONS

The Financial Implications are as set out in Paragraph 3.1 above, i.e., that in the event that Cabinet endorses the recommendation from Overview and Scrutiny Committee, the financial impact is that Lancaster City Council cannot achieve the savings of £147,700 with effect from 1st April 2011 and beyond, as set out in option A of the original Cabinet report of the 19th January 2010.

SECTION 151 OFFICER’S COMMENTS

The Section Officer would advise that this item be considered in context of the Council's financial prospects, included in the budget report elsewhere on the agenda.

LEGAL IMPLICATIONS

As per original report to Cabinet.

MONITORING OFFICER’S COMMENTS

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

BACKGROUND PAPERS

Reports to Cabinet 19.1.2010.

Contact Officer: Liz Bateson

Telephone: 01524 582047

E-mail: ebateson@lancaster.gov.uk

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