

CABINET

6.00 P.M.

18TH JANUARY 2022

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

Officers in attendance:

Kieran Keane	Chief Executive
Mark Davies	Director for Communities and the Environment
Jason Syers	Director for Economic Growth and Regeneration
Luke Gorst	Head of Legal Services and Monitoring Officer
Paul Thompson	Chief Financial Officer (Head of Finance & Section 151 Officer)
Mark Cassidy	Head of Planning and Place
Maurice Brophy	Planning and Housing Policy Manager (minute 63)
Diane Neville	Senior Planning Officer (Policy) (minute 63)
Liz Bateson	Principal Democratic Support Officer, Democratic Services

59 MINUTES

The minutes of the meeting held on Tuesday 7 December 2021 were approved as a correct record.

60 ITEMS OF URGENT BUSINESS AUTHORISED BY THE LEADER

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

61 DECLARATIONS OF INTEREST

No declarations were made at this point.

62 PUBLIC SPEAKING

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

63 ADVANCING THE CLIMATE EMERGENCY LOCAL PLAN REVIEW

Cabinet Member with Special Responsibility Councillor Dowding)

Cabinet received a report from the Director for Economic Growth & Regeneration that set out progress on the preparation of the Climate Emergency Review of the Local Plan (CELPR) following consultation on updated versions of both the Strategic Policies & Land Allocations Development Plan Document (DPD) and Development Management DPD in 2021 under Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012. The report sought the support of Cabinet for the revisions made to the both the Strategic Policies & Land Allocations DPD and Development

Management DPD in response to the Regulation 18 consultation and additional evidence. Cabinet was asked to support the intention to seek a resolution from Council to formally publish both DPDs and then submit the documents, the representations received and all supporting evidence to the Secretary of State under Regulations 19 and 22 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

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

Option 1: That Cabinet Members support the intention to take the CELPR to Council, anticipated on 26th January 2022, with a recommendation seeking a resolution to publish the CELPR, obtain formal representations and then submit the documents to the government for independent Examination. This will ensure the relevant regulations are followed and will enable stakeholders to make their views on soundness of the plan and its preparation process. The submitted documents will then be considered by a government appointed Inspector.

Advantages: The Publication and Submission of the CELPR are essential stages in advancing the Council's ambitions to review its adopted Local Plan to better address the Climate Emergency.

The Council's Local Development Scheme (LDS) provides the intended timetable for advancing the plan through these stages. The proposed revision of the plan is supported by evidence documents, on matters such as development viability, that are time-sensitive; delaying publication and submission would affect the applicability and relevance of evidence documents.

The CELPR will strengthen policies in a way that can realise better outcomes from development on Climate Change mitigation and adaptation.

Disadvantages: None

Risks: The Inspector at independent Examination may conclude that the CELPR could have benefited from further work prior to submission.

Option 2: That Cabinet Members do not support the intention to take the CELPR to Council, anticipated on 26th January 2022, with a recommendation seeking a resolution to publish the CELPR, obtain formal representations and then submit the documents to the government for independent Examination.

Advantages: Further time could be spent on continuing to prepare policies before publication and submission.

Disadvantages: Delay to the CELPR processes will increase the time that passes until its potential formal adoption. It is only upon formal adoption that the revised policies will form the development plan that is used in the determination of development proposals. Delay in plan preparation would mean a delay in realising better outcomes from development on Climate Change mitigation and adaptation that would assist in helping to address the environmental concerns that motivated the Council's declaration of a Climate Emergency.

The Council's Local Development Scheme (LDS) provides the intended timetable for advancing the plan through these stages and it is not apparent why the Council would not wish to keep to this published timetable given the resources that have been deployed to enable a prompt review of the adopted plan. The proposed revision of the plan is supported by evidence documents, on matters such as development viability, that are time-sensitive; delaying publication and submission would affect the applicability and relevance of these documents.

Risks: Delay in preparation increases the risk of the evidence being considered no longer up to date during the Examination of the submitted Local Plan.

Option 1 is the officer preferred option. The intended publication editions of the CELPR documents are now sufficiently advanced to be formally published and submitted. Officers recommend members moving the CELPR forward to Council for a formal decision on publishing and submitting the documents in accordance with regulatory processes.

Officers are sufficiently content that the challenges which have been raised at the earlier stages have either been addressed through revisions to both DPDs and that these do not warrant sufficient justification for further amendments to be made.

Whilst the publication version of the CELPR represents the Council's intended definitive version of both DPDs, the publication process will provide the opportunity for any parties who do not consider its content to sound (i.e. not consistent with national planning policy) or legally compliant (i.e. has not met the legal requirements of plan-making) to make formal representations setting out their concerns. Those representations will be considered by the Planning Inspector through the public examination process.

Councillor Dowding proposed, seconded by Councillor Frea:-

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

Councillors then voted:-

Resolved unanimously:

- (1) That Cabinet endorses the content of the Climate Emergency Local Plan Review DPDs and the process of onward reporting to Council to seek a formal decision on a recommendation to publish and submit the revised document to government. Publication will enable formal representations to be received, and subsequently submitted to the government, along with the revised DPDs and supporting evidence. This will ensure that in accordance with the relevant regulations, the representations of the community and stakeholders about the soundness of the revised DPDs and the preparation process can be considered by a government appointed Inspector through an independent Examination.

Officer responsible for effecting the decision:

Director for Economic Growth & Regeneration

Reasons for making the decision:

The purpose of the CELPR is to ensure greater alignment with the Council's ambitions around Climate Change in recognition of the Council's Climate Emergency Declaration of January 2019. The CELPR seeks to strengthen the Council's planning policies with the aim of securing better outcomes from built development for climate change mitigation and adaptation. Improved outcomes from development will support the prospect of the Council achieving its wider objectives on climate change including the target of being Net Zero by 2030. The CELPR will assist in the delivery of many of the Council's other corporate priorities, including the creation of a more sustainable district, the provision of an inclusive and prosperous local economy and support for developing healthy and happy communities.

Policy making is a function of full Council. The decision enables a recommendation to publish and submit the Climate Emergency Local Plan Review Development Plan Documents to be presented at January Council with Cabinet's endorsement.

64 CORPORATE FEES & CHARGES REVIEW 2022/23

Cabinet Member with Special Responsibility Councillor Whitehead)

Cabinet received a report from the Chief Finance Officer in order that Members could endorse the Fees and Charges report for 2022/23 and consider a range of charging options as deemed appropriate to the service area.

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

The policy attached to the report remains substantively unchanged and it is considered that it remains fit for purpose (at least in the short term) and it adequately covers Cabinet's budget proposals. As such, no options are presented and Cabinet is simply requested to endorse the policy, with a review being undertaken next year.

With regard to charges in general, inflation has been applied and the impact has been fed into the draft general fund budget for 2022/23. Should Members wish to apply inflation, further work to determine charging levels would need to take place and be fed into the budget setting process as appropriate.

With regard to other specific considerations, these have been fed into the draft revenue budget where appropriate and will seek to update the net financial position when agreed as part of the budget setting process.

The introduction of the new regeneration and planning charges are subject to Member agreement and as such are included as a recommendation within this report.

Councillor Whitehead proposed, seconded by Councillor Lewis:-

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

Councillors then voted:-

Resolved unanimously:

- (1) That Cabinet endorses the Fees and Charges Policy as set out at Appendix A to the report, and during 2022/23 as part of the mid-year budget strategy review determines whether any other areas of income generation be explored further for 2023/24 onwards.
- (2) That Cabinet note that a car parking tariff review will take place and a further report will be presented to Cabinet outlining future options, as reported as part of the current 2022/23 budget setting process.
- (3) That Cabinet endorses the freezing of Salt Ayre Leisure Centre prices, as reported as part of the current 2022/23 budget setting process with the exception of retail-led activities.
- (4) That Cabinet endorses the freezing of garden waste collection charges, as agreed by Cabinet on 27th October 2020.
- (5) That Cabinet endorses the annual review of Mellishaw Park pitch fees in line with RPI, as prescribed by the Mobile Homes Act 1983.
- (6) That Cabinet endorses the return to applying inflationary increases to fees and charges across all remaining areas as appropriate, as reported as part of the current 2022/23 budget setting process.
- (7) That Cabinet endorses the implementation of the new charges in respect, as reported as part of the current 2022/23 budget setting process.

Officer responsible for effecting the decision:

Chief Finance Officer

Reasons for making the decision:

Fees and charges form an integral part of the budget setting process, which in turn relates to the Council's priorities. Under the Medium Term Financial Strategy (MTFS), income generation is a specific initiative for helping to balance the budget.

A number of income budgets were significantly reduced in 2021/22 due to the pandemic and where appropriate these have now been returned to pre-pandemic levels when formulating the draft 2022/23 revenue. Whilst this does not take account of any associated expenditure linked to service provision, it does highlight that income generation is a significant contributor to the Council's net position, thereby helping to reduce service subsidisation and protect other service provision.

65 BUDGET & POLICY FRAMEWORK UPDATE

Cabinet Member with Special Responsibility Councillor Whitehead)

Cabinet received a report from the Chief Finance Officer that provided an update on the Council's budget strategy for 2022/23 and financial outlook up to 2025/26. Specifically, the report considered the budget and council tax proposals for 2022/23.

The options, options analysis, including risk assessment and officer preferred option,

were set out in the report as follows:

It is essential that the Council Tax rate is set in accordance with the Council tax billing timetable. Any delay would put the Council at risk of not being able to collect the tax in time to make precept payments which would have serious cash flow implications.

Regarding the budget strategy, Cabinet may approve the proposals as set out, or require changes to be made to the suggested approach. The overriding aim of any budget setting process is to approve a balanced budget by statutory deadlines, allocating resources to help ensure delivery of the Council's corporate and service ambitions. The proposed approach is in line with that broad aim and any changes that Cabinet puts forward should also be framed in that context.

In term of the actual budget position, this report puts forward a balanced budget. If Cabinet agrees the budget, then it will form their proposal to Budget and Performance Panel on 02 February 2022. The feedback from this meeting will be considered by Cabinet and incorporated into a final budget proposal which will be considered at the Cabinet meeting on 08 February 2022 and recommended to Council on 24 February 2022.

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

"That the recommendations, as set out in the report, be approved with an additional recommendation to the Capital Programme at Appendix C to include the Canal Quarter Scheme and Bailrigg Garden Village schemes within the development pool "

Councillors then voted:-

Resolved unanimously:

- (1) That Cabinet make recommendations to Council regarding the Lancaster City Council element of the Council Tax as set out in paragraph 3.4 (option one) of this report which is a £5 increase to the Band D Council Tax (from £236.95 to £241.95).
- (2) That Cabinet makes recommendations regarding its initial budget proposals as set out in section 4 and Appendix A of this report.
- (3) That the Capital Programme be revised to include the Canal Quarter Scheme and Bailrigg Garden Village schemes within the development pool.
- (4) That the recommendations and proposals in this report be referred to Council on 26 January for initial consideration as well as being presented for scrutiny by Budget and Performance Panel on 02 February, in order that any feedback can be provided to Cabinet at its 08 February meeting.

Officer responsible for effecting the decision:

Chief Finance Officer

Reasons for making the decision:

The budget framework in general sets out a financial plan for achieving the Council's corporate priorities .incorporating measures to make progress in addressing the climate emergency and digital improvements as well as activities to address wellbeing, health and community safety. The decision enables Cabinet to make recommendations to Council in order to complete the budget setting process for 2022/23.

66 EDEN NORTH: CAR PARKING - AGREEMENT IN PRINCIPLE

Cabinet Member with Special Responsibility Councillor Dowding)

Cabinet received a report from the Chief Executive with regard to Car Parking at Eden North. To support progression of the Eden North planning application and business / funding case, the council needed to confirm it supported a jointly agreed strategic approach to the handling of car-borne visitors to the proposed attraction. The report sought approval to parameters which would assist the project in satisfying the demands of the Local Planning Authority and Government funding approval processes, with specific regard to the role of council car parking assets in Eden North's sustainable travel and transport proposals.

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

Option 1: The terms of the Agreement in Principle outlining the proposed role in Eden North's Transport / Parking Strategy of city council car parking assets in Morecambe is endorsed.

Advantages: Provides a degree of formal support towards a jointly agreed strategic approach to the handling of car-borne visitors to the proposed Eden North attraction.

Approval of the parameters will assist the project in satisfying the demands of the Local Planning Authority and Government funding approval processes, with specific regard to the role of council car parking assets in Eden North's sustainable travel and transport proposals.

Disadvantages: No disadvantages identified.

Risks: The practical operational mechanisms will be a complex area and the final likely impact on the council's net income in comparison with the current public use profile of Morecambe's public car parking spaces will need to be assessed. However, officers are confident that the dynamic booking arrangements can be progressed and formally agreed, and day-to-day parking demand for Morecambe Town Centre can be managed alongside Eden North visitor demands.

Option 2: The terms of the Agreement in Principle outlining the proposed role in Eden North's Transport / Parking Strategy of city council car parking assets in Morecambe are not agreed.

Advantages: No advantages identified.

Disadvantages: This will not support nor satisfy the demands of the Local Planning

Authority and Government business case approval processes.
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Risks: This must be framed in terms of the downside risk of Eden North failing to progress efficiently through the statutory planning process and potentially failing to secure planning approval under the current application process.

The officer preferred option is Option 1.

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

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

Councillors then voted:-

Resolved unanimously:

- (1) That the terms of the Agreement in Principle outlining the proposed role in Eden North’s Transport / Parking Strategy of city council car parking assets in Morecambe be endorsed.
- (2) That a further report on the detailed operational and financial mechanisms of the proposed operations is considered by Cabinet prior to formal contractual agreement.

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, contributing to the following priorities:

- A Sustainable District
- An Inclusive and Prosperous Economy
- Healthy and Happy Communities

The Agreement in Principle will provide sufficient safeguards for the council in terms of the matters outlined, and sufficient certainty for Eden North in progressing their planning application and negotiations with central Government regarding business case matters. Further Cabinet decisions may be required to finalise a contract dependent on the financial and community implications of the detailed proposed operations.

67 EXCLUSION OF THE PRESS AND PUBLIC

It was moved by Councillor Brookes and seconded by Councillor Whitehead:-

“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 items 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 items 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.

68 LANCASTER CITY COUNCIL CORPORATE REBRANDING**Cabinet Member with Special Responsibility Councillor Caroline Jackson)**

Cabinet received a report from the Chief Executive which sought approval for the newly designed version of the Lancaster City Council logo as part of a wider corporate rebranding development project as well as approval to develop a brand implementation programme that would build a consistent identity across council services and incorporate the principles of the new logo design. After a lengthy debate it was apparent that further consideration needed to be given to this before a formal decision was taken by Cabinet. With the agreement of the meeting the Chair withdrew the item.

Resolved:

That consideration of the Lancaster City Council Corporate Rebranding be withdrawn and considered at a future Cabinet meeting.

69 MORECAMBE SPARKLE 2022/25 (Pages 11 - 13)**(Cabinet Member with Special Responsibility Councillor Thornberry)**

Cabinet received a report from the Director for Economic Growth & Regeneration which sought approval to offer support to a new charitable incorporated organisation, Morecambe Sparkle. The report was exempt from publication by virtue of paragraph 3 of Schedule 12A of the Local Government Act, 1972.

The options, options analysis, including risk assessment and officer preferred option, were set out in the exempt report .

It was proposed by Councillor Thornberry, seconded by Councillor Heath and resolved unanimously when put to the vote:-

Resolved unanimously:

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

Officer responsible for effecting the decision:

Director for Economic Growth & Regeneration

Reasons for making the decision:

The decision is consistent with Council priorities. Exactly how the decisions fits with

Council priorities is set out in the exempt minute.

70 LAND FORMING PART OF LANCASTER LEISURE PARK, OFF WYRESDALE ROAD, LANCASTER

Cabinet Member with Special Responsibility Councillor Hamilton-Cox)

Cabinet received a report from the Director for Economic Growth & Regeneration to declare surplus to requirement, consider and approve the freehold disposal of the land currently forming part of Lancaster Leisure Park, off Wyresdale Road, Lancaster. The report was exempt from publication by virtue of paragraph 3, Schedule 12A of the Local Government Act, 1972. After much discussion it was apparent that further clarification was required prior to Cabinet taking the decision, and with the agreement of the meeting, the Chair deferred the item.

Resolved unanimously:

That consideration of the item be deferred to a future Cabinet meeting.

Chair

(The meeting ended at 8.15 p.m.)

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

MINUTES PUBLISHED ON FRIDAY 21 JANUARY, 2022.

**EFFECTIVE DATE FOR IMPLEMENTING THE DECISIONS CONTAINED IN THESE MINUTES:
MONDAY 31 JANUARY, 2022.**