



**LANCASTER**  
**CITY COUNCIL**

*Promoting City, Coast & Countryside*

# **COUNCIL MEETING**

**Wednesday, 4 February 2009**  
**2.00 p.m.**  
**Morecambe Town Hall**

Mark Cullinan  
Chief Executive  
Town Hall  
LANCASTER





# 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, 4 February 2009 commencing at 2.00 p.m. for the following purposes:

1. **APOLOGIES FOR ABSENCE**

2. **MINUTES**

To receive as a correct record the Minutes of the Meeting of the City Council held on 17<sup>th</sup> December, 2008 (previously circulated).

3. **DECLARATIONS OF INTEREST**

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. **QUESTIONS UNDER COUNCIL PROCEDURE RULE 12.2**

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.

8. **LEADER'S REPORT (Pages 1 - 5)**

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. **BUDGET AND POLICY FRAMEWORK 2009/10** (Pages 6 - 39)

To consider the recommendations of Cabinet from its meeting on 20<sup>th</sup> January 2009 :

- (a) Corporate Plan 2009/10
- (b) General Fund Revenue Budget
- (c) General Fund Capital Programme
- (d) HRA Budget and Capital Programme

### 10. **APPROVAL OF PAY AND GRADING STRUCTURE** (Pages 40 - 52)

To consider the recommendations of Cabinet from its meeting on 20<sup>th</sup> January 2009.

### 11. **CITY COUNCIL MEETINGS TIMETABLE AND MEETING TIMES - 2009/10** (Pages 53 - 64)

To consider the recommendations of Council Business Committee from its meeting on 15<sup>th</sup> January 2009.

## OTHER BUSINESS

### 12. **ESTABLISHMENT OF MORECAMBE TOWN COUNCIL - THE LANCASTER CITY COUNCIL (REORGANISATION OF COMMUNITY GOVERNANCE) ORDER 2009** (Pages 65 - 74)

To consider the report of the Chief Executive.

### 13. **LANCASHIRE LOCAL LANCASTER DISTRICT JOINT COMMITTEE - AMENDMENT TO CONSTITUTION** (Pages 75 - 127)

To consider the report of the Chief Executive.

### 14. **MINUTES OF CABINET** (Pages 128 - 196)

To receive the Minutes of Meetings of Cabinet held on 9<sup>th</sup> December, 2008 and 20<sup>th</sup> January, 2009.



.....  
Chief Executive

Town Hall,  
Dalton Square,  
LANCASTER,  
LA1 1PJ

Published on Tuesday, 27<sup>th</sup> January, 2009



## Leader's Report

4<sup>th</sup> February 2009

### Report of the Leader of the Council

#### PURPOSE OF REPORT

To present the Leader's report to Council.

This report is public.

#### RECOMMENDATIONS

- (1) To receive the report of the Leader of Council.

#### REPORT

##### 1.0 General Matters of Interest

My report informs Council of some of the items considered at Cabinet on 9<sup>th</sup> December 2008. Details are set out below for Members' information. I will inform Council about other matters as appropriate under later items on today's agenda.

##### Cabinet – 9<sup>th</sup> December 2008:

##### 1.1 The Dome - Options

A report was submitted asking Cabinet to consider options for the future of the Dome. After consideration, Cabinet agreed:-

- (1) That the Council immediately cease taking further bookings for the Dome for any period beyond 1<sup>st</sup> June 2009
- (2) That Cabinet approves, in principle, closure of the Dome on 1<sup>st</sup> June 2009
- (3) That Cabinet requests a further report from officers on the best way to do this
- (4) That Officers investigate the business case and possible external funding for the £132K improvements to The Platform, bearing in mind that in present circumstances the City Council cannot commit to this capital expenditure.

## 1.2 Lancaster – Public Realm

A report was submitted advising members that the NorthWest Development Agency has offered funding for the Council to prepare detailed design proposals to enhance streets and places in the city centre that are its priorities for improvement and to seek authority to proceed.

Cabinet resolved:-

- (1) That the Head of Financial Services is authorised to amend the Council's General Fund Revenue Budget for 2008/09 and that proposed for 2009/2010 to provide for expenditures in preparing design proposals for the city centre subject to these expenditures being fully funded by grant income from the NorthWest Development Agency (NWDA) up to a maximum of £90,000 in costs
- (2) That, to meet NWDA programming requirements, Cabinet delegates to the Corporate Director (Regeneration) authority to select and commission consultants for the required design work after a proper competitive process in accordance with Council procedures.
- (3) That the Head of Planning Services to report to Cabinet on the design options prepared and subsequent public consultation into these in order that Cabinet can then select its preferred options.
- (4) That Cabinet notes there are issues concerning the management of traffic on adopted highways within the pedestrian zone that may require resolution before any designs can be finalised and request a further report on this be submitted to Cabinet as early as possible in the New Year.

## 1.3 Lancaster Market

A report was submitted asking Members to consider the current position with regard to Lancaster Market. The report requested Cabinet to consider the options set out in an exempt report and indicate its preferred option.

Cabinet decided that it:-

- (1) Notes the comments received from the Lancaster Market Tenants Association
- (2) Resolves that approval be given to Officers to negotiate directly with retailers to try and procure a single retailer for the Market Hall on the basis that the preferred option would be that the current deficit is reduced to zero or, as an alternative, to report back to Cabinet should a single retailer be prepared to take up occupation of the Market Hall on the basis of the Council contributing an amount that is less than the deficit currently being faced by the Council
- (3) Requests a further report on Lancaster Market as soon as possible as part of the budget process from 2009/10, (a) identifying the financial obligations under the lease from Allied, in particular the frequency, basis

and mechanism of rent reviews, and the mechanism of termination and (b) identifying the same information in respect of the leases to current sub tenants and (c) setting out options, including any firm proposal from Cooltrader, and in addition to any options resulting from resolution 2 above, and the possibility of using part of the space in the market for City Council Purposes, for mitigating the loss of £518,100 that is shown in the estimates for 2009/10 and exceeds the rent of £409,000 due to Allied.

#### **1.4 Employee Establishment – Vacancy Authorisation**

Cabinet received a report seeking its approval to the filling of established vacancies where recommended, and resolved:-

- (1) That all posts be filled except Post CL0358 to be held vacant until January 2009 and also Post RS0192 to be deferred for three months and the position reviewed then
- (2) Cabinet identify in January where priorities are in the establishment and where savings can be made

#### **1.5 Item of Urgent Business – Referral from the Festivals and Events Cabinet Liaison Group**

Cabinet received a report seeking Cabinet's support for recommendations from the Chair of the Festivals and Events Cabinet Liaison Group.

- (1) That the 4 core events that cover Lancaster and Morecambe be approved (the Heritage Gala, Lancaster Jazz Festival, Bands in Happy Mount Park and Fireworks Spectacular)
- (2) That other Festivals Innovation Fund grant allocations for 2009/10 be referred to Star Chamber.

#### **1.6 Review of HR Policies**

A report was submitted advising Cabinet on the financial implications of reviewing the effectiveness of the Council's existing HR policies in particular the Early Termination of Employment Policy and the Redeployment Policy.

Cabinet agreed:-

- (1) That the North West Employers Organisation (NWEO) be requested to undertake a 'desk top' review of the City Council's "Early Termination of Employment Policy" and the related "Redeployment Policy" and to identify from published best practice, any immediate improvements that could be made.
- (2) That the NWEO be asked to identify how many days' work would be required to customise best practice in this area of activity to produce policies in line with Lancaster City Council's Policy Framework, and it be noted that such work would be funded by the Fairpay Reserve.

#### **1.7 Pay and Grading Structure**

A report was submitted providing further information to Cabinet on the financial and human resource implications of the four possible structures previously circulated, to enable Cabinet to express a preference for the Council's future pay and grading structure.

It was resolved:-

- (1) That Cabinet's preference for Pay and Grading Structure 9.5.4.5 be noted.

### **1.8 Budget and Policy Framework – update**

Cabinet considered a report informing members about progress made since the last Cabinet meeting in bringing forward options to refresh the 2009/10 Corporate Plan and to consider if any action is required, and also to note progress in respect of updating the Medium Term Financial Strategy (MTFS) and budget exercise and to determine any actions that might be required.

Cabinet agreed:-

- (1) That the latest progress made on refreshing the 2009/10 Corporate Plan be noted.
- (2) That progress made in respect of the MTFS and budget exercise be noted.

### **1.9 Corporate Performance Monitoring Second Quarter Corporate Report**

A report was submitted asking Cabinet to consider the information provided to the Corporate PRT meeting held on 26<sup>th</sup> November 2008. It was decided:-

- (1) That the information provided to the Corporate PRT meeting held on the 26 November 2008 and the associated action plan that was developed as a result of consideration of that information be noted.
- (2) That Cabinet endorses the actions taken as a result of the information contained within the PRT report and action plan.

### **1.10 Star Chamber**

Cabinet was advised of progress with Star Chamber meetings held since the last report to Cabinet of 11<sup>th</sup> November 2008. Cabinet resolved:-

- (1) That the report be noted.

### **1.11 International Youth Games 2009**

Cabinet received a report informing members of the options in respect of proposals for Lancaster to host the International Youth Games in the summer of 2009 and resolved:-

- (1) That the proposed Youth Games in the Lancaster District in 2009 be cancelled, saving the budget of £55,000.

### **1.12 Tourism Strategy Update Report**



Cabinet considered a report seeking formal approval for the Tourism Strategy Update 2008 document and its publication on the website and agreed:-

- (1) That the Tourism Strategy Update 2008 document and its publication on the website be approved.

### **2.0 Decisions required to be taken urgently**

As required by Access to Information Procedure Rule 17.03, set out below is a matter which required immediate implementation and in respect of which call-in was waived in accordance with Overview and Scrutiny Procedure Rule 17.

#### **YPO Electricity Contract**

Cabinet endorsed an urgent business decision in respect of the purchase of electricity:

- (1) That approval be given to purchase electricity through the Yorkshire Purchasing Organisation (YPO) for a twelve month period from 1<sup>st</sup> November 2009 to 31<sup>st</sup> October 2010 at a current fixed rate around £63 MWh.
- (2) That call in and the requirement to include the decision in the Forward Plan be waived, in accordance with Overview & Scrutiny Procedure Rule 17 and special urgency procedures, to enable immediate implementation.

The urgency for this decision was that the YPO were offering Councils the opportunity of purchasing electricity at £63 per MWh for a twelve month period from 1<sup>st</sup> November 2009 to 31<sup>st</sup> October 2010 and to benefit from this, the YPO requested that submissions be logged with them by Wednesday 29<sup>th</sup> October 2008 at 11am. After this date the Council would not have had the opportunity to move to this option and would remain on a fixed option until 31<sup>st</sup> October 2009.

#### **Filling of Vacant Posts in Financial Services**

- (1) That authorisation be given to fill the posts of Exchequer Officer and Exchequer Assistant within Financial Services.
- (2) That the call in be waived, in accordance with Overview & Scrutiny Procedure Rule 17, to enable immediate implementation.

The urgency for this decision was that there were 6 applicants shortlisted, awaiting an interview date. This is a key post within the Service as its main task is to process all employees' pay, Members allowances and associated pension, tax and National Insurance payments.

### **BACKGROUND PAPERS**

Cabinet agenda and minutes of the meeting on 9<sup>th</sup> December 2008.

**COUNCIL****Budget and Policy Framework 2009/10  
04 February 2009****Report of Cabinet****PURPOSE OF REPORT**

To update Council on the latest position regarding the Corporate Plan and to present Cabinet's Council Tax and draft budget proposals. This is in order that the City Council can ultimately approve the 2009/10 Revenue Budget and Capital Programme in accordance with statutory deadlines and the framework approved at earlier Council meetings.

**This report is public.**

**RECOMMENDATIONS*****In respect of the Corporate Plan:***

1. That Council considers the Corporate Plan proposals, as set out below:
  - a) That the current version of the Corporate Plan, attached at Appendix B, be approved.
  - b) That subject to a) above, the remaining outstanding sections of the Plan be completed accordingly and referred to the Council's Business Committee for further consideration prior to Council formally signing off the Plan.

***In respect of the General Fund Revenue Budget:***

2. That Council considers the General Fund revenue budget proposals to date, as set out in section 3 of this report.
3. That the 2008/09 Revised Budget of £23.782M be approved, with the net overspending of £571K being met from Revenue Balances.
4. That the minimum level of General Fund Balances be retained at £1M from 01 April 2009.
5. That a City Council Tax increase of 4% be approved for 2009/10.

***In respect of the General Fund Capital Programme:***

6. That Council considers the current General Fund Capital Programme position as set out in section 4 of the report.

*In respect of the Housing Revenue Account (Council Housing):*

7. That the Housing Revenue Account (HRA) Revised Budget for 2008/09 be approved, as set out at Appendix F.
8. That the minimum level of HRA Balances be retained at £350K from 01 April 2009, and that the Statement on Reserves and Balances (as set out at Appendix H) be noted.
9. That the HRA Budget for 2009/10 be approved, also as set out in Appendix F.
10. That the Council Housing Capital Programme be approved, as set out at Appendix I.

1 **INTRODUCTION**

- 1.1 Cabinet has responsibility for making proposals to Council each year in respect of the Budget and Policy Framework. The proposals in respect of the Policy Framework documents and in particular, the Corporate Plan, are now largely complete, with the exception of developing targets for each corporate priority action. In developing the proposals Cabinet has reviewed, consulted on, and adopted its revised medium term priorities and its related corporate objectives for the immediate future.
- 1.2 With regard to the Budget, Cabinet considered its proposals at its meeting on 20 January and made recommendations as appropriate. Those requiring specific Council consideration or approval are reflected in the recommendations above.
- 1.3 As in previous years, this report's recommendations seek formal approval for the level of City Council Tax increase in 2009/10, but not the actual revenue budget detail. In considering the recommendations, Council may decide whether to adopt, amend or to substitute the proposals, or whether to refer any issues back to Cabinet. In due course Council will be requested to approve the full Revenue Budget and the full 2009/10 Council Tax at its meeting on 04 March, once details of all other precepts have been received.
- 1.4 To assist Council in its deliberations, the main points associated with the budget and policy framework proposals and underlying assumptions are outlined below; the full related resolutions of the January Cabinet meeting are included at **Appendix A** for information. For more detail, Members may also find it helpful to refer back to the actual Cabinet reports.

2 **POLICY FRAMEWORK**

- 2.1 The policy framework is the collection of Plans and Strategies (other than the Budget and Capital Programme) that can only be approved or amended by full Council. The process for updating these was agreed by Cabinet at its meeting on 31 July 2008, and this process was completed before Christmas. The draft Corporate Plan reflects the outcomes of these considerations.

2.2 **Corporate Plan**

**Background**

The Corporate Plan brings together all the Council's strategic priorities and objectives set out in the other documents included in the policy framework. Its content drives the allocation of resources that are included in the budget and capital programme and service business plans. The format and presentation of the plan has been slightly amended to refine its content and format, particularly in terms of providing a

shared focus on the priority outcomes that the Council is seeking to achieve. The basis of the plan once again combines the strategic district-wide aspirations set out in the Council's current Sustainable Community Strategy (SCS) with the specific priorities of the Cabinet, and brings these together into 4 key priorities sub divided into 7 objectives each with a series of key actions. It is these key priorities, objectives, and actions that will guide the Council's work and investment over the next three years.

### **Sustainable Community Strategy/Local Area Agreement**

Council recently approved a refreshed Sustainable Community Strategy (SCS) informed by a comprehensive public consultation exercise undertaken by the Local Strategic Partnership (LSP) and the latest version of the County Council's Local Area Agreement (LAA). The LSP's 7 Thematic Groups have agreed their action plans for delivering the SCS and the council's contribution to delivering these is included in the draft Corporate Plan. Council is now asked to agree the latest version of the Plan, attached at **Appendix B**, as the basis for determining the budget proposals for 2009/10.

### **Targets & Outcomes**

At present, the recommended Corporate Plan is not complete. There are still outstanding sections (Foreword and Vision) and performance target information for each corporate priority action to prepare. The next stage therefore, is for officers to complete the outstanding sections of the Plan following today's meeting, and in particular, identify options for the priority action performance targets. It is recommended that this process be overseen in the first instance by the Council's Business Committee, as was the case last year. Once the completed Plan has been considered by the committee, a final draft will be submitted to Council for formal signing off in April.

### **Consultation**

As part of the annual consultation process, the Leader outlined the Cabinet's budget and policy framework proposals at an open meeting of the Budget and Performance Panel on 27 January 2009, to which all Members of the Council, LSP Thematic Group chairmen, and business stakeholder representatives were invited. Feedback from this meeting was not available at the time this agenda was published and so it will be circulated under separate cover as soon as practicable if appropriate.

## **3 GENERAL FUND REVENUE BUDGET**

- 3.1 For the current year, Council is recommended to approve a Revised Budget of £23.782M, with the net overspending of £571K being met from Revenue Balances. The net overspending is made up of a number of variances, most notably in connection with Concessionary Travel and Market operations, but several underspendings also occurred, e.g. on CC(D)S operations. Further information on all significant budget variances is included in the January Cabinet report.
- 3.2 For 2009/10 Council is recommended to approve a 4% increase in the basic City Council Tax. This would result in a Band D City Council Tax of around £185.30, as shown at **Appendix C**, and in cash terms the increase amounts to £7.13 for a full year (though final figures may round slightly differently). In addition information from the County Council and the Police and Fire Authorities is awaited, regarding their precept levels and resulting Tax rates.
- 3.3 The outline budget proposals to help achieve the recommended increase in Council Tax are set out at **Appendix D** for Council's initial consideration. It can be seen from this that some figures are still provisional and further work is required. In particular, taking account of proposals quantified so far, further savings of around £1.4M are

needed in order to support the recommended increase in Council Tax. The following issues and points are also highlighted:

- i. The appendix includes various savings and growth proposals, which amount to a net £264K saving in 2009/10 rising to £333K in future years. Cabinet supports in principle the savings items set out in Appendix D, and the growth items also included, but the growth items will be subject to further consideration, depending on sufficient progress being made to achieve the overall savings requirement.
- ii. Further development of budget proposals will be undertaken by Star Chamber, in order that a fully balanced set of revenue budget proposals can be developed for the February Cabinet meeting.
- iii. The draft budget takes account of the use of various grants such as Housing & Planning Delivery Grant (HPDG) and Area Based Grant (ABG). It also takes account of inflation and interest rate forecasts, although given the current economic conditions, these are more uncertain than in recent years. Regarding Icelandic investments, monthly updates are now being provided by the Local Government Association (LGA) to Group Leaders. The draft budget has been prepared as outlined in the December report to Council and more details are included in the January Cabinet report; there is no further information to report at this time.
- iv. The Local Government Finance Settlement was announced in late November. (Since Cabinet met, the final Settlement has also been announced and there are no changes.) This means that for 2009/10, the total amount of Government support that the Council will receive is £15.994M. This represents a year on year cash increase of £471K or 3%.
- v. At the time of Cabinet putting forward these proposals, however, the final Local Government Finance Settlement had not been received, nor had the Collection Fund position been determined. For these reasons, there is no recommendation included as yet on the Council's Net Revenue Budget amount for 2009/10.
- vi. Provisional Settlement information has also been received for 2010/11, but not for 2011/12. This is because there will be no rolling 3-year Settlement; instead the 3-year Settlements will run consecutively, tied in with Government's Comprehensive Spending Reviews. Prospects for future spending on public services are very gloomy; currently for 2011/12 a 2% year on year cash increase in Government support is assumed (i.e. broadly equivalent to a no real terms increase).
- vii. With regard to capping, the Minister for Local Government has stated that "keeping council tax under control remains a priority for the Government. We expect the average council tax increase in England to be substantially below 5%. We will not hesitate to use our capping powers to protect council tax payers from excessive increases. .... No decisions have been taken on capping principles for 2008/09. It would, however, be unwise for any authority to assume that capping principles set in previous years will be repeated. We intend to take decisions on principles after authorities have set their budgets, but we are prepared to announce the principles in advance if the circumstances suggest this is necessary." This message was reiterated in a letter sent to all local authority Leaders on 09 December 2008. Council is advised to take these comments into account when considering proposed Council Tax increases for next year.
- viii. An initial review of General Fund Balances, Reserves and Provisions has been undertaken and this is reflected in the current draft budget position; further information will be reported into Budget Council.

- ix. With regard to the level of balances for next year, it is proposed to retain the basic minimum at £1M as recommended by the s151 Officer, but Members should note that following the overspending in the current financial year, Balances are expected to fall to £1.191M by 31 March 2008. The budget forecasts have been prepared on the assumption that the surplus resources of £191K will be used as a one-off contribution towards the 2009/10 budget, i.e. that the current phased use of surplus balances would end. This will be reviewed in February, with firm proposals being incorporated into the report to Budget Council. A statement on the Balances position is included at **Appendix E**.
- x. The Council's Tax Base for 2009/10 has been set at 43,200 Band D properties, which represents a year on year increase of just 50 (0.1%). This represents reduction of 50, when compared with the latest MTFS projections.

3.4 In summary, in recommending a 4% increase in Council Tax, Cabinet has had regard to the Council's current MTFS and future years' projections (the latest figures are shown at Appendix C, including remaining savings requirements), proposed corporate priorities and service delivery needs, the affordability of Council Tax bills for the district, and Government's statements regarding capping.

#### 4 GENERAL FUND CAPITAL PROGRAMME

4.1 Back in October Cabinet approved a framework for considering capital spending bids in line with emerging priorities, but also taking account of other service needs. The framework forms a key part of the Council's draft Capital Investment Strategy.

4.2 Further to this, at the last Cabinet meeting Members considered the latest draft capital programme and funding proposals. In summary, the position is as follows. For now, the summary below focuses on the net programme, i.e. only the Council funding required for proposed schemes, excluding any externally funded elements. More detailed information is included within the January Cabinet report if required. At this stage, the programme has not been rolled forward into 2013/14.

	2008/09 £'000	2009/10 £'000	2010/11 £'000	2011/12 £'000	2012/13 £'000	Total £'000
<b>City Council Funding Requirement for Draft Programme</b>	<b>5,087</b>	<b>2,913</b>	<b>1,978</b>	<b>1,398</b>	<b>561</b>	<b>11,937</b>
Estimated Funding Available:						
Capital Receipts: balance b/f	1,424	--	--	--	--	1,424
In Year Capital Receipts	1,250	7,105	50	1,025	50	9,480
Direct Revenue Financing	563	270	65	70	50	1,018
Underlying Increase in Borrowing	1,636	-1,401	--	--	--	235
<b>Cumulative Surplus (+)/Shortfall (-)</b>	<b>-214</b>	<b>+2,847</b>	<b>+984</b>	<b>+681</b>	<b>+220</b>	<b>+220</b>

4.3 An update on the latest position and the main issues arising is outlined below for Council's information and consideration:

- i. The combined value of existing schemes and new bids submitted by Services for the period amounts to approximately £62M.

- ii. Whilst at present there is forecast to be a small shortfall in funding of £214K for the current year, this is expected to be addressed through further slippage on schemes, into 2009/10.
  - iii. By far the greatest quantified capital pressure still relates to the investment needs for structural and other works to council owned property, including municipal buildings, and these are included in the draft programme. The programme does not include any proposals in connection with any wider access to services' accommodation developments, however. This is on the basis that these developments will not be taken forward, at least for this year, given the capital uncertainties. Instead, smaller measures to achieve some relocation/consolidation will be progressed, insofar as they can be funded through the remaining Access to Services earmarked reserve.
  - iv. With regard to funding, capital receipts of around £9.48M are still assumed from the current year to 2012/13. This is unchanged from the position as reported to Council in November. Clearly there are risks attached to the completion of relevant property sales, especially given the current economic climate. A further update on property disposal is scheduled for February Cabinet.
  - v. At present the draft programme assumes that £1.018M of revenue funding will be made available to help fund certain schemes, over the period to 2012/13. These contributions are built into the draft revenue budget projections as appropriate.
  - vi. In total the draft programme provides for a net increase of only £235K in the Council's underlying supported borrowing requirement for the period. It does, however, provide a temporary increase of £1.4M in this year, but on the basis that this be 'repaid' in 2009/10 – this was approved by Council back in November. Any longer term increase in capital related borrowing must meet the requirements of the Prudential Code, i.e. it should be prudent, affordable and sustainable, as the costs of such borrowing will fall on the Revenue Budget and Council Tax.
  - vii. The Council currently expects to draw in around £48M of external funding for schemes over the period to 2012/13. Key issues and risks relating to external funding were reported to the January Cabinet meeting. These include the need for projects to fit with the Council's priorities and to ensure sufficient resources and skills for project management, as well as potential match funding requirements and implications of overspending, etc.
  - viii. There are still other important aspects outstanding regarding the capital position, and work is underway to progress these as far as possible. In particular, this includes scheme considerations such as Luneside East and Chatsworth Gardens. Furthermore, there may be other capital investment needs coming through, linked to Cabinet's revenue budget proposals. Finally, it is possible that capitalisation bids for issues such as concessionary travel and in the longer term, Icelandic investments, may also have bearing on the capital position.
- 4.4 Given that further work is still ongoing on certain aspects of the programme and its funding, at this stage Council is recommended only to consider the overall capital position, and make any recommendations as it feels appropriate. A full update will be included in the final budget report to Council in February, when a fully balanced programme will be presented for approval.

## 5 HOUSING REVENUE ACCOUNT

- 5.1 In respect of the Housing Revenue Account (HRA), the recommendations complete the budget setting process for 2009/10. In considering the recommendations Council is asked to note the following:

- i. The revised budget position for 2008/09 is summarised at **Appendix F**, for Council approval. Overall, a net increase in expenditure of £367K is forecast. Of this, £119K relates to approved carry forward requests, and a further £248K is to be transferred to the Major Repairs Reserve to help fund longer term maintenance of the housing stock. Other net variances arising have been offset by a reduction in revenue financing for the current year's capital programme.
- ii. Next year's proposed revenue budget (also summarised at Appendix F) takes account of Cabinet's decision to set average housing rents at £59.56 per week, which represents an increase of 5%, i.e. slightly below the 5.9% 'Limit Rent' increase set by Government. As in previous years the decision on rent levels was taken at the January Cabinet meeting, subject to call-in, in order to give sufficient time for the statutory notices on rent changes to be issued to tenants by 01 March. Future years' budget projections continue to assume year on year rent increases of 5%.
- iii. The budget proposals also allow for the latest notifications on housing subsidy payable to the Government (known as 'negative subsidy'). The Council will benefit as a result of some changes that the Government has introduced. In next year the Council is now due to pay £1.185M, representing a reduction of £159K when compared with the current year. This is expected to be a one-off benefit, however. The outcome of Government's recent review of the subsidy system is due out in spring, and this should inform Government decisions regarding council rent and subsidy determinations from 2010/11 onwards.
- iv. The proposed revenue budget provides for various growth items, the largest of which relates to energy performance certificates. More information is included at **Appendix G**.
- v. A formal review of the HRA's Balances, Reserves and Provisions has been undertaken, the outcome of which is reflected in **Appendix H**, as well as the HRA budget proposals. It is recommended that the minimum level of Balances be retained at £350K. After taking account of the 2007/08 outturn and the revised budget position for the current year, HRA balances are expected to be in line with this recommendation.
- vi. In effect, the budget proposals allow for any surplus resources to be transferred into the Major Repairs Reserve (MRR), to support future years' capital investment in line with the 30-year Business Plan.
- vii. Members may be aware that in order to fund the Business Plan, it was originally estimated (some years ago) that £12.8M would need to be set aside in the MRR by 2014. Under these budget proposals, it is forecast that balances of around £10.3M will be set aside by then, leaving a gap of £2.5M. This has deteriorated by around £0.9M on the position a year ago. This needs to be an area for review, as soon as workloads allow.
- viii. With regard to capital, the proposed programme is set out at **Appendix I** and it has been driven primarily by the 30-year Business Plan, in line with the outcome from the Stock Options Appraisal. Other than the revenue financing changes mentioned earlier, no other major changes have been required in order to balance the capital position. The proposed programme will enable the housing stock to continue to meet both the Decent Homes Standard and the Council's own higher Standard, using information from the most recent stock condition surveys.



- ix. As in previous years it is not proposed to undertake any prudential borrowing to support capital investment in Council Housing, and therefore there is no direct impact on the Council's Prudential Indicators.
- x. The amount of capital expenditure to be funded from housing capital receipts in 2009/10 is estimated at £84,000. Expenditure up to this amount will be offset against HRA capital receipts as a capital allowance, before the pooling arrangements apply.
- xi. Finally, Members will be aware that the Pay and Grading report elsewhere on the agenda has medium term implications for the HRA, but these have not yet been built into these budget projections.

5.2 Cabinet's HRA budget proposals were to be presented to the District Wide Tenants' Forum on 28 January. Feedback from that meeting will be fed into Council under separate cover as appropriate.

## 6 CONCLUSION

6.1 Council are asked to approve the current version of the Corporate Plan and agree the process for signing off the final version of the Plan.

6.2 The report also seeks Council approval for the 2009/10 City Council Tax increase. It should be noted that by agreeing the recommendations of the report, Council will be approving the Council Tax increase for 2009/10 at 4%, but not the overall revenue budget requirement.

6.3 Regarding the General Fund Capital Programme, at this stage information on progress has been provided but Council is not being requested to approve any specific recommendations. Cabinet's final proposals will be reported to the Budget Council meeting for further consideration and final approval.

6.4 With regard to the HRA the position is different, in that this report includes Cabinet's final budget proposals for both revenue and the Council Housing Capital Programme.

### **CONCLUSION OF IMPACT ASSESSMENT**

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

No additional impact arising – any specific issues would be (or have been) considered as part of the relevant aspect of the policy framework or individual budget proposals, etc.

### **FINANCIAL IMPLICATIONS**

As referred to in the report.

### **SECTION 151 OFFICER'S COMMENTS**

The Local Government Act 2003 placed explicit requirements on the s151 Officer to report on the robustness of the estimates included in the budget and on the adequacy of the Council's reserves. Previous Cabinet reports have already included some relevant details of this advice, together with the risks and assumptions underpinning the budget process so far. A summary of the s151 Officer's advice to date is provided below for information, but it should be noted that this is provisional until such time as Cabinet's full budget proposals for General Fund are known. At present, savings of around £1.4M still need to be identified and

this represents a significant risk to setting a balanced budget.

### **Reserves and Provisions**

- Specific earmarked reserves and provisions are satisfactory at the levels currently proposed, given that measures are in place to manage and reassess other key issues such as Fairpay / Job Evaluation, and recognising that the arrangements to deal with any principal losses arising from Icelandic investments have effectively been postponed, in line with Government Regulations. There is still a need to review some other earmarked reserves, however, in light of Cabinet's budget and planning proposals.
- Unallocated balances of £350K for the Housing Revenue Account and £1M for General Fund are reasonable levels to safeguard the Council's overall financial position.

With regard to General Fund balances, £1M represents about 4.2% of the net Revenue Budget. The above advice regarding unallocated balances is dependent upon other provisions and reserves remaining broadly at current levels, unless a specific service policy change indicates otherwise, and also this advice may be reviewed again once Cabinet's final General Fund budget proposals are known.

At present the General Fund budget proposals assume that estimated surplus balances as at 01 April 2009 (£191K) will be used to support next year's revenue budget. There is some risk attached to this, in that if further net overspending occurs in this year, the assumed surplus balances would not be available. In context of the overall budget, however, this risk should be manageable, but again this will be reviewed during February as part of updating the Council's Medium Term Financial Strategy.

With regard to Housing Revenue Account balances, £350K represents approximately 2.5% of gross income. With regard to any surplus balances, the same general principles apply (as they have done in recent years), in that they would be used to support the 30-year Business Plan, taking account of housing rent increases.

### **Robustness of Estimates**

A variety of exercises have been undertaken to establish a robust budget for the forthcoming year. These include:

- Producing a continuation budget, taking account of service commitments, pay and price increases and expected demand / activity levels as appropriate, and the consideration of key assumptions and risks.
- Reviewing the Council's priorities and its associated service activities and spending / income generation plans. This is being supported by the Star Chamber exercise and by consultation.
- Reviewing the Council's medium term financial strategy and planning, following its adoption last March, together with other corporate financial monitoring information produced during the year.
- Undertaking an initial review of the Council's affordable borrowing levels to support capital investment, in line with the Prudential Code, but taking account of Government Regulations regarding Icelandic investments.

These measures ensure that as far as is practical at this stage, the estimates and assumptions underpinning the base budget are robust, but clearly further work is required to present a robust General Fund budget to achieve the recommended Council Tax increase, as well a balanced General Fund Capital Programme.

**Affordability of Spending Plans**

In addition, the s151 Officer is responsible for ensuring that when setting and revising Prudential Indicators, including borrowing limits, all matters to be taken into account are reported to Council for consideration. This will be covered in the report to Budget Council, at which time Council will consider full proposals regarding the capital programme and financing for the five year period to 2013/14. There is no borrowing to be undertaken in respect of the Council Housing Capital programme included in this report.

**LEGAL IMPLICATIONS**

Legal Services have been consulted and have no observations to make on this report.

**MONITORING OFFICER'S COMMENTS**

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

**BACKGROUND PAPERS**

Prudential Code  
Local Government Finance Settlement

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**BUDGET & POLICY FRAMEWORK REPORTS: DRAFT RESOLUTIONS FROM CABINET 20 JANUARY 2009**

**119 BUDGET AND POLICY FRAMEWORK UPDATE - CORPORATE PLAN**

***Resolved:***

- (1) That Cabinet approves the draft 2009/10 Corporate Plan attached as Appendix A to the report, as a basis for consultation in accordance with the agreed timetable and as the basis for determining its budget proposals, subject to
  - the reference to Street Pride under “Safe and Healthy Communities” (page 6) being rewritten into “Clean and Green” (page 4);
  - and that the narrative part of the report contains references to the current global economic recession.”

**120 BUDGET AND POLICY FRAMEWORK UPDATE - GENERAL FUND REVENUE BUDGET**

***Resolved:***

- (1) That Cabinet recommend a Council Tax increase of 4% to Council for 2009/10.
- (2) That the 2008/09 Revised Budget of £23.782M be referred on to Council for approval, with the net overspending of £571K being met from Balances.
- (3) That Cabinet notes the position regarding the Local Government Finance Settlement and capping.
- (4) That Cabinet recommends to Council that the minimum level of General Fund Balances be retained at £1M from 01 April 2009.
- (5) That Cabinet approves the reassessment of other earmarked reserves and provisions as set out in section 4 of the report.
- (6) That Cabinet notes the Council Tax Base of 43,200 Band D properties for 2009/10.
- (7) That subject to all the above, Cabinet notes the resulting draft 2009/10 General Fund Revenue Budget of £25.701M, and the indicative spending projections of £27.040M for 2010/11 and £27.987M for 2011/12.
- (8) That Cabinet supports in principle the savings items set out in Appendix F to the report, and the growth items also included, but that the growth items be subject to further consideration, depending on sufficient progress being made to achieve the budget savings required to meet any approved Council Tax increase.
- (9) That further consideration of budget proposals be undertaken by Star Chamber, including the use of other earmarked reserves as set out in 4.5 of the report, in order that a fully balanced set of revenue budget proposals can be developed for formal consideration by Cabinet at its February meeting.

- (10) That Council considers the General Fund revenue budget proposals to date, for initial consideration, subject to the decisions made at Cabinet today.

**121 BUDGET AND POLICY FRAMEWORK UPDATE - GENERAL FUND, CAPITAL PROGRAMME**

***Resolved:***

- (1) That Cabinet notes the latest position regarding the General Fund Capital Programme and supports in principle the funding assumptions from 2008/9 onwards as set out, but that these be reviewed in light of the further work underway.
- (2) That the outcome of the work ongoing as set out in the report, including the capital receipts review and updates on the issues outlined in sections 2 and 3 of the report, be fed into Star Chamber for initial consideration, in order that a fully balanced programme can be developed for formal consideration by Cabinet at its February meeting.
- (3) That the current capital position be referred on to Council for consideration.

**122 BUDGET AND POLICY FRAMEWORK UPDATE - HOUSING REVENUE ACCOUNT BUDGET AND CAPITAL PROGRAMME**

***Resolved:***

- (1) That the Housing Revenue Account Revised Budget for 2008/09, as set out at Appendix A to the report, be recommended to Council for approval.
- (2) That the revenue growth bids as set out at Appendix B be supported, to be funded by reductions in the contributions into the Major Repairs Reserve.
- (3) That the Housing Revenue Account Budget for 2009/10 as set out at Appendix A to the report, as amended for growth above, be recommended to Council for approval.
- (4) That Cabinet recommend to Council that the minimum level of HRA unallocated balances be retained at £350,000 from 01 April 2009, and that the Statement on Reserves and Balances be noted and referred to Council for information.
- (5) That average council housing rents for the year commencing 01 April 2009 be set at £59.56, representing an increase of 5%.
- (6) That future year budget projections continue to assume a 5% year on year increase in average rents.
- (7) That the Capital Programme as set out at Appendix E of the report be referred on to Council for approval.
- (8) That Cabinet notes that the proposed revenue budgets and capital programme will be referred to the District Wide Tenants Forum on 28 January 2009, and that any issues arising will be fed directly into Council.

# **DRAFT CORPORATE PLAN**

**2009 – 2012**

## **FOREWORD**

**To Be Refreshed**

## **OUR VISION/ROLE/CORE VALUES**

**To Be Reviewed**

## OUR CORPORATE PRIORITIES

### 1 SUPPORT OUR LOCAL ECONOMY (Include short narrative)

**Objective: 1** Work in partnership to ensure a strategic approach to economic development and regeneration

### 2 CLEAN AND GREEN PLACES (Include short narrative)

**Objective: 2** Maintain the cleanliness of our streets and public spaces

**Objective: 3** Develop local responses to Climate Change

### 3 SAFE AND HEALTHY COMMUNITIES (Include short narrative)

**Objective: 4** Work in partnership and make our district an even safer place addressing crime and the fear of crime, and anti-social behaviour.

**Objective: 5** To contribute towards health improvement and reducing health inequalities through both the delivery of our own services and our work with partners.

### 4 SUPPORT OUR LOCAL COMMUNITIES (Include short narrative)

**Objective: 6** To work in partnership with others meet the differing needs of communities within our district

**Objective: 7** To improve the standard, availability and affordability of housing in the district to meet local needs

The Draft Plan now includes a 'basket' of Corporate Performance Targets that may not be directly linked to 4 corporate priorities. They will help to demonstrate that the Council is continuing to improve in addition to delivering its priorities.

The Priorities have been cross-referenced with the LAA and SCS Action Plans and evidence of this will be included in the final Plan.

<b>CORPORATE PRIORITY: SUPPORT OUR LOCAL ECONOMY</b>		
<b>Objective 1: Work in partnership to ensure a strategic approach to economic development and regeneration</b>		
<b>Key Targets: • SMART targets to be identified following agreement of the Priorities, Objectives, and Actions</b>		
<b>Key Actions:</b>	<b>Action by:</b>	
	<b>Lead Offr</b>	<b>Lead Cab Mem</b>
1.1 <b>Develop and implement a sustainable regeneration programme based upon the LDLSP Economy Thematic Group Economy Action Plan and our own Tourism Strategy where this is a Council priority.</b>		
1.2 <b>Complete Economic Investment Strategy by developing projects around each of the following 5 Vision Themes and apply for funding support for each.</b> <ul style="list-style-type: none"> <li>▪ Knowledge Economy</li> <li>▪ Heysham to M6 Employment Corridor</li> <li>▪ Re-inventing Morecambe</li> <li>▪ Lancaster City and Riverside</li> </ul> <b>Carnforth Northern Gateway</b>		
1.3 <b>Deliver the council's actions in the LSP's Education, Skills, and Opportunities Thematic Group Action plan</b> <ul style="list-style-type: none"> <li>▪ Prepare Local Employment Skills Plan</li> <li>▪ Develop Employer Engagement Action Plan</li> </ul> <b>Prepare (workless groups and individuals) Outreach and Engagement Action Plans</b>		
<b>Projects</b>		
<ul style="list-style-type: none"> <li>▪ Progress the sale of land at South Lancaster</li> <li>▪ Progress negotiations regarding Lancaster Market and develop potential options for reducing budget deficit</li> <li>▪ Bringing forward proposals for the future use of the Auction Mart site as an interceptor car park</li> <li>▪ Progress Storey Institute Creative Industries Centre to a successful launch and a first year of operation</li> </ul>		
<b>Rationale • Sustainable Community Strategy • Medium Term Financial Strategy • Local Area Agreement • Local Development Framework • Capital Investment Strategy • Residents Priority</b>		



<b>CORPORATE PRIORITY: CLEAN AND GREEN PLACES</b>		
<b>Objective: 2. Maintain the cleanliness of our streets and public spaces</b>		
<b>Key Targets: •</b>  SMART targets to be identified following agreement of the Priorities, Objectives, and Actions		
<b>Key Actions:</b>	<b>Action by:</b>	
	<b>Lead Offr</b>	<b>Lead Cab Mem</b>
<b>2.1 Deliver the Council's actions in the LDLSP's Environment Thematic Group Action plan</b>		
<b>2.2 Maintain the cleanliness of our streets and public spaces</b>		
<b>2.3 Promote and implement the Street Pride initiative</b>		
<b>2.4 Implement Lancashire Waste Strategy by :-</b> <ul style="list-style-type: none"> <li>• preparing for food waste recycling in 2010/11</li> <li>• offering commercial waste recycling, including at schools</li> <li>• using education and enforcement to increase domestic waste recycling</li> </ul>		
<b>Projects</b>		
<b>Rationale • Sustainable Community Strategy • Statutory Requirement • Resident Priority • Local Area Agreement • Lancashire Waste Strategy</b>		

<b>CORPORATE PRIORITY: CLEAN AND GREEN PLACES</b>		
<b>Objective: 3. Develop local responses to Climate Change</b>		
<b>Key Targets: •</b>		
SMART targets to be identified following agreement of the Priorities, Objectives, and Actions		
<b>Key Actions:</b>	<b>Action by:</b>	
	<b>Lead Offr</b>	<b>Lead Cab Mem</b>
<b>3.1 Deliver the Council's actions in the LDLSP's Environment Thematic Group Action Plan</b>		
<b>3.2 Implement the Council's In House Climate Strategy</b>		
<b>3.3 Promote energy efficiency initiatives for local homeowners (specifically Strategic Housing initiatives )</b>		
<b>3.4 Improve the energy efficiency of our public buildings</b>		
<b>3.5 Develop Management Plans for the district's AONB's</b>		
<b>Projects</b>		
<b>Rationale • Sustainable Community Strategy • Local Area Agreement</b>		

V 2.09 23-01-09

Agreed Cabinet 20<sup>th</sup> Jan 09

<b>CORPORATE PRIORITY: SAFE AND HEALTHY COMMUNITIES</b>		
<b>Objective: 4 To contribute towards making our district an even safer place by reducing crime and the fear of crime, and anti-social behaviour.</b>		
<b>Key Targets:</b>  SMART targets to be identified following agreement of the Priorities, Objectives, and Actions		
<b>Key Actions:</b>	<b>Action by:</b>	
	<b>Lead Offr</b>	<b>Lead Cab Mem</b>
<b>4.1 Deliver the Council's actions in the LDLSP's Community Safety Thematic Group Action Plan where this is a Council priority.</b>		
<b>4.2 Promote and implement the Clean Sweep initiative</b>		
<b>4.3 Deliver the Council's actions in the LDLSP's Valuing People Thematic Group - Join up with (Wyre's) Hate Crime Initiative</b>		
<b>4.4 Implement Sports and Arts Project (works with targeted young people to divert them away from crime through free access to sports and arts facilities)</b>		
<b>Projects</b>		
<ul style="list-style-type: none"> <li>▪ Carnforth CCTV</li> </ul>		
<b>Rationale</b> • Sustainable Community Strategy • Statutory Requirement • Local Area Agreement • Community Safety Partnership Plan • Residents Priority		

<b>CORPORATE PRIORITY: SAFE AND HEALTHY COMMUNITIES</b>		
<b>Objective: 5 To contribute towards health improvement and reduce health inequalities through both the delivery of our own services and our work with partners.</b>		
<b>Key Targets:</b>		
SMART targets to be identified following agreement of the Priorities, Objectives, and Actions		
<b>Key Actions:</b>	<b>Action by:</b>	
	<b>Lead Offr</b>	<b>Lead Cab Mem</b>
<b>5.1 Deliver the Council's actions in the LDLSP's Health and Well Being Thematic Group Action Plan where this is a priority</b>		
<b>5.2 Maintain children and young people participation in sports and physical activities.</b>		
<b>5.3 Implement Cycling Demonstration Town programme</b>		
<b>5.4 Develop new Air Quality Management Plan</b>		
<b>5.5 Implement Sports and Physical Activities Alliance (SPAA) projects</b>		
<b>5.6 Continuing licensing activity re alcohol harm</b>		
<b>Projects</b>		
<ul style="list-style-type: none"> <li>▪ District Playground Improvements</li> <li>▪ Big Lottery Parks</li> <li>▪ Poulton Pedestrian Route</li> <li style="padding-left: 80px;">Cycle Demonstration Town Projects</li> </ul>		
<b>Rationale</b> • Sustainable Community Strategy • Statutory Requirement • Local Area Agreement • Residents Priority		

<b>CORPORATE PRIORITY: SUPPORT OUR LOCAL COMMUNITIES</b>		
<b>Objective: 6 To work in partnership with others meet the differing needs of communities within our district</b>		
<b>Key Targets:</b> •  SMART targets to be identified following agreement of the Priorities, Objectives, and Actions		
<b>Key Actions:</b>	<b>Action by:</b>	
	<b>Lead Offr</b>	<b>Lead Cab Mem</b>
<b>6.1 Deliver the Council's actions in the LDLSP's Valuing People Thematic Group Action Plan – develop and implement a Community Cohesion Strategy</b>		
<b>6.2 Support the LDLSP's development of a Community Engagement Framework for the district where this is a priority for the Council</b>		
<b>6.3 Deliver the Council's actions in the LDLSP's Children &amp; Young People Thematic Group Action Plan – Implement Lancaster City Council's own C&amp;YP action plan and maintain the range of opportunities for children and young people to take part in positive activities</b>		
<b>6.4 Continue to work with Lancashire County Council and the district's parish and town councils to ensure the three tiers of local government work more effectively (includes development of a district Parish Charter)</b>		
<b>Projects</b>		
<ul style="list-style-type: none"> <li>• Centenary Celebrations</li> <li>• Establishment of Morecambe Town Council</li> <li>• Task Group review of Parish service provision &amp; funding</li> <li>• Prepare response to Sustainable Community Act</li> </ul>		
<b>Rationale</b> • Sustainable Community Strategy • Local Area Agreement • Residents Priority		

<b>CORPORATE PRIORITY: SUPPORT OUR LOCAL COMMUNITIES</b>		
<b>Objective: 7 To improve the standard, availability and affordability of housing in the district to meet local needs</b>		
<b>Key Targets:</b> •  SMART targets to be identified following agreement of the Priorities, Objectives, and Actions		
<b>Key Actions:</b>	<b>Action by:</b>	
	<b>Lead Offr</b>	<b>Lead Cab Mem</b>
<b>7.1 Deliver the council's actions in the LDLSP's Health &amp; Well Being Thematic Group action plan – in particular the delivery of the council's Homelessness Strategy to :-</b>  <ul style="list-style-type: none"> <li>• Provide affordable housing</li> <li>• Reduce the number of households living in temporary accommodation</li> <li>• Reduce the levels of homelessness within the district</li> </ul>		
<b>7.2 Refresh Housing Strategy 2009-2012</b>		
<b>Projects</b>		
<ul style="list-style-type: none"> <li>• YMCA Places of Change,</li> <li>• Poulton Renewal</li> <li>• Regional Housing Board Funding Scheme</li> <li>• Disabled Facilities Grants</li> </ul>		
<b>Rationale</b> • Sustainable Community Strategy • Statutory Requirement • • Local Area Agreement • Housing Strategy • Residents Priority		

## CORPORATE PERFORMANCE

### Key Corporate Indicators: **ILLUSTRATION ONLY**

These are the key targets which will measure the progress as a whole the Council has made towards achieving its overall aim to maintain a well managed, cost-effective Council responsive to the needs and aspirations of local people.

- *Keep the City Council element of Council Tax increases to acceptable levels being 4% or less in 2009/10 and in 2010-11 and 2011/12.*
- *Efficiency/ MTFS targets*
  - *% of services where initial access can be either face to face, telephone or web – 85% 2010*
  - *% of residents rate their local area as a very good or fairly good place to live – baseline and target to be established from Place survey*
  - *% of residents agree that that the City Council provides value for money (Place Survey)*
- *Sickness absence reduction indicator*
- *% of Corporate Plan targets delivered annually*
- *Continuing positive Direction of Travel and Use of Resources judgements*
- *Equality Standard for Local Government score*
- *Target from Member Development Charter*

## RESIDENTS SATISFACTION SURVEY

The last Best Value Residents Satisfaction Survey carried out in 2006 identified the following views from residents:

<b>What makes a good place to live?</b>		
	2006%	2003%
Level of crime	59.0	66.5
Health services	51.4	59.9
Clean streets	50.3	31.9
Affordable decent housing	44.0	30.8
Shopping facilities	23.4	31.1
Education provision	30.4	26.0
Activities for teenagers	24.2	19.7
Road/pavement repairs	23.7	29.9
Public transport	26.1	22.9
Level of traffic congestion	31.4	40.1
<b>Which things most need improving in the area?</b>		
	2006%	2003%
Level of traffic congestion	52.1	49.0
Activities for teenagers	48.9	33.5
Road/pavement repairs	42.0	37.7
Level of crime	37.3	47.2
Clean streets	37.3	38.4
Job Propects	23.1	21.9
Affordable decent housing	22.8	23.9
Facilities for young children	21.6	16.5
Public transport	19.2	24.7
Shopping facilities	15.2	19.2

Figure 1



**Future Years' Budgets, Provisional Settlement and associated Council Tax Rates  
For Consideration by Council 04 February 2009**

	2008/09 Estimate £000	2009/10 Projection £000	2010/11 Projection £000	2011/12 Projection £000
<b>Original Revenue Budget Projection</b>	<b>23,211</b>	<b>24,726</b>	<b>25,925</b>	<b>0</b>
<b>Projection per MTFS Review November 2008</b>	<b>23,211</b>	<b>25,831</b>	<b>27,200</b>	<b>0</b>
<b>Base Budget Amendments :</b>				
Changes resulting from Budget review to January 2009	+235	-188	-303	+27,915
<b>Cabinet's Provisional Savings &amp; Growth Proposals (per Appendix D):</b>				
Growth		+88	+72	+75
Savings		-352	-405	-408
Change in Contributions to (+) / From (-) Balances	-235	+21	+142	+71
<b>Latest Revenue Budget Projection</b>	<b>23,211</b>	<b>25,400</b>	<b>26,706</b>	<b>27,653</b>
<b>Provisional Government Support</b>	15,523	15,994	16,377	16,705
Collection Fund Deficit / (-) Surplus	+0	+0	+0	+0
<b>Amount met by Council Tax</b>	<b>7,688</b>	<b>9,406</b>	<b>10,329</b>	<b>10,948</b>

<b>Latest Tax Base Estimates</b>	<b>43,150</b>	<b>43,200</b>	<b>43,250</b>	<b>43,300</b>
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**COUNCIL TAX IMPLICATIONS :**

<b>Band D Basic Council Tax (across district)</b>	<b>£178.17</b>	<b>£217.73</b>	<b>£238.81</b>	<b>£252.85</b>
<b>Percentage Increase Year on Year</b>	<b>4.6%</b>	<b>22.2%</b>	<b>9.7%</b>	<b>5.9%</b>

**As Compared with:**

Original Projections	£201.43	£219.24
	13.1%	8.8%
MTFS Original Targets	£185.30	£192.70
	4.0%	4.0%

<b>Assumed Target Year on Year Basic Council Tax Increase</b>	In % terms	<b>4.0%</b>	<b>4.0%</b>	<b>4.0%</b>
	In £ terms (Band D)	<b>£7.13</b>	<b>£7.41</b>	<b>£7.71</b>
<b>Target Basic City Council Tax Rate across the District</b>		<b>£185.30</b>	<b>£192.71</b>	<b>£200.42</b>
<b>Budget assumptions to achieve these targets:</b>		£'000	£'000	£'000
<b>Current Revenue Budget Projection (from above table)</b>		<b>25,400</b>	<b>26,706</b>	<b>27,653</b>
<b>Net Growth (+) / Savings (-) Requirement</b>		<b>-1,401</b>	<b>-1,994</b>	<b>-2,270</b>
<b>Target Revenue Budget Requirement</b>		<b>23,999</b>	<b>24,712</b>	<b>25,383</b>

The above net savings requirements would need to be increased to cover any growth proposals.

**PROVISIONAL SAVINGS & GROWTH**  
For Consideration by Council 04 February 2009

	2009/10 £000	2010/11 £000	2011/12 £000
<b>BUDGET PROJECTIONS</b> : Per Budget Report to Cabinet 20 January	25,701	27,040	27,987
<b>ADDITIONAL BASE BUDGET ADJUSTMENTS:</b> Parking Fees & Charges: Cabinet 20 January, subject to call-in	-37	-1	-1
<b>UPDATED BASE BUDGET PROJECTIONS</b>	25,664	27,039	27,986
<b>TARGET REVENUE BUDGET</b> (for a 4% increase in basic Council Tax, assumed year on year)	23,999	24,712	25,383
<b>SAVINGS REQUIREMENT TO ACHIEVE A 4% COUNCIL TAX</b>	1,665	2,327	2,603
<b>Provisional Savings</b> (from schedule below)	-352	-405	-408
<b>Provisional Growth</b> (from schedule below)	+88	+72	+75
<b>Net Total</b>	-264	-333	-333
<b>REMAINING SAVINGS REQUIREMENT</b>	+1,401	+1,994	+2,270

**CABINET'S PROVISIONAL BUDGET PROPOSALS TO DATE:**

<b>SAVINGS :</b>		-352	-405	-408
Democratic Services	Democratic & Member Support : Printing & Stationery	-7	-7	-7
	Discontinuation of distribution to Members : Provisional	-	-9	-9
	Miscellaneous Grants	-8	-	-
	Member Development	-5	-5	-
Corporate Strategy	Communications : Marketing Review	-30	-50	-50
ICS	IT Desktop & Telephony : Use of multi-functional devices (MFD's)	-10	-15	-15
Revenue Services	Council Tax & Housing Ben Admin : Staffing Restructure	-43	-44	-44
	Council Tax Admin & Collection : Renegotiated bailiff fees	-25	-26	-26
CC(D)S	Waste Collection : Increase charge for Bulky Matters	-11	-11	-11
	Finance/Admin/Depot/Stores : Operational Review	-	Subject to review	
	Finance/Admin/Depot/Stores : VMU Reduction in establishment	-10	-10	-11
	Street Cleansing : Cease funding of 4 Environmental PCSOs	-50	-50	-50
	Public Conveniences		Subject to further review	
Cultural Services	Venues & Events : Withdrawal from Youth Games	-	-8	-12
	Museum Partnership efficiency savings		Subject to negotiation	
Env Health & Strat Hsg	Fees & Charges - Cemeteries (Exclusive Right of Burial - EROB)	-15	-15	-15
	Fees & Charges - Pest Control	-6	-6	-6
	Other Fees & Charges - 5% increase	-16	-16	-16
Property Services	Introduction of £1.30 Flat Fare Charge for Community Transport		To be assessed	
Econ. Dev. & Tourism	Removal of 2008/09 Growth (Regeneration Staffing)	-19	-	-
<b>STATUTORY FUNCTIONS REVIEW</b>				
Revenue Services	Benefits Staffing Reduction	-50	-51	-52
Planning Services	Staffing Reduction : Subject to further review	-38	-72	-73
Property Services	Venue Hire to break even : Subject to further review	-10	-10	-10
<b>PROVISIONAL GROWTH :</b>		+88	+72	+75
Legal & HR	Land Charges : Voluntary registration with Land Registry	+8	-	-
	HR Advice & Support : Increased Occ Health advice	+6	+6	+7
Env Health & Strat Hsg	Housing Standards : Additional staff (but alternatives to be considered)	+27	+42	+44
	Continuation of Memorial Safety Programme		Subject to further review	
CC(D)S	Schools Recycling	+7	+7	+7
Property Services	Facilities Management : Energy Performance Certificates	+16	+17	+17
Financial Services	Parish Financial Arrangements Review	+24	-	-

Note that the above is provisional - for various items, costings or alternative funding arrangements etc. are being reviewed.

## APPENDIX E

**GENERAL FUND BALANCES SUMMARY**

For Consideration by Council 04 February 2009

	Per 2008/09 Original Budget	Per last MTFS Review	Per Cabinet 20 January	Sub Total
	£	£	£	£
<b>Balance as at 31st March 2007</b>	<b>3,014,904</b>	<b>3,014,904</b>	<b>3,014,904</b>	
Budgeted Contribution to Revenue Budget	(583,100)	(583,100)	(583,100)	
2007/08 Underspend (following Outturn)		456,561	456,561	
<b>Balance as at 31st March 2008</b>	<b>2,431,804</b>	<b>2,888,365</b>	<b>2,888,365</b>	
Budgeted Contribution to Revenue Budget	(887,800)	(887,800)	(887,800)	} (1,697,000)
Spending of Carry Forward Approvals (Cabinet 31 July 08)		(237,800)	(237,800)	
2008/09 Projected Net Overspend		(336,000)	(571,400)	
<b>Balance as at 31st March 2009</b>	<b>1,544,004</b>	<b>1,426,765</b>	<b>1,191,365</b>	
Budgeted Contribution to Revenue Budget	(431,500)	(431,500)	(431,500)	} (191,300)
Reduction in contribution per recent reviews / updates		219,000	240,200	
<b>Balance as at 31st March 2010</b>	<b>1,112,504</b>	<b>1,214,265</b>	<b>1,000,065</b>	
Budgeted Contribution to Revenue Budget	(112,500)	(112,500)	(112,500)	} 0
Increase (-) / Reduction (+) in contributions per updates		(30,000)	112,500	
<b>Balance as at 31st March 2011</b>	<b>1,000,004</b>	<b>1,071,765</b>	<b>1,000,065</b>	
Budgeted Contribution to Revenue Budget	0	0	0	} 0
Increase (-) in contributions per recent updates	0	(71,000)	0	
<b>Balance as at 31st March 2012</b>	<b>1,000,004</b>	<b>1,000,765</b>	<b>1,000,065</b>	

## APPENDIX F

**Housing Revenue Account Draft Budget  
For Consideration by Council 04 February 2009**

		2008/09 Budget £	2008/09 Revised £	2009/10 Budget £	2010/11 Forecast £	2011/12 Forecast £
<b>Income</b>	Dwelling Rents	-11,078,300	-11,075,100	-11,663,800	-12,175,800	-12,740,800
	Non-Dwelling Rents	-185,300	-185,300	-189,000	-192,700	-196,400
	Charges for Services and Facilities	-1,614,100	-1,671,700	-1,711,700	-1,740,000	-1,767,000
	Contributions towards Expenditure	-7,700	-7,700	-7,700	-7,700	-7,700
	Other Sums Directed by the Secretary of State as Income	-165,200	-165,200	-165,200	-165,200	-165,200
	<b>Total Income</b>	<b>-13,050,600</b>	<b>-13,105,000</b>	<b>-13,737,400</b>	<b>-14,281,400</b>	<b>-14,877,100</b>
<b>Expenditure</b>	Repairs and Maintenance	3,443,300	3,834,600	3,631,100	3,713,900	3,767,400
	Supervision and Management	3,052,800	3,374,600	3,573,300	3,633,500	3,697,900
	Rents, Rates, Taxes and Other Charges	118,700	111,800	112,100	117,600	123,100
	Negative Housing Revenue Account Subsidy Payable	1,341,300	1,343,600	1,184,600	1,480,900	1,790,700
	Increase in Provision for Bad or Doubtful Debts	97,000	93,100	126,800	126,500	126,500
	Depreciation and Impairments of Fixed Assets (to MRR)	2,278,000	2,310,300	2,334,200	2,401,600	2,458,300
	Debt management Costs	12,000	1,100	1,100	1,100	1,100
	<b>Total Expenditure</b>	<b>10,343,100</b>	<b>11,069,100</b>	<b>10,963,200</b>	<b>11,475,100</b>	<b>11,965,000</b>
	<b>Net Cost of Services</b>	<b>-2,707,500</b>	<b>-2,035,900</b>	<b>-2,774,200</b>	<b>-2,806,300</b>	<b>-2,912,100</b>
	Interest Payable and Similar Charges	846,300	846,300	846,300	846,300	846,300
	Premiums and Discounts on Debt Rescheduling	159,200	158,600	158,600	158,600	159,000
	Interest and Investment Income	-257,100	-256,200	-104,700	-107,200	-108,700
	Pension Interest Costs and Expected Return on Assets	68,000	68,000	68,000	68,000	68,000
	<b>Net Operating Expenditure</b>	<b>-1,891,100</b>	<b>-1,219,200</b>	<b>-1,806,000</b>	<b>-1,840,600</b>	<b>-1,947,500</b>
	HRA contribution to / from (-) Pensions Reserves (re Notional Charges)	-68,000	-68,000	-68,000	-68,000	-68,000
	Other Transfers to / from (-) Major Repairs Reserve (MRR)	-500	215,200	-29,900	-30,500	-31,100
	Transfers to / from (-) Earmarked Reserves	180,000	-169,700	233,000	332,000	319,000
	Capital Expenditure funded by the Housing Revenue Account	1,779,600	1,608,500	1,670,900	1,607,100	1,727,600
	<b>TOTAL: Surplus (-) or Deficit for the Year</b>	<b>0</b>	<b>366,800</b>	<b>0</b>	<b>0</b>	<b>0</b>
	BALANCE BROUGHT FORWARD	350,000	716,768	350,000	350,000	350,000
	Appropriation from Balances (Unallocated Reserves)		-366,700			
	<b>BALANCE CARRIED FORWARD</b>	<b>350,000</b>	<b>350,068</b>	<b>350,000</b>	<b>350,000</b>	<b>350,000</b>

**2009/10 BUDGET AND PLANNING PROCESS  
HOUSING REVENUE ACCOUNT SAVINGS AND GROWTH PROPOSALS**

**For Consideration by Council 04 February 2009**

	2009/10 £000	2010/11 £000	2011/12 £000
<b>GROWTH PROPOSALS</b>			
<b>High Priority:</b>			
<b>Supported Housing Certificates</b>			
There is a requirement that all Sheltered Housing Scheme Managers obtain the Supported Housing Certificate qualification. This is a contractual obligation arising out of our Supporting People Contract to provide sheltered housing support services within our sheltered housing schemes. Three new sheltered housing scheme managers need to obtain the certificate in 2009/2010.	+4,500	+0	+0
<b>Medical Assessment Housing Register</b>			
Within the Council's scheme for allocating Council housing, provision is made for awarding housing need points arising out of an applicant's medical condition. The assessments are undertaken by an external medical advisor. The method of funding these assessments has changed as part of the separation of functions between Council Housing and Health & Housing. We need to establish proper budget provision within Council Housing Services budgets. The proposal will ensure that medical assessments can continue to	+3,000	+3,000	+3,000
<b>Energy Performance Certificates</b>			
The proposal will provide Energy Performance Certificates (EPCs) for the whole of the Council Housing Stock to enable the Council to comply with the European Energy Performance of Buildings Directive. This cloning exercise is in addition to the growth item for 2008/09, which was for the one off survey work and cloning at an estimated cost of £55,000 and an annual recurring budget of £10,000, for revising EPCs where improvement works are carried out which affect the energy efficiency of dwellings. The tender for the survey and cloning returned at the sum of £75,000 therefore in order to clone the information to all the stock an additional £20,000 is required.	+20,000	+0	+0
<b>Medium Priority:</b>			
<b>Reporting Your Repairs Handbook</b>			
This proposal is to produce a comprehensive guide to advise tenants about how to report repairs, and to provide information to enable them to do this effectively. The existing handbook has not been updated in over 5 years and does not reflect current information needs or our service practices. It will enable tenants to self diagnose the repair needed and to then properly report the repair. This will improve tenant satisfaction and will assist the Service in delivering a better repair and maintenance service to tenants. The Audit Commission expects the Council to provide comprehensive information to tenants about the repair service and the updating and provision of the handbook will contribute to achieving an excellent assessment by the Service by the Audit Commission under its housing inspection regime. The new handbook will be published during 2009/2010.	+10,000	+1,000	+1,000
<b>LAGAN Call Handling Software</b>			
To provide greater continuity of service within the Emergency Call Centre (Council Housing Services) for out of office hours emergency calls for non-housing services. Currently calls are logged in to our existing community alarm system as a non-alarm call and then subsequently manually faxed to the relevant service. Having access to the Council's LAGAN system will enable these non-housing emergency calls to be fully and consistently tracked in one system, and enable a more effective transition of reports from the Emergency Call Centre to the day time main Customer Services Centre and vice versa. This will provide better access to events and full tracking of incidents. To be achieved during 2009/2010.	+2,200	+500	+500
<b>TOTAL GROWTH FOR CONSIDERATION</b>	<b>+39,700</b>	<b>+4,500</b>	<b>+4,500</b>

## APPENDIX H(1)

## RESERVES AND PROVISIONS - FOR CONSIDERATION BY COUNCIL 04 FEBRUARY 2009

	HRA General Balances £'000	Major Repairs Reserve / Business Plan Support £'000	Lifeline Equipment £'000	Flats - Planned Maintenance £'000	Central Control Equipment £'000	Non- Sheltered Scheme Equipment £'000	I T Replacemnt. £'000	Housing Office Improvement £'000	Office Equipment Reserve £'000	Sheltered - Equipment £'000	Sheltered - Planned Maintenance £'000	Sheltered Support Grant Maintenance £'000	Vehicle Replacemnt. £'000	JE Reserve £'000
<b>Balance 31st March 2008</b>	<b>717</b>	<b>5827</b>	<b>87</b>	<b>627</b>	<b>118</b>	<b>173</b>	<b>187</b>	<b>5</b>	<b>43</b>	<b>219</b>	<b>243</b>	<b>100</b>	<b>47</b>	<b>0</b>
<b>Revised Estimate 2008/09</b>														
Contributions to Reserves		2278		128	10	15	57		12	29	70	19		50
Appropriations from Reserves - Revenue	-367	248	-87	-117	-10	-94	-19	-5	-8	-12	-3		-47	
Appropriations from Reserves - Capital		-1925				-60	-60				-38			
<b>Projected Balance 31st March 2009</b>	<b>350</b>	<b>6428</b>	<b>0</b>	<b>638</b>	<b>118</b>	<b>34</b>	<b>165</b>	<b>0</b>	<b>47</b>	<b>236</b>	<b>272</b>	<b>119</b>	<b>0</b>	<b>50</b>
<b>Estimates 2009/10</b>														
Contributions to Reserves		2305		128	10	15	87		12	29	70	19		50
Appropriations from Reserves - Revenue				-32	-10				-12	-12	-33			
Appropriations from Reserves - Capital		-1792			-100									
<b>Projected Balance 31st March 2010</b>	<b>350</b>	<b>6941</b>	<b>0</b>	<b>734</b>	<b>18</b>	<b>49</b>	<b>252</b>	<b>0</b>	<b>59</b>	<b>253</b>	<b>309</b>	<b>138</b>	<b>0</b>	<b>100</b>
<b>Estimates 2010/11</b>														
Contributions to Reserves		2371		128	10	15	87		12	29	70	19		50
Appropriations from Reserves - Revenue				-15	-1				-12	-12	-60			
Appropriations from Reserves - Capital		-1775												
<b>Projected Balance 31st March 2011</b>	<b>350</b>	<b>7537</b>	<b>0</b>	<b>847</b>	<b>27</b>	<b>64</b>	<b>339</b>	<b>0</b>	<b>71</b>	<b>270</b>	<b>319</b>	<b>157</b>	<b>0</b>	<b>150</b>
<b>Estimates 2011/12</b>														
Contributions to Reserves		2427		128	10	15	87		12	29	70	19		
Appropriations from Reserves - Revenue				-2	-1				-12	-12	-36			
Appropriations from Reserves - Capital		-1499												
<b>Projected Balance 31st March 2012</b>	<b>350</b>	<b>8465</b>	<b>0</b>	<b>973</b>	<b>36</b>	<b>79</b>	<b>426</b>	<b>0</b>	<b>83</b>	<b>287</b>	<b>353</b>	<b>176</b>	<b>0</b>	<b>150</b>

## RESERVES AND PROVISIONS- For Consideration by Council 04 February 2009

	Reason for/purpose	How & when it be used	Management & control	Reviewed	Recommendations
<b>Capital Reserves</b>					
<b>Major Repairs Reserve/ Business Plan Support</b>	Set up following the introduction of Resource Accounting in the HRA. Grant received from Government annually which must be credited to this reserve with the intention of funding major works to the Council's housing stock.	Can be applied to Capital improvements to HRA housing stock (specifically excluding demolition) and, additionally from 1 <sup>st</sup> April 2004, repayment of HRA debt and credit liabilities (including premia on early repayment of PWLB loans).  The Council's thirty year HRA Business Plan has projected increasing levels of balances in early years to fund deficits in later years, and it is intended that these balances will be held in the Major Repairs Reserve.	Council Housing Services/ Financial Services	Budget & Outturn	Incorporate in year grant and support to capital programme, plus additional transfer of £248K to MRR, based on higher than expected opening position for Unallocated Balances, in line with policy of maintaining the latter at £350K.
<b>Revenue Reserves</b>					
<b>I T Replacement</b>	Established to fund future major I T systems replacement.	To be applied to future replacements.	Council Housing Services/ Financial Services	Budget & Outturn	Incorporate in year contribution and transfer £19K to revenue and £60K to Capital budget for items not approved under carry forward request.

## RESERVES AND PROVISIONS- For Consideration by Council 04 February 2009

	Reason for/purpose	How & when it be used	Management & control	Reviewed	Recommendations
<b>Flats – Planned Maintenance Reserve</b>	Established to smooth the costs of major revenue and capital works to flats funded from Service Charges.	Contributions from Service Charges made to this reserve, together with additional appropriations in lieu of interest.  Reserve to be applied to major works to communal facilities in flats.	<b>Council Housing Services/ Financial Services</b>	<b>Budget &amp; Outturn</b>	<b>Incorporate in year contribution and transfer £117K to revenue budget for increased expenditure on rota painting and boiler replacements.</b>
<b>Lifeline Equipment Reserve</b>	Used to fund purchases of Lifeline Equipment	Contributions made equivalent to proceeds from sales of Lifeline units.  Periodic purchases of units funded from this reserve	<b>Council Housing Services/ Financial Services</b>	-	<b>Winding up of reserve, allowing for allocation of £30,000 for specific purposes.</b>
<b>Central Control Equipment Reserve</b>	Established to smooth the costs of major renewal or replacement of Central Control Equipment and systems	Funded from Central Control subscriptions with additional appropriations in lieu of interest.  Reserve is to be applied to renewal or replacement of major items of equipment and systems for Central Control system. Also used for chargeable enhancements throughout the life of the system.	<b>Council Housing Services/ Financial Services</b>	<b>Budget &amp; Outturn</b>	<b>Incorporate in year contribution and transfer £10K to revenue budget to cover maintenance and repair of equipment.</b>
<b>Housing Office Improvements Reserve</b>	Contributions made in previous years to fund major improvements to Housing offices	Contributions ceased in 2001/02.	<b>Council Housing Services/ Financial Services</b>	<b>Budget &amp; Outturn</b>	<b>Winding up of reserve. Balance transferred to revenue budget.</b>



## RESERVES AND PROVISIONS- For Consideration by Council 04 February 2009

	Reason for/purpose	How & when it be used	Management & control	Reviewed	Recommendations
<b>Office Equipment Reserve</b>	Established to fund purchases of minor IT and other office equipment.	Used to fund ad-hoc purchases of major office furnishings resultant from health & safety legislation and risk assessments (desk, chairs, cabinets etc) and minor office equipment items e.g. pc upgrades	<b>Council Housing Services/ Financial Services</b>	<b>Budget &amp; Outturn</b>	No change in in-year contribution, £8K transferred to revenue budget for purchase of one off, computer items e.g. dual screens for EDMS.
<b>Sheltered Equipment Reserve</b>	Established to fund purchases of equipment for Sheltered schemes funded from Service Charges.	Contributions from Service Charges made to this reserve, together with additional appropriations in lieu of interest. Reserve to be applied to purchases of equipment for common area services for Sheltered schemes.	<b>Council Housing Services/ Financial Services</b>	<b>Budget &amp; Outturn</b>	Reserve renamed from Welfare to Sheltered. Maintain in year contribution as budgeted and transfer £12K to revenue budget for sheltered equipment purchases.
<b>Sheltered – Planned Maintenance</b>	Established to smooth the costs of major revenue and capital works to flats funded from Service Charges	Contributions from Service Charges made to this reserve, together with additional appropriations in lieu of interest. Reserve to be applied to major works to communal facilities in Sheltered schemes.	<b>Council Housing Services/ Financial Services</b>	<b>Budget &amp; Outturn</b>	Reserve renamed from Welfare to Sheltered. Incorporate revised in year contribution and transfer £3K to revenue budget, £38K to Capital for increased expenditure on Planned maintenance.
<b>Sheltered – Support Grant Maintenance</b>	Established to fund purchases of equipment for Sheltered schemes funded from Service Charges, but classed as Support Costs under County Guidelines.	Contributions from Service Charges made to this reserve, together with additional appropriations in lieu of interest. Reserve to be applied to major works to communal facilities in Sheltered schemes.	<b>Council Housing Services/ Financial Services</b>	<b>Budget &amp; Outturn</b>	Reserve renamed from Welfare to Sheltered. Retain as budgeted.

## RESERVES AND PROVISIONS- For Consideration by Council 04 February 2009

	Reason for/purpose	How & when it be used	Management & control	Reviewed	Recommendations
<b>Non-sheltered scheme equipment</b>	Established to fund purchases of equipment for non-sheltered schemes funded from Service Charges.	Contributions from Service Charges made to this reserve, together with additional appropriations in lieu of interest.  Reserve to be applied to purchases of equipment for non-sheltered schemes.	Council Housing Services/ Financial Services	Budget & Outturn	Incorporate in year contribution and transfer £60K to Capital to fund upgrade from analogue to digital, £22K to revenue to fund items not approved under carry forward request. Also reserve balance is higher than required therefore £72K to be incorporated into general balances.
<b>Vehicle Replacement Reserve</b>	Established to fund replacement of Estates Stewards vans	To be applied to replacement of current vehicles when necessary	Council Housing Services/ Financial Services	Budget & Outturn	Winding up of reserve. Amount on reserve incorporated into revenue budget.
<b>JE Reserve</b>	Established to fund the support of the pay structure	Contribution to the reserve to be approved by Cabinet. Use of the reserves to be determined (and agreed) by both the Head of Legal & Human Resources and Head of Financial Services	Council Housing Services/ Financial Services	Budget & Outturn	To establish a reserve and retain until Fair Pay structure fully implemented.

	Reason for/purpose	How & when it be used	Management & control	Reviewed	Recommendations
<b>Provisions</b>					
<b>Bad Debts</b>	This provision is used to write off all Housing Revenue Account bad debts that have been approved.	The provision is funded by an annual contribution based on assessment of the level of debt outstanding.	Financial Services / Debt Management Group	Budget & Outturn	Retain as currently budgeted.

## APPENDIX I

**Council Housing Capital Programme  
For Consideration by Council 04 February 2009**

	2008/09 Original £'000	2008/09 Revised £'000	2009/10 £'000	2010/11 £'000	2011/12 £'000	2012/13 £'000	2013/14 £'000	TOTAL (Five Years) £'000
<b>EXPENDITURE:</b>								
Adaptations	250	250	250	250	250	250	250	1,250
Conversions	-	-	-	-	-	-	-	-
Energy Efficiency/Boiler Replacement	400	478	400	400	400	400	400	2,000
Kitchen/Bathroom Refurbishment	700	705	576	1,458	740	874	925	4,573
External Refurbishments	795	915	1,090	-	674	668	770	3,202
Ryelands Regeneration	5	1	-	-	-	-	-	-
Re-rendering/External Refurbishment	-	-	-	668	848	-	-	1,516
Extractor Fans	-	-	-	-	-	-	-	-
Housing Office Improvements	5	3	-	-	-	-	-	-
Environmental Improvements	350	430	360	360	360	360	360	1,800
Window Replacement	36	36	-	205	-	-	-	205
Re-roofing	113	116	771	-	-	411	515	1,697
Renewal of Heaters	309	251	-	-	-	-	-	-
Rewiring	317	281	-	205	205	514	257	1,181
Non-Sheltered Scheme Equipment	-	60	-	-	-	-	-	-
IT Replacement	-	60	-	-	-	-	-	-
Central Control Equipment	-	-	100	-	-	-	-	100
<b>TOTAL - COUNCIL HOUSING CAPITAL EXPENDITURE</b>	<b>3,280</b>	<b>3,586</b>	<b>3,547</b>	<b>3,546</b>	<b>3,477</b>	<b>3,477</b>	<b>3,477</b>	<b>17,524</b>
<b>FINANCING:</b>								
Supported Borrowing	-	-	-	-	-	-	-	-
Unsupported Borrowing	-	-	-	-	-	-	-	-
Capital Receipts	438	52	84	164	250	339	348	1,185
Direct Revenue Financing - Charge on HRA	1,727	1,451	1,571	1,607	1,728	1,350	1,500	7,756
Direct Revenue Financing - Funded from Reserves	53	158	100	-	-	-	-	100
Major Repairs Allowance	1,062	1,925	1,792	1,775	1,499	1,788	1,629	8,483
<b>TOTAL - HRA-DERIVED FINANCING</b>	<b>3,280</b>	<b>3,586</b>	<b>3,547</b>	<b>3,546</b>	<b>3,477</b>	<b>3,477</b>	<b>3,477</b>	<b>17,524</b>
<b>SHORTFALL/(SURPLUS)</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>



**APPROVAL OF PAY AND GRADING STRUCTURE  
4<sup>th</sup> February 2009**

**Report of Cabinet**

<b>PURPOSE OF REPORT</b>
To enable Council to consider the recommendations of Cabinet regarding its preferred new pay and grading structure and approve a new structure.
<b>This report is public</b>

**RECOMMENDATION OF CABINET**

**That structure 9.5.4.5 be recommended to Council.**

**1.0 Introduction**

- 1.1 At its meeting on 20<sup>th</sup> January Cabinet consider the report attached at Appendix A which set out details of the implications in respect of structure 9.5.4.5, which had previously been identified as a preferred option. Structure 9.5.4 was also included for comparison and evaluation purposes.
- 1.2 It was noted that as the projected cost of either new structure in future years falls outside the budget and policy framework, it was necessary for it to be approved by Council.
- 1.3 Having considered the report Cabinet unanimously resolved:  
  
*That structure 9.5.4.5 be recommended to Council.*
- 1.4 This report was also considered by the Personnel Committee on the 21st January, as that Committee is responsible for the terms and conditions on which staff are employed. Personnel Committee confirmed its support for structure 9.5.4.5.

**2.0 Proposal**

- 2.1 Details of the proposal and implications are contained in the report presented to Cabinet attached as an appendix to this report.

**RELATIONSHIP TO POLICY FRAMEWORK**

The Council is committed to good standards of employment practice and to the principles of equality. The aim of the Fair Pay project is to ensure that pay and grading is fair, and that posts are remunerated based on an objective assessment of their relative value to the organisation. The Council is firmly committed to the principle of equality.

**CONCLUSION OF IMPACT ASSESSMENT**

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

Implementing a new pay and grading structure should ensure that remuneration arrangements and grading structures are fair, and that the Council is able to defend future equal pay claims.

**FINANCIAL IMPLICATIONS**

The financial implications are set out in the attached report and appendix.

**SECTION 151 OFFICER'S COMMENTS**

The S 151 Officer's comments are set out in the attached report.

**LEGAL IMPLICATIONS**

Legal Services have been consulted and have no further comments.

**MONITORING OFFICER'S COMMENTS**

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

**BACKGROUND PAPERS**

None

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<b>CABINET</b>
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## APPROVAL OF PAY AND GRADING STRUCTURE 20th January 2009

### Report of the Chief Executive

<b>PURPOSE OF REPORT</b>			
To enable Cabinet to consider the updated financial information in respect of its preferred new pay and grading structure and to recommend Council to approve the new structure.			
<b>Key Decision</b>	<b>X</b>	<b>Non-Key Decision</b>	<b>Referral from Cabinet Member</b>
<b>Date Included in Forward Plan</b>	November 2008		
<b>This report is public</b>			

#### OFFICER RECOMMENDATION

**(1) That structure 9.5.4.5 be recommended to Council.**

#### **1.0 Introduction**

- 1.1 At its meeting on the 9th December 2008, Cabinet considered four possible pay and grading structures, and expressed a preference for the structure identified as 9.5.4.5. Cabinet was advised at that meeting that the structure had been slightly amended as requested by Unison at the meeting of the JCC on the 2nd December 2008, so as to remove SCP 39 from Grade 7 thus reducing the overlap between grades 6 and 7. Unison had indicated that in the light of regional and national advice, it was unlikely that they would be able to recommend a structure that contained any overlap of more than two SCPs. A copy of structure 9.5.4.5, as amended is included on page one of the appendix to this report.
- 1.2 The four possible structures were considered also by Personnel Committee on the 11th December 2008, and Personnel Committee also expressed a preference for structure 9.5.4.5, with the slight amendment to grade 7 referred to above.
- 1.3 As indicated in the December report, as Members expressed a clear preference for 9.5.4.5, officers have continued to work on the financial and human resources implications of that option. For comparison and option appraisal purposes, this report includes updated financial implications of structure 9.5.4 (Extended Grades), referred to as "9.5.4 Ext". Of the four structures previously reported, 9.5.4 Ext had the lowest financial impact and was affordable over the long-term (ten year) period.

- 1.4 The salary database and pay modeller system have been updated with staff payroll changes since the systems were last updated. The ten year salary forecast spreadsheet has also been updated to reflect these changes, and has been reconciled to the current budget in order to ensure financial correctness. The 2009/10 and future year salaries have also been amended and checked.
- 1.5 From an HR point of view, a gender equality impact assessment has been undertaken on the proposed structure.

1.6 Details of the financial and HR implications are set out below.

## **2.0 Human Resources (HR) Implications**

- 2.1 It is important that the structure which is approved is the right structure for the Council in moving forward for the future. In December, Cabinet and Personnel Committee opted for structure 9.5.4.5, with amendments requested by Unison to reduce any overlap to a maximum of two increments. From an officer point of view, this was and remains the preferred structure, as it was developed to reduce overlap within grades. In contrast, structure 9.5.4 (Ext) has, for example, grade 3 completely overlapping grades 2 and 4, and this increases the possibility of an employee being able to advance to a higher Spinal Column Point than another employee with more points under the job evaluation scheme.
- 2.2 Since the Cabinet and Personnel Committee decisions in December, the HR Manager has been undertaking gender equality impact assessment work on structure 9.5.4.5. From the work undertaken to date, this structure does not appear to have any impact on the basis of gender. However, the analysis work is continuing, and clearly it is always possible for statistics to be used to support different arguments and counter arguments. In the event that 9.5.4 (Ext) became the preferred structure, an impact assessment would need to be undertaken on that structure.

## **3.0 Financial Implications**

- 3.1 The financial information provided to Cabinet and Personnel Committee in December 2008 has been updated
- 3.2 As previously, the basic financial implications are based on:
- pay protection being applied in line with the agreed policy,
  - an assumption that annual salary turnover savings within the General Fund will be £100,000 greater than currently estimated, which is in line with the average outturn position for the last three years, and
  - the application of the Job Evaluation Reserves (est. £642k within the General Fund and £150k within the Housing Revenue Account (HRA)).
- 3.3 These Reserves have been created to help fund anticipated transitional costs associated with Fair Pay, including back pay and pay protection. They do not need to be used for equal pay claims, as a separate provision is held specifically for that purpose.
- 3.4 These forecasts provided are based on the current establishment and assume that this will be maintained throughout the ten year period. The forecasts therefore allow for all in-grade staff progression to have occurred by the end of the period, thus

giving the maximum potential cost for each structure. Whilst this position will never be reached in practice, due to changes in staffing and the establishment, the forecasts are important to demonstrate how and where there is the potential for financial pressure to build in the pay structure.

- 3.5 At this stage, it remains impossible to estimate and incorporate any additional costs arising from implementation of the Market Supplement policy or the appeals process. The following estimated impacts of non-pay elements have been included in the financial forecasts:
- Estimated costs associated with implementing proposed changes to annual leave entitlement have been included. This represents ongoing annual costs estimated in 2009/10 at £97k for the General Fund and £31k for the HRA;
  - Savings estimated at around £60,000 per annum are anticipated to result from the proposed withdrawal of the car leasing scheme and have been included in the pay projections from 2012/13.
- 3.6 It is envisaged that, for both the General Fund and HRA in the medium term, any remaining balance on the Job Evaluation Reserves (as shown in § 3.9 and the appendix) would be used to help fund these costs. It cannot be guaranteed, however, that there would be sufficient left in the reserves to cover everything. Should the remaining factors change the position to a net cost, a further review of the grading structures will then be undertaken in line with the current timetable (i.e. in Spring 2009), to try to ensure as far as possible that a cost neutral position is achieved. Should this not be possible, then it would ultimately be necessary to consider service changes to ensure the overall staffing budget is not exceeded in the medium term.
- 3.7 Updated financial information on structures 9.5.4.5 and 9.5.4 Ext are attached in the appendix. The detailed structures themselves are set out on page one of the appendix. The tables on page two of the appendix show the medium-term (three year) forecast for the two structures, split between General Fund and Housing Revenue Account (HRA). Pages three and four of the appendix contain charts comparing the two structures, showing firstly the annual financial impact over a ten year period and secondly the cumulative financial impact over the same period for both the General Fund and the HRA.
- 3.8 A number of changes have been made to factors and parameters used in the pay modeling process since the last report, as follows:
- Staffing details have been updated reflecting changes up to 30 November 2008;
  - Pay inflation estimates for 2009/10 onwards have been reduced from 2.5% per annum to 2% per annum;
  - Employer's superannuation estimates have been increased by 1% per annum to 18.1%;
  - A Job Evaluation Reserve of £150,000 has been established for the HRA;
  - Costs associated with obtaining legal advice and additional Job Evaluation software costs have reduced the General Fund Job Evaluation Reserve balance by £76,300 to £642,025.
- 3.9 Taking account of the above, the updated figures for the two structures are as follows:



	<b>General Fund £</b>	<b>HRA £</b>	<b>Total £</b>
<b>1. Three Year Net Additional Cost (2009/10 to 2011/12)</b>			
Structure 9.5.4.5	0	17,914	17,914
Structure 9.5.4 Ext	0	49,277	49,277
<b>2. Balance on JE Reserve after 3 years (31/03/2012)</b>			
Structure 9.5.4.5	226,485	0	226,485
Structure 9.5.4 Ext	402,661	0	402,661
<b>3. Potential Additional Annual Cost at Year 10 (2018/19)</b>			
Structure 9.5.4.5	813,127	180,986	994,113
Structure 9.5.4 Ext	246,240	162,142	403,382
<b>4. Potential Cumulative Additional Cost at Year 10 (2018/19)</b>			
Structure 9.5.4.5	£3.95m	£0.97m	£4.92m
Structure 9.5.4 Ext	£0.67m	£0.95m	£1.62m

3.10 The main points arising from the above table and reports in the appendix are:

**General Fund:**

- In the medium term (three years) both structures are affordable within the budget framework
- For the General Fund, structure 9.5.4 Ext results in a higher projected balance on the JE Reserve, of £402.6k as against £226.5k for structure 9.5.4.5.
- Beyond year four (2012/13), structure 9.5.4.5 ceases to be affordable given the current budgetary framework. Structure 9.5.4 is affordable until year 7 (2015/16).
- At the maximum potential cost of the structures, at the ten year horizon, structure 9.5.4.5 produces a potential additional annual cost of £813k whilst structure 9.5.4 Ext produces £246k.
- In cumulative ten-year cost terms, structure 9.5.4.5 gives potential additional costs of £3.95m; structure 9.5.4 Ext gives £670k.

**Housing Revenue Account:**

- The introduction of a JE Reserve of £150k means that both structures are affordable under the current budgetary framework in the first two years. From year 3 (2011/12) onwards, both structures incur additional costs.
- For both structures, the HRA JE Reserve of £150k is fully applied during the three year period, leaving the currently unfunded additional costs referred to in section 1 of the table. Given this position, any further costs arising from market supplements or successful appeals would present an additional cost to the account
- In the medium-term (three years), structure 9.5.4.5 provides the lower additional cost at £17.9k for the period. Structure 9.5.4 Ext gives £49.2k. In contrast with the General Fund, structure 9.5.4 has an adverse impact on the staffing structure within the HRA.
- Over the ten-year period the structures are broadly comparable; structure 9.5.4 Ext gives a slightly lower additional annual cost (162k) compared with 9.5.4.5 (£180.9k)
- The cumulative costs over the ten year period are also very similar at £945.9k for structure 9.5.4 Ext as against £968.5k for structure 9.5.4.5.

3.11 The financial information presented reflects the staffing and budgetary data at the date of the report. Work has been completed to update the salary database and the pay modeller system with staff payroll changes that occurred up to and including November 2008. The ten year salary forecast spreadsheet has also been updated to reflect these changes, and reconciled to the current budget in order to ensure financial correctness. These processes will continue and be assurance tested to ensure that information subsequently provided to employees about their pay and grading under the new structure and comparison with their current salary is correct.

**4.0 Options and Options Analysis (including risk assessment)**

4.1 Options for the new pay and grading structure have previously been considered by the JCC, by Personnel Committee and by Cabinet, and as a result of the preference expressed for structure 9.5.4.5, that option is now presented for further consideration and approval with structure 9.5.4 included for comparison and evaluation purposes. As the projected cost of the either new structure in future years falls outside the budget and policy framework, it will be necessary for it to be approved by Council.

4.2 In addition to the pay and grading structure, it is intended that other elements will form part of the new pay package, which have been reported to Cabinet previously.. These are pay protection, on the basis of 100% in the first year, 50% of the difference between old and new salary in the second year and 25% in the third year, market supplement where this can be objectively justified for a particular post, and a basic annual leave entitlement of 26 days plus eight statutory days.

**5.0 Officer Preferred Option (and comments)**

5.1 The officer preferred option is to proceed with 9.5.4.5.

**6.0 Conclusion**

6.1 Cabinet is requested to make a recommendation to Council.

**RELATIONSHIP TO POLICY FRAMEWORK**

The Council is committed to good standards of employment practice and to the principles of equality. The aim of the Fair Pay project is to ensure that pay and grading is fair, and that posts are remunerated based on an objective assessment of their relative value to the organisation. The Council is firmly committed to the principle of equality.

**CONCLUSION OF IMPACT ASSESSMENT**

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

Implementing a new pay and grading structure should ensure that remuneration arrangements and grading structures are fair, and that the Council is able to defend future equal pay claims.

**FINANCIAL IMPLICATIONS**

The financial implications are set out in the body of the report and in the appendix.

Whilst figures remain provisional at this stage, given that the financial implications of the proposals are outside the budgetary framework in the longer term, it is expected that Council approval will be required to fund any new pay and grading structure.

**SECTION 151 OFFICER'S COMMENTS**

Cabinet is requested to determine its preference regarding a pay and grading structure, and then make recommendations on to Council accordingly, i.e. to update the budget framework for future years, for the provisional additional costs. Whilst there will be further updates to the financial data, the information in these reports should provide a good indication of the implications. There are, however, still some major unknowns, such as the outcome of appeals and market supplements. These will be assessed later in the timetable before the final decisions on adopting any new structure are taken. A full risk assessment will also be undertaken and reported. At this stage, therefore, decisions are provisional and there is the opportunity for future changes – this helps mitigate the financial risks. Based on likely timescales, it is possible that the financial updates will be incorporated into the mid-year Medium Term Financial Strategy Review, for consideration by Cabinet and Council in late summer / autumn.

In terms of the options themselves, (with the caveat regarding appeals and market supplements), for General Fund both options are within the budget framework for the next 3 years, although one (9.5.4 Extended Grades) is much closer to staying within budget over a 10 year period. The current preferred option would give rise to substantial cost pressures from around 2013/14 onwards. Any such pressures would have to be managed through future budget processes, should Council approve this approach.

For HRA, both structures are outside the budget framework even within the next three year, and therefore add cost pressures for future years. It is highlighted that with regard to the additional potential costs in 2011/12, these have not been provided for within the HRA budget proposals included elsewhere on the agenda (these were finalised before this report).

In forming a view regarding any preferred option/s, Members are advised to consider both the HR and financial issues in context of the Council's financial prospects, its aspirations for future (long term) service delivery, and its responsibilities as an employer.

**LEGAL IMPLICATIONS**

Legal Services have been consulted and have no further comments.

**MONITORING OFFICER'S COMMENTS**

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

**BACKGROUND PAPERS**

None

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Grading Structures 9.5.4.5 and 9.5.4 Extended Grades

Cabinet & Personnel Committee, January 2009

9.5.4.5		
SCP		£
4		12,200
5	GRADE 1	12,368
6		12,545
7		12,844
8		13,249
9		13,650
10		13,936
11		14,836
12		15,144
13		15,552
14		15,834
15		16,166
16		16,555
17		16,946
18		17,280
19		17,925
20	GRADE 3	18,581
21		19,260
22		19,757
23		20,339
24		21,003
25		21,669
26		22,376
27		23,117
28		23,873
29		24,818
30		25,649
31		26,459
32		27,240
33		28,042
34		28,835
35		29,439
36		30,221
37		31,065
38		31,975
39		33,028
40		33,896
41		34,789
42		35,676
43		36,565
44		37,465
45		38,306
46		39,232
47		40,132
48		41,024
49		41,905
50		42,793
51		43,693
52		44,611
53		45,420

Grade	JE Scores
G1	0 - 267
G2	268 - 364
G3	365 - 435
G4	436 - 487
G5	488 - 549
G6	550 - 602
G7	603 - 645
G8	646 - 694
G9	695 +

9.5.4 Ext		
SCP		£
4		12,200
5	GRADE 1	12,368
6		12,545
7		12,844
8		13,249
9		13,650
10		13,936
11		14,836
12		15,144
13		15,552
14		15,834
15		16,166
16		16,555
17		16,946
18		17,280
19		17,925
20	GRADE 3	18,581
21		19,260
22		19,757
23		20,339
24		21,003
25		21,669
26		22,376
27		23,117
28		23,873
29		24,818
30		25,649
31		26,459
32		27,240
33		28,042
34		28,835
35		29,439
36		30,221
37		31,065
38		31,975
39		33,028
40		33,896
41		34,789
42		35,676
43		36,565
44		37,465
45		38,306
46		39,232
47		40,132
48		41,024
49		41,905
50		42,793

Grade	JE Scores
G1	0 - 267
G2	268 - 332
G3	333 - 390
G4	391 - 435
G5	436 - 486
G6	487 - 531
G7	532 - 585
G8	586 - 642
G9	643 - 689
G10	690 +

### Medium Term (Three-Year) Financial Implications

The following tables give the forecast costs associated with structures 9.5.4.5 and 9.5.4 (Extended Grades) over the medium term (three year) horizon.

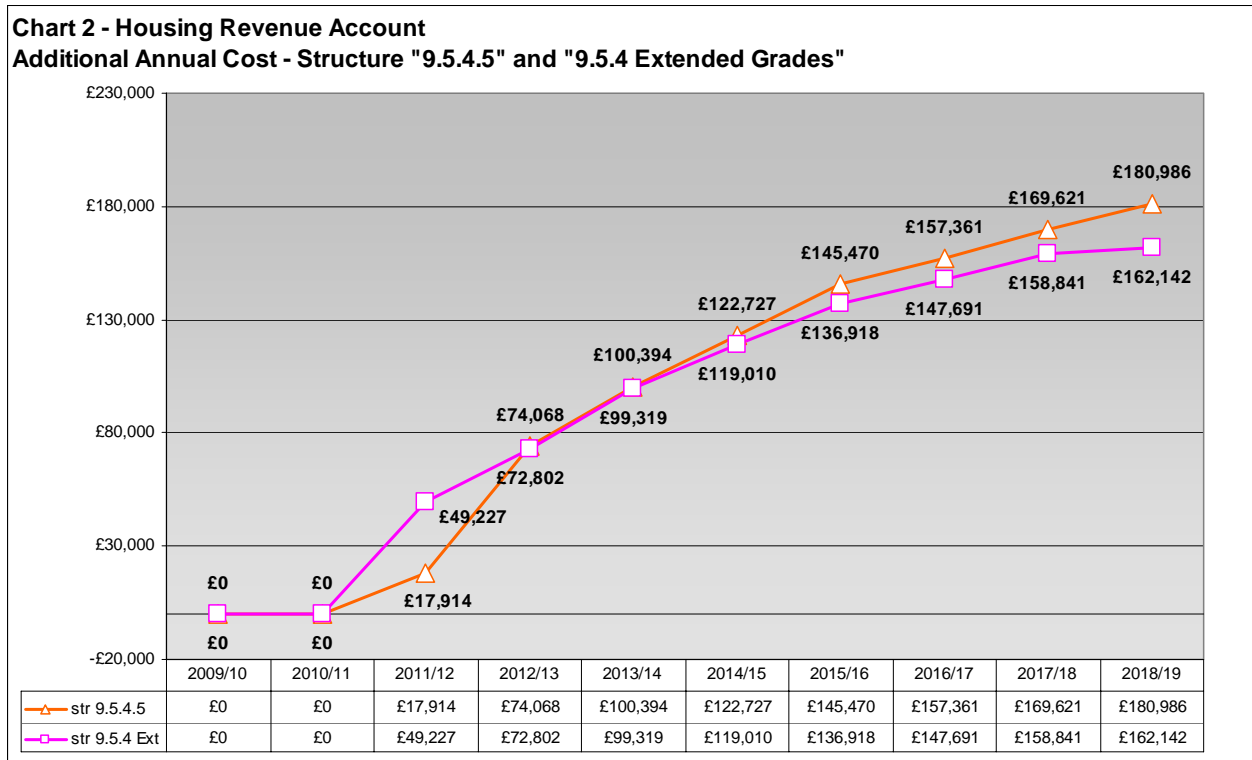
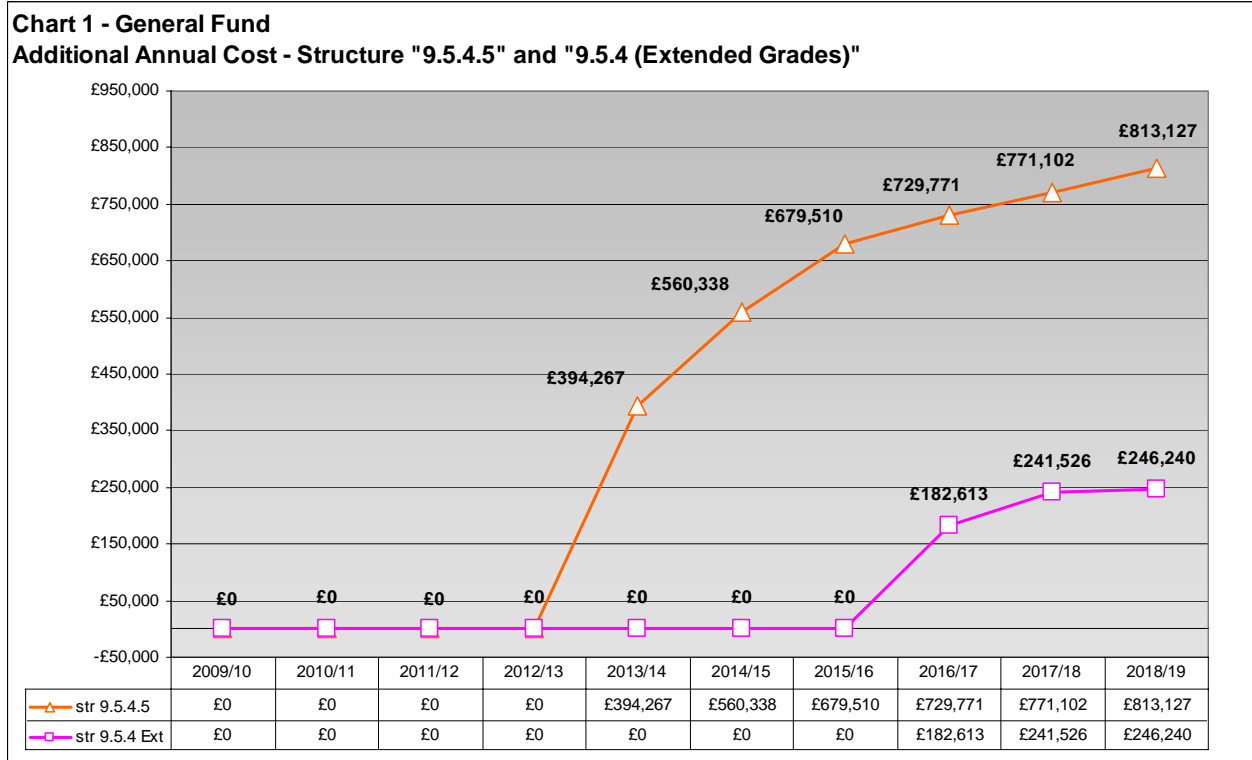
It should be noted that as yet it is not possible to estimate the costs associated with applying the market supplement policy, but it is envisaged that any remaining balance on the Job Evaluation Reserves would be used to help fund these costs. It cannot be guaranteed however, that there would be sufficient left in the reserves to cover all costs.

<b>STRUCTURE 9.5.4.5 (Extended Grade)</b>				
<b>General Fund - Three Year Forecast</b>		<b>2009/10</b>	<b>2010/11</b>	<b>2011/12</b>
		Year 1	Year 2	Year 3
		£	£	£
Current Budget (Including Additional Salary Savings)		20,748,031	21,265,909	21,766,659
Application of JE Reserve (£642,025)		191,532	71,385	152,623
Proposed New Structure Cost (see Note 1)		20,939,563	21,337,294	21,919,282
Net Cost		0	0	0
JE Reserve Balance	£ 642,025	450,493	379,108	226,485
<b>HRA - Three Year Forecast</b>		<b>2009/10</b>	<b>2010/11</b>	<b>2011/12</b>
		Year 1	Year 2	Year 3
		£	£	£
Current Budget (Including Additional Salary Savings)		2,224,694	2,274,630	2,323,524
Application of JE Reserve (£150,000)		56,070	49,489	44,441
Proposed New Structure Cost (See Note 1)		2,280,764	2,324,119	2,385,879
Net Cost		0	0	17,914
Equivalent FTE's (see Note 2)		0	0	0.6
Cumulative Net Cost		0	0	17,914
JE Reserve Balance	£ 150,000	93,930	44,441	0
<b>STRUCTURE 9.5.4 (Extended Grade)</b>				
<b>General Fund - Three Year Forecast</b>		<b>2009/10</b>	<b>2010/11</b>	<b>2011/12</b>
		Year 1	Year 2	Year 3
		£	£	£
Current Budget (Including Additional Salary Savings)		20,748,031	21,265,909	21,766,659
Application of JE Reserve (£642,025)		239,364	0	0
Proposed New Structure Cost (see Note 1)		20,987,395	21,246,960	21,730,661
Net Cost		0	0	0
Cumulative Net Cost		0	0	0
JE Reserve Balance	£ 642,025	402,661	402,661	402,661
<b>HRA - Three Year Forecast</b>		<b>2009/10</b>	<b>2010/11</b>	<b>2011/12</b>
		Year 1	Year 2	Year 3
		£	£	£
Current Budget (Including Additional Salary Savings)		2,224,694	2,274,630	2,323,524
Application of JE Reserve (£150,000)		71,908	60,731	17,361
Proposed New Structure Cost (See Note 1)		2,296,602	2,335,361	2,390,112
Net Cost		0	0	49,227
Equivalent FTE's (see Note 2)		0	0	1.6
Cumulative Net Cost		0	0	49,227
JE Reserve Balance	£ 150,000	78,092	17,361	0

Note 1: "Proposed New Structure Cost" includes the costs of pay protection and estimated costs associated with proposed changes to Annual Leave conditions. It does not include any assumed costs associated with application of the Market Supplement Policy.

Note 2: "Equivalent FTEs" denotes the number of full-time equivalent posts that the annual net cost represents, based on average staff costs including oncosts.

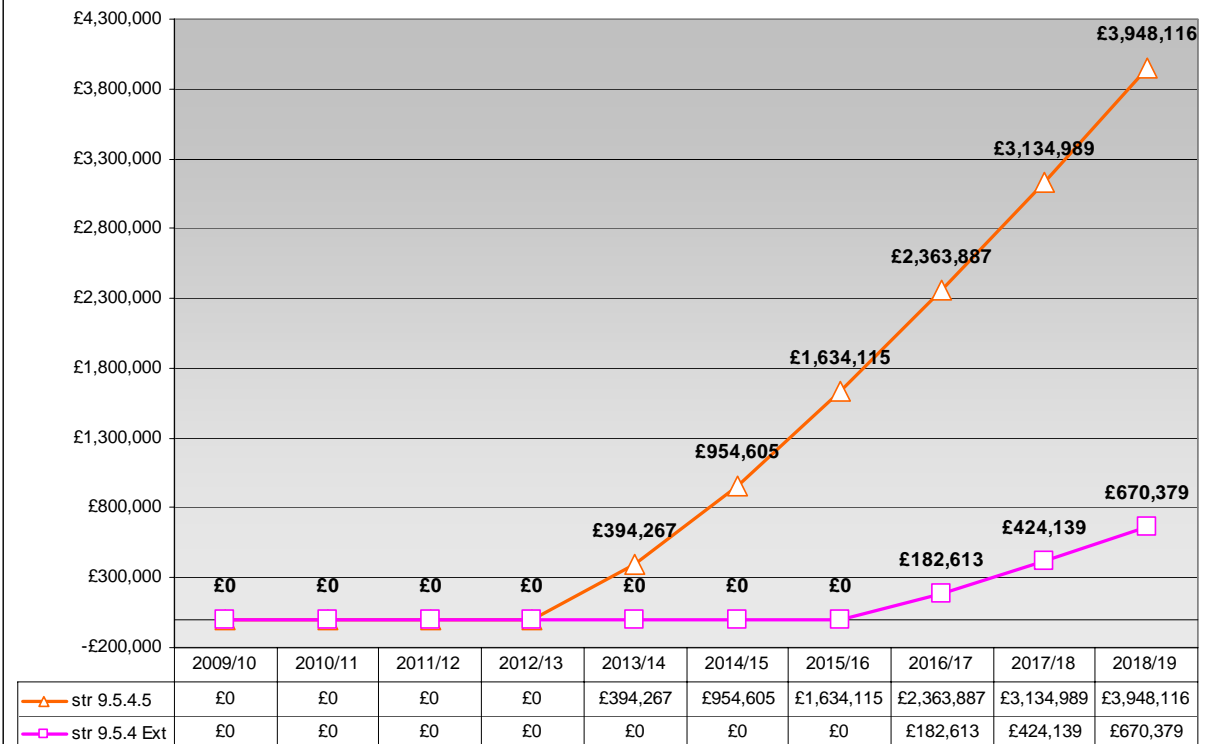
**Charts 1 & 2 – Forecast additional annual costs associated with implementing structures 9.5.4.5 and 9.5.4 (Extended Grades)**



**Charts 3 & 4 – Potential cumulative additional costs associated with implementing structures 9.5.4.5 and 9.5.4 (Extended Grades)**

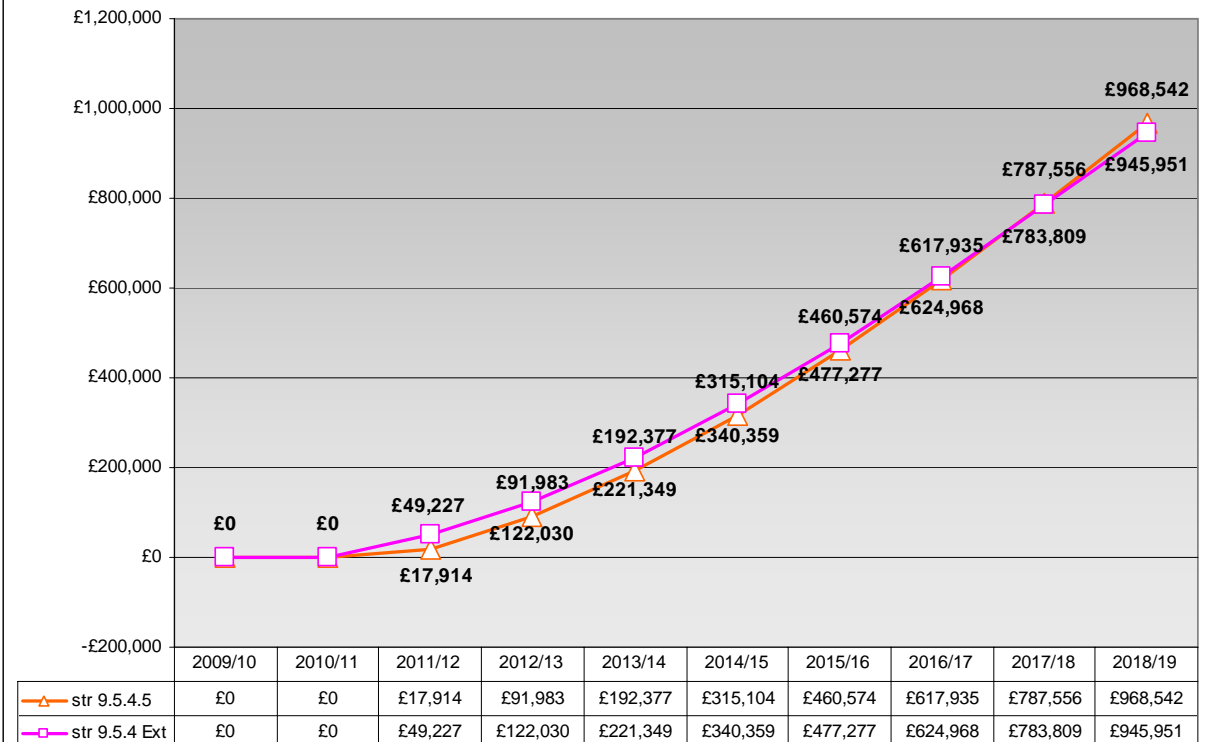
**Chart 3 - General Fund**

**Cumulative Additional Cost - Structures "9.5.4.5" and "9.5.4 (Extended Grades)"**



**Chart 4 - Housing Revenue Account**

**Cumulative Additional Cost - Structure "9.5.4.5" and "9.5.4 (Extended Grades)"**





**COUNCIL****City Council Meetings Timetable  
and Meeting Times - 2009/10****4<sup>th</sup> February 2009****Report of the Council Business Committee****PURPOSE OF REPORT**

To consider the recommendation of Council Business Committee and agree a timetable of meetings and meeting times for the year 2009/10 for publication purposes.

This report is public.

**RECOMMENDATIONS**

- (1) That, having considered the report and the recommendations of the Council Business Committee set out in paragraphs 1.3, 2.2 and 3.2, the Council's timetable of meetings for 2009/10 be approved as set out in Appendix A and as follows, subject to any amendments required as a result of the decision in (3) below:

Meeting	Start Time	Venue
Annual Council (Ceremonial)	12 noon	LTH
Annual Council (Business)	6.00 pm	MTH
Council	2.00 pm	MTH
Council Business Committee	5.00 pm	MTH
Audit Committee	6.00 pm	MTH
Budget and Performance Panel	6.00 pm	LTH
Cabinet	10.00 am	LTH/MTH alternating
Licensing Regulatory Committee	1.00 pm	LTH
Licensing Act Committee	4.30 pm	LTH
Overview and Scrutiny Committee	6.00 pm	MTH
Personnel Committee	4.30 pm	LTH
Planning and Highways Regulatory Committee	4.00 pm	LTH (The meeting will return to MTH once works to enhance the Council Chamber have been undertaken)
Standards Committee	10.00 am	LTH

- (2) That Council consider the recommendation of the Council Business Committee, set out in paragraph 3.4, that the first meeting of all Task Groups should take place at 6.00 pm unless there are special circumstances.
- (3) That Council consider the option set out in the officer comments (paragraph 4.0) relating to the amalgamation of Overview and Scrutiny Committee and Budget and Performance Panel and, should Council wish to pursue this option, it

**approve at a future meeting the consequent amendments to Article 6 and Sections 12 and 13 of Part 3 of the Constitution, or specifically delegate authority to the Monitoring Officer or the Council Business Committee to do so.**

**1.0 Timetable**

- 1.1 At its meeting, held on 15<sup>th</sup> January 2009, Council Business Committee considered the draft Council meetings timetable for 2009/10.
- 1.2 The timetable of meetings for 2009/10 has been prepared following the same principles as last year in terms of frequency of meetings with a recess over August and a short break at Christmas. Minor alterations to the dates of some meetings have been made where external deadlines have to be met. The number of meetings for each Committee is as follows:

<u>Committee</u>	<u>Number of meetings per year</u>
Audit	4
Full Council	10 (including Annual and Budget Council)
Council Business Committee	6
Cabinet	11
Personnel	4 (with additional meetings called as required)
JCC	4
Planning Regulatory	12
Licensing Regulatory	8
Licensing Act	6 (with Sub-committees called as required)
Overview & Scrutiny Committee	8
Budget & Performance Panel	9
Standards	4 (with additional meetings called as required)
Williamson Park Board	4

- 1.3 With regard to the Special Council Meeting which was to be held during Local Democracy Week, Council Business Committee agreed that this should be cancelled for 2009 in order to allow savings to be made in the Democratic Representation budget for this year, but should be re-instated in the 2010/11 timetable.
- 1.4 As in the previous year it is also suggested that the date for the 2010/11 Annual Council be fixed at this stage to enable advance arrangements and publicity to commence.
- 1.5 The Budget Council has for many years been held during the last week of February. However, this was moved to a later date last year following receipt of information that the Police Authority's precept would not have been received in time for a February tax setting meeting and in view of this the meeting has been scheduled again at the later date in 2010.
- 1.6 Efforts have been made to avoid school holidays wherever possible, although on occasions, due to the need to arrange meetings to report to each other and the requirements of the budget setting process, this is not always the case.
- 1.7 The Chairmen of the Budget and Performance Panel and Overview and Scrutiny Committee have advised that it would be preferable to timetable Budget and Performance Panel meetings prior to Overview and Scrutiny meetings on the Meetings Timetable for 2009/10 and meetings in June, July and September have been re-scheduled accordingly.

- 1.8 Members should note that whilst Audit Committee ordinarily meets on a Wednesday, the meeting scheduled for the end of June has been included on Tuesday 30<sup>th</sup> June 2009. This is because this meeting of the Audit Committee is required to approve the closure of accounts for 2008/09 by the deadline of 30<sup>th</sup> June each year. This is a very tight deadline for Financial Services and with the last Wednesday of the month falling on 24<sup>th</sup> June in 2009 would be difficult to achieve.
- 1.9 The Committee is requested to consider the timetable of meetings for 2009/10 as set out in Appendix A to the report.

**2.0 Venues**

- 2.1 Meetings are held at both Lancaster and Morecambe Town Halls as set out below:

<b>Meeting</b>	<b>Venue</b>
Annual Council (Ceremonial)	LTH
Annual Council (Business)	MTH
Council	MTH
Council Business Committee	MTH
Audit Committee	MTH
Budget and Performance Panel	LTH
Cabinet	LTH/MTH alternating
Licensing Regulatory Committee	LTH
Licensing Act Committee	LTH
Overview and Scrutiny Committee	MTH
Personnel Committee	LTH
Planning and Highways Regulatory Committee	LTH (The meeting will return to MTH once works to enhance the Council Chamber have been undertaken)
Standards Committee	LTH

- 2.2 It is suggested that these continue unchanged with the exception of Planning Committee which has been moved to Lancaster during 2008/09 due to problems with available equipment. It is intended to move back to Morecambe Town Hall once the Council Chamber has been appropriately refurbished but for the time being this needs to be retained at Lancaster Town Hall.

**3.0 Start Times**

- 3.1 Council Business Committee considered a request that has been received from the Green Group that consideration be given to holding the majority of Council meetings in the evenings. Information has therefore been included within this report to enable Members to give further consideration to this matter as part of the setting of the timetable for 2009/10.
- 3.2 Council Business Committee considered the current start times and taking into consideration the request from the Green Group made the following recommendations as set out below:

<b>Meeting</b>	<b>Current Start Time</b>	<b>Council Business Committee's Recommendation</b>
Annual Council (Ceremonial)	12 noon	Remain the same
Annual Council (Business)	6.00 pm	Remain the same

Council	2.00 pm	Remain the same
Council Business Committee	4.30 pm	Start at 5.00 pm
Audit Committee	6.00 pm	Remain the same
Budget and Performance Panel	4.30 pm	Start at 6.00 pm
Cabinet	10.00 am	Remain the same
Licensing Regulatory Committee	1.00 pm	Remain the same
Licensing Act Committee	2.00 pm	Start at 4.30 pm
Overview and Scrutiny Committee	6.00 pm	Remain the same
Personnel Committee	4.30 pm	Remain the same
Planning and Highways Regulatory Committee	10.30 am	Start at 4.00pm
Standards Committee	10.00 am	Remain the same

- 3.3 Members should note that the original report to the Council Business Committee contained an error, in that the start time for Standards Committee was stated as being 2 pm. No change was proposed to this Committee since it is chaired by an independent Member who has not suggested that this time is either inappropriate or inconvenient. The start time has therefore been corrected in the table above.
- 3.4 In addition there are currently or have recently been the following non-timetabled meetings:

Meeting	Commencement Time
<b>Ad hoc meetings</b>	
Appeals Committee	Various daytime meetings with a site visit.
Appraisal Panel	Various daytime meetings.
Lancaster and Morecambe Markets Cabinet Committee	Daytime.
Licensing Act Sub-Committee	Daytime
Standards Assessment Sub-Committee	Daytime.
<b>Cabinet Liaison Groups:</b>	
Canal Corridor	Various daytime meetings.
Festivals and Events	10.00 a.m.
Lancaster and District Chamber	5.00 p.m.
Morecambe Retail, Commercial and Tourism	6.30 p.m.
Planning Policy	Various daytime meetings.
Transport	10.00 a.m.
Universities	5.30 p.m.
<b>Task Groups:</b>	
Allotments	5.00 p.m.
Anti Social Behaviour	Varies mainly 6.00 p.m.
Canals	6.00 p.m. with daytime site visits.
Council Assets	6.00 p.m.
<b>Partnerships:</b>	
West End Partnership	6.00 p.m.
Poulton Neighbourhood Management Board	5.30 p.m.
CARP	7.00 p.m.
LSP	Daytime
Museums Partnership	Daytime
Luneside Regeneration	Daytime

- 3.4 With regard to Task Group meetings, Council Business Committee recommended that the first meeting of all Task Groups should take place at 6.00 pm unless there are special circumstances. The start time of future meetings and the frequency of these meetings would then be agreed at this meeting.
- 3.5 An analysis of the duration of timetabled meetings has been undertaken using the meetings timetable of 2007/08 as a basis, details of which have been set out in Appendix C to the report to enable Members to consider the practicalities of later start times in all cases.
- 3.6 In considering whether to hold all meetings in the evening, Members need to consider the impact this might have on the following issues:
- Wider choice of committees and ability to participate for working Councillors
  - Makes being a Councillor more attractive to a wider sector of the population
  - Improves public engagement
  - Hire of premises / Loss of usage by other paying organisations
  - Security / Heating / Lighting of premises
  - Provision of food / evening meal allowances for councillors / staff
  - Increased carers' allowance payable for councillors with dependants
  - Staff overtime / time off in lieu
  - Lengthy meetings may run on late into the evening – this can be mitigated by introducing a 'guillotine' to close meetings at a particular time, although this may result in meetings being required to adjourn and reconvene on another day.
- 3.6 Property Services have advised that, with regard to caretaking and costs of opening Council buildings in the evenings, the building attendants would be paid overtime for working in the evening at a rate of £9.56 per hour up to 8.00 p.m. and £11.48 per hour after 8.00 p.m., which includes an unsocial hours payment. It is not clear yet if or how overtime payments will be affected, or the building attendants hourly rate by Fairpay and both the unsocial hours payment and overtime payments will be subject to review as part of the Fairpay process.
- 3.7 As well as costs for attendants there would be additional costs for opening the Council's buildings in the evenings, such as heating and lighting costs. Heat and light costs for Lancaster Town Hall are approximately £25 per hour and £15 per hour at Morecambe Town Hall.
- 3.8 In relation to Democratic Services, the terms and conditions of Democratic Support Officers currently allow officers attending meetings beyond 6pm to choose between overtime payments or flexitime up to 7.30pm and time off in lieu after 7.30pm. This is currently subject to review as part of the Fair Pay exercise and it is likely that the facility to claim overtime will be removed. The impact will therefore be that additional overtime will become payable or, more likely as a result of the Fair Pay review, working hours of Democratic Support Officers will change with more hours being worked during the evenings, resulting in the office being unstaffed at times during normal office hours.

- 3.9 Changing the timetabled meetings included in Appendix C to meet in the evening, where they do not already, would result in 62 additional evening meetings for 136 total hours at an average meeting length of 2.11 hours. Averaged across the Democratic support section this could result in either an additional £2,500 overtime payments or reduced availability of staff who will take compensatory time off in lieu, either via the Council's flexi-time policy or by special arrangement for hours worked beyond 7.30pm.

#### **4.0 Officer Comments**

- 4.1 Since the Council Business Committee met to consider the proposed timetable, it has been suggested that one option is that the Overview & Scrutiny Committee and Budget & Performance Panel could combine into one Overview & Scrutiny Committee taking on the functions of both.
- 4.2 In terms of the timetable this may need to be reconsidered since whilst all the existing dates of both Committees would not be necessary it may be necessary to increase the number of Overview & Scrutiny Committee meetings in the year. A decision would also be required on the venue for the meeting, perhaps alternating between Morecambe and Lancaster in the same way as Cabinet. If necessary the Chief Executive could be authorised to finalise the timetable to include an appropriate number of meetings throughout the year in consultation with the current Chairman of Overview & Scrutiny.
- 4.3 Should Council wish to pursue this option it will be necessary for it to approve at a future meeting consequent amendments to the relevant parts of the Articles and Committee Terms of Reference in the Constitution, or to delegate authority to the Monitoring Officer or Council Business Committee to do so.
- 4.4 A saving of £3,235 (+ inflation) will be made in respect of the Special Responsibility Allowance currently payable to the Chairman of Budget & Performance Panel.

#### **5.0 Consultation**

- 5.1 Previous consultation with Members over their preferred start times for meetings has proved inconclusive, resulting in the 'mixed' arrangement currently in place. The Council Business Committee considered the meetings timetable at its meeting on 15<sup>th</sup> January and the recommendations that emerged are included within this report.
- 5.2 Other Lancashire local authorities have been consulted with regard to their meetings; details of responses are contained within Appendix B to the report, from which it can be seen that of the 11 councils in Lancashire from whom responses have been received, 5 meet wholly in the evening, 5 mostly during the evening (with Regulatory Committees being the exceptions for the most part) and only one holds meetings mostly during the day.

#### **6.0 Conclusions**

- 6.1 The timetable of meetings for 2009/10 has been prepared and incorporates the recommendations of Council Business Committee and the resolutions of Council last year following the same principles in terms of frequency of meetings. Members are requested to consider the proposed timetable and to indicate their preferences with regard to daytime and/or evening meetings as set out in paragraph 3.2 of this report.

**CONCLUSION OF IMPACT ASSESSMENT**

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

None.

**FINANCIAL IMPLICATIONS**

Whilst the cost of holding the meetings included in this timetable can be met from the existing Democratic Representation budgets, there would be some additional resource and financial implications involved in increasing the number of evening meetings. It is not possible to quantify these with any great certainty, but the following budgets could be affected to some degree:

- Hire of premises, reduction in income
- Building attendants, increased staff costs (subject to Fair Pay review)
- Increased heating and lighting costs of longer opening hours
- Increased catering costs
- Increased carers' allowances
- Additional overtime payments to Democratic Support staff (subject to Fair Pay review)

There is an element of flexibility with the existing Democratic Representation budget which would allow for some variation, however the catering budget was reduced from £9,700 to £7,000 in 2008/09 due to previous underspending and is now fully committed. The current Democratic Services overtime budget of £2,000 is also under pressure. These budgets would remain at current levels, therefore, but clearly they would be monitored regularly during the year.

The amalgamation of the 2 Overview & Scrutiny bodies would result in a saving of £3,235 (+ inflation) in respect of the Special Responsibility Allowance currently payable to the Chairman of Budget & Performance Panel.

**SECTION 151 OFFICER'S COMMENTS**

The s151 Officer has been consulted and has no further comments to add.

**LEGAL IMPLICATIONS**

It is a legal requirement that the Council publishes its timetable of meetings by the commencement of each Municipal Year. Amendments can be made throughout the year provided at least 5 days notice is given.

If changes were to be made to the start times of meetings consideration may need to be given, in some circumstances, to amendments to other elements of the Constitution, particularly where a given timescale is set out for the production of Minutes (i.e. Cabinet minutes etc).

**MONITORING OFFICER'S COMMENTS**

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

**BACKGROUND PAPERS**

Reports to Council Business Committee dated 15<sup>th</sup> November 2007, 15<sup>th</sup> January and Council dated 5<sup>th</sup> December 2007.

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## STATISTICAL DATA OBTAINED FROM OTHER LOCAL AUTHORITIES WITHIN LANCASHIRE

Local Authority	When do your meetings take place? Day-time or evening Average duration of meeting	Evening arrangements (staff, electricity, heating etc) Other comments
Blackburn with Darwen Borough Council	Evening. Duration is approx 2-3 hours, although Council Forum can go on for longer.	No information on cost but the Buildings Team have to pay additional hours staff to lock up. (Under new flexi arrangements staff can work until 7.00 p.m. anyway.)
Blackpool Council	Regulatory committees during day (except Development Control), rest either 5 p.m., 6 p.m. or for Area Forums/ other Forums – 7 p.m.).	-
Chorley Borough Council	A few daytime, but most are evening.	-
Fylde Borough Council	Scrutiny Committees, Audit, Council and Cabinet meetings commence at 19:00. Development Control Committee meetings commence at 09:30 Licensing and Public Protection Committee meetings commence at 09:30. The Scrutiny Committees, Audit Committee, Council and Cabinet meetings can last between anything from 1 ½ to 3 hours. The Development Control Committee can last for up 4 hours.	To keep our Town Hall open to host these evening meetings costs: <b>Average Cost Per KWH for Electric</b> is - £8.29447 <b>Average Cost Per KWH for Gas</b> is - £1.57031 (KWH = Kilo Watt Hour) There is no charge for the custodians (caretakers) as these meetings are incorporated into their shift patterns.
Hyndburn Borough Council	Mostly daytime.  Duration time of meetings:  Council probably lasts 2- 3 hours; other meetings no more than 2 hours.	Council meetings are in the Town Hall (separate to the Council offices) Area Council meetings take place at various venues - some Council-run (no charge); some in schools where the cost varies - £50 - £100 Whether there are daytime or evening meetings is the choice of the ruling group.
Lancaster City Council	Mixture of both. O&S and Audit start at 6.00 p.m. Budget and Performance starts at 4.30 p.m., but the rest are usually during the day.	As set out in the body of the report.
Pendle Borough Council	Evening.  Average length of a meeting is around two hours, although some of the area committee meetings can last up to three.	No costs available as the Council use a variety of different buildings in the Borough, particularly the area committees who move about quite a lot.

Local Authority	When do your meetings take place? Day-time or evening Average duration of meeting	Evening arrangements (staff, electricity, heating etc) Other comments
Ribble Valley Borough Council	All at 6.30 p.m. Meetings last anything from 1 hour to 3, the Council have a 'cut-off' at 9.30 p.m., unless voted upon to complete the meeting.	No breakdown of costs available, but the Council do have a member of staff on duty in the Council Chambers for the meeting duration.
Rossendale Borough Council	All in the Evening (except internal meetings).	
South Ribble Borough Council	Main committees meet mostly in the evening; working/task groups generally in the day time.	
West Lancashire District Council	Evening.	
Wyre Borough Council	Main committees meet mostly in the evening. Audit and Planning meetings alternate between daytime and evening.	No costings per room provided.

**APPENDIX C****MEETINGS DURING 2007/08 – TIMINGS**

<b>MEETING</b>	<b>No.</b>	<b>LONGEST Hours/Minutes</b>	<b>SHORTEST Hours/Minutes</b>	<b>AVERAGE Hours/Minutes</b>
*Council	10	5.25	1.15	3.04
**Council Business Committee	7	2.36	0.40	1.30
Cabinet	12	4.20	0.26	2.15
Planning	12	3.50	1.00	2.55
***Overview & Scrutiny	11	3.10	0.50	2.02
**Budget & Performance Panel	10	1.56	0.44	1.25
Standards	4	1.32	0.35	1.08
Personnel	3	1.04	0.27	0.46
Licensing Act	5	0.20	1.12	0.42
Licensing Regulatory	9	3.50	0.47	2.28
***Audit	4	2.02	0.57	1.41

\* Council had 2 meetings starting at 6.00 pm that lasted 55 minutes and 20 minutes not included above.

\*\* These meetings currently commence at 4.30pm

\*\*\* These meetings currently commence at 6.00pm

**Council****Establishment of Morecambe Town Council – the  
Lancaster City Council (Reorganisation of Community  
Governance) Order 2009****4<sup>th</sup> February 2009****Report of the Chief Executive****PURPOSE OF REPORT**

To approve an Order for the creation of a Morecambe Parish with effect from 1<sup>st</sup> April 2009 and the establishment of a Morecambe Town Council with effect from the next ordinary elections following that date.

This report is public

**RECOMMENDATION**

- (1) That the draft Order be approved as set out at Appendix B, including a precept for 2009/10 of £220,500 as recommended by the Morecambe Town Council Working Group.
- (2) That a Shadow Morecambe Parish Council be established with effect from 1<sup>st</sup> April 2009 comprising the City Council Ward Councillors for Bare, Torrisholme, Heysham North, Westgate, Harbour and Poulton Wards.
- (3) That having considered the recommendations of the Working Group in relation to other issues to assist with the establishment of a Morecambe Town Council:
  - (a) The Head of Democratic Services arrange two 'Prospective Councillor' training events at Morecambe Town Hall during April 2009 for members of the public wishing to stand for election to the Town Council.
  - (b) The existing Working Group be extended until the Shadow Parish Council is inaugurated on 1<sup>st</sup> April 2009 to enable further consideration to be given to any matters which may arise.
  - (c) The Chief Executive be requested to report back to the next meeting of Council on the implications for the City Council to enable decisions to be taken on the remaining requests of the Working Group as set out in paragraph 2.6.2 of the report.

**1.0 Introduction**

- 1.1 Following the receipt of a Petition for the creation of a Town Council for Morecambe under the Local Government and Rating Act 1997 and a subsequent change in legislation, the City Council took the decision under transitional arrangements on 18<sup>th</sup> December 2008 to support the proposal as follows:

- (1) *That Lancaster City Council confirm its support for the establishment of a Morecambe Town Council as set out in the Petition dated 31<sup>st</sup> January 2007 on the boundaries of the existing City Council wards of Poulton, Bare, Torrisholme, Westgate, Harbour and Heysham North, excluding the existing parished areas of Torrisholme and Westgate with the following electoral arrangements:*

<i>Town Council Ward</i>	<i>Proposed number of Councillors</i>
<i>Torrisholme Parish Ward</i>	<i>5</i>
<i>Bare Parish Ward</i>	<i>3</i>
<i>Poulton Parish Ward</i>	<i>5</i>
<i>Harbour Parish Ward</i>	<i>5</i>
<i>Westgate Parish Ward</i>	<i>5</i>
<i>Heysham North Parish Ward</i>	<i>3</i>
<i>Total</i>	<i>26</i>

*and that a draft Reorganisation Order as provided for under S86 of the Local Government and Public Involvement in Health Act 2007 be submitted to the next meeting of Council for approval to enable implementation of the Town Council from 1<sup>st</sup> April 2009.*

- (2) *That a Morecambe Town Council Working Group be established comprising the Ward Councillors for Poulton, Bare, Torrisholme, Westgate, Harbour and Heysham North Wards to consider an appropriate level of precept for recommendation to full Council to be included in the Reorganisation Order in (1) above.*
- (3) *That the Head of Financial Services be authorised to update the revenue budget accordingly in respect of the cost of elections to the newly established Morecambe Town Council.*

## **2.0 Details of Proposal**

- 2.1 Since the decision was taken to establish a Morecambe Town Council, work has been undertaken to produce a draft formal Reorganisation Order for approval by Council at this meeting. Of the elements which need to be determined by full Council in order to finalise the Order, the boundaries and electoral arrangements (warding and councillor numbers) were agreed at the Council meeting in December. All that remains in order to complete the Order is for this Council to set a precept which will produce an appropriate working budget for the first year's operation of the Town Council.
- 2.2 Members should note that the legislation now in place, i.e. the Local Government and Public Involvement in Health Act 2007 does not permit the City Council to establish a Town Council. It is necessary therefore for the Order to create a Parish Council and the first meeting of the new Parish Council once elected will then be able to adopt the title of Town and elect a Town Mayor under the S245 of the Local Government Act 1972.
- 2.3 The Order also includes, in line with current legislation, the transfer of the Devonshire Road Allotments from the City Council to the Morecambe Town Council.
- 2.4 In accordance with (2) above, the Morecambe Town Council Working Group has met on three occasions to consider the options available to the future Town Council and to develop a potential draft budget.

2.5 Precept

- 2.5.1 The Working Group comprising the Ward Councillors for the area to be included in the Town Council met on 6<sup>th</sup>, 13<sup>th</sup> and 19<sup>th</sup> January 2009 initially in the form of workshops and considered information relating to the powers and responsibilities of Parish Councils and the details of the Council Tax base and potential precept levels for the area.
- 2.5.2 The majority of members agreed that whilst setting a very basic precept would allow the Council to function in the initial twelve months it would also fetter their ability to explore all expenditure options and it was felt that the principle of enabling the new Town Council to look at providing 'added value' to some existing services provided by the City Council should underpin the calculation of a 'reasonable' budget.
- 2.5.3 A proposed budget has therefore been developed as set out in Appendix A to this report in the sum of £220,500.
- 2.5.4 In order that this level of budget is available for the Town Council in 2009/10 the Working Group is recommending that the City Council set a precept of £220,500 for inclusion in the Reorganisation Order, attached as Appendix B to this report. This figure equates to approximately £19.31 per annum at Band D equivalent for properties in the Morecambe Town Council area.
- 2.5.5 The map which will be included in the Order will be displayed at the meeting.
- 2.5.6 Members should note that the Town Council will not be bound by any of the proposals put forward by the Working Group and may utilise as much or as little of the resultant budget as it wishes. The only constraints will be that it will not be able to spend more than the available budget.

2.6 Other Recommendations

- 2.6.1 In considering the potential operation of the Town Council in order to estimate a reasonable budget, a number of other issues have arisen on which the City Council will need to make a decision.
- 2.6.2 The recommendations of the Working Group are set out below:

That the City Council be requested:

- (a) To allow Morecambe Town Council (and its committees) to meet, free of charge, in Morecambe Town Hall
- (b) To hold two 'Prospective Councillor' training events at Morecambe Town Hall during April 2009 for members of the public wishing to stand for election to the Town Council
- (c) To maintain the existing Working Group until the 'Shadow Town Council is inaugurated on 1<sup>st</sup> April 2009.
- (d) To consider the possible provision of clerical assistance to the new Town Council, if requested and at cost, from 1<sup>st</sup> April until such time as they are able to recruit a Town Clerk. Full details to be negotiated with the Chief Executive.
- (e) To retain the precept income until such time as the elected Town Council can establish a bank account (which will probably be after the elections on 4<sup>th</sup> June 2009)

- 2.6.3 With regard to (b) above, whilst the City Council would not normally hold events for prospective election candidates this year as these will be run by the County Council, they have previously been held for Parish candidates and the proposal would meet the obligations now placed on the City Council to promote electoral participation and are considered best practice. The minimal costs can be contained within existing budgets and it is therefore recommended that Council agree to this request.
- 2.6.4 With regard to (a), (d) and (e) a further report is being prepared to Council on the implications for the City Council to enable Members to give the requests full consideration. It is recommended therefore that Council today agree to recommendation (c) above to enable the Working Group to consider the content of this report and offer any further views to Council.

### **3.0 Next Steps**

- 3.1 Once the draft Order has been approved, the final Order will be made and sealed with an effective date of 1<sup>st</sup> April 2009.
- 3.2 The Council must also publish the decision and give reasons for that decision. A copy of the Order including a map will be placed on deposit for public inspection and provided to a long list of bodies including the Secretary of State, the Electoral Commission, the Office of National Statistics, Ordnance Survey, the Audit Commission and the County Council.
- 3.3 Any appeal at this stage is by way of judicial review.
- 3.4 The City Council will set up a Shadow Parish Council to make initial plans and decisions for the commencement of the new Town Council. This will comprise the City Council Ward Councillors for the area of the new Town Council. The Shadow Council has full decision-making powers and can co-opt other members if desired. However, no decisions are binding on the new Council once it has been elected, although it will be constrained by the funding level set. Whilst the Shadow Council has full decision making powers it would be unusual for any decisions to be taken on services to be provided, but some 'small scale' decisions will be required such as when and where to hold the first Annual Meeting after the elections.

### **4.0 Conclusion**

- 4.1 Having made the decision to create a Morecambe Parish and establish a Morecambe Town Council with effect from 1<sup>st</sup> April 2009, the City Council is required to set a precept to provide a budget for the first year of the Town Council in order that the Reorganisation Order can be made prior to 1<sup>st</sup> April and the precept included in the budget report to the next meeting of the City Council.

**CONCLUSION OF IMPACT ASSESSMENT**

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

The proposal for a parish for Morecambe is in accordance with Council's policy which highlights its strong commitment to Town and Parish Councils as a means of addressing the UK democratic deficit and affording local people a greater say on how their localities are shaped.

**FINANCIAL IMPLICATIONS**

The financial implications of the creation of any new Parish or Town Council have been previously considered by Council and a sum of £15,000 has been included in the 2009/10 draft budget to cover the cost of the 2009 elections. The making of the Orders and support to a shadow Town Council will have resource implications in Democratic, Legal and Financial Services and whilst the costs can be contained within existing budgets may affect progress with other pieces of work contained within the respective Business Plans. In particular the requirement to service the Shadow Council and steer the implementation of the new Town Council may affect progress in other areas or result in a reduced level of service in Democratic Services – such as reduced support to Overview & Scrutiny Task Groups and/or Cabinet Liaison Groups or a reduction in member development support. The transfer of allotments will result in a minor transfer of income, but this will be offset by a corresponding reduction in the contribution to the allotments reserve.

**SECTION 151 OFFICER'S COMMENTS**

The s151 Officer has been consulted and has no comments to add.

**LEGAL IMPLICATIONS**

With effect from April 2008 the power to take decisions about matters such as the creation of parishes and their electoral arrangements was devolved from the Secretary of State and the Electoral Commission under the Local Government and Rating Act 1997 to local authorities under Chapter 3 of the Local Government and Public Involvement in Health Act 2007. Transitional arrangements were put in place in February 2008 to allow for any Petitions which had not been determined by the Secretary of State before the commencement of the new legislation to be determined by either the DCLG or the Local Council.

Regulation 3 of the Local Government Finance (New Parishes) (England) Regulations 2008 provides for the City Council to set a precept on behalf of the newly established parish.

**MONITORING OFFICER'S COMMENTS**

The Monitoring Officer has assisted with the drafting of the Order and her comments have been incorporated in the report.

**BACKGROUND PAPERS**

Model Order provided by the Department of Communities and Local Government  
Guidance on community Governance  
Reviews published by the Electoral Commission

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## APPENDIX A

## POTENTIAL COSTS

APPLICATION	COST £'s
Clerks Salary	30,000
Office Equipment and Consumables	3,000
Office Accommodation	5,000
Website Development	5,000
Administration Costs	3,000
Membership Fees	2,500
Audit Fee	2,000
Insurance	2,000
Elections	5,000
Allotments	2,000
Parks and Open Spaces	30,000
Environmental Projects Added value	30,000
Special Projects	30,000
Grants	12,000
Quality Status	2,000
PCSO's	44,000
Mayoralty	1,500
Civic Sunday	1,500
Badge of Office	2,000
Training	3,000
Communications	5,000
<b>TOTAL</b>	<b>----- 220,500</b>

LOCAL GOVERNMENT AND PUBLIC INVOLVEMENT IN HEALTH ACT  
2007

The Lancaster City Council (Reorganisation of Community Governance)  
Order 2009

*Made on the      day of February 2009*

*Coming into force in accordance with article 1(2)*

Lancaster City Council ("the Council") received a petition under Section 11 of the Local Government and Rating Act 1997, and the Secretary of State agreed with the Council in accordance with paragraph 10 of the Local Government and Public Involvement in Health Act 2007 (Commencement No. 3, Transitional and Saving Provisions and Commencement No. 2 (Amendment) Order 2008 that the petition should be treated as if it constituted recommendations made in a community governance review for the constitution of a new parish under Section 87 of the Local Government and Public Involvement in Health Act 2007 ("the 2007 Act");

The Council has decided to give effect to those recommendations and, in so doing has had regard to the need to secure that community governance reflects the identities and interests of the community and is effective and convenient:

The Council in accordance with Section 100 of the 2007 Act, has had regard to guidance issued under that section:

The Council makes the following Order in exercise of the powers conferred by sections 86, 98(3), 98(4), 98(6) and 240(10) of the 2007 Act and of all other powers enabling it in that behalf.

**Citation and commencement**

1.—(1) This Order may be cited as the Lancaster City Council (Reorganisation of Community Governance) Order 2009.

(2) Subject to paragraphs (3) and (4) below, this Order comes into force on the 1st April 2009.

(3) Article 8 and Schedule 1 shall come into force on the ordinary day of election of councillors in 2009.

(4) For the purposes of:

(a) this article,

(b) article 5, and

(c) article 10 and all proceedings preliminary or relating to the election of parish councillors for the parish of Morecambe to be held on the ordinary day of election of councillors in 2009,

this Order shall come into force on the day after that on which it is made.

## **Interpretation**

### **2. In this Order—**

“City” means the City of Lancaster;

“map” means the map marked “Map referred to in the Lancaster City Council (Reorganisation of Community Governance) Order 2009” and deposited in accordance with section 96(4) of the 2007 Act: and any reference to a numbered sheet is a reference to the sheet of the map which bears that number;

“new parish” means the parish constituted by article 4;

“ordinary day of election of councillors” has the meaning given by section 37 and 37A of the Representation of the People Act 1983; and

“registration officer” means an officer appointed for the purpose of, and in accordance with, section 8 of the Representation of the People Act 1983.

## **Effect of Order**

**3.** This Order has effect subject to any agreement under section 99 of the 2007 Act (agreements about incidental matters) relevant to any provision of this Order.

## **Constitution of a new parish**

**4.—(1)** A new parish, comprising the area outlined with a blue line on the map, shall be constituted within the City.

(2) The name of the new parish shall be Morecambe.

## **Calculation of budget requirement**

**5.** For the purposes of Regulation 3 of the Local Government Finance (New Parishes) (England) Regulations 2008 there is specified in relation to the parish of Morecambe the sum of £220,500.

## **Parish council for the parish of Morecambe**

**6. – (1)** There shall be a parish council for the parish of Morecambe.

(2) The name of that council shall be “The Parish Council of Morecambe”

## **Elections for the parish of Morecambe**

**7—(1)** Elections of all parish councillors for the parish of Morecambe shall be held on the ordinary day of election of councillors in 2009, 2011, and every four years thereafter.

(2) The term of office of every parish councillor elected on the ordinary day of election of councillors in 2009 for the parish of Morecambe shall be two years.

(3) The term of office of every parish councillor elected on the ordinary day of election in 2011 and thereafter shall be four years.

**Wards of the parish of Morecambe and numbers of parish councillors**

8.—(1) The parish of Morecambe shall be divided into six wards which shall be named as set out in column (1) of Schedule 1.

(2) Each ward shall comprise the area of the city ward specified in respect of the ward in column (2) of Schedule 1 and designated on the map by reference to the name of the ward and demarcated by orange lines.

(3) The number of councillors to be elected for each ward shall be the number specified in column (3) of that Schedule 1.

**Annual meeting of parish council**

9.- The annual meeting of the new parish council in 2009 shall be convened by the Head of Democratic Services of the Council. The meeting shall take place no later than 14 days after the day on which the councillors elected to the new parish council take office.

**Electoral register**

10.-The registration officer for the City shall make such rearrangement of, or adaptation of, the register of local government electors as may be necessary for the purposes of, and in consequence of, this Order.

**Transfer of property, rights and liabilities**

11.-The land, property, rights and liabilities described in Schedule 2 shall transfer from the Council to the new parish council on the date specified in column (2) of that Schedule.

**Transitional provision**

12.-Until the councillors elected to the council of the new parish of Morecambe at the elections to be held on the ordinary day of election of councillors in 2009 come into office, the new parish shall be represented by those persons who immediately before 1st April 2009 are the elected councillors for the city wards of Bare, Harbour, Heysham North, Poulton, Torrisholme and Westgate.

**Order date**

13.-1st April 2009 is the order date for the purposes of the Local Government (Parishes and Parish Councils) (England) Regulations 2008.

Sealed with the seal of the Council on the      day of February 2009.

Corporate Director

## SCHEDULE 1

article 8

## WARDS OF THE PARISH OF MORECAMBE

## NAMES AND AREAS OF WARDS AND NUMBERS OF COUNCILLORS

<i>Column (1)</i>	<i>Column (2)</i>	<i>Column (3)</i>
<i>Name of Parish Ward</i>	<i>Area of Ward</i>	<i>Number of Parish Councillors</i>
Bare	The whole of the city ward of Bare as shown on the map	3
Harbour	The whole of the city ward of Harbour as shown on the map	5
Heysham North	The whole of the city ward of Heysham North as shown on the map	3
Poulton	The whole of the city ward of Poulton as shown on the map	5
Torrisholme	That part of the city ward of Torrisholme shown on the map	5
Westgate	That part of the city ward of Westgate shown on the map	5

## SCHEDULE 2

article 9

## LAND AND PROPERTY TO BE TRANSFERRED

<i>Column (1)</i>	<i>Column (2)</i>
<i>Land and property to be transferred</i>	<i>Date</i>
Devonshire Road Allotments	1 <sup>st</sup> April 2009

## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order gives effect to recommendations made by Lancaster City Council for the new parish of Morecambe, within the city of Lancaster City Council.

The parish of Morecambe will be created with effect from 1 April 2009. The electoral arrangements apply in respect of parish elections to be held on and after the ordinary day of election of councillors in 2009.

Article 7 provides for parish elections in the parish of Morecambe in 2009, and 2011 and then to continue according to the established system of parish elections every four years.

Article 8 specifies the numbers of parish councillors for the new parish of Morecambe.

Article 8, Schedule 1 and the map establish the names and areas of the wards of the new parish of Morecambe and the numbers of councillors for each ward.

Article 10 obliges the Electoral Registration Officer to make any necessary amendments to the electoral register to reflect the new electoral arrangements.

The map defined in article 2 shows the new wards of the parish of Morecambe. It is available, at all reasonable times, at the offices of Lancaster City Council.



**Lancashire Local – Lancaster District Joint Committee  
Constitutional Amendment  
4<sup>th</sup> February 2009**

**Report of the Chief Executive**

**PURPOSE OF REPORT**

The report sets out an amended Constitution for the Lancashire Local – Lancaster District Joint Committee proposed by Lancashire County Council.

This report is public

**1.0 RECOMMENDATIONS**

- (1) That the City Council accept the proposed amendments agreed by Lancashire County Council to the Constitution of the Lancashire Local – Lancaster District Joint Committee and formally adopt the Constitution as set out at Appendix A to the report.**
- (2) That the Monitoring Officer be authorised to make any necessary amendments to the City Council's Constitution to include the revised Joint Committee Constitution and any future amendments to the delegation arrangements approved by either the City Council or County Council.**

**2.0 Background**

- 2.1 In March 2006 the City Council formally resolved to establish a Joint Committee with Lancashire County Council to be known as the Lancashire Local – Lancaster District Joint Committee and adopted the proposed Constitution.
- 2.2 The meetings are held at different venues throughout the district and at different times of day. The Committee comprises the 10 County Councillors and 10 City Councillors appointed on PR with at least one Member of the City Council Cabinet included.
- 2.3 The initiative is lead by the County Council who carry out the role of servicing the Committee – organising meetings, putting together the agenda and publishing the minutes. Being a Joint Committee however means that the City Council is obliged to keep records in the same way as for any other City Council Committees in order to comply with Access to Information legislation and any decisions on the Constitution of the Joint Committee require approval of both Councils.
- 2.4 The County Council has delegated a number of powers to the Joint Committee in relation to Highways, Waste, Libraries, Museums, Youth and Community expenditure and a local Grants Scheme, in addition to using the Committee in a consultative role. The City Council has not agreed any delegations but does occasionally submit reports for consultation purposes.

### **3.0 Proposal**

- 3.1 Lancashire County Council has considered whether there is scope for expanding the remit of Lancashire Locals and developing the model further in the light of experience since their inception.
- 3.2 In addition it has been noted that the Joint Committees provide the opportunity to use members' detailed local knowledge of the local community and geography to address local county service issues, such as the location of effective local safety schemes and prioritisation of local highways maintenance and can seek to tailor the delivery of many other local government services to better meet the needs of the local communities.
- 3.3 Until now the 12 Lancashire Locals have all operated within the same broad framework set out in the constitution. How this is implemented locally differs from district to district, with some focusing on the service reports brought to them to exercise their delegated powers over local service delivery, whilst others use these delegated powers and their influencing role to undertake more of a local problem solving approach to local priorities.
- 3.4 The County Council therefore embarked on a development proposal which comprised two elements – to review the constitution to ensure that it offers, from their perspective, as wide a range of local government service delegations as possible at this moment in time to the district level, without undermining the standard of those services, and secondly to look at strengthening the role of the Lancashire Local Committees and consider how Lancashire Locals are able to shape and influence all County Council Services delivered in their area. The County's view is that for this role to be effective locally, the decision on which services to be selected for influence by each Lancashire Local must be informed by local priorities and aspirations and this would result in the twelve Lancashire Locals concentrating on different elements of County Council services at any given time, depending on the local priorities in that area, in that year.
- 3.5 A single model across the County is therefore neither appropriate nor workable, so the County Council wishes to encourage each Lancashire Local to work with its district Local Strategic Partnership to consider how they can best achieve these links, perhaps by establishing strong communication links between the two in the belief that Lancashire Locals have the potential to complement the Local Strategic Partnership by overcoming barriers to solving local issues relating to local government services. In harnessing this opportunity, the Local Strategic Partnership could refer matters to the Lancashire Local which require it to bring about local service improvements through greater joining up, avoiding duplication and working on complementary projects.
- 3.6 A consultation exercise was undertaken which allowed the Lancashire Local Joint Committee to formally respond: 'That the consultation paper on developing the Lancashire Locals be welcomed as a basis for more integrated working between the County Council and the City Council to enable initiatives to be taken forward which will be of benefit to the people of the Lancaster District.
- 3.7 Further comments were also expressed at the meeting as follows:-
  - the relationship with the Local Strategic Partnership would be of significant importance, but more work was required to ensure complementary working and linkage;

- the imbalance on agendas between County and City Council business needed to be addressed and it was important that the City Council was encouraged to submit issues for consideration;
- the approach described in the consultation paper was welcomed and the need for more integrated/joint working was recognised.

3.8 In addition the City Council submitted the following response, approved by the Council Business Committee:

'The principles described in the consultation paper reflect the national and regional trends to more localism and community engagement in accordance with priorities identified by the LSP. Although the main thrust of the proposals are around delegation of County powers, there are clear indications that Districts as well may be expected to delegate powers to Lancashire Locals and to provide more support to those arrangements. For Lancaster District our Community Engagement/Neighbourhood Management proposals are still developing and more detailed consideration needs to be given as to how they will align with the proposed development of the Lancashire Locals model.'

3.9 Following the conclusion of the consultation exercise a draft revised Constitution was considered by the County Council and approved on 11<sup>th</sup> December 2008 which provides for additional delegations from the County Council and a simplified approach to future amendments to allow the future development of Constitutions more tailored to the requirements of individual districts.

3.10 A draft of the revised Constitution for the Lancaster District is attached at Appendix A. Changes are shown in bold for ease of reference and include:

- An additional £5m of highways money delegated to the Locals (previously announced)
- Elements of the Lancashire Young People's Service including:-
  - Determination of the annual priorities for the district
  - Determination of the resource allocation to each element of the service within a given District Commissioning and Delivery Plan, including the priorities for what is funded and what is delivered each year
  - Determination of the opening hours of young peoples provision within the service
  - Determination of the allocation of the Playbuilders' Funding
- Approval of highways gating orders and determination of the construction of cycle tracks in the place of a footway.
- Approval and monitoring of the County's Face to Face Customer Access Strategy, in relation to its work in the district.
- A new enabling clause, to support the commitment to the ongoing development of the Lancashire Locals. A new provision is added to the Constitution which allows additions to be made to the powers of the Lancashire Locals on an ongoing basis, without the need for re-adoption of the Constitution. This would enable further delegations to be made after the adoption of this revised Constitution should they



be considered desirable following detailed consideration of the second element of the consultation.

- 3.11 With regard to the final part the Committee Secretary for the Lancashire Local (a County Council officer) will be responsible for keeping a list of additions, which will be circulated to members of Local Joint Committees at each meeting. The City Council will also keep a record and update the Constitution which is currently held as an appendix to the City Council Constitution. Any such updates would be provided to all Members in the usual way.
- 3.12 In addition to the changes shown in bold which signify additions to the Constitution, the County Council has taken the opportunity to improve the layout of the document and a copy of the Constitution as previously approved is also included at Appendix B for comparison.
- 3.13 Members will note that the document contains reference to 4 protocols. Of these protocols have previously been agreed regarding public participation, Parish and Town Council engagement and engagement with City Councillors who are not members of the Lancashire Local Committee. These will be further considered along with a protocol for engaging young people at a future meeting of the Lancashire Local Committee for confirmation or amendment and will be included in the revised Constitution in due course.

#### **4.0 Options and Options Analysis (including risk assessment)**

- 4.1 The options available to Council are to formally adopt the revised the Constitution as proposed by the County Council or to reject the changes.
- 4.2 If the City Council refuses to adopt the amended Constitution as proposed by the County Council, then further discussions will be required with the County Council in relation to the continuation of the Joint Committee. Until this version of the Constitution is adopted by this authority the existing constitution still applies.

#### **5.0 City Council officer comments**

- 5.1 The proposal to delegate further powers to the Lancashire Locals and simplify the mechanism for future changes should be seen as a positive move.

The proposed changes were considered by the Lancaster District LSP management group in October and their response is attached at Appendix C. The key points from the response were to welcome the approach set out in the proposals and to seek further discussion with the County as to how the Lancashire Locals could work to support City and County Councillors who are representatives on the various LDLSP bodies. This would seek to reduce any duplication between the bodies and make more effective use of combined resources to deliver the objectives and priorities of the Sustainable Community Strategy.

Following the formal adoption of the proposed Constitution, it is proposed that City Council officers meet with County colleagues to develop how the changes can be effectively implemented in liaison with officers from the LDLSP.

**6.0 Conclusion**

6.1 The amended Constitution proposed by the County Council offers some immediate developments for the Lancashire Local Joint Committee in terms of additional delegations from the County Council. The new provision to add to the constitution on an ongoing basis, also enables the future development of the Lancashire Local over the longer term to which the County Council aspires, in line with the latest government thinking, local policy direction and community level priorities, by facilitating the inclusion of additional delegations in the future.

<p><b>CONCLUSION OF IMPACT ASSESSMENT</b> (including Diversity, Human Rights, Community Safety, Sustainability and Rural Proofing)</p> <p>None.</p>	
<p><b>FINANCIAL IMPLICATIONS</b></p> <p>There are no direct financial implications as a result of this report.</p>	
<p><b>SECTION 151 OFFICER'S COMMENTS</b></p> <p>The S151 Officer has been consulted and has no further comments.</p>	
<p><b>LEGAL IMPLICATIONS</b></p> <p>The Joint committee has been established under the Local Government Act 1972 and any changes to its Constitution require approval of both Councils. Legal Services have been consulted and have no further comments.</p>	
<p><b>MONITORING OFFICER'S COMMENTS</b></p> <p>The Monitoring Officer has been consulted and has no further comments.</p>	
<p><b>BACKGROUND PAPERS</b></p> <p>Letter from Lancashire County Council dated 22<sup>nd</sup> December 2008</p>	<p><b>Contact Officer:</b> Gillian Noall <b>Telephone:</b> 01524 582060 <b>E-mail:</b> gnoall@lancaster.gov.uk</p>



## **Lancashire Local – Lancaster District**

### **Constitution**

#### **JOINT COMMITTEE**

	<u>Page No.</u>
<b>Section 1</b>	
<b>Context and Purpose</b>	<b>1</b>
<b>Section 2</b>	
<b>Functions</b>	
<b>(A) General Remit</b>	<b>3</b>
<b>(B) Delegated Powers</b>	<b>4</b>
<b>Section 3</b>	
<b>Standing Orders</b>	<b>9</b>
<b>Appendix</b>	
<b>Examples of use of the General Remit</b>	<b>17</b>

## **Section 1 – Context and Purpose**

**Lancashire Local-Lancaster District is a Joint Committee of the County Council and Lancaster City Council. The impact of Lancashire Local-Lancaster District needs to be focused, visible and transparent.**

**As Lancashire Locals bed down across Lancashire, their purpose has crystallised.**

**Lancashire Locals are the County Council’s key vehicle for empowering local County Councillors to:-**

- 1. Determine the design and delivery of local government services through its delegated powers.**
- 2. Influence the shape of our services at a local level by working jointly with District Councillors drawing on the knowledge and expertise of Cabinet / Executive Members and Officers in their respective councils and councillors from relevant Parish and Town Councils.**

**The Local provides a forum through which the County Council can prioritise its resources to best meet local needs and aspirations. Meetings of the Lancashire Local are generally open to the press and public. Parish and Town Councillors, together with local people interested in specific agenda items, are able to have their say before decisions are taken.**

**The Lancashire Local has a strong role to play as a County Council problem solving body for Lancaster. Local problem solving is a key role for councillors as community advocates, and Lancashire Local-Lancaster District can significantly enhance this role. The County and City Councillors on the Lancashire Local have the detailed local knowledge, along with Parish and Town Councillors, that is needed to find realistic solutions to neighbourhood and district community concerns relating to County Council services in Lancaster.**

**The involvement of City Council representatives on the Lancashire Local provides the opportunity to identify local solutions and service improvements for City Council services also, working alongside County Council services. The Local can thus seek to jointly deliver local government service improvements for the residents, businesses and visitors to Lancaster. This means both Councils being proactive in bringing service issues to the Local and seeking to deliver local priorities together.**

**The Lancashire Local will concentrate on the agreed local priorities and targets in the Lancaster Local Strategic Partnership’s Sustainable Community Strategy and the Joint County / City Locality Plan – as far as they involve Lancashire County Council services or closer working between the County and the City.**

**Lancashire Local-Lancaster District will formalise its own specific working arrangements alongside the Lancaster Local Strategic Partnership to agree how best it can support the Partnership and establish a regular dialogue strengthening**

**that relationship. The role and responsibilities of the Lancashire Local sits at arms length from the Local Strategic Partnership, but supports the Sustainable Community Strategy for Lancaster.**

**Lancashire Local-Lancaster District will deliver focused, visible, and transparent outcomes for the residents, businesses, and visitors to Lancaster, in accordance with local priorities and targets relating to local government services.**

## Section 2 - Functions

The scope and overall purpose of the Lancashire Local is as set out in Section 1. The general remit of the Lancashire Locals is set out below and the more specific delegated functions are outlined in later sections.

### (A) General Remit

The general remit of the Lancashire Local is:-

1. To exercise those functions delegated to it by the County Council and City Council.
2. To seek solutions to local concerns relating to County Council services.
3. To express views on policy, strategy or other matters specifically referred to it by the County Council or the City Council including where appropriate the co-ordination of consultation with local stakeholders and communities.
4. **To monitor the delivery of the Locality Plan where one exists, and explore opportunities for joint working between the County Council and the City Council on complementary service delivery where this would bring benefits to local people.**
5. To advise the County Council, the City Council and other public bodies as appropriate on issues of local interest or concern which are brought to its attention by members, Lancaster City Councils' Area Committees, **Parish and Town Councils**, other bodies and members of the public.
6. To assist the County Council in its response to Government policy in relation to neighbourhoods.
7. Lancashire Local-Lancaster District has the remit to shape and influence any matter relating to any local County Council service in the district of Lancaster and to discuss any opportunities for a closer alignment of County and City services in the district, **for example joint working around regeneration and economic development.**

**When exercising this function, Lancashire Locals are encouraged to select those services for shaping/influencing that are relevant for addressing local issues/priorities specific to the district, as outlined in the Sustainable Community Strategy, and other evidence based data/plans such as Parish Plans. These local government priorities will be incorporated into the annual joint locality plan (where one is to be produced) where it is considered to be a priority for the district in that year. The Appendix attached suggests some of the services that Lancashire Local-Lancaster District may want to consider where their Local Strategic Partnership priorities identify council services as a local priority. This list is not comprehensive and is intended only as a guide.**

## **(B) Delegated Powers**

The services identified below are delegated by the County Council or Lancaster City Council as indicated, for decision making by the Lancashire Local, in accordance with the relevant legislation.

In discharging the delegated powers, the Lancashire Local must act at all times within the approved policies, budgets and financial regulations of the Council delegating the functions, and in accordance with Standing Orders at Section 3 of this Constitution.

There is set out below a list of the functions that are currently delegated to Lancashire Local-Lancaster District. **Additional functions and matters for determination may be delegated to the Local in the future by Lancashire County Council and Lancaster City Council, which will form part of this Constitution. The Secretary to the Local will maintain a record of all additional delegated functions and will ensure that any such additions are reported to the Local at the next meeting after the delegation takes place.**

### **Highways** (delegated by Lancashire County Council)

#### 1. Budget Allocation

To exercise discretion for the provision of highway authority functions (except winter maintenance) within an annual countywide allocation to be apportioned to each Lancashire Local in accordance with road lengths in their area.

#### 2. Street lighting special maintenance schemes.

To determine the priority of street lighting special maintenance schemes within the County Council's allocated budget.

#### 3. Local Safety Schemes

- a) To determine the priority of local safety schemes including walking and cycling proposals where there is more than one such scheme for the District in an approved programme.
- b) To determine specific schemes where objections or representations have been received.

#### 4. Crime reduction street lighting schemes

To determine the priority of crime reduction street lighting schemes where there is more than one such scheme in the District in the approved programme.

#### 5. Retaining Walls Strengthening Programmes

To determine the priority of retaining wall strengthening schemes where there is more than one such scheme in the District, in the approved Strengthening Programme.

**6. Gating Orders**

**To approve the making of Gating Orders under Section 129A of the Highways Act, 1980 pursuant to the Highways Act 1980 (Gating Orders) (England) Regulations, 2006, where objections or adverse comments have been received and after a public inquiry (if any) has been held.**

**7. Removal of Footways and construction of Cycle Tracks**

**To decide not to provide a footway under Section 66 of the Highways Act, 1980 but instead to approve the construction of a cycle track with a right of way on foot under Section 65 of the Highways Act, 1980.**

**8. Pavement Cafes**

To approve applications for licences for pavement cafes.

**9. Residents parking schemes**

To determine specific schemes where objections or representations have been received.

**10. Traffic Regulation Orders/Speed Limit Orders**

To approve the making of Traffic Regulation Orders and Speed Limit Orders where objections or representations have been received.

**11. 20mph Speed Limit Zones**

- a) To determine the priority of 20mph zones where there is more than one scheme in the approved programme for the district.
- b) To approve the making of schemes for such zones where objections or representations have been received

**12. Road Humps**

To determine the establishment of road humps under Section 90A of the Highways Act, 1980 where objections or representations have been received.

**13. School Crossing Patrols**

To review and determine the continuation of a School Crossing Patrol when the current Patrol Officer leaves the service.

**14. Car parking**

Out of any monies which are declared by the County Council both to be surplus in the on street parking account and also available generally to the Lancashire Locals for the purpose of highway improvement projects under s.55(4)(ii) of the Road Traffic Regulation Act, 1984 as amended, to determine the priority of such measures within that purpose.



15. Pedestrian Crossings

- a) To determine the priority for pedestrian crossings where there is more than one in an approved programme for the district.
- b) To approve specific proposals where objections or representations have been received.

16. Bus Shelters

To determine the locations of bus shelters within the County Council's responsibility (e.g. on Quality Bus Routes).

**Waste Management** (delegated by Lancashire County Council)

To determine the location of household waste recycling centres where there are viable alternative site options.

**Lancashire Locals Climate Change Fund** (delegated by Lancashire County Council)

From funds made available by the County Council to consider for approval projects submitted by community and voluntary groups, or Parish Councils, to support local climate change in accordance with the criteria laid down by the County Council.

**Libraries** (delegated by Lancashire County Council)

To determine, taking into account the results of consultation undertaken by the County Library Service the pattern of library opening hours together with other appropriate local developments within existing resources.

**Museums and Heritage** (delegated by Lancashire County Council)

To determine, taking into account the results of consultation **undertaken by the County Museums Service**, the pattern of opening hours for the County Museums Service within existing resources.

**Lancashire Young People's Service** (delegated by Lancashire County Council)

1. **Within the national framework and corporate policies, to determine and approve, in consultation with young people, the priorities and deployment of youth resources (except staffing) within available budgets and oversee a District Strategic Plan and annual Delivery Plan for the Lancashire Young People's Service, encompassing :-**
  - a) **Determination of the annual outcomes expected by the Lancaster District Delivery Plan.**
  - b) **Determination of the resource allocation to each element of the service in Lancaster, and the availability of young people's provision within the**

existing service budget and statutory requirements, to best meet the needs of the neighbourhoods, the needs of minority groups and those of vulnerable young people across Lancaster.

2. To recommend proposals for the deployment of Playbuilders' Funding for Lancaster district, with particular emphasis on the effectiveness of the partnership arrangements by taking into account the priorities of the local Children's Trust Partnership for Lancaster
- 3 To monitor the delivery of the Annual Lancaster District Delivery Plan through:-
  - a) A six month review of delivery of the Plan.
  - b) Ongoing local problem-solving with the service.
  - c) Ongoing identification of opportunities for closer working between the Lancashire Young People's Service and complementary City Council service activities eg – Leisure, Cultural and Arts Services.
4. To work closely with the Lancashire Young People's Service in order to make effective the committee's problem-solving / opportunity seeking remit.
5. To work with young people in Lancaster to establish and monitor a Lancaster Protocol on engagement with young people, encompassing the allocation of Small/Project Grants and local youth issues generally.

**A copy of the Protocol regarding engagement with young people, as agreed by the Lancashire Local-Lancaster District at the meeting on \*\*\*\*\* , is attached as Annex A to this Constitution.**

6. To approve Small/Project Grants to youth organisations in accordance with guidelines issued by the County Council, following consultation with young people. Where the criteria for funding give priority to decisions by young people the outcomes must reflect their conclusions.

#### **Links with Local Children's Trust Partnership (delegated by Lancashire County Council)**

**To formalise its own working arrangements with the Local Children's Trust Partnership, as outlined in Section 1, in order to ensure that the Local Trust Partnership and the Lancashire Local play a clear and complementary role in delivering quality local services across all functions delivered by the Children & Young People's Directorate.**

**Customer Access (delegated by Lancashire County Council)**

**To approve and monitor the proposals and priorities of the County's Corporate Face to Face Access strategy, in relation to its work in the Lancaster District.**

**Local Grants Scheme (delegated by Lancashire County Council)**

To consider for approval recommendations from County Councillors for grants to support local groups in accordance with criteria laid down by the County Council.

**Local Gateway Grants (delegated by Lancashire County Council)**

To consider for approval applications for Local Gateway funding in accordance with the criteria laid down by the County Council.

## Section 3 - Standing Orders

### Membership

1. (i) Membership of Lancashire Local-Lancaster District shall be all local County Councillors with electoral divisions in Lancaster District and an equivalent number of Councillors appointed by Lancaster City Council. At least one City Council member shall be a member of that Council's Executive. All City Council representatives shall be appointed in accordance with the political balance rules as they are applied to their authority by the Local Government and Housing Act, 1989.
- (ii) A person shall cease to be a member if he/she ceases to be a member of the County Council or a member representing an electoral division in Lancaster district or in the case of a member of the City Council ceases to be a member of that Council or resigns from the Lancashire Local.
- (iii) Prior to the meeting, the Secretary must be notified of substitutions for City Council Members made in accordance with that Council's normal procedures.

### Parish and Town Councils

2. (i) Lancashire Local-Lancaster District shall, in consultation with Parish and Town Councils in its area, draw up a Protocol to ensure that Parish and Town Councils can engage effectively with the Lancashire Local.

**A copy of the Parish and Town Council Protocol, as agreed by the Lancashire Local-District at the meeting on \*\*\*\*\*, is attached as Annex B to this Constitution.**

- (ii) A representative of a Parish or Town Council may participate at Lancashire Locals when items are discussed which are specifically concerned with their area.

### Appointment of Chair and Deputy Chair

3. (i) The Chair, who shall be a County Councillor, shall be elected at the annual meeting of the Lancashire Local.
- (ii) The Deputy Chair, who shall be of a different political group to the Chair, shall be elected at the annual meeting of the Lancashire Local and, wherever possible, shall be a member of the City Council.
- (iii) Existing office holders are eligible for re-election.

- (iv) The Chair and Deputy Chair shall, unless he or she resigns the office or ceases to be a member of the Lancashire Local, continue in office until a successor is appointed.
- (v) **The Chair shall not preside at the election of his or her successor if he or she is a candidate at that election. In those circumstances, the Deputy Chair continuing in office under (iv) above shall preside or if there is no such Deputy, a Chair shall be appointed by the Local for the purposes of conducting the election.**

## Secretary

- 4. A nominated representative of the Chief Executive of the County Council shall act as Secretary to Lancashire Local-Lancaster District and shall be responsible for preparing and circulating agendas for meetings, advising on constitutional matters and for producing the minutes.

## Meetings

- 5. (i) Meetings shall be held in public other than in the circumstances set out in Standing Order 27.
- (ii) Meetings shall be held on a six or eight weekly cycle to be determined along with venues, by the Lancashire Local.
- (iii) The meeting held in June each year, or if there is no scheduled meeting that month the first meeting after June, shall be the Annual Meeting of the Lancashire Local-Lancaster District.
- (iv) The Chair or in his/her absence the Deputy Chair may call a special meeting of the Lancashire Local-Lancaster District to consider a matter that falls within its remit but cannot await the next scheduled meeting, provided at least 10 clear working days notice in writing is given to the Secretary.
- (v) The Lancashire Local may prepare a Protocol to facilitate the opportunity for other members of the City Council to participate at Lancashire Locals, but not vote, when items are discussed which are specifically concerned with their ward.

**The following Protocol regarding engagement with City Councillors who are not members of the Local was agreed by the Lancashire Local at the meeting on \*\*\*\*\*.**

## **Delegated Powers**

6. The delegated powers mean those powers to be discharged by the Lancashire Local as set out in Section 2(B) of this Constitution.
7. The Lancashire Local-Lancaster District shall discharge the delegated powers, within the budgetary and policy framework set by the County Council in the case of County functions or by the City Council in the case of its functions.
8. When discharging the delegated powers the Lancashire Local shall take decisions only after taking into account advice given in writing or orally from relevant Officers of the County Council or of the City Council as appropriate, including legal, financial and policy advice.

## **Executive and Key Executive Decisions**

There are particular requirements to be met when the Lancashire Local is exercising delegated powers in respect of executive and key executive decisions, and these are set out below:

9. An executive decision means a decision by the Lancashire Local that has been delegated to it by the Executive (or Cabinet) of the County Council or of the City Council.
10. Consideration of Key Executive Decisions
  - (i) A meeting of the Lancashire Local shall be held in public if a decision to be made at that meeting will be a Key Executive Decision.
  - (ii) A Key Executive Decision shall not be taken by the Lancashire Local unless the report which it intends to take into consideration has been made available for inspection by the public for five clear working days prior to the meeting.
  - (iii) Any Key Executive Decision to be taken by the Lancashire Local shall be included in the monthly Forward Plan of the County Council or of the City Council as appropriate.
  - (iv) Where the inclusion of a matter in the Forward Plan is impracticable and the matter would be a Key Executive Decision, that decision shall only be made where:
    - (a) the Chair of the relevant Overview and Scrutiny Committee of the County Council or City Council as appropriate, has been informed in writing of the matter about which the decision is to be made;
    - (b) the provisions of paragraph (ii) above are complied with
  - (v) Where the date by which an urgent Key Executive Decision must be made makes compliance with paragraph (ii) above impracticable, the decision shall only be made where the Chair of the relevant Overview and Scrutiny

Committee of the County Council or the City Council as appropriate, agrees that the making of the decision is urgent and cannot reasonably be deferred.

- (vi) The Secretary shall ensure that a copy of a report referred to at paragraph (ii) above shall, as soon as is reasonably practicable, be sent to the Chair of the relevant Overview and Scrutiny Committee of the County Council or of the City Council as appropriate.
- (vii) A report referred to in paragraph (ii) above shall include a list of background papers, and the Secretary shall make available for public inspection a copy of each of the documents on the list of background papers.
- (viii) Where an Executive Decision by the Lancashire Local was not treated as being a Key Executive Decision and the relevant Overview and Scrutiny Committee of the County Council or the City Council as appropriate, is of the opinion that the decision should have been so treated the relevant Committee may require the Lancashire Local to submit a report to the County Council's or the City Council's Full Council setting out the reasons why the Lancashire Local was of the opinion that the decision was not a Key Executive Decision.

## **Overview and Scrutiny**

- 11. Executive decisions made by the Lancashire Local are subject to scrutiny by the County Council's or the City Council's relevant Overview and Scrutiny Committee (depending on which authority delegated the particular function), including an Overview and Scrutiny Committee's right under the Local Government Act 2000 to request that an Executive Decision made but not implemented be reconsidered by the decision-taker (often referred to as 'call-in').
- 12. The processes and procedures for the exercise by the relevant Overview and Scrutiny Committee of their 'call-in' function shall be in accordance with the Constitutions of the County Council or the City Council depending on which Authority delegated the executive decision in question.
- 13. An Overview and Scrutiny Committee shall not exercise the 'call-in' function in respect of an executive decision by the Lancashire Local where that decision has been designated by the Lancashire Local as being urgent in that any delay in its implementation could adversely affect the efficient execution of their responsibilities on behalf of the County Council or the City Council, and provided that the designation and the reasons for it are recorded in the Minutes.
- 14. Executive decisions made by the Lancashire Local shall be implemented by the County Council or the City Council as appropriate, in accordance with their respective Constitutions.

The following general provisions apply to the consideration of all matters within the Lancashire Local's remit.

## **Chairing of Meetings**

15. In the absence of the Chair, the Deputy Chair shall preside at the meeting. In the absence of both, the members present shall, as the first item of business, appoint one of their number who is a member of the County Council to be Chair of the meeting.

## **Access to Information**

16. Items of business may not be considered at a meeting of the Lancashire Local unless a copy of the item has been open to inspection by members of the public for at least five working days before the meeting (or where the meeting is convened at shorter notice, from the time the meeting is convened). However an item that has not been open to inspection may be considered where, by reason of special circumstances which shall be specified in the Minutes, the Chair of the meeting is of the opinion that the item should be considered at the meeting as a matter of urgency.

## **Agendas and Minutes**

17. Agendas for meetings of the Lancashire Local shall be dispatched by the Secretary five clear working days in advance of a meeting, and copies will be made available for public inspection at the designated County and City Council offices, libraries, other local public information points and on the Democratic Information System on the County Council's Website.
18. Agendas will identify separately matters which are for decision by the Lancashire Local under delegated powers, and which of those are executive or non-executive decisions.
19. The Lancaster City Council and any Member of the Lancashire Local may suggest items for inclusion in the Agenda within its remit provided such requests are received by the Secretary at least 10 clear working days in advance of the meeting. It shall then be for the Lancashire Local to determine whether it wishes to receive a report on the matter at a future meeting.

Where, in the opinion of the Secretary, the matter requires a more immediate response, it shall be for the Chair and Deputy Chair to determine whether the Lancashire Local should receive a full report at its next meeting.

20. The minutes of a meeting shall be published on the Democratic Information System as soon as is reasonably practicable, and wherever possible within three clear working days after a meeting at which an executive decision has been made.

## **Quorum**

21. The quorum for any meeting shall be seven Members with at least two Members from each authority. If there is not a quorum of Members, the meeting shall stand adjourned for 15 minutes. If after that time there is still no quorum the meeting shall stand adjourned until a date and time to be fixed by the Chair.



## Members Code of Conduct

22. Members are bound by the Code of Conduct of the authority which appointed them to the Lancashire Local and should particularly observe the provisions of their respective Codes concerning the declaration of personal and prejudicial interests when attending meetings of Lancashire Locals.

## Declaration of Neutrality

23. A Member will be required to declare a position of neutrality when the Lancashire Local considers formulating a recommendation which will fall to that Member to decide upon in their capacity as a Cabinet Member of the County Council or the City Council.
24. A declaration of neutrality will permit the Member to advise the meeting on any policy background or other general issues that might assist discussion but he/she shall refrain from indicating his or her intended position on the issue and shall abstain from voting.

## Voting

25. All members are entitled to vote and voting shall be by show of hands, and in the case of an equality of votes the Chair of the meeting shall have a second or casting vote.

## Members of the public

26. The Lancashire Local will have the flexibility to determine what the mechanisms should be for the public to participate at meetings including the need to avoid undue influence by a vocal minority. Unless other mechanisms are adopted by the Lancashire Local the following process shall be applied:-

Members of the public shall be allowed to speak at each meeting in relation to items on the agenda. Each Lancashire Local will agree how this is best conducted locally. The Lancashire Local will be requested to periodically review their arrangements for public participation, to ensure they remain effective.

**The following Protocol regarding public participation was agreed by the Lancashire Local at the meeting on \*\*\*\*\*.**

## **Exclusion of the Press and Public**

27. The Lancashire Local may, by resolution, exclude the press and public from a meeting during an item of business wherever it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the public were present during that item there would be disclosure of Exempt or Confidential information as defined by the Local Government Act 1972 and the Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations 2000.

## **Urgent Business Procedure**

28. The County Secretary and Solicitor may in consultation with the City Council, and with the Chair and Deputy Chair of the Lancashire Local, deal with matters of urgency which cannot await the next meeting and which do not in the view of the Chair and Deputy Chair warrant a special meeting being convened.

## **Sub-Committees and Working Groups**

29. The Lancashire Local may appoint
- (i) Sub-Committees with power to act to discharge any of its functions, provided:
    - they comprise an equal number of Members of the County Council and of the City Council,
    - at least one quarter of the Sub-Committee is present at the meeting.
  - (ii) Working Groups **which cannot make decisions** but may consider specific matters and report back to a future meeting of the Lancashire Local.

## **Conduct at Meetings**

30. The conduct of meetings and the interpretation of these Standing Orders are at all times a matter for the Chair of the meeting whose ruling is final.

**ANNEX A**

**Protocol for engaging young people with the Lancashire Local**

**ANNEX B**

**Protocol for Parish and Town Council engagement with the Lancashire Local.**

## Examples of use of General Remit

The Lancashire Local's General Remit includes a responsibility to shape and influence any matter relating to any local County Council service in the district of Lancaster, and to discuss any opportunities for a closer alignment of local authority services in the district.

This will enable the Lancashire Local to help influence County Council activity generally in Lancaster.

The list below is not comprehensive, and offers examples only, which may serve to prompt Lancashire Local-Lancaster District to explore the potential for local service improvement and closer alignment of local authority services in Lancaster district.

The local priorities in the District's Sustainable Community Strategy will be the key determinant of the focus of the Lancashire Local's attention and as such will form the basis of a joint locality plan where one is to be developed. In many cases this will involve shaping and influencing County Council services not included in the examples below.

Examples of the use of the General Remit

### Highways

#### 1. Highway Authority Functions

- a) Consider and express views on matters relating to the exercise of Highway Authority Functions within the Lancaster area, including performance monitoring, contributing to policy development and assisting in the development of Best Practice.
- b) Consider and express views for changes in highway policies and standards.

#### 2. Local Transport Plan

Consider and express views on all matters in relation to the Local Transport Plan, especially social inclusion matters.

#### 3. Highway Special Maintenance Schemes

Consider and express views on locations where it is considered that resurfacing or reconstruction of carriageways and/or footways should be included in future programmes of work.

#### 4. Safety Cameras

Comment on proposals for 'community concern' sites put forward by the local Community Safety Partnership and the locations for proposed fixed camera sites.

5. Street Scene

Consider and express views around rationalising the street scene, including road signs, road markings, street furniture, lighting, seats, bins, street cleaning, fly posting, graffiti etc, and in particular to influence proposals for traffic management/signing schemes.

**Traffic Regulation Orders and Speed Limit Orders**

Make suggestions for future Traffic Regulation Orders and Speed Limit Orders.

**20mph Speed Limit Zones**

Make suggestions for future 20mph Speed Limit Zones

**IT Public Enquiry Manager (PEM) System**

Consider reports on the IT Public Enquiry Manager system (e.g. highway defect faults) and express views on changes and/or improvements

**Public Transport**

- a) Consider and express views on local bus networks and proposed changes in provision (subject to statutory timescales)
- b) Consider and express views on local priorities for public transport in terms of Quality Bus Routes and subsidised bus routes.
- c) Facilitate closer joint working between the County and the City Council on sharing information and marketing in respect of public transport.
- d) Facilitate effective joint liaison arrangements linking the City Council's regeneration initiatives to improving access to public transport.
- e) Consider and express views on local community transport needs.

**School Travel Plans**

To review annual programmes of School Transport Plans, to monitor progress on their implementation and encourage local schools to pursue such plans.

**Environmental Projects**

To consider and express views on the following:

- a) The promotion of initiatives to improve the environment of the District, under the Green Partnership Awards.

- b) Opportunities for removing derelict, underused and neglected land and to consider projects that might be supported under the Small Sites Reclamation Programme within Reclamation and Management of Derelict Land in Lancashire (REMADE).
- c) Proposals for the after-use of major land reclamation schemes under the Reclamation and Management of Derelict Land initiative, managed by the North West Regional Development Agency.

### **Waste Management**

Consider and express views on proposed sites for future waste facilities, as part of the Lancashire Waste Management Strategy.

### **Countryside Service**

To consider and express views on the following

- a) Future Public Rights of Way Improvement Plan
- b) The Public Rights of Way Network
- c) The County Council's Countryside and Recreation Policy

### **Adult Social Services**

The Lancashire Local-Lancaster District will have the opportunity to receive annual reports on the following service areas to keep local councillors informed and provide an opportunity to examine and influence services.

#### 1. Partnership Boards

Learning/Disability Partnership Board.  
Physical Disability/Sensory Impairment Partnership Board  
Older People Partnership Board

#### 2. Locality Commissioning Plans

The Commissioning Plans for each Adult Social Services client group, i.e. mental health, learning disabilities, physical disabilities and older people.

The annual report will contain the plans for expanding existing services, developing new services and decommissioning services over a three year period. Commissioning plans will be reviewed and updated annually. The services typically commissioned are day care, respite care, home care, rehabilitation, residential and nursing home care, and home care support to very sheltered housing.

#### 3. Supporting People

The work of the Supporting People Team on activities in the District, including performance information and information on service development and delivery

### **Adult Education**

Consider and express views on the development of Community learning provision, especially in areas of deprivation

### **Children and Young People**

To consider and express views on the following.

- a) the development of District based links for the Every Child Matters Agenda
- b) School Organisation Reviews/School Place Planning

### **Museums Services**

Consider and express views on local management arrangements.

### **Asset Management**

Consider and express views on the development of joint County and City Council asset management and shared facilities, particularly one-stop shops.

### **Community Strategies**

Monitor and express views on County Council actions identified in local community strategies.

### **Lancashire Local Area Agreement**

Monitor County Council performance at the District level towards relevant targets in the Lancashire Local Area Agreement.



## **Lancashire Local – Lancaster District**

### **Constitution**

#### **JOINT COMMITTEE**

	<u>Page No.</u>
<b>Section 1 Background and Purpose</b>	<b>1</b>
<b>Section 2 Functions</b>	
<b>(A) General Remit</b>	<b>3</b>
<b>(B) Delegated Powers</b>	<b>4</b>
<b>(C) Shaping and influence</b>	<b>8</b>
<b>Section 3 Standing Orders</b>	<b>12</b>



## Section 1 – Background and Purpose

Lancashire Local – Lancaster District is a Joint Committee of the County Council and Lancaster City Council. The aim is to strengthen local democratic accountability through empowering locally elected Councillors to take decisions, shape and influence the delivery of local government services in Lancaster District. There will be a Lancashire Local in each of the 12 District areas in Lancashire.

At the outset the Lancashire Local's remit will involve primarily County Council services and will include a broad, general remit as well as specific services and functions. Taken together, this should enable locally elected Councillors to exercise a much broader influence over County Council activity in Lancaster District.

Part of the overall vision for the Lancashire Locals is that they should enable local councillors from the County Council and Lancaster City Council to identify opportunities for joint working and decision making particularly on complementary service delivery. There has already been some consideration of joint public information provision (e.g. One Stop Shops) as part of the pilot phase. There are more examples which could be explored, such as linking decisions about County and District services affecting the street scene, exploring opportunities for joined up approaches to trading standards and environmental health and joint working on issues relating to young people. Again, local circumstances will dictate priorities, but the enabling framework would allow such approaches to be explored.

The Local Government Act 2000 provides for a division of a local authority's functions into executive and non-executive. In broad terms the majority of an Authority's service delivery functions are 'executive' and are the direct responsibility of an Authority's Executive or Cabinet. Non-executive functions are the responsibility of an Authority's Full Council including its policy framework and budget (which it cannot delegate) and various quasi-judicial or regulatory functions such as determining applications for licences or consents of various types.

On some services the Lancashire Local will have delegated powers to take formal decisions on local service delivery; on others it will bring local views to bear to shape and influence policy development and strategic decision making. Sometimes it will do both. The range of specific functions within its remit can be added to over time. It will also monitor service delivery and performance of all County Council services in Lancaster District.

Not all County Council service decisions/budgets can be devolved to the Lancashire Local because some budgets:

- are required to be passed directly by formula to self-managing services,
- are allocated according to Lancashire-wide criteria often in response to national requirements,
- need to support service delivery patterns and different geographic footprints of partner organisations outside local government;

- need to be retained at the centre to support strategic service delivery to maximise economies of scale and efficiency.

But the Lancashire Local will monitor the local impact of all County services.

Meetings of the Lancashire Local will generally be open to the press and public and local people interested in specific agenda items will be able to have their say before decisions are taken. But Lancashire Locals are not primarily about community engagement. There are other more effective ways for the County and the City Council to engage with communities at local neighbourhood or village level.

Neither is the Lancashire Local primarily about engaging locally with partners outside local government. This is the role of the Local Strategic Partnership. But the Lancashire Local can provide a forum for the County Council and Lancaster City Council to jointly consider specific local government issues raised by the LSP, including County and City Council commitments to district community strategies. The Chair of the LSP will have an open invitation to attend meetings of the Lancashire Local in order to further reinforce the linkages between the two bodies.

The remit for the Lancashire Local has been drawn up as a broad enabling framework. All functions will be referred to all Lancashire Locals for decision or influence as appropriate. This should provide overall consistency yet give each Lancashire Local significant flexibility within approved County Council policies and budgets to respond to local circumstances and priorities for activities within its remit.

It is intended that at an appropriate stage, after gaining sufficient operational experience, a review of the Lancashire Locals throughout the County would be undertaken.

## **Section 2 - Functions**

### **(A) General Remit**

- (1) To express views on policy, strategy or other matters specifically referred to it by the County Council or Lancaster City Council including where appropriate the co-ordination of consultation with local stakeholders and communities.
- (2) To explore opportunities for joint working between the County Council and the City Council on complementary service delivery where this would bring benefits to local people.
- (3) To advise the County Council, the Council and other public bodies as appropriate on issues of local interest or concern which are brought to its attention by members, other bodies and members of the public.
- (4) The Lancashire Local will have a key role to play in helping the County Council to respond to the Government's increased emphasis on neighbourhoods.
- (5) The County Council will assess the opportunities for extending the remit of the Lancashire Local to support new policy initiatives, for example additional youth and community services once the new "Youth Matters" agenda is further developed, and how models of neighbourhood management and engagement can feed into Lancashire Locals.

**(B) Delegated Powers**

The services identified below are delegated by the County Council or Lancaster City Council as indicated, for decision making by the Lancashire Local, in accordance with the relevant legislation.

In discharging the delegated powers, the Lancashire Local must act at all times within the approved policies, budgets and financial regulations of the Council delegating the functions, and in accordance with Standing Orders at Section 3 of this Constitution.

	<b>Delegated by County Council or City Council</b>
<b><i>Highways</i></b>	
<ul style="list-style-type: none"> <li>• Budget Allocation</li> </ul> <p>To exercise discretion for the provision of highway authority functions (except winter maintenance) within an annual countywide allocation (currently £150,000 pa) to be apportioned to each Lancashire Local in accordance with road lengths in their area.</p>	COUNTY
<ul style="list-style-type: none"> <li>• Street lighting special maintenance schemes.           <ul style="list-style-type: none"> <li>- To determine the priority of street lighting special maintenance schemes within the County Council's allocated budget.</li> </ul> </li> </ul>	COUNTY
<ul style="list-style-type: none"> <li>• Local Safety Schemes           <ul style="list-style-type: none"> <li>- To determine the priority of local safety schemes including walking and cycling proposals where there is more than one such scheme for the District in an approved programme.</li> <li>- To determine specific schemes where objections or representations have been received.</li> </ul> </li> </ul>	COUNTY
<ul style="list-style-type: none"> <li>• Crime reduction street lighting schemes           <ul style="list-style-type: none"> <li>- To determine the priority of crime reduction street lighting schemes where there is more than one such scheme in the District in the approved programme.</li> </ul> </li> </ul>	COUNTY

**Delegated  
by County  
Council or  
City  
Council  
COUNTY**

- Retaining Walls Strengthening Programmes
  - To determine the priority of retaining wall strengthening schemes where there is more than one such scheme in the District, in the approved Strengthening Programme.
  
- Pavement Cafes
  - To approve applications for licences for pavement cafes.
  
- Residents parking schemes
  - To determine specific schemes where objections or representations have been received.
  
- Traffic Regulation Orders
  - To approve the making of Traffic Regulation Orders where objections or representations have been received.
  
- Speed Limit Orders
  - To approve the making of Speed Limit Orders where objections or representations have been received.
  
- School Crossing Patrols
  - To review and determine the continuation of a School Crossing Patrol when the current Patrol Officer leaves the service.
  
- Car parking
  - To determine the priority of highway measures to be carried out from the surplus income generated from on-street parking.
  
- Pedestrian Crossings
  - To determine the priority for pedestrian crossings where there is more than one in an approved programme for the district.

**Delegated  
by County  
Council or  
City  
Council**

- To approve specific proposals where objections or representations have been received.
- Bus Shelters COUNTY
  - To determine the locations of bus shelters within the County Council's responsibility (e.g. on Quality Bus Routes).
- 20mph Zones COUNTY
  - To determine the priority of 20mph zones where there is more than one scheme in the approved programme for the district.
  - To approve the making of schemes for such zones where objections or representations have been received.
- Waste** COUNTY
  - To determine the location of household waste recycling centres where there are viable alternative site options.
- Libraries** COUNTY
  - To determine following consultation the pattern of library opening hours together with other appropriate local developments within existing resources.
- Museums** COUNTY
  - To determine following consultation the pattern of opening hours for the County Museums Service within existing resources.
- Youth and Community** COUNTY
  - To approve small grants to youth organisations previously administered by the former District Youth and Community Services Advisory Committee, in accordance with guidelines issued by the County Council and Connexions Service, following consultation with young people.

**Delegated  
by County  
Council or  
City  
Council**

- To determine in consultation with young people the nature and extent of expenditure on Youth and Community Services within existing resources and statutory framework.
- To establish mechanisms for engaging with young people, including, for example special meetings to discuss the allocation of local grants and to debate local youth issues generally.

**Local Grants Scheme**

COUNTY

- From funds made available by the County Council, to consider for approval recommendations from County Councillors for grants to support local groups in accordance with criteria laid down by the County Council.

## **(C). Shaping and Influencing**

The Lancashire Local will monitor service delivery and district based performance information in relation to all County Council services. This will enable the Lancashire Local to help influence County Council activity generally in the Lancaster District.

More specifically, the following matters will be referred to the Lancashire Local with a view to it expressing views to the County Council or Lancaster City Council as appropriate.

### ***Highways***

- Highway Authority Functions
  - To consider and express views on matters relating to the exercise of Highway Authority Functions within Lancaster district area, including performance monitoring, contributing to policy development and assisting in the development of Best Practice.
  - To consider and express views for changes in highway policies and standards.
- Local Transport Plan
  - To consider and express views on all matters in relation to the LTP, especially social inclusion matters.
- Highway special maintenance schemes
  - To consider and express views on locations where it is considered that resurfacing or reconstruction of carriageways and/or footways should be included in future programmes of work.
- Safety Cameras
  - To comment on proposals for 'community concern' sites put forward by the local Community Safety Partnership and the locations for proposed fixed camera sites.
- Street Scene
  - To consider and express views around rationalising the street scene, including road signs, road markings, street furniture, lighting, seats, bins, street cleaning, fly posting, graffiti etc, and in particular to influence proposals for traffic management/signing schemes.



### **Traffic Regulation Orders**

- To make suggestions for future Traffic Regulation Orders.

### **Speed Limit Orders**

- To make suggestions for future Speed Limit Orders.

### **20 mph Zones**

- To make suggestions for future 20 mph zones.

### **IT Public Enquiry Manager (PEM) System**

- To consider reports on the IT Public Enquiry Manager system (e.g. highway defect faults) and express views on changes and/or improvements.

### **Public Transport**

- To consider and express views on local bus networks and proposed changes in provision (subject to statutory timescales)
- To consider and express views on local priorities for public transport in terms of Quality Bus Routes and subsidised bus routes.
- To facilitate closer joint working between the County and the District Council on sharing information and marketing in respect of public transport.
- To facilitate effective joint liaison arrangements linking the District Council's regeneration initiatives to improving access to public transport.
- To consider and express views on local community transport needs.

### **School Travel Plans**

- To review annual programmes of School Transport Plans, to monitor progress on their implementation and encourage local schools to pursue such plans.

### **Environmental Projects**

To consider and express views on

- The promotion of initiatives to improve the environment of the District, under the Green Partnership Awards.

- Opportunities for removing derelict, underused and neglected land and to consider projects that might be supported under the Small Sites Reclamation Programme within Reclamation and Management of Derelict Land in Lancashire (REMADE).
- Proposals for the after-use of major land reclamation schemes under the Reclamation and Management of Derelict Land initiative, managed by the North West Regional Development Agency.

### **Waste**

- To consider and express views on proposed sites for future waste facilities, as part of the Lancashire Waste Management Strategy.

### **Countryside Service**

- To consider and express views on
  - Future Public Rights of Way Improvement Plan
  - The Public Rights of Way Network
  - The County Council's Countryside and Recreation Policy

### **Adult Social Services**

The Lancashire Local - Lancaster will have annual reports on the following service areas to keep local councillors informed and provide an opportunity to examine and influence services.

- Partnership Boards
  - Learning/Disability Partnership Board.
  - Physical Disability/Sensory Impairment Partnership Board
  - Older People Partnership Board
- Locality Commissioning Plans

The Commissioning Plans for each Adult Social Services client group, i.e. mental health, learning disabilities, physical disabilities and older people.

The annual report will contain the plans for expanding existing services, developing new services and decommissioning services over a three year period. Commissioning plans will be reviewed and updated annually. The services typically commissioned are day care, respite care, home care, rehabilitation, residential and nursing home care, and home care support to very sheltered housing.

- **Supporting People**

The work of the Supporting People Team on activities in Lancaster district, including performance information and information on service development and delivery.

**Adult Education**

- To consider and express views on the development of Community learning provision, especially in areas of deprivation

**Children and Young People**

- To consider and express views on
  - the development of District based links for the Every Child Matters Agenda
  - School Organisation Reviews/School Place Planning

**Museums Services**

- Local management arrangements.

**Asset Management**

- To consider and express views on the development of joint County and District Council asset management and shared facilities, particularly one-stop shops.

**Customer Access**

- To consider and express views on the development and integration of Local Customer Access Strategies and service delivery.

**Community Strategies**

- To monitor and express views on County Council actions identified in local community strategies.

**Lancashire Local Area Agreement**

- To monitor County Council performance at the District level towards relevant targets in the Lancashire Local Area Agreement.

## **Section 3 - Standing Orders**

### **Membership**

1. (i) Membership of Lancashire Local – Lancaster shall be all local County Councillors with electoral divisions in Lancaster district, and an equivalent number of Councillors appointed by Lancaster City Council. At least one City Council member shall be a member of that Council's Executive. District Council representatives shall be appointed in accordance with the political balance rules as they are applied to their authority by the Local Government and Housing Act 1989.
- (ii) A person shall cease to be a member if he/she ceases to be a member of the County Council or a member representing an electoral division in Lancaster district, or in the case of a member of the City Council ceases to be a member of that Council or resigns from the Lancashire Local.
- (iii) Prior to the meeting, the Secretary must be notified of substitutions for City Council Members made in accordance with that Council's normal procedures.

### **Parish and Town Councils**

2. (i) Lancashire Local – Lancaster shall, in consultation with Parish and Town Councils in its area, draw up a Protocol to ensure that Parish and Town Councils can engage effectively with the Lancashire Local.
- (ii) A representative of a Parish or Town Council may participate at Lancashire Locals when items are discussed which are specifically concerned with their area.

### **Appointment of Chair and Deputy Chair**

3. (i) The Chair, who shall be a County Councillor, shall be elected at the annual meeting of the Lancashire Local.
- (ii) The Deputy Chair, who shall be of a different political group to the Chair, shall be elected at the annual meeting of the Lancashire Local and, wherever possible, shall be a member of the City Council.
- (iii) Existing office holders are eligible for re-election.
- (vi) The Chair and Deputy Chair shall, unless he or she resigns the office or ceases to be a member of the Lancashire Local, continue in office until a successor is appointed.

## **Secretary**

4. A nominated representative of the Chief Executive of the County Council shall act as Secretary to Lancashire Local – Lancaster and shall be responsible for preparing and circulating agendas for meetings, advising on constitutional matters and for producing the minutes.

## **Meetings**

5.
  - (i) Meetings shall be held in public other than in the circumstances set out in Standing Order 27.
  - (ii) Meetings shall be held on a six or eight weekly cycle to be determined along with venues, by the Lancashire Local.
  - (iii) The meeting held in June each year, or if there is no scheduled meeting that month the first meeting after June, shall be the Annual Meeting of the Lancashire Local - Lancaster.
  - (iv) The Chair or in his/her absence the Deputy Chair may call a special meeting of the Lancashire Local - Lancaster to consider a matter that falls within its remit but cannot await the next scheduled meeting, provided at least 10 clear working days notice in writing is given to the Secretary.
  - (v) The Lancashire Local may prepare a protocol to facilitate the opportunity for other members of the City Council to participate at Lancashire Locals, but not vote, when items are discussed which are specifically concerned with their ward.

## **Delegated Powers**

6. The delegated powers mean those powers to be discharged by the Lancashire Local as set out in Section 2(B) of this Constitution.
7. The Lancashire Local – Lancaster shall discharge the delegated powers, within the budgetary and policy framework set by the County Council in the case of County functions or by the City Council in the case of its functions.
8. When discharging the delegated powers the Lancashire Local shall take decisions only after taking into account advice given in writing or orally from relevant officers of the County Council or of the City Council as appropriate, including legal, financial and policy advice.

## **Executive and Key Executive Decisions**

There are particular requirements to be met when the Lancashire Local is exercising delegated powers in respect of executive and key executive decisions, and these are set out below:

9. An executive decision means a decision by the Lancashire Local that has been delegated to it by the Executive (or Cabinet) of the County Council or of the City Council.
10. For the purposes of provisions for key executive decisions in the Local Government Act 2000 as reflected in paragraphs (i) to (viii) below, the definition of a 'key executive decision' may vary between local authorities. For the purposes of the Lancashire Local, a "key executive decision" shall be as defined in the constitution of the County Council in the case of a County Council function and the constitution of Lancaster City Council in the case of a City Council function

#### Consideration of Key Executive Decisions

- (i) A meeting of the Lancashire Local shall be held in public if a decision to be made at that meeting will be a Key Executive Decision.
- (ii) A Key Executive Decision shall not be taken by the Lancashire Local unless the report which it intends to take into consideration has been made available for inspection by the public for five clear working days prior to the meeting.
- (iii) Any Key Executive Decision to be taken by the Lancashire Local shall be included in the monthly Forward Plan of the County Council or of the City Council as appropriate.
- (iv) Where the inclusion of a matter in the Forward Plan is impracticable and the matter would be a Key Executive Decision, that decision shall only be made where:
  - (a) the Chair of the relevant Overview and Scrutiny Committee of the County Council or Lancaster City Council as appropriate, has been informed in writing of the matter about which the decision is to be made;
  - (b) the provisions of paragraph (ii) above are complied with
- (v) Where the date by which an urgent Key Executive Decision must be made makes compliance with paragraph (ii) above impracticable, the decision shall only be made where the Chair of the relevant Overview and Scrutiny Committee of the County Council or the City Council as appropriate, agrees that the making of the decision is urgent and cannot reasonably be deferred.
- (vi) The Secretary shall ensure that a copy of a report referred to at paragraph (ii) above shall, as soon as is reasonably practicable, be sent to the Chair of the relevant Overview and Scrutiny Committee of the County Council or of the City Council as appropriate.

- (vii) A report referred to in paragraph (ii) above shall include a list of background papers, and the Secretary shall make available for public inspection a copy of each of the documents on the list of background papers.
- (viii) Where an Executive Decision by the Lancashire Local was not treated as being a Key Executive Decision and the relevant Overview and Scrutiny Committee of the County Council or the City Council as appropriate, is of the opinion that the decision should have been so treated the relevant Committee may require the Lancashire Local to submit a report to the County Council's or the City Council's Full Council setting out the reasons why the Lancashire Local was of the opinion that the decision was not a Key Executive Decision

## **Overview and Scrutiny**

- 11. Executive decisions made by the Lancashire Local are subject to scrutiny by either the County Council's or the City Council's relevant Overview and Scrutiny Committee (depending on which authority delegated the particular function), including an Overview and Scrutiny Committee's right under the Local Government Act 2000 to request that an Executive Decision made but not implemented be reconsidered by the decision-taker (often referred to as 'call-in').
- 12. The processes and procedures for the exercise by the relevant Overview and Scrutiny Committee of their 'call-in' function shall be in accordance with the Constitutions of the County Council or the City Council depending on which Authority delegated the executive decision in question.
- 13. An Overview and Scrutiny Committee shall not exercise the 'call-in' function in respect of an executive decision by the Lancashire Local where that decision has been designated by the Lancashire Local as being urgent in that any delay in its implementation could adversely affect the efficient execution of their responsibilities on behalf of the County Council or the City Council, and provided that the designation and the reasons for it are recorded in the Minutes.
- 14. Executive decisions made by the Lancashire Local shall be implemented by the County Council or the City Council as appropriate, in accordance with their respective Constitutions.

The following general provisions apply to the consideration of all matters within the Lancashire Local's remit.

## **Chairing of Meetings**

- 15. In the absence of the Chair, the Deputy Chair shall preside at the meeting. In the absence of both, the members present shall, as the first item of business, appoint one of their number who is a member of the County Council to be Chair of the meeting.

## **Access to Information**

16. Items of business may not be considered at a meeting of the Lancashire Local unless a copy of the item has been open to inspection by members of the public for at least five working days before the meeting (or where the meeting is convened at shorter notice, from the time the meeting is convened). However an item that has not been open to inspection may be considered where, by reason of special circumstances which shall be specified in the Minutes, the Chair of the meeting is of the opinion that the item should be considered at the meeting as a matter of urgency.

## **Agendas and Minutes**

17. Agendas for meetings of the Lancashire Local shall be dispatched by the Secretary five clear working days in advance of a meeting, and copies will be made available for public inspection at the designated County and District Council offices, libraries, other local public information points and on the Democratic Information System on the County Council's Website.
18. Agendas will identify separately matters which are for decision by the Lancashire Local under delegated powers, and which of those are executive or non-executive decisions.
19. Lancaster City Council and any Member of the Lancashire Local may suggest items for inclusion in the Agenda within its remit provided such requests are received by the Secretary at least 10 clear working days in advance of the meeting. It shall then be for the Lancashire Local to determine whether it wishes to receive a report on the matter at a future meeting. Where, in the opinion of the Secretary, the matter requires a more immediate response, it shall be for the Chair and Deputy Chair to determine whether the Lancashire Local should receive a full report at its next meeting.
20. The minutes of a meeting shall be published on the Democratic Information System as soon as is reasonably practicable, and wherever possible within three clear working days after a meeting at which an executive decision has been made.

## **Quorum**

21. The quorum for any meeting shall be seven members with at least two Members from each authority. If there is not a quorum of Members, the meeting shall stand adjourned for 15 minutes. If after that time there is still no quorum the meeting shall stand adjourned until a date and time to be fixed by the Chair.

## **Members Code of Conduct**

22. Members are bound by the Code of Conduct of the authority which appointed them to the Lancashire Local and should particularly observe the provisions of



their respective Codes concerning the declaration of personal and prejudicial interests when attending meetings of Lancashire Locals.

### **Declaration of Neutrality**

23. A Member will be required to declare a position of neutrality when the Lancashire Local considers formulating a recommendation which will fall to that Member to decide upon in their capacity as a Cabinet Member of the County Council or the City Council.
24. A declaration of neutrality will permit the Member to advise the meeting on any policy background or other general issues that might assist discussion but he/she shall refrain from indicating his or her intended position on the issue and shall abstain from voting.

### **Voting**

25. All members are entitled to vote and voting shall be by show of hands, and in the case of an equality of votes the Chair of the meeting shall have a second or casting vote.

### **Members of the public**

26. The Lancashire Local will have the flexibility to determine what the mechanisms should be for the public to participate at meetings including the need to avoid undue influence by a vocal minority. Unless other mechanisms are adopted by the Lancashire Local the following process shall be applied:-
  - A member of the public will be allowed to speak for up to 3 minutes on issues relevant to an item on the agenda. This period for public participation will be for 30 minutes at the beginning of the meeting, although the Chair will have the discretion to extend it.

The Lancashire Local will be requested to periodically review their arrangements for public participation, to ensure they remain effective.

### **Exclusion of the Press and Public**

27. The Lancashire Local may, by resolution, exclude the press and public from a meeting during an item of business wherever it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the public were present during that item there would be disclosure of Exempt or Confidential information as defined by the Local Government Act 1972 and the Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations 2000.

### **Urgent Business Procedure**

28. The Secretary may in consultation with the City Council, and with the Chair and Deputy Chair of the Lancashire Local, deal with matters of urgency which cannot await the next meeting and which do not in the view of the Chair and Deputy Chair warrant a special meeting being convened.

### **Sub-Committees and Working Groups**

29. The Lancashire Local may appoint
- (i) Sub-Committees with power to act to discharge any of its functions, provided:
    - they comprise an equal number of Members of the County Council and of Lancaster City Council,
    - at least one quarter of the Sub-Committee is present at the meeting.
  - (ii) Working Groups to consider specific matters and report back to a future meeting of the Lancashire Local.

### **Conduct at Meetings**

30. The conduct of meetings and the interpretation of these Standing Orders are at all times a matter for the Chair of the meeting whose ruling is final.

**Lancashire Local – Lancaster District – Protocols**

**Participation of Members of the Borough Council who are not on the Local**

Paragraph 5(v) of the Terms of Reference provides that the Lancashire Local may prepare a protocol to facilitate members of the Borough Council who are not members of the Lancashire Local participating (but not voting) when items relating to their specific ward are discussed.

**Lancashire Local – Lancaster District has agreed that any Member of the Borough Council who is not a member of the Lancashire Local should be allowed to speak on any item at the point where the item is reached and prior to discussion by the Lancashire Local, the Chair exercising discretion as to the time allowed for the Member to speak.**

**Participation by members of the Public at meetings of the Lancashire Local**

Standing Order 26 provides for a period of half an hour at the outset of the meeting for members of the public to comment on any matters on the agenda. Each Lancashire Local has the discretion to adopt alternative arrangements for participation by members of the public.

**Lancashire Local – Lancaster District has agreed that members of the public be invited to comment during a half hour session at the outset of the meeting, the session being managed at the discretion of the Chair.**

**LANCASHIRE LOCAL - LANCASTER DISTRICT  
PARISH AND TOWN COUNCIL PROTOCOL**

**A Lancashire Local - Lancaster District Remit and Purpose**

- The Lancashire Local - Lancaster District (LL – LD) is a fully constituted Joint Committee that can take decisions, shape, influence and monitor the policies and services of Lancashire County Council.
- The membership of LL – LD comprises the ten County Councillors with Electoral Divisions in Lancaster District and ten Councillors from Lancaster City Council.

The purpose of LL – LD is to help develop and maintain vibrancy in local democracy by aiming to:

- Provide opportunities for local councillors from the County Council and Lancaster City Council to identify areas where joint working, joint decision making and joining up complementary service delivery can provide real benefits to local people.
- Further strengthen the community advocacy role of local councillors.

**B Lancaster District Parish and Town Councils**

Within the Lancaster District, there are 29 Parish Councils, 1 Town Council and 6 Parish Meetings. LL-LD recognises that Parish and Town Councils already have good links with the local County and City Councillors; this protocol builds on those links to improve two-way communication between local communities (individually and collectively) and Lancashire County Council. In further developing the representational and community role played by these Councils and Meetings, LL-LD is committed to ensuring that Parish and Town Councils in the Lancaster District are:

1. Kept fully informed of the LL-LD's activities and decisions.
2. Provided with an opportunity to make comments on services and activities, within the remit of the Lancashire Local, that affect their parish or town.
3. Encouraged collectively to make comments to LL – LD on matters of wider interest to Town and Parish Councils, particularly regarding neighbourhood and community development.
4. Given the opportunity to contribute to the review of Lancashire Locals, especially with regard to the future role of Town and Parish Councils on LL-LD.

The importance of the Lancashire Association of Parish and Town Councils to its members is also recognised and this will be the consultee of choice for the County Council on strategic issues.

## C Commitments

### LL – LD will:-

1. Ensure each Town and Parish Council within Lancaster District is informed of its meetings, this will include:-
  - i. Notification to each Town and Parish Council, via their Clerk, of the dates, times, venues and agendas of the meetings, along with an invitation to the Town or Parish Council Chair to attend.
  - ii. Facilitating access to agendas and minutes via the County Council's web site.

<b>Who will lead on this commitment</b>	<b>How will this be delivered</b>	<b>When</b>
Secretary to LL-LD (David Porter, Lancashire County Council, Democratic Services)	i) Notification in writing or by email. Meeting dates are also published on the County Council website: <a href="http://www.lancashire.gov.uk/council/meetings/calendar/meetings/ByName.asp?year=2006">http://www.lancashire.gov.uk/council/meetings/calendar/meetings/ByName.asp?year=2006</a> .  ii) Agenda and minutes are published on-line at: <a href="http://www.lancashire.gov.uk/council/meetings/committees/locals/committee.asp?cid=1278">http://www.lancashire.gov.uk/council/meetings/committees/locals/committee.asp?cid=1278</a>	i) In hard copy, at least five working days before each meeting of LL-LD. On-line – meeting dates will be updated by each April for the year ahead.  ii) Agenda and papers for each meeting are available five working days before each meeting.

2. Enable Lancaster District Town and Parish Councils to influence County Council service planning and delivery by:-
  - i. Inviting members of Town or Parish Councils, which are specifically named in reports being considered by the Lancashire Local Lancaster District, to take part in the discussion of that item or to submit a written response prior to the meeting for consideration by LL-LD in relation to that item.
  - ii. Providing an opportunity for Parish and Town Councils to influence the Future Business Plan for LL-LD.
  - iii. Highlighting, as far in advance as possible, meeting dates and agenda items – and wherever possible, giving two full calendar months' notice of agenda items relating to parish/town councils.
  - iv. Providing an opportunity for Parish and Town Councils to discuss their draft Parish Plans with the Lancashire Local.

<b>Who will lead on this commitment</b>	<b>How will this be delivered</b>	<b>When</b>
i) Secretary to LL-LD (David Porter, Lancashire County Council, Democratic Services)	i) Notification in writing or by email.	i) As appropriate
ii) District Partnership Officer (Wendy Thompson, Lancashire County Council)	ii) Parish & Town Councils will be invited to identify areas from LL-LD's constitution which they are particular interested in seeing in LL-LD's future business plan.	ii) During the development of the future business plan.
iii) Secretary to LL-LD (David Porter, Lancashire County Council, Democratic Services)	iii) LL-LD's Future business plan will be notified in writing to parish/town councils.	iii) Quarterly.

3. Respond to requests or issues raised by Parish and Town Councils (on services that are within the remit of the Lancashire Local) to show that comments have been considered.

<b>Who will lead on this commitment</b>	<b>How will this be delivered</b>	<b>When</b>
District Partnership Officer (Wendy Thompson, Lancashire County Council)	Liaison between members and officers of Lancashire County Council and Lancaster City Council	As necessary

4. Provide the opportunity for Parish and Town Councils to better understand County Council services planned for delivery in the locality.

<b>Who will lead on this commitment</b>	<b>How will this be delivered</b>	<b>When</b>
Authors of reports from service Directorates (namely Environment, Children and Young People, Adult and Community Services)	Presentations to LL - LD	At least annually.
District Partnership Officer (Wendy Thompson, Lancashire County Council)	Regular reports re Lancashire Local to Lancaster & Morecambe LAPT Group	At least every three months or as requested.

5. Receive comments for the countywide review of Lancashire Locals which could be used to examine the future role of Town and Parish Councils on LL-LD.

<b>Who will lead on this commitment</b>	<b>How will this be delivered</b>	<b>When</b>
District Partnership Officer (Wendy Thompson, Lancashire County Council)	Via the Lancaster & Morecambe LAPT Group	As appropriate.

**The local Parish Councils, Town Council and Parish Meetings will:**

1. Act as a conduit for information from local residents to LL-LD by continuing to work closely with their local County and City Councillors. If appropriate, parish and town councils should bring forward issues for consideration by Lancashire Local.

<b>Who will lead on this commitment</b>	<b>How will this be delivered</b>	<b>When</b>
Parish/Town Councillors	Parish councillors will ensure that the local County and/or City Councillor is made aware of issues raised by local residents which relate to County and/or Council services.	At parish/town council meetings.
Divisional County Councillors	Where issues relating to County Council services cannot be resolved by County Councillors, agenda items can be proposed to the secretary of LL-LD (David Porter) by County Councillors or Parish Councils for future LL-LD agenda. Inclusion on future agenda will be at the discretion of the chair of LL-LD.	As requested.

2. Act as conduit of information from LL-LD to local residents.

<b>Who will lead on this commitment</b>	<b>How will this be delivered</b>	<b>When</b>
Parish/Town Council chairs and clerks.	Parish councils will ensure that relevant information from LL-LD is discussed at their meetings and included as appropriate in minutes of those meetings.	At parish/town council meetings.

3. Respond in writing to, or in person at, LL-LD meetings on agenda items relating to specific parishes or Carnforth Town.

<b>Who will lead on this commitment</b>	<b>How will this be delivered</b>	<b>When</b>
Parish/Town Council chairs and/or clerks.	A parish/town council will notify the secretary to LL-LD (David Porter) if they wish to take part in the debate of an agenda item at a meeting or if they will be submitting a written response in advance of the meeting.	At parish/town council meetings.

4. Present a parish or town council's draft parish plan to LL-LD for consideration.

<b>Who will lead on this commitment</b>	<b>How will this be delivered</b>	<b>When</b>
Parish/Town Council chairs and clerks.	Parish/Town Council will notify the local County Councillor and secretary to LL-LD (David Porter) of their wish to present their draft parish plan for consideration by LL-LD.	As appropriate – before parish plans are finalised.

**Lancashire and Morecambe Area Meeting of the Lancashire Association of Parish and Town Councils (LAPTC) will:**

1. Respond in writing to, or in person at, LL-LD meetings on agenda items relating to strategic issues for parish and town councils, including reviews of LL-LD.

November 2006.



**CONSULTATION RESPONSE FROM THE LANCASTER DISTRICT  
LOCAL STRATEGIC PARTNERSHIP 30<sup>th</sup> OCTOBER 2008**

**COMMENTS ON THE PROPOSED CHANGES TO THE LANCASHIRE LOCAL  
CONSTITUTION AND HOW PROPOPOSALS WILL CUT ACROSS LDLSP  
STRUCTURES**

The LDLSP responded to the initial consultation which took place in October 2008, the key points of which are as follows;

- The LDLSP welcomes this review and sees the proposals made within it as a positive step forward in strengthening working relationships at a district level between the Lancashire Locals and the LDLSP. We also believe that the review will be beneficial in clarifying the role of Lancashire Locals in shaping communities and local government services.
- The stated commitment that Lancashire Locals wishes to work 'alongside' the LDLSP and 'complement' its work is particularly welcome to the LDLSP.
- With regard to Lancashire Locals developing stronger links with the LDLSP whilst still maintaining an 'arms length' status is a preferable one. The LDLSP has just restructured and both City and County Councillors have seats at all levels of the LDLSP structure. We therefore believe that it will be necessary to clarify how the relationship between the elected members that already sit on LDLSP bodies and those that sit on Lancashire Locals would work in practice. What would seem more appropriate would be for the Lancashire Locals to support those elected members who already have seats on LDLSP bodies both in terms of undertaking necessary discussion prior to meetings and thus equipping members with all known views before meetings and to assist with aligning funding where appropriate.
- Also, where there are shared interests, partners should pool resources and obtain maximum added value and success in delivering the aspirations of the district's Sustainable Community Strategy. This commitment and contribution from Lancashire Locals would be warmly received by the LDLSP and would very much reinforce your statement that the Lancashire Locals 'have the potential to support the LSP in delivering the Sustainable Community Strategy and the Local Area Agreement'.

- We strongly agree that where there is cross-over between City and County Council services in the delivery of the Sustainable Community Strategy, then the two councils should indeed co-operate , but it must also be acknowledged that there is a risk of over complicating LDLSP decision making processes by introducing another body of elected members.
- The LDLSP also strongly agree that decisions regarding such a relationship should sit with City and County Councils to decide how they wish their elected members to work together and use resources to 'shape and influence those services that are relevant to addressing those issues and priorities as outlined in our Sustainable Community Strategy'.
- It is of course always possible to improve the way in which the LDLSP communicates with its partners and we would welcome an opportunity to discuss this further with Lancashire Locals.
- We also agree a 'one size fits all approach' is wholly inappropriate for a county such as Lancashire which has such a diverse and large community.

Tracey Jardine  
LSP Manager  
16<sup>th</sup> January 2009

**CABINET****10.00 A.M.****9TH DECEMBER 2008**

**PRESENT:-** Councillors Roger Mace (Chairman), Evelyn Archer, Jon Barry, Eileen Blamire, Abbott Bryning, Shirley Burns, Susie Charles, Jane Fletcher, John Gilbert and David Kerr

Officers in attendance:-

Mark Cullinan	Chief Executive
Peter Loker	Corporate Director (Community Services)
Heather McManus	Corporate Director (Regeneration)
Roger Muckle	Corporate Director (Finance and Performance)
David Owen	Head of Cultural Services
Nadine Muschamp	Head of Financial Services and Section 151 Officer
Graham Cox	Head of Property Services
David Owen	Head of Cultural Services
Debbie Chambers	Principal Democratic Support Officer

**93 MINUTES**

The Minutes of the meeting held on 11<sup>th</sup> November 2008 were signed by the Chairman as a correct record.

**94 ITEMS OF URGENT BUSINESS AUTHORISED BY THE LEADER**

The Chairman advised that there was one item of urgent business regarding a referral from the Festivals and Events Cabinet Liaison Group (Minute 102 refers).

**95 DECLARATIONS OF INTEREST**

No declarations were made at this point.

**96 PUBLIC SPEAKING**

Members were advised that there had been one request to speak by a member of the public at the meeting in accordance with Cabinet's agreed procedure, set out in Cabinet Procedure Rule 2.7 with regard to Lancaster Market (Minute 100 refers).

**97 DOME - OPTIONS****(Cabinet Member with Special Responsibility Councillor Fletcher)**

The Corporate Director (Regeneration) submitted a report asking Cabinet to consider options for the future of the Dome.

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

**Option 1** – Closure and demolition of the dome, with no transfer of events.

In Option 1 an estimate for demolition of the Dome (*“to one metre below ground level, grubbing up and sealing off of services, removal of debris and arisings off site, etc”*) has been received from Birse Civils Limited. At 2009/10 prices the total cost estimate stood at £85,100 (2008/09 Base plus 2% inflation). Any capital growth in respect of the above has yet to be highlighted as an item for the Capital Programme and approval would be dependent on a project appraisal.

## Assumptions:-

- Cessation of all operations at Dome.
- One permanent staff member subject to redeployment, with effect from April 1<sup>st</sup> 2009. Staff member may alternatively take redundancy option which would result in subsequent redundancy costs.
- Effective 1<sup>st</sup> April 2009, subject to no contractual costs relating to cancellation of existing bookings.

Projected revenue savings of £111,900 best case and £66,900 worst case scenario based on 2009/10 draft estimates. The projected savings for 2010/11 and 2011/12 are £121,200 and £127,200. A breakdown of the Option 1 financial appraisal is attached as an appendix to the report.

## Risks:-

- The above would have a potentially damaging impact on the reputation of the Council and district. The closure of the Dome and no transfer of events would be viewed negatively in terms of the impact that shows and events make to the district and undermine the events strategy undertaken since the creation of Cultural Services. High profile event/shows such as those undertaken in 2007/2008, including;- the “Arctic Monkeys”, “Athlete”, “Reverend & the Makers”, and “the Kooks”, etc., would cease through the loss of the existing revenue budget.
- The above assumes an effective date of the 1<sup>st</sup> April 2009, and no contractual costs relating to cancellation of existing bookings. Based on the earlier work undertaken as part of the January 2008 report to Cabinet, bookings scheduled for the Dome in 2008/2009, the potential maximum estimated contractual costs of cancellations were calculated at £45,000 (there has not been time to-date to adjust the figures to reflect 2009/2010 pre-booked events). Pending Cabinet’s decision with regards to a preferred option on the future of the Dome, to avoid the risk of reputational damage the above is hypothetical, as no event promoter or organiser has yet been contacted with a view to negotiating an alternative venue (which could offset some of the potential contractual cancellation costs). However, if the decision was taken now to close the Dome with effect from April 2010, there would be no contractual costs relating to cancellation of bookings, as to-date no bookings have been confirmed for 2010/2011. A decision could be made to coincide with the end of the 2009/2010 season to ensure no commitments are made for events to be held in 2010/2011.
- Permanent staff member could take statutory redundancy if redeployment not successful which would result in a cost, calculated at £6,000 (note this figure is

based on March 2008 figures, with no enhancements. There has not been time to-date to adjust the figures to March 2009).

- No budget approval as present to demolish the Dome.

**Option 2** - Closure and demolition of the Dome, transferring the majority of events to the Platform and/or alternative venues within the District (including private sector venues) – subject to availability.

Assumptions:-

- Cessation of all operations at Dome.
- Transfer of events from the Dome to the Platform and/or alternative venues within the District (including related expenditure and income) – subject to availability.
- Retention of permanent staff – transferred to within Cultural Services to support events held in alternative venues.
- Effective 1<sup>st</sup> April 2009, subject to no contractual costs relating to cancellation of existing bookings.

This option would result in a net revenue saving of £91,100 best case and £46,100 worst case scenario based on 2009/10 draft estimates. The projected savings for 2010/11 and 2011/12 are £93,200 and £95,000. A breakdown of the Option 2 financial appraisal is attached as an appendix to the report.

As already referred to in option 1, option 2 also contains an estimate for demolition of the Dome. At 2008/09 prices the total cost estimate stood at £85,100 (2008/09 Base + 2% inflation). This capital growth has yet to be highlighted as an item for the Capital Programme and approval would be dependent on a robust business case and project appraisal.

In the event that Cabinet wishes to consider relocating the Dome based events/shows to the Platform, the latter would require a capital investment (staging, “blackouts”, lighting and sound systems, etc.) to bring the Platform to an equivalent operational standard - estimated at £132,600 (2008/09 Base + 2% inflation). These improvements have been identified as a request for growth within the Capital Programme but are subject to approval dependent on a robust business case and project appraisal.

Risks:-

- The above assumes an effective date of the 1<sup>st</sup> April 2009, and no contractual costs relating to cancellation of existing bookings. Based on the earlier work undertaken as part of the January 2008 report to Cabinet, bookings scheduled for the Dome in 2008/2009, the potential maximum estimated contractual costs of cancellations were calculated at £45,000 (there has not been time to-date to adjust the figures to reflect 2009/2010 pre-booked events). Pending Cabinet’s decision with regards to a preferred option on the future of the Dome, to avoid the risk of reputational damage the above is hypothetical, as no event promoter or organiser has yet been contacted with a view to negotiating an alternative venue (which could offset some of the potential contractual cancellation costs). However, if the

decision was taken now to close the Dome with effect from April 2010, there would be no contractual costs relating to cancellation of bookings, as to-date no bookings have been confirmed for 2010/2011. A decision could be made to coincide with the end of the 2009/2010 season to ensure no commitments are made for events to be held in 2010/2011.

- It should be noted that non-availability and layout of other potential venues within the District would mean a small percentage of events could not be considered for transfer. For the purposes of consistency all projections within this report are based on transferring 100% of the events from the Dome to Platform, as at this stage it is not possible to determine otherwise without discussing the situation with promoters.
- No budget approval at present to demolish the Dome.
- No capital investment approval at present to upgrade the Platform, and this would be subject to the business case.
- Failure to manage effective redirection of shows from the Dome to the Platform.
- Failure to achieve show income as estimates.

**Option 3 - Continue current operation.**

In this option the City Council would continue to operate the Dome, presumably until such time as the outcome of the Morecambe promenade redevelopment is determined.

**Assumptions:-**

- Although there would be demolition costs associated with the Dome, estimated at £85,100 (2008/09 Base + 2% inflation), it is assumed that they would be offset against the overall costs of the redevelopment of Morecambe Promenade.
- Subject to a satisfactory outcome to the Morecambe promenade redevelopment, and if Cabinet still wished to consider relocating the Dome based events/shows to the Platform and/or alternative venues within the District (including private sector venues), the former would require a capital investment (staging, "blackouts", lighting and sound systems, etc) to bring the Platform to an equivalent operational standard - estimated at £132,600 (2008/09 Base + 2% inflation). These improvements have been identified as a request for growth within the Capital Programme but are subject to approval dependent on a robust business case and project appraisal.
- There would also be revenue consequences linked to the above, in respect of additional expenditure and income (including staffing costs), associated with staging more events/shows in the Platform. At this time these costs have not been determined.
- That expenditure identified in the Capita Symonds Condition Survey will be capital in nature, starting in 2009/10. These improvements have not yet been submitted as growth within the Capital Programme and are still subject to robust review by both Cultural and Financial Services.

- A breakdown of the Option 3 financial appraisal is attached as an appendix to the report.

## Risks:-

- No approval of budget allocation at present in respect of the condition survey.
- No capital investment approval at present to upgrade the Platform, and this would be subject to the business case.
- No revenue budget approval at present to transfer Dome events/shows to the Platform.

**Option 4** - Seeking a private operator to take on the operation of the Dome.

Within the January 2008 report, Cabinet was informed of an informal approach undertaken by the former Corporate Director (Regeneration), to identify a potential private operator. The matter was not pursued as only one operator was identified and the management fee sought from the City Council by the operator was prohibitively large.

## Assumptions:-

- The outcome of the above would likely involve a Management Fee from the City Council to any operator and would therefore not yield any financial savings.

## Risks:-

- The likelihood of finding a suitable and affordable operator for the Dome, for the time that remains before the redevelopment of Morecambe Promenade. It is difficult to identify where any operator would make any savings with regards to fixed costs, such as utilities, etc.
- Cabinet are reminded that the whole Bubbles Complex, including the Dome, has in the past been operated by a private contractor (as part of the Compulsory Competitive Tendering regime). Ultimately that contractor failed and the operation of the facilities reverted to the City Council.
- In the event that a private sector operator was identified for the Dome, it would likely operate in direct competition to the Platform and may impact on the programming and financial viability of the Platform.

Option 1 provides the greatest financial whole-life saving, whilst option 2 would allow the Council to retain a programme of events, and option 3 a deferral on one or both of the above. In view of the uncertainty regarding the long-term future of the Dome and the previous experience with a private operator, option 4 is not a preferred option.

It was moved by Councillor Barry and seconded by Councillor Fletcher:-

- “(1) That the Council immediately cease taking further bookings for the Dome for any period beyond 1<sup>st</sup> June 2009
- (2) That Cabinet approves, in principle, closure of the Dome on 1<sup>st</sup> June 2009

- (3) That Cabinet requests a further report from officers on the best way to do this.”

By way of amendment, which was accepted as a friendly amendment by the mover and seconder of the original proposal, Councillor Mace proposed, and Councillor Charles seconded, some additional wording:-

- “(4) That Officers investigate the business case and possible external funding for the £132K improvements to The Platform, bearing in mind that in present circumstances the City Council cannot commit to this capital expenditure.”

Members then voted as follows:-

***Resolved:***

**6 Members (Councillors Bryning, Barry, Charles, Fletcher, Gilbert and Mace) voted in favour, 4 Members (Councillors Archer, Blamire, Burns and Kerr) voted against.**

- (1) That the Council immediately cease taking further bookings for the Dome for any period beyond 1<sup>st</sup> June 2009
- (2) That Cabinet approves, in principle, closure of the Dome on 1<sup>st</sup> June 2009
- (3) That Cabinet requests a further report from officers on the best way to do this
- (4) That Officers investigate the business case and possible external funding for the £132K improvements to The Platform, bearing in mind that in present circumstances the City Council cannot commit to this capital expenditure.

**Officers responsible for effecting the decision:**

Corporate Director (Regeneration)  
Head of Cultural Services  
Head of Financial Services

**Reasons for making the decision:**

The decision is consistent with the Council’s strategy for redeveloping Morecambe’s Central Promenade. It will result in revenue savings on the Dome whilst exploring possibilities for external funding for improvements to the Council’s other venue in Morecambe, The Platform.

**98 LANCASTER PUBLIC REALM**

**(Cabinet Member with Special Responsibility Councillor Bryning)**

The Corporate Director (Regeneration) submitted a report to advise members that the NorthWest Development Agency has offered funding for the Council to prepare detailed design proposals to enhance streets and places in the city centre that are its priorities for improvement and to seek authority to proceed.



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

**Option 1** - To proceed as set out in this report and prepare designs for the locations proposed, utilising the funding available from the NWDA.

**Option 2** - Not to proceed and decline the funding offer from NWDA.

A comprehensive policy review and close liaison with the NWDA informs Option 1 and its priorities for design work. Option 2 would lose for the Council any opportunity to drive forward improvements to public realm in the city centre.

The Officer preferred option was Option 1 given what is proposed fits very well to the Council's policy framework and has won the funding support of the NWDA and the encouragement of the Highway Authority.

It was moved by Councillor Bryning and seconded by Councillor Blamire:-

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

Members then voted as follows:-

***Resolved:***

**9 Members (Councillors Barry, Blamire, Bryning, Burns, Charles, Fletcher, Gilbert, Kerr and Mace) voted in favour, 1 Member (Councillor Archer) abstained.**

- (1) That the Head of Financial Services is authorised to amend the Council's General Fund Revenue Budget for 2008/09 and that proposed for 2009/2010 to provide for expenditures in preparing design proposals for the city centre subject to these expenditures being fully funded by grant income from the NorthWest Development Agency (NWDA) up to a maximum of £90,000 in costs
- (2) That, to meet NWDA programming requirements, Cabinet delegates to the Corporate Director (Regeneration) authority to select and commission consultants for the required design work after a proper competitive process in accordance with Council procedures.
- (3) That the Head of Planning Services to report to Cabinet on the design options prepared and subsequent public consultation into these in order that Cabinet can then select its preferred options.
- (4) That Cabinet notes there are issues concerning the management of traffic on adopted highways within the pedestrian zone that may require resolution before any designs can be finalised and request a further report on this be submitted to Cabinet as early as possible in the New Year.

**Officers responsible for effecting the decision:**

Corporate Director (Regeneration)  
Head of Planning Services  
Head of Financial Services

**Reasons for making the decision:**

The decision made fits well with the Council's policy framework and has won the funding support of the NWDA and the encouragement of the Highway Authority.

**99 EXCLUSION OF THE PRESS AND PUBLIC**

The Chairman asked for any further declarations of interest from Cabinet Members regarding the exempt reports.

It was moved by Councillor Charles and seconded by Councillor Gilbert:-

"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 they could involve the possible disclosure of exempt information as defined in paragraphs 1, 2 and 3 of Schedule 12A of that Act."

Members then voted as follows:-

***Resolved unanimously:***

- (1) That, in accordance with Section 100A(4) of the Local Government Act, 1972, the press and public be excluded from the meeting for the following item of business, on the grounds that they could involve the possible disclosure of exempt information as defined in paragraph 3 of Schedule 12A of that Act.

**100 LANCASTER MARKET****(Cabinet Member with Special Responsibility Councillor Archer)**

***(Mr D Buczynski, who had registered to speak on this item in accordance with the City Council's agreed procedure and Cabinet Procedure Rule 2.7, spoke to this item on behalf of the Lancaster Market Tenants Association).***

The Corporate Director (Regeneration) submitted a report asking Members to consider the current position with regard to Lancaster Market. The report requested Cabinet to consider the options set out in the exempt report and indicate its preferred option.

**(Councillor Bryning left the meeting at 12.25pm.)**

It was moved by Councillor Archer and seconded by Councillor Mace:-

"That Cabinet

- (1) Notes the comments received from the Lancaster Market Tenants Association
- (2) Resolves that approval be given to Officers to negotiate directly with retailers to try and procure a single retailer for the Market Hall on the basis that the preferred option would be that the current deficit is reduced to zero or, as an alternative, to report back to Cabinet should a single retailer be prepared to

take up occupation of the Market Hall on the basis of the Council contributing an amount that is less than the deficit currently being faced by the Council

- (3) Requests a further report on Lancaster Market as soon as possible as part of the budget process from 2009/10, (a) identifying the financial obligations under the lease from Allied, in particular the frequency, basis and mechanism of rent reviews, and the mechanism of termination and (b) identifying the same information in respect of the leases to current sub tenants and (c) setting out options, including any firm proposal from Cooltrader, and in addition to any options resulting from resolution 2 above for mitigating the loss of £518,100 that is shown in the estimates for 2009/10 and exceeds the rent of £409,000 due to Allied.

By way of amendment, Councillor Barry proposed and Councillor Fletcher seconded:

“That Cabinet notes that approval be given to officers to negotiate directly with retailers to try to reduce the deficit of the market. This would include:

- A report back on the intentions of Cooltrader (or other traders with similar intentions) to expand on the bottom floor
- Look at all costs associated with service charges and identify areas where they could be reduced
- Using parts of the market for other Council uses
- To create a market with niche choices for shoppers. This could utilise external funding and partnership working
- Look at other areas for increasing income, such as those outlined in subpoint 6 on page 2 of the note from the Lancaster Market Tenants Association.”

3 Members (Councillors Barry, Fletcher and Gilbert) voted in favour and 6 Members (Councillors Archer, Blamire, Burns, Charles, Kerr and Mace) voted against, whereupon the Chairman declared the amendment to be lost.

By way of an amendment, which was accepted as a friendly amendment by the mover and seconder of the original proposition, it was moved by Councillor Kerr and seconded by Councillor Burns:

“That “and the possibility of using part of the space in the market for City Council purposes” be added to 3 (c) of the proposition.”

By way of a further amendment, which was not accepted as a friendly amendment by the mover and seconder of the original proposition, it was moved by Councillor Barry and seconded by Councillor Fletcher:

“That

- To explore options to create a market with niche choices for shoppers. This could utilise external funding and partnership working
- To look at other areas for increasing income, such as those outlined in subpoint 6 on page 2 of the note from the Lancaster Market Tenants Association

be added to the proposition.”

3 Members (Councillors Barry, Fletcher and Gilbert) voted in favour of the further amendment and 6 Members (Councillors Archer, Blamire, Burns, Charles, Kerr and Mace) voted against, whereupon the Chairman declared the further amendment to be lost.

Members then voted on the substantive motion, as amended, as follows:

**Resolved:**

***(7 Members (Councillors Archer, Blamire, Burns, Charles, Gilbert, Kerr and Mace) voted in favour, 1 Member (Councillor Barry) voted against and 1 Member (Councillor Fletcher) abstained.***

That Cabinet

- (1) Notes the comments received from the Lancaster Market Tenants Association
- (2) Resolves that approval be given to Officers to negotiate directly with retailers to try and procure a single retailer for the Market Hall on the basis that the preferred option would be that the current deficit is reduced to zero or, as an alternative, to report back to Cabinet should a single retailer be prepared to take up occupation of the Market Hall on the basis of the Council contributing an amount that is less than the deficit currently being faced by the Council
- (3) Requests a further report on Lancaster Market as soon as possible as part of the budget process from 2009/10, (a) identifying the financial obligations under the lease from Allied, in particular the frequency, basis and mechanism of rent reviews, and the mechanism of termination and (b) identifying the same information in respect of the leases to current sub tenants and (c) setting out options, including any firm proposal from Cooltrader, and in addition to any options resulting from resolution 2 above, and the possibility of using part of the space in the market for City Council Purposes, for mitigating the loss of £518,100 that is shown in the estimates for 2009/10 and exceeds the rent of £409,000 due to Allied.

**Officers responsible for effecting the decision:**

Corporate Director (Regeneration)  
Head of Property Services

**Reasons for making the decision:**

The decision allows for options to be explored to reduce the current deficit and mitigate future estimated losses for the City Council related to Lancaster Market.

**101 EMPLOYEE ESTABLISHMENT - VACANCY AUTHORISATION**

**(Cabinet Member with Special Responsibility Councillor Roger Mace)**

The Chief Executive submitted a report to seek Cabinet’s approval to the filling of established vacancies where recommended.

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

The information contained within each form provides details related to the risks of not filling the related vacancy. Cabinet has the option of releasing funding on either a time limited or permanent basis or withholding funding. If funding is not released, there will be an impact on Service provision. If funding is time limited, it will be more difficult and possibly more expensive to fill a post

The Officer preferred option was to fill those posts as recommended by Service Heads unless Cabinet identifies the work as being of a low priority.

It was moved by Councillor Mace and seconded by Councillor Charles:-

"That Cabinet notes the presumption that staffing vacancies are not filled, and resolves as follows:-

- CL0358 Reject recommendation - delete post - i.e. accepting that this reduces service level
- CH0272 Partially accept proposal - raise to 3/4 post for current job share - review after 31 March 09
- CH0040 Accept recommendation - reason: contract with County
- CH0018 Recruit new 1/2 job share
- CH0162 Temporary appointment, not exceeding term of contract with County
- CH0092 Agree proposal
- CH0056 Internal advert only / potential redeployment opportunity
- CS0309 Temporary appointment, not exceeding duration of agreed external funding
- New Post Temporary appointment, not exceeding duration of agreed external funding
- PL0032 Hold vacant for remainder of 08-9: i.e. accepting that this reduces service level - and review after 31 March 2009
- RS0514 Accept recommendation - reason related cost saving
- RS0192 Accept recommendation to defer for 3 months and review position then
- RS0165 Accept recommendation - reason corporate service
- RS0401 Accept recommendation - consider secondment possibilities to cover maternity leave
- RS0005 Accept recommendation - potential workload for head of service"

By way of amendment, Councillor Barry proposed and Councillor Fletcher seconded:

- "(1) That all posts be filled except Post CL0358 to be held vacant until January 2009 and Post RS0192 to be deferred for three months and then reviewed
- (2) Cabinet identifies in January where priorities are in the establishment and where savings can be made"

On being put to the vote, 4 Members voted in favour (Councillors Barry, Blamire, Fletcher and Gilbert), 3 Members voted against (Councillors Charles, Kerr and Mace) and two members abstained (Councillors Archer and Burns) whereupon the Chairman declared the amendment to be carried.

Members then voted on the substantive motion as follows:-

**Resolved:**

**4 Members (Councillors Barry, Blamire, Fletcher and Gilbert) voted in favour, 3 Members (Councillors Charles, Kerr and Mace) voted against and 2 members (Councillors Archer and Burns) abstained.**

- (1) That all posts be filled except Post CL0358 to be held vacant until January 2009 and also Post RS0192 to be deferred for three months and the position reviewed then
- (2) Cabinet identifies in January where priorities are in the establishment and where savings can be made"

**Officer responsible for effecting the decision:**

Chief Executive

**Reasons for making the decision:**

The decision is in line with the decision made at Cabinet on 11<sup>th</sup> November 2008, removing the delegated decision making to fill employee vacancies away from Service Heads to Cabinet.

***At this point the press and public were re-admitted to the meeting.***

**102 ITEM OF URGENT BUSINESS - REFERRAL FROM THE FESTIVALS AND EVENTS CABINET LIAISON GROUP**

**(Cabinet Member with Special Responsibility Councillor Shirley Burns)**

The Corporate Director (Regeneration) submitted a report seeking Cabinet's support for recommendations from the Chair of the Festivals and Events Cabinet Liaison Group.

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

<b>Option</b>	<b>Advantages</b>	<b>Disadvantages</b>	<b>Risks</b>
1, To support the recommendations of the Chair of the Festival and Events Cabinet Liaison Group in respect of the Festivals and Events programme for 2009/10, as set out in the report.	The above will provide for a mixed programme of Festivals and Events in 2009, throughout the District.	The above represents a total expenditure of £74,800 from the 2009/2010 proposed budget allocation.	Unsuccessful implementation – failure to meet objectives. Reductions to budgets later in the budget process, preventing delivery and giving rise to associated reputational risks.

2, Not to support the recommendations of the Chair of the Festival and Events Cabinet Liaison Group in respect of the Festivals and Events programme for 2009/10, as set out in the report	A revenue saving of £74,800 from the 2009/2010 proposed budget allocation, and opportunities to generate further savings associated with support costs.	No City Council programme of Festivals and Events in 2009	Potential reputational damage and possibility of an adverse response from external funding agencies that support other elements of the Cultural programme within the Lancaster District.
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Option 1 is the Officer preferred option in that it provides for a balanced programme of core and FIF supported Festivals and Events in 2009/2010.

It was moved by Councillor Burns and seconded by Councillor Archer:-

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

By way of amendment in place of recommendation (3), which was accepted as a friendly amendment by the mover and seconder of the original proposition, Councillor Gilbert proposed and Councillor Kerr seconded:

“(3) That the £2,000 set aside for advertising and the remaining balance of £2,400 be removed from the fund”.

By way of further amendment, Councillor Fletcher proposed, and Councillor Barry seconded:-

“(1) That the 4 core events that cover Lancaster and Morecambe be approved (the Heritage Gala, Lancaster Jazz Festival, Bands in Happy Mount Park and Fireworks Spectacular)

(2) that other Festivals Innovation Fund grant allocations for 2009/10 be referred to Star Chamber.”

Upon being put to the vote, 5 Members voted in favour (Councillors Barry, Blamire, Charles, Fletcher and Mace) and 4 Members voted against (Councillors Archer, Burns, Kerr and Gilbert) whereupon the Chairman declared the amendment to be carried.

Members then voted on the substantive motion as follows:-

***Resolved:***

**5 Members (Councillors Barry, Blamire, Charles, Fletcher and Mace) voted in favour, 3 Members (Councillors Archer, Burns and Kerr) voted against and 1 Member (Councillor Gilbert) abstained.**

- (1) That the 4 core events that cover Lancaster and Morecambe be approved (the Heritage Gala, Lancaster Jazz Festival, Bands in Happy Mount Park and Fireworks Spectacular)
- (2) That other Festivals Innovation Fund grant allocations for 2009/10 be referred to Star Chamber.

**Officers responsible for effecting the decision:**

Corporate Director (Regeneration)  
 Corporate Director (Finance and Performance)  
 Head of Financial Services  
 Head of Cultural Services

**Reasons for making the decision:**

The decision will provide for a programme of core FIF supported Festivals and Events in 2009/2010.

**103 REVIEW OF HR POLICIES**

**(Cabinet Member with Special Responsibility Councillor Kerr)**

The Chief Executive submitted a report advising Cabinet on the financial implications of reviewing the effectiveness of the Council's existing HR policies in particular the Early Termination of Employment Policy and the Redeployment Policy

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

Option 1 – Commission the NWEO in the near future to undertake this work. Initially this would be a 'desk top' study and this might need to be followed up by a more detailed piece of work. This would enable the work to be completed in the near future which would be timely given the current budget situation.

Option 2 – To undertake this work when the Fair Pay process has progressed sufficiently to free up internal human resources. It is difficult to estimate when this would be, but would not be possible in the next six months.

The preferred Officer option is Option 1 for the reason outlined in the report

It was moved by Councillor Mace and seconded by Councillor Kerr:-

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

***Resolved unanimously:***

- (1) That the North West Employers Organisation (NWEO) be requested to undertake a 'desk top' review of the City Council's "Early Termination of Employment Policy" and the related "Redeployment Policy" and to identify from published best practice, any immediate improvements that could be made.



- (2) That the NWEO be asked to identify how many days' work would be required to customise best practice in this area of activity to produce policies in line with Lancaster City Council's Policy Framework, and it be noted that such work would be funded by the Fairpay Reserve.

**Officers responsible for effecting the decision:**

Chief Executive  
Head of Legal and Human Resources

**Reasons for making the decision:**

The Council needs to have effective HR policies in place to maximise the use of its limited resource, support delivery of its corporate objectives and meet its statutory responsibilities. The decision to commission an outside body to review the effectiveness of the Council's Early Termination of Employment Policy and related Redeployment Policy will allow the work to be undertaken in the next 6-8 months. Due to the time and resource constraints facing the Council, this would not be possible in-house.

**104 PAY AND GRADING STRUCTURE**

**(Cabinet Members with Special Responsibility Councillors Mace and Kerr)**

The Chief Executive submitted a report providing further information to Cabinet on the financial and human resource implications of the four possible structures previously circulated, to enable Cabinet to express a preference for the Council's future pay and grading structure.

A supplementary report was provided to Members informing Cabinet of the views of the Joint Consultative Committee (JCC) on the pay and grading structure, further to the JCC meeting held on 2<sup>nd</sup> December 2008.

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

The options open to Cabinet are to express a preference for any one or more of the four structures set out in Appendix 1, or to decline to express any preference at this stage. Personnel Committee too, at its meeting on the 11th December, will be asked for its further views in the light of Cabinet's preference(s). If the options can be narrowed down in this way, so that there is a consensus that one or more of the options should be discounted at this stage, officers will continue to work on the financial and human resources implications of the preferred options only. This will ensure that detailed information and risk assessment is available for Members to consider before a final decision is taken. If one or more preference is expressed, officers would not then intend to provide any further information to the January meetings on the discounted option(s), unless in the meantime any substantial changes to the information provided in this report came to light which might have affected the decision to discount. If Members do not feel that they can express a preference at this stage, then work would continue on all four options, and these would then be brought back to the January meetings. In conjunction with expressing any preference or declining to express a preference, it is open to Members to request any further information that they may feel would assist in making a decision.

The Officer preferred option is structure 9.5.4.5.

It was moved by Councillor Kerr and seconded by Councillor Gilbert:-

“That Cabinet’s preference for Pay and Grading Structure 9.5.4.5 be noted.”

Members then voted as follows:-

**Resolved:**

**7 Members (Councillors Archer, Blamire, Burns, Charles, Gilbert, Kerr and Mace) voted in favour and 2 Members (Councillors Barry and Fletcher) abstained.**

(1) That Cabinet’s preference for Pay and Grading Structure 9.5.4.5 be noted.

**Officers responsible for effecting the decision:**

Chief Executive  
Head of Legal and Human Resources

**Reasons for making the decision:**

The decision allows Cabinet to express its preference for a particular pay and grading structure at this point in the fair pay process.

**105 BUDGET AND POLICY FRAMEWORK - UPDATE**

**(Cabinet Member with Special Responsibility Councillor Mace)**

The Corporate Director (Finance and Performance) and Head of Financial Services submitted a report informing members about progress made since the last Cabinet meeting in bringing forward options to refresh the 2009/10 Corporate Plan and to consider if any action is required, and also to note progress in respect of updating the Medium Term Financial Strategy (MTFS) and budget exercise and to determine any actions that might be required.

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

**Refresh of Corporate Plan**

**Option 1** - To note progress made on refreshing the Corporate Plan and to agree any actions that might be required to meet the agreed deadlines as set out in the Budget and Policy framework timetable.

**Option 2** - To note progress and determine an alternative process for refreshing the Corporate Plan.

**MTFS / Budget Exercise**

**Option 1** - To note the latest position in respect of the MTFS and budget exercise.

**Option 2** - To agree an alternative to Option 1.

The Officer preferred option for both is Option 1.

It was moved by Councillor Mace and seconded by Councillor Kerr:-

- “(1) That the latest progress made on refreshing the 2009/10 Corporate Plan be noted
- (2) That progress made in respect of the MTFs and budget exercise be noted.”

Members then voted as follows:-

***Resolved unanimously:***

- (1) That the latest progress made on refreshing the 2009/10 Corporate Plan be noted.
- (2) That progress made in respect of the MTFs and budget exercise be noted.

**Officers responsible for effecting the decision:**

Corporate Director (Finance and Performance)  
Head of Financial Services

**Reasons for making the decision:**

The decision allows Cabinet to monitor progress made on refreshing the Corporate Plan and to note the latest position in respect of the MTFs. The refresh of the Corporate Plan and MTFs is an integral part of the Council's Policy Framework and used as the basis for allocating resources in the budget exercise.

**106 CORPORATE PERFORMANCE MONITORING SECOND QUARTER CORPORATE REPORT**

**(Cabinet Member with Special Responsibility Councillor Charles)**

The Corporate Director (Finance and Performance) submitted a report asking Cabinet to consider the information provided to the Corporate PRT meeting held on 26<sup>th</sup> November 2008.

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

There is only one option for this report which is also the officer preferred option. To consider whether any action is required by Cabinet as a result of consideration of the information contained within the report.

It was moved by Councillor Charles and seconded by Councillor Fletcher:-

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

By way of amendment, which was accepted as a friendly amendment by the proposer and seconder of the motion, Councillor Mace proposed and Councillor Charles seconded replacing recommendation (2) with:

“(2) That Cabinet endorses the actions taken as a result of the information contained within the PRT report and action plan.”

Members then voted as follows:-

***Resolved unanimously:***

- (1) That the information provided to the Corporate PRT meeting held on the 26 November 2008 and the associated action plan that was developed as a result of consideration of that information be noted.
- (2) That Cabinet endorses the actions taken as a result of the information contained within the PRT report and action plan.

**Officers responsible for effecting the decision:**

Corporate Director (Finance and Performance)  
Head of Financial Services

**Reasons for making the decision:**

The decision allows Cabinet Members to note information on the Council Performance during the second quarter of 2008/9.

**107 STAR CHAMBER**

**(Cabinet Member with Special Responsibility Councillor Roger Mace)**

The Corporate Director (Finance and Performance) submitted a report updating the Cabinet on the Star Chamber meetings held since the last report to Cabinet of 11<sup>th</sup> November 2008.

It was moved by Councillor Mace and seconded by Councillor Charles:-

“That the report be noted.”

Members then voted as follows:-

***Resolved unanimously:***

- (1) That the report be noted.

**Officers responsible for effecting the decision:**

Corporate Director (Finance and Performance)  
Head of Financial Services

**Reasons for making the decision:**

The decision is in line with the requirement for Cabinet to receive regular updates on Star Chamber meetings.

**108 INTERNATIONAL YOUTH GAMES 2009****(Cabinet Members with Special Responsibility Councillors Gilbert and Fletcher)**

The Chief Executive submitted a report to inform Cabinet of the options in respect of proposals for Lancaster to host the International Youth Games in the summer of 2009.

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

	Option	Advantages	Disadvantages/Risks
1	Continue with the arrangements currently underway to hold the Games in the Lancaster District in the summer of 2009, utilising the identified budget of £55,000.	Honours the invitations already extended to the Council's Twin Towns and meets the expectations of local sports Clubs.	Does not assist in the pursuit of the £1.8m savings required to balance the budget for 2009/10.
2	Cancel the proposed Games in the Lancaster District in 2009, saving the budget of £55,000.	Saves £55,000 in the 2009/10 budget	Having already issued invitations to the Games, the Council's reputation with our Twin Towns may suffer both from a civic perspective but also in the disappointment for young people who will already be preparing themselves to compete. Similarly, there are expectations from young people in this district who will be taking part in trials and working towards competing in the Games in their home country.
3	Continue with arrangements to hold the Games in the Lancaster District in the summer of 2009, but reduce expenditure by cancelling the civic invitations and making cuts to other areas of expenditure.	Provides some savings in the 2009/10 budget. Honours the invitations already extended to the Council's Twin Towns and meets the expectations of local sports clubs.	Having already issued invitations to the Games, the Council's reputation with our Twin Towns may suffer from a civic perspective but this will be mitigated by continuing with the Games in a reduced format to enable the young people to participate. Does not provide the full £55,000 saving which would be achieved by cancelling the Games.

There is no officer preferred option. Work to prepare for and organise a Games in Lancaster has been included in the Business Plans for both Cultural Services and Democratic Services.

It was moved by Councillor Kerr and seconded by Councillor Charles:-

“(1) That the proposed Youth Games in the Lancaster District in 2009 be cancelled, saving the budget of £55,000”.

By way of amendment, Councillor Gilbert proposed and Councillor Blamire seconded:

“That the arrangements to hold the Youth Games in the Lancaster District in the 2009 continue, but expenditure be reduced by cancelling the civic invitations and making cuts to other areas of expenditure and that officers look for any other possible savings.”

On being put to the vote, 2 Members voted in favour (Councillors Blamire and Gilbert) and 7 Members (Councillors Archer, Barry, Burns, Charles, Fletcher, Kerr and Mace) voted against the amendment, whereupon the Chairman declared the amendment lost.

Members then voted on the original proposition as follows:-

***Resolved:***

**8 Members (Councillors Archer, Barry, Blamire, Burns, Charles, Fletcher, Kerr and Mace) voted in favour and 1 Member (Councillor Gilbert) voted against.**

(1) That the proposed Youth Games in the Lancaster District in 2009 be cancelled, saving the budget of £55,000.

**Officers responsible for effecting the decision:**

Chief Executive  
Head of Democratic Services

**Reasons for making the decision:**

The decision will result in a saving of £55,000 in the Council's 2009/10 budget.

**109 TOURISM STRATEGY UPDATE REPORT**

**(Cabinet Member with Special Responsibility Councillor Burns)**

The Head of Economic Development and Tourism submitted a report seeking formal approval for the Tourism Strategy Update 2008 document and its publication on the website.

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

Option 1 - Do nothing. Failure to publish an Update Report would be contrary to the approved strategy. Some members and private sector partners may question why one has not been published.

Option 2 - Amend the Tourism Strategy Update. The report has already undergone a number of revisions and was discussed at the Quarter 1 PRT meeting. Further revisions would delay the publication unless they were minor ones.

Option 3 - Approve the Tourism Strategy Update document and publish it on the website. This can also be used for positive publicity for the City Council.

The Officer preferred option is Option 3, as relevant members have seen the current Update and no further revisions have been requested. A publicity story can then be produced and the Update published on the website. It is not proposed to publish a paper version of the Tourism Strategy Update document.

It was moved by Councillor Burns and seconded by Councillor Archer:-

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

Members then voted as follows:-

***Resolved unanimously:***

- (1) That the Tourism Strategy Update 2008 document and its publication on the website be approved.

**Officers responsible for effecting the decision:**

Corporate Director (Regeneration)  
Head of Economic Development and Tourism

**Reasons for making the decision:**

The decision allows publication of the Tourism Strategy Update 2008. This can act as a basis of discussions with the Local Strategic Partnership and lead towards the writing of a new Tourism Strategy for the district in 2010.

**110 URGENT BUSINESS REPORT**

The Head of Democratic Services submitted a report advising members of actions taken by the Chief Executive, in consultation with the relevant Cabinet Members and the Chairman of the Overview and Scrutiny Committee.

It was moved by Councillor Barry and seconded by Councillor Burns:-

“That the recommendation, as set out in the report, be noted.”

Members then voted as follows:-

***Resolved unanimously:***

- (1) 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:

- a) Yorkshire Purchasing Agency (YPO) Electricity Contract
- b) Filling of vacant posts in Financial Services

**Officer responsible for effecting the decision:**

Chief Executive.

**Reasons for making the decision:**

The decision fulfils the requirements of the City Council's Constitution in advising Cabient of urgent decisions taken by the Chief Executive in accordance with the City Council's scheme of delegation.

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Chairman

(The meeting ended at 4.00 p.m.)

**Any queries regarding these Minutes, please contact  
Debbie Chambers, Democratic Services, telephone 01524 582057 or email  
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**MINUTES PUBLISHED ON: FRIDAY 12th DECEMBER 2008.**

**EFFECTIVE DATE FOR IMPLEMENTING THE DECISIONS CONTAINED IN THESE MINUTES:  
MONDAY 22nd DECEMBER 2008.**



**CABINET**

**10.00 A.M.**

**20TH JANUARY 2009**

**PRESENT:-** Councillors Roger Mace (Chairman), Evelyn Archer, Jon Barry, Eileen Blamire, Abbott Bryning, Shirley Burns, Susie Charles, John Gilbert and David Kerr

Apologies for Absence

Councillor Jane Fletcher

Officers in attendance:-

Mark Cullinan	Chief Executive
Heather McManus	Corporate Director (Regeneration)
Roger Muckle	Corporate Director (Finance and Performance)
Peter Loker	Corporate Director (Community Services)
Nadine Muschamp	Head of Financial Services and Section 151 Officer
Graham Cox	Head of Property Services (part)
Debbie Chambers	Principal Democratic Services Officer

**111 MINUTES**

The Minutes of the meeting held on 9<sup>th</sup> December 2008 were signed by the Chairman as a correct record.

**112 ITEMS OF URGENT BUSINESS AUTHORISED BY THE LEADER**

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

**113 DECLARATIONS OF INTEREST**

Councillors Blamire and Burns declared personal and prejudicial interests with regard to the report concerning Williamson Park, in view of their membership of the Williamson Park Board of Directors. (Minute 134 refers).

The Corporate Director (Finance and Performance) declared an interest with regard to the report concerning Williamson Park in view of his role as Secretary to the Williamson Park Board of Directors (Minute 134 refers).

**114 PUBLIC SPEAKING**

Members were advised that there had been two requests to speak by members of the public at the meeting in accordance with Cabinet's agreed procedure, set out in Cabinet Procedure Rule 2.7 with regard to Review of Community Transport (Minute 115 refers) and Star Chamber (Minute 117 refers).

115 REVIEW OF COMMUNITY TRANSPORT

**(Cabinet Member with Special Responsibility Councillor Mace)**

***(Mr Blears, who had registered to speak on this item in accordance with the City Council's agreed procedure and Cabinet Procedure Rule 2.7, spoke to this item on behalf of Lune Valley Transport).***

The Chief Executive submitted a report to determine whether there should be changes in the provision of Community Transport for NoWcard holders within the Lancaster City Council district.

The options, options analysis, including risk assessment for Community Transport and Service Level Agreement, were set out in the report as follows:

Community Transport

Option 1 – No change to the present service provided by Lune Valley Transport. Under this option financial commitment may rise in future years due to the continued increase in demand for the service. The increase in costs will depend to a large degree on the level of contract and hire work achieved by the present operator.

Option 2 – Restrict the use of Community Transport to either the disabled only or to include in the restriction those over 60s who live in “hard to reach areas”. With this option, many of the over 60s may move to the standard Concessionary Fare Scheme resulting in an additional cost to the Council under this budget area, however, this would reflect the true costs of this service. There may be other issues arising, linked to the extent of the reduction in operation.

Option 3 – Achieve a % reduction, as determined by Cabinet, in agreement with the Lancashire County Council Community Transport Team and Lune Valley Transport. The reduction could be achieved by capping the number of single journeys claimed or setting a budget amount for Lune Valley at the beginning of each financial year. There would be practicalities attached to adopting this approach, however.

Option 4 – Introduce a half fare charge for all journeys made by the over 60s and disabled who use Lune Valley Transport. This charge is already in operation in Burnley, Pendle and Blackpool.

Option 5 – Remove the provision of Community Transport within the Lancaster City Council district. The saving made by this option will be approximately £156,000 in 2009/10, increasing to £164,000 in 2010/11 and £172,000 in 2011/12. It is likely the removal of Community Transport will result in numerous complaints and a potential backlash against the removal of the means of “social inclusion” for the disabled and those isolated from the public transport network. There could also be implications for Lune Valley Transport as an organisation affecting their drivers, employees, etc. Also, there is a further risk that many of the over 60s would move

to the standard Concessionary Fare Scheme and in so doing add an additional cost to the Council in a different budget.

Service Level Agreement

Option 1 – Continue with an SLA between Lancaster City Council and Lune Valley Transport. A continuation of the SLA would result in a financial commitment of £3,300 per year.

Option 2 – Discontinue the SLA with Lune Valley Transport. In removing the SLA there would be no guarantee that the provision of the service (as set in section 4 of the report) would continue.

Community Transport officer preferred option:

Option 5 – Discontinue providing funding for a Community Transport Scheme within the Lancaster City District. This will clearly make a saving but extra costs will be born by the Concessionary Travel budget by the over 60s and disabled moving over to use standard bus services.

Service Level Agreement officer preferred option:

Option 2 – Discontinue with the Service Level Agreement as above.

The meeting adjourned at 10.18am and reconvened at 10.40am.

It was moved by Councillor Barry and seconded by Councillor Archer:

“(1) That the Service Level Agreement between Lancaster City Council and Lune Valley Transport continue.”

Members then voted as follows:

***Resolved unanimously:***

(1) That the Service Level Agreement between Lancaster City Council and Lune Valley Transport continue.

By way of addendum, it was moved by Councillor Barry and seconded by Councillor Mace:

“(2) That a flat fare charge of £1.30 per journey be introduced, to be fed into the budget proposals for 2009/10.”

By way of amendment, which was not accepted as a friendly amendment by the mover of the original proposition, Councillor Gilbert proposed and Councillor Blamire seconded:

“(3) That the flat fare charge be waived for disabled service users.”

2 Members (Councillors Blamire and Gilbert) voted in favour of the amendment, 6 Members voted against (Councillors Archer, Barry, Bryning, Burns, Charles and Mace)

and 1 Member (Councillor Kerr) abstained from voting, whereupon the Chairman declared the amendment to be lost.

**Resolved:**

***(7 Members (Councillors Archer, Barry, Burns, Charles, Gilbert, Kerr and Mace) voted in favour, 1 Member (Councillor Blamire) voted against and 1 Member (Councillor Bryning) abstained)***

- (2) That a flat fare charge of £1.30 per journey be introduced, to be fed into the budget proposals for 2009/10.

**Officers responsible for effecting the decision:**

Corporate Director (Regeneration)

**Reasons for making the decision:**

The introduction of a charge for each journey will allow the Community Transport service provision to continue but with the introduction of a fare.

**116 FINAL REPORT OF THE ANTI-SOCIAL BEHAVIOUR TASK GROUP**

**(Cabinet Member with Special Responsibility Councillor Blamire)**

Cabinet received the final report and recommendations of the Overview and Scrutiny Anti-Social Behaviour Task Group.

The recommendations of the Task Group and officer comments were set out in the report as follows:-

Recommendation 1

**That consideration be given to establishing funding to enable the creation of a part-time post in the MAPs Office to deal with co-ordination between Council Services and with partner agencies of reported incidents of anti-social behaviour, as an item of growth. This could link closely to the part-time Domestic Violence Co-ordinator post.**

Officer Comments on Recommendation 1

Currently there is no funding available within the Community Safety Partnership budget to create such a post. It is unlikely that the County allocation to the CSP from the Area Based Grant will increase so this would need to be a growth bid into the Council's 2009/10 budget process.

Recommendation 2

**That, as part of the agreement for the Council's part funding of 4 Police Community Support Officers (PCSOs) (out of a total of 20) totalling £44,000 per year, the Council be provided evidence that they are working to enforce the Council's byelaws and issuing fixed penalty notices to ensure the authority receives value for money.**

Officer Comments on Recommendation 2

PCSO evaluation is also a requirement of the Community Safety Partnership which currently allocates some £110,000 into their funding. So this evaluation of the “environmental” PCSO’s could be built into that work.

Recommendation 3

**That the City Council endorses the ‘Restorative Justice’ Programme and explores future involvement in the initiative in conjunction with Lancashire Constabulary where resources permit, applying this process to cases falling under the Council’s jurisdiction.**

Officer Comments on Recommendation 3

The Task Group report outlines the principles of Restorative Justice which does seem to have great potential. However, the funding bid for a local scheme was unsuccessful. There has been a pilot project in Preston and Members might want to consider the evaluation of that scheme before endorsing such an approach.

Recommendation 4

**That a single form for reporting incidents of anti-social behaviour (ASB) be developed as part of the re-design of the City Council’s website, using Wyre Borough Council’s form as an example of best practice.**

Officer Comments on Recommendation 4

Whilst a single form could be developed fairly easily, the Community Safety Partnership would need to consider its support for such a development and, more essentially, how that form would then be used for onward referral to relevant agencies who can take action.

Recommendation 5

**That all PCSOs be issued with the City Council’s Customer Service Centre telephone numbers, and possibly other useful numbers such as Lancashire County Council Customer Services, to inform residents who raise queries with them.**

Officer Comments on Recommendation 5

This is an operational recommendation which has already been actioned.

Recommendation 6

**That the City Council seeks additional and significant funding from the LDLSP via the Children and Young People Thematic Group to provide sufficient ‘diversionary activities’ to enable young people who are vulnerable, at risk or disadvantaged, to have the opportunity to participate in positive activities designed to prevent a range of negative outcomes. Furthermore that a report be brought back to Members and budgets be updated accordingly.**

Officer Comments on Recommendation 6

The Children and Young People Thematic Group are currently developing action plans for the seven agreed priority themes relating to LAA targets. NI 110 ‘increase young people’s participation in positive activities’ will potentially provide the rationale for seeking additional funding from the LDLSP to develop appropriate activities. The Children and Young People Thematic Group will need to consider possible joint funding application with other relevant Thematic Groups in the LDLSP in respect of this.

Recommendation 7

**That Council Housing Services incorporate the findings of the Anti-social Behaviour Task Group when they review their published statutory "Anti-social Behaviour Policy Statement" and "Summary of Policies and Procedures" in 2009.**

Officer Comments on Recommendation 7

Council Housing Services will be reviewing its published statutory "Anti-social Behaviour Policy Statement" and "Summary of Policies and Procedures" in 2009/2010. This will be reflected in their Service Business Plan for 2009/2010 and will also include specific actions arising out of a self assessment against the Tenancy and Estate Management KLOE.

Recommendation 8

**That the Council investigates the possibility of providing PCSOs with the powers to issue parking tickets in particular with regard to areas outside schools.**

Officer Comments on Recommendation 8

The recent decision by the County Council in respect of the allocation of enforcement responsibilities for on-street and off-street car parking control means that it is the County who are the on-street enforcement authority so this request could be passed to County for their consideration and liaison with the Police.

Recommendation 9

**That in the development of the Local Development Framework the City Council encourages development of a policy aimed at locating areas for young people (over 14 yrs) to frequent in agreeable locations, in light of their exclusion from local playing areas.**

Officer Comments on Recommendation 9

The Local Development Framework is entering its next phase where two important detail documents will begin to be prepared - The Land Allocations and Development Management Development Plan documents. The development of such a policy could be considered for the development management document but resources would need to be identified to develop that policy.

Recommendation 10

**That Cabinet formally note the comments of those who attended Task Group meetings and provided comments to the Council website and request responses from the relevant Services to the issues raised, and these be reported back to Cabinet for further consideration.**

Officer Comments on Recommendation 10

If Cabinet wants to receive service responses back then it would help to know which areas it wants services to respond to.

Recommendation 11

**That Services responsible for responding to Anti-social Behaviour investigate developing a joint approach with regard to prevention and enforcement policies in combating Anti-social Behaviour, and a Corporate Policy be adopted in order to ensure clarity of the Council's prevention and enforcement policy. This should include all types of anti-social behaviour including dog fouling, littering and infringement of alcohol free zones.**

Officer Comments on Recommendation 11

Services with enforcement responsibilities are already signed up to the Enforcement Concordat developed through the Cabinet Office and LGA in 1998. This seeks to achieve a consistent approach to enforcement balanced with actions on prevention. In addition, joint working is co-ordinated through the MAPs Team.

Recommendation 12

**That at manager discretion, all reports with probable impact on Community Safety be forwarded to the Community Safety Officer for comments prior to consideration of draft reports by Corporate Management Team and publication of Agenda.**

Officer Comments on Recommendation 12

Our standard report format already requires that due consideration of Community Safety impact is taken account of by report writers and guidance is available. In addition, the Head of Corporate Strategy can advise authors.

Recommendation 13

**That Cabinet notify Overview and Scrutiny of any further work on specific items they wish to be carried out as a result of the findings contained within this report.**

(No Officer comments on Recommendation 13)

It was moved by Councillor Mace and seconded by Councillor Blamire:-

- “(1) That Task Group recommendation 1 be referred to the 2010/11 budget.
- (2) That Task Group recommendation 2 be referred to the next Cabinet meeting.
- (3) That, in response to Task Group recommendation 3, Cabinet agrees with the principles of Restorative Justice and requests information on the evaluation of the pilot project underway in Preston.
- (4) That Task Group recommendation 4 be referred to the Community Safety Partnership for consideration.
- (5) That Task Group recommendation 6 be referred to the Lancaster District Local Strategic Partnership’s Children and Young People Thematic Group for consideration.
- (6) That Task Group recommendation 7 be referred to Council Housing Services.
- (7) That Task Group recommendation 8 be referred to the County Council for its consideration and liaison with the Police.
- (8) That Cabinet supports Task Group recommendation 9 in principle and refers it to the Head of Planning Services.
- (9) That Task Group recommendation 5 and recommendations 10-13 be noted.”

Members then voted as follows:-

**Resolved unanimously:**

- (1) That Task Group recommendation 1 be referred to the 2010/11 budget.
- (2) That Task Group recommendation 2 be referred to the next Cabinet meeting.
- (3) That, in response to Task Group recommendation 3, Cabinet agrees with the principles of Restorative Justice and requests information on the evaluation of the pilot project underway in Preston.
- (4) That Task Group recommendation 4 be referred to the Community Safety Partnership for consideration.
- (5) That Task Group recommendation 6 be referred to the Lancaster District Local Strategic Partnership's Children and Young People Thematic Group for consideration.
- (6) That Task Group recommendation 7 be referred to Council Housing Services.
- (7) That Task Group recommendation 8 be referred to the County Council for its consideration and liaison with the Police.
- (8) That Cabinet supports Task Group recommendation 9 in principle and refers it to the Head of Planning Services.
- (9) That Task Group recommendation 5 and recommendations 10-13 be noted.

**Officers responsible for effecting the decision:**

Chief Executive  
Head of Democratic Services

**Reasons for making the decision:**

The decision allows the recommendations of the Anti Social Behaviour Task Group to be noted by Cabinet and taken forward as appropriate.

**117 STAR CHAMBER**

**(Cabinet Member with Special Responsibility Councillor Mace)**

***(Mr Hamilton-Cox, who had registered to speak on this item in accordance with the City Council's agreed procedure and Cabinet Procedure Rule 2.7, spoke to this item).***

The Corporate Director (Finance and Performance) submitted a report updating members on the Star Chamber meetings held since the last report to Cabinet of 9<sup>th</sup> December 2008.

It was moved by Councillor Mace and seconded by Councillor Charles:-

"That the report be noted."



Members then voted as follows:-

***Resolved unanimously:***

- (1) That the report be noted.

**Officers responsible for effecting the decision:**

Corporate Director (Finance and Performance)  
Head of Financial Services

**Reasons for making the decision:**

The decision is in line with the requirement for Cabinet to receive regular updates on Star Chamber meetings.

**118 REFERRAL TO CABINET - THE DOME**

**(Cabinet Member with Special Responsibility Councillor Fletcher)**

The Head of Democratic Services submitted a report requesting Cabinet to consider a recommendation from the Overview and Scrutiny Committee in relation to the Call-in on the Dome.

It was moved by Councillor Mace and seconded by Councillor Charles:-

“That the further report requested with regard to the Dome (Cabinet Minute 97 (3) refers) contain details of the urgent works and financial implications of running the Dome until 1st June 2009.”

Members then voted as follows:-

***Resolved:***

***(5 Members (Councillors Barry, Bryning, Charles, Gilbert and Mace) voted in favour, 2 Members (Councillors Blamire and Burns) voted against and 2 Members (Councillors Archer and Kerr) abstained)***

- (1) That the further report requested with regard to the Dome (Cabinet Minute 97 (3) refers) contain details of the urgent works and financial implications of running the Dome until 1st June 2009.

**Officers responsible for effecting the decision:**

Corporate Director (Regeneration)  
Head of Cultural Services

**Reasons for making the decision:**

The decision is in line with the Overview and Scrutiny recommendation to Cabinet following the call-in of Cabinet’s decision to close the Dome.

119 **BUDGET AND POLICY FRAMEWORK UPDATE - CORPORATE PLAN**

**(Cabinet Member with Special Responsibility Councillor Mace)**

The Corporate Director (Finance and Performance) and the Head of Financial Services submitted a joint report informing members about the latest budget position for current and future years, to allow Cabinet to make recommendations to Council on Council Tax levels for 2009/10. The report was split into four parts:-

Corporate Plan  
General Fund Revenue Budget  
General Fund, Capital Programme  
Housing Revenue Account Budget and Capital Programme

The options, options analysis, including risk assessment regarding the Corporate Plan, were set out in the report as follows:

Corporate Plan

Option 1:- To approve the draft Corporate Plan as set out in Appendix A to the report as a basis for consultation in accordance with the agreed timetable and as the basis for determining its budget proposals.

Option 2:- To approve an amended version of the draft Corporate Plan as set out in Appendix A to the report as a basis for consultation in accordance with the agreed timetable and as the basis for determining its budget proposals.

Option 1 is the officer preferred option regarding the Corporate Plan as this best reflects the latest position on local priorities.

It was moved by Councillor Mace and seconded by Councillor Barry:-

“That Cabinet approves the draft 2009/10 Corporate Plan attached as Appendix A to the report, as a basis for consultation in accordance with the agreed timetable and as the basis for determining its budget proposals, subject to the reference to Street Pride under “Safe and Healthy Communities” (page 6) being rewritten into “Clean and Green” (page 4).”

By way of amendment, which was accepted as a friendly amendment by the mover and seconder of the original proposition, Councillor Gilbert proposed and Councillor Bryning seconded:

“(1) That Cabinet approves the draft 2009/10 Corporate Plan attached as Appendix A to the report, as a basis for consultation in accordance with the agreed timetable and as the basis for determining its budget proposals, subject to

- the reference to Street Pride under “Safe and Healthy Communities” (page 6) being rewritten into “Clean and Green” (page 4)

- and that the narrative part of the report contains references to the current global economic recession.”

Members then voted as follows:-

***Resolved unanimously:***

“(1) That Cabinet approves the draft 2009/10 Corporate Plan attached as Appendix A to the report, as a basis for consultation in accordance with the agreed timetable and as the basis for determining its budget proposals, subject to

- the reference to Street Pride under “Safe and Healthy Communities” (page 6) being rewritten into “Clean and Green” (page 4)
- and that the narrative part of the report contains references to the current global economic recession.”

**Officers responsible for effecting the decision:**

Corporate Director (Finance and Performance)  
Head of Financial Services

**Reasons for making the decision:**

The decision made allows Cabinet to agree the Corporate Plan in order for it to meet the requirements of the agreed timetable for bringing forward its Budget and Policy Framework proposals.

**120 BUDGET AND POLICY FRAMEWORK UPDATE - GENERAL FUND REVENUE BUDGET**

**(Cabinet Member with Special Responsibility Councillor Mace)**

The Corporate Director (Finance and Performance) and Head of Financial Services submitted a joint report providing information on the General Fund Revenue Budget, to allow Cabinet to make recommendations to Council on Council Tax levels for 2009/10.

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

Options are dependent very much on Members’ views on spending priorities balanced against Council Tax levels. As such, a full options analysis could only be undertaken once any alternative proposals are known and it should be noted that Officers may require more time in order to do this. Outline options are highlighted below, however.

- With regard to the Revised Budget and resulting overspending, Cabinet could consider other proposals that may influence the Revised Budget for the year.
- In terms of surplus Balances generally, it could consider retaining balances at a higher level than the minimum or a different phased use of balances.

- Regarding Council Tax increases, various options are set out at section 6 of the report. In considering these, Members should have regard to the impact on service delivery, the need to make savings or provide for growth, the impact on future years and the likelihood of capping.
- With regard to items for noting, no options are presented.

With regard to options to produce a budget in line with preferred Council Tax levels, any proposals put forward by Cabinet should be considered alongside the development of Cabinet priorities, and emphasis should be very much on achieving recurring reductions to the revenue budget, and avoiding any “unidentified” savings targets that undermine the robustness of the budget and financial planning arrangements generally.

Under the Constitution, Cabinet is required to put forward budget proposals for Council's consideration, in time for them to be referred back as appropriate. This is why recommendations are required to feed into the Council meeting on 04 February, prior to the actual Budget Council.

The Officer Preferred options are as reflected in the report's recommendations.

It was proposed by Councillor Barry and seconded by Councillor Gilbert:

“That Cabinet recommend a Council Tax increase of 4% to Council for 2009/10.”

Members then voted as follows:

***Resolved:***

***(7 Members (Councillors Archer, Barry, Blamire, Bryning, Burns, Gilbert and Kerr) voted in favour and 2 Members (Councillors Charles and Mace) voted against)***

- (1) That Cabinet recommend a Council Tax increase of 4% to Council for 2009/10.

It was proposed by Councillor Mace and seconded by Councillor Kerr:

“That recommendations 1-6 in the General Fund Revenue Budget report be approved”.

It was proposed by Councillor Barry that “Cabinet receive an options report on how the City Council can address the public inquiry into the Canal Corridor”.

However, it was noted that there was no seconder to the proposition and, therefore, the proposition was deemed to have fallen.

Councillor Mace proposed and Councillor Charles seconded:

- “(1) That Cabinet supports in principle the savings items set out in Appendix F to the report, and the growth items also included, but that the growth items be subject to further consideration, depending on sufficient progress being made to achieve the budget savings required to meet any approved Council Tax increase.
- (2) That further consideration of budget proposals be undertaken by Star Chamber, including the use of other earmarked reserves as set out in 4.5 of the report, in

order that a fully balanced set of revenue budget proposals can be developed for formal consideration by Cabinet at its February meeting.

- (3) That Council considers the General Fund revenue budget proposals to date, for initial consideration, subject to the decisions made at Cabinet today.”

***Resolved unanimously:***

- (2) That the 2008/09 Revised Budget of £23.782M be referred on to Council for approval, with the net overspending of £571K being met from Balances.
- (3) That Cabinet notes the position regarding the Local Government Finance Settlement and capping.
- (4) That Cabinet recommends to Council that the minimum level of General Fund Balances be retained at £1M from 01 April 2009.
- (5) That Cabinet approves the reassessment of other earmarked reserves and provisions as set out in section 4 of the report.
- (6) That Cabinet notes the Council Tax Base of 43,200 Band D properties for 2009/10.
- (7) That subject to all the above, Cabinet notes the resulting draft 2009/10 General Fund Revenue Budget of £25.701M, and the indicative spending projections of £27.040M for 2010/11 and £27.987M for 2011/12.

***(7 Members (Councillors Archer, Blamire, Bryning, Burns, Charles, Kerr and Mace) voted in favour and 1 Member (Councillor Barry) abstained)***

**Note:** Councillor Gilbert was not present when the vote was taken.

- (8) That Cabinet supports in principle the savings items set out in Appendix F to the report, and the growth items also included, but that the growth items be subject to further consideration, depending on sufficient progress being made to achieve the budget savings required to meet any approved Council Tax increase.
- (9) That further consideration of budget proposals be undertaken by Star Chamber, including the use of other earmarked reserves as set out in 4.5 of the report, in order that a fully balanced set of revenue budget proposals can be developed for formal consideration by Cabinet at its February meeting.
- (10) That Council considers the General Fund revenue budget proposals to date, for initial consideration, subject to the decisions made at Cabinet today.

**Officers responsible for effecting the decision:**

Corporate Director (Finance and Performance)  
Head of Financial Services

**Reasons for making the decision:**

This set of decisions is part of the process towards setting a Council Tax level for 2009/10 and is in line with the Corporate Plan objective of keeping the Council Tax rise to a maximum of 4%.

**121 BUDGET AND POLICY FRAMEWORK UPDATE - GENERAL FUND, CAPITAL PROGRAMME**

**(Cabinet Member with Special Responsibility Councillor Mace)**

The Corporate Director (Finance and Performance) and Head of Financial Services submitted a joint report providing information on the General Fund Capital Programme, to allow Cabinet to make recommendations to Council on Council Tax levels for 2009/10.

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

Funding Assumptions and Achieving a Balanced Capital Programme

The broad options for achieving a balanced programme are set out below and are very much dependent on Members' views on spending priorities. As such, a full options appraisal and risk assessment cannot be completed until budget proposals are known in more detail. That said, the basic options for achieving savings include:

- removing schemes from the draft programme, taking account of service needs and priorities;
- reducing proposed net expenditure on schemes, where possible;
- generating additional capital resources (e.g. receipts, direct revenue financing or borrowing), within affordable limits;
- deferring projects into later years – although this would not help with the overall five-year programme unless schemes were deferred until after 2013/14.

Should surplus resources be available, these could be used:

- to repay borrowing, or to reduce the call on the revenue budget;
- to fund new capital schemes;
- to make provision for other anticipated liabilities.

As referred to in earlier reports, setting a balanced capital programme is an iterative process, essentially balancing service delivery impact and aspirations against what the Council can (and is prepared to) afford.

In deciding the way forward, Cabinet is asked also to take into account the relevant basic principles of the Prudential Code, which are:

- *that the capital investment plans of local authorities are affordable, prudent and sustainable, and*
- *that local strategic planning, asset management planning and proper options appraisal are supported.*

The Officer preferred options are as set out in the recommendations of the report.

Councillor Mace proposed and Councillor Charles seconded:

- (1) That Cabinet notes the latest position regarding the General Fund Capital Programme and supports in principle the funding assumptions from 2008/9 onwards as set out, but that these be reviewed in light of the further work underway.
- (2) That the outcome of the work ongoing as set out in the report, including the capital receipts review and updates on the issues outlined in sections 2 and 3 of the report, be fed into Star Chamber for initial consideration, in order that a fully balanced programme can be developed for formal consideration by Cabinet at its February meeting.
- (3) That the current capital position be referred on to Council for consideration."

Members then voted as follows:

**Resolved:**

***(8 Members (Councillors Archer, Blamire, Bryning, Burns, Charles, Gilbert, Kerr and Mace) voted in favour and 1 Member (Councillor Barry) abstained)***

- (1) That Cabinet notes the latest position regarding the General Fund Capital Programme and supports in principle the funding assumptions from 2008/9 onwards as set out, but that these be reviewed in light of the further work underway.
- (2) That the outcome of the work ongoing as set out in the report, including the capital receipts review and updates on the issues outlined in sections 2 and 3 of the report, be fed into Star Chamber for initial consideration, in order that a fully balanced programme can be developed for formal consideration by Cabinet at its February meeting.
- (3) That the current capital position be referred on to Council for consideration.

**Officers responsible for effecting the decision:**

Corporate Director (Finance and Performance)  
Head of Financial Services

**Reasons for making the decision:**

The decisions made allow Cabinet to make progress in developing its capital investment proposals and the supporting Investment Strategy.

**122 BUDGET AND POLICY FRAMEWORK UPDATE - HOUSING REVENUE ACCOUNT  
BUDGET AND CAPITAL PROGRAMME**

**(Cabinet Member with Special Responsibility Councillor Kerr)**

The Corporate Director (Community Services) and Head of Financial Services submitted a joint report updating the Housing Revenue Account (HRA) revised budget position for the current year and setting out the recommended budget for 2009/10 and future years. It also set out the updated Capital Programme for 2008/9 and the proposed programme to 2013/14.

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

With regard to the Revised Budget, Cabinet could consider other proposals that may influence the Revised Budget for the year and the call on revenue balances.

The options available in respect of the 2009/10 rent increase are to:

- i) Set the average housing rent at 5% as proposed in paragraph 2.3.1 to the report;
- ii) Set the rent at a lower level: this would reduce the income available to the Housing Revenue Account. For example a 1% change in the rent equates to a change of around 59 pence per week per property and a £111K change in annual income for the HRA.
- iii) Set the rent increase at a higher level, up to 5.9%, i.e. within the Limit Rent
- iv) Set the rent increase at a level higher than 5.9%, i.e. above the Limit Rent. Although this would generate additional income, around 60% of that income would have to be paid over to the Government through Rent Rebate Subsidy Limitation.

The options available in respect of the minimum level of HRA balances are to set the level at £350,000 in line with the advice of the Section 151 Officer, or to adopt a different level. Should Members choose not to accept the advice on the level of balances, then this should be recorded formally in the minutes of the meeting, and could have implications for the Council's financial standing, as assessed by its external auditors.

The options available in respect of the revenue budgets for 2009/10 to 2011/12 are to recommend the budget as set out to Council for approval, or to consider other proposals for incorporation.

The options available in respect of the Capital Programme are:

- i) To approve the programme in full, with the financing as set out;
- ii) To incorporate other increases or reductions to the programme, with appropriate sources of funding being identified.

Any risks attached to the above would depend very much on what measures Members proposed, and their impact on the council housing service. As such, a full options analysis could only be undertaken once any alternative proposals are known. It should be noted that Officers may require more time in order to do this.

The Officer Preferred options are to:



- approve the 2008/09 revised Revenue Budget as set out;
- approve the provisions, reserves and balances positions as set out;
- set a 5% increase in average rents, and to approve the draft revenue and capital budgets as set out in the appendices to the report, and as amended for any revenue growth supported by Cabinet, for referral on to Council as appropriate.

These are as reflected in the Member recommendations.

It was moved by Councillor Barry and seconded by Councillor Bryning:-

“That this agenda item be deferred until 28<sup>th</sup> January when additional information required to make a decision will be available.”

2 Members (Councillors Barry and Bryning) voted in favour of the proposal, 4 Members (Councillors Blamire, Burns, Gilbert and Kerr) voted against and 3 Members (Councillors Archer, Charles and Mace) abstained, whereupon the Chairman declared the motion to be lost.

It was moved by Councillor Kerr and seconded by Councillor Burns:

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

Members then voted as follows:

***Resolved:***

***(6 Members (Councillors Archer, Blamire, Burns, Gilbert, Kerr and Mace) voted in favour of the proposal, 2 Members (Councillors Barry and Bryning) voted against and 1 Member (Councillor Charles) abstained)***

- (1) That the Housing Revenue Account Revised Budget for 2008/09, as set out at Appendix A to the report, be recommended to Council for approval.
- (2) That the revenue growth bids as set out at Appendix B be supported, to be funded by reductions in the contributions into the Major Repairs Reserve.
- (3) That the Housing Revenue Account Budget for 2009/10 as set out at Appendix A to the report, as amended for growth above, be recommended to Council for approval.
- (4) That Cabinet recommend to Council that the minimum level of HRA unallocated balances be retained at £350,000 from 01 April 2009, and that the Statement on Reserves and Balances be noted and referred to Council for information.
- (5) That average council housing rents for the year commencing 01 April 2009 be set at £59.56, representing an increase of 5%.
- (6) That future year budget projections continue to assume a 5% year on year increase in average rents.

- (7) That the Capital Programme as set out at Appendix E of the report be referred on to Council for approval.
- (8) That Cabinet notes that the proposed revenue budgets and capital programme will be referred to the District Wide Tenants Forum on 28 January 2009, and that any issues arising will be fed directly into Council.

**Officers responsible for effecting the decision:**

Corporate Director (Finance and Performance)  
Head of Financial Services

**Reason for making the decision:**

The City Council is required, under statutory provisions, to maintain a separate ring-fenced account for all transactions relating to the provision of local authority housing, known as the Housing Revenue Account (HRA). This account includes all transactions relating to the maintenance and management of the Council's housing stock. The decision to set the rent levels for 2009/10 at this meeting meets the deadline to notify tenants of the rent variation by 1<sup>st</sup> March 2009. The decisions to recommend a balanced budget and fully financed Capital Programme to Council for agreement on 4<sup>th</sup> February 2009 is in line with the budget timescale.

**123 HEALTH AND STRATEGIC HOUSING FEES & CHARGES 2009/10**

**(Cabinet Member with Special Responsibility Councillor Kerr)**

The Corporate Director (Community Services) submitted a report prepared as part of the 2009/10 estimate procedure, which set out options for increasing the level of fees and charges.

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

The options to Members include:

- (i) To approve either the 2%, 5% or 10% increase in fees for Health & Strategic Housing charges.
- (ii) To approve a different % increase.
- (iii) To approve an increase to £25.00 (with a reduction to £12.50 for those in receipt of Council Tax and/or Housing Benefit) for rats, mice and flea treatments.
- (iv) To approve the fees for rats, mice and fleas in line with the other increases or a different amount.
- (v) To approve an increase of £100 in the base Exclusive Right of Burial (EROB) fee.

- (vi) To approve the proposed fees and charges for the provision of new cemetery services.

The Officer preferred option is (i) 5% increase, (iii), (v) and (vi) for reasons set out in the report.

It was moved by Councillor Kerr and seconded by Councillor Archer:

- “(1) That the Health & Strategic Housing fees in Appendix 1 to the report should be increased by 5% with the exception of the fees for rats, mice and fleas and the fee for Exclusive Right of Burial (EROB).
- (2) That the fees for rats, mice and fleas are increased to £25.00 with a reduction to £12.50 for customers in receipt of Council Tax and/or Housing Benefit.
- (3) That the EROB base fee is increased by £100 to reflect the costs of maintaining cemeteries and bring our charges in line with most other Councils.
- (4) That Cabinet agrees to the introduction of new charges for cremated remains, memorial vaults and reduced EROB fee for purchased baby graves at 50% of the adult fee applicable at the time of purchase.”

By way of amendment to (3) above, it was moved by Councillor Barry and seconded by Councillor Gilbert:

“That the EROB base fee is increased by 5%.”

2 Members (Councillors Barry and Gilbert) voted in favour of the amendment and 7 Members (Councillors Archer, Blamire, Bryning, Burns, Charles, Kerr and Mace) voted against, whereupon the Chairman declared the amendment to be lost.

It was further proposed by Councillor Mace and seconded by Councillor Burns:

“(5) That the decisions in (1)-(4) are made subject to budget considerations”.

Members then voted as follows on each recommendation in turn:-

**Resolved:**

**(8 Members (Councillors Archer, Barry, Blamire, Bryning, Burns, Charles, Kerr and Mace) voted in favour and 1 Member (Councillor Gilbert) abstained)**

- (1) That the Health & Strategic Housing fees in Appendix 1 to the report should be increased by 5% with the exception of the fees for rats, mice and fleas and the fee for Exclusive Right of Burial (EROB).

**Resolved:**

**(6 Members (Councillors Archer, Barry, Blamire, Bryning Burns and Kerr) voted in favour and 3 Members (Councillors Charles, Gilbert and Mace) abstained)**

- (2) That the fees for rats, mice and fleas are increased to £25.00 with a reduction to £12.50 for customers in receipt of Council Tax and/or Housing Benefit.

**Resolved:**

***(6 Members (Councillors Archer, Blamire, Bryning, Burns, Kerr and Mace) voted in favour, 2 Members (Councillors Barry and Gilbert) voted against and 1 Member (Councillor Charles) abstained)***

- (3) That the EROB base fee is increased by £100 to reflect the costs of maintaining cemeteries and bring our charges in line with most other Councils.

**Resolved:**

***(8 Members (Councillors Archer, Barry, Blamire, Bryning, Burns, Gilbert, Kerr and Mace) voted in favour and 1 Member (Councillor Charles) abstained)***

- (4) That Cabinet agrees to the introduction of new charges for cremated remains, memorial vaults and reduced EROB fee for purchased baby graves at 50% of the adult fee applicable at the time of purchase.

**Resolved:**

***(6 members (Councillors Archer, Blamire, Bryning, Burns, Charles and Mace) voted in favour, 2 Members (Councillors Barry and Gilbert) voted against and 1 Member (Councillor Kerr) abstained)***

- (5) That the decisions in (1)-(4) are made subject to budget considerations.

**Officers responsible for effecting the decision:**

Corporate Director (Community Services)  
Head of Health and Strategic Housing

**Reasons for making the decision:**

The decision will generate additional income, bring the Exclusive Right of Burial charges in line with most other councils and provide new cemetery services.

**124 MEMORIAL SAFETY PROGRAMME**

**(Cabinet Member with Special Responsibility Councillor Kerr)**

The Corporate Director (Community Services) submitted a report informing Cabinet of the options for the future of the Council's Memorial Safety Programme.

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

	<b>Options</b>	<b>Advantages</b>	<b>Disadvantages</b>	<b>Risk Assessment</b>	<b>Financial</b>
1	To make the Memorial Safety Team (reduced to 2 posts), permanent.	<p>Retains expertise to allow:</p> <ul style="list-style-type: none"> <li>▪ Implementation of rolling testing programme.</li> <li>▪ Ability to repair unsafe and vandalised memorials.</li> <li>▪ Ability to monitor work of private masons to ensure future compliance with standards.</li> <li>▪ Provide the necessary operational resources to deliver essential services required at the time of burial.</li> <li>▪ To carry out permanent repair to previously staked and banded memorials.</li> <li>▪ Provides extra resilience for business continuity in the event of a major incident.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Ongoing revenue costs as outlined in financial implications section.</li> <li>▪ One post made redundant</li> </ul>	Ensures Council is complying with legal responsibilities and cemeteries good management.	<ul style="list-style-type: none"> <li>▪ 2-man team including equipment, tools and vehicle approximately £55k/year.</li> <li>▪ In 2009/10 up to £6,000 redundancy costs required</li> </ul>

Options	Advantages	Disadvantages	Risk Assessment	Financial
2 To cease the Memorial Safety Programme.	<ul style="list-style-type: none"> <li>▪ Approved budget of £55K in 2009/10 would result in savings to the Council minus redundancy costs.</li> </ul> <p>Approximate saving of £45K</p>	<ul style="list-style-type: none"> <li>▪ Council will be failing it its statutory duties under Health &amp; Safety at Work Act 1974 and Owner Occupiers Liability responsibilities.</li> <li>▪ No testing programme in place. The Council would run the risk of being found guilty of maladministration should a complaint be made.</li> <li>▪ Closed churchyards not tested yet..</li> <li>▪ Council will not be following established guidance.</li> <li>▪ Temporarily staked and banded memorials left indefinitely and thereby will present an ever increasing risk as time elapses.</li> <li>▪ Unable to monitor work of private masons.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Could lead to bad PR for Service and Council</li> <li>▪ Potential for unsafe memorials.</li> <li>▪ No defence in future litigation or claims following an accident, as recognised by Cemeteries Internal Audit Report dated 21 September 2007.</li> <li>▪ Council risks prosecution under Health &amp; Safety and/or Corporate Manslaughter legislation.</li> </ul>	<p>Redundancy costs estimated as follows:</p> <ul style="list-style-type: none"> <li>▪ Costs for enhanced package = £9,799.83</li> <li>▪ Costs for statutory package = £6,584.44</li> </ul> <p>All employees with more than 2 years service are entitled, in the appropriate circumstances, to redundancy payments.</p>

	Options	Advantages	Disadvantages	Risk Assessment	Financial
2 Cont.			<ul style="list-style-type: none"> <li>Cemeteries team's operational flexibility will be lost leading to reduced service delivery.</li> </ul>		
3	Support a memorial safety programme using an external contractor	<ul style="list-style-type: none"> <li>Testing programme would be carried out quicker.</li> <li>Opportunity for Council to assess benefits of using external contractors/partnership working to deliver part of service.</li> </ul>	<ul style="list-style-type: none"> <li>Would need to engage each year to carry out testing. Also need to engage contractor to carry out any temporary re-fix.</li> <li>Much more expensive than in house team option.</li> </ul>	<ul style="list-style-type: none"> <li>Would need to take up references re competency.</li> <li>Less control over contractor costs leading to increased cost of test and repair programme.</li> </ul>	Cost of permanently repairing unsafe memorials and carrying out testing using an external contractor is approximately 40% more expensive than an in-house team.
4	To retain the Memorial Safety Team (reduced to 2 posts) for a further 12 months until 31 March 2010 subject to a review of the Memorial Safety Programme for future years.	<ul style="list-style-type: none"> <li>Uses the budget already approved for 2009/10 and does not commit the Council to further costs.</li> <li>Enables testing programme to be implemented including closed churchyards.</li> <li>A limited amount of repair work could be undertaken.</li> </ul>	<ul style="list-style-type: none"> <li>Delays decision on long term future of temporarily staked and banded memorials and testing programme for future years.</li> </ul>	<ul style="list-style-type: none"> <li>Protects Council's interests re testing programme for further 12 months.</li> </ul>	£55K approved for 2009/10 and is sufficient for a further 12 months.

Option 1 is the officer preferred option, recommended for approval.

This option is recommended based on the operational experience gained over the last 2½ years and being the most cost effective way of delivering the memorial safety programme to ensure the Council meets its legal obligations

Option 2 is not recommended and has only been included in the report at the request of Members following the Star Chamber budget exercise.

Option 4 is a “stop gap” measure which would allow continuation of the Memorial Safety Programme and protect the Council’s legal responsibilities for a further 12 months.

It was moved by Councillor Mace and seconded by Councillor Charles:-

“(1) That Cabinet support an in-house memorial safety team and that a further report be requested for the next Cabinet meeting on setting up a programme of work for the safety team equivalent to 2-3 days per week over the year on memorial safety work, and for the rest of the time to be spent on grounds maintenance.”

By way of amendment, which was accepted as a friendly amendment by the mover and seconder of the original proposition, Councillor Barry proposed and Councillor Burns seconded:

“(2) That a further report be requested on options regarding the laying down of gravestones not repaired by owners.”

Members then voted as follows:-

***Resolved unanimously:***

- (1) That Cabinet support an in-house memorial safety team and that a further report be requested for the next Cabinet meeting on setting up a programme of work for the safety team equivalent to 2-3 days per week over the year on memorial safety work, and for the rest of the time to be spent on grounds maintenance.
- (2) That a further report be requested on options regarding the laying down of gravestones not repaired by owners.

**Officers responsible for effecting the decision:**

Corporate Director (Community Services)  
Head of Health and Strategic Housing

**Reasons for making the decision:**

The decision will ensure that the Council can comply with its legal responsibilities and be able to deliver an effective burial service to the public.



**125 APPROVAL OF PAY AND GRADING STRUCTURE****(Cabinet Member with Special Responsibility Councillor Kerr)**

The Chief Executive submitted a report to enable Cabinet to consider the updated financial information in respect of its preferred new pay and grading structure and to recommend Council to approve the new structure.

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

Options for the new pay and grading structure have previously been considered by the JCC, by Personnel Committee and by Cabinet, and as a result of the preference expressed for structure 9.5.4.5, that option is now presented for further consideration and approval with structure 9.5.4 included for comparison and evaluation purposes. As the projected cost of the either new structure in future years falls outside the budget and policy framework, it will be necessary for it to be approved by Council.

In addition to the pay and grading structure, it is intended that other elements will form part of the new pay package, which have been reported to Cabinet previously. These are pay protection, on the basis of 100% in the first year, 50% of the difference between old and new salary in the second year and 25% in the third year, market supplement where this can be objectively justified for a particular post, and a basic annual leave entitlement of 26 days plus eight statutory days.

The officer preferred option is to proceed with 9.5.4.5.

It was moved by Councillor Mace and seconded by Councillor Kerr:

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

Members then voted as follows:-

***Resolved unanimously:***

- (1) That structure 9.5.4.5 be recommended to Council.

**Officer responsible for effecting the decision:**

Chief Executive

**Reasons for making the decision:**

The decision reflects previous considerations by the Joint Consultative Committee, the Personnel Committee and Cabinet and is in line with the agreed process and timetable for implementing Fair Pay.

**126 PUBLIC SPEAKING AT CABINET****(Cabinet Member with Special Responsibility Councillor Mace)**

The Head of Democratic Services submitted a report to allow Cabinet to review the procedure for public speaking at meetings of Cabinet, as previously requested.

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

The options are set out below:-

**Public Speaking at Cabinet meetings:**

Option No.	OPTION	IMPLICATIONS AND RISK ANALYSIS
1	<p>That the current arrangements be continued, with the Council Business Committee being recommended to consider allowing members of the general public to speak on items of urgent business or items submitted after the publication of the Agenda, as detailed within the report . In considering this option Cabinet may feel it to be appropriate to make recommendations on the amendment of Cabinet Procedure Rules for Ward Councillors speaking to be in line with those of the general public (i.e. with the same deadlines). This could involve extending the deadline for reports that are submitted late, or are to be considered as urgent business until 12 Noon on the Monday prior to the meeting, or other time that Members may feel appropriate.</p> <p>Cabinet may also wish to incorporate Rules relating to speaking on more than one occasion being introduced in order to bring into line with those of the Planning Committee.</p>	<p>This would mean that members of the public and Ward Councillors would be allowed to speak at meetings of Cabinet on all items of business that are known to require a decision prior to the meeting. A report would need to be submitted to the Council Business Committee on any Cabinet recommendations that would require amendment to the City Council's Constitution.</p> <p>Allowing the general public and/or Ward Councillors to speak on urgent business items or reports submitted after the publication of the Agenda would, with such a late deadline, not give Officers enough time to re-order the Agenda and notification of speakers would need to be given at the meeting.</p> <p>Adopting procedures in accordance with those of the Planning Committee would make the Council's Rules consistent and would also ensure that there was no duplication in making a repeated address to Cabinet.</p>
2	<p>That the existing procedure be continued with no alterations.</p>	<p>This approach would support the public being allowed to speak at meetings of Cabinet on any topic within the Council's area of responsibility and ensure that there was an element of consistency</p>

Option No.	OPTION	IMPLICATIONS AND RISK ANALYSIS
		<p>with other meetings of the Council. However, it would not support the public or Ward Councillors speaking on urgent business items or reports submitted after the publication of the Agenda where the content of the report is unknown when the deadline for speaking has passed.</p> <p>There would be benefits such as savings on printing costs that would be required with a new leaflet and meetings of Cabinet may be shorter with the possibility of fewer public speakers.</p>
3	That Cabinet make alternative recommendations on the process.	Any alternative proposals may require a more detailed report to consider the implications of the proposals.

Officers would support option 1 to continue to allow speaking by members of the general public and to recommend the amendment of the Constitution by the Council Business Committee to enable both the general public and Ward Members to speak on items of urgent business and reports circulated after the publication of the Agenda. It would also bring a more consistent approach mirroring the process of the Planning Committee.

It was moved by Councillor Mace and seconded by Councillor Charles:-

“That Cabinet recommend to Council Business Committee that public speakers at Cabinet make a written version of their speech or questions available for Cabinet Members prior to the meeting.”

By way of amendment, Councillor Barry proposed and Councillor Burns seconded:

“(1) That Cabinet recommend to Council Business Committee that public speakers at Cabinet be asked to provide a written version of their speech or questions in advance wherever possible and be prepared to respond to questions from Cabinet Members at the meeting, if necessary.”

Members then voted as follows:-

***Resolved unanimously:***

(1) That Cabinet recommend to Council Business Committee that public speakers at Cabinet be asked to provide a written version of their speech or questions in advance wherever possible and be prepared to respond to questions from Cabinet Members at the meeting, if necessary.

**Officers responsible for effecting the decision:**

Chief Executive  
Head of Democratic Services

**Reasons for making the decision:**

The decision allows Cabinet to propose the changes it would like to effect to Cabinet public speaking procedure to the Council Business Committee for incorporation in to the Constitution.

**127 CHARITIES REVIEW****(Cabinet Member with Special Responsibility Councillor Mace)**

***(Councillor Gilbert declared a personal interest in the following item in view of his wife's involvement with the James Bond/Henry Welch Trust)***

Cabinet received a report setting out a recommendation from Council Business Committee on the options for use of existing charity funds for which the Council is responsible which are currently dormant.

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

	Option	Advantages	Disadvantages/risks
1	To proceed with the proposed amalgamations of Charity Trust Funds as set out in paragraphs 1.4 and the transfer of funds as set out in 1.5	Retains control over the allocation of funds via a Management Committee of Trustees appointed by the Council	Significant additional workload for staff in Democratic Services, initially to work with the Charity Commission to set up the new arrangements and on an ongoing basis to manage the Trust Fund, the Management Committee and the allocation of funds
2	To agree to support the proposed setting up of the CFL and identify sufficient funds from the bequests listed in Appendix A for transfer to the CFL over the next 3 years, holding the remaining sums in abeyance until the operation of the CFL has been evaluated, but with the long term intention of transferring all unused funds to the CFL	Takes advantage of the opportunity to be part of the Lancashire Community Foundation, utilising the expertise available in grant funding Expected to ensure that grant allocations show a demonstrable contribution to LAA outcomes More cost effective than administering the funds 'in-house'	Could be seen as handing over Lancaster District money to the County The Lancashire Community Foundation may fail

3	To agree to support the proposed setting up of the CFL and identify sufficient funds from the bequests listed in Appendix A for transfer to the CFL over the next 3 years and continue with the proposed amalgamations of Charity Trust Funds for the remaining bequests.	Takes advantage of the opportunity to be part of the Lancashire Community Foundation, utilising the expertise available in grant funding Expected to ensure that grant allocations show a demonstrable contribution to LAA outcomes More cost effective than administering the funds 'in-house'	Could be seen as handing over Lancaster District money to the County The Lancashire Community Foundation may fail Work on amalgamations may be wasted if there is a later decision to transfer further funds to the CFL
4	Take no action in respect of any of the funds listed in Appendix A.		Money continues to accumulate and is not used for the benefit of the community

The officer preferred option is 2 above as this brings into use funds which have lain dormant for many years. This proposal takes full advantage of the expertise of a specialist grant making organisation and provides better value for money than the administration of individual Trust Funds by the City Council. Grant allocations will still be made for the benefit of the Lancaster District.

It was moved by Councillor Mace and seconded by Councillor Blamire:-

- “(1) That Council Business Committee’s recommendation to proceed with the proposed amalgamations of Charity Trust Funds and the transfer of funds as set out in paragraphs 1.4 and 1.5 of the report (Option 1) be approved, subject to (2) and (3) below:
- (2) That the funds referred to in 1.5 of the report, relating to current and former educational establishments, be transferred to the relevant Board of Governors for use as prize money for the school without delay.
- (3) That the consolidation of the charities to form five charities to be managed by Lancaster City Council, referred to in 1.4 of the report, be deferred until resources are available in Democratic Services to carry out the work required to set up and support the five charities proposed.”

Members then voted as follows:-

***Resolved unanimously:***

- (1) That Council Business Committee’s recommendation to proceed with the proposed amalgamations of Charity Trust Funds and the transfer of funds as set out in paragraphs 1.4 and 1.5 of the report (Option 1) be approved, subject to (2) and (3) below:

- (2) That the funds referred to in 1.5 of the report, relating to current and former educational establishments, be transferred to the relevant Board of Governors for use as prize money for the school without delay.
- (3) That the consolidation of the charities to form five charities to be managed by Lancaster City Council, referred to in 1.4 of the report, be deferred until resources are available in Democratic Services to carry out the work required to set up and support the new arrangements.

**Officers responsible for effecting the decision:**

Chief Executive  
Head of Democratic Services

**Reasons for making the decision:**

The decision is taken in line with the recommendation of the Council Business Committee and takes account of the staff resources available to deal with the significant additional workload for staff in Democratic Services to set up and support the new arrangements.

**128 SUPPORT FOR BUSINESS START UP**

**(Cabinet Members with Special Responsibility Councillors Archer and Bryning)**

The Head of Economic Development and Tourism submitted a report seeking approval for proposals for the delivery of the NWDA Business Start Up Service in Lancaster District from April 2009.

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

The following options have been identified:

Option	Advantages	Disadvantages	Risks
1. Do nothing ie no co-funding arrangement, NWDA select local deliverer	Minimal City Council staff input required as no local project management implications	Extent of service limited by NWDA allocation of funding Limited opportunity to target local priorities	
2. City Council provides co-funding and acts as Accountable Body for project based on District footprint	Co-funding would allow enhanced service which can be extended to include local priorities City Council selects local deliverer	Co-funding would require an additional budget growth item for business counselling activity as there is no appropriate existing budget (nb this would be additional to the budget growth request already submitted for the Rent Grant Scheme)	Usual risks associated with Accountable Body status related to managing funding, achieving outputs

		Any associated external audit costs would need to be met in full by the City Council	
3. Enter into an agreement with Lancashire County Council who will provide co-funding and act as Accountable Body for project based on District footprint	City Council does not need to act as Accountable Body. Co-funding allows enhanced service which can be extended to include local priorities. County/City Councils select local deliverer. Allows firm link to be made with LSP/LAA targets for business start up. Funding fully committed to service delivery within the District. Any associated external audit costs would be the County Council's responsibility	County Council influences priorities and deliverer selection (mitigated by agreement between the two authorities on the co-funding arrangements)	
4. Join Mid-Lancashire grouping, with lead local authority acting as Accountable Body	City Council does not need to act as Accountable Body. Co-funding requirement possibly met by other authorities and/or Lancashire County Council. Possible re-allocation of resources within the grouping in response to high local level of demand	Options in selecting local deliverer(s) potentially more restricted. Opportunities to address local priorities potentially more limited. Possible re-allocation of resources within the grouping in response to low local level of demand	It is possible that the City Council would be required to agree a risk sharing arrangement with the lead authority for the group to mitigate their financial risks as Accountable Body (eg grant clawback and audit costs).

As background to Option 4 it should be noted that within Lancashire it was always likely that the two Multi Area Agreement local authority groups, Pennine Lancashire and the Fylde, would propose arrangements for delivery of the Business Start Up project within their respective boundaries. Consequently, one possible arrangement was for the remaining Mid Lancashire authorities, including Lancaster, to act as a third grouping with one of the authorities acting as Accountable Body. This option has not been actively pursued, the preference being to establish a dedicated service for Lancaster District's distinctive economic footprint.

Option 3 is the officer preferred option as this provides the optimum arrangement for a locally focused business start up service, enhanced by County Council co-funding.

It was moved by Councillor Bryning and seconded by Councillor Archer:-

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

Members then voted as follows:-

***Resolved unanimously:***

- (1) That the proposed arrangements for delivery of the NWDA Business Start Up Service in Lancaster District from April 2009 be approved with specific reference to the proposed partnership arrangement with Lancashire County Council, under which the County Council will act as Accountable Body in respect of a co-funding/co-procurement agreement with the Northwest Development Agency.
- (2) That the Corporate Director (Regeneration), in consultation with the Cabinet Members with joint economic/regeneration responsibilities, be authorised to finalise agreements with Lancashire County Council and the Northwest Development Agency as required for delivery of the Business Start Up Service, including the allocation of funding to priority groups and areas.

**Officers responsible for effecting the decision:**

Corporate Director (Regeneration)  
Head of Economic Development and Tourism

**Reasons for making the decision:**

The decision provides the optimum arrangement for a locally focused business start up service, enhanced by County Council co-funding.

**129 NEIGHBOURHOOD MANAGEMENT CABINET LIAISON GROUP**

**(Cabinet Member with Special Responsibility Councillor Mace)**

The Corporate Director (Community Services) submitted a report proposing an amendment to the Terms of Reference of the Neighbourhood Management Cabinet Liaison Group.

The proposed amendment was the addition of the words *and/or third tier Councils* into the first part of the Group's terms of reference as shown below:-

- (1) That a Cabinet Liaison Group be formed, chaired by the Portfolio Holder responsible for Neighbourhood Management, to advise the Cabinet Portfolio Holder on options for the development of neighbourhood management arrangements for the District. The terms of reference of the Group to be that it should examine the options of an effective model for the delivery of Neighbourhood Management, considering how this would integrate into mainstream service delivery for Lancaster City Council *and/or third tier Councils*, and how such a model would relate to the LDLSP, and the community engagement agenda, and be supportive of the Council's priorities



and Core Values around Putting Our Customers First and Leading Our Communities.

It was moved by Councillor Mace and seconded by Councillor Charles:-

“(1) That Cabinet approves the amendment recommended by the Neighbourhood Management Cabinet Liaison Group to its terms of reference, adding the words “*and/or third tier Councils*” as indicated in the report.”

Members then voted as follows:-

***Resolved unanimously:***

(1) That Cabinet approves the amendment recommended by the Neighbourhood Management Cabinet Liaison Group to its terms of reference, adding the words “*and/or third tier Councils*” as indicated in the report.

**Officer responsible for effecting the decision:**

Corporate Director (Community Services)

**Reasons for making the decision:**

The decision allows a necessary change to the Cabinet Liaison Group’s Terms of Reference. As the original terms of reference were agreed by Cabinet, the amendment needed to be considered by Cabinet.

**130 REVIEW OF PARKING FEES AND CHARGES 2009/10**

**(Cabinet Member with Special Responsibility Councillor Mace)**

The Corporate Director (Regeneration) submitted a report asking members to consider the Annual Review of Parking Fees and Charges for 2009/10.

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

The following options for pay and display and public permits have been put forward for consideration. The temporary benefit of the reduced standard rate of VAT from 1<sup>st</sup> April to 31<sup>st</sup> December 2009 as outlined in paragraph 2.3 has been taken into account in the Financial Implications section of the report.

**Option 1 a**

***This option is aimed at minimal price increases and achieving the budgetary commitments, but only after allowing for the VAT increase:***

Pay and Display

Tariff Description	Current Tariff	Proposed Tariff	Additional Income
Increase Up to 1 hour on all car parks	£0.90	£1.00	£23,000

This option limits the price increases as shown above and assumes that 60% of customers already pay £1.00 as per a sample analysis that has been undertaken. The City Council's pay and display machines can be either programmed to accept overpayments and issue a pay and display ticket, or to reject incorrect payments and only accept the correct fee and not print a pay and display ticket. The City Council's machines are programmed to allow the customer to purchase their pay and display ticket.

**Total estimated additional income for Option 1 a - £23,000**

**Option 1 b**

***This option is aimed at discouraging long stay parking whilst addressing the budgetary commitments:***

Pay and Display

Tariff Description	Current Tariff	Proposed Tariff	Additional Income
Increase Up to 1 hour on all car parks	£0.90	£1.00	£23,000
<b>Long Stay Car Parks</b>			
Increase Up to 3 hours	£2.00	£2.20	£15,000
Increase Over 3 hours (Morecambe)	£3.00	£3.20	£4,500
Increase Up to 5 hours (Lancaster)	£3.50	£3.70	£2,000

Public Permit Charges

Permit Type	Current Tariff	Proposed Tariff	Additional Income
Increase Lancaster and Morecambe General Permit by 15%	£770.00	£885.00	£12,200
Increase Morecambe General Permit by 5% ( <b>see Note 1</b> )	£475.00	£500.00	£800
Increase Specific Permit by 15%	£1,230.00	£1,415.00	£1,900

**Note 1:** The Morecambe permit will not sustain a 15% increase due to the daily cost of all day long stay parking in Morecambe being £3.00 compared with £6.00 in Lancaster.

This option is directly linked to the Parking Strategy in that it discourages long stay parking. Resistance and reduced sales has been allowed for in calculating the estimated income that is outlined in the table at paragraph 3.2 of the report.

Under this option it is also suggested that officers investigate the introduction of Green Permit options for next year's review. This would potentially allow price reductions for vehicles with low cubic capacity or low emissions but research would have to be undertaken with other Council's to gauge the success of this type of scheme and to see how administrative and enforcement arrangements are dealt with.

**Total estimated additional income for Option 1 b - £59,400****Option 1 c**

*This option proposes a range of increases across short stay and long stay car parks and increases public permits by approximately inflation.*

## Pay and Display

<b>Tariff Description</b>	<b>Current Tariff</b>	<b>Proposed Tariff</b>	<b>Additional Income</b>
Increase Up to 1 hour on all car parks	£0.90	£1.00	£23,000
<b>Short Stay Car Parks</b>			
Increase Up to 3 hours	£2.40	£2.50	£7,000
Increase Up to 4 hours	£3.20	£3.40	£6,000
<b>Long Stay Car Parks</b>			
Increase Up to 3 hour charge	£2.00	£2.20	£15,000
Increase Over 3 hours (Morecambe)	£3.00	£3.20	£4,500
Increase Up to 5 hours (Lancaster)	£3.50	£3.70	£2,000

## Public Permit Charges

<b>Permit Type</b>	<b>Current Tariff</b>	<b>Proposed Tariff</b>	<b>Additional Income</b>
Increase Lancaster and Morecambe General Permit by 5%	£770.00	£810.00	£8,800
Increase Morecambe General Permit by 5%	£475.00	£500.00	£800
Increase Specific Permit by 5%	£1,230.00	£1,290.00	£1,800

This option recommends a range of inflationary increases for pay and display and public permits and is primarily aimed at achieving the budgetary commitments in 2009/10 and subsequent years.

This option meets some of the aims of the Parking Strategy in that it allows the continuation of making provision for longer stay parking in peripheral car parks and for business users by providing contract parking at a limited number of car parks. However, applying only inflationary increases does not address concerns about the level of commuter parking and the wider aims of reducing long stay parking particularly in Lancaster city centre.

**Total estimated additional income for Option 1 c - £68,900****Staff and Member Permits**

Following the review of Employee and Elected Member Parking in July 2008, Cabinet now needs to determine the level of charges in line with the minute outlined at paragraph 3.3 of the report.

Option 2 is limited to applying inflation to the current charges for 24-7 permits and Option 3 has several options for determining the charges for 24-5 permits.

**Option 2****Inflation added to Current 24-7 Permit Charges**

The current Staff and Member permit charges were set in December 2007. Applying the rate of inflation from this date until the end of October results in proposed 24/7 permit charges from 1<sup>st</sup> April 2009 as follows:

Permit	Current Charge	Proposed Charge
Staff General	£190.00	£200.00
Staff Specific	£320.00	£330.00
Member	£190.00	£200.00

**Option 3****Options for 24-5 Permits**

As previously mentioned Cabinet has already approved the implementation of an option to introduce a separately priced 5-day permit [i.e. 24-5] for all permit holders with effect from 1<sup>st</sup> April 2009. This was on the basis that the permit would be at a lower cost than the equivalent 24-7 permit.

A number of options are included in the following table for the 24-5 permit ranging from a reduction of 5% to a reduced charge based on 5/7ths of the proposed 24-7 permit.

OPTION 3	(a)	(b)	(c)	(d)	(e)
Permit Type	Less 5%	Less 10%	Less 15%	Less 20%	5/7 of 24-7
Staff General	£190.00	£180.00	£170.00	£160.00	£145.00
Staff Specific	£315.00	£300.00	£280.00	£265.00	£235.00
Member	£190.00	£180.00	£170.00	£160.00	£145.00

It is extremely difficult to estimate the uptake of the 24-5 permit and therefore the financial implications of each charging option. However, if all permit holders elect to purchase the 24-5 permit at the price detailed under option (e) then it would result in a reduction of income estimated at £13,600 per annum.

Cabinet has since approved the Parking Strategy and the policy documents that inform the strategy support the reduction of commuter and long stay parking in town and city centres. The City Council is also faced with managing the reduction in long stay parking in Lancaster city centre as part of the proposed Canal Corridor redevelopment.

In setting the level of discount offered Cabinet needs to consider the impact on both the management of parking and the existing budgetary commitments. Although increasing the level of discount is likely to increase sales and therefore reduce the financial impact, the sustainability and parking management issues are considered to more important in policy terms.

It is therefore recommended that Option 3 (a) is approved for setting the 24-5 permit charges.

**On-Street Pay and Display Charges**

As previously outlined at paragraph 3.5 on-street charges should be higher than off-street charges. Under Options 1a, 1b and 1c it is proposed to increase the Up to 1 hour off-

street charge from £0.90 to £1.00. The following increased charges are therefore recommended:

Charges	Current	Recommended
<b>Tariff 1</b> Castle Hill (spaces for TIC)	Up to ½ hour – 50p	Up to ½ hour – <b>60p</b>
<b>Tariff 2</b> e.g. Dalton Square/ Church Street	Up to ½ hour – 50p Up to 1 hour - £1.00	Up to ½ hour – <b>60p</b> Up to 1 hour - <b>£1.20</b>
<b>Tariff 3</b> e.g. Robert street/ Quarry Road	Up to 1 hour - £1.00	Up to 1 hour - <b>£1.20</b>
<b>Tariff 4</b> e.g. High Street/ Queen Street	Up to 1 hour - £1.00 Up to 2 hours - £2.00	Up to 1 hour - <b>£1.20</b> Up to 2 hours - <b>£2.00</b> <b>(No change)</b>

The recommended charges represent a 20% increase with the exception of the 2 hour charge where no increase is proposed due to the off-street charge being £1.60. These charges are sometimes perceived as the City Council's charges rather than the County Council's charges. However, if approved, further increases would not be required for several years as there would be sufficient headroom for the 1 hour off-street charge to be subsequently increased from £1.00 to £1.10 as part of future annual reviews. It is also expected the proposed charges would re-encourage the use of off-street car parks.

The officer preferred options are listed below and are based on the background information and the options and options analysis supplied within this report:

- 1) Option 1b for pay and display and public permit charges as this meets the requirements of the Parking Strategy whilst also exceeding the income requirements.
- 2) Option 2 for the 24-7 Staff and Member Permit charges.
- 3) Option 3 (a) for the 24-5 Staff and Member Permit charges as this meets the requirements of Cabinet's earlier decision whilst also addressing the requirements of the Parking Strategy and minimising any potential financial implications.
- 4) To finalise discussions with Lancashire County Council over increased on-street pay and display charges for 2009/10.

Options for a 24-5 public permit were circulated at the meeting. Under Option 1b, the officer preferred option, the costs were set out as follows:

For a Lancaster permit £840; a Morecambe permit £475; a specific permit £1,345 (i.e. a reduction from the 24-7 permit cost as identified in Option 1b)

For Option 1c the costs were set out as follows:

For a Lancaster permit £770; a Morecambe permit £475; a specific permit £1,230 (i.e. a reduction from the 24-7 permit cost as identified in Option 1c)

Discussion of this item was adjourned for officers to obtain information requested by Cabinet Members and to allow Cabinet to proceed with the agenda. Discussion of this item then re-commenced when the information was available.

It was moved by Councillor Mace and seconded by Councillor Charles:-

- “(1) That Option 1b for Pay and Display for 2009/10 be approved
- (2) That Option 1c for Public Permit Charges for 2009/10 be approved
- (3) That Option 2 for the 24-7 Staff and Member Permit Charges for 2009/10 be approved
- (4) That Option 3a for the 24-5 Staff and Member Permit Charges for 2009/10 be approved
- (5) To confirm the City Council recommends that Lancashire County Council increases on-street pay and display charges for 2009/10 as outlined in paragraph 5.7 of the report.
- (6) That new 24-5 public permits be introduced and that the charge for these 24-5 permits be set at 5% less than the 24-7 tariffs set out in Option 1c of the report, equating to £770 for a Lancaster permit; £475 for a Morecambe permit and £1,230 for a specific permit.”

By way of amendment to (1) above, Councillor Barry proposed:

- “(1) That Option 1c for Pay and Display for 2009/10 be approved

The Chairman advised that there was no seconder to the amendment and it was, therefore, declared lost.

By way of amendment to (3) above, Councillor Barry proposed and Councillor Gilbert seconded:

- (3) That 24-7 permits should not be made available to Councillors and staff who do not work weekends.”

2 Members (Councillors Barry and Gilbert) voted for the amendment, 6 Members voted against the amendment (Councillors Archer, Bryning, Burns, Charles, Kerr and Mace) and 1 Member (Councillor Blamire) abstained, whereupon the Chairman declared the amendment lost.

Members then voted on each recommendation as follows:-

***Resolved:***

***(8 Members (Councillors Archer, Blamire, Bryning, Burns, Charles, Gilbert, Kerr and Mace) voted in favour and 1 Member (Councillor Barry) voted against)***

- (1) To approve Option 1b for Pay and Display for 2009/10.

**Resolved unanimously:**

- (2) To approve Option 1c for Public Permit Charges for 2009/10.

**Resolved:**

**(6 Members (Councillors Archer, Bryning, Burns, Charles, Kerr and Mace) voted in favour, 1 Member voted against (Councillor Gilbert) and 2 Members (Councillors Barry and Blamire) abstained)**

- (3) To approve Option 2 for the 24-7 Staff and Member Permit Charges for 2009/10.

**Resolved:**

**(7 Members (Councillors Archer, Blamire, Bryning, Burns, Charles, Kerr and Mace) voted in favour and 2 Members (Councillors Barry and Gilbert) abstained)**

- (4) That Option 3a for the 24-5 Staff and Member Permit Charges for 2009/10 be approved.

**Resolved:**

**(8 Members (Councillors Archer, Barry, Blamire, Bryning, Burns, Charles, Kerr and Mace) voted in favour and 1 Member (Councillor Gilbert) abstained)**

- (5) To confirm the City Council recommends that Lancashire County Council increases on-street pay and display charges for 2009/10 as outlined in paragraph 5.7 of this report.

**Resolved:**

**(8 Members (Councillors Archer, Barry, Blamire, Bryning, Charles, Gilbert, Kerr and Mace) voted in favour and 1 Member (Councillor Burns) abstained)**

- (6) That new 24-5 public permits be introduced and that the charge for these 24-5 permits be set at 5% less than the 24-7 tariffs set out in Option 1c of the report, equating to £770 for a Lancaster permit; £475 for a Morecambe permit and £1,230 for a specific permit.

**Officers responsible for effecting the decision:**

Corporate Director (Regeneration)  
Head of Property Services

**Reasons for making the decision:**

The City Council reviews parking fees and charges annually to meet its transportation policy and budget commitments.

## 131 REVIEW OF COMMUNICATIONS AND MARKETING

**(Cabinet Member with Special Responsibility Councillor Gilbert)**

The Corporate Director (Regeneration) submitted a report providing an update on the progress of the communications and marketing review.

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

Option 1

This would provide a centralised co-ordinated approach to all council marketing activity – internal, local and external. It is made up of the core team's current areas of work plus:

- Management and co-ordination of all short lifespan leaflets, adverts, fliers, newsletters, together with distribution, monitoring and evaluating
- Management, co-ordination and development of all council website activity, including the development of the council's e-marketing capacity (as described above).
- All council advertising
- All 'external' marketing activity (economic development, tourism, festivals/events)
- Corporate sponsorship
- Member, including civic, communications
- All marketing budgets will be pooled centrally.

This approach requires a core team sufficiently resourced to deliver within agreed time/quality levels, especially where service income targets are affected. A centralised function means a small residual function will still be required within the service to liaise with the corporate team. As is the case with each of the options, evidence demonstrates that a centralised function works most effectively where all officers are co-located.

<b>Advantages</b>	<b>Disadvantages</b>
Most closely mirrors the best practice models identified via the research phase of the review and likely to deliver the benefits the research identified (set out in 4.0 above)	This option must be fully resourced otherwise it risks failing services, in some cases impacting on their bottom line.
Most closely delivers the objectives set out in the review project plan	
Allows greater economies of scale	
Income opportunities via corporate approach to sponsorship	
Increases customer awareness and take up where appropriate	

Option 2

This option sees the centralisation of all marketing functions, as set out in option 1, plus tourism services and the whole festivals and events team.



It sits outside the scope of the original project plan but has arisen out of concerns that separating tourism marketing from the tourism delivery function may be detrimental to the service delivery of that area. Option 2 therefore transfers the whole of those functions – festivals and events team, tourism and the TICs – so avoiding any potential downside caused by splitting the functions.

<b>Advantages</b>	<b>Disadvantages</b>
As in Option 1 – but extends the level of integration further.	Outside the scope of the project mandate
Avoids any potential negative impact that might be caused by splitting marketing away from the tourism/events functions	Potentially more complex and time consuming to deliver
Event management skills and expertise could be shared across the council	

### Option 3

This consists of option 2, but would also include Customer Services

Again, it is outside of the scope of the original project plan but has been put forward by the project group in recognition that communications and marketing is interlinked with good customer service. Both are based around identifying our wide range of customers/service users, the information they require, providing that information in the formats and ways that suit them best. They are about ensuring no unnecessary contact, making customers aware of the services available and how to access them and supporting a smooth customer journey, ultimately driving up customer satisfaction. A view from members of the project group is that in examining the most efficient, coherent and corporate strategy for dealing with service users/customers, the review should also consider joining up all functions/sub-functions that interact with them.

<b>Advantages</b>	<b>Disadvantages</b>
As in Option 2 – but achieves the greatest level of integration	Outside the scope of the project mandate
Potentially enables a truly coherent corporate approach to customer communication	Much more work will need to be done to identify how workable this approach is. It will also be much more complex and disruptive to deliver
Gain a better understanding of our customers and their needs. This information can be used to shape future delivery of services council wide	It will take longer to deliver and if the decision is to go straight to option 3 in a non phased way it will delay the ability to bring about quicker benefits identified in options 1, 2 and 4
Supports the council's delivery around the Avoidable Contact National Indicator	

### Option 4

This is basically Option 2. However, totally separate to the new Communications and Marketing Unit, the TICs would be managed by Customer Services which is consistent with the Access to Services project.

Advantages	Disadvantages
As in Option 1 and 2.	Effect of splitting TICs away from rest of tourism functions unknown
Avoids any potential negative impact that might be caused by splitting marketing away from the events function	
Event management skills and expertise could be shared across the council	
This option offers opportunities for the greatest efficiencies, equivalent at least to the saving previously required by Cabinet.	

Option 4 is the preferred officer recommendation

This would provide a centralised co-ordinated approach to all Council marketing activity – internal, local and external, maximise opportunities for efficiencies, and is consistent with the objectives of the current Access to Services project.

The research demonstrates such an approach will achieve significant benefits including financial and greater value for money, reduced duplication, a unified approach to communications, marketing, website and consultation, strategically driven campaigns aligned to the corporate priorities, a stronger brand, a rise in customer satisfaction, pooled expertise and greater career progression, service staff able to get on with the day job, increased staff morale, and more.

It was moved by Councillor Burns and seconded by Councillor Barry:-

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

Members then voted as follows:-

***Resolved unanimously:***

- (1) That Cabinet approve in principle the restructuring proposal set out in Option 4 for improving the efficiency and effectiveness of the Council’s current Communications and Marketing function
- (2) That the financial implications of the restructuring be developed further for inclusion in the 2009/10 budget proposals

**Officers responsible for effecting the decision:**

Corporate Director (Regeneration)  
Head of Corporate Strategy

**Reasons for making the decision:**

The decision will provide a centralised co-ordinated approach to all Council marketing activity – internal, local and external - maximise opportunities for efficiencies, and is consistent with the objectives of the current Access to Services project.

**132 EXCLUSION OF THE PRESS AND PUBLIC**

The Chairman asked for any further declarations of interest from Cabinet Members regarding the exempt report.

It was moved by Councillor Kerr and seconded by Councillor Burns:-

“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 they could involve the possible disclosure of exempt information as defined in paragraph(s) 1 and 2 of Schedule 12A of that Act.”

Members then voted as follows:-

Resolved unanimously:

- (1) That, in accordance with Section 100A(4) of the Local Government Act, 1972, the press and public be excluded from the meeting for the following item of business, on the grounds that they could involve the possible disclosure of exempt information as defined in paragraph(s) 1 and 2 of Schedule 12A of that Act.

**133 EMPLOYEE ESTABLISHMENT - VACANCY AUTHORISATION**

**(Cabinet Member with Special Responsibility Councillor Mace)**

The Chief Executive submitted a report seeking Cabinet's approval for the filling of established vacancies where recommended.

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

The information contained within each form provides details related to the risks of not filling the related vacancy. Cabinet has the option of releasing funding on either a time limited or permanent basis or withholding funding. If funding is not released, there will be an impact on Service provision. If funding is time limited, it will be more difficult and possibly more expensive to fill a post.

The officer preferred option is to fill those posts as recommended by Service Heads unless Cabinet identifies the work as being of a low priority.

It was moved by Councillor Mace and seconded by Councillor Charles:

- “(1) That the filling of post AD0071 be deferred until the end of March 2009.”

It was moved by Councillor Mace and seconded by Councillor Gilbert:

- “(2) That post PP0021 be filled.”

It was proposed by Councillor Charles and seconded by Councillor Mace:

- “(3) That posts GM0200-224 and posts GM0012; CH0272; CHO156 and PS0023 be filled.”

Members then voted as follows:-

**Resolved unanimously:**

- (1) That the filling of post AD0071 be deferred until the end of March 2009.
- (2) That post PP0021 be filled.
- (3) That posts GM0200-224 and posts GM0012; CH0272; CHO156 and PS0023 be filled.

**Note:** Councillor Gilbert was not present when the vote on (3) was taken.

**Officer responsible for effecting the decision:**

Chief Executive

**Reasons for making the decision:**

The decisions enable the decision made at Cabinet on 11<sup>th</sup> November 2008, removing the delegated decision making to fill employee vacancies away from Service Heads to Cabinet to be implemented.

***At this point the press and public were re-admitted to the meeting.***

**134 WILLIAMSON PARK UPDATE REPORT**

**(Cabinet Member with Special Responsibility Councillor Fletcher)**

***(It was noted that Councillors Blamire and Burns had previously declared personal and prejudicial interests in the following item in view of their role as members of the Williamson Park Board of Directors. Councillors Blamire and Burns left the meeting prior to consideration of this item. It was further noted that the Corporate Director (Finance and Performance) had also declared an interest as Secretary to the Williamson Park Board of Directors. He also left the meeting prior to consideration of this item.)***

The Head of Cultural Services submitted a report updating Cabinet on the latest position at Williamson Park following the interim management arrangements undertaken by Cultural Services.

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

<b>Option</b>	<b>Advantages</b>	<b>Disadvantages</b>	<b>Risks</b>
1. Current interim management arrangements continue and estimated budget for 2009/2010 is agreed, to include annual	The operation of the Park would continue thus enabling appropriate time to review key areas with further reports to Cabinet provided on	Additional cost to Council of £82,000 from 2009/20010 onwards.  Additional grant support not providing	Would place significant pressure on existing Cultural Services work programme and business plan, as well as other key Council

<p>growth of £82,000 from 2009/2010 onwards.</p>	<p>options to improve current operation.</p> <p>Support would continue to be provided to current staff and various improvements planned and identified in the Audit report would be able to be implemented.</p> <p>Council has clearer picture over value for money received in return for the subsidy provided.</p>	<p>value for money.</p> <p>Significant additional work impact on Cultural Services and other services would need addressing.</p>	<p>Services involved.</p>
<p>2. Continue current interim management arrangements, with a view to bringing operation back "in-house", on the basis that no growth bid will be required.</p>	<p>The operation of the Park would continue, but possibly at a reduced level (possibly part closure of some facilities).</p> <p>£82,000 growth based on Private Sector Accounting principles, therefore potential for efficiencies should the Park operate under Local Authority Finance rules.</p>	<p>Possibility that current operation could only reasonably be achieved on the basis that the estimated budget for 2009/2010 is agreed, to include a growth of £82,000 in 2009/1010, however it is not yet known whether the Park is operating as efficiently as it could.</p> <p>Potential costs of decommissioning elements of the current park operation or winding up of the Company (costs not yet determined).</p>	<p>Without the additional growth of £82,000 in 2009/1010 or reduced level or change in operation the Park will not be viable.</p> <p>Limited guarantee of any need for future support in addition to that already being offered from Council.</p>

Theoretically, there is a further option of retaining the status quo i.e., where Williamson Park reverts to operating without support of interim management arrangements from City Council and estimated budget for 2009/2010 remains at standard inflationary increase on previous year. However, this is not really a viable option for the Council as the Company is Local Authority Controlled, therefore the Council would still be obligated to take some remedial action. As such the above is not included in the options and options analysis.

The officer preferred option, (option two above), allows the operation of the Park to continue, at a reduced or more efficient level, without the need for the Council to increase its revenue contribution over and above the original estimated budget for 2009/2010.

It was moved by Councillor Mace and seconded by Councillor Barry:

- “(1) That Cabinet notes progress to-date on the interim management arrangements for Williamson Park, including:
- additional grant support of £50,000 being required for 2008/09, noting that this is a provisional figure, subject to clarification for the remainder of the year;
  - the need for the Council to make provision to cover previous years’ estimated losses, estimated at £100,000; and
  - the need to provide additional cash flow support to the Company during 2008/09, but that this be on a short term basis only, thereby avoiding any further charge on the City Council’s budget.
- (2) That Cabinet’s preferred option for the management and operation of Williamson Park with effect from 2009/2010 is Option 2 as set out in the report, with a view to receiving a further detailed report on the future management arrangements for Williamson Park before final implementation.”

By way of an amendment, which was accepted as a friendly amendment by the mover and seconder of the original proposition, Councillor Gilbert proposed:

- “(3) That arrangements be made for member involvement in the future of the Park for the first year of implementation.”

Members then voted on the proposition, as amended.

***Resolved:***

***(5 Members (Councillors Barry, Bryning, Charles, Gilbert and Mace) voted in favour and 2 Members (Councillors Archer and Kerr) abstained)***

- (1) That Cabinet notes progress to-date on the interim management arrangements for Williamson Park, including:
- additional grant support of £50,000 being required for 2008/09, noting that this is a provisional figure, subject to clarification for the remainder of the year;
  - the need for the Council to make provision to cover previous years’ estimated losses, estimated at £100,000; and
  - the need to provide additional cash flow support to the Company during 2008/09, but that this be on a short term basis only, thereby avoiding any further charge on the City Council’s budget.
- (2) That Cabinet’s preferred option for the management and operation of Williamson Park with effect from 2009/2010 is Option 2 as set out in the report, with a view to receiving a further detailed report on the future management arrangements for Williamson Park before final implementation.
- (3) That arrangements be made for member involvement in the future of the Park for the first year of implementation.

**Officers responsible for effecting the decision:**

Corporate Director (Regeneration)  
Head of Financial Services  
Head of Cultural Services

**Reasons for making the decision:**

The decision allows the operation of the Park to continue, at a reduced or more efficient level, without the need for the Council to increase its revenue contribution over and above the original estimated budget for 2009/2010.

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Chairman

(The meeting ended at 5.15 p.m.)

**Any queries regarding these Minutes, please contact  
Debbie Chambers, Democratic Services, telephone 01524 582057 or email  
dchambers@lancaster.gov.uk**

**MINUTES PUBLISHED ON: TUESDAY 27<sup>th</sup> JANUARY 2008.**

**EFFECTIVE DATE FOR IMPLEMENTING THE DECISION CONTAINED IN THESE MINUTES:  
WEDNESDAY 4<sup>th</sup> FEBRUARY 2008.**