



LANCASTER
CITY COUNCIL

Promoting City, Coast & Countryside

ANNUAL COUNCIL MEETING

**Monday, 18 May 2009
6.00 p.m.**

Morecambe Town Hall

Mark Cullinan
Chief Executive
Town Hall
LANCASTER



Sir/Madam,

You are hereby summoned to attend a meeting of the Lancaster City Council to be held in the Town Hall, Morecambe on Monday, 18 May 2009 commencing at 6.00 p.m. for the following purposes:

1. **APOLOGIES FOR ABSENCE**

2. **MINUTES**

To receive as a correct record the Minutes of the Meetings of the City Council held on 8th and 29th April, 2009 (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.

ITEMS DEFERRED FROM A PREVIOUS MEETING

6. **EXECUTIVE ANNUAL REPORT (Pages 1 - 5)**

To receive the report of Cabinet Member, Councillor Fletcher deferred from the meeting of 8th April 2009.

7. **OVERVIEW AND SCRUTINY ANNUAL REPORT**

To receive the Annual Report of Overview & Scrutiny deferred from the meeting of 8th April 2009.

The Overview & Scrutiny Annual report has been published separately and previously supplied. Please bring your copy to the meeting. Additional copies are available on request from Democratic Services.

REPORTS REFERRED FROM CABINET, COMMITTEES OR OVERVIEW AND SCRUTINY

8. **CORPORATE PLAN 2009/10 (Pages 6 - 9)**

To consider the recommendations of Council Business Committee from its meeting on 18th May 2009.

Copies of Appendix A containing the draft Corporate Plan 2009/10 will be circulated separately.

9. **ALLOCATION OF SEATS TO POLITICAL GROUPS (Pages 10 - 17)**

To consider the report of the Chief Executive.

10. **ELECTION OF LEADER OF THE CABINET/LEADER OF THE COUNCIL**

To receive nominations and elect the Leader of the Cabinet/Leader of the Council in accordance with the provisions of Article 7.03 set out below:

“The Leader will be a Councillor annually elected to the position of Leader by simple majority of the Council. In the event that only one nomination is put forward a vote will still be taken.”

11. **COMPOSITION OF CABINET**

To consider whether or not the Cabinet should be established on a proportional representation (PR) basis for the ensuing year.

12. **ELECTION OF CABINET MEMBERS**

To receive nominations for a minimum of 2 and a maximum of 9 further Members to serve with the Leader on Cabinet and elect those Members of the Cabinet in accordance with the provisions of Article 7.04 of the Constitution set out below:

“In the event that a resolution for a PR Cabinet is carried by simple majority of the Council, other Cabinet Members, as nominated by Groups, shall be elected to the Cabinet en bloc. In any other case, including the case of a casual vacancy arising during the year in a non-PR Cabinet, Members who are nominated, seconded and willing to accept nomination shall be voted upon individually commencing with those one or more up to the number of vacancies as are nominated before the start of the meeting by the Leader or potential Leader until vacancies for other Cabinet Members are filled or until no more nominations are made. Nominations shall be put forward as a package by the Leader, but voted upon individually, commencing with those nominated by the Leader, until all vacancies are filled and no more nominations are made. Should an individual not be elected, further nominations may be made by Councillors but not by the Leader.”

13. **APPOINTMENT OF OVERVIEW AND SCRUTINY MEMBERS**

To receive nominations and appoint Members to serve on each of the following Overview and Scrutiny bodies. In accordance with the Council’s Constitution, Part 3, Sections 12 and 13, only non-Executive Members are entitled to vote on this item.

- (a) Overview and Scrutiny Committee (9)
- (b) Budget and Performance Panel (9) - to include a minimum of one member of the Overview and Scrutiny Committee

14. **APPOINTMENT OF COMMITTEE MEMBERS**

To receive nominations and appoint Members to serve on the under-mentioned Committees in accordance with the political balance arrangements agreed at Item 9.

- (a) Licensing Regulatory Committee (7 (subject to any decision at Item 9))
- (b) Licensing Act Committee (15)
- (c) Planning and Highways Regulatory Committee (20)
- (d) Personnel Committee (7) – to include at least one Member of Cabinet
- (e) Appeals Committee (7) – to include at least one Member of the Cabinet.
- (f) Audit Committee (7)
- (g) Appraisal Panel (7) – to include the Leader
- (h) Standards Committee (7) – may not include Leader, maximum of 1 Member of Cabinet
- (i) Council Business Committee (7)
- (j) Lancashire Local – Lancaster District Joint Committee (10) – must include at least one Cabinet Member

15. **APPOINTMENT OF CHAIRMEN**

To receive nominations and appoint a Chairman to each of the under-mentioned bodies. In accordance with the Council's Constitution, Part 3, Sections 12 and 13, only non-Executive Members are entitled to vote on (a) and (b) below:

- (a) Overview and Scrutiny Committee - shall not be a member of the largest political group represented on Cabinet
- (b) Budget and Performance Panel - shall not be a member of the largest political group represented on Cabinet
- (c) Licensing Regulatory Committee
- (d) Licensing Act Committee
- (e) Planning and Highways Regulatory Committee
- (f) Personnel Committee
- (g) Appeals Committee
- (h) Audit Committee – may not be a Member of Cabinet or Overview & Scrutiny
- (i) Appraisal Panel – may not be the Leader
- (j) Standards Committee – Council is requested to note the re-appointment of Mr. Stephen Lamley as Chairman for period of 3 years from May 2008 agreed by Council on 20th June 2007 (Minute No. 37 refers)
- (k) Council Business Committee

16. **APPOINTMENT TO OUTSIDE BODIES, PARTNERSHIPS AND BOARDS** (Pages 18 - 26)

To consider the report of the Chief Executive.



.....
Chief Executive

Town Hall,
Dalton Square,
LANCASTER,
LA1 1PJ

Published on, Wednesday 6th May, 2009

EXECUTIVE MEMBER ANNUAL REPORT – 2008/09**COUNCILLOR JANE FLETCHER, CABINET MEMBER WITH SPECIAL RESPONSIBILITY FOR ARTS, MUSEUMS, LEISURE, SPORT AND YOUNG PEOPLE****1 EXECUTIVE MEMBERSHIP:**

- Cabinet
- Children and Young People Cabinet Liaison Group

2 EXECUTIVE APPOINTMENTS TO OUTSIDE BODIES etc:

- Groundwork Lancashire West and Wigan
- Lancaster University Public Arts Strategy Committee
- LSP Children and Young People Thematic Group
- Museums Advisory Panel
- Cycling Demonstration Town Board

3 OVERVIEW OF PORTFOLIO RESPONSIBILITIES

Arts
 Museums
 Leisure
 Sport
 Young People

CORPORATE PLAN PRIORITY OUTCOMES:

Contribute to health improvement and reduce health inequalities through both delivery of our own services and our work with partners:

- *Improve the quality of activity for children and young people and raise the standards of delivery of PE and out of hours opportunities across the district.*

Work to maintain a cohesive community where respect for all is valued and celebrated:

- *Implement the Children and Young People Strategic Plan.*

4 PROGRESS MADE DURING 2008/9

Headline Issues for Cultural Services

Quarter 1:-

- Completion of pool changing rooms refurbishment
- Appointment of 2 new Play Rangers
- Successful school holidays arts and leisure activity programmes
- Alan Dix of "509 Arts" appointed to assist in the production of a new district wide Arts Strategy

Quarter 2:-

- Successful summer playscheme programme
- Volunteer "gardener" initiative launched for Happy Mount Park
- Dome, Platform and Key Cultural Partners (Dukes, Litfest, Storey, More Music and LUDUS) all record successful spring/summer programmes, whilst the Festivals & Events section enjoy a successful Festival and Events Programme – including "We do like to be beside the Seaside" festival , as well as assisted events such as the Sandcastle Festival and the Kite Festival.

Quarter 3:-

- Lancaster identified as the only district in Lancashire to record "significant" increase in sports and physical activity participation – Sport England "Active People 2" survey
 - Adult participation in sport – increased by 6.2%
 - Club Membership – increased by 5.1%
 - Organised Competition – increased by 5.2%
- Council adopt the free swimming for the over 60's from April 2009 at Salt Ayre Sports Centre and the 3 Community Pools

Children and Young People

This is the first year of working to the Children and Young People Strategic Plan that was approved by Cabinet in January 2008. The Action Plan for 2008/09 focuses on developing priorities specified in the Strategic Plan, described and monitored by working to the following 5 aims:

1. To Ensure that Lancaster City Council Fulfils its Duty to Co-Operate Under The Children Act 2004

The Children and Young People Manager has participated in district, county and regional groups in order to be able to advise and inform services and members of new developments and requirement; ensuring that local perspectives are included in county work and that improvements are made in council run/funded provision.

- **Every Child Matters (ECM) Leads Group** – representatives from the 12 District/Borough Councils in Lancashire meet to ensure that tier 2 councils are working coherently within the new Children's Trusts, are all aware of new developments/legislation, have the opportunity of offering support by sharing information and best practice examples.
- **Involving Children and Young People Steering Group** – a relatively new countywide group set up to embed the Lancashire Children and Young People's Charter in all organisations across the county. (More information regarding this later in Youth Engagement section) The Children and Young People Manager represents the council and also the other district councils on this group.
- The C&YP Manager sits in the **Lancaster District Children's Trust** and was involved in organising the launch of the Trust in January 2009 and led a task and finish group on assessing the levels of engagement/participation across the district. The council is the lead organisation for priority '*To increase the number of cultural and leisure opportunities for children and young people in order to increase their participation in positive activities*'

The **Children and Young People Officer Group** is a cross service group that has been made up from the 'old' ECM officer group and safeguarding group in the council. It was decided that it was more effective to have one group rather than duplicating some issues and having more than one representative from services. It has been further agreed that there will be an 'executive group' made up of service representatives who have the most contact or involvement with children and young people.

All services have a Children and Young People officer who has the responsibility of cascading information to their services and bringing issues back to the group and/or the Children and Young People team.

Work is continuing to ensure that services acknowledge the work they do with children and young people in their service business plans.

In order to monitor and bench mark the amount of work and the variety of work that different services do it is hoped to introduce a basic 'monitoring form'. This will provide the council with consistency and a comprehensive set of data.

In addition to the information to services through the officer group there has been an article in News 'n' Views in October 2008 about the work done on the Local Democracy Campaign, an article in First Brief and information sessions delivered to the Consultation Champions group and Council Housing staff and a training session for members.

The Children and Young People page on the intranet has been reviewed and renewed with links to minutes and external websites included. The page on the council's website has also been revamped to include more information. This is regularly up-dated.

2. To Ensure the Council Fulfils its Duty in Safeguarding and Contributing to the Wellbeing of Children and Young People

Safeguarding children and young people continues to be a priority for the council. Child protection training sessions have been offered, but there has been a low uptake to the corporate training. A reminder will go to services for this EDPA round.

The summer play-schemes had information packs and leaflets at each venue (funded by C&YP budget) alongside internal training for the play leaders

The council's current Child Protection Policy was used as an example of good practice through a presentation made to the ECM Leads group by the Children and Young People Manager. It was subsequently used to form the basis of Hyndburn's policy.

Under current legislation 'safeguarding' includes more than 'child protection'. It has a wider remit in ensuring the safety and wellbeing of children and young people, and using preventative measures as well as interventions. Nationally there is a new framework that all organisations need to sign up to – **Common Assessment Framework (CAF)**. The council was the first district council in county to sign up to the CAF.

The CAF uses Lancashire Continuum of Need to indicate the level of support a child and/or family will require. Using the CAF referral system has replaced the system that staff have been using for a long time. Therefore training sessions have been organised by the Children and Young People Team for all relevant services delivered by the locality CAF Support Officer

A new **Safeguarding Children Policy and Guidance** document has been drafted and sent to all council services and external colleagues for consultation. This new policy will safeguard staff as well as children and young people by giving clear guidance on behaviour and code of conduct, training and recruitment and selection guidance. Children and young people will benefit from the addition of an anti-bullying and positive behaviour guidance.

The council has not had consistency in processes or procedures for young people who are short work experience placements. This new policy provides clear guidance on how to organise and operate a safe experience for young people.

The new child protection and CAF processes are clearly laid out for staff to follow. The processes have changed considerably since the previous Child Protection Policy was written, so it was important that this new policy reflected the most up to date systems.

3. To Develop Local Democracy Activities

The Children and Young People Manager has taken the responsibility for co-ordinating the Local Democracy activities that take place during October. A group of officers from services who deliver the activities met to discuss and plan activities for 2008. Evaluation forms for participants are now used for each event with the results collated and used to inform improvements to the activities.

It was agreed that in future years the council would provide activities throughout the year rather than just during the National Democracy Week, having a **Local Democracy Campaign**. A 'menu' of activities and opportunities will be devised and go to Business Committee.

New banners for displays have been bought, giving a corporate feel to all Local Democracy publicity and information.

The 'Mock Council' event at Morecambe Town Hall was enjoyed by 28 year 7 pupils from Morecambe High School and 28 pupils from Heysham High School. This is the first year that secondary age pupils have participated.

There were two days of activities based on 'environment' and the roles of council services attended by year 6 pupils from four primary schools in the district – 29 from

Moorside Primary, 42 from Bolton-le-Sands Primary, 16 from St Bernadette's Catholic primary and 7 from Stepping Stones School.

New this year was a 'Working for the Council' session where 11 year 10 pupils from Skerton High School learnt about application forms, interview techniques and the variety of opportunities in the council.

4. To Develop a Youth Engagement Strategy (YES)

Children and young people's involvement in the planning, design and delivery of services is not only expected but essential in ensuring that services meet their needs and expectations and those of their families

Currently we do not have any guidelines, protocols or cohesion in how or if we involve children and young people in any of our services. There are a number of factors that need consideration when deciding what is needed, hence a comprehensive 'Youth Engagement Strategy' will provide clarity in the who, why, what and how of involving children and young people.

As a council we need to have a consistency and quality in our approaches to involving children and young people meaningfully. This is not to say that everyone/every service has to do everything the same way, quite the opposite. By developing a shared understanding of what 'engagement', 'involvement', 'participation' means we can then move onto developing a menu of opportunities for children and young people's involvement.

Special Council in October 2008 provided the platform for starting the process of developing such a strategy.

There were 37 young people from 12 secondary schools, colleges and organisations participating in the day which was based on 'localising' the '**Lancashire Children and Young People's Charter**' a document written by young people describing how services should engage with children and young people to make it possible for them to have meaningful participation.

The aim of the day was '*To provide a forum for dialogue between elected members and young people from across the district. It is envisaged that this will be the beginning of regular exchanges of views and ideas.*'

The evaluations of young people, facilitators and members will provide the framework for the YES. This will be going to consultation in April 2009.

A DVD of the day's events will be available for organisations, schools, participants, services and members before the end of March 2009.

5. To Improve Access and Take up of Positive Activities, Including Sports, Cultural and Leisure Activities

Please see information from Cultural Services.

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COUNCIL

Corporate Plan 2009/10

18th May 2009

Report of Council Business Committee

PURPOSE OF REPORT

To seek Council's formal approval of the 2009/10 Corporate Plan.

This report is public

RECOMMENDATIONS

- (1) That Council approves the 2009/10 Corporate Plan attached as Appendix A amended as appropriate.
- (2) That Council agrees to delegate the consideration of any further amendments to the Corporate Plan to Council Business Committee prior to referral to full Council for formal approval.
- (3) That Council agrees that, as part of the annual Corporate Plan approval process, Cabinet be required to meet shortly after the Annual Business Council meeting to consider the Corporate Plan with a view to agreeing Cabinet portfolios that are clear, focused and transparent in delivering the Council's corporate priorities and objectives.

1.0 Introduction

1.1 On 4th February 2009 Council received and noted the progress that was being made in developing the 2009/10 Corporate Plan and agreed (Minute 102 refers):-

- (1) That the current version of the Corporate Plan, attached at Appendix B to the report, be approved.
- (2) That 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.

1.2 In particular the outstanding sections were :-

- Foreword - to be prepared and signed off by the Leader and Chief Executive
- Vision , Role, Values...
- Key Targets for each Objective
- Key Actions and related projects for each objective
- Corporate Health Indicators

2.0 Proposal Details

2.1 At its meetings on 12th March and 23rd April 2009 therefore, Council Business Committee considered progress reports on developing the outstanding sections of the Council's 2009/10 Corporate Plan.

2.2 On 23rd April 2009, the Committee considered the latest draft of the Corporate Plan, attached as **Appendix A**, and noted that there were still some outstanding KPIs. The Committee resolved:

- (1) That the draft Corporate Plan for 2009/10 as amended be referred to Council for approval.
- (2) That any further minor textual changes and inclusion of outstanding KPIs be delegated to the Corporate Director (Finance and Performance) in conjunction with the Chairman of Council Business Committee and that any amendments be identified and highlighted.
- (3) That as part of the annual Corporate Plan approval process, Cabinet be required to meet shortly after the Annual Business Council meeting to consider the Corporate Plan with a view to agreeing Cabinet portfolios that are clear, focused and transparent in delivering the Council's corporate priorities and objectives.
- (4) That Council delegate the consideration of any further amendments to the Corporate Plan to Council Business Committee prior to referral to full Council for formal approval.

2.3 The Council Business Committee's recommendations reflect the fact that the current version of the Plan is still incomplete. The recommendations allowed for further work to be undertaken in the period following the Council Business Committee meeting and this council meeting. Any changes resulting from this to the Corporate Plan that was considered by the committee are tracked in the attached updated version but it should be noted that there are still sections to complete. This is due to a range of issues outside the control of the Council, in particular :-

- the need to include all National Performance Indicators applicable to district councils, some of which are still under development
- the need to include local targets that contribute to the Lancashire Local Area Agreement, which is currently being updated.
- the need to include targets that contribute to delivering the Local Strategic Partnership's Thematic Group action plans, some of which are still incomplete
- the need to reflect that the Corporate Plan is a 3 year plan and some actions may not be implemented in year 1 and so not be fully developed

As a consequence, the Committee request Council to approve the current version of the Corporate Plan but note that further changes will be made during the year. The Committee further recommend that initial consideration of any changes should be referred to the Council's Business Committee in the first instance prior to referral to full council for approval.

3.0 Details of Consultation

3.1 There has been extensive consultation throughout the district during the preparation of the Sustainable Community Strategy and a further limited consultation on the priorities and objectives set out in the draft Corporate Plan.

4.0 Options and Options Analysis (including risk assessment)

4.1 The Council is required to approve its Corporate Plan each year as part of its Budget and Policy Framework. The Corporate Plan needs to take account of the district wide priorities and objectives that are included in its Sustainable Community Strategy and the latest version of the Plan reflects this. The agreed timetable requires this Council meeting to formally approve the Corporate Plan for 2009/10.

4.2 **Option 1** is to approve the draft Corporate Plan attached as **Appendix A** plus any additional recommendations developed in accordance with the Council Business Committee's minute set out above in paragraph 2.2

4.3 **Option 2** is to approve an amended version.

4.4 The preferred option is **Option 1**. This version is consistent with the outcomes from the consultation exercises undertaken by the Council and also the budget approved by Council at its meeting on 4th March 2009. It also includes the recommendations from the Council's Business Committee who have considered the objectives and targets in detail.

5.0 Conclusion

5.1 Council is requested to approve the 2009/10 Corporate Plan as presented to meet its statutory obligations under the Budget and Policy Framework requirements. It presents a range of priorities that reflect public consultation and the allocation of resources to deliver them.

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

The Corporate Plan is a key document within the Council's Policy Framework and sets out the key service delivery priorities and outcomes for the forthcoming 3 years.

FINANCIAL IMPLICATIONS

The Corporate Plan brings together all the Council's key priorities and objectives and its content drives the allocation of the resources that are included in the Revenue Budget and Capital Programme together with Service Business Plans over the next 3 years. As such the current and future years budgets should be built around the Corporate Plan and any changes would need to be built in as part of the revised and future year's budget processes. There is, however, still the need to address some budget allocations for the current year, as services develop their business plans in line with the Corporate Plan.

SECTION 151 OFFICER'S COMMENTS

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

LEGAL IMPLICATIONS

Legal Services have been consulted and no legal implications have been identified.

MONITORING OFFICER'S COMMENTS

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

BACKGROUND PAPERS

Agenda and minutes of Council 4th February 09.
Agenda and Minutes of Council Business
Committee 12th March and 23rd April 2009.

Contact Officer: Debbie Chambers

Telephone: 01524 582057

E-mail: dchambers@lancaster.gov.uk

Ref:

COUNCIL**Allocation of Seats to Political Groups
18th May 2009****Report of Chief Executive****PURPOSE OF REPORT**

To enable Council to confirm or amend the calculations relating to the allocation of seats in accordance with the Local Government and Housing Act 1989 and the Council's agreed protocol.

This report is public

RECOMMENDATIONS

- (1) That consideration be given to the future size of the Licensing Regulatory Committee as set out in paragraph 2 of the report.
- (2) That in undertaking the PR calculations on the Council's Cabinet and Committees the Council's agreed protocol be confirmed or amended, utilising the following groupings, or calculating each separately as set out in paragraph 3.7 of the report:
 - Cabinet (if PR agreed) (1 x 10)
 - Overview and Scrutiny (2 x 9)
 - Regulatory and timetabled Committees of Council (1 x 20 (Planning), 1 x 15 (Licensing Act)(subject to decision in (1) above) and 3 x 7 (Personnel, Audit and Licensing Regulatory)
 - Remaining Standing and Joint Committees to be calculated separately and individually.
- (3) That it be noted that the PR calculations undertaken on the basis of the agreed protocol result in the allocations set out in Appendix A.
- (4) That in accordance with Section 15 of the Local Government and Housing Act, 1989, the City Council allocates the seats on Overview & Scrutiny, Regulatory, Standing and Joint Committees in accordance with the calculations set out in Appendix B or alternatives set out in Appendix C subject to the decision in (1) and/or (2) above.
- (5) That Council notes that the allocation of seats referred to in (3) and (4) above is subject to review from time to time in accordance with Section 15 of the Local Government and Housing Act, 1989 and Part 4 of the Local Government (Committees and Political Groups) Regulations, 1990.

1.0 Introduction

1.1 At the Annual Meeting of Council on 20th May 2008 the following protocol and grouping arrangements were confirmed for the calculation of proportional representation (PR) on the Council's Cabinet, Overview & Scrutiny and Committees:

- (i) the calculation be undertaken using 4 decimal places;
- (ii) the allocation of a final seat to a Group with the same residual be to the largest under-represented Group provided that this does not result in the largest over-representation; and
- (iii) In the event that the foregoing rules do not resolve the situation, either because of a tie, or because the allocation would result in the largest over-representation, the seat be allocated by drawing lots under the supervision of the Mayor.
- (iv) the calculation should be undertaken in relation to the following groupings:
 - Cabinet (if PR agreed) (1 x 10)
 - Overview and Scrutiny (2 x 9)
 - Regulatory and other timetabled Committees (1 x 20(Planning), 1 x 15 (Licensing Act) and 3 x 7(Personnel, Audit and Licensing Regulatory))
 - Remaining Standing and Joint Committees to be calculated separately and individually.

1.2 In accordance with the decision of Council Business Committee in September 2007 this has now been included in Part 6, Section 3 of the Constitution.

1.3 This method of calculation has been used to produce the PR calculations set out in Appendix A and the allocation of seats set out in Appendix B.

2.0 Licensing Regulatory Committee

2.1 A request has been received from the Chairman of Licensing Regulatory Committee that Council consider increasing the size of that Committee in order to ensure that the Committee remains quorate, taking into account in particular the need for Councillors to declare an interest in relation to any applicants known to them personally.

2.2 A survey of the past year's meetings has shown that attendance was 6 Members for 4 meetings and 7 for 4 meetings. Whilst there was only one declaration of interest requiring a Member to leave, there were 4 other occasions when Members were not present for the entire meeting. Only one of the 8 meetings was attended by 7 Members for the entire meeting and for one application only 5 were present.

2.3 The reverse view is that a large Committee can be intimidating for applicants who are required to appear before the Committee.

2.4 Council is requested to consider this request and determine the future size of the Licensing Regulatory Committee prior to agreeing the PR allocation and allocation of seats for 2009/10.

2.5 The options are:

2.5.1 Option 1 – to retain the present size of the Committee (7 members) in which case the groupings and PR calculations remain as currently in place as set out in Appendix B.

2.5.2 Option 2 – to increase the present size of the Committee – sample alternative seat allocations for the affected grouping are set out in Appendix C. If Members determine an alternative size for inclusion in the grouping arrangement the calculation required to allocate the seats will be undertaken at the meeting.

2.6 The Head of Legal and HR's preferred option would be to maintain the present size of the Committee. Much of the Committee's work involves hearing applications for taxi drivers' licences and applicants are often required to provide personal information relating to criminal convictions and domestic circumstances. Applicants are rarely represented, and it is an extremely daunting situation for them in any event, and the more so if they are faced with a large number of members, all of whom may ask questions. It was for this very reason that the size of the Committee was reduced from thirteen to seven in May 2005. It should be noted that, whilst the Council's Licensing Act Committee (which deals with premises licensed for the supply of alcohol and regulated entertainment) comprises fifteen members, any hearing of an individual application is, by law, required to be dealt with by a sub-committee of three members. This reflects the good practice of having a small tribunal or committee to deal with individual applications, thus ensuring that the decision making process is undertaken efficiently. The Council's rules relating to substitutes apply to the Licensing Regulatory Committee, and it is therefore possible for a member to arrange for a substitute to attend in the event of an interest becoming apparent when the agenda is published. It is rare for a member to attend a meeting and then find that an applicant is known to them, and in the last four years there have been no situations where a meeting has become inquorate.

3.0 Political Groups

3.1 Political Groups on the Council are formed in accordance with the Local Government (Committees and Political Groups) Regulations 1990 when 2 or more councillors notify the Chief Executive of their wish to be treated as a group.

3.2 Members will be aware that during 2009/10, a new group, the Free Independents, was formed and PR re-calculated accordingly.

3.3 Since the purpose of the groupings of Committees agreed in paragraph 1.1 (iv) was primarily to ensure that independent members on the Council have the opportunity to have a seat on a Committee of the Council which would otherwise be denied them, Council may wish to consider whether it wishes to continue with the grouping arrangement.

3.4 If the grouping arrangement is discontinued, seat allocation on individual Committees will be according to the size of the Committee as set out in Appendix A.

3.5 It should be noted that members of the Free Independent Group will be allocated seats only on Committees with numbers greater than 11 – currently the Planning and Highways Regulatory Committee and the Licensing Act Committee, and, subject to the decision on 2.4 above, possibly Licensing Regulatory Committee.

3.6 The Liberal Democrat Group, the next smallest group will be represented on any Committee with 5 or more members.

3.7 Options are:

3.7.1 Option 1 – to confirm the current grouping as set out in paragraph 1.1 (iv) and seat allocations in Appendix B (or alternatives in Appendix C should the size of the Licensing Regulatory Committee be amended.)

3.7.2 Option 2 – to calculate PR separately for each Committee and allocate seats in accordance with Appendix A.

4.0 Vacancy

4.1 It should be noted that due to the current vacancy in Castle Ward, the calculations presented to Council in this report have been undertaken in respect of a total of 59 Members. The effect of this is to require the following changes should the grouping of committees be retained in 3.7 above:

4.2 The allocation on the Overview and Scrutiny Grouping will change from 5:4:4:3:1:1 to 5:4:3:3:2:1, requiring the Green Group to pass one seat on Budget & Performance Panel to the Liberal Democrat Group.

4.3 The allocation on the Committee Grouping remains unchanged at 15:12:11:10:5:3.

4.4 The PR will be re-calculated on the basis of 60 Members following the election on 4th June 2009.

5.0 Conclusion

5.1 Members are requested to consider the options in paragraphs 2.5 and 3.7 and to confirm or amend the calculations, and to note the effects of the reduction to 59 Members on the allocation of seats as set out in paragraph 4 in order to enable appointments to be made to Cabinet (subject to approval as PR), Overview & Scrutiny and Committees of Council as set out in the remainder of the Agenda.

CONCLUSION OF IMPACT ASSESSMENT (including Diversity, Human Rights, Community Safety, Sustainability and Rural Proofing)

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

FINANCIAL IMPLICATIONS

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

SECTION 151 OFFICER'S COMMENTS

The S151 Officer has been consulted and has no further comments.

LEGAL IMPLICATIONS

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

MONITORING OFFICER'S COMMENTS

The Monitoring Officer's comments in her capacity as the Service Head responsible for Licensing are set out within the report, and she has no further comments to add.

BACKGROUND PAPERS

Proportional Representation calculation file.
Affiliation to Political Groups file.

Contact Officer: Gillian Noall
Telephone: 01524 582060
E-mail: gnoall@lancaster.gov.uk

P.R. LIST

		Ind	Labour	Green	Cons	Lib Dem	Free Ind
1	=	1	0	0	0	0	0
2	=	1	1	0	0	0	0
3	=	1	1	1#	0#	0	0
4	=	1	1	1	1	0	0
5	=	1	1	1	1	1	0
6	=	2	1	1	1	1	0
7	=	2	2	1	1	1	0
8	=	2	2	2#	1#	1	0
9	=	2	2	2	2	1	0
10	=	3	2	2	2	1	0
11	=	3	2	2	2	1	1
12	=	3	3	2	2	1	1
*13	=	4	3	2	2	1	1
*14	=	4	3	2#	3#	1	1
15	=	4	3	3	3	1	1
16	=	4	4	3	3	1	1
17	=	5	4	3	3	1	1
*18	=	5	4	3	3	2	1
19	=	5	4	4#	3#	2	1
20	=	5	4	4	4	2	1

*change in allocation since the last calculation was carried out

additional seat decided by drawing lots supervised by the Mayor

Independent	16
Labour	13
Green	11
Conservative	11
Liberal Democrats	5
Free Independents	3
TOTAL	59

APPENDIX B

ALLOCATION OF SEATS TO POLITICAL GROUPS

COMMITTEE	IND	LAB	GREEN	CONS	LIB DEM	FREE IND
Cabinet (10)	3	2	2	2	1	0
Overview & Scrutiny Grouping: 5:4:3:3:2:1						
Overview & Scrutiny (9)	2	2	2	2	1	0
Budget & Performance Panel (9)	3	2	1	1	1	1
Committee Grouping: 15:12:11#:10#:5:3 # decided by drawing lots						
Planning & Highways Regulatory Committee (20)	5	4	4	4	2	1
Licensing Act Committee (15)	4	2	3	4	1	1
Licensing Regulatory Committee (7)	2	2	1	1	1	0
Personnel Committee (7)	2	2	1	1	1	0
Audit Committee (7)	2	2	1	1	0	1
Stand Alone Committees						
Appeals Committee (7)	2	2	1	1	1	0
Appraisal Committee (7)	2	2	1	1	1	0
Standards Committee (7)	2	2	1	1	1	0
Council Business Committee (7)	2	2	1	1	1	0
Lancashire Local Joint Committee (10)	3	2	2	2	1	0

APPENDIX C

EFFECT ON GROUPING ARRANGEMENTS OF ALTERNATIVE SIZES FOR LICENSING REGULATORY COMMITTEE

PR on current Grouping is 15:12:11:10:5:3

Licensing Regulatory Committee of 9 members

Will increase the grouping to 58 = 0.9831 seats per member across the grouped committees

i.e. 16:13:11:10:5:3

2 extra seats on the Licensing Regulatory Committee will go to Independent and Labour

Licensing Regulatory Committee of 10 members

Will increase the grouping to 59 = 1 seat per member across the grouped committees

i.e. 16:13:11:11:5:3

3 extra seats on the Licensing Regulatory Committee will go to Independent, Labour and Conservative

Licensing Regulatory Committee of 12 members

Will increase the grouping to 61 = 1.0338 seats per member across the grouped committees

i.e. 17:14:11:11:5:3

5 extra seats on the Licensing Regulatory Committee will go to Independent (2), Labour (2) and Conservative (1)

Licensing Regulatory Committee of 15 members

Will increase the grouping to 64 = 1.0847 seats per member across the grouped committees

i.e. 17:14:12:12:6:3

8 extra seats on the Licensing Regulatory Committee will go to Independent (2), Labour (2), Green (1), Conservative (2) and Liberal Democrat (1).

The relevant line in the table in Appendix B should be amended as follows:

COMMITTEE	IND	LAB	GREEN	CONS	LIB DEM	FREE IND
Licensing Regulatory Committee (7)	2	2	1	1	1	0
Licensing Regulatory Committee (9)	3	3	1	1	1	0
Licensing Regulatory Committee (10)	3	3	2	1	1	0
Licensing Regulatory Committee (12)	4	4	2	1	1	0
Licensing Regulatory Committee (15)	4	4	3	2	2	0

Council**Appointments to Outside Bodies,
Partnerships and Boards
18th May 2009****Report of Chief Executive****PURPOSE OF REPORT**

To consider those Outside Bodies, Partnerships and Boards on which appointments are required, in particular to consider any new appointments as a result of the change made to the Council's protocol for making such appointments.

This report is public.

RECOMMENDATIONS

- (1) That Council confirms the basis on which appointments to outside bodies are made by virtue of a Councillor's position as set out in Appendix A.
- (2) That Council confirms the appointments made on the basis of PR until May 2011 as set out in Appendix B, with only new appointments being made in accordance with the revised policy until that time.
- (3) That Council confirms the appointments made in line with the revised policy as set out in Appendix C.
- (4) That Council considers the options set out in paragraph (4) and makes an appointment to the North Lancashire Local Action Group Executive Group
- (5) That Council notes the discontinuation of the following appointments:
 - Carnforth Area Regeneration Partnership
 - Governing Body – Lancaster Adult College
 - Governing Body – Lancaster & Morecambe College Corporation
 - Groundwork Trust
 - Poulton Neighbourhood Management Committee
 - Lancaster Regeneration Partnership

1.0 Introduction

- 1.1 In October 2003 it was agreed that Council would determine the basis on which all appointments to outside bodies and partnerships are made. Unless otherwise requested by the outside body concerned, appointments are made to the date of the next City Council elections, subject to confirmation at each Annual Council meeting.
- 1.2 In May 2008, the list of appointments approved in May 2007 was confirmed and a small number of new appointments and deletions have since been approved.

- 1.3 Members will recall that these appointments were made on the basis of a protocol which determined that a number of appointments be made by virtue of a Councillor's position (such as Cabinet Member or Ward Councillor) and the remaining appointments be made on the basis of PR calculated individually on each body.
- 1.4 In November 2008, however Council agreed to amend this protocol so that appointments continue to be made by virtue of a Councillor's position where appropriate but the remaining appointments be subject to nomination with Council voting on all appointments. Council Minute 67 refers as follows:

'That for future appointments to outside bodies, Council determine whether the appointment should be made by virtue of a Councillor's position (such as Cabinet Member or Ward Councillor) and for the remaining appointments nominations be invited from any Councillor without restriction, to be voted upon by full Council.'

2.0 Proposals

2.1 Appointments by virtue of position

- 2.1.1 Set out at Appendix A are those appointments which are currently made by virtue of a Councillor's position, either as Ward Councillor, Cabinet Member or other Committee Member.
- 2.1.2 Council is requested to confirm or amend this list.
- 2.1.3 Where necessary, Cabinet or other Committee representatives will be referred to the appropriate member body for appointment. Ward Councillor appointments are made automatically, except where a lesser number of representatives is required than there are seats. In this instance these appointments have been included in Appendix B as appointments currently made on the basis of PR.

2.2 Appointments on the basis of PR

- 2.2.1 Set out at Appendix B are those appointments currently made on the basis of PR.
- 2.2.2 Council is requested to consider whether these appointments as made in May 2007 (or subsequently prior to November 2008) should continue to the end of the 4 year term or whether new nominations should be sought at this stage.

2.3 Appointments made by nomination

- 2.3.1 Set out at Appendix C are those appointments made by Council since November 2008.
- 2.3.2 Council is requested to confirm these appointments.

3.0 Options and Options Analysis (including risk assessment)

3.1 Appointments by virtue of position

- 3.1.1 Option 1 – to confirm the list of appointments which are currently made by virtue of a Councillor's position, either as Ward Councillor, Cabinet Member or other Committee Member as set out in Appendix A.
- 3.1.2 Option 2 – to make amendments to the list in Appendix A as required.

3.2 Appointments on the basis of PR

3.2.1 Option 1 – to confirm the appointments set out at Appendix B made on the basis of PR until May 2011.

3.2.2 Option 2 – to review the appointments set out at Appendix B in line with the Council's revised policy on making such appointments and invite nominations for each appointment.

3.2.3 Should Council wish to pursue option 2, each individual nomination will be voted on at the meeting. Alternatively Council may wish to consider delegating the individual appointments to the Council Business Committee and/or inviting nominations outside the meeting and delegating to the Head of Democratic Services any appointments where there is a single nomination in order to avoid a lengthy voting process at every Annual Council Meeting.

3.3 Appointments made by nomination

3.3.1 Option 1 – to confirm the appointments set out in Appendix C made by Council since November 2008 in accordance with the revised policy to May 2011.

3.3.2 Option 2 – to request new nominations for each appointment on an annual basis.

4.0 New Appointments

4.1 At a recent meeting of the North Lancashire Local Action Group of the Lancashire Economic Partnership it was agreed to form an Executive Group to act as the decision-making body for all projects, initiate project development ideas and report to the Local Action Group on progress of the Rural Development Programme for England and individual projects.

4.2 Lancaster City Council has been invited to nominate an Elected Member and a designated deputy to join the North Lancaster Executive Group . It is expected to meet on a quarterly basis.

4.3 Under the new protocol, the options available to the Council are:

4.3.1 Option 1 – to agree that the appointment should be made on the basis of a Councillor's role, eg. as Cabinet Member. In this case the appointment will be referred to the appropriate body.

4.3.2 Option 2 – to invite nominations on which this meeting will vote.

4.3.3 Option 3 – to decline the invitation.

4.4 The Council is currently represented on the Lancashire Economic Partnership by the relevant Cabinet Member.

5.0 Discontinued Appointments

5.1 Members should note that the following organisations have either ceased to exist or have advised that they no longer require Council representation since the last report to Council:

- Carnforth Area Regeneration Partnership (final meeting December 2008)

- Governing Body – Lancaster Adult College (notified Council appointment no longer required)
- Governing Body – Lancaster & Morecambe College Corporation (notified Council appointment no longer required)
- Groundwork Trust (Council ceased funding March 2009)
- Poulton Neighbourhood Management Committee (ceased March 2009)
- Lancaster Regeneration Partnership (final meeting April 2009)

6.0 Conclusion

- 6.1 Annual Council has previously agreed the basis of all appointments to Outside Bodies, Partnerships and Boards using a combination of proportional representation and in line with a Member's role such as Ward Councillor, Cabinet Member, etc.
- 6.2 These appointments are made following the City Council elections for a 4 year period subject to confirmation at each Annual Council Meeting.
- 6.3 This policy has now been amended to invite nominations from any Member to be appointed to an outside body where there is no obvious correlation with a Member's role on Council.
- 6.4 In carrying out the annual confirmation of these appointments Council is requested to consider whether it wishes to make any changes to meet the requirements of the revised policy in advance of the expiry of the 4 year term previously agreed.

CONCLUSION OF IMPACT ASSESSMENT (including Diversity, Human Rights, Community Safety, Sustainability and Rural Proofing)

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

FINANCIAL IMPLICATIONS

Members of Outside Bodies are entitled to travel expenses. Costs resulting from these appointments are met from democratic representation budgets (£7,200 in 2009/10) and changes to the method of appointment will not affect costs.

SECTION 151 OFFICER'S COMMENTS

The S151 Officer has been consulted and has no comments to add.

LEGAL IMPLICATIONS

Rules on political balance are set out in the Local Government (Committees & Political Groups) Regulations 1990 and S15 of the Local Government & Housing Act 1989. The duty on Local Authorities to apply these rules is set out in Schedule 1 of the Local Government & Housing Act 1989 and there is no requirement for PR to be applied in the case of appointments to outside bodies. A small number of decision making Partnerships and Boards on which the Council membership is a majority are however covered by the PR regulations and these are highlighted in the report.

MONITORING OFFICER'S COMMENTS

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

BACKGROUND PAPERS

None

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**SCHEDULE OF APPOINTMENTS TO OUTSIDE BODIES,
PARTNERSHIPS AND BOARDS****APPOINTMENTS MADE BY VIRTUE OF ROLE/POSITION****1. APPOINTMENTS MADE BY CABINET (one appointment unless otherwise stated)**

Arnsdale and Silverdale AONB Unit (Forum, Countryside Management Service and Limestone & Heritage Project)

British Resorts Association

Children's Trust Partnership Lancaster District

Cycling Demonstration Town (2)

Forest of Bowland AONB Advisory Committee

Historic Towns Forum (formerly English Historic Towns forum)

Lancashire Economic Partnership

Lancashire Leaders Meeting (Leader)

Lancashire Police Authority – Partnerships Forum

Lancashire Rural Affairs

Lancashire Rural Partnership

Lancaster and District YMCA Management Board

Lancaster Canal Restoration Partnership (formerly Northern Reaches SG)

Lancaster District Community Safety Strategy Group (2 + member of O/S)

Lancaster District Community Safety Strategy Partnership – Executive Member

Lancaster & District Sustainability Partnership (+ O/S Member)

Lancaster & District Vision Board (+ O/S Member)

Lancaster University Public Arts Strategy Group

LGA Coastal Issues Special Interest Group

LGA Executive (Leader)

LGA Rural Commission (+ one Member appointed by Group on rotation)

LGA Tourism Forum

LSP Children and Young People Thematic Group (Cabinet Member appointed to Children's Trust Partnership plus Cabinet reserve)

LSP Economy Thematic Group (Cabinet Member plus Cabinet reserve)

LSP Education Skills and Opportunities Thematic Group (Cabinet Member plus Cabinet reserve)

LSP Environment Thematic Group (Cabinet Member plus Cabinet reserve)

LSP Health and Wellbeing Thematic Group (Cabinet Member plus Cabinet reserve)

LSP Management Group (Cabinet Member plus Cabinet reserve)

LSP Partnership Board (Cabinet Member plus Cabinet reserve)

LSP Safety Thematic Group (Cabinet Member appointed as Executive Member to Community Safety Partnership plus Cabinet reserve)

LSP Valuing People Thematic Group (Cabinet Member plus Cabinet reserve)

Morecambe Bay Partnership

Morecambe Bay Tobacco Control Alliance

Museums Advisory Panel (+ member of O/S)

North and West Lancashire Priority 1 Action Plan Partnership Board

North West Rural Affairs Forum

Regional Leaders' Forum (formerly North West Regional Assembly) (Leader)

Storey Centre for Creative Industries

Waste Management Strategy Steering Group

Winning Back the West End Steering Group

2. APPOINTMENTS MADE BY OVERVIEW & SCRUTINY (one appointment unless otherwise stated)

Homelessness Forum
 Lancaster & District Vision Board (+ Cabinet Member)
 Lancaster and Morecambe Fairtrade District Steering Group
 Lancaster District Sustainability Partnership (+Cabinet Member)
 Museums Advisory Panel (+Cabinet Member)

3. APPOINTMENTS MADE BY OTHER BODIES

Organisation	Basis of appointment
Crook O'Lune Advisory Committee	1 representative of the Planning Committee (and 1 representative of each of the Halton and Lower Lune Valley Wards – see Appendix C)
LGA Rural Commission	One Member on rotation (Independent Group appointed for 2008/09, Labour Group to appoint for 2009/10) (+ 1 Cabinet Member)
North West Local Authority Employers' Organisation	Chair of Personnel Committee (Vice Chair of Personnel Committee as substitute)

4. APPOINTMENTS HELD BY WARD COUNCILLORS

Organisation	Ward (All Ward Councillors)
Alfa Aesar (formerly Avocado Chemicals Liaison Group)	Heysham South and Overton
Friendship Centre Management Committee	Dukes
Marsh Community Centre Management Committee	Castle
West End Partnership Management Committee (<i>subject to decision by Cabinet in June on future participation by the Council</i>)	Heysham North and Harbour

APPENDIX B**SCHEDULE OF APPOINTMENTS TO OUTSIDE BODIES,
PARTNERSHIPS AND BOARDS****APPOINTMENTS MADE ON PR**

(The number in brackets denotes the number of representatives on each organisation).

50 Forward Link Age Board (1)
 Adult Social Care and Health Overview and Scrutiny Committee (1)
 Board of Trustees of Skerton Charities (4)
 Board of Trustees of the Lancaster Charity (6)
 Budgie Bikes of Lancaster Steering Committee (1)
 Carnforth Station and Railway Trust Company Limited (1)
 Citizens Advice Bureau, Lancaster (3)
 Citizens Advice Bureau, Morecambe and Heysham (3)
 Court of the University of Central Lancashire (1)
 Court of the University of Lancaster (5)
 District Youth and Community Service Advisory Committee (2)
 Dukes Playhouse Board of Directors (4)
 Folly Board of Trustees (1)
 George Fox School Educational Charity (1)
 Heysham Nuclear Power Station Local Community Liaison Council (9)
 Heysham Youth and Community Centre Management Committee (1)
 Lancashire Valuation Tribunal (4)
 Lancaster and District Multi-Agency Forum on Domestic Violence (1)
 Lancaster and Skipton Rail User Group (1)
 Lancaster District CVS (1)
 Lancaster Police and Community Forum (5)
 Lancaster Ripley Church of England Education Trust (2)
 Lancaster University Council (1)
 Leeds-Morecambe and Settle-Carlisle Railway Development (1)
 LGA Urban Commission (2)
 Lune Park Children's Centre (1)
 Lune Valley Transport Enterprise (2)
 North West Home Safety Council (2)
 Older People's Partnership Board (2)
 Preston and Western Lancashire Racial Equality Council (1)
 Rainbow Centre (formerly Age Concern, Morecambe and Heysham) (2)
 Relate Lancashire – Lancaster District (1)
 Reserve Forces and Cadets Association for the N. West of England and the Isle of Man (1)
 West Coast Rail 250 (1)
 Williamson Park Limited Board of Directors (5)

APPOINTMENTS FROM SPECIFIED WARDS ON PR

Heysham Mossgate (Community Facilities) Company Limited	1 representative from the Heysham South Ward
Crook O'Lune Advisory Committee	1 representative of each of the Halton and Lower Lune Valley Wards (+ 1 from Planning Committee)

**SCHEDULE OF APPOINTMENTS TO OUTSIDE BODIES,
PARTNERSHIPS AND BOARDS****APPOINTMENTS MADE BY NOMINATION TO COUNCIL – (one appointment unless
otherwise stated)**

Organisation	Appointed Member
Barton Road Youth and Community Centre (nominations form relevant Wards only)	Councillor John Gilbert
Lancaster International Twinning Society	Councillor Sheila Denwood
North Lancashire Health and Wellbeing Group	Councillor Tina Clifford