

CABINET

10.00 A.M.

8TH JULY 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.

Also in attendance:-

Councillor Tina Clifford (for minute 20)

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)
Sarah Taylor	Head of Legal and Human Resources and Monitoring Officer
Debbie Chambers	Principal Democratic Support Officer
Elizabeth Bateson	Senior Democratic Support Officer (part)
Sharon Marsh	Democratic Services (part)

15 MINUTES

The Minutes of the meeting held on 3rd June 2008 were approved as a correct record.

16 ITEMS OF URGENT BUSINESS AUTHORISED BY THE LEADER

The Chairman advised that there was one item of Urgent Business regarding the Call-in by the Overview and Scrutiny Committee of the item previously considered by Cabinet regarding Community Cohesion (Minute 19 refers).

17 DECLARATIONS OF INTEREST

Councillors Susie Charles and John Gilbert declared a personal and prejudicial interest with regard to that part of the report on the Homelessness Strategy that referred to the Citizens Advice Bureau (CAB) as members of the CAB (Minute 25 refers).

18 PUBLIC SPEAKING

Members were advised that there had been two requests 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 Science Park and Land at Scotforth Road (Minutes 21 and 29 refer).

19 ITEM OF URGENT BUSINESS - COMMUNITY COHESION CALL-IN - OVERVIEW AND SCRUTINY

(Cabinet Members with Special Responsibility Councillors John Gilbert and Roger Mace)

In accordance with Section 100B (4) of the Local Government Act 1972, the Chairman agreed to consider the report as urgent business as there was a need for a decision prior to the next meeting of Cabinet.

The Head of Democratic Services submitted a report requesting Cabinet to consider the referral from the Overview and Scrutiny Committee as a result of the Call-in of Cabinet's decision with regard to Community Cohesion (Minute 12).

The options were set out in the report as follows:

1. Reaffirm the decision of Cabinet on 3rd June 2008. (The original report to Cabinet on Community Cohesion with appendices and relevant minute was attached to the report.)
2. Accept the recommendations either wholly or in part made by the Overview and Scrutiny Committee at the Call-in on 25th June 2008, and make resolutions in line with those recommendations.
3. Decide to spend the Area Based Grant (ABG) in some other way or defer consideration to a later meeting.

The report contained Officer comments regarding the recommendations of the Overview and Scrutiny Committee.

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

"That recommendation 1, as set out in the report, be approved; that the items in recommendation 2 be noted and that Cabinet reconsiders the way the ABG be spent in November 2008, by which time the Local Strategic Partnership (LSP) should have options ready for consideration."

Members then voted as follows.

Resolved Unanimously:

- (1) That Cabinet does not appoint a Community Cohesion officer at the present time.
- (2) That recommendation 2 of the Overview and Scrutiny Committee:

"That Cabinet considers alternative ways of achieving the aims of the Corporate Plan on cohesive communities, including working with the universities. Overview and Scrutiny draws the attention of Cabinet to priority outcome 16 and highlights that:

- The Community Cohesion Strategy could be achieved through working with the LSP and voluntary sector. A future programme of spending on Community Cohesion should be based upon this strategy.

- Area Based Grant (ABG) money could be used to implement the Children and Young People Strategic Plan.
- Area Based Grant money could be used to achieve the aim of a civic programme that celebrates our heritage and benefits our communities.”

be noted.

- (3) That Cabinet reconsiders the way the ABG be spent in November 2008, by which time the Local Strategic Partnership (LSP) should have options ready for consideration.

Officers responsible for effecting the decision:

Chief Executive.
Head of Democratic Services.

Reason for making the decision:

The decision was made in line with recommendation 1 of the Overview and Scrutiny Committee and in recognition of the need to consider how ABG for community cohesion will be allocated. The ABG can be spent according to City Council priorities and each of the issues identified in recommendation 2 are included in this years Corporate Plan Priority Outcome 16 “work to maintain a cohesive community where respect for all is valued and celebrated”.

20 CANALS TASK GROUP FINAL REPORT

(Cabinet Member with Special Responsibility Councillor Susie Charles)

(Councillor Tina Clifford, in her capacity as Chairman of the Canals Task Group, was allowed to speak upon the item in accordance with Cabinet Procedure Rule 2.6)

Cabinet considered a report of the findings of the Canals Task Group, seeking the agreement of Cabinet to the recommendations set out in the report.

The report made it clear that, if Cabinet approved the recommendations, each one would be scoped and developed further with all relevant services consulted as to what could realistically be achieved with the resources available. A number of recommendations would require further reports on options for implementation and the identification of potential funding.

Cabinet considered the Officer comments on the Task Group recommendations, which were set out in a covering report. With regard to recommendation 1a, asking Council to adopt a definition of a community asset, it was noted that the Authority already had a definition in use, which the Task Group had not been aware of at the time of writing its report.

It was moved by Councillor Roger Mace and seconded by Councillor Abbott Bryning:-

- “(1) That, regarding recommendation 1a, the Council retains its existing definition of a community asset.

- (2) That all other recommendations set out in the report, as far as they are capable of being taken forward within the current budget, be approved, including using existing links with the British Resorts and Destinations Association (BRADA) to pursue recommendation 4.
- (3) That a report be brought to a future meeting identifying possible funding for other recommendations within the Canals Task Group report.”

Members then voted as follows:-

Resolved Unanimously:

- (1) That, regarding recommendation 1a, the Council retains its existing definition of a community asset.
- (2) That all other recommendations set out in the report, as far as they are capable of being taken forward within the current budget, be approved, including using existing links with the British Resorts and Destinations Association (BRADA) to pursue recommendation 4.
- (3) That a report be brought to a future meeting identifying possible funding for other recommendations within the Canals Task Group report.

Officers responsible for effecting the decision:

Corporate Director (Community Services)
Corporate Director (Finance and Performance).
Head of Democratic Services
Head of Cultural Services
Head of Economic Development and Tourism
Head of Planning Services
Head of City Council (Direct) Services

Reason for making the decision:

The decision was taken in line with the findings and recommendations of the Overview and Scrutiny Canals Task Group.

21 LANCASTER SCIENCE PARK

(Cabinet Member with Special Responsibility Councillor Abbott Bryning)

(Mr T 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 Head of Economic Development & Tourism submitted a report that advised of progress with project development work for Lancaster Science Park and requested confirmation that the Council should lead the next stages of project development, including the submission of outline planning application and recruitment of a development partner.

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

Options and Options Analysis (including risk assessment)

Option	Advantages	Disadvantages	Risk assessment
1: Do nothing – do not proceed with the project		The opportunity to secure a regionally significant strategic employment site will be lost. Adverse impact on the Council's relationship with NWDA and Lancaster University	The Council would be in default of its funding agreement with NWDA and its contract with the current landowner, and may face action for breach of contract with the latter. (These are primarily reputational issues rather than significant financial ones)
2: Proceed with the project as outlined in this report, seeking to transfer risk associated with the Innovation Centre to a development partner	Secures a major strategic project for the District, leading to the anticipated release of £10+ million NWDA funding	A private sector operator may take a more commercial approach towards operation of the Innovation Centre and this may reduce the level of advice and support given to tenant businesses compared with a non profit operation	Achieves the strategic benefits from the project whilst minimising ongoing operational costs and risks for the Council Possibility that the private sector may not respond
3: Develop the Innovation Centre as a public sector project and manage it either directly or via the University	May provide the most supportive form of management for tenant businesses	NWDA would not support this approach unless option (2) has failed to attract developer interest	Leaves the Council with the risk of meeting any operational deficit in future years. Note this option would need to be the subject of a full appraisal before being considered in any detail.

The Officer preferred option was Option 2.

It was moved by Councillor Abbott Bryning and seconded by Councillor Shirley Burns:-

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

Members then voted as follows.

Resolved:

(6 Members (Councillors Blamire, Bryning, Burns, Charles, Gilbert and Mace voted in favour, 2 Members (Councillors Barry and Fletcher) voted against and 2 Members (Councillors Archer and Kerr) abstained):

- (1) That, subject to release of sufficient project development funding from the NWDA, the Corporate Director (Regeneration) be authorised to proceed with the next phases of project development, including the recruitment of a development partner on the basis outlined in the report, and commissioning of relevant specialist consultancy support.
- (2) That a further report be made back to Cabinet on the outcome of the developer recruitment and to agree the detailed terms and conditions of the development agreement.
- (3) That the Head of Financial Services be authorised to make the appropriate adjustments to the revenue and capital budgets.
- (4) That the Corporate Director (Regeneration) be authorised to make any amendments to the Memorandum of Understanding with Lancaster University if these are required to reflect the revised approach to the project, in consultation with the Head of Legal and HR and the Head of Financial Services.

Officers responsible for effecting the decision:

Corporate Director (Regeneration).
Head of Economic Development & Tourism.
Head of Financial Services.
Head of Legal and HR.

Reason for making the decision:

The decision secures a major strategic project for the District, leading to the anticipated release of £10+ million NWDA funding.

Lancaster Science Park is a key strategic project for the City Council, Lancaster University, Lancashire Sub Region and North West Regional Development Agency. Now that a way forward has been identified for the highways issues, the Council is the most appropriate organisation to take the lead in taking it forward.

It is very much in the Council's interest to secure the involvement of a private sector development partner at an early stage. If successful, this will allow the Council to minimise the operational risks associated with the ongoing operation of the project.

22 LANCASTER DISTRICT ECONOMIC VISION

(Cabinet Members with Special Responsibility Councillors Evelyn Archer and Abbott Bryning)

The Corporate Director (Regeneration) submitted a report providing an update on both the management arrangements and key projects within the Lancaster District Economic Vision. It provided background to the strategic context for the Vision and funding arrangements, including the potential for regeneration funds to be delegated to the Council. The report recommended the means by which the Council might manage the development of the Vision projects and also proposed the means by which the range of projects within the Vision might be reviewed and adapted over time.

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

Options	Approach	Advantages	Disadvantages	Risks
Option 1	Do nothing. Initiate no changes and continue to apply for NWDA funding on a project by project basis	<ul style="list-style-type: none"> North West Development Agency (NWDA) currently undertakes the full project appraisal for all projects, whilst the Council is able to concentrate on local appraisal issues and risk 	<ul style="list-style-type: none"> It is difficult to ensure that local priorities are fully recognised There is less opportunity to ensure that a strategic approach to the Vision is taken as each project is likely to be seen in isolation Performance in terms of high level outcomes and impact is very difficult to evaluate. Progress is slow due to additional stages in the decision making processes required. The level of bureaucracy is increased at all stages as there is the requirement to bring all decision making arrangements together at local and regional level. 	<ul style="list-style-type: none"> There are some risks to the Council as Accountable Body for individual projects. Risks include potential clawback of funds if projects fail to perform.

Option 2	Seek a delegation of funds from NWDA to support a programme of activity in the District	<ul style="list-style-type: none"> A far more strategic approach is possible that takes account of a whole programme of activity rather than individual projects. This includes the potential to forward plan against a longer timeline and capitalise on other funding opportunities that support strategic objectives There is an 	<ul style="list-style-type: none"> The Council would take on additional responsibilities for project appraisal and approval arrangements 	<ul style="list-style-type: none"> There are some risks to the Council as Accountable Body for a programme of activity. Risks include potential clawback if projects within the programme fail to
-----------------	---	---	---	--

		<p>opportunity to increase the level of local engagement with partnerships at district level.</p> <ul style="list-style-type: none"> • Performance monitoring and management would fit much better as part of a programme management approach allowing more easily for evaluation of outcomes and impacts across the district. • Management arrangements within the Council would be far less complex and a programme management approach would be more straightforward • Approval processes would be quicker and more controllable. 		<p>perform.</p>
--	--	---	--	-----------------

The Officer preferred option was option 2. This approach offered many benefits in terms of strategic programme management and ensuring that local priorities were fully recognised. In terms of risk, the Council had robust systems in place to identify and manage risks at both project and programme level. There was no additional risk created by accepting the Accountable Body role for a delegated fund although there was the opportunity for more local controls, which might slightly reduce risk.

It was moved by Councillor Roger Mace and seconded by Councillor Abbott Bryning:-

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

By way of an amendment to recommendation 5, which was accepted as a friendly amendment by the mover and seconder of the original proposition, it was proposed by Councillor Jon Barry and seconded by Councillor Shirley Burns:-

“That the Corporate Director (Regeneration) be asked to bring to Cabinet for approval programmes of activity relating to the Lancaster District’s Economic Vision instead of approval on a project by project basis to be the basis of negotiations with the NWDA for future delegation of funding.”

By way of amendment to recommendation 4, it was proposed by Councillor Jon Barry and seconded by Councillor Jane Fletcher:-

“That Cabinet approves the proposed strategic framework for the Economic Vision, as set out under the strategic aims in the Lancaster Sustainable Community Strategy document as a basis for attracting external funding and managing delivery and performance.”

After hearing the debate, Councillor Jon Barry as proposer, withdrew the proposed amendment to recommendation 4 with the permission of his seconder, Councillor Jane Fletcher, and the meeting.

Members then voted as follows.

Resolved:

(8 Members (Councillors Archer, Blamire, Bryning, Burns, Charles, Gilbert, Kerr and Mace) voted for and 2 Members (Councillors Barry and Fletcher) abstained from voting):

- (1) That the Corporate Director (Regeneration) is granted continuing authorisation to proceed with project development and feasibility work for currently identified Vision projects, including bidding for funds, subject to the availability of existing resources and/or external funding.
- (2) That the Corporate Director (Regeneration) is authorised to undertake investigation and development of new Vision projects requiring Council support, subject to the availability of resources and/or external funding, in order to determine their relevance and suitability to bid for funding support and gain formal Council endorsement as part of normal decision making processes.
- (3) That the Corporate Director is authorised to submit an application to North West Development Agency for further management costs to support the management and development of the Lancaster District Economic Vision for the financial years 2009/2010, 2010/2011 and 2011/2012.
- (4) That Cabinet approves the proposed strategic programme framework for the Economic Vision, as outlined in this report, as a basis for attracting external funding and managing delivery and performance.
- (5) That the Corporate Director (Regeneration) be asked to bring to Cabinet for approval programmes of activity relating to the Lancaster District's Economic Vision instead of approval on a project by project basis to be the basis of negotiations with the NWDA for future delegation of funding.
- (6) That the Head of Financial Services be authorised to update the General Fund Capital Programme and the General Fund Revenue Budget as required, subject to there being no net impact on the Council's budgets.

Officers responsible for effecting the decision:

Corporate Director (Regeneration).
Head of Economic Development and Tourism.
Head of Financial Services.

Reason for making the decision:

This approach offered many benefits in terms of strategic programme management and ensuring that local priorities were fully recognised. In terms of risk, the Council had robust systems in place to identify and manage risks at both project and programme level. There

was no additional risk created by accepting the Accountable Body role for a delegated fund although there was the opportunity for more local controls, which might slightly reduce risk.

23 LANCASHIRE MUNICIPAL WASTE STRATEGY

(Cabinet Member with Special Responsibility Councillor Jon Barry)

The Head of City Council (Direct) Services submitted a report that informed members of the implications of adopting the revised waste strategy 'Rubbish to Resources' for Lancashire 2008 to 2020 and requested a decision on the course of action regarding adoption of the strategy.

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

Option	Pro	Con
Cabinet resolves to adopt the strategy in principle and to delegate the acceptance of the final version of the document to the appropriate Cabinet member	The taking up of this option will enable the Council to formally adopt the new strategy within the allocated time scale. This would be beneficial to the County Council in order for it to proceed with plans in respect of waste disposal. Lancaster City Council are already a member of the Lancashire Waste Partnership that has developed the strategy to date and have already signed up to the cost sharing arrangement.	Cabinet will not have the opportunity to consider any amendments to the Strategy that have resulted from the public consultation process
Cabinet resolves to await the publication of the final version of the strategy document prior to deciding upon the adoption of the strategy	A decision in respect the Council's adopting the new strategy and remaining in the Lancashire Waste Partnership will be taken by Cabinet	The awaiting of the final version of the document will delay the publication of the finalised Waste Strategy. This in turn, could delay planning within the County
Cabinet resolves not to adopt the strategy and withdraw from the Lancashire Waste Partnership.	None	The Council lose the benefits of partnership working, together with Cost Sharing payments

The Officer preferred option was that Cabinet agree to adopt the Strategy in principle and that the decision to adopt the Strategy, once the final version had been published, be delegated to the appropriate Cabinet member.

It was proposed by Councillor Jon Barry and seconded by Councillor Evelyn Archer:-

- “(1) That the recommendations, as set out in the report, be approved, with the addition that recommendation 1 is approved in principle, subject to financial capacity.
- (2) That Cabinet receives a report on the Middleton Recycling and Re-use Plant.”

Members then voted as follows.

Resolved Unanimously:

- (1) That Cabinet adopt in principle, subject to financial capacity, the New Waste Management Strategy ‘Rubbish to Resources’ for Lancashire 2008 to 2020.
- (2) The Cabinet delegate the final adoption of the Strategy to the appropriate Cabinet Member, and subject to the budget framework being updated accordingly.
- (3) That a further report providing options for the implementation of the Strategy and its impact on the Medium Term Financial Strategy (MTFS) will be presented to Cabinet in September 2008.
- (4) That Cabinet receives a further report on the Middleton Recycling and Re-use Plant.

Note: Councillor John Gilbert was not present when the vote was taken.

Officers responsible for effecting the decision:

Corporate Director (Community Services).
Head of City Council (Direct Services).

Reason for making the decision:

This decision enables the Council to formally adopt the new strategy within the allocated time scale. This will be beneficial to the County Council in order for it to proceed with plans in respect of waste disposal.

The Council is already a member of the Lancashire Waste Partnership that has developed the strategy to date and has already signed up to the cost sharing arrangement.

24 CAPITAL PROGRAMME FOR PRIVATE SECTOR HOUSING

(Cabinet Member with Special Responsibility Councillor David Kerr)

The Corporate Director (Community Services) submitted a report seeking the approval of Cabinet for the allocation of the Regional Housing Board funding between the Winning Back Morecambe’s West End, Poulton Renewal Area and Disabled Facilities Grants (DFG).

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

To continue with the Council's commitment to providing Disabled Facilities Grants it was suggested that in 2008/09 £323,333 (mandatory) and £39,667 (discretionary) grant be 'top-sliced' from the Regional Housing Board allocation. The remaining £918,000 to be split between Winning Back Morecambe's West End and the Poulton Renewal Area. In future years, the discretionary element of the DFG's would cease to be provided from this source.

		2008/09 £'000	2009/10 £'000	2010/11 £'000
Allocation (assumed continuation at 08/09 level)		1,281	1,281	1,281
DFG Proposed Budget		363	323	323
Available for Housing Regeneration		918	958	958
Option 1 (as Existing – 60% WE 40% Poulton)	West End Poulton	551 367	575 383	575 383
Option 2 (70% WE 30% Poulton)	West End Poulton	643 275	670 287	670 287
Option 3 (recommended proposal) 75% WE 25% Poulton. The Poulton allocation reducing to reflect programme completion.	West End Poulton	689 230	718 239	718 239

The Officer preferred option was Option 3.

It was moved by Councillor David Kerr and seconded by Councillor Shirley Burns:-

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

Members then voted as follows.

Resolved Unanimously:

- (1) That Option 3 and the Disabled Facilities Grant funding from the capital allocation of the Regional Housing Board be approved, and that the Capital Programme be updated accordingly.

Officers responsible for effecting the decision:

Corporate Director (Community Services).
Head of Health and Strategic Housing.
Head of Financial Services

Reason for making the decision:

The decision is consistent with previous Cabinet decisions and will continue to support the Winning Back Morecambe's West End, Poulton Renewal Area and Disabled Facilities Grants.

25 HOMELESSNESS STRATEGY**(Cabinet Member with Special Responsibility Councillor John Gilbert)**

The Corporate Director (Community Services) submitted a report requesting Members to approve the Homelessness Strategy 2008 – 2013, which was provided as an appendix to the report. The report provided details of the consultation undertaken as part of the development of the strategy.

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

Cabinet could approve the Strategy recommended by the Steering Group.

This would allow the Council to meet the requirement to produce a Strategy by the end of July 2008 and implementation could commence. CAB would be free to tender for advice and support services.

Cabinet could approve the Strategy subject to one or both of the following:

1. Add commissioning specialist housing advice
2. Delete the reference to free food for people in tenancies (so the current practice of free food for both the homeless and those in tenancies would remain)

or

Revert to the original Steering Group proposal that no free food at all should be on offer from those with Service Level Agreements

This would allow the Council to meet the requirement to produce a Strategy by July 2008 and implementation could commence.

Commissioning specialist housing advice - the action plan includes tendering contracts for Service Level Agreements (SLAs) with voluntary organisations: the total budget for such SLAs is £85,600 in 2008/9 (this does not include the funding for Portland St which comes from a separate and time limited stream of funding, though administered through an SLA with YMCA). There is no planned provision for increasing the SLA budget.

If specialist housing advice was to be commissioned, as proposed by CAB, then this will have to be addressed within the tendering exercise. As noted above, the implication is for either a reduction in other aspects of the service, or an increase in costs. The following points should be noted:

- The specialist housing advice that CAB propose providing is already provided by them to those on low enough incomes to qualify for Legal Aid.

CAB receive funding from the Legal Services Commission (LSC) to provide this service.

- Those on slightly higher incomes are ruled out by the LSC.
- CAB see this specialist advice as particularly assisting those struggling with mortgage arrears.
- Less money would be available for the provision of general housing advice and support services through other SLAs – the current SLA contracts cover services such as helping people access private sector accommodation which prevents homelessness.
- There are also no other local organisations that could compete for the specialist work that CAB propose.

Free food - the reference to free food for those in tenancies could be deleted. The following points should be noted:

- Council Housing Services are experiencing problems with tenants housed from Homeless Action Service's Edward St centre when the link with the centre is maintained. This causes problems for neighbours, particularly in sheltered schemes, or when the tenant is vulnerable and unable to control the behaviour of their visitors from the Centre. Floating support is available to tenants and those from Edward St should be accessing this to learn independence.
- Similar problems have been experienced in RSL supported housing schemes (hostels) such as Carr Gomm and Stonham. In addition, those living in this type of accommodation have support available to them to learn how to be independent and it is difficult to get residents to engage if the option of free food is available.
- A counter argument from the Homeless Action Service is that the continued contact helps people get through a transitional stage.
- It is also argued that the provision of free food helps substance misusers to remain healthier than they would otherwise be: they would not otherwise spend their benefit money on food.
- The City Council do not directly fund the free food service, which is provided through donations of money and in kind from shops and harvest festivals.
- If free food is provided to those who are homeless but not when housed, this may act as a disincentive to rough sleepers to move into accommodation – this argument can be used to either argue for continuing with free food for those in tenancies, or an argument for why no free food at all should be on offer.

Cabinet could approve the Strategy, subject to further amendments required by Members.

Cabinet could reject the Strategy.

The Officer preferred option was that Cabinet approve the Strategy recommended by the Steering Group.

(It was noted that Councillors Susie Charles and John Gilbert had previously declared a personal and prejudicial interest in the following item as Members of the CAB. They both left the meeting prior to consideration of matters in the report relating to their interest.)

Councillor Jon Barry proposed and Councillor Jane Fletcher seconded:-

“That the commissioning of specialist housing advice be considered on renewal of the SLA with the CAB”.

Members then voted as follows:-

Resolved Unanimously (8 Members):

- (1) That the commissioning of specialist housing advice be considered on renewal of the SLA with the CAB.

(Councillors Susie Charles and John Gilbert rejoined the meeting.)

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

“That the Homelessness Strategy 2008-13, as appended to the report, be approved, subject to any cost implications being referred back to Cabinet to be considered as part of the 2009/10 budget exercise.”

Members then voted as follows.

Resolved Unanimously:

- (1) That the Homelessness Strategy 2008-13 be approved, subject to any cost implications being referred back to Cabinet to be considered as part of the 2009/10 budget exercise. .

Officer responsible for effecting the decision:

Corporate Director (Community Services).

Reason for making the decision:

The decision would allow the Council to meet its requirement to produce a Strategy by the end of July 2008 and implementation could commence. Actions that had resource implications would be considered further as part of the 2009/10 budget exercise.

26 REVIEW OF STAFF AND MEMBER PERMITS AND CHARGES

(Cabinet Member with Special Responsibility Councillor Roger Mace)

The Chief Executive submitted a report presenting a review of Employee and Elected Member permits and charges.

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

Option 1 was to approve the principle of an increase with a stepped increase over a number of years to reduce the gap with the full cost of the permit. This will give employees more time to adjust to the new arrangements and to find alternative methods of travel. It is likely to result in a reduction of permits sold to staff over time but whether

there would be any effect on traffic congestion and carbon emissions depends on how those staff eventually decide to travel to work.

Option 2 was to provide an option as recommended by the JCC which would reduce employee and Elected Member permits from seven day a week use to a five day a week permit. Officers propose that this should be at the current staff permit cost. In most cases, this would involve a reduction to Monday to Friday use but would allow for use by staff who are required, for example, to work weekends as part of their 5 day working pattern. This could be combined with limiting the use of the permit to the permit holder only. Together this would reduce the maximum potential car parking usage by a significant amount but avoid the stepped increase set out in option 1.

A sub-option 2a would be in line with the JCC recommendation 4, to charge part time staff on a pro rata basis (number of hours worked per week divided by 37, and multiplied by the permit charge). The permit would then be valid only for use during their working hours. It is anticipated that such an arrangement could be difficult to enforce due to the range of part time hours worked by different staff across the authority. Consideration of how this could happen would need to be undertaken should this option be chosen.

Option 3 would be to retain the option of a seven day a week permit at a cost to be agreed that is in excess of the proposed five day permit. It should be noted that this would be in addition to the introduction of a five day permit.

Option 4 would be to review employee and Elected Member permit charges in line with the annual review of fees and charges in order to meet parking and budgetary commitments. This is effectively the "do nothing" option as it follows existing practice.

A further option (Option 5) could be combined with options 1, 2, 3 or 4, but would have further enhancements that include Green Badge parking and discounted bus travel. This may result in an increased number of fuel efficient vehicles being used by staff or a general move to public transport and is in line with the recommendations made by the JCC.

In all options there is also the opportunity to consider the parking practices that are currently in place. In particular there is an option to remove the specific parking permits that are available for The Wash at Lancaster Town Hall and make these spaces available to visitors to the Town Hall. In addition all permits could become personal to the permit holder and also during working hours only. This does have difficulties in enforcement as reflected in cabinet's resolution in December 2006 when existing practices were maintained. Furthermore, should a decision be taken to subsidise permits for essential users only, it may be possible to consider alternative parking arrangements for the smaller group of staff that fall into this category and allow them to use short stay car parks which are nearer to their work base.

In all options, although particularly where there is a new form of permit being provided e.g. a five day permit, the lead in time to amend the Off-Street Parking Places Order would suggest that the implementation of the recommendations should be effective from 1st April 2009 so that the employee, Member and public permit renewal dates become aligned and to ensure that all parking charges be determined at the same time.

The Officer preferred option was Options 2 (with option 2a) and 5 with an implementation date of 1st April 2009.

Recommendations to Cabinet from the Joint Consultative Committee (JCC) meeting held on 16th June 2008 were also included in the report as follows:

- (1) That the employee, Member and public permit renewal dates be realigned to ensure that all parking charges be determined and introduced at the same time.
- (2) That permit charges be increased no higher than the rate of inflation, with effect from the 1st April 2009.
- (3) That there be an option for employee and Member permits to be used 24 hours, 5 days, per business week.
- (4) That part-time staff be charged pro-rata.
- (5) That subsidised bus travel at sensible rates be looked at.

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

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

By way of an amendment, it was proposed by Councillor Jon Barry and seconded by Councillor Jane Fletcher :-

- “(1) That the word ‘Member’ be deleted from recommendation 1; that the word ‘all’ be replaced in recommendation 3 with the word ‘public’ and that two further recommendations be added:-
- (2) Recommendation 5: that Members do not have access to a subsidised permit but that parking costs be reimbursed when on council business.
- (3) Recommendation 6: that discounted bus travel be negotiated with Stagecoach as part of the Council’s Business Travel Plan.

2 Members (Councillors Barry and Fletcher) voted in favour of the amendment, 8 Members (Councillors Archer, Blamire, Bryning, Burns, Charles, Gilbert, Kerr and Mace) voted against, whereupon the Chairman declared the amendment to be lost.

Councillor Jon Barry then proposed a further amendment, seconded by Councillor Jane Fletcher, for a fifth recommendation be added to the four existing recommendations in the report:-

“That discounted bus travel, at no additional cost to the Council, be negotiated with Stagecoach as part of the Council’s Business Travel Plan.”

3 Members (Councillors Barry, Fletcher and Gilbert) voted in favour of the amendment, 7 Members (Councillors Archer, Blamire, Bryning, Burns, Charles, Kerr and Mace) voted against, whereupon the Chairman declared the amendment to be lost.

Members then voted on the original proposition.

Resolved:

(8 Members voted in favour (Councillors Archer, Blamire, Bryning, Burns, Charles, Gilbert, Kerr and Mace) and 2 Members voted against (Councillors Barry and Fletcher).

- (1) That the Employee, Member and Public permit renewal dates be realigned to ensure that all parking charges be determined and introduced at the same time, namely at 1st April.
- (2) That charges for permits of each type be increased with effect from the 1st April 2009 by a percentage no higher than the rate of inflation since the previous setting of the charge for that permit.
- (3) That with an implementation date of 1st April 2009, an option of a separately priced 5-day permit (i.e 24-5) be introduced for all permit holders (at a cost lower than the equivalent 24-7 permit).
- (4) That charges for the eight month period from 1st August 2008 to 31st March 2009 should be at the same monthly rate as for the permits expiring on 31st July that they replace.

Officers responsible for effecting the decision:

Chief Executive.
Corporate Director (Regeneration).
Head of Property.

Reason for making the decision:

The decision to realign employee, Member and public permit renewal dates would ensure that all parking charges could be determined and introduced at the same time and that charges for each type of permit are increased by a percentage no higher than the rate of inflation.

27 LANCASHIRE LOCAL AREA AGREEMENT

(Cabinet Member with Special Responsibility Councillor Roger Mace)

Cabinet received a report advising of the decision taken by the Chief Executive in consultation with the Leader in accordance with Minute No. 3 of 3rd June 2008.

It was reported to Cabinet on 3rd June 2008 that the Government Office North West (GONW) required that the Local Area Agreement (LAA) submission, due to be sent to GONW by the end of that week, should show lead partners against each performance target.

In order to meet that deadline, Cabinet agreed to delegate this task to the Chief Executive, in consultation with the Leader of the Council as follows (Minute No. 3 refers):

'That Cabinet authorise the Chief Executive, in consultation with the Leader of the Council, to agree a list of lead partners for delivering the individual Lancashire Local Area Agreement targets, and further to that, to determine those targets that Lancaster City

Council will contribute to delivering, subject to sufficient resources being available within existing budgets.'

The report outlined that the action taken by the Chief Executive in consultation with the Leader ensured that the Council has complied with its duty to co-operate in having regard for LAA targets and also met the designated deadline for supplying the information requested i.e. 10th June 2008. The decision would also ensure that the resources required to deliver the agreed targets are identified and considered before delivery commences and that they are consistent with the Corporate Plan.

A copy of the signed Partnership Agreement was attached to the report at Appendix B for information.

It was moved by Councillor Shirley Burns and seconded by Councillor Jane Fletcher:-

"That the recommendation to note the decisions of the Chief Executive in consultation with the Leader of the Council, as set out in the report, be approved."

Members then voted as follows.

Resolved Unanimously:

That the following decisions of the Chief Executive, in consultation with the Leader of the Council, be noted:

- (1) That the list of targets, attached as Appendix A to the report, that the City Council will contribute towards delivering during the lifetime of the Local Area Agreement, be agreed in principle, subject to sufficient resources either being available within existing budgets or being identified.
- (2) That the Lancashire Partnership Executive be advised of those targets by the due date (10th June 2008).
- (3) That officers undertake further work to ascertain the resources required to deliver the City Council's contribution to achieve the LAA targets agreed in (1) above.
- (4) That officers review the Council's existing Corporate Plan to ensure consistency with the targets agreed in (1) above and if amendments are required, they be reported back to full Council in due course.
- (5) That, notwithstanding the targets included in (1) above, the City Council will work with its partners in the Lancaster District Local Strategic Partnership to support the delivery/achievement of all the objectives, outcomes and targets referred to in the LAA wherever practicable.

Officer responsible for effecting the decision:

Chief Executive

Reason for making the decision:

Cabinet noted the decisions made about Lancaster City Council's contributions to the Lancashire Local Area Agreement targets for information.

28 ALLOCATION OF CABINET APPOINTMENTS

(Cabinet Member with Special Responsibility Councillor Roger Mace)

The Head of Democratic Services submitted a report that advised of those appointments to partnerships and outside bodies which required re-allocation following the resignation of Councillor Johnson from the Cabinet.

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

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

Members then voted as follows.

Resolved Unanimously:

That Councillor Susie Charles be appointed to fill the vacancies on the following Partnerships and Outside Bodies following the resignation from Cabinet of Councillor Tony Johnson:

- LSP Management Group substitute.
- Arnsdale and Silverdale AONB Unit Arnsdale and Silverdale AONB (Forum, Countryside Management Service and Limestone Heritage Project)
- Forest of Bowland AONB Advisory Committee
- Lancashire Rural Affairs
- Lancashire Rural Partnership
- Lancaster Canal Restoration Partnership
- North West Rural Affairs Forum
- LGA Rural Commission

Officer responsible for effecting the decision:

Head of Democratic Services.

Reason for making the decision:

The decision was to ensure that Councillor Susie Charles be appointed to the vacancies on outside bodies and partnerships relevant to her portfolio without delay.

29 LAND AT SCOTFORTH ROAD

(Cabinet Member with Special Responsibility Councillor Evelyn Archer)

(Mr T 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 meeting adjourned at 1.05pm and re-convened at 1.25pm.)

The Corporate Director (Regeneration) submitted a report requesting Cabinet to consider the bids that had been received for the sale of the Council's land at Scotforth Road, Lancaster.

The options and options analysis (including risk assessment) were contained within a report to be found in the exempt part of the agenda.

It was moved by Councillor Roger Mace and seconded by Councillor Shirley Burns:-

"That the report be noted."

Resolved:

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

(1) That the content of the public report be noted.

It was moved by Councillor Roger Mace and seconded by Councillor Shirley 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 item of business on the ground that it could involve the possible disclosure of exempt information as defined in paragraph 3 of Schedule 12A of that Act."

Members then voted as follows:

Resolved:

(7 Members voted in favour (Councillors Archer, Bryning, Burns, Charles, Gilbert, Kerr and Mace) and 3 Members abstained (Councillors Barry, Blamire and Fletcher).

(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 it could involve the possible disclosure of exempt information as defined in paragraph 3 of Schedule 12A of that Act.

It was proposed by Councillor Evelyn Archer and seconded by Councillor David Kerr:-

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

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

"That the City Council does not agree to sell the land at this stage and that future use of the land be referred to the Local Development Framework (LDF) process."

Upon being put to the vote, 2 Members voted in favour of the amendment (Councillors Barry and Fletcher) 7 Members voted against (Councillors Archer, Bryning, Burns, Charles, Gilbert, Kerr and Mace) and 1 Member (Councillor Blamire) abstained from voting, whereupon the Chairman declared the amendment to be lost.

Members then voted as follows on the original proposition:-

Resolved:

(7 Members voted in favour (Councillors Archer, Bryning, Burns, Charles, Gilbert, Kerr and Mace) 2 Members voted against (Councillors Barry and Fletcher) and 1 Member abstained (Councillor Blamire).

- (1) That the sale of land to EH Booth and Co Ltd, as outlined in Option 2 of the exempt report, be approved.
- (2) That the proposal to designate the footpath in the Council's retained land as a permissive right of way or a public footpath be included in the proposals for the overall development and if this cannot be achieved then Officers pursue such designation directly with the County Council.

Officers responsible for effecting the decision:

Corporate Director (Regeneration).

Reason for making the decision:

The reasons for making the decision were as a result of a full option appraisal process, the details of which were as set out in the public and exempt reports.

Chairman

(The meeting ended at 1.55 p.m.)

**Any queries regarding these Minutes, please contact
Debbie Chambers, Democratic Services, telephone 01524 582057 or email
dchambers@lancaster.gov.uk**

MINUTE PUBLISHED ON FRIDAY 11th JULY 2008.

**EFFECTIVE DATE FOR IMPLEMENTING THE DECISIONS CONTAINED IN THESE MINUTES:
MONDAY, 21st JULY 2008.**