



**INDIVIDUAL CABINET MEMBER AND OFFICER DELEGATED DECISIONS**

**THURSDAY, 15 MAY 2008**

Please find enclosed Decision Notices in connection with the following:

**Individual Cabinet Member Decisions**

1. Allocation of funding from the Children and Young People reserve towards providing diversionary activities across the district (Pages 1 - 4)
2. Applications for Discretionary Rate Relief (Pages 5 - 17)
3. Community Safety Capacity (Pages 18 - 22)

**Officer Delegated Decision**

4. Acceptance of Tender for Lancaster TIC (Pages 23 - 24)

Please note that these are subject to call-in.

**Queries regarding these documents**

Please contact Sharon Marsh, Democratic Services, Telephone 01524 582096 or e-mail [smarsh@lancaster.gov.uk](mailto:smarsh@lancaster.gov.uk).

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# LANCASTER CITY COUNCIL

*Promoting City, Coast & Countryside*

## EXECUTIVE DECISIONS TAKEN BY CABINET PORTFOLIO HOLDER OR DELEGATED OFFICER NOTICE OF DECISION

*THIS SECTION TO BE COMPLETED BY THE PORTFOLIO HOLDER AND CONTACT OFFICER*

<b>TITLE OF DECISION:</b> Allocation of funding from the Children and Young people Reserve towards providing Diversionary Activities across the district			
<b>NAME OF DECISION TAKER:</b>		COUNCILLOR MAIA WHITELEGG	
<b>POSITION AND RESPONSIBILITY HELD:</b>		CABINET MEMBER WITH RESPONSIBILITY FOR CULTURE, LEISURE, SPORT AND YOUNG PEOPLE	
<b>CONTACT OFFICER:</b>		RICHARD TULEJ, HEAD OF CORPORATE STRATEGY	
<b>TELEPHONE:</b>		582079	
<b>E-MAIL:</b>		rtulej@lancaster.gov.uk	
<b>Details of Decision:</b>			
(1) That £10,000 per year over the next two years be allocated from the Children and Young People Reserve for the purpose of providing Diversionary Activities			
(2) That the Revenue budget for 2008/09 and 2009/10 be updated accordingly			
<b>Reasons for the decision:</b>			
This decision will enable the greatest number of young people who are 'at risk', vulnerable or disadvantaged to participate in a programme of diversionary activities. Sustained participation in constructive activities leads to improved outcomes for these young people and also the communities they live in.			
<b>IS THE DECISION URGENT - NO</b>			
I CONFIRM THAT I HAVE BEEN CONSULTED ON THE ABOVE DECISION AND THAT IT IS URGENT AND REASONABLE IN ALL THE CIRCUMSTANCES. (IN ACCORDANCE WITH SECTION 17 OF THE OVERVIEW AND SCRUTINY COMMITTEE PROCEDURE RULES)			
<b>SIGNATURE OF THE OVERVIEW AND SCRUTINY COMMITTEE CHAIRMAN:</b>		N/A	
I confirm that I have taken account of the options proposed by officers, the various implications set out in the report and the comments of the Monitoring and Section 151 Officers and am authorising the decision as set out above.			
<b>SIGNATURE OF DECISION TAKER:</b>		Cllr M Whitelegg	
<b>DATE:</b>		07/05/08	
<i>THIS SECTION TO BE COMPLETED BY DEMOCRATIC SERVICES</i>			<b>REF NO.</b>
			PD202
<b>DATE DECISION TAKEN:</b>	07/05/08	<b>DATE RECEIVED BY DEMOCRATIC SERVICES:</b>	09/05/08
<b>DATE DECISION PUBLISHED:</b>	15/05/08	<b>IMPLEMENTATION DATE (publication day + 5 working days):</b>	23/05/08

*A copy of the report considered by the decision taker should be appended to this form and forwarded immediately to Democratic Services on completion.*

<b>CABINET</b>
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## Allocation of funding from the Children and Young People Reserve towards providing Diversionary Activities across the district.

### Individual Cabinet Member Decision Councillor Maia Whitelegg

### Report of Head of Corporate Strategy

<b>PURPOSE OF REPORT</b>			
To allocate £10,000 in 2008/09 and 2009/10 from the Children and Young People Reserve towards providing Diversionary Activities for 11-19 year olds at locations across the district.			
Key Decision	<input type="checkbox"/>	Non-Key Decision	<input checked="" type="checkbox"/> <div style="display: inline-block; vertical-align: middle; text-align: center;"> <b>X</b> </div>
		Referral from Cabinet Member	<input type="checkbox"/>
Date Included in Forward Plan			
This report is public			

#### RECOMMENDATIONS

- (1) That agreement be given for £10,000 per year over the next two years to be allocated from the Children and Young People Reserve for the purpose of providing Diversionary Activities
- (2) That the Revenue budget for 2008/09 and 2009/10 be updated accordingly

#### 1.0 Introduction

Diversionary activities give young people who are vulnerable, at risk or disadvantaged the opportunity to participate in positive activities designed to prevent a range of negative outcomes. Young people can be referred through a number of agencies. Participants who could benefit would be those identified as at risk of offending, young people looked after, young people from socio-economically deprived families, and others as identified to be in need of this type of support.

#### 2.0 Proposal Details

Lancaster's Sport and Physical Activity Strategy has 'Diversionary Activities' as a new project strand. Funding has been applied for from a number of sources including Sport England, Neighbourhood Management and Lancashire County Development Ltd.

Organisations such as Lancaster City Council, the Police, Youth Offending Team, GRIP and Lancashire Young People's Service contribute by 'in kind' provision of staff time etc.

Depending on the success in securing the different funding streams this project aims to operate in up to 5 areas across the district for a 2 hour session once a week for 48 weeks a year. The target number of different young people accessing this provision stands at 500.

A similar, but smaller, project in 2007 attracted positive contributions from an average of 350 young people a week.

By organisations working in partnership, young people benefit from the skills of a range of services such as sports coaches, artists, musicians and youth workers. Integrated working is the main tenet of the Children's Trust Partnership so this new project would provide an example of good practice. The council's Children and Young People Strategic Plan 2008-10 prioritises targeted work and increasing the numbers of young people participating in positive activities.

### **3.0 Details of Consultation**

Feed-back from participants of last year's diversionary activities programmes shows the positive impact on the young people. They also expressed that they wanted the activities to continue as they saw the advantages to engaging in positive activities rather than engaging in risk taking behaviour. Police statistics showed a decrease in juvenile nuisance compared the same period the previous year.

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

There are three options:

- 4.1 To agree £10,000 for 2008/09 and £10,000 for 2009/10 is allocated from the Children and Young People reserve for Diversionary Activities
- 4.2 To agree to reduced amounts being used for diversionary activities
- 4.3 To decide not to allocate any funds from the Reserve

### **5.0 Officer Preferred Option**

The officer preferred option is option 1. This extra funding will enable the best outcomes for the greatest number of young people who are 'at risk', vulnerable and disadvantaged in the district to benefit from positive preventative programmes.

#### **RELATIONSHIP TO POLICY FRAMEWORK**

Implementation of the Children and Young People Plan 2008-10 as a priority of the Corporate Plan 2008/09 supported by the Sport and Physical Activity Strategy recently approved by Cabinet.

#### **CONCLUSION OF IMPACT ASSESSMENT**

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

Positive impact on tackling social exclusion and community safety.

#### **FINANCIAL IMPLICATIONS**

There is currently a balance of £21,200 in the Reserve along with a proposed contribution to the Reserve of £18,500 in 2008/09 and £17,700 in 2009/10. The recommendation above would leave an unallocated balance of £29,700 at the end of 2008/09 and £37,400 at the end of 2009/10. If Option 2 or 3 is preferred, the money would remain in the Reserve.

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

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

#### **LEGAL IMPLICATIONS**

There are no legal implications.

No further comments from Alan Humphreys.

#### **MONITORING OFFICER'S COMMENTS**

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

#### **BACKGROUND PAPERS**

Lancaster Sports and Physical Activity Strategy  
Lancaster City Council Children and Young People Strategic Plan 2008-10

**Contact Officer:** Lynda Duff

**Telephone:** 01524 586854

**E-mail:**

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**Ref:**

# LANCASTER CITY COUNCIL

*Promoting City, Coast & Countryside*

## EXECUTIVE DECISIONS TAKEN BY CABINET PORTFOLIO HOLDER OR DELEGATED OFFICER NOTICE OF DECISION

*THIS SECTION TO BE COMPLETED BY THE PORTFOLIO HOLDER AND CONTACT OFFICER*

<b>TITLE OF DECISION:</b>	
AWARDS OF DISCRETIONARY RATE RELIEF	
<b>NAME OF DECISION TAKER:</b>	ROGER MACE
<b>POSITION AND RESPONSIBILITY HELD:</b>	CABINET PORTFOLIO HOLDER FOR REVENUE SERVICES
<b>CONTACT OFFICER:</b>	JULIE SMETHURST
<b>TELEPHONE:</b>	01524 582203
<b>E-MAIL:</b>	Jsmethurst@lancaster.gov.uk
<b>Details of Decision:</b> To grant top up discretionary rate relief to Signposts MARC Ltd in respect of Application A referred to in the report and refuse the Applications B, C & D referred to in the report.	
<b>Reasons for the decision (continue on separate sheet or append relevant papers as necessary):</b>  Whilst the City Council values the role of the third sector it has limited financial resources to support all charitable ventures and facilities.  The main work of Signposts Multi Agency Resource Centre is information and advice to support services and people, particularly in the West End of Morecambe. The Council values this work and would wish to support this core activity.  Accordingly, the application for discretionary rate relief in respect of the main premises used for this work at 58 Regent Road has been granted although the extension of its services in to other parts of Lancashire & Cumbria may impact on the decision to grant relief in the future.  However, the applications in respect of the properties at 37 Yorkshire Street, Flat A 19 Heysham Road and the War Memorial Hall, Church Street, Morecambe have not been supported for the following reasons:  <u>Community Facility at 37 Yorkshire Street</u> The facilities and services provided are not considered to key to the core activities and it is considered that facilities for other groups to meet with the community are available elsewhere when the need arises.  <u>Café and Social Enterprise facility at the War Memorial Hall in Poulton</u> This facility is not considered key to the core activities and its facilities place it in commercial competition with other ratepayers.  <u>Flat A 19 Heysham Road</u> The information and advice service to tenants of this one property is not something that ratepayers should be responsible for supporting and it is considered to be better financed via a service charge between landlord and tenants who are said to have low level needs of support.	
<b>Is the decision URGENT Yes/NO Please delete as appropriate and give reasons for urgency below:</b>  <u>No</u>	
<b>I CONFIRM THAT I HAVE BEEN CONSULTED ON THE ABOVE DECISION AND THAT IT IS URGENT AND REASONABLE IN ALL THE CIRCUMSTANCES. (IN ACCORDANCE WITH SECTION 17 OF THE OVERVIEW &amp; SCRUTINY PROCEDURE RULES)</b> <b>SIGNATURE OF THE OVERVIEW &amp; SCRUTINY CHAIRMAN:</b>	
N/A	

I confirm that I have taken account of the options proposed by officers, the various implications set out in the report and the comments of the Monitoring and Section 151 Officers and am authorising the decision as set out above.			
SIGNATURE OF DECISION TAKER:		J. Roger Mace	
DATE:		13/05/08	
THIS SECTION TO BE COMPLETED BY DEMOCRATIC SERVICES			REF NO. PD203
DATE DECISION TAKEN:	13/05/08	DATE RECEIVED BY DEMOCRATIC SERVICES:	13/05/08
DATE DECISION PUBLISHED:	15/05/08	IMPLEMENTATION DATE ( publication day + 5 working days):	23/05/08

*A copy of the report considered by the decision taker should be appended to this form and forwarded immediately to Democratic Services on completion.*



## Applications for Discretionary Rate Relief

### Individual Cabinet Member Decision

### Report of Head of Revenue Services

PURPOSE OF REPORT				
<p>The Council has a discretionary power to award rate relief to business ratepayers in specified circumstances.</p> <p>Following consideration of the last report a review of the relief given to Signposts Multiple Agency Resource Centre Ltd was requested and this report provides the outcome of that review for further consideration.</p>				
Key Decision	<input type="checkbox"/>	Non-Key Decision	<input checked="" type="checkbox"/>	Referral from Cabinet Member
Date Included in Forward Plan	Not Applicable			
This report is public				

#### RECOMMENDATION:

It is recommended that rate relief in respect of the four applications numbered A to D in the report, be considered in line with current guidelines and taking into account previous decisions made in respect of similar organisations throughout the area.

#### 1. Introduction

- 1.1 Under Section 43 of the Local Government Finance Act 1988, where a property is occupied by a registered charity or trustees for a charity, liability to Non-Domestic Rate is reduced by 80%.
- 1.2 Under Section 47 of the Act, the Council has discretion to 'top-up' to 100%, the relief given to any organisation receiving mandatory relief.
- 1.3 Because of the legal requirements for the length of notice to be given to an organisation when varying or cancelling relief, it is the Council's policy to grant discretionary relief for one year only rendering each case subject to an annual review.



- 1.4 During the course of the review of applications for relief for 2008/9 and following a further new application from Signposts MARC Ltd officers were asked to provide additional information and to undertake another review of the relief given to this organisation across the various premises from which they operate within the district.

**2. Signposts Multiple Agency Resource Centre Ltd.**

- 2.1 The above body is based in Morecambe and Preston and in 2006/7 became incorporated as a company limited by guarantee offering services across Lancashire & South Cumbria.

- 2.2 The company is a registered charity whose aims are said to be “to relieve the poverty and promote the benefits of the inhabitants of Lancashire & Cumbria with particular reference to those in the area known as the West End of Morecambe, without distinction of sex, sexual orientation, age, race or of political, religious or other opinions” and whose objectives are stated as “to provide services which relieve, support, help and advise those who are:

- Poor
- Unemployed
- Elderly
- Physically or mentally ill or convalescing
- Dependent on alcohol and/or drugs
- Victims of abuse, violence or crime
- Families or carers of the above

- 2.3 Funding is obtained from a wide variety of sources including Lancashire County Council, Primary Care Trusts and Lancaster City Council covering a wide range of projects and facilities.

- 2.4 Lancaster City Council acts as the accounting body in respect of some of these funds (such as 50 Forward) whilst other payments are made from Council funds.

- 2.5 The most significant amounts of Council funding come from a grant of £14,800 (2007/8) and £15,100 (2008/9) paid via Strategic Housing which is governed by a Service Level Agreement and LSP money using 2<sup>nd</sup> Homes revenue of £25,000 (2007/8).

- 2.6 Signposts MARC Ltd operate from five different premises across the district as follows:

**58 REGENT ROAD, MORECAMBE**

This is the main base from which they provide their information and advice service.

Up until 31 March 2008 the ratepayer was Places for People\*\* who are the landlords of Signposts. Following the review Signposts MARC Ltd have been made liable and as a charity they receive 80% mandatory rate relief and have made an application for the 20% top-up discretionary rate relief.

**37 YORKSHIRE STREET, MORECAMBE**

This is a further office space which they call a Community Shop. The premises do not act as a shop and does not sell donated goods as other charity shops are required to do to obtain rate relief. It has been described as a “community facility” which is said to “provide a base from which Community Groups, Community Wardens, Credit Union, Community Police and Fire Services can offer surgery space to enable the community to access them”. It is also used in part as office space.

As a charity they receive 80% mandatory rate relief and they have made application for the 20% top-up discretionary rate relief for 2008/9.

**FLAT A 19 HEYSHAM ROAD**

These premises are also owned by Places for People\*\* who own all the flats at this address. Signposts MARC Ltd provide an information and advice service to the tenants of the flats who are said to have low level support needs. It is also an office.

Signposts are now shown as the ratepayer and they receive the 80% mandatory rate relief on the property and have made application for the 20% top-up discretionary rate relief.

**OUR LADY OF LOURDES HALL, KELLET ROAD, CARNFORTH**

Signposts occupy a small office at this property from which they run their Carnforth Family Support Project and their Rural Farmers Health Project.

There is no separate rateable property at this address.

**MORECAMBE WAR MEMORIAL HALL, CHURCH STREET, MORECAMBE**

The main hall is now rated and the management committee have applied for and received 100% discretionary rate relief. However a separate assessment exists for a Café that is occupied by Signposts MARC Ltd for the purposes of a Community Café/Social Enterprise Facility.

Signposts say that this facility “fits in with their commitment to communities and to working with them in a variety of ways and will link the café to other developments in their work programme and potential future developments”

As a charity they receive the 80% mandatory rate relief and have applied for the 20% top-up discretionary rate relief.

- 2.7 NB \*\*Places for People are a large national property management organization with over 100,000 dwellings and assets of £2.4 billion. Signpost MARC Ltd has both a landlord and tenant relationship and work together as their aims and objectives are said to be in line with each other.
- 2.8 Attached as **Appendix A** to this report is a guidance note, which the Cabinet Member may wish to use as a basis for their decision in granting relief.

2.9 Shown below is a summary of the current policy adopted by the Council when considering claims for mandatory/discretionary rate relief under each particular category.

1. **Scouts, Guides, etc.**  
80% mandatory relief and 20% discretionary relief
2. **Sports Organisations**  
100% discretionary relief or 80% mandatory and 20% 'top-up' where there is no bar. 50% discretionary relief where there is a bar.
3. **Recreational Organisations**  
80% mandatory relief and 20% discretionary relief or 100% discretionary relief, if no mandatory relief awarded.
4. **Village Halls/Community Centre**  
80% mandatory relief and 20% discretionary relief, or 100% discretionary relief if no mandatory relief awarded.
5. **Educational Organisations**  
80% mandatory relief but no additional discretionary relief awarded.
6. **Charity Shops**  
80% mandatory relief but no additional discretionary relief awarded unless the charity solely or mainly benefits local residents.
7. **Welfare Groups**  
80% mandatory relief but no additional discretionary relief awarded unless the organisation solely or mainly benefits local residents.
8. **Miscellaneous Organisations**  
Playgroups have been given 80% mandatory relief and 20% discretionary relief, or 100% discretionary relief where appropriate. Other organisations falling within this category have been treated according to the merits of their case.

#### Application Details

<b>A</b>	<b>Name</b>	<b>Signpost MARC Ltd</b>
	<b>Reference</b>	101824279
	<b>Situation</b>	58 Regent Road, Morecambe
	<b>Description</b>	Offices & Premises– Category 7
	<b>Rateable Value</b>	£3700

#### Application for 20% Top-up Discretionary Rate Relief

Rate Charge after Mandatory Relief		Cost to General Fund of agreeing recommendation	
2008/09	341.88		256.41
TOTAL	341.88	TOTAL	256.41

**B**    *Name*                                **Signpost MARC Ltd**  
       *Reference*                        101764423  
       *Situation*                        37 Yorkshire Street  
       *Description*                    Shop & Premises- Category 7  
       *Rateable Value*                £2225

**Application for 20% Top-up Discretionary Rate Relief**

Rate Charge after Mandatory Relief		Cost to General Fund of agreeing recommendation	
2008/09	205.59		154.19
TOTAL	205.59	TOTAL	154.19

**C.**    *Name*                                **Signposts MARC Ltd**  
       *Reference*                        101824282  
       *Situation*                        Flat A 19 Heysham Road  
       *Description*                    Office & Premises- Category 7  
       *Rateable Value*                £790

**Application for 20% Top-up Discretionary Rate Relief**

Rate Charge after Mandatory Relief		Cost to General Fund of agreeing recommendation	
2008/09	73.00		54.75
TOTAL	73.00	TOTAL	54.75

**D.**    *Name*                                **Signposts MARC Ltd**  
       *Reference*                        101820419  
       *Situation*                        At Poulton War Memorial Hall  
       *Description*                    Café and premises - Category 8  
       *Rateable Value*                £1500

**Application for 20% Top-up Discretionary Rate Relief**

Rate Charge after Mandatory Relief		Cost to General Fund of agreeing recommendation	
2007/8	55.32		41.49
2008/09	138.60		103.95
TOTAL	193.92	TOTAL	145.44

### **3.0 Details of Consultation**

3.1 Not applicable

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

4.1 The options are to either award or refuse the applications taking account of the guidelines referred to in Appendix A and the decisions made previously and categorised above.

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

5.1 Officers recommend that the applications are treated on their merits and any decisions to refuse to award Discretionary Rate relief are accompanied by details of the reason for refusal.

### **6.0 Conclusion**

6.1 The decision should be made in accordance with the recommendation above.

#### **RELATIONSHIP TO POLICY FRAMEWORK**

The proposals within this report link to the strategy within our existing Corporate Plan whereby we aim to provide and improve upon Lancaster City Council services in the most effective and efficient way.

In addition, the report displays our commitment to joint working with voluntary organisations and recognises the positive contribution that voluntary and community groups play in the provision and prioritisation of service delivery.

#### **CONCLUSION OF IMPACT ASSESSMENT**

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

This report raises no implications

#### **FINANCIAL IMPLICATIONS**

*Appendix B* sets out the details of the financial implications of granting relief in all four cases which amounts to £610.79.

The Council has discretion to 'top-up' to 100%, the relief given to an organisation receiving mandatory relief.

The account arrangements for discretionary relief are somewhat unusual in that the awards for a particular financial year are not accounted for until the following year. As a consequence, relief awarded in 2007/08 will be included in the 2008/09 revenue estimates. It is expected that the total annual cost to General fund of continuing relief

to these organisations will be around £56,000 in 2007/08. The 2008/09 budget and 2009/10 and 2010/11 projected budgets includes the following amounts:-

Year	Draft Budget
2008/09	60,000
2009/10	62,400
2010/11	64,900

The council currently works on the basis that the budget will be driven by the policy for granting mandatory/discretionary relief, rather than the budget (and therefore the granting of relief) being cash limited and if the relief above is agreed the 2009/10 and future years budgets will need to be updated to include the £610.79.

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

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

#### **LEGAL IMPLICATIONS**

Legal Services have been consulted and have no further comments to add.

#### **MONITORING OFFICER'S COMMENTS**

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

#### **BACKGROUND PAPERS**

Applications A – D held on Document Management System

**Contact Officer:** Melanie Cragg

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**Ref:**

## **APPENDIX A DISCRETIONARY RATE RELIEF**

Under Section 47, Local Government Finance Act 1988 a charging authority may grant relief from all or part of the amount payable by way of National Non-Domestic Rate in respect of hereditaments occupied by a charity for charitable purposes, by certain voluntary bodies of a philanthropic nature, for recreation or by clubs and societies not established or conducted for profit.

### **Considerations**

The notes shown below have been prepared to provide the Cabinet Member with guidance when considering applications for discretionary rate relief.

Due to the wide range of bodies eligible for discretionary rate relief, not all of the criteria shown below will be applicable in each case, therefore each case should be considered on its own merits, taking into account the contribution the organisation makes to the amenities of the area. Guidance is also provided for certain organisations where the Cabinet Member has previously considered applications and in an attempt to provide a consistent approach, the decision of the Cabinet Member has been provided.

When considering an application, the following points should be considered.

#### **i. Access**

- A Is membership open to all sections of the community?

*There may be legitimate restrictions placed on membership which relate for example to ability in a sport or to the achievement of a standard in the field covered by the organisation or where the capacity of the facility is limited. Clubs or organisations should not be considered if they have membership rates set at such a high level as to exclude the general community.*

- B Does the organisation actively encourage membership from particular groups in the community, e.g. young people, women, older age groups, persons with a disability, etc?

*An organisation, which encourages such membership, might expect more sympathetic consideration than one, which makes no effort to attract members from groups, which the authority considered to be particularly deserving of support.*

- C Are the facilities made available to people other than members, e.g. schools, casual public sessions, etc?

*The wider use of facilities should be encouraged and rate relief might be one form of recognition that an organisation was promoting its facilities more widely.*

#### **ii. Provision of Facilities**

- A Does the organisation provide training or education for its members?

Are there schemes for particular groups to develop their skills, e.g. young people, the disabled, retired people?

*An organisation providing such facilities might deserve more support than one, which does not.*

- B Have the facilities available been provided by self-help or grant aid?

*The fact that a club uses or has used self-help for construction or maintenance or had facilities funded by grant aid might be an indicator that they were more deserving of relief.*

- C Does the organisation run a bar?

*The mere existence of a bar should not in itself be a reason for not granting relief. The Committee has, in all cases where the organisation operates a bar, limited the relief to a maximum of 50%.*

*The Authority should look at the main purpose of the organisation. In sports clubs, for example, the balance between playing and non-playing members might provide a useful guide as to whether the main purpose of the club is sporting or social activities. A social club whose main aim is to bring together people with similar interests should not be excluded from relief just because of the existence of a licensed bar.*

- D Does the organisation provide facilities which indirectly relieve the authority of the need to do so, or enhance and supplement those which it does provide?

*Authorities should not refuse relief on the grounds that an organisation is in competition with the Authority itself, but should look at the broader context of the needs of the community as a whole. Provision of facilities to meet a new need, not being provided by the Authority itself, but identified, as a priority for action, might be particularly deserving of support.*

iii. **Other Considerations**

- A Is the organisation affiliated to local or national organisations, e.g. local sports or arts councils, national representative bodies?
- B Is membership drawn from people mainly resident in the billing authority's area?
- C Do the facilities provided benefit the Authority's area as a whole?

*The Cabinet Member should be aware that for any application granted, 25% of the total granted will be borne by the taxpayers.*

*If the facilities provided do not benefit the area as a whole, the taxpayers may be financing a national organisation that is locally based.*

*The Cabinet Member has previously refused applications if the organisation does not benefit the area as a whole.*

iv. **Charity Shops**

- A If the charity does not solely or mainly benefit local residents the Committee has previously *limited the total relief granted to the organisation to 80%* (this includes the 80% mandatory relief that is granted to registered charities).
- B Is the organisation used wholly or mainly for the sale of goods donated to a charity and are the proceeds of sale applied to the purposes of the charity?

*Charity shops, which wholly or mainly sell goods bought under normal trading conditions, are not entitled to relief (this arose from the decision in Oxfam v Birmingham City Council (1975)).*



## **Decisions and Determinations**

For all applications for discretionary relief, the Authority must send written notification of the outcome of the application. The notification must state:

- i. Where relief is awarded –
  - (a) The first day to which the decision operates;
  - (b) If in respect of a particular period, the last day to which the decision operates;  
and
  - (c) the amount chargeable.
- ii. Where relief is refused –
  - (a) The reasons for refusing the application.
- iii. Where relief is revoked or varied –
  - (a) The day on which the revocation or variation takes place;
  - (b) the amount chargeable;  
and
  - (c) the reasons for the revocation/variation.

## **Summary**

- i. **When considering an application for discretionary relief, the Cabinet Member should consider the points mentioned above.**
- ii. **The Cabinet Member should try to ensure that there is consistency in the level of relief granted to organisations of a similar nature.**
- iii. **25% of the total value of discretionary relief granted will be borne by the taxpayers. However, in cases where mandatory relief has been granted and the Cabinet Member grants the additional 20% 'top-up' relief, 75% of any additional relief granted will be borne by the taxpayers.**
- iv. **If an application for relief is refused, the Cabinet Member should give reasons for the decision.**

## APPENDIX B

PROPERTY ELIGIBLE FOR RATE RELIEF	TYPE OF RELIEF	AMOUNT OF RELIEF	FINANCIAL IMPLICATIONS		
			Proportion offset against payments into NNDR Pool	Proportion borne locally by Council Taxpayers	
Property wholly or mainly used for charitable purposes which is occupied by a Registered, Excepted or Exempt Charity.	Mandatory Discretionary	80% Up to a further 20%	100% 25%	-- 75%	£ 610.79
Property, all or part of which is occupied for the purposes of a non-profit making:					£
(a) institution or other organisation, whose main objects are philanthropic or religious or concerned with social welfare, science, literature or the fine arts, or;	Discretionary	Up to 100%	75%	25%	
(b) club, society or other organisation and is used for the purposes of recreation or sport	Discretionary	Up to 100%	75%	25%	-
Property, all or part of which is occupied, other than as a trustee, by a charging or precepting authority.	None	None	--	--	--

**EXECUTIVE DECISIONS TAKEN BY CABINET PORTFOLIO HOLDER OR DELEGATED OFFICER  
NOTICE OF DECISION**

*THIS SECTION TO BE COMPLETED BY THE PORTFOLIO HOLDER AND CONTACT OFFICER*

<b>TITLE OF DECISION:</b> <b>COMMUNITY SAFETY CAPACITY</b>			
<b>NAME OF DECISION TAKER:</b>	<b>COUNCILLOR EILEEN BLAMIRE</b>		
<b>POSITION AND RESPONSIBILITY HELD:</b>	<b>PORTFOLIO HOLDER FOR COMMUNITY SAFETY (EXCLUDING LICENSING), EMERGENCY PLANNING, PLANNING POLICY, CYCLING AND TRAVEL PLANS.</b>		
<b>CONTACT OFFICER:</b>	<b>PETER LOKER</b>		
<b>TELEPHONE:</b>	01524 582501		
<b>E-MAIL:</b>	<a href="mailto:ploker@lancaster.gov.uk">ploker@lancaster.gov.uk</a>		
<b>Details of Decision:</b>			
<p>(1) That the £20,000 budget provision be used to maintain the Community Safety Partnership's administrative capacity thus ensuring this service for the next financial year and the position be reviewed as part of the 2009/10 budget exercise.</p> <p>(2) That, as the Accountable Body, the Council approve the overall Community Safety Programme for the year 2008/09 which takes into account contingency support and consequent matched funding.</p> <p>(3) That the 2008/09 General Fund Revenue budget be updated to take into account the recent allocation of Community Safety Area Based Grant.</p>			
<b>Reasons for the decision (continue on separate sheet or append relevant papers as necessary):</b>			
To maintain capacity within the Community Safety Partnership for 2008/09 and secure other matched funding.			
<b>Is the decision URGENT</b> NO			
<b>I CONFIRM THAT I HAVE BEEN CONSULTED ON THE ABOVE DECISION AND THAT IT IS URGENT AND REASONABLE IN ALL THE CIRCUMSTANCES. (IN ACCORDANCE WITH SECTION 17 OF THE OVERVIEW AND SCRUTINY COMMITTEE PROCEDURE RULES)</b> <b>SIGNATURE OF THE OVERVIEW AND SCRUTINY COMMITTEE CHAIRMAN:</b> <b>N/A</b>			
<b>I confirm that I have taken account of the options proposed by officers, the various implications set out in the report and the comments of the Monitoring and Section 151 Officers and am authorising the decision as set out above.</b>			
<b>SIGNATURE OF DECISION TAKER:</b>	M. E. Blamire		
<b>DATE:</b>	13/05/08		
<i>THIS SECTION TO BE COMPLETED BY DEMOCRATIC SERVICES</i>			<b>REF NO.</b> <b>PD204</b>
<b>DATE DECISION TAKEN:</b>	13/05/08	<b>DATE RECEIVED BY DEMOCRATIC SERVICES:</b>	13/05/08
<b>DATE DECISION PUBLISHED:</b>	15/05/08	<b>IMPLEMENTATION DATE (publication day + 5 working days):</b>	23/05/08

<b>CABINET</b>
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## Community Safety Capacity

### INDIVIDUAL CABINET MEMBER DECISION COUNCILLOR EILEEN BLAMIRE

#### Report of Corporate Director (Community Services)

<b>PURPOSE OF REPORT</b>			
To consider funding support to the Community Safety Partnership.			
<b>Key Decision</b>	<input type="checkbox"/>	<b>Non-Key Decision</b>	<input checked="" type="checkbox"/> <b>Referral from Cabinet Member</b>
<b>Date Included in Forward Plan</b>	N/A		
This report is public.			

#### RECOMMENDATIONS OF CORPORATE DIRECTOR

- (1) That the £20,000 budget provision be used to maintain the Community Safety Partnership's administrative capacity thus ensuring this service for the next financial year and the position be reviewed as part of the 2009/10 budget exercise.
- (2) That, as the Accountable Body, the Council approve the overall Community Safety Programme for the year 2008/09 which takes into account contingency support and consequent matched funding.
- (3) That the 2008/09 General Fund Revenue budget be updated to take into account the recent allocation of Community Safety Area Based Grant.

#### 1. Introduction

The Community Safety Partnership (CSP) has in previous years benefited from external funding to support its work. This funding has decreased over the years. In 2005/06 the figure stood at £198,000; the Council, as accountable body for the CSP has now recently received an offer letter of Community Safety Area Based Grant in the sum of £88,800 in this coming year. At Budget Council in February 2008 it was recognised that there was some uncertainty as to the future funding of the CSP and so a one-off sum was approved for 2008/09 to maintain capacity within the Partnership

#### 2. Community Safety Partnership Funding 2008/09

At present the CSP faces a deficit in its spending plan for 2008/09 of £55,000 and the Partnership is seeking the support of the City Council to agree to use the contingency sum of £20,000 to maintain and build capacity within the Partnership

### **3. Proposal**

A request is being made to the City Council by the CSP to use the £20,000 contingency to support Community Safety administrative capacity in 2008/09. As the Council's contingency funding provision is only for 2008/09, it is proposed to carry out a fundamental review of the position later in the year as part of the 2009/10 budget process.

Allocating this £20,000 will, as well as maintaining the capacity of the CSP, trigger a series of matched funding from the Police, Primary Care Trust and Government which will enable the Partnership to develop additional capacity to address issues of domestic abuse.(see Appendix 1)

All opportunities for reducing the funding deficit prior to this request for support have been exhausted.

The City Council acts as the Accountable Body for external grant aided community safety activity and in approving the overall programme Cabinet should note that individual spending decisions within the programme are the responsibility of the Community Safety Partnership Executive. Those decisions are implemented by the Responsible Spending Officer within the Corporate Strategy Service.

### **5 Options**

The options for the City Council are:

#### **Option 1**

- to allocate the contingency funding of £20K thus ensuring that the administrative capacity of the partnership is maintained during this period of change in the way it operates within new national reforms and Local Area Agreement arrangements and secure additional matched funding opportunities.
- Carry out a fundamental review of the position as part of the 2009/10 budget exercise.

#### **Option 2**

- not to allocate the contingency funding; the CSP Executive will need reconsider its proposals for the coming year.

### **Risk Analysis**

In establishing its budget for 2008/09 and setting aside £20K the City Council identified a potential risk to community safety funding. If the £20K is not used to secure the Community Safety Partnership capacity for a further year until a fundamental review can be undertaken then the Partnership's programme of delivery for the coming year is put at risk. It denies the Partnership the opportunity to secure additional matched funding to better address domestic abuse issues and potentially exposes staff working within the partnership to the risk of redundancy.

The preferred option is option 1 as it safeguards the capacity of the Community Safety Partnership during a period of great change and secures a series of matched funding opportunities.

### **Conclusion**

The Community Safety Partnership is currently experiencing a shortfall in its spending plan as a result of reductions in community safety grant funding. The City Council recognised this

risk to the CSP and agreed to set aside a contingency of £20,000 to ensure that the CSP was adequately supported. The CSP is now requesting that the City Council use that contingency to safeguard the capacity of the Partnership which will in turn trigger a series of matched funding opportunities to enable the Partnership do more to address domestic abuse – a Corporate Plan priority.

#### **RELATIONSHIP TO POLICY FRAMEWORK**

Supports Council's Corporate Plan Objective to 'contribute to a safer society'.

#### **CONCLUSION OF IMPACT ASSESSMENT**

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

Will have a positive impact on community safety activity during 2008/09.

#### **FINANCIAL IMPLICATIONS**

Council has already allocated £20k as part of its budget for 2008/09 to maintain capacity in the Community Safety Partnership.

If Option 1 is agreed then the General Fund Revenue Budget will be updated in 2008/09 to reflect the revised expenditure and financial profiling Community safety funding.

If Option 2 is preferred a saving to the Council of £20,000 would be generated although the Partnership would need to adjust its plans for the coming year as they would be facing an overall £55,000 shortfall in its spending plan.

It is intended that a fundamental review of the Council's Community Safety arrangements is intended as part of the 2009/10 budget. This review will address any potential redundancy implications of any arrangements it wishes to pursue in future.

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

The Section 151 Officer has been consulted and has nothing further to add

#### **LEGAL IMPLICATIONS**

There are no legal implications arising as a result of this report.

#### **MONITORING OFFICER'S COMMENTS**

The Monitoring Officer has been consulted and has nothing further to add.

#### **BACKGROUND PAPERS**

**Contact Officer:** Michelle Emery  
**Telephone:** 01524 596536  
**E-mail:** memery@lancaster.gov.uk  
**Ref:**

**APPENDIX A****Current Position**

<b>Income</b>		<b>Proposed Outgoings</b>	
Area Based Grant	88800	PCSOs	122000
Police Authority	3000	Criminal Analyst	16,000
		Dom. Violence	
Police Constabulary	3000	Advocate (IDVA)	40000
		Arrest Referral	
Lancaster City Council	11800	Scheme	8000
		Lanpac	500
		MADE	3000
		Admin Support Officer	20000
Lancaster City Council DV Co-ord	10000	DV Co-ordinator	10000
Police DV Co-ordinator	10000	DV Co-ordinator	10000
PCT Domestic Violence	18000	LDWA	18000
Fire and Rescue Second Homes	15400	Young Firefighters	2500
Police Second Homes	35000		
Totals	195000		250000

**Shortfall -55000**

Position with City Council and other matched funding (**shown highlighted**)

<b>Income</b>		<b>Proposed Outgoings</b>	
Area Based Grant	88800	PCSOs	111000
		Criminal Analyst	16000
Police Authority	3000		
Police Constabulary	3000	IDVA	40,000
<b>Government funding for IDVA</b>	<b>20000</b>		
<b>LDWA funding for IDVA</b>	<b>4000</b>		
Lancaster City Council	11800	Arrest Referral	
		Scheme	8000
		Lanpac	500
<b>Lancaster City Council Contingency</b>	<b>20000</b>	MADE	3000
Lancaster City Council DV Co-ord	10000	Admin Support Officer	20000
Police DV Co-ordinator	10000	DV Co-ordinator	20000
PCT Domestic Violence	18000		
Fire and Rescue Second Homes	15400	LDWA	18000
Police Second Homes	35000	Young Firefighters	2500
Totals	<b><u>239000</u></b>		<b><u>239000</u></b>
Note IDVA = Independent Domestic Violence Advocate			

# LANCASTER CITY COUNCIL

*Promoting City, Coast & Countryside*

## EXECUTIVE DECISIONS TAKEN BY CABINET PORTFOLIO HOLDER OR DELEGATED OFFICER NOTICE OF DECISION

*THIS SECTION TO BE COMPLETED BY THE PORTFOLIO HOLDER AND CONTACT OFFICER*

<b>TITLE OF DECISION:</b>	
<b>TENDER FOR DESIGN AND FIT-OUT OF LANCASTER VISITOR INFORMATION CENTRE</b>	
<b>NAME OF DECISION TAKER:</b>	<b>MARK CULLINAN</b>
<b>POSITION AND RESPONSIBILITY HELD:</b>	<b>CHIEF EXECUTIVE</b>
<b>CONTACT OFFICER:</b>	<b>JIM TROTMAN</b>
<b>TELEPHONE:</b>	01524 582811
<b>E-MAIL:</b>	jtrotman@lancaster.gov.uk
<b>Details of Decision:</b>	
(1) That Apple display and shop fitting Limited be the chosen contractor for the design and fit-out of Lancaster Visitor Information Centre as highlighted in the Capital Programme report to Full Council dated 27 <sup>th</sup> February 2008.	
<b>Reasons for the decision (continue on separate sheet or append relevant papers as necessary):</b>	
<p>The Lancaster Tourist Information Centre is due to move out of 29 Castle Hill at the end of 2008 and is to be established as a regional Visitor Information Centre in the Storey Creative Industries Centre. As a result of the enhanced regional role, 50% external funding has been secured for this project.</p> <p>Tenders were sought from suppliers with known VIC expertise and design work will be finalised with the successful contractor and with the VIC style consultant to the Lancashire and Blackpool Tourist Board. The new Lancaster VIC is scheduled to open on 5<sup>th</sup> January 2009 and is integral to the success of The Storey.</p> <p>The main contract for The Storey is now underway and a start needs to be made as soon as possible on the mechanical and electrical work for the VIC so as not to cause delays to the main contract. This first phase of the work, including finalisation of the designs, needs to start soon and the fit-out can then take place during October and November 2008. Completion of the new Lancaster VIC needs to take place on time to fit with the closure of the existing TIC and with the opening of The Storey.</p> <p>It was recommended that Apple display and shop fitting Limited should, therefore, be appointed as the Council's contractor for the design and fit-out of Lancaster Visitor Information Centre as outlined in the client brief.</p>	
<b>IS THE DECISION URGENT <del>YES</del>/NO PLEASE DELETE AS APPROPRIATE AND GIVE REASONS FOR URGENCY BELOW:</b>	
<b>N/A</b>	
<b>I CONFIRM THAT I HAVE BEEN CONSULTED ON THE ABOVE DECISION AND THAT IT IS URGENT AND REASONABLE IN ALL THE CIRCUMSTANCES. (IN ACCORDANCE WITH SECTION 17 OF THE OVERVIEW &amp; SCRUTINY PROCEDURE RULES)</b>	
<b>SIGNATURE OF THE OVERVIEW &amp; SCRUTINY CHAIRMAN:</b>	<b>N/A</b>
<b>I confirm that I have taken account of the options proposed by officers, the various implications set out in the report and the comments of the Monitoring and Section 151 Officers and am authorising the decision as set out above.</b>	
<b>SIGNATURE OF DECISION TAKER:</b>	M. Cullinan
<b>DATE:</b>	08.05.08



THIS SECTION TO BE COMPLETED BY DEMOCRATIC SERVICES			REF NO.	OD44
DATE DECISION TAKEN:	08/05/08	DATE RECEIVED BY DEMOCRATIC SERVICES:	09/05/08	
DATE DECISION PUBLISHED:	15/05/08	IMPLEMENTATION DATE ( publication day + 5 working days):	23/05/08	

*A copy of the report considered by the decision taker should be appended to this form and forwarded immediately to Democratic Services on completion.*