



INDIVIDUAL CABINET MEMBER AND OFFICER DELEGATED DECISIONS

THURSDAY, 4 FEBRUARY 2010

Please find enclosed Decision Notices in connection with the following:

Individual Cabinet Member Decisions:

1. **Allocation of Affordable Housing S106 Contributions to Impact Housing Association** (Pages 1 - 6)
2. **Additional Sunday opening of Morecambe Visitor Information Centre** (Pages 7 - 12)

Officer Delegated Decisions:

3. **Lancaster Cultural Heritage Strategy** (Page 13)

Please note that these are subject to call-in.

Queries regarding these documents

Please contact David Watson - Democratic Services, Telephone 01524 582096 or e-mail dwatson@lancaster.gov.uk.

Gillian Noall,
Head of Democratic Services,
Town Hall,
Dalton Square,
Lancaster LA1 1PJ

Published on Thursday, 4 February 2010

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

TITLE OF DECISION:			
ALLOCATION OF AFFORDABLE HOUSING S106 CONTRIBUTIONS TO IMPACT HOUSING ASSOCIATION			
NAME OF DECISION TAKER:	CLLR DAVID KERR		
POSITION AND RESPONSIBILITY HELD:	Portfolio Holder for Health and Wellbeing.		
CONTACT OFFICER:	MAURICE BROPHY		
TELEPHONE:	01524 582330		
E-MAIL:	mbrophy@lancaster.gov.uk		
Details of Decision: To agree Impact Housing Associations application for a grant of £50k from the affordable housing S106 commuted sums fund to be used to help provide 10 affordable homes at Windermere Road Carnforth.			
Reasons for the decision (continue on separate sheet or append relevant papers as necessary): To use S106 funds as intended to provide affordable housing in accordance with the policy approved by Cabinet in November 2009. To meet the housing needs of the District by providing affordable homes that may otherwise not be developed due to financial constraints.			
Is the decision URGENT Yes/NO Please delete as appropriate and give reasons for urgency below: <i>*To be completed in the case of URGENT decisions</i>			
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) SIGNATURE OF THE OVERVIEW AND SCRUTINY COMMITTEE CHAIRMAN: 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:	David Kerr		
DATE:	4 February 2010		
<i>THIS SECTION TO BE COMPLETED BY DEMOCRATIC SERVICES</i>			
		REF NO.	PD259
DATE DECISION TAKEN:	4 Feb 2010	DATE RECEIVED BY DEMOCRATIC SERVICES:	4 Feb 2010
DATE DECISION PUBLISHED:	4 Feb 2010	IMPLEMENTATION DATE (publication day + 5 working days):	12 Feb 2010

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

CABINET

**Allocation of Affordable Housing S106 contributions to
Impact Housing Association
Individual Cabinet Member Decision**

**(Cllr Kerr)
29 January 2010**

Report of Head of Planning Services

PURPOSE OF REPORT			
To agree a grant application for £50k from the affordable housing S106 commuted sums.			
Key Decision	<input type="checkbox"/>	Non-Key Decision	<input checked="" type="checkbox"/>
		Referral from Cabinet Member	<input type="checkbox"/>
Date Included in Forward Plan			
This report is public			

RECOMMENDATIONS

- (1) To grant Impact Housing Association £50k to ensure the development of affordable housing at Windermere Road, Carnforth is financially viable.
- (2) That the Head of Financial Services is authorised to update the General Fund Capital Programme to reflect the grant allocation to Impact Housing Association from the Section 106 programme.

1.0 Introduction

- 1.1 A report was presented to cabinet on 10 November 2009 to agree the process for allocating grants from the fund of Affordable Housing S106 commuted sums.
- 1.2 Cabinet members approved an approach whereby the determination of allocations of the monies will be made by Individual Cabinet Member Decision by the portfolio holder for Health and Wellbeing.
- 1.3 This is the first application that has been made by a Housing Association to enable the development of 10 rented houses in Carnforth. Without the grant the development would not be viable resulting in the development not proceeding.

- 1.4 There is an element of urgency on the agreement of this grant. The developer expected to commence the development in summer 2009 but due to the financial appraisal shortfall and Homes and Communities grant process it has been delayed by 6 months. They are therefore keen to sign the contract with the Association and commence the development within the next few weeks.
- 1.5 The Housing Association is unable to sign the development contract until there is confirmation of the grant from the S106 monies.

2.0 Background

- 2.1 The development is at Windermere Road, Carnforth and will provide 10 affordable homes. These will be social rented properties in the form of 2 and 3 bed houses.
- 2.2 This site was originally presented to the City Council by Maple Developments who had chosen to work with Impact Housing Association on a fully rented scheme. The previous owner of the site had originally looked at providing some rent and some shared ownership properties.
- 2.3 The new owner and Impact Housing are offering all units for rent. The site meets our affordable housing objectives by providing 10 houses for rent. Council housing have confirmed that there is a waiting list for this type of property in Carnforth.
- 2.4 Impact housing originally applied for a grant to cover the full amount from the Homes and Communities Agency (HCA) however they have been informed by the technical officer that they will not support a grant rate of more than £65k per unit, which is a total reduction of £50k across the scheme.
- 2.5 The Association is not able to make any significant savings on the contract as there are a reasonable amount of extra costs, mainly relating to meeting the code for sustainable homes and addressing flooding issues.
- 2.6 Following discussions with the HCA Impact have also had to reduce the rents they had forecast and are currently in a position where the scheme no longer stacks up financially due to the reduction in grant.
- 2.8 For this reason Impact Housing Association have requested that the Council help to finance the scheme by funding the shortfall of £50k.

3.0 Proposal Details

- 3.1 The Management Team supports the application and recommends that Cllr Kerr approves the grant.

4.0 Details of Contract

- 4.1 A contract will be compiled to confirm the grant.
- 4.2 The Council will receive 100% nomination rights to the properties in perpetuity.
- 4.3 The money will be awarded to the Association on site completion by way of a letter from the Association requesting to draw down the grant.

- 4.4 The Association must liaise with the Council on any change of use or adaptation to the management of the properties that would impact on the original use and nomination rights.

5.0 Risk Assessment

- 5.1 The money will only be granted following completion of the development.
- 5.2 The contract will ensure that the Council will receive 100% nomination rights to the properties in perpetuity.

6.0 Option and Options Analysis

- 6.1.1 **Option 1:** Provide Impact Housing Association with a Grant of £50k to support the development of 10 Affordable Homes in Carnforth by making the development proposal financially viable.

Option Analysis: Making this grant available to the Impact Housing Association will make this proposal financially viable and lead to the delivery of 10 much need Affordable Homes. Use of the Section 106 Monies in this way is precisely the intended purpose of negotiating and managing this money.

- 6.1.2 **Option 2:** Do not provide Impact Housing Association with a Grant of £50k to support the development of 10 Affordable Homes in Carnforth by making the development proposal financially viable.

- 6.1.3 **Option Analysis:** Not making this grant available to the Impact Housing Association will make this proposal financially unviable and lose the opportunity to secure the delivery of 10 much need Affordable Homes. If the Section 106 Monies are not distributed as intended, to proposals such as this, then the money will have to be returned to the contributing developers.

Officer Preferred Option

- 6.1.4 Option 1 is the Preferred Option. Supporting Impact Housing Association to deliver this scheme will lead to the delivery of much needed affordable housing and should therefore be supported. Use of the monies in this way is precisely the intended purpose of managing the Section 106 Commute Sums Fund.

7.0 Conclusion

- 7.1 In order that this proposal is named financially viable and so development of 10 much needed affordable homes can occur a grant of £50k is needed from the Council. This proposal and request from Impact Housing Association should be welcomed and supported.

RELATIONSHIP TO POLICY FRAMEWORK

Corporate Plan 2009-2012 Objective 6 of is to improve the standard, availability and affordability of housing in the district to meet local needs. This is measured by Key Target NI155 - Number of affordable homes delivered (gross) and is addressed by Key Action 6.1 in the Lancaster District Local Strategic Partnership's Health & Well Being Thematic Group action plan – "Provide affordable housing in accordance with the Housing Strategy and Local Development Framework".

Housing Strategy priority 2 target is to produce a protocol for spending commuted sums and deliver affordable homes in partnership with the Housing Corporation (now the Homes and Communities Agency).

Core Strategy Meeting the affordable housing requirements of the district is set out in Policy SC4 and informed by the housing needs study endorsed by the planning policy cabinet liaison group on 14 February 2008.

CONCLUSION OF IMPACT ASSESSMENT

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

Equality, Diversity and sustainability implications have been taken into consideration in the production of the housing needs study which will be used to inform the type and tenure of housing to be funded.

All RSLs are committed to ensuring that the allocations of affordable housing are in accordance with their equality and diversity policies.

FINANCIAL IMPLICATIONS

The allocation of £50K grant to Impact Housing Association will be 100% funded from the Section 106 Programme. Officers from the Forward planning Team will be responsible for ensuring that the grant is used in accordance with conditions set out in the relevant Section 106 agreement to reduce the risk of money being returned to the original developer.

Financial management of the funding programme will be further supported via regular reporting by the Head of Planning Services and in liaison with the Programmes & Funding Manager.

If approved, the General Fund Capital Programme will need to be updated to reflect the allocation to Impact Housing Association from the Section 106 Funding programme, subject to there being a nil impact on the Council's resources outside the allocated commuted sums.

SECTION 151 OFFICER'S COMMENTS

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

LEGAL IMPLICATIONS

Legal Services have been consulted and have no comments to make on the proposal.

MONITORING OFFICER'S COMMENTS

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

BACKGROUND PAPERS

1. Development Financial Appraisal
2. Letter from Impact Housing confirming financial position
3. Impact Financial Accounts

Contact Officer: Maurice Brophy

Telephone: 01524 582330

E-mail: mbrophy@lancaster.gov.uk

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

TITLE OF DECISION:			
ADDITIONAL SUNDAY OPENING OF MORECAMBE VISITOR INFORMATION CENTRE			
NAME OF DECISION TAKER:	CLLR EVELYN ARCHER		
POSITION AND RESPONSIBILITY HELD:	PORTFOLIO HOLDER FOR TOURISM		
CONTACT OFFICER:	JIM TROTMAN		
TELEPHONE:	01524 582811		
E-MAIL:	jtrotman@lancaster.gov.uk		
Details of Decision:			
<p>To accept the conclusions of the trial period report and consequently agree to the opening of Morecambe Visitor Information Centre for additional Sundays in the Spring, thus allowing the centre to be open for seven days per week from the beginning of April until the end of September every year.</p>			
Reasons for the decision (continue on separate sheet or append relevant papers as necessary):			
<p>The trial period of opening for additional Sundays during the spring and autumn of 2009 showed that there was demand for additional opening on Sundays in the spring months. However, the trial period showed that while there was some demand in October, there was little in November. No business case could be made for Morecambe VIC to be open for additional Sundays in the autumn and winter.</p> <p>In order to respond to the request made at the Cabinet and MPs liaison meeting in April 2008 for additional Sunday opening of Morecambe VIC, the trial period was assessed and opening for additional spring Sundays will partly meet that request.</p>			
Is the decision URGENT?			
NO			
<i>*To be completed in the case of URGENT decisions</i>			
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)			
SIGNATURE OF THE OVERVIEW AND SCRUTINY COMMITTEE CHAIRMAN:		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:		Evelyn Archer	
DATE:		3 February 2010	
<i>THIS SECTION TO BE COMPLETED BY DEMOCRATIC SERVICES</i>			REF NO.
			PD260
DATE DECISION TAKEN:	3 Feb 2010	DATE RECEIVED BY DEMOCRATIC SERVICES:	4 Feb 2010
DATE DECISION PUBLISHED:	4 Feb 2010	IMPLEMENTATION DATE (publication day + 5 working days):	12 Feb 2010

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

CABINET

Additional Sunday opening of Morecambe Visitor Information Centre

Individual Cabinet Member Decision (Councillor Evelyn Archer)

Report of Head of Economic Development and Tourism

PURPOSE OF REPORT				
To report on the trial period of additional opening of the Morecambe VIC during spring and autumn Sundays in 2009 and to present options for any additional Sunday opening of Morecambe VIC in the future.				
Key Decision		Non-Key Decision	X	Referral from Cabinet Member
Date Included in Forward Plan		n/a		
This report is public				

RECOMMENDATIONS

- (1) That approval is given to opening Morecambe Visitor Information Centre for additional Sundays from Easter to the end of May and thus extending 7 day per week opening to 6 months per year, funded from within existing budgets.

1.0 Introduction

- 1.1 A decision was taken in April 2009 which allowed for additional Sunday opening of Morecambe Visitor Information Centre (VIC) for a trial period during the spring (April and May) and autumn (October and November) of 2009. The trial period was to assess the visitor numbers and costs associated with opening on Sundays outside of the summer half of the year.

The case for additional Sunday opening of Morecambe VIC needed to be assessed following a request made at the Cabinet and MPs liaison meeting on 21st April 2008. Whilst the original request was for the VIC to be opened on Sunday's all-year round, it was recognised that there would be a significant cost in introducing this. Instead, it was decided to conduct a limited trial during the spring and autumn "shoulder" months, so that levels of demand and running costs could be assessed to allow a more informed decision to be taken for future years.

Following the trial period, which ended on the 29th November 2009, an assessment of the additional costs and income has been undertaken.

2.0 Proposal Details

Due to the delayed start of the trial period, Morecambe VIC opened for 4 Sundays in April and May and for 9 in October & November. (There is normally an average of 7 additional Sundays during the spring period). During the trial period, the VIC was open for 4 hours per day in order to keep the running costs to a minimum.

An assessment of the additional Sunday opening has shown that an additional 1396 customers came to the Morecambe VIC and spent an additional £465 (net).

The results for the additional Sundays are summarised as follows:

Trial periods	Total visitors	Net income	Running cost (staff and utilities)	Total deficit
April/May 2009	616 (4 days)	-£179	£389	-£210
October 2009	406 (4 days)	-£147	£389	-£242
November 2009	374 (5 days)	-£139	£487	-£348
Totals	1396 (13 days)	-£465	£1,266	-£801

By comparison the Mondays following the additional Sunday openings in each period were broadly comparable in terms of visitor numbers and income.

Two key conclusions from the pilot are:

- Opening in the spring period appears to have been the most successful, with an average of over 150 visitors per day.
- In contrast, the November figures suggest that there is limited demand at that time of year. This confirms the view that demand during winter months would be too low to justify extending 7 day opening to an all-year basis

3.0 Details of Consultation

The view of the Morecambe VIC staff involved with the trial period was that the additional opening on spring Sundays was worthwhile but that autumn Sundays were quiet days.

The Chairman of the Morecambe Hotels and Tourism Association has commented that any additional opening of the VIC would be beneficial to tourism in the resort.

4.0 Options and Options Analysis (including risk assessment)

With regard to the options below, it should be noted that the trial period used a reduced level of staffing and restricted Sunday opening to just 4 hours, to minimise the cost of the trial. This has been sufficient to evaluate levels of demand for Sunday opening, but is not a sustainable mode of operation for the future as it has depended strongly on the willingness of one member of staff to work these additional hours and has also caused some confusion to the public about VIC opening hours.

The options below therefore all assume that additional Sundays are operated on "normal" Sunday opening hours (10am to 4 pm) and staffing, and this has been taken into account in the costings

Option 1 - Revert to the previous pattern of closing the Morecambe VIC on Sundays during autumn and spring i.e. closing for every Sunday except Bank Holidays between the start of October and the end of May. This would offer a saving of £1,900 from the existing overtime budget that has not been fully utilised in past years and was temporarily kept at the current level pending the outcome of the trial.

Option 2 – Open for the additional spring period only, resulting in the VIC opening on Sundays for a continuous period from April to the end of September. This includes an average of 7 additional Sundays excluding Easter and May bank holidays which the VIC currently opens. The additional cost of £1,200 would be part offset by £300 income. The balance of £900 would need to be met from the overtime budget. This would still leave the potential for a further saving of £1,000 from the overtime budget. This will be monitored and re-assessed during the 2011/12 budget process.

Option 3 - Open for additional Sundays for the spring period, as for option 2, plus October. (The trial period showed that there is limited demand in November). This would give an average of 12 additional Sundays in the spring and autumn. The additional cost of £1,700 would be part offset by £500 income. The balance of £1,200 would need to be met from the overtime budget. This would still leave the potential for a saving of £700 from the overtime budget. This will be monitored and re-assessed during the 2011/12 budget process.

Note: At present there is no business case for 7 day opening all year round and it could not be funded from existing budgets, so this is not presented as an option.

5.0 Officer Preferred Option (and comments)

The preferred option is option 2 as this would allow Morecambe VIC to be open for 7 days per week from Easter to the end of September. These are the 6 busiest months for dealing directly with the public (excluding October half term which will remain closed on Sundays). This option partly meets the request made at the Cabinet and MPs Liaison Group while also keeping the additional cost to approximately £900, which can be met from the existing overtime budget.

6.0 Conclusion

Option 2, opening Morecambe VIC for 7 days per week for the 6 busiest months of the year, will provide an enhanced service that was requested at the Cabinet and MPs liaison meeting in the spring of 2008. There is not a business case for keeping the Morecambe VIC open for more Sundays in the autumn/winter half of the year.

RELATIONSHIP TO POLICY FRAMEWORK

The Tourism Strategy for Morecambe, Lancaster and the Lune Valley, 2006 – 2010. Objective 3 is, "To provide high quality visitor services which exceed customer expectations". Opening for additional days will help to meet the target of increasing visitor enquiries by 5% annually.

CONCLUSION OF IMPACT ASSESSMENT

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

None.

FINANCIAL IMPLICATIONS

It should be noted that any reference within this report to the overtime budget relates to a budget that has, in recent years, not been fully utilised. During the 2009/10 budget process, and in conjunction with the original MVIC Sunday opening report (April 2009) the decision was made not to reduce this budget and re-assess pending the outcome of the trial. This ensured some security during the trial period in the event that income was not achieved. There is still potential within all three options to achieve a saving from this budget; this will be monitored and re-assessed as part of the revised 2011/12 budget process.

For the trial period, costs were minimised by restricting opening hours on the additional Sundays to 4 hours each day, requiring only 2 members of staff (one VIC Assistant who worked for 5 hours to cover opening and closing and 1 Casual Assistant who worked for 4). The cost to the service of opening for 13 additional out-of-season Sundays was £800. This cost has been met from the overtime budget.

If additional Sunday opening is to be repeated, it is suggested that the opening hours revert to the same as other Sundays (10 am to 4 pm) to avoid confusion to the public. This would require staffing to increase to one VIC Assistant and 2 Casual Assistants (all for 6 hours) at a cost of £1,100 plus utilities of £100. The 7 additional Sundays would total £1,200 and would be part offset by £300 additional net income, based on an average from the 4 day spring trial.

The net cost of option 2 would therefore be approximately £900 per year which could be met from the existing VIC overtime budget leaving scope for further savings of £1,000.

The table below details the 3 options and the implications of each:

	Additional Income	Additional Expenditure	Overtime budget savings	Total surplus
Option 1	0	£0	-£1,900	-£1,900
Option 2	-£300	£1,200	-£1,900	-£1,000
Option 3	-£500	£1,700	-£1,900	-£700

SECTION 151 OFFICER'S COMMENTS

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

LEGAL IMPLICATIONS

None.

MONITORING OFFICER'S COMMENTS

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

BACKGROUND PAPERS

ICMD Report, April 2009

Contact Officer: Jim Trotman

Telephone: 01524 582811

E-mail: jtrotman@lancaster.gov.uk

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

TITLE OF DECISION: Lancaster Cultural Heritage Strategy			
NAME OF DECISION TAKER:	MARK CULLINAN		
POSITION AND RESPONSIBILITY HELD:	CHIEF EXECUTIVE		
CONTACT OFFICER:	PAUL ROGERS		
TELEPHONE:	01524 582334		
E-MAIL:	progers@lancaster.gov.uk		
Details of Decision: To approve the officer recommendation that Blue Sail be appointed as the Council's consultant for the Lancaster Cultural Heritage Strategy services as outlined in the tender Brief.			
Reasons for the decision: Lancaster City Council is working with partners to develop a strategy for Lancaster's Cultural Heritage. It is intended that this will show strategic investment in the heritage related tourism infrastructure can stimulate economic growth and deliver wider regeneration benefits. It will also guide future investment in an ambitious economic vision which recognises the key role that tourism, heritage and culture will play in the future economic prosperity of the district. A competitive tender procedure has resulted in Blue Sail coming out ahead on the strength of the quality and financial offer in their proposal.			
IS THE DECISION URGENT Yes /No			
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 & SCRUTINY PROCEDURE RULES) SIGNATURE OF THE OVERVIEW & SCRUTINY CHAIRMAN: 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:	Mark Cullinan		
DATE:	27 January 2010		
<i>THIS SECTION TO BE COMPLETED BY DEMOCRATIC SERVICES</i>			
		REF NO.	OD70
DATE DECISION TAKEN:	27 Jan 2010	DATE RECEIVED BY DEMOCRATIC SERVICES:	27 Jan 2010
DATE DECISION PUBLISHED:	4 Feb 2010	IMPLEMENTATION DATE (publication day + 5 working days):	12 Feb 2010

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