

## CABINET

10.00 A.M.

9TH NOVEMBER 2010

**PRESENT:-** Councillors Stuart Langhorn (Chairman), June Ashworth, Jon Barry, Eileen Blamire, Abbott Bryning, Jane Fletcher, David Kerr and Peter Robinson

Officers in attendance:-

Mark Cullinan	Chief Executive
Nadine Muschamp	Head of Financial Services and Section 151 Officer
Andrew Dobson	Head of Regeneration and Policy Service
Graham Cox	Head of Property Services
Richard Tulej	Head of Community Engagement Service
Ged McAllister	Assistant Head R&P – Environmental Management
Liz Bateson	Principal Democratic Support Officer

### 57 MINUTES

The Minutes of the meeting held on Tuesday 5 October 2010 were approved as a correct record.

### 58 ITEMS OF URGENT BUSINESS AUTHORISED BY THE LEADER

The Chairman advised that there were two items of urgent business. The first was an item regarding Municipal Building Works (Minute 68 refers) and the second was a report regarding the Festivals and Events Programme (Minute 69 refers).

### 59 DECLARATIONS OF INTEREST

Councillor Ashworth declared a personal and prejudicial interest with regard to the Council Assets Funding report, in view of her having been the chair of the Morecambe Music Festival (Minute 64 refers).

Councillors Ashworth and Kerr each declared a personal and prejudicial interest with regard to the Festivals and Events Programme report, as members of Morecambe Town Council (Minute 70 refers).

### 60 PUBLIC SPEAKING

Members were advised that there had been a request to speak at the meeting from a member of the public in accordance with Cabinet's agreed procedure, as set out in Cabinet Procedure Rule 2.7, with regard to the Adoption of the Shoreline Management Plan (Minute 61 refers).

### 61 ADOPTION OF THE SHORELINE MANAGEMENT PLAN

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

*(Ms M Gerrard who had registered to speak on this item in accordance with the*

***City Council's agreed procedure and Cabinet Procedure Rule 2.7, spoke as a representative member of Cockersands Forum).***

Cabinet received a report from the Head of Regeneration and Policy to consider the adoption of the revised Shoreline Management Plan (SMP2). A decision on this item had been deferred from the Cabinet meeting held on 5 October 2010 to enable Members to undertake a site visit to Cockerham and Sunderland Point (Minute 50 refers).

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

Option 1

Members are asked to formally adopt the revised shoreline management plan as a risk management tool for the sustainable management of our coastline. Whilst there is concern in some communities about the policies being adopted the best available solution has been obtained for these areas within the national parameters laid down by the government. The SMP2 is the major risk management tool that is being used by central government to allocate priorities for funding of coastal defence works. Lancaster City Council has in the past relied heavily on access to government grants to protect itself from major coastal flooding. Whilst a great deal of work has already been completed which has reduced this risk there is still a need for further work to maintain and enhance the existing defences which will maintain the level of protection recently achieved. A programme of works to replace the existing wave reflection wall, built in the early eighties, which whilst currently serviceable has suffered some deterioration is programmed over the next few years subject to final approvals. Access to such funds is likely to be at risk if this strategic management tool is not adopted by Lancaster City Council. In those areas of controversy where the prospect of managed retreat could threaten the current status quo there is a commitment to hold the line for now and review the approach before the next revision of the plan. For this reason support is recommended at this time.

Option 2

Members may choose not to adopt the plan. Non adoption will put at risk access to funds for any coastal or flooding related grants. Lancaster City Council currently has allocations in its capital programme which are still subject to final grant approval which may be at risk if non adoption is chosen. This Council can only operate as the local responsible body for Coastal defences if it is adequately funded by the Environment agency and working in partnership with the North West Coastal Group. Failure to adopt the plan could prejudice this.

Officer Preferred Option (and comments)

The officer's recommendation is option 1 as this is an important aid to the future management of our coastline and will be an important factor in the determination of financial support that the Council will receive from central government on coastal defence and flooding issues.

Councillor Barry proposed, seconded by Councillor Robinson:-

- “(1) To adopt the Shoreline Management Plan 2.
- (2) That Cabinet would like to see localised protection from erosion (eg rock armour)

- for the end of Sunderland Point.
- (3) That Cabinet notes the environmental and economic benefits of land in the Cockersands area; and the historical importance of the former Cockersands Abbey.
  - (4) That Cabinet requests details of further studies at Cockersands on flood defences are made available to the City Council and local residents and that both these groups are involved in discussions about these studies.
  - (5) That any conclusions of new studies at Cockersands are considered by the City Council.
  - (6) That during the hold the line period of the next 20 years, the embankment is maintained by the Environment Agency (including tunnel erosion)."

Councillors then voted:-

***Resolved unanimously:***

- (1) To adopt the Shoreline Management Plan 2
- (2) That Cabinet would like to see localised protection from erosion (eg rock armour) for the end of Sunderland Point.
- (3) That Cabinet notes the environmental and economic benefits of land in the Cockersands area; and the historical importance of the former Cockersands Abbey.
- (4) That Cabinet requests details of further studies at Cockersands on flood defences are made available to the City Council and local residents and that both these groups are involved in discussions about these studies.
- (5) That any conclusions of new studies at Cockersands are considered by the City Council.
- (6) That during the hold the line period of the next 20 years, the embankment is maintained by the Environment Agency (including tunnel erosion).

**Officer responsible for effecting the decision:**

Head of Regeneration and Policy.

**Reasons for making the decision:**

The Shoreline Management Plan will be an important risk management aid to the future management of the coastline in the district and an important factor in the determination of financial support that the Council will receive from central government on coastal defence and flooding issues.

**62 ARRANGEMENTS FOR HANDLING FORTHCOMING MAJOR INFRASTRUCTURE PROJECTS**

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

Cabinet received a report from the Head of Regeneration and Policy with regard to joint working arrangements with Lancashire and Cumbria District and County Councils to handle forthcoming major infrastructure projects relating to the upgrading of the national grid and nuclear new build proposals.

The options, options analysis, including risk assessment and officer preferred option,

were set out in the report as follows:

	<b>Option 1: For the City Council to engage individually with the process for the forthcoming major infrastructure projects.</b>	<b>Option 2: For the City Council to support working as a consortium of local authorities engaging in the major infrastructure process in the manner described in the report.</b>	<b>Option 3: For the City Council to decline to engage with the projects.</b>
Advantages	Engaging in a consortium will be a complex task involving a new governance arrangement and senior officer time. To engage in the process alone might be simpler administratively.	This would enable the City Council to share skills and resources with other local authorities to manage the process. It can use its expertise to concentrate on local and strategic considerations whilst not having to micro manage the project. Negotiations undertaken by a grouping of local authorities will inevitably be stronger than as individual Councils.	In the current climate where the Council has no spare capacity to engage effectively in these projects taking no part could avoid senior officer time being consumed on the projects.
Disadvantages	The City Council could not handle cases of this magnitude with its existing staff resources. Considerable amounts of work would be outsourced and the task of coordinating inputs with communities and agencies outside the district would be large.	There will inevitable be some aspects of detail over which the local authorities might disagree.	The City Council's reputation would be harmed and the communities on both sides of the arguments would feel un-represented.
Risks	The risk of a largely parochial and uncoordinated set of responses to the major infrastructure projects would be high. The reputation of the local authority would be	This option has less risks so long as the local authorities provide a united front. Without such a front the developers could find advantages in dividing opinion.	None of the potential benefits arising from the schemes would be championed for the local community by other bodies. Considerations for the Local Impact

	<p>harmful if it were unable to engage strategically in the inquiry process. There would also be little opportunity to secure economic benefits for the district linked to growth of this nature because the council would not be seen as credible.</p>		<p>Statements could be inaccurately put forward without challenge.</p>
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Officer Preferred Option (and comments)

Option 2 is the preferred option for the reasons set out.

Councillor Bryning proposed, seconded by Councillor Blamire:-

- “(1) That Cabinet support the creation of operational working and governance arrangements between Lancashire and Cumbria Local Authorities to prepare for engagement in projects submitted to the Infrastructure Planning Commission for the national grid upgrade and new nuclear build.
- (2) That the Head of Regeneration and Policy continues to negotiate operational arrangements for the creation of a working consortium of Lancashire/Cumbria local authorities on behalf of the City Council, with nominations for Members to sit on appropriate governing panels delegated to the Leader once a call for them has been made.”

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

“That any future cost implications to the City Council be reported back to Cabinet.”

Councillors then voted on the proposition, as amended:-

**Resolved:**

***(6 Members (Councillors Ashworth, Blamire, Bryning, Kerr, Langhorn and Robinson) voted in favour, 2 Members (Councillors Barry and Fletcher) voted against, whereupon the Chairman declared the proposal as amended to be carried.***

- (1) That Cabinet support the creation of operational working and governance arrangements between Lancashire and Cumbria Local Authorities to prepare for engagement in projects submitted to the Infrastructure Planning Commission for the national grid upgrade and new nuclear build.
- (2) That the Head of Regeneration and Policy continues to negotiate operational arrangements for the creation of a working consortium of Lancashire/Cumbria local authorities on behalf of the City Council, with nominations for Members to

sit on appropriate governing panels delegated to the Leader once a call for them has been made.

- (3) That any future cost implications to the City Council be reported back to Cabinet.

**Officer responsible for effecting the decision:**

Head of Regeneration and Policy.

**Reasons for making the decision:**

The decision fits in with the corporate priorities and will enable the Head of Regeneration and Policy to represent the City Council's interests in continuing negotiations with the developers. The requisite number of Members allocated seats in any governance arrangements will subsequently need to be chosen.

**63 CHARTER FOR PLANNING PERFORMANCE AGREEMENTS**

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

Cabinet received a report from the Head of Regeneration and Policy informing Cabinet of the recent public consultation regarding Planning Performance Agreements and sought agreement to adopt a Charter for such agreements in the future, to be used in consideration of the most strategic, major planning applications.

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

Option 1 – Not to Formally Adopt a Charter:

This would result in the Planning Service continuing with the present, ad-hoc arrangements for pre-application discussions for major, strategic proposals. Officers would continue to informally arrange 'Development Team' meetings but this process would not be enshrined in a Charter. It would therefore not direct applicants and developers to keep plans fluid during early stages (to enable them to respond to consultation suggestions) and would not require developers to consider the wider scope of their proposals at an early stage. New arrangements for community and Elected Member involvement at Development Team meetings would not be adopted. Finally, the failure to adopt a PPA Charter means that timescales for determining major planning applications would remain at 13 and 16 weeks, rather than agreed, application-specific timescales. This would result in a continuation of the present system whereby many major planning applications are determined after their national performance indicator target.

Option 2 – To Formally Adopt a Charter:

An adopted Charter would introduce a consistent procedure for the consideration and negotiation of major, strategic planning applications. Aside from formalising the pre-application process, it would provide greater opportunity for statutory consultees and community groups to be involved earlier in the development process. It would give greater certainty to all parties regarding the timescale of submission and determination of planning applications.

Officer Preferred Option (and comments)

Option 2 is the preferred option for the reasons set out. It is considered that formal ratification of the Charter should be via the Council's Planning and Highways Regulatory Committee. This is because the Charter is not a planning policy document, but simply a protocol for consideration of planning proposals that will ultimately be determined by the Planning and Highways Regulatory Committee.

Councillor Bryning proposed, seconded by Councillor Blamire:-

- "(1) That Cabinet resolve to adopt a Charter for Planning Performance Agreements.
- (2) That Cabinet determine that the ratification of the Charter should be the subject of formal approval from the Planning and Highways Regulatory Committee.
- (3) That the Head of Financial Services be given delegated authority to update the General Fund Revenue Budget as and when required (outside the normal annual budget process) to gross up additional outsourcing expenditure and associated income for one-off major applications, subject to there being a nil impact on the Council's resources.
- (4) That for strategic major applications, i.e. spanning more than 1 year, individual reports are brought back to Cabinet for approval prior to the General Fund Revenue Budget being updated."

After receiving advice from officers the proposer and seconder of the original proposal agreed to the following addendum:

'That the following be added to the end of recommendation (2) : "following consideration by Cabinet of the detailed issues surrounding member involvement as referred to in paragraph 3.8 of the report."

Councillors then voted:-

***Resolved unanimously:***

- (1) That Cabinet resolve to adopt a Charter for Planning Performance Agreements.
- (2) That Cabinet determine that the ratification of the Charter should be the subject of formal approval from the Planning and Highways Regulatory Committee following consideration by Cabinet of the detailed issues surrounding member involvement as referred to in paragraph 3.8 of the report.
- (3) That the Head of Financial Services be given delegated authority to update the General Fund Revenue Budget as and when required (outside the normal annual budget process) to gross up additional outsourcing expenditure and associated income for one-off major applications, subject to there being a nil impact on the council's resources.
- (4) That for strategic major applications, i.e. spanning more than 1 year, individual reports are brought back to Cabinet for approval prior to the General Fund Revenue Budget being updated.

**Officers responsible for effecting the decision:**

Head of Regeneration and Policy  
 Head of Financial Services.

**Reasons for making the decision:**

Planning Performance Agreements will not, by themselves, solve the inherent challenges facing the national planning system and will not be appropriate for all major development proposals. However, if they are adopted for schemes which are complex and most challenging, then they are already acknowledged to have the potential to achieve greater collaboration and transparency between all parties involved in the development process. Formalisation of the process through the Charter, is therefore, considered necessary.

**64 COUNCIL ASSETS FUNDING REPORT**

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

*(Councillor Ashworth declared a personal and prejudicial interest in this item having been the Chair of the Morecambe Music Festival and left the meeting prior to consideration of the item).*

Cabinet received a report from the Head of Property Services to update Cabinet on items considered by the Council Assets Task Group.

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

	<b>Option 1:</b> is to approve the various recommendations as set out in the report above.	<b>Option 2:</b> is to do nothing.
Advantages	This would result in the safekeeping of historic charters in the Records Office whilst obtaining copies for display locally. A condition survey would allow Officers to develop options for the ongoing maintenance of non fixed assets assets.	No further work on this project would be required.
Disadvantages	Some officer time would be required to implement these recommendations	This would result in the charters remaining as existing and continuing to deteriorate even though there is an opportunity to transfer them to the Records Office at no cost. There would be no copies available for public display. No funding would be sought for restoration of paintings etc whilst silverware would not be displayed and old



		furniture would remain in storage.
Risks	None identified	The charters would remain stored in unsatisfactory conditions and continue to deteriorate. If funds are not made available for restoration the condition of the non fixed assets of the council will also continue to deteriorate. If the old furniture remains in storage it will incur accommodation costs in doing so.

Officer Preferred Option (and comments)

The officer preferred option is Option 1 as this will promote the maintenance and/or restoration of the non-fixed assets and the safekeeping of the historic charters.

Councillor Langhorn proposed, seconded by Councillor Kerr:-

- “(1) That the Charters be relocated to the Records Office in Preston for conservation, storage and safekeeping.
- (2) That the Council accepts the offer of the County Council to produce an initial printed copy of each charter with a CD of images for future use, and to request further copies after conservation works have been completed.
- (3) That the Williamson Family Tree be transferred to the Records Office for conservation, storage and safekeeping and that should the City Council wish to take forward a project relating to Williamson Park in future, to accept the assistance offered by the County Council to fund such a project including the preparation of a copy of the family tree.
- (4) That the existing renewals reserve be used to fund the cost of any maintenance and / or restoration, subject to the outcome of survey. In due course a planned programme would be developed which will allow Members to decide on an appropriate specific budget if need be.
- (5) That a full inventory, valuation and condition survey of the non-fixed assets be procured with the results and implications reported back to Members in due course if necessary.
- (6) That a modern display unit be acquired using funds from the disposal of surplus furniture.
- (7) That all the surplus furniture be identified for disposal and that the income be used for the acquisition of a display unit as referred to in 2.6 of the report.”

Councillors then voted:-

**Resolved:**

***(6 Members (Councillors Barry, Blamire, Bryning, Fletcher, Kerr and Langhorn) voted in favour, and 1 Member (Councillor Robinson) abstained.)***

- (1) That the Charters be relocated to the Records Office in Preston for conservation, storage and safekeeping.
- (2) That the council accepts the offer of county council to produce an initial printed copy of each charter with a CD of images for future use, and to request further copies after conservation works have been completed.
- (3) That the Williamson Family Tree be transferred to the Records Office for conservation, storage and safekeeping and that should the city council wish to take forward a project relating to Williamson Park in future, to accept the assistance offered by the county council to fund such a project including the preparation of a copy of the family tree.
- (4) That the existing renewals reserve be used to fund the cost of any maintenance and / or restoration, subject to the outcome of survey.. In due course a planned programme would be developed which will allow Members to decide on an appropriate specific budget if need be.
- (5) That a full inventory, valuation and condition survey of the non-fixed assets be procured with the results and implications reported back to Members in due course if necessary.
- (6) That a modern display unit be acquired using funds from the disposal of surplus furniture.
- (7) That all the surplus furniture be identified for disposal and that the income be used for the acquisition of a display unit as referred to in 2.6 of the report.

**Officer responsible for effecting the decision:**

Head of Property Services.

**Reasons for making the decision:**

The decision presents a starting point for safeguarding the City's non fixed assets. It will be instrumental in preserving these assets in good condition for future generations to enjoy.

***(Councillor Ashworth returned to the meeting at this point)***

**65 ANALYSIS OF RESPONSES TO THE BUDGET CONSULTATION EXERCISE**

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

Cabinet received a briefing note from the Head of Community Engagement together with detailed results of the budget consultation questionnaire.

Councillor Langhorn proposed, seconded by Councillor Kerr:-

- “(1) That Cabinet note the report on the Budget consultation and thank the officers involved.
- (2) That Cabinet Members discuss the comments made by members of the public with their relevant Service Heads and bring forward recommendations to the Cabinet briefing on 23 November 2010.”

Councillors then voted:-

***Resolved unanimously:***

- (1) That Cabinet note the report on the Budget consultation and thank the officers involved.
- (2) That Cabinet Members discuss the comments made by members of the public with their relevant service heads and bring forward recommendations to the Cabinet briefing on 23 November 2010.

**Officer responsible for effecting the decision:**

Head of Community Engagement.

**Reasons for making the decision:**

This will enable Cabinet Members to consider and discuss the responses from the consultation exercise with Service Heads prior to the next Cabinet briefing.

***The meeting adjourned at 11.45am and reconvened at 12.00pm.***

**66 REVIEW OF STATUTORY SERVICES**

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

Cabinet received a report from the Chief Executive which provided a position statement on the review of all statutory services.

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

**Governance Services (which includes democratic, legal, licensing and human resources)**

It is necessary to have in place the legal advice to ensure that the Council acts lawfully. This service could be provided in different ways and the level of service is not prescribed. The Council is required to support its members and ensure it employs people in accordance with legislation. How this is achieved is not set out in statute. Licensing operates on the basis of income and expenditure balancing, so there is no scope to make savings or increase income.

**Property Services**

As the Council owns land and property and it lets some of that property, the Council must comply with statutes as they affect the Council in its capacity as landlord and/or tenant. This includes, for example, health and safety requiring appropriate levels of both management and the need to undertake repairs and maintenance. The Council is also required to purchase, sell, lease and let property at market value which requires professional advice to authorise individual transactions. All services could be provided in different ways and the Council is currently reviewing its approach to facilities management and other property services in a report to the December meeting of Cabinet.

**Environmental Services – General**

The Council is required to provide boundary signs for which there is a budget of £1,500. The Council is required to provide a Bulky Waste Service. The present arrangements were developed five years ago and as the method of provision is successful the service is extending into other Council areas. This may provide extra income. The Council has a statutory duty to repair, maintain and provide street nameplates. The budget is £12,600 and is almost at the minimum level. Tree maintenance is a safety requirement, but this is based on the number of trees on land owned by the Council. The Council has recently agreed a new policy in respect of tree management with the intention of managing its trees as efficiently as possible.

**Refuse Collection and Street Cleansing**

It is a statutory requirement to provide a Trade Refuse Collection Service. This is based on demand and the ability of the Council to provide the service at a competitive price. Waste collection and recycling are statutory services. New arrangements are being brought into place which will continue to meet statutory requirements but at a reduced cost. The provision of street cleansing is statutory, but only at the most basic level. The budget is £1.65m which provides for a mixture of planned and reactive services. It would be possible to provide a minimal service and still meet statutory requirements.

**Planning Services – Development Control**

Development Control is a statutory function. The level of service provided is driven by the number and complexity of planning applications received. Planning applications bring in fee income but not to a level that offsets the service.

**Planning Services - Building Control**

The service is statutory, but is provided in competition with the private sector providers. Until recently geographical distances have meant that larger private sector operators have not acted in competition to the City Council. New local companies have set up and now handle more of the local activity. This has meant that the council has been able to down-size its operation and is currently operating at a much smaller level with no capacity to undertake more market share.

**Planning Services - Local Development Framework**

Currently operating above the minimum to position the district in terms of economic development, for example the Morecambe Area Action Plan, Lancaster Square Routes.

**Area of Outstanding Natural Beauty (Arnside and Silverdale)**

Service levels are at a minimum.

**Coastal and Flood Defence**

Operating above the statutory minimum at present.

### **Community Safety**

The only statutory requirements are that the City Council is required to take account of Community Safety in all aspects of its work and to work in partnership with other specified agencies. There is a requirement for Overview and Scrutiny to meet annually on community safety issues.

### **Children and Young People**

The City Council has a duty, along with other specified agencies, to cooperate to improve the wellbeing of children and young people. Each of the specified agencies has a duty to promote the welfare of children through the Children's Trust and implementation of the Every Child Matters Strategy. The city council is not required to provide any services to meet this statutory responsibility. Where the City Council does provide services to children, however, there is a requirement to meet child protection legislation.

### **Cemeteries**

The City Council is not required to provide open cemeteries, but having decided to do so there are statutory duties that come with that decision. It is considered that provision is at a minimum to achieve a good standard. We previously maintained to a lower standard. There is a statutory duty for closed cemeteries including upkeep and headstone safety, but discretion as to the level of overall maintenance.

### **Emergency Planning**

This is a service provided to a good standard and could be reduced whilst meeting statutory responsibilities. This would be best achieved through a shared service arrangement.

### **Dog Wardens**

There is a statutory duty for dealing with stray dogs, but dealing with dog fouling is discretionary. Currently 0.4 of a whole time equivalent (wte) post is spent on dog fouling. The stray dog work is at the minimum statutory level.

### **Pest Control**

Only a proportion of this service, relating to rats, mice and bed bugs, is statutory. So overall the service operates above the minimum level.

### **Environmental Protection**

The only part of the service not statutory is in relation to the radiation monitoring budget. The statutory part of the service is operating at the minimum. There may be options to reduce costs through shared services.

### **Food Safety**

We are at the minimum level to meet the nationally set standards for inspections.

### **Health and Safety**

The service is at the minimum level to provide statutory services other than one or two minor elements such as Home Safety Quiz which are discretionary.

### **Homelessness**

At the minimum level. However, preventative services which are contracted out are not

statutory.

### **Home Improvements**

The only part of the service which is statutory is the provision of disabled facilities grants and there is discretion as to the level of budget provision.

### **Housing Standards**

Some investment is required to ensure minimum standards are met.

### **Financial Services**

Each of the core functions is required as a result of legislation, but the level of each function is also dependent on the range of services the council decides to provide, including the extent to which external funding and partnerships are in place. Depending on how Council service provision and its policies change in future, all areas have the potential to be reduced to some degree (and/or provided through shared services).

The officer preferred option is to accept the categorisation of statutory service levels as detailed within the report and review those statutory services provided above the minimum alongside discretionary services when determining priorities and non priorities to achieve budget savings of approximately 30% over the next four years.

Councillor Robinson proposed, seconded by Councillor Barry:-

“(1) That Cabinet note that the following service areas are operating at or close to the minimum statutory level:

- Licensing
- Bulky Waste Collection
- Waste Collection and Recycling
- Development Control
- Building Control
- Dealing with Stray Dogs
- Environmental Protection
- Food Safety
- Health and Safety
- Homelessness
- Housing Standards

however, it would be possible to provide each of these services in a different way and in doing so it might be possible to achieve some efficiencies.

(2) That Cabinet view all other statutory services as capable of being reduced whilst achieving the statutory provision. This, in effect, would put each of these service areas in the same position as discretionary services and capable of service reduction.

(3) Some statutory services that operate above the minimum level have a positive impact on safe and clean streets and it is recommended that such services are prioritised above those that do not.”

Councillors then voted:-

**Resolved:**

***(7 Members (Councillors Ashworth, Barry, Blamire, Fletcher, Kerr, Langhorn and Robinson) voted in favour, and 1 Member (Councillor Bryning) abstained.)***

(1) That Cabinet note that the following service areas are operating at or close to the minimum statutory level:

- Licensing
- Bulky Waste Collection
- Waste Collection and Recycling
- Development Control
- Building Control
- Dealing with Stray Dogs
- Environmental Protection
- Food Safety
- Health and Safety
- Homelessness
- Housing Standards

However, it would be possible to provide each of these services in a different way and in doing so it might be possible to achieve some efficiencies.

(2) That Cabinet view all other statutory services as capable of being reduced whilst achieving the statutory provision. This, in effect, would put each of these service areas in the same position as discretionary services and capable of service reduction.

(3) Some statutory services that operate above the minimum level have a positive impact on safe and clean streets and it is recommended that such services are prioritised above those that do not.

**Officer responsible for effecting the decision:**

Chief Executive

**Reasons for making the decision:**

The decision to categorise services as set out in the report enables the majority of statutory services to be considered alongside discretionary services when considering service reductions.

**67 MEDIUM TERM STRATEGY: FINANCES AND RESOURCES****(Cabinet Member with Special Responsibility Councillor Langhorn)**

Cabinet received a report from the Head of Financial Services to provide an interim update on the Council's strategic planning for finances and resources in context of the recent Government Comprehensive Spending Review (CSR).

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

**Council Tax Targets:**

For 2011/12 it is considered likely that there is a relatively narrow band of options available to the Council regarding tax increases, from say 0% to 2.5%, assuming that it wishes to avoid any form of challenge. From the earlier consultation exercise on whether to introduce local referendum arrangements that could veto 'excessive' tax increases, it is clear that in one way or another, Government is prepared to tackle authorities that retain plans for higher tax rises.

That said, the outcome of that consultation is not yet known and therefore Government's firm views on what level of increase may be deemed acceptable are not yet known.

There is a clear financial benefit in recommending a Council tax freeze; there is also a clear disincentive to increase council tax anywhere between just above 0% up to 2.5%.

The main risks attached to any option relate to the ability of the Council to take decisions on matching service levels with the money available to fund them. Furthermore there is a real risk that actual savings targets prove to be substantially different from those indicated. To help counter this to a degree, there will be further opportunities to review target increases during the forthcoming budget as more accurate information becomes available.

In terms of options, the impact on Council Tax payers is key and this is particularly so regarding the council tax freeze proposals. There will be reputational, operational and financial risks, opportunities and trade-offs attached to whichever option Cabinet chooses.

**Officer Preferred Option and Comments**

The decision regarding council tax targets is clearly a matter for Members but that said, both the Chief Executive and the s151 Officer consider it advisable for the Council to take advantage of Government's proposals and aim for a Council Tax freeze for 2011/12, subject to no other conditions or changes arising in connection with the proposed scheme.

Regarding 2012/13 and beyond, both the Chief Executive and the s151 Officer would advise against planning for a general Council Tax increase outside of a range of say 0 to 2.5% at this time. In due course more information will become available to inform such target setting. It may well be the case that from 2013/14 specific changes to the council tax benefit scheme are to be financed through additional flexibilities on council tax and these would need to be considered at the appropriate time.

Whatever Council Tax targets are in place, Members need to have supporting plans in place to achieve a balanced budget.

Councillor Langhorn proposed, seconded by Councillor Kerr:-

- "(1) That Cabinet notes the broad outcome of Government's Comprehensive Spending Review and the indicative savings required in order to balance future years' budgets.
- (2) That Cabinet recommends a Council Tax freeze for 2011/12 and target increases



of between 0 – 2% for future years' at this stage, for referral on to Council.

- (3) That Cabinet agrees to continue with the current priorities in the Corporate Plan with the following amendments:
- Economic Regeneration – Energy Coast and Visitor Economy.
  - Climate Change – Prioritising reducing the council's energy costs and increasing income.
  - Statutory responsibilities – fulfilling at least our minimum statutory duties – focus on keeping the streets clean and safe.
  - Partnership working and Community Leadership – working with partners to reduce costs, make efficiencies and create resilience within the district.
  - That Cabinet notes the intention to protect the most vulnerable in our society should also be a thread that runs through all our priorities.
  - That these priorities will be discussed in a series of meetings to take place over the next month.
- (4) To request officers to bring forward proposals for generating further income from services.
- (5) To request officers to bring forward proposals to reduce expenditure on services which do not meet the current priorities outlined above.”

By way of an amendment it was moved by Councillor Barry and accepted by the mover and seconder of the original proposal as a friendly amendment:

“That the words ‘and/or to meet these priorities more efficiently’ be added to the end of recommendation (5).

***At this point Councillor Kerr requested that the meeting be adjourned briefly in order for him to seek clarification from officers. The meeting adjourned at 12.40 and reconvened at 12.45pm.***

By way of a further amendment, which was not accepted as a friendly amendment, Councillor Kerr proposed and Councillor Robinson seconded:-

“That ‘and housing led regeneration’ be added to recommendation 3 – Economic Regeneration – Energy Coast and Visitor Economy.”

Councillors then voted on the further amendment:-

*3 Members (Councillors Ashworth, Kerr and Robinson) voted in favour, 4 Members (Councillors Barry, Blamire, Fletcher and Langhorn) voted against and 1 Member (Councillor Bryning) abstained.*

Members then voted on the original motion, as amended.

***Resolved:***

***(7 Members (Councillors Ashworth, Barry, Blamire, Bryning, Fletcher, Kerr and Langhorn) voted in favour, 1 Member (Councillor Robinson) abstained.)***

- (1) That Cabinet notes the broad outcome of Government's Comprehensive Spending Review and the indicative savings required in order to balance future years' budgets.
- (2) That Cabinet recommends a Council Tax freeze for 2011/12 and target increases of between 0 – 2% for future years' at this stage, for referral on to Council.
- (3) That Cabinet agrees to continue with the current priorities in the Corporate Plan with the following amendments:
  - Economic Regeneration – Energy Coast and Visitor Economy.
  - Climate Change – Prioritising reducing the council's energy costs and increasing income.
  - Statutory responsibilities – fulfilling at least our minimum statutory duties – focus on keeping the streets clean and safe.
  - Partnership working and Community Leadership – working with partners to reduce costs, make efficiencies and create resilience within the district.
  - That Cabinet notes the intention to protect the most vulnerable in our society should also be a thread that runs through all our priorities.
  - That these priorities will be discussed in a series of meetings to take place over the next month.
- (4) To request officers to bring forward proposals for generating further income from services.
- (5) To request officers to bring forward proposals to reduce expenditure on services which do not meet the current priorities outlined above and/or to meet these priorities more efficiently.

**Officer responsible for effecting the decision:**

The Head of Financial Services

**Reasons for making the decision:**

It is expected that the CSR will result in the Council needing to make significantly more savings than was previously forecast and whilst the exact implications are not known, this scenario is similar to that being faced by other local authorities nationwide. The Council cannot expect to continue to deliver the same range and standard of services that it currently provides although clarity on certain aspects of Council tax helps to a degree with planning. It is expected to be early December before reasonably accurate budget forecasts can be produced, in the interim the Council would be able to focus on how to tackle the financial challenges ahead, including reviewing its priorities and key strategies and objectives, to fit with what will be affordable.

***The meeting adjourned at 1.00pm and reconvened at 1.15pm.***

**68 ITEM OF URGENT BUSINESS - MUNICIPAL BUILDING WORKS**

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

In accordance with Section 100B(4) of the Local Government Act 1972, the Chairman

agreed to consider the report as an item of urgent business as a decision was required prior to December’s Cabinet meeting.

The Head of Property Services submitted a report to identify the outcome of the tender process for works to Morecambe Town Hall and request additional funding for works that would improve the buildings to allow additional staff to be accommodated with subsequent savings achieved by vacating Palatine Hall, Lancaster.

The options, options analysis, including risk assessment and officer preferred option and comments, were set out in the report as follows:-

	<b>Option 1:</b> To undertake additional works in Morecambe Town Hall and agree to the letting of Palatine Hall	<b>Option 2:</b> Not to undertake the additional works to Morecambe Town Hall, and retain Palatine Hall as a municipal building
Advantages	<p>This enables the council to release premises and therefore reduce its operational costs.</p> <p>It enables the council to achieve the outcome of its access to service policy.</p> <p>Staff in the newly formed services can work together to achieve greater efficiencies.</p>	<p>The cost of the scheme would be reduced.</p>
Disadvantages	<p>Some staff currently based in Lancaster may perceive that working from Morecambe may be more inefficient.</p> <p>Additional capital funding for the works is required, at an earlier date than anticipated.</p> <p>Early vacation of Palatine Hall would create some additional service upheaval and disruption in the interim.</p>	<p>Savings from reducing the number of operational properties would be lost.</p> <p>The opportunity to complete the access to services policy would be delayed.</p> <p>The scheme may need to be retendered to exclude the additional works.</p>
Risks	<p>Some risks to service operations during the accommodation changes.</p>	<p>The cost of undertaking the additional works at a later date would rise if undertaken as a separate scheme in future.</p> <p>The opportunity to achieve an immediate income from letting Palatine Hall would be lost.</p> <p>The scheme would probably need</p>

		to be re-tendered and this may still result in the cost being above budget.
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Option 1 is the officer preferred option as this enables the Council to come closer to achieving the Council's approved policy in terms of access to services, whilst enabling longer term savings to be achieved.

Councillor Langhorn proposed, seconded by Councillor Robinson:

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

Members then voted.

***Resolved unanimously:***

- (1) That approval be given to undertaking the additional works in Morecambe Town Hall at the costs identified in the report, to be financed from this year's existing Capital Programme provisions for Municipal Buildings.
- (2) That approval be given to the Council letting Palatine Hall, Lancaster to the County Council on terms to be agreed by the Head of Property Services and that the Revenue Budget be updated accordingly.
- (3) That subject to (2), approval be given to earmark up to £50,000 of the Capital Support Reserve to facilitate the relocation of services, but where possible, existing budgets be used to minimise any call on the Reserve, and the actual outcome be reported as part of the current budget process.

**Officers responsible for effecting this decision:**

Head of Property Services  
Head of Financial Services

**Reasons for making the decision:**

The decision will enable the Council to come closer to achieving the Council's approved policy in terms of access to services, whilst enabling longer term savings to be achieved.

**69 ITEM OF URGENT BUSINESS - FESTIVALS AND EVENTS PROGRAMME**

***(Councillors Ashworth and Kerr having both previously declared a personal and prejudicial interest in the following item as members of Morecambe Town Council left the meeting prior to consideration of this item.)***

In accordance with Section 100B(4) of the Local Government Act 1972, the Chairman agreed to consider the report as an item of urgent business to enable officers to know at an early stage the money available for next year's festivals and events.

The Head of Community Engagement presented a report to inform Cabinet of the outcome of the review of 2010 festivals and to bring forward proposals for the 2011

Festivals and Events Programme within the framework of the medium term financial strategy and Corporate Plan objectives.

The options, options analysis, including risk assessment and officer preferred option and comments, were set out in the report as follows:-

<b>Option 1:</b> To commit funding now to allow progress towards festivals and events for 2011 - 2012.	<b>Option 2:</b> To delay any decision until budget council in March 2011.	<b>Option 3;</b> To reduce funding in light of the current budgetary position facing the Council.
<b>Advantages</b>		
Enables council to work with partners to develop a co-ordinated plan towards event delivery for 2011, take advantage of major regional, national and international events and explore sponsorship opportunities	Council is able to make decision as part of wider budget setting context.	Makes a contribution towards the savings targets required by Council following on from the recent Comprehensive Spending Review.
Opportunity to develop a joined up marketing plan for visitors and local people (reducing the plethora of separate marketing approaches and ensuring no event clashes.)		
<b>Disadvantages</b>		
Decision taken ahead of wider budget setting context.	Prevents the council working with partners to develop a co-ordinated plan towards event delivery for 2011 and risks an uncoordinated and less effective series of events.	Uncertainty amongst businesses and the media, leading to potential damaging publicity not just locally but further afield.
	Less likely to achieve sponsorship and therefore income towards 2011 events.	
	Uncertainty amongst businesses and the media, leading to potential damaging publicity not just locally but further afield.	

There was no officer preferred option.

Councillor Langhorn proposed, seconded by Councillor Robinson:

- (1) That Cabinet notes the review of 2010 festivals and events.
- (2) That Cabinet agrees in principle to the 2011 Events Programme but request further work be undertaken on the funding of those festivals, in particular to maximise income to those festivals and events.
- (3) That Cabinet supports in principle the merging of these budgets to provide greater flexibility and as a means to reduce costs.
- (4) That the Revenue Budget and budget projection be updated.”

By way of an amendment it was proposed by Councillor Barry and seconded by Councillor Fletcher:

“That the sum allocated to the festivals and events budget be reduced to £35K at this stage.”

Councillors then voted on the amendment.

*2 Members voted in favour of the amendment (Councillors Barry and Fletcher) and 4 Members against (Councillors Blamire, Bryning, Langhorn and Robinson), whereupon the Chairman declared the amendment to be lost.*

Councillors then voted on the original proposal.

**Resolved:**

***(4 Members voted in favour (Councillors Blamire, Bryning, Langhorn and Robinson) and 2 Members abstained (Councillors Barry and Fletcher.)***

- (1) That Cabinet notes the review of 2010 festivals and events.
- (2) That Cabinet agrees in principle to the 2011 Events Programme but request further work be undertaken on the funding of those festivals, in particular to maximise income to those festivals and events.
- (3) That Cabinet supports in principle the merging of these budgets to provide greater flexibility and as a means to reduce costs.
- (4) That the Revenue Budget and budget projection be updated.

**Officers responsible for effecting the decision:**

Head of Community Engagement  
Head of Financial Services.

**Reasons for making the decision:**

The decision enables the Council to work with partners to develop a co-ordinated plan towards event delivery for 2011, and explore sponsorship opportunities as a means to reduce costs whilst the establishment of a general fund rather than specifically allocating funds to each core event will enable greater flexibility to support the objectives of festivals and events for the City Council.

*Councillors Ashworth and Kerr returned to the meeting at this point.*

## 70 URGENT BUSINESS REPORT

### **(Cabinet Member with Special Responsibility Councillor Langhorn)**

The Head of Governance submitted a report informing Members of actions taken by the Chief Executive, in consultation with the relevant Cabinet Members and the Chairman of the Overview and Scrutiny Committee in accordance with the scheme of delegation.

It was moved by Councillor Langhorn and seconded by Councillor Robinson:-

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

Members then voted:-

#### ***Resolved unanimously:***

- (1) That the actions taken by the Chief Executive, in consultation with the relevant Cabinet Members and the Chairman of the Overview and Scrutiny Committee in accordance with the Scheme of Delegation, in respect of the following, be noted:-

Land at Edenbreck Farm, Carr House Farm, Lancaster

#### **Officer responsible for effecting the decision:**

Chief Executive

#### **Reasons for making the decision:**

The decision fulfils the requirements of the City Council's Constitution in advising Cabinet of urgent decisions taken by the Chief Executive in accordance with the City Council's Scheme of Delegation.

## 71 LANCASTER MARKET

### **(Cabinet Member with Special Responsibility Councillor Barry)**

Cabinet received an oral update on the work of the Lancaster Market Cabinet Liaison Group.

Councillor Barry reported that the market experts had now met with the market traders, Council officers and Members and had undertaken extensive surveys of users and non-users of the market. A report would be brought to the next meeting of the liaison group on 7 December, 2010.

***Resolved unanimously:***

- (1) That the oral report be noted.

**Officers responsible for effecting the decision:**

Deputy Chief Executive  
Head of Property Services

**Reasons for making the decision:**

The terms of reference of the Lancaster Market Cabinet Liaison Group stipulate regular reports to Cabinet.

**72 EXCLUSION OF THE PRESS AND PUBLIC**

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

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

“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.”

Members then voted as follows:-

***Resolved unanimously:***

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

**73 LUNESIDE EAST REGENERATION PROJECT (Pages 1 - 4)****(Cabinet Member with Special Responsibility Councillor Bryning)**

Cabinet received a report from the Head of Regeneration and Policy which was exempt from publication by virtue of paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

The options and options analysis, including risk assessment, were set out in the exempt report.

Councillor Bryning, seconded by Councillor Kerr, proposed the recommendations as set out in the exempt report.

Councillors then voted:



**Resolved:**

***(7 Members (Councillors Ashworth, Barry, Blamire, Bryning, Fletcher, Kerr and Langhorn) voted in favour and 1 Member (Councillor Robinson) abstained.)***

- (1) The resolution is set out in a minute exempt from publication by virtue paragraph 3 of Schedule 12A of the Local Government Act 1972.

**Officer responsible for effecting the decision:**

Head of Regeneration and Policy.

**Reasons for making the decision:**

The reasons for making the decision are set out in a minute exempt from publication by virtue paragraph 3 of Schedule 12A of the Local Government Act 1972.

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Chairman

(The meeting ended at 2.30 p.m.)

**Any queries regarding these Minutes, please contact  
Liz Bateson, Democratic Services - telephone (01524) 582047 or email  
ebateson@lancaster.gov.uk**

**MINUTES PUBLISHED ON TUESDAY 16 NOVEMBER, 2010.**

**EFFECTIVE DATE FOR IMPLEMENTING THE DECISIONS CONTAINED IN THESE MINUTES:  
WEDNESDAY 24 NOVEMBER, 2010.**

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

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