

## CABINET

10.00 A.M.

22ND JANUARY 2013

**PRESENT:-** Councillors Eileen Blamire (Chairman), Janice Hanson (Vice-Chairman), Jon Barry, Abbott Bryning, Tim Hamilton-Cox, Karen Leytham, Ron Sands and David Smith

Officers in attendance:-

Mark Cullinan	Chief Executive
Nadine Muschamp	Head of Resources and Section 151 Officer
Mark Davies	Head of Environmental Services
Andrew Dobson	Head of Regeneration and Planning Service
Suzanne Lodge	Head of Health and Housing
Richard Tulej	Head of Community Engagement Service
Liz Bateson	Principal Democratic Support Officer

### 95 MINUTES

The minutes of the meeting held on Tuesday 4 December 2012 were approved as a correct record.

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

The Chairman advised that there were no items of urgent business.

### 97 DECLARATIONS OF INTEREST

Councillor Hanson declared an interest with regard to the Request to install a flagpole structure report, as a member of Morecambe Town Council (Minute 103 refers).

Councillor Barry declared an interest with regard to the Land at Aldcliffe Road report, on account of him knowing the persons concerned (Minute 110 refers).

### 98 PUBLIC SPEAKING

Members were advised that there had been no requests to speak at the meeting in accordance with Cabinet's agreed procedure.

### 99 ADOPTING THE MEETING HOUSING NEEDS SUPPLEMENTARY PLANNING DOCUMENT

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

Cabinet received a report from the Head of Regeneration and Planning to seek a resolution from Cabinet to adopt the Meeting Housing Needs Supplementary Planning Document (SPD).

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

	<b>Option 1:</b> Approve the recommendation to adopt the Meeting Housing Needs SPD.	<b>Option 2:</b> Do not approve the recommendation to adopt the Meeting Housing Needs SPD.
Advantages	The Council will have available complete and up to date guidance on meeting housing needs (that applicants can refer to when preparing specific planning proposals and the Development Management Team can refer to when considering specific planning applications).	Delaying the publication of the SPD will allow time for further public consultation, although adequate time has already been allowed for this.
	The Council will be aligned with the National Planning Policy Framework (NPPF) requirement that SPDs provide further guidance on particular issues (in this instance meeting housing needs).	
	The Council will be aligned with the NPPF requirement that SPDs add further detail to the policies in the adopted Local Plan.	
Disadvantages	The SPD's focus on how the Council will achieve affordable housing from new residential development may attract renewed criticism from developers / applicants around the impact this has on viability which may be viewed as being at odds with the NPPF.	
Risks	Applying the approach to calculating commuted sums to conversions (as distinct to new build) may attract some criticism because the in-principle expectation of affordable housing contributions from a net increase in units (whether new build or conversion of existing) is described within a development management policy in the Draft Local Plan which has not yet been adopted. Although public consultation on the preferred options version of the Draft Local Plan commenced on 22 <sup>nd</sup> October, the document is not anticipated for adoption until September 2014. However, paragraph 216 of the NPPF states that decisions makers may also give weight to relevant policies in emerging plans according to the stage of preparation of the emerging plan. On this basis, the Draft Local Plan can be	The absence of a fully consulted on SPD providing complete and up to date guidance on meeting housing needs may put the Council at risk from future appeals to overturn decisions made where planning proposals did not address relevant policies in the adopted Core Strategy.

	thought of as a material consideration (but of limited weight), and might usefully inform the consideration of a development proposal.	
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The officer preferred option was Option 1 so that the Council had in place complete and up to date guidance on meeting housing needs.

Councillor Hanson proposed, seconded by Councillor Leytham:-

- (1) That the recommendation, as set out in the report, be approved.

Councillors then voted:-

**Resolved unanimously:**

- (1) That the Meeting Housing Needs Supplementary Planning Document (SPD) be adopted and become a material consideration for all planning applications for residential development from 1<sup>st</sup> February 2013 onwards until further notice.

**Officer responsible for effecting the decision:**

Head of Regeneration and Planning

**Reasons for making the decision:**

The decision fits with the Lancaster District Core Strategy as the proposal will make a positive contribution to Policy SC4 in terms of meeting the district’s housing requirement. The decision supports the Lancaster District Housing Action Plan as the proposal supports implementation of the forthcoming Action Plan by guiding applicants on how proposed developments should meet the housing needs of the district.

**100 LANCASTER DISTRICT TENANCY STRATEGY**

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

Cabinet received a report from the Head of Health and Housing to provide members with a summary of the legal requirements placed upon local authorities by the Localism Act 2011 in relation to the adoption of a Tenancy Strategy, and to provide a final version of the document for approval by Cabinet.

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

	<b>Option 1:</b> Approve the Lancaster District Tenancy Strategy in its current form.	<b>Option 2:</b> Approve the Lancaster District Tenancy Strategy with amendments
Advantages	The council will satisfy the legal requirements of the Localism Act 2011 and the Strategy will provide the	None.

	necessary framework for all social housing providers to work within.	
Disadvantages	None identified	If the Lancaster District Tenancy Strategy is amended, it will be necessary to undertake further consultation and EqlA before final approval.
Risks	None identified	The Tenancy Strategy will not be in place by the required timescale set out in the Localism Act 2011.

The officer preferred option was option 1. This would ensure that the Council met the necessary statutory requirements within the required timescale, and that immediately following approval, all social housing providers could have regard to the Lancaster District Tenancy Strategy when adopting their own Tenancy Policies, and adhere to the requirements set out within the document.

The Lancaster District Tenancy Strategy had been developed through partnership approach with other Lancashire authorities and Registered Providers (R.P) partners but was informed by the local circumstances and housing markets that exist, to ensure that the framework put in place was appropriate and relevant. The statutory consultation requirements had been satisfied and further consultation had been conducted with other key stakeholders and elected members. Cabinet members were therefore requested to approve the document.

Councillor Leytham proposed, seconded by Councillor Hanson:-

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

Councillors then voted:-

***Resolved unanimously:***

(1) That the report be noted and the Lancaster District Tenancy Strategy 2012 approved.

**Officers responsible for effecting the decision:**

Head of Health and Housing

**Reasons for making the decision:**

The Localism Act 2011 required every authority to have a Tenancy Strategy in place by 15<sup>th</sup> January 2013. The decision was consistent with the Corporate Plan 2012-2015 – Health and Wellbeing Priority: Enhanced quality of life of local residents through access to good quality housing and reduce homelessness. Lancaster City Council’s current allocation scheme and policy sought to create balanced communities and ensure that social housing was offered to those in the greatest need.

101 CORPORATE MUNICIPAL BUILDING WORKS

**(Cabinet Member with Special Responsibility Councillor Hamilton-Cox)**

Cabinet received a report from the Head of Resources to inform Cabinet of the extent of backlog works outstanding to buildings following the completion of a 5 year Condition Survey (November 2012) on the Council's Corporate and Municipal building stock and requested Cabinet to take forward the additional investment needed as part of its budget proposals for 2013/14 onwards. This was to ensure buildings were fit for purpose and legally compliant and allowed sufficient flexibility to respond to changing needs, such as any arising from the forthcoming property review.

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

	Do nothing (presented for information to highlight the Council's position and obligations).	<b>Option 2:</b> For Cabinet to take forward the increased investment needs as part of its budget proposals, as a 5 year planned maintenance programme.	<b>Option 3:</b> Consider taking forward an alternative programme of works that is a compromise between options one and two based on affordability and the availability of funding.
Advantages	There are no advantages to this option. The Council has acknowledged that the "do nothing" option has been followed in the past and as a result, the backlog of building work has increased to the levels outlined in this report.	This option would be in line with the current Corporate Property Strategy and would ensure that all buildings meet basic health and safety standards.  This option would halt the deterioration of the Council's corporate non-housing building stock preventing building closures and putting in place the foundations for a planned maintenance programme providing improved financial certainty moving forward.	This option would need to allow all urgent and poor condition works (Year 1& 2, D & C failure) to be completed, thus warding off serious building failure.
Disadvantages	The Council has a duty of care to building	This is a long term initiative and it would	The majority of element failure falls within year

	users, its employees and members of the public and would be in breach of regulations should health and safety be contravened as a result of building failure.	be a few years before the real financial benefits became apparent.	1 & year 2.
Risks	<p>Doing nothing will eventually result in major failures of either the building structures or services. This will in turn result in the council being unable to undertake many of its core activities, and closure of buildings and the possibility of legal (including criminal) proceedings.</p> <p>For these reasons this option, whilst outlined for information, is not considered viable.</p>	<p>As this work is carried out alongside the joint property review with Lancashire County Council there is a chance of investing in a building that is then identified for closure although this would be closely monitored as both projects progress. However, it is worthy of note that any work undertaken to a building identified for closure may increase sale prospects and is likely to increase sale proceeds in many situations.</p>	<p>This would leave the Council open to criticism or action should there be failure of any of the items where works have been identified.</p> <p>In addition those works not undertaken are likely to increase in cost over the period of time until funding is made available</p>

The preferred option was option 2. This would ensure that the Council fulfilled all of its obligations in respect of maintenance and other works to buildings so that they met the relevant health and safety standards and that the items that were falling into the greatest state of disrepair could be addressed. This option would prevent the Council being in a similar position to other councils, where failure to maintain its assets adequately was met with tragic circumstances and subsequent legal actions and costs.

Good property maintenance through active condition recording would preserve the Council's property portfolio by conducting regular condition surveys. It was recommended that 20% of the Council's corporate non-housing property portfolio was surveyed each year to ensure that any one condition survey was never more than 5 years old. The survey served a number of purposes:

- As a basic check that the premises met statutory requirements in terms of condition and to identify obvious hazards that deterioration of the fabric might create.
- As a means of identifying the condition of elements of the premises and the works required in terms of priority and cost.
- Provided a means of prioritising scarce resources to the most essential repairs or the highest priority premises.

- Allowed property professionals to advise the Council on backlog maintenance and to influence budget allocations for maintenance.
- Helped create a strategic picture of high maintenance premises that the Council might wish to dispose of.
- For the manager occupying the premises, it demonstrated where scarce resources should be targeted.

The condition survey 2012 had identified a significant amount of backlog maintenance still outstanding within the Council's corporate non-housing buildings. The report unequivocally led to the conclusion that if repair works in buildings were not planned, funded and managed adequately i.e. through a planned maintenance approach rather than a reactive approach, then repairs would consistently deteriorate or fail. These would inevitably lead to increased maintenance costs and building failure. The Council's substantial property portfolio was now in need of capital investment and regular planned maintenance management. Buildings were suffering from a backlog of maintenance work due to low capital funding over a number of years. This under-investment had made it difficult to target limited budgets and had driven a growing culture of reactive repair rather than a planned approach to maintenance. This report presented an opportunity to tackle this culture, establish a 5 year planned maintenance programme and ensure buildings were fit for purpose and legally compliant.

Councillor Hamilton-Cox proposed, seconded by Councillor Barry:-

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

By way of an amendment which was accepted as a friendly amendment by the mover and seconder of the original proposition, it was moved by Councillor Hanson and seconded by Councillor Blamire:-

“That officers be requested to investigate the possibility of applying to Heritage Lottery for funding to assist with the renovations of the Council's listed buildings.”

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

“That the maintenance, repairs and occasional replacement of tourism signage including heritage plaques on historic buildings was important and needed to be attended to on a continuous basis and therefore be included in the maintenance programme.”

Members then voted on the proposition, as amended.

***Resolved unanimously:***

- (1) That the existing draft Revenue Budget and Capital Programme provisions for maintenance and other works in the Council's non-housing related property portfolio be retained, but that work be undertaken to allocate the revenue budget provisions between service contracts, any planned revenue maintenance and reactive maintenance provisions.
- (2) That the indicative £7.236M additional capital investment needs from 2014/15 onwards, together with any contingency requirement, be considered as part of the current budgetary process.

- (3) That following Budget Council, a further report be brought back to Cabinet to:
- approve the detail of the programme of capital works to be undertaken next year, and
  - provide an update on the Council's Corporate Property Strategy, including arrangements for monitoring progress (including the establishment of rolling building condition surveys and the forthcoming property review).
- (4) That officers be requested to investigate the possibility of applying to Heritage Lottery for funding to assist with the renovations of the Council's listed buildings.
- (5) That the maintenance, repairs and occasional replacement of tourism signage including heritage plaques on historic buildings was important and needed to be attended to on a continuous basis and therefore be included in the maintenance programme.

**Officer responsible for effecting the decision:**

Head of Resources

**Reasons for making the decision:**

The decision sought to ensure that the Council's property portfolio was fit for purpose in terms of supporting the Council's Corporate Plan and policy framework generally, recognising the financial pressures. The pursuance of an effective and robust maintenance programme was necessary to avoid the potential exposure to criminal proceedings in the event of the Council failing to comply with its statutory obligations under the Health & Safety Act and the proposed building works would address any related statutory responsibilities. Signs and plaques were included since a neglected, corroded tourism sign negated the original purpose of those signs and plaques which was to enhance the visitor experience and give a good impression of the district.

## **102 BUDGET & POLICY FRAMEWORK UPDATE 2013/14**

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

Cabinet received a report from the Head of Resources to provide information on the latest budget position for current and future years, to inform Cabinet's budget and policy framework proposals and to allow it to make final recommendations to Council regarding council tax levels for 2013/14.

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

Options were dependent very much on Members' views on spending priorities balanced against council tax levels. As such, a full options analysis could only be undertaken once any alternative proposals were known and it should be noted that Officers might require more time to do this. Outline options were highlighted below.



- Regarding council tax, various options were set out at section 8 of the report in the agenda.
- With regard to considering or developing savings and growth options to produce a budget in line with preferred council tax levels, any proposals put forward by Cabinet should be considered alongside the development of priorities and in light of public engagement. Emphasis should be very much on the medium to longer term position.

Under the Constitution, Cabinet was required to put forward budget proposals for Council's consideration, in time for them to be referred back as appropriate. This was why recommendations were required to feed into the Council meeting in early February, prior to the actual Budget Council later that month.

In view of the level of savings needed in 2014/15 onwards, the Chief Executive had implemented a freeze on permanent recruitment, to help manage budget pressures until such time as the Council was clear about how and where it would achieve the necessary budget savings. Accordingly, in terms of council tax his (and the Head of Resources') preferred option would be for a 2% increase, given the extra impact that a freeze would have on the budget from 2015/16 onwards and the fact that as yet, the Council had no plans in place to tackle its future budget deficit – and establishing those plans would be exceptionally difficult. This preferred option would change only if the Council fundamentally reduced its ambitions regarding service delivery and this was evidenced through the adoption of clear plans as part of this budget. As an indication, in future a tax freeze might equate to around 5 or 6 posts.

The provisional Settlement meant that whilst next year's budget was manageable, the Council had only limited time to tackle the financial challenges expected from 2014/15 onwards. These challenges would require fundamental changes to the Council's current service delivery. Cabinet was advised to have regard to the medium term in determining its budget and council tax proposals for 2013/14, and to avoid adding even more pressure to 2014/15 and beyond. It was also advised to set out broad plans for tackling the 2014/15 budget.

Councillor Bryning proposed, seconded by Councillor Barry:-

- “(1) That recommendations 1 and 2, as set out in the report, be approved.
- (2) That with regard to the draft budget options set out in recommendation 3:
- That the council tax scenarios as set out in section 8 of the report be forwarded to Council for consideration.
  - That the Energy Renewal Strategy listed as a provisional growth item in Appendix A to the report be funded from the Invest to Save Reserve.
  - That the following be considered as one year only Growth items: Markets £50K, Cycle Race £10K and PCSOs – Police Authority proposals were awaited on this.
  - That cost options be brought forward with regard to lighting the Ashton Memorial
  - That Your District Matters be reduced from 3 to 2 copies a year but continue to be produced in hard copy.
  - That an Empty Homes Officer post be created and funded for two years.”

Councillors then voted:-

***Resolved unanimously:***

- (1) That the general budgetary position and future forecasts be noted, including the expected need to make substantial savings from 2014/15 onwards.
- (2) That the 2012/13 Revised Budget of £19.193M be referred on to Budget Council for approval, with the net underspending of £997K transferred into Balances.
- (3) That having considered the draft budget information and options set out in the report the following be agreed:
  - That the council tax scenarios as set out in section 8 of the report be forwarded to Council for consideration.
  - That the Energy Renewal Strategy listed as a provisional growth item in Appendix A to the report be funded from the Invest to Save Reserve.
  - That the following be considered as one year only Growth items: Markets £50K, Cycle Race £10K and PCSOs – Police Authority proposals were awaited on this.
  - That cost options be brought forward with regard to lighting the Ashton Memorial
  - That Your District Matters be reduced from 3 to 2 copies a year but continue to be produced in hard copy.
  - That an Empty Homes Officer post be created and funded for two years.
- (4) That all the above be referred on to Council for their initial consideration in early February, as well as being presented for scrutiny by Budget and Performance Panel in late January.

**Officer responsible for effecting the decision:**

Head of Resources

**Reasons for making the decision:**

In accordance with the Constitution, Cabinet was required to put forward budget proposals for Council's consideration, in time for them to be referred back as appropriate. The decision will ensure that the policy and budget proposals are fed into the Council meeting in early February, prior to the actual Budget Council later that month.

**103 REQUEST TO INSTALL A FLAGPOLE STRUCTURE WITH ASSOCIATED RIGGING ON THE STONE JETTY MORECAMBE BY MORECAMBE TOWN COUNCIL**

**(Cabinet Members with Special Responsibility Councillors Hamilton-Cox and Hanson)**

***Councillor Hanson, having declared an interest in this item as a member of Morecambe Town Council, left the meeting at this point and did not participate in the discussions or the vote.***

Cabinet received a report from the Head of Regeneration and Planning to consider the request of Morecambe Town Council for the erection of a flagpole and associated rigging on the Stone Jetty.

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

**Option 1-** to support the Town Council's request to site a mizzenmast flagpole on the Stone Jetty. This would lead to conflict with the provision of disabled parking spaces and access for maintenance of the Stone Jetty.

**Option 2** - not to support the Town Council's request to site a mizzenmast flagpole on the Stone Jetty. This would protect the facilities for disabled parking and access maintenance but would inevitably be a cause of disappointment for those who support the celebration of a national hero and a historical victory in this manner.

Councillor Sands proposed, seconded by Councillor Barry:-

- "(1) That Morecambe Town Council be advised that the City Council regrets that it cannot be supportive of the proposal on this occasion because of the adverse effect that the structure would have upon the provision of parking and access for disabled anglers and the ability to use the maintenance ramps to adequately maintain the sea defences in this location.
- (2) That Cabinet recognises the reasons for the proposal and would not object to the principle of permitting the installation of such a structure if a more appropriate location was identified by Morecambe Town Council."

Councillors then voted:-

***Resolved unanimously:***

- (1) That Morecambe Town Council be advised that the City Council regrets that it cannot be supportive of the proposal on this occasion because of the adverse effect that the structure would have upon the provision of parking and access for disabled anglers and the ability to use the maintenance ramps to adequately maintain the sea defences in this location.
- (2) That Cabinet recognises the reasons for the proposal and would not object to the principle of permitting the installation of such a structure if a more appropriate location was identified by Morecambe Town Council.

**Officer responsible for effecting the decision:**

Head of Regeneration and Planning

**Reasons for making the decision:**

The regeneration of Morecambe Town Centre was a part of the economic Growth key priority in the Corporate Plan 2012-2015. The maintaining of sea defences was a duty for the Council as owner of this part of the coastline, and aligned with the Corporate Plan priority to keep the district safe. The provision of facilities for anglers with disabilities was a specific

objective of the design of this part of the coastal defences and the removal of this facility without overriding justification would conflict with the Corporate Plan priority which seeks to improve the health and well being of local residents by participation in sports and leisure activities.

*Councillor Hanson returned to the meeting at this point.*

**104 COLLECTIVE ENERGY SWITCHING**

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

Cabinet received a report from the Head of Community Engagement which set out the background to the Collective Energy Switching scheme and potential options for Lancaster City Council in taking this forward.

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

	<b>Option 1:</b> Do nothing	<b>Option 2:</b> To agree to establish a collective energy switching scheme for the Lancaster District and for Lancaster City Council to work independently to achieve the best deal for residents.	<b>Option 3:</b> To agree to establish a collective energy switching scheme for the Lancaster district and to collaborate with other interested Local Authorities to achieve the best deal for residents
Advantages	<ul style="list-style-type: none"> <li>No impact upon council resources</li> </ul>	<ul style="list-style-type: none"> <li>Enables the council to address economic and social impacts associated with energy price increases</li> <li>The Council could receive a referral fee</li> <li>Greater flexibility in setting timescales and running auctions</li> </ul>	<ul style="list-style-type: none"> <li>Enables the council to address economic and social impacts associated with energy price increases</li> <li>The Council could receive a referral fee</li> <li>A larger campaign increases effectiveness of any marketing.</li> <li>Increased financial benefits for residents and council with a larger scheme.</li> <li>Avoids competition for customers with other Lancashire authorities</li> </ul>

<p>Disadvantages</p>	<ul style="list-style-type: none"> <li>The council will have lost an opportunity to help vulnerable groups increase their resilience to periods of cold weather.</li> </ul>	<ul style="list-style-type: none"> <li>Duplication of resources with other local schemes</li> <li>Possible confusion with other local schemes</li> <li>Unnecessary competition for registrations with other Lancashire authorities</li> </ul>	<ul style="list-style-type: none"> <li>Reduced flexibility to organise registration periods and auction dates</li> </ul>
<p>Risks</p>	<ul style="list-style-type: none"> <li>Lost opportunity to help the residents of the Lancaster district reduce their energy bills</li> <li>Lost opportunity for the council to benefit from a new income stream</li> </ul>	<ul style="list-style-type: none"> <li><b>Procurement:</b> An unsuitable external organisation is chosen to operate the scheme</li> <li><b>Mitigation:</b> Risk could be minimised by undertaking a formal public tender exercise or taking advantage of another authorities procurement methodology (as per Appendix 1)</li> <li><b>Reputational:</b> The council receives negative publicity should the scheme be unsuccessful.</li> <li><b>Mitigation:</b> Public and press responses to schemes already declared have been positive and so the risk of reputational damage to the authority is considered low.</li> <li>Low uptake of the scheme as residents prefer to be involved in a scheme operated by another authority</li> </ul>	<ul style="list-style-type: none"> <li><b>Procurement:</b> An unsuitable external organisation is chosen to operate the scheme</li> <li><b>Mitigation:</b> Risk could be minimised by undertaking a formal public tender exercise or taking advantage of another authorities procurement methodology (as per Appendix 1)</li> <li><b>Reputational:</b> The council receives negative publicity should the scheme be unsuccessful.</li> <li><b>Mitigation:</b> Public and press responses to schemes already declared have been positive and so the risk of reputational damage to the authority is considered low.</li> </ul>

The officer preferred option was Option 3: - to agree to establish a collective energy switching scheme for the Lancaster district and to collaborate with other interested Local Authorities to achieve the best deal for residents. This would provide the maximum potential benefits to residents and the council through the most efficient use of available resources.

Collective Switching offered an opportunity for Lancaster City Council to address economic and social impacts associated with increased energy prices. There would be cost

implications involved for facilitating such schemes, but these could be offset by income generated through the scheme. However, as collective energy switching was still in its infancy, it would be advantageous to undertake an initial pilot scheme, with the results used to inform the viability of undertaking future schemes.

Councillor Blamire proposed, seconded by Councillor Hamilton-Cox:-

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

Councillors then voted:-

***Resolved unanimously:***

- (1) That a pilot collective energy switching scheme for the Lancaster district and collaboration with other interested Local Authorities to achieve the best deal for residents, subject to there being no additional call on City Council resources, be agreed.
- (2) That any income generated by the scheme through the referral fees be incorporated into the Council’s revenue budget.
- (3) That a review of the pilot project be undertaken upon completion and a report submitted to Cabinet to evaluate the possibility of future collective energy switching schemes.
- (4) That the Head of Community Engagement be given delegated authority to accept any grant funding, up to £15,000, which is awarded following the recent application to the DECC “Cheaper Energy Together” fund and that the General Fund Revenue Budgets be updated accordingly.

**Officers responsible for effecting the decision:**

Head of Community Engagement  
Head of Resources

**Reasons for making the decision:**

Health and Wellbeing was one of the key priorities within the Corporate Plan 2012-15. One of the Plan’s outcomes was “health and wellbeing improved and mortality rates reduced for vulnerable people in the district” and the Corporate Plan included a success measure of the “number of vulnerable individuals benefiting from Warm Homes initiatives”. The provision of a Collective Energy Switching scheme would allow Lancaster City Council to achieve these outcomes and benefit residents across the district to meet the rising costs of energy prices.

**105 REVIEW OF PARKING FEES AND CHARGES 2013/14**

**(Cabinet Member with Special Responsibility Councillor Hamilton-Cox)**

Cabinet received a report from the Head of Environmental Services to consider the annual review of parking fees and charges for 2013/14.

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

#### Option 1(a)

*This option was aimed at achieving the budgetary target of £45.6K that had been included in the 2013/14 Draft Budget.*

Short Stay and Long Stay Car Parks	Current Tariff	Proposed Tariff	Additional Income
Increase Up to 1 hour tariff	£1.20	£1.30	£46,000

Advantages	Disadvantages	Risks
<p>This option meets the budgetary target and ensures that car parking makes a contribution to a balanced budget.</p> <p>This option avoids the need for additional savings or income from other functions of the Council.</p>	<p>Although this option only seeks to increase one tariff, this accounts for 42% of all ticket sales and the first hour's tariff often influences customers' perceptions of the overall level of all parking charges.</p>	<p>This option requires the County Council to implement increases to its 1 hour charges to maintain the required differential.</p> <p>If the County Council does not increase its charges and this option is approved, charges would be further misaligned and this could lead to longer term tariff issues and County needing to make significant increases in the future.</p> <p>There is always the risk that customer resistance would be greater resulting in budgetary issues.</p>

#### Option 1(b)

*This option was aimed at making a contribution of £33K to the budgetary target of £45.6K resulting in a budget shortfall of approximately £13K.*

Long Stay Car Parks	Current Tariff	Proposed Tariff	Additional Income
Increase Up to 3 hour tariff	£2.20	£2.50	£24,000
Increase Up to 5 hour tariff	£3.70	£4.00	£3,000
Increase Over 5 hours tariff	£6.00	£6.50	£1,800
Other Car Parks			
Increase Up to 4 hour tariff	£0.80	£1.00	£3,600
Increase Over 4 hour tariff	£1.20	£1.40	£600

Advantages	Disadvantages	Risks
<p>This option raises over 70% of the required budget target.</p> <p>This option limits tariff increases to long stay car parks that tend to be used by commuters.</p> <p>This option could lead to increased permit sales.</p> <p>This option does not affect any short stay tariffs that are a key part of maintaining city and town centre viability.</p> <p>This option does not require the County Council to specifically increase their on-street charges although this would still be desirable to implement the differential charges.</p>	<p>This option affects a number of long stay tariffs that could reverse the increased long stay sales in Lancaster and further reduce the long stay sales in Morecambe.</p>	<p>The increase in long stay tariffs could lead to customers choosing not use car parks and park on-street in unrestricted parking areas causing further difficulties for residents living in these areas.</p> <p>There is always the risk that customer resistance would be greater resulting in budgetary issues.</p>

### Option 1(c)

***This was to consider approving Options 1a and 1b resulted in a range of increases covering both short stay and long stay car parks meeting the budgetary target of £45.6K and making a further contribution of approximately £33K.***

The advantages, disadvantages and risks associated with this option were similar to those for Option 1(a) and 1(b) with a significantly increased risk of not actually achieving the levels of estimated additional income. This would have the potential to complicate further reviews of parking charges and potentially limit the tariffs that could be increased in 2014/15.

### Option 2

***This option was not to implement any parking fees and charge increases in 2013/14 resulting in a budget shortfall of £45.6K.***

Advantages	Disadvantages	Risks
This option limits the	This option is unlikely to	This option increases the



<p>impact on parking usage and town centre businesses and trading.</p> <p>This option could ease the concerns of businesses and retailers about the major works being undertaken in Lancaster and reducing levels of usage in Morecambe.</p> <p>This option has the potential to reduce any further reductions in usage.</p> <p>This option is likely to receive the most support through the consultation process.</p>	<p>achieve the required budget contribution through increased usage.</p> <p>This option could lead to the need for larger increases in future years.</p> <p>This option could lead to increased usage that could impact on traffic congestion.</p>	<p>budget preparation difficulties at a time when additional income or major savings are required.</p>
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Option 1(a) was the officer preferred option as this limited increases to one tariff and the estimated additional income of £46K met the budgetary target. However, this option should be linked to a positive response from the County Council to raise the on-street charges otherwise car park charges would be higher than on-street charges and this would not maintain the required differential as outlined in this report.

In the event of the County Council not increasing their charges the officer preferred option would be Option 1(b). This would result in a budgetary shortfall of approximately £13K. Increasing the long stay charges even higher to meet this shortfall would require significant increases that were not considered to be acceptable. As a result further savings would need to be identified or a growth item submitted to meet the shortfall.

The officer preferred options set out in this report would meet or make a contribution to the required inflationary increases already built into the latest 2013/14 draft budget. They took on board the need to generate income in line with the requirements of the Medium Term Financial Strategy and the Fees and Charges Policy, whilst endeavouring to minimise the impact on customers.

Councillor Hamilton-Cox proposed, seconded by Councillor Blamire:-

- “(1) That Cabinet's recommendations for car parking charges are put forward to underpin the intended outcomes of the Council's parking strategy for this District; and in particular recognise the potential impact of disruption that may be caused by the upcoming works in Lancaster by United Utilities.
- (2) In the event of the County Council increasing on street parking charges the preferred option for increasing parking fees remains based around option 1a.

- (3) In the event that County Council decides to freeze on street parking charges as part of its 2013/14 budget the next best option is for the City Council to do likewise for 2013/14.
- (4) That work takes place to develop options to catch up any budgetary shortfall in 2014/15, including reducing operating costs.
- (5) That in the event that 3) above applies, the proposal be included as part of Cabinet's overall budget proposals for next year, subject to Council approval."

By way of amendment, Councillor Barry proposed and Councillor Hanson seconded:-

"That option 1(a) – a 10p increase up to 1 hour on short and long stay car parks be approved."

Councillors then voted on the amendment – 7 Members voted in favour of the amendment and 1 against whereupon the Chairman declared the amendment to be carried.

Councillors then voted on the substantive motion.

**Resolved:**

***(7 Members (Councillors Barry, Blamire, Bryning, Hanson, Leytham, Sands and Smith) voted in favour, and 1 Member (Councillor Hamilton-Cox) voted against whereupon the Chairman declared the substantive motion to be carried.***

- (1) That Cabinet's recommendations for car parking charges be put forward to underpin the intended outcomes of the Council's parking strategy for this District; and in particular recognise the potential impact of disruption that may be caused by the upcoming works in Lancaster by United Utilities.
- (2) That option 1(a) – a 10p increase up to 1 hour on short and long stay car parks be approved.

**Officers responsible for effecting the decision:**

Head of Environmental Services  
Head of Resources

**Reasons for making the decision:**

The decision is consistent with the Parking Strategy to set charges to meet the Council's transportation policy objectives and budget commitments. Fees and charges form an integral part of the budget setting process, which in turn relates to the Council's priorities. Under the Medium Term Financial Strategy (MTFS), income generation is a specific initiative for helping to balance the budget.

**106 COMMUNITY SAFETY PRIORITIES**

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

Cabinet received a report from the Heads of Environmental Services and Community Engagement which requested specific decisions relating to the funding by the City Council of domestic abuse services in the district – in particular, the use of £50,000 Performance Reward Grant allocated in principle to address this issue. It also provided more general information on other aspects of community safety.

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

	<b>Advantages</b>	<b>Disadvantages</b>	<b>Risks</b>
<b>Option 1</b> Do nothing	Money can be used to fund other projects	Lack of provision in the District to support victims and those at risk of domestic violence / abuse	Increased 'hidden' domestic violence  Additional costs to services within the District
<b>Option 2</b> Agree basic level domestic violence service: £12,000 per annum for three years	Victims of high level domestic violence and their families supported from report of incident through to potential prosecution.  Victims feel safer and place lesser demands on other public services	Basic provision does not meet the need of the District  Increased IDVA work may raise number of referrals which the service may not be able to manage	High number of referrals, IDVA service not able to meet demand
<b>Option 3</b> Agree the recommendations as proposed: use of full £50,000 of PRG	Basic IDVA service provision for three years supporting victims of high level Domestic Abuse.  Continuation of current Domestic Abuse Outreach provision.  Complimenting the IDVA service, the outreach provision will continue to support low to medium risk victims and prevent escalation of abuse.	Still doesn't meet the needs of the District, but will ensure continuation of current provision and development of a sustainable support system for victims at risk of, or experiencing domestic violence and/or abuse.	

The preferred option was Option 3. The basic Domestic Abuse contribution of £12,000 for three years would ensure victims and their families of high level domestic violence were supported and enabled to make safer and better life choices. The outreach support would complement this service by supporting those at low to medium risk services preventing escalation of violence and increased demand on services.

Councillor Smith proposed, seconded by Councillor Sands:-

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

Councillors then voted:-

***Resolved unanimously:***

With regard to Domestic Abuse Services it was agreed:

- (5) That Cabinet approves in principle the request from Lancashire County Council that Lancaster City Council contributes £12,000 a year for three years towards the commissioning of mainstream domestic abuse services as per Appendix A to the report
- (6) That £36,000 of previously allocated Performance Reward Grant (PRG) be used to meet the expectations in (1) above, and that the remaining £14,000 be allocated to maintaining the Domestic Abuse Outreach Service in the district 2013/14.
- (7) That £17,526 of unused funding earmarked for mainstream domestic abuse services during 2012/13 be returned to balances.

With regard to Police Community Support Officers it was noted:

- (4) That it be noted that the current position with regard to the City Council's part funding of nine additional PCSOs in the District for 2012/13 is that a growth bid would be required.

With regard to CCTV it was recommended:

- (5) That in view of the Council's budgetary provision and the contractual position of the Council's CCTV operation a review of CCTV be undertaken with recommendations to be brought forward to Cabinet in the 2013/14 financial year.

With regard to Lancaster City Council's other contributions to the Lancaster District CSP:

- (6) That no further recommendations be made at this stage with regard to contributing to the support of a range of other CSP activities.

**Officers responsible for effecting the decision:**

Head of Community Engagement  
Head of Environmental Services  
Head of Resources

**Reasons for making the decision:**

The Council has statutory duties with regard to community safety. Clean, Green and Safe Places is a priority in the Council's Corporate Plan and the proposals detailed in the report support the priorities of the Lancaster District Strategic Assessment.

**107 OUT OF OFFICE HOURS RESPONSE TO SEVERE WEATHER****(Cabinet Member with Special Responsibility Councillor Leytham)**

Cabinet received a report from the Head of Environmental Services to enable Cabinet to consider generally how the Council should respond to severe weather occurrences out of office hours, and specifically the arrangements for the provision of sandbags to members of the public.

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

**OUT OF HOURS OPERATIONAL RESPONSE**

	<b>Option 1a</b> Continue with the existing policy of not providing an operational response over and above statutory responsibilities in the event of an out of office hours severe weather event.	<b>Option 1b</b> Provide a year round enhanced out of office hours response in the event of severe weather	<b>Option 1c</b> Provide an enhanced out of office hours response when severe weather warnings are received
Advantages	Consistent with statutory duties of a District Council	.Would meet the expectations of some of the public	Would meet the expectations of some of the public
Disadvantages	- Contrary to the expectation of some of the public  - Contrary to the expectation of some stakeholders	Would require a team of 2 to be on permanent standby and to be trained accordingly. The staff would also have to be paid for call out. This would cost a minimum of £11,400 per annum. There would obviously be additional staff costs if attendance	Would require a team of 2 to be on standby for a minimum of 7 days when a severe weather warning is received. Assuming 10 severe weather warnings in a year the approx cost would be £1000 for standby. There would obviously be additional staff costs if attendance

		<p>was required at the incident.</p> <p>The City Council would be operating beyond its statutory responsibilities which raises public expectations</p>	<p>was required at the incident.</p> <p>-sometimes severe weather events (eg flash floods) aren't always accompanied by severe weather warnings.</p> <p>If the severe weather warning was received out of office hours it may not be possible to contact the team to put them on standby.</p> <p>The City Council would be operating beyond its statutory responsibilities which raises public expectations</p>
Risks	- Adverse publicity		- raising of public expectation

**PROVISION OF SANDBAGS TO MEMBERS OF PUBLIC**

	<b>Option 2a</b> Continue to make sandbags freely available for people who wish to collect them from WLD	<b>Option 2b</b> Introduce a charge for the provision of sandbags members of public	<b>Option 2c</b> Discontinue the policy of making sandbags available to members of public
<b>Advantages</b>	Meets the expectations of some of the public	Meets the expectations of some of the public  Already the practice in a number of Councils  Ensures sandbags are used for the purpose intended	Ensures the Council is not acting beyond its statutory duties  Encourages householders to consider in advance how best to protect their home

			Saves around £6750- 8100 per annum
<b>Disadvantages</b>	<p>Already the Council receives requests from the public to deliver the bags to peoples homes because they have no transport. These are declined which causes upset to the member of public.</p> <p>Anecdotal evidence suggests the sandbags are used for all manner of things other then protection from flooding.</p> <p>There is nothing to prevent one person coming and taking away the whole supply of sandbags that is left outside the depot</p> <p>Goes beyond the Council's statutory duty</p> <p>Around 2500- 3000 sand bags are taken per year which costs the Council around £6750- 8100</p> <p>Doesn't encourage people to plan ahead for severe weather.</p>	Would require administering. Charges for the sandbags would have to reflect this	Contrary to the expectation of some of the public
			Adverse publicity – this is a key concern when

			there has been so much flooding recently elsewhere in the UK. Much footage has been shown of sandbags being deployed – to varying degrees of success on national and local news.
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NOTE- the Council retained a supply of sandbags for its own use in the event of emergencies and would continue to do so.

The Officer preferred option was that in the event of severe weather occurrences out of office hours the operational response should continue to be in accordance with that which is statutorily required under the Civil Contingencies Act. With regards to sandbag provision currently by providing free sandbags for collection the Council was acting beyond what was statutorily required and at a direct cost to the Council. The options Cabinet had in this regard were outlined in the table above.

It was in the Council's interests to ensure that there was clarity as to the Council's position on these issues.

Councillor Leytham proposed, seconded by Councillor Hanson:-

- “(1) That in the event of severe weather occurrences out of hours the operational response should continue to be in accordance with that which is statutorily required under the Civil Contingencies Act.
- (2) In order to improve the resilience of the District to severe weather events and to help residents well ahead to mitigate the risk of damage to their property from severe weather the Council focuses its efforts on a planned approach, including:
- Providing information that will help residents plan well ahead – e.g. links to Environment Agency, Met Office via the Council website
  - Working with other Agencies, e.g. the County Council, Environment Agency to provide specific support and advice to communities that are known to be vulnerable to severe weather events
  - Influencing Agencies with specific responsibilities, e.g. the County Council, Environment Agency to take proactive actions that will reduce the disruption caused by severe weather events.
- (3) That Cabinet agrees in principle to introduce a charge for the provision of sandbags to the public and delegate the details to the Head of Environmental Services for agreement along with the relevant portfolio holder.”

Councillors then voted:-

***Resolved unanimously:***



- (1) That in the event of severe weather occurrences out of hours the operational response should continue to be in accordance with that which is statutorily required under the Civil Contingencies Act.
- (2) In order to improve the resilience of the District to severe weather events and to help residents well ahead to mitigate the risk of damage to their property from severe weather the Council focuses its efforts on a planned approach, including:
  - Providing information that will help residents plan well ahead – e.g. links to Environment Agency, Met Office via the Council website
  - Working with other Agencies, e.g. the County Council, Environment Agency to provide specific support and advice to communities that are known to be vulnerable to severe weather events
  - Influencing Agencies with specific responsibilities, e.g. the County Council, Environment Agency to take proactive actions that will reduce the disruption caused by severe weather events.
- (3) That Cabinet agrees in principle to introduce a charge for the provision of sandbags to the public and delegate the details to the Head of Environmental Services for agreement along with the relevant portfolio holder.

**Officer responsible for effecting the decision:**

Head of Environmental Services

**Reasons for making the decision:**

The decision will ensure clarity with regard to the Council's position in relation to the issues.

**108 STOREY CREATIVE INDUSTRIES CENTRE: PROGRESS UPDATE**

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

Cabinet received a report from the Head of Resources which provided an update on the position regarding the Storey Creative Industries Centre (CIC).

As the report was presented primarily for information no options were presented.

Councillor Barry proposed, seconded by Councillor Hamilton-Cox:-

“(1) That the report be noted.”

Councillors then voted:-

***Resolved unanimously:***

(1) That the report be noted.

**Officer responsible for effecting the decision:**

Head of Resources

**Reasons for making the decision:**

At its meeting on 9 October 2012 Cabinet requested that written updates on the Storey Creative Industries Centre be tabled at each meeting. (Minute 61 refers).

**109 EXCLUSION OF THE PRESS AND PUBLIC**

It was moved by Councillor Hanson and seconded by Councillor Sands:-

“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.

*At this stage an update on tenant accounts with regard to the Storey Creative Industries Centre was provided. In accordance with the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 notice of this had been provided in the Forthcoming Key Decision Notice published on 21<sup>st</sup> December 2012.*

*(Councillor Dennison who was observing the meeting declared an interest at this point and left the meeting, returning after the tenant account update had been considered).*

**110 LAND AT ALDCLIFFE ROAD, LANCASTER****(Cabinet Member with Special Responsibility Councillor Hamilton-Cox)**

Cabinet received a report from the Head of Resources to obtain approval to the terms and conditions for the Council to grant a sub-lease for land at Aldcliffe Road, Lancaster.

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

Councillor Hamilton-Cox proposed, seconded by Councillor Leytham:-

- “(1) That the recommendation, as set out in the exempt report, be approved.”

Councillors then voted:-

**Resolved:**

***(7 Members (Councillors Barry, Blamire, Bryning, Hamilton-Cox, Leytham, Sands and Smith) voted in favour and 1 Member (Councillor Hanson) voted against.)***

- (1) That, subject to the Canal and River Trust's consent, the land and buildings located at Aldcliffe Road, Lancaster be sub-leased on the terms and conditions set out in the exempt report.

**Officer responsible for effecting the decision:**

Head of Resources

**Reasons for making the decision:**

The decision supports the Council's Corporate Plan action of improving parks and open spaces, whilst supporting sound management of the Council's resources and entering into a Sub-Lease would represent a reasonable way forward for this site.

.....  
Chairman

(The meeting ended at 12.10 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 MONDAY 28 JANUARY, 2013.**

**EFFECTIVE DATE FOR IMPLEMENTING THE DECISIONS CONTAINED IN THESE MINUTES:  
TUESDAY 5 FEBRUARY, 2013.**