



LANCASTER
CITY COUNCIL

Promoting City, Coast & Countryside

COUNCIL MEETING

**Wednesday, 17 December 2014 -
2.00 p.m.
Morecambe Town Hall**

Mark Cullinan,
Chief Executive,
Town Hall,
Dalton Square,
LANCASTER,
LA1 1PJ



LANCASTER CITY COUNCIL

Promoting City, Coast & Countryside

Sir/Madam,

You are hereby summoned to attend a meeting of the Lancaster City Council to be held in the Town Hall, Morecambe on Wednesday, 17 December 2014 commencing at 2.00 p.m. for the following purposes:

1. **APOLOGIES FOR ABSENCE**

2. **MINUTES**

To receive as a correct record the Minutes of the Meeting of the City Council held on 22 October 2014 (previously circulated).

3. **DECLARATIONS OF INTEREST**

To receive declarations by Members of interests in respect of items on this Agenda.

Members are reminded that, in accordance with the Localism Act 2011, they are required to declare any disclosable pecuniary interests which have not already been declared in the Council's Register of Interests. (It is a criminal offence not to declare a disclosable pecuniary interest either in the Register or at the meeting).

Whilst not a legal requirement, in accordance with Council Procedure Rule 10 and in the interests of clarity and transparency, Members should declare any disclosable pecuniary interests which they have already declared in the Register, at this point in the meeting.

In accordance with Part B Section 2 of the Code Of Conduct, Members are required to declare the existence and nature of any other interests as defined in paragraphs 8(1) or 9(2) of the Code of Conduct.

4. **ITEMS OF URGENT BUSINESS**

5. **ANNOUNCEMENTS**

To receive any announcements which may be submitted by the Mayor or Chief Executive.

6. **QUESTIONS FROM THE PUBLIC UNDER COUNCIL PROCEDURE RULE 12**

To receive questions in accordance with the provisions of Council Procedure Rules 12.1 and 12.3 which require members of the public to give at least 3 days' notice in writing of questions to a Member of Cabinet or Committee Chairman.

7. PETITIONS AND ADDRESSES

To receive any petitions and/or addresses from members of the public which have been notified to the Chief Executive in accordance with the Council's Constitution.

8. LEADER'S REPORT (Pages 1 - 3)

To receive the Cabinet Leader's report on proceedings since the last meeting of Council.

REPORTS REFERRED FROM CABINET, COMMITTEES OR OVERVIEW AND SCRUTINY

9. FINANCIAL REFERRALS: TREASURY MANAGEMENT AND BUDGET UPDATE (Pages 4 - 28)

To consider the report of Cabinet providing updates on treasury management progress during the year, and on the 2015/16 budget process.

10. REFERRAL FROM COUNCIL BUSINESS COMMITTEE - ATTENDANCE AT OUTSIDE BODIES (Pages 29 - 36)

To consider the recommendations of the Council Business Committee from its meeting on 6 November 2014.

11. REFERRAL FROM COUNCIL BUSINESS COMMITTEE - COMMITTEE TIMETABLE 2015/16 (Pages 37 - 48)

To consider the recommendations of the Council Business Committee from its meeting on 6 November 2014.

MOTIONS ON NOTICE

12. NOTICE OF MOTION - OPPOSITION TO DRIVER-ONLY TRAINS (Page 49)

To consider the following motion submitted by Councillors Whitaker, Redfern, Newman-Thompson, Scott and Margaret Pattison.

This Council:

- a) Registers its opposition to the Northern and Transpennine Express franchise requirement for driver only trains and the Government's plans to make driver only trains mandatory.
- b) Expresses its concern at the removal of on board conductors on The Northern and Transpennine routes as well as hundreds of essential rail jobs
- c) Believes that, if implemented, the plan would result in cuts to funding, fare rises, service and timetable cuts and the loss of local rail jobs. .
- d) Also believes that as a result of the loss of skilled jobs, passenger service and passenger safety will be worsened by this plan to remove guards and conductors from services and introduce driver only operated trains.
- e) Notes that these proposals come on top of rail fare hikes and the pre-existing understaffing of many rail stations and the closure of ticket offices, making

guards and on board conductors even more essential to passenger safety.

- f) Believes that safeguarding and increasing staffing levels are the most effective way of improving security and passenger safety
- g) Notes that the driver is responsible for safe operation of the train and the on board conductor is responsible for the protection of the passengers.
- h) Notes that currently, guards and on board conductors are fully trained in the operational safety, route knowledge, including safely securing doors, protecting the train and acting in emergencies such as driver incapacity.

An officer briefing note is attached.

13. **NOTICE OF MOTION - TRANSATLANTIC TRADE AND INVESTMENT PARTNERSHIP** (Pages 50 - 56)

To consider the following motion submitted by Councillors Newman-Thompson, Gardner and Margaret Pattison:

This Council notes:

1. That the Transatlantic Trade and Investment Partnership (TTIP) is currently being negotiated between the US and the EU supposedly to pursue the interest of free trade.
2. TTIP negotiations are being conducted behind closed doors between representatives of the EU and US without transparency or democratic accountability.
3. TTIP would open up access to government procurement markets and eliminate preferential treatment to local suppliers and introduce investment protection provisions that include investor state dispute settlement (ISDS) mechanisms which allow investors to challenge state actions which they perceive as threatening to their investment.
4. ISDS mechanisms allow for disputes between investors and governments to be heard by tribunals of "experts" rather than resolved by the host state's courts. The United Nations Conference on Trade and Development (UNCTAD) recently explained that "foreign investors have recently used ISDS claims to challenge measures adopted by states in the public interest (for example, policies to promote social equity, foster environmental protection or protect public health).

This Council believes that:

1. The TTIP negotiations are potentially catastrophic for public services as the EU/US representatives are negotiating to hand over the right to regulate in the public interest without transparency or accountability to their electorates.
2. ISDS mechanisms would make it hard for any government to reverse liberalisation and privatisation without being sued by foreign investors. So whatever voters actually wanted, the trade treaty would place major barriers

in the way of government giving expression to their democratic will.

This Council resolves:

1. To write to the Prime Minister and the Secretary of State for Business Innovation and Skills raising our serious concerns about the TTIP.
2. To offer support to the campaign by Unite to defend the NHS which is drawing attention to the potential impact of the TTIP.
3. To write to the Local Government Association to urge them to lobby on behalf of all Local Authorities on the potential impact of the TTIP.
4. To do all we can to publicise the dangers arising from this trade agreement for our NHS and other public services and jobs.

An officer briefing note is attached.

14. NOTICE OF MOTION - 5-YEAR HOUSING LAND SUPPLY STATEMENT (Page 57)

To consider a motion submitted by Councillors Hamilton-Cox, Brookes and Barry as follows:

This council resolves:

'To ask officers to produce a public briefing note for councillors on the 5-year housing land supply statement focussed on how the calculation of the under-supply of 1695 homes is justified when set against the available data on growth of population, household formation and employment between 2001 and 2011. Full council asks that the briefing note should be based on attributable data and should compare the data with the projections and forecasts for population, household formation and employment which presumably informed the target of 400 homes per year against which housing delivery is deemed to have fallen short to 2011.

Full council further resolves that the briefing note be circulated to councillors not later than Wednesday 14th January 2015.

The proposers of the motion note the census data which shows that the district's population increased by 4461 between 2001 and 2011. The city council's Housing Land Monitoring Reports show that the number of homes completed in the district between 2001-02 and 2010-11 was 3223. This is a ratio of 1.38 people per new household. The average household size at the 2011 census was 2.27 people.'

An officer briefing note is attached.

OTHER BUSINESS

15. RECORDINGS OF MEETINGS (Pages 58 - 61)

To consider the report of the Chief Officer (Governance).

16. REVIEW OF POLLING DISTRICTS AND POLLING PLACES 2014 (Pages 62 - 64)

To consider the report of the Chief Officer (Governance).

17. **ALLOCATION OF SEATS TO POLITICAL GROUPS** (Pages 65 - 68)

To consider the report of the Chief Executive.

18. **LOCAL PLAN FOR LANCASTER DISTRICT 2011 - 2031: THE ADOPTION OF THE DEVELOPMENT MANAGEMENT AND MORECAMBE AREA ACTION PLAN DEVELOPMENT PLAN DOCUMENTS** (Pages 69 - 82)

To consider the report of the Chief Officer (Regeneration and Planning).

NB: two large documents referred to in the report (The Development Management DPD and the Morecambe Area Action Plan) are available to view on the following link:

<http://committeeadmin.lancaster.gov.uk/ieListDocuments.aspx?CId=305&MId=6355>

Alternatively, Councillors can request a paper copy by phoning 582170, or view one of the paper copies in the Members' rooms.

19. **AMENDMENT OF THE EXECUTIVE SCHEME OF DELEGATION TO OFFICERS – ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014** (Pages 83 - 86)

To consider the report of the Chief Officer (Governance).

20. **MEMBERS' ALLOWANCES SCHEME - REPORT OF THE INDEPENDENT REMUNERATION PANEL** (Pages 87 - 125)

To consider the report of the Chief Officer (Governance).

21. **QUESTIONS UNDER COUNCIL PROCEDURE RULE 13.2**

To receive questions in accordance with the provisions of Council Procedure Rules 13.2 and 13.4 which require a Member to give at least 3 working days notice, in writing, of the question to the Chief Executive.

22. **MINUTES OF CABINET** (Pages 126 - 143)

To receive the minutes of meetings of Cabinet held on 4 November and 2 December 2014.



.....
Chief Executive

COUNCIL**Leader's Report****17 December 2014****Report of the Leader of the Council****PURPOSE OF REPORT**

To present the Leader's report to Council.

This report is public.

RECOMMENDATIONS

To receive the report of the Leader of Council.

REPORT**1.0 Cabinet**

Information on Cabinet matters is provided in the minutes from the Cabinet meetings held on 4th November and 2nd December 2014, later in this agenda.

2.0 Decisions required to be taken urgently

There are no urgent decisions to report since the last Leader's Report on 22 October 2014.

3.0 Leader's Comments

On the 08 October the Chief Executive and I were asked to respond to the County's Peer Review. We were able to mention our shared services which we are benefitting from and the good relationships that we have with County.

On the 11 October I attended a Diwali evening at Lancaster Town Hall which was very well supported and it brings together a diversity of communities.

The Dukes presentation of "A Farewell to Arms" drew a full audience and was an amazing mixture of techniques. This was from the 15 October onwards by a visiting company and was well received.

The Lancaster Museums Joint Steering Group met on the 16 October. A small project group from Lancashire County Council Museums Service has met twice with the District Librarian to explore options for linking the Museum and the Library more overtly. This should use the space between more efficiently and effectively. The proposal to change opening hours was updated and although it was proposed to open on Sundays and close on Mondays, the staff have suggested that Mondays could be used for Group Bookings and for school visits. A possible "Lawless Lancaster Trail" was suggested by a County officer, including our Courtroom visit, the Castle courtroom, The Judges' Lodgings and the story of Buck Ruxton.

The launch of the new Lancaster Destination Brand was held on Lancashire Day at The Storey.

A joint Universities and City event took place on the 21 October. This was held in the Ashton Hall and it attracted a large audience. It was daunting to be on a panel with four professors! Fifty years of our two Universities was well worth celebrating. What would our district be like without them.

At the Lancashire Leaders' meeting on the 03 November an LGA Peer Review of the Health and Wellbeing System Lancashire was discussed. The County had requested this. The County Public Health Grant has been used for a second year to support district councils to deliver affordable warmth interventions.

A Notice of Motion, passed at County in October, has led to an initial discussion about future options available for our region. Areas such as Lancashire would need to follow the examples of Greater Manchester and Merseyside and work towards the creation of a combined authority with other local authorities in the county. All parties at the meeting expressed an interest and an early meeting was requested for further information and discussion.

On the 27 November a meeting of Leaders and Chief Executives of the 12 district plus the two unitary authorities was held at County. It was addressed by David Sparks, chair of the LGA. All districts confirmed that we need a further meeting with some options to discuss. A Working Group of some Chief Executives was to be set up to produce a paper for a 09 December meeting as a starting point for further discussion.

On the 24 November I attended a meeting with the Deputy Leader and the Chief Executive of South Lakeland District Council. We discussed their Local Plan and about the process of achieving it. They emphasised the need for housing and of the need to control where it goes. Inward Investment was also discussed and their dialogue with business. Combined authorities is also on the Cumbrian agenda and the Energy Coast councils of Barrow, Copeland, South Lakes and Lancaster.

The Cabinet met the Chamber and BID group on the 25 November. The Market, Inward Investment, Twin Towns, the Future of Cities and United Utilities were discussed. A BID update was given and car parking and branding on lampposts were raised. Over a period of time now BID have expressed a desire to support improvements to the public realm of the City centre. Already they have funded hanging baskets and some improvements to planted areas. They are also currently

working on a project to improve the appearance of a number of the historic ginnels in the City. In addition to this further to a City Council review of street cleansing schedules, following the Square routes work they have agreed to fund 50% of the extra funding needed to increase cleansing levels in the town centre. The meeting was useful and these meetings are to the advantage of all and should continue. The meeting was held at The Storey so that Cabinet Members could see the Tasting Garden, which was an item on the Cabinet agenda.

Thanks to all for your good natured questioning and cooperation during the year. May I wish everyone a Happy Christmas and a good New Year.

4.0 Other Matters

Cabinet minutes are attached at the end of this agenda.

5.0 Key Decisions

The following Key Decisions were taken by Cabinet on 4 November 2014:

- (1) The Dukes - Review of Lease
- (2) The Dukes – Review of Service Level Agreement

The following Key Decisions were taken by Cabinet on 2 December 2014:

- (1) Smokefree Play Areas – Introduction of a Voluntary Code
- (2) Budget and Policy Framework Update 2015/16
- (3) Sites off Bailrigg Lane, Lancaster

The following Officer Delegated (Key) Decisions were taken during this period:

- (1) Corporate Non-Housing 1st Year Delivery Slippage Plan 2014-15 Procurement Group Intermediate Works – Bridge End Depot, Ryeland Park Changing Rooms, Old Man's Rest, Cottage Museum and Slyne Road Scout Hut.
- (2) Corporate Non-Housing Year 2 Delivery Plan – Lancaster Town Hall Lift Replacement
- (3) Ground Works for Marsh – Phase 2
- (4) Banking Contract
- (5) Elections Management Software Contract
- (6) Phase 2 Communal Refurbishment on Branksome Estate
- (7) Sheltered Accommodation Upgrade – Ripley Court – Remodel of Bedsits
- (8) Replacement of 3 Compact Sweepers

BACKGROUND PAPERS

Cabinet agenda and minutes of the meetings held on 4th November and 2nd December 2014



Financial Referrals: Treasury Management and Budget Update 17 December 2014

Report of Cabinet

PURPOSE OF REPORT

To provide updates to Council on treasury management progress during the year, and on the 2015/16 budget process.

This report is public.

RECOMMENDATIONS

- (1) That the mid-year treasury management progress report set out at Annex A be noted.
- (2) That the budget update report as set out in Annex B be noted.

1 Introduction

- 1.1 At its meeting in December, Cabinet received reports on the Council's financial position, including treasury management activities.
- 1.2 In line with regulatory requirements, the mid-year treasury management report is now attached at **Annex A**, for Council's information.
- 1.3 A more general update on the Council's budgetary position is attached at **Annex B**. Given that the Local Government Settlement has not yet been received, the report is also primarily for information.
- 1.4 At the time of writing this referral report, it was expected that the Local Government Settlement would be announced on or around 17 December; the date of this Council meeting.

CONCLUSION OF IMPACT ASSESSMENT

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

See attached budget update report.

LEGAL IMPLICATIONS

See attached reports.

FINANCIAL IMPLICATIONS

See attached reports.

OTHER RESOURCE IMPLICATIONS

See attached budget update report.

SECTION 151 OFFICER'S COMMENTS

See attached reports; the s151 Officer has no further comments to add..

MONITORING OFFICER'S COMMENTS

See attached reports; the Monitoring Officer has no further comments to add..

BACKGROUND PAPERS

None.

Contact Officer: Nadine Muschamp
Telephone: 01524 582117
E-mail: nmuschamp@lancaster.gov.uk
Ref:

2014/15 Treasury Management Progress Report 11 November 2014 (Quarter 2)

Report of Chief Officer (Resources)

1. Introduction

The CIPFA Code of Practice on Treasury Management requires that regular monitoring reports be presented to Members on treasury activities. These reports will normally be presented after the end of June, September, December and March as part of the Council's performance management framework.

Council approved the 2014/15 Treasury Strategy, which incorporates the Investment Strategy, at its meeting on 26 February 2014. This report outlines activities undertaken in pursuance of those strategies during the financial year up to the end of Qtr 2.

Treasury management is a technical area. To assist with the understanding of this report, a glossary of terms commonly used in Treasury Management is attached at **Appendix A**. In addition, the Councillor's Guide to Local Government Finance also has a section on treasury and cash management and an updated Guide is now available through the Member Information section on the Intranet.

2. Summary: Headline Messages

- **Icelandic Investments** – Only £77K still due from KSF, and £615K held in an escrow account in respect of Glitnir.
- **Borrowing Activities** – no new borrowing has been undertaken during the second quarter of the year, and no loans have been repaid.
- **Investment Activities** – investment interest is £7K ahead of target at the end of the second quarter.

3. Economic update (provided by Capital Asset Services)

After strong UK GDP quarterly growth of 0.7%, 0.8% and 0.7% in quarters 2, 3 and 4 respectively in 2013, (2013 annual rate 2.7%), and 0.7% in Q1 and 0.9% in Q2 2014 (annual rate 3.2% in Q2), it appears very likely that strong growth will continue through 2014 and into 2015 as forward surveys for the services and construction sectors, are very encouraging and business investment is also strongly recovering. The manufacturing sector has also been encouraging though the latest figures indicate a weakening in the future trend rate of growth. However, for this recovery to become more balanced and sustainable in the longer term, the recovery needs to move away from dependence on consumer expenditure and the housing market to exporting, and particularly of manufactured goods, both of which need to substantially improve on their recent lacklustre performance. This overall strong growth has resulted in unemployment falling much faster through the initial threshold of 7%, set by the Monetary Policy Committee (MPC) last August, before it said it would consider any increases in Bank Rate. The MPC has, therefore, subsequently broadened its forward guidance by

adopting five qualitative principles and looking at a much wider range of about eighteen indicators in order to form a view on how much slack there is in the economy and how quickly slack is being used up. The MPC is particularly concerned that the current squeeze on the disposable incomes of consumers should be reversed by wage inflation rising back above the level of inflation in order to ensure that the recovery will be sustainable. There also needs to be a major improvement in labour productivity, which has languished at dismal levels since 2008, to support increases in pay rates. Most economic forecasters are expecting growth to peak in 2014 and then to ease off a little, though still remaining strong, in 2015 and 2016. Unemployment is therefore expected to keep on its downward trend and this is likely to eventually feed through into a return to significant increases in pay rates at some point during the next three years. However, just how much those future increases in pay rates will counteract the depressive effect of increases in Bank Rate on consumer confidence, the rate of growth in consumer expenditure and the buoyancy of the housing market, are areas that will need to be kept under regular review.

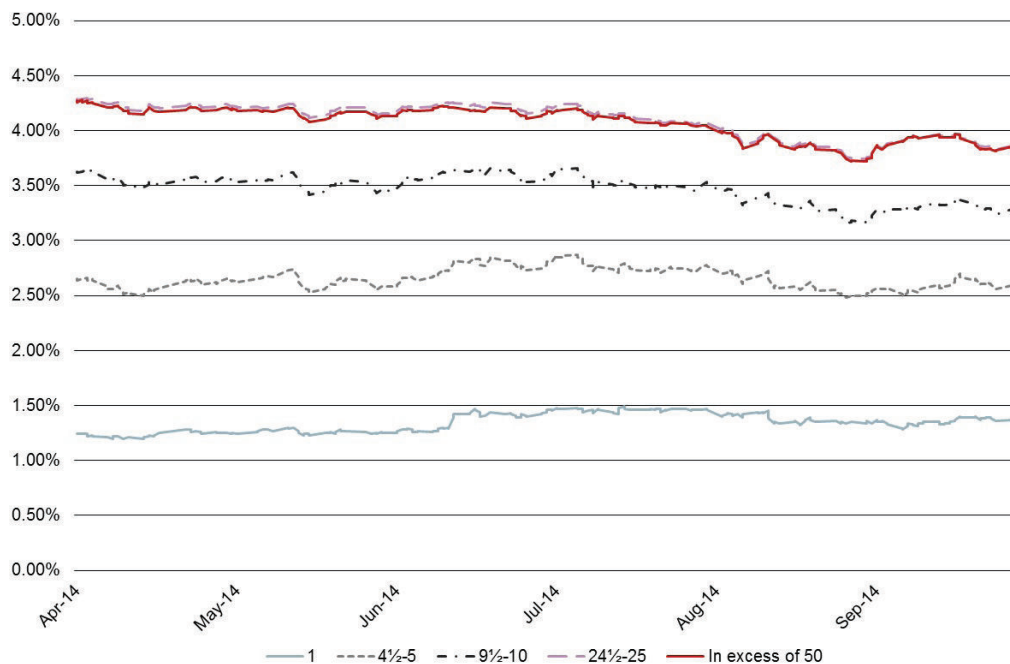
Also encouraging has been the sharp fall in inflation (CPI), reaching 1.5% in July, the lowest rate since 2009. Forward indications are that inflation is likely to fall further in 2014 to possibly 1%. The return to strong growth has also helped lower forecasts for the increase in Government debt by £73bn over the next five years, as announced in the Autumn Statement, and by an additional £24bn, as announced in the March 2014 Budget - which also forecast a return to a significant budget surplus, (of £5bn), in 2018-19. However, monthly public sector deficit figures have disappointed so far this year.

In September, the U.S. Federal Reserve continued with its monthly \$10bn reductions in asset purchases, which started in December 2014. Asset purchases have now fallen from \$85bn to \$15bn and are expected to stop in October 2014, providing strong economic growth continues. First quarter GDP figures were depressed by exceptionally bad winter weather, but quarter 2 rebounded strongly to 4.6%.

The Eurozone is facing an increasing threat from deflation. In September, the inflation rate fell further, to reach 0.3%. However, this is an average for all EZ countries and includes some countries with negative rates of inflation. Accordingly, the ECB did take some rather limited action in June and September to loosen monetary policy in order to promote growth.

4. Borrowing Activities

No new borrowing was undertaken during Qtr 1. The following graph shows the PWLB rates for the first half of this year.



Early Repayment of Debt

Officers continue to monitor potential saving opportunities associated with the early repayment of existing debt. This takes into account the premiums or discounts associated with early repayment and the projected cost of refinancing or loss in investment interest. At present, it would not be financially prudent to repay any debt based on the current rates being offered.

5. Investing Activities

As laid down in the approved Investment Strategy, the aim is to prioritise security and liquidity of the Council's investments. This is to ensure that the Council has sufficient cash to support its business, but also to minimise any further chance of a counterparty failing and the Council not being able to remove any cash deposited.

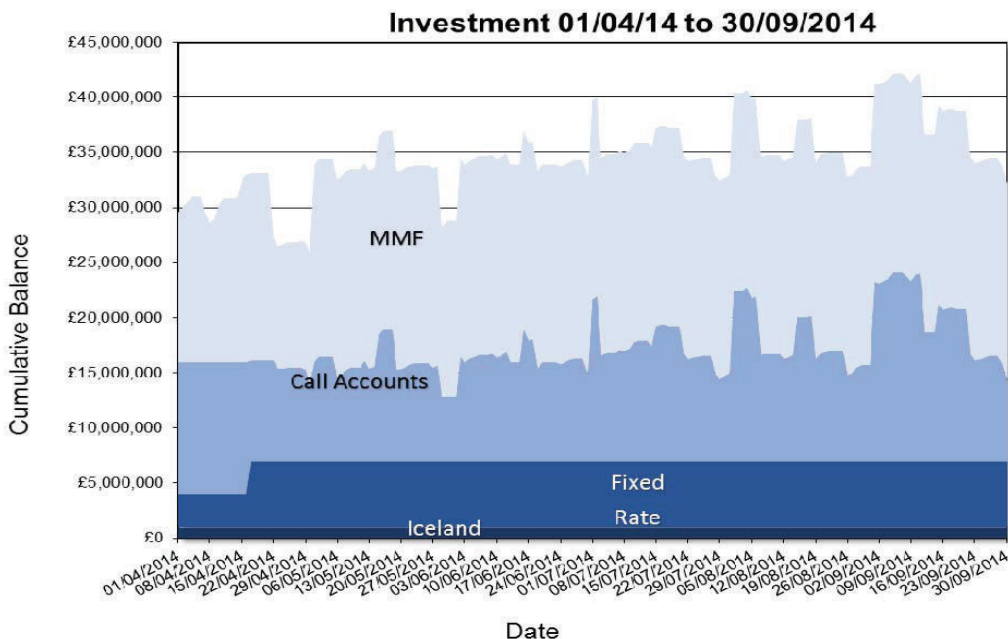
All investment activity has been in line with the approved Treasury Strategy for 2014/15. A full list of the investments at the end of Qtr 2 is shown below (Table 6.1):

Table 6.1 Counterparty balances

Other Investments	Opening £	Min £	Max £	Closing £	Indicative rate	Cumulative Interest £
Call: RBS	0	0	0	0	0.25%	0
Call: Lancashire County Council	12,000,000	1,385,000	11,383,000	2,024,000	0.25%	7,078
Call: Svenska Handelsbanken	0	0	5,864,000	5,864,000	0.40%	9,863
DMADF	0	0	0	0	0.25%	0
Government Liquidity MMF	3,038,000	6,000,000	6,000,000	6,000,000	0.27%	7,001
Liquidity First MMF.	6,000,000	6,000,000	6,000,000	6,000,000	0.40%	11,765
Insight MMF	6,000,000	6,000,000	6,000,000	6,000,000	0.37%	10,701
Lloyds	3,000,000	6,000,000	6,000,000	6,000,000	0.60%	17,260
Sub-total	27,038,000			25,888,000		63,669

Below is a graph which displays the different investment products used by the Council. The majority of the Council's balances are held within instant access MMF's or call accounts. This is partly because there are prudential controls that ensure a certain percentage is immediately available and also there is only a small pool of counterparties that meet the Council's credit criteria for fixed term deposits. Other UK banks, that meet the criteria such as HSBC, require much larger investment and market themselves at much larger institutional investors or corporations.

Graph 6.1 Investment balances



Summary of Budget Position and Performance

In terms of performance against external benchmarks, the return on investments compared to the 7 day LIBID and bank rates over the year to date is as follows:

Base Rate	0.500%
7 day LIBID	0.358%
Lancaster City Council investments	0.380%

These rates do not take into consideration the funds held in a foreign bank account from an Icelandic bank settlement. These funds are attracting interest at 4.2%.

In terms of performance against budget, the details are as follows:

	Budget to Date £000's	Actuals to Date £000's	Variance £000's
Icelandic Credits	12	15	(3)
Cash Interest	60	64	(4)
Total	72	79	(7)

Investment returns, excluding balances held in the Icelandic account, exceed the budgeted level. This is due to cash balances being larger than expected as a result of delays within the capital programme.

6. Risk management

There has been no material change in the policy or operation of the treasury function over the quarter. However, officers are now looking at alternative investment matrices to determine if investment returns could be increased whilst minimising the Council's exposure to additional risks. Secondly, as the cash flow need to keep investments short has diminished, particularly in light of the latest settlement date on certain significant NNDR appeals being pushed back to 2017, officers will now be firming up cash flow forecasts with a view to placing longer term investments.

The funds being held in Iceland still expose the Council to exchange rate risks, but these are unavoidable.

There is financial risk attached to the longer term debt portfolio, associated with interest rate exposure but all of the debt is on fixed interest and there has been no change to this over the quarter. Low investment returns mean that using cash invested to repay debt can appear more attractive, but the Council is not yet in a clear enough position to be following such a strategy.

Cash balances held with The Cooperative Bank continue to be monitored on a daily basis following the banks crisis in relation to its funding gap. The bank falls short of the council credit rating criteria and has not been on the approved lending list for some time.

7. Prudential Indicators

These indicators are prescribed by the Prudential Code to help demonstrate that the Council can finance its debt and have funds available when needed. The prudential indicators are listed in **Appendix B**.

8. Conclusion

Investment activity has remained relatively unchanged and returns are expected to remain fairly static until the final quarter of this financial year.

Treasury Management Glossary of Terms

- **Annuity** – method of repaying a loan where the payment amount remains uniform throughout the life of the loan, therefore the split varies such that the proportion of the payment relating to the principal increases as the amount of interest decreases.
- **CIPFA** – the Chartered Institute of Public Finance and Accountancy, is the professional body for accountants working in Local Government and other public sector organisations, also the standard setting organisation for Local Government Finance.
- **Call account** – instant access deposit account.
- **Counterparty** – an institution (e.g. a bank) with whom a borrowing or investment transaction is made.
- **Credit Rating** – is an opinion on the credit-worthiness of an institution, based on judgements about the future status of that institution. It is based on any information available regarding the institution: published results, Shareholders' reports, reports from trading partners, and also an analysis of the environment in which the institution operates (e.g. its home economy, and its market sector). The main rating agencies are Fitch, Standard and Poor's, and Moody's. They analyse credit worthiness under four headings:
 - **Short Term Rating** – the perceived ability of the organisation to meet its obligations in the short term, this will be based on measures of liquidity.
 - **Long Term Rating** – the ability of the organisation to repay its debts in the long term, based on opinions regarding future stability, e.g. its exposure to 'risky' markets.
 - **Individual/Financial Strength Rating** – a measure of an institution's soundness on a stand-alone basis based on its structure, past performance and credit profile.
 - **Legal Support Rating** – a view of the likelihood, in the case of a financial institution failing, that its obligations would be met, in whole or part, by its shareholders, central bank, or national government.

The rating agencies constantly monitor information received regarding financial institutions, and will amend the credit ratings assigned as necessary.

- **DMADF and the DMO** – The DMADF is the 'Debt Management Account Deposit Facility'; this is highly secure fixed term deposit account with the Debt Management Office (DMO), part of Her Majesty's Treasury.
- **EIP** – Equal Instalments of Principal, a type of loan where each payment includes an equal amount in respect of loan principal, therefore the interest due with each payment reduces as the principal is eroded, and so the total amount reduces with each instalment.
- **Gilts** – the name given to bonds issued by the U K Government. Gilts are issued bearing interest at a specified rate, however they are then traded on the markets like shares and their value rises or falls accordingly. The Yield on a gilt is the interest paid divided by the Market Value of that gilt.
E.g. a 30 year gilt is issued in 1994 at £1, bearing interest of 8%. In 1999 the market value of the gilt is £1.45. The yield on that gilt is calculated as $8\%/1.45 = 5.5\%$.
See also PWLB.

- **LIBID** – The London Inter-Bank Bid Rate, the rate which banks would have to bid to borrow funds from other banks for a given period. The official rate is published by the Bank of England at 11am each day based on trades up to that time.
- **LIBOR** – The London Inter-Bank Offer Rate, the rate at which banks with surplus funds are offering to lend them to other banks, again published at 11am each day.
- **Liquidity** – Relates to the amount of readily available or short term investment money which can be used for either day to day or unforeseen expenses. For example Call Accounts allow instant daily access to invested funds.
- **Maturity** – Type of loan where only payments of interest are made during the life of the loan, with the total amount of principal falling due at the end of the loan period.
- **Money Market Fund (MMF)** – Type of investment where the Council purchases a share of a cash fund that makes short term deposits with a broad range of high quality counterparties. These are highly regulated in terms of average length of deposit and counterparty quality, to ensure AAA rated status.
- **Policy and Strategy Documents** – documents required by the CIPFA Code of Practice on Treasury Management in Local Authorities. These set out the framework for treasury management operations during the year.
- **Public Works Loans Board (PWLB)** – a central government agency providing long and short term loans to Local Authorities. Rates are set daily at a margin over the Gilt yield (see Gilts above). Loans may be taken at fixed or variable rates and as Annuity, Maturity, or EIP loans (see separate definitions) over periods of up to fifty years. Financing is also available from the money markets, however because of its nature the PWLB is generally able to offer better terms.
- **Capita Asset Services** – are the City Council's Treasury Management advisors. They provide advice on borrowing strategy, investment strategy, and vetting of investment counterparties, in addition to ad hoc guidance throughout the year.
- **Yield** – see Gilts

Members may also wish to make reference to *The Councillor's Guide to Local Government Finance*.

Appendix B

PRUDENTIAL INDICATORS - LANCASTER CITY COUNCIL

		2014/15	2015/16	2016/17
	£'000	£'000	£'000	£'000
AFFORDABILITY				
PI 1:	Estimates of ratio of financing costs to net revenue stream			
	Non - HRA	12.8%	12.4%	12.5%
	HRA	23.3%	22.5%	21.8%
	Overall	17.1%	16.6%	16.3%
PI 2:	Actual ratio of financing cost to net revenue stream	Reported after each financial year end		
PI 3:	Estimates of the incremental impact of new Capital Investment decisions on the Council Tax			
	This includes the impact of all elements of funding, including any increase in the need to borrow, required to finance new schemes added to the Capital Programme	-£6.70	£11.27	£3.48
		-3.4%	5.6%	1.7%
				£0.97
PI 3A:	Illustrative Impact of Additional Borrowing £1 million	Repayment Period		
		5 Years	10 Years	25 Years
	Increase in Council Tax (£)	£4.86	£2.65	£1.47
	Increase in Council Tax (%)	2.48%	1.35%	0.99%
PI 4:	Estimates of the incremental impact of Capital Investment on Housing Rents	Nil	Nil	Nil
CAPITAL EXPENDITURE				
PI 5:	Estimates of capital expenditure			
	Non - HRA	17,290	10,170	3,910
	HRA	4,870	4,790	4,930
	Total	22,160	14,960	8,840
PI 6:	Actual capital expenditure	Reported after each financial year end		
PI 7:	Estimates of Capital Financing Requirement			
	Non - HRA	40,281	45,101	45,651
	HRA	44,473	43,432	42,391
	Total	84,754	88,533	88,042
PI 8:	Actual Capital Financing Requirement	Reported after each financial year end		
EXTERNAL DEBT				
PI 9:	Authorised Limit			
	Authorised Limit for Borrowing	101	101	104
	Authorised Limit for Other Long Term Liabilities	1	1	1
	Authorised Limit for External Debt	102	102	105
PI 10:	External Debt: Operational Boundary	85	88	88
PI 11:	Actual external debt	Reported after each financial year end		
PI 12:	HRA limit on indebtedness	60,194	60,194	60,194
PRUDENCE				
PI 13:	Treasury Management: adoption of CIPFA code of Practice	The Council has adopted the updated Treasury Management code of practice (2011).		
PI 14:	Net debt and the capital financing requirement			
	Anticipated indebtedness (operational boundary)	84,531	88,310	88,310
	Anticipated investment	10,301	18,210	18,900
	CFR	84,754	88,533	88,042
	Under/over borrowed (-/+)	-10,078	-17,987	-19,168

CABINET

**Budget and Policy Framework Update 2015/16
02 December 2014**

Report of Chief Officer (Resources)

PURPOSE OF REPORT			
This report provides an update on the Council's financial position to help inform development of Cabinet's budget proposals.			
Key Decision	<input type="checkbox"/>	Non-Key Decision	<input type="checkbox"/>
Referral from Officer	<input checked="" type="checkbox"/>		
Date of notice of forthcoming key decision	November 2014		
This report is public.			

OFFICER RECOMMENDATIONS:

1. That Cabinet notes the draft budgetary position for current and future years as set out in the report, accepting that this is an interim update.
2. That the update be referred on to December Council for information.

1 INTRODUCTION

- 1.1 This report builds on the Quarter 2 financial monitoring included elsewhere on the agenda, to provide a more up to date assessment of the Council's budgetary position in view of its financial strategy. Given that the Local Government Settlement has not yet been received and other budgetary work is not yet scheduled for completion, the report is an interim update only, primarily for information.

2 STRATEGIC CONTEXT

2.1 THE COUNCIL'S POLICY FRAMEWORK

- 2.1.1 For its 2014/16 Corporate Plan, the City Council retained its priorities as:

- Economic Growth
- Health and Wellbeing
- Clean, Green and Safe Places, and
- Community Leadership

- 2.1.2 These are now underpinned by an ethos aligned to being an Ensuring Council.
- 2.1.3 In Cabinet approving this year's budget timetable, it was acknowledged that the focus of any budget and planning proposals would be to redefine and reduce activities against existing priorities, rather than there being any fundamental changes being developed. It has already been recognised that big financial challenges still lie ahead and that the Council's contribution to each priority will be significantly affected in future by reductions in Government funding. Furthermore, the impact of other authorities' (County, Fire & Police) and other stakeholders' budget decisions are expected to have major direct implications for the district, with knock on implications for the City Council and its own delivery of services.
- 2.1.4 To help tackle these financial challenges, as part of its Medium Term Financial Strategy (MTFS) the Council continues to take savings decisions in year where possible, and as a result the Strategy explicitly states that underspendings should be expected to arise during the course of the year, in revising the current year's budget as well as at outturn. The budget update should be considered in this context.

2.2 LOCAL GOVERNMENT FINANCE SETTLEMENT

- 2.2.1 The provisional Local Government Finance Settlement is not expected to be announced until sometime after the Chancellor's Autumn Statement, which is scheduled for 03 December. A briefing note will be produced for all Members once the Settlement has been received and its impact assessed, subject to timing. In any event, it will be reported formally into January's Cabinet meeting.
- 2.2.2 The content of the Autumn Statement is expected to influence both the impact and timing of the Settlement. As a recap:
- The MTFS approved back in February assumed that the Settlement Funding Assessment (SFA) from Government would reduce by £1.7M or 16.0% in 2015/16 in cash terms, and by a further £0.5M (5%) the year after.
 - The 2015/16 figure was a specific estimate as provided by Government; the 2016/17 figure was an Officer indicative estimate only, in the absence of any firmer information.
 - As a broad measure, every 1% change in Government funding amounts to around £90K for 2015/16, or around 1.2% in city council tax terms.
- 2.3 The outcome of the Settlement could have a direct bearing, therefore, on the Council's short and medium term planning and the scope or nature of its future priorities.

3 GENERAL FUND REVENUE BUDGET: SUMMARY

3.1 CURRENT YEAR POSITION

- 3.1.1 In support of the existing Corporate Plan, at Council on 26 February Members approved the current year's budget at £18.540M, excluding parish precepts, giving rise to a council tax requirement of £7.6M. Since then, various changes have

become apparent through monitoring and more significantly, numerous savings measures have been taken in preparation for future years' challenges.

3.1.2 To draw these together, an in-depth update of the current year budget has now been completed, the results of which are included at **Appendices A and B**. Net spending of £17.764M is now forecast, giving a projected net underspending of £776K, prior to the review of provisions, reserves and Balances. The position is explored further in section 5 of this report.

3.1.3 Taking account of the changes, Revenue Balances would stand at £4.031M as at 31 March 2015. This is £1.053M higher than expected back in February, but there is still time for the revised budget position to change further over the coming weeks.

3.2 FUTURE YEARS' FORECASTS

3.2.1 The first draft of next year's budget has also been produced, in accordance with Financial Regulations and the MTFs. Currently it stands at £17.066M for 2015/16, as shown in **Appendix A**.

3.2.2 In the same vein, forecasts for 2016/17 and 2017/18 have also been updated. In simple terms the outlook is as follows:

	2015/16 £'000	2016/17 £'000	2018/18 £'000
Original Budget Limit	18,877	19,154	n/a
Less Original Forecast Use of Balances	(1,000)	-	
Net Revenue Budget [Approved Feb 2014]	17,877	19,154	
Current Net Forecast	17,066	18,399	18,962
Reduction in forecast Net Spending	(959)	(755)	n/a
Reduction in forecast Use of Balances	148	--	n/a

3.2.3 A number of key points are highlighted:

- Base budget changes in respect of pay, price and other economic conditions have been provided for. Pay inflation is based on the recent national pay proposals and estimated at 1% per year thereafter. General inflation is provided for at 1.6% per year, but this was determined before the Bank of England's November Inflation report was received, and therefore general inflation factors are likely to change again for reporting and fixing in January. The update on the Council's fees and charges policy has been deferred, to allow for reconsideration of inflation expectations.
- Whilst operational savings have been built in, the draft position does not include any specific savings proposals that Cabinet may wish to consider, nor does it

allow for any new growth options (or the continuation of previous fixed term ones).

- New Homes Bonus income estimates have been updated, reaching a maximum of £1.7M in 2017/18. For eligible properties, the bonus is paid for six years and as the scheme started in 2011/12, from 2017/18 the early years' allocations are starting to drop out. At present, this is not impacting adversely on the Council's medium term planning but it is something to keep under review. It is not known whether, or to what extent, the NHB scheme will remain as a permanent feature or how its future might impact on other future Government funding streams.
- Capital financing costs have been updated to reflect the latest draft capital programme, set out later in this report.
- At this stage the budget is based on previously approved use of Balances, i.e. a one-off £1M contribution being used in 2015/16 but adjusted down by £148K to balance off the budget, given the net savings that have been identified to date.

3.2.4 On a more specific matter, the Council has approximately £22K of grant remaining in relation to mortgage rescue, or preventing homeowners from losing their homes. Whilst this specific scheme has now finished, the budget provides for these funds being used to extend the fixed term staffing resource for homelessness prevention until the end of 2015/16; this is on the basis that the posts involved would deal specifically with any homeowners facing repossession, as well as other homelessness prevention work. The business case and means by which this homelessness prevention capacity could be made permanent are also being explored.

3.2.5 Undoubtedly the budget position will change further in the coming weeks and more information will be fed into the January Cabinet meeting.

4 PROVISIONS, RESERVES AND BALANCES (GENERAL FUND)

4.1 Other than reviewing the Retained Business Rates Reserve and allowing for the normal in-year application of funds, there has been no wider review of reserves and provisions as yet.

4.2 In terms of Balances, as indicated above next year's budget still allows for the use of £852K. This use is reasonable and manageable in the circumstances, but it should not be overlooked. Without it, the Council would have to identify more savings to cover the funding gap.

4.3 It is also worth highlighting too that such reliance on the use of Balances is a comparatively recent addition to the Council's financial planning arrangements, the approved principles being to:

- use some surplus Balances to help protect key services to the public for a period;
- leave remaining Balances to help address the fundamental budget challenges that are expected beyond 2015/16; and
- reduce the budgeted call on Balances if the Council makes extra savings.

- 4.4 Taking account of the current year's forecast underspending and next year's usage, this would leave £2.179M of Balances available, if advice on minimum levels remains unchanged. These matters will be explored further in the coming weeks.

5 LOCAL TAXATION

5.1 Council Tax Rates and Targets

- 5.1.1 Alongside the Settlement announcement, Government is expected to confirm its proposals regarding future council tax freeze compensation schemes and council tax referendum thresholds.
- 5.1.2 Drawing on last year's experience, a local referendum threshold of just below 2% (1.99%) is still assumed, in line with existing MTFS targets. A 1% change in council tax now amounts to around £77K.
- 5.1.3 Regarding the tax freeze compensation scheme, back in February Government announced that compensation broadly equivalent to 1% would be available for 2015/16. Such compensation entitlement is to be built into the spending review baseline, the inference being that authorities who freeze council tax will not see such funding dropping out automatically in future. Nonetheless, there would still be a net income gain of approaching 1% readily available to those councils that choose to increase tax rates, unless the referendum threshold further reduces.
- 5.1.4 Once Government has made the relevant announcements, the various scenarios will be presented to Cabinet in order that informed recommendations can be made regarding future council tax rates and targets. This is scheduled for January Cabinet.

5.2 Localised Council Tax Support (LCTS)

- 5.2.1 Following on from Council's decision to retain existing support levels, the expected financial impact from the scheme has continued to be monitored. Latest estimates are that the cost of the scheme continues to fall slightly; in this year effectively a projected cost of £9.8M has been allowed for. In future years, the impact is simply expected to rise in line with council tax rates, i.e. a little under 2%. The outcome of the scheduled national review should help to inform future policy on this matter.

5.3 Council Tax Collection

- 5.3.1 Council tax income (i.e. the amount collectable) continues to rise in year by more than estimated. The increase is the net result of all the various changes that occur in the tax base during the year, be they in relation to new homes being built, empty properties coming back into use, changes in LCTS awarded from that budgeted, and the myriad of other banding, discount and exemption changes that occur on a daily basis. Furthermore, actual collection is holding up reasonably well.
- 5.3.2 These points result in the current estimated surplus of around £1M on the Collection Fund, to be shared with other major precepting authorities. £130K would be due to the City Council and this is reflected in the 2015/16 draft budget. Figures will be finalised in January, in line with statutory requirements.

5.3.3 Looking ahead for next year onwards, the council tax base projections have been provisionally updated as follows:

- in 2015/16, the base has increased from 38,200 to 38,500, equating to £61,000 additional income;
- in 2016/17, the base has increased from 38,450 to 39,100, equating to £135,000 additional income;
- this trend has been factored into 2017/18 also.

5.3.4 It is impossible to forecast the tax base with absolute certainty and so risks will always exist. Nonetheless, the exposure is considered manageable and in any event, all indications are that housing needs will continue to grow.

5.3.5 On the downside, a bigger population increases the demand for council services. As far as possible these have been considered in drafting the budget but this is not an exact science and it will need to be kept under review.

5.4 **Business Rates Income**

5.4.1 Getting behind the Business Rate Retention Scheme continues to be a major challenge for informing General Fund budget setting and financial strategy. The Council's hugely disproportionate exposure to rating appeals looks set to continue into 2017 and probably beyond. Although options for more fundamental reform of the system may be considered at some point, realistically the outcome would be a matter for the longer term.

5.4.2 The completion of last year's accounts now gives certainty in terms of that year's position, however. This and other information has been used to update future years' assumptions and budget projections. The following points should be noted:

- Of the £1.7M Business Rates Reserve opening balance for this year, around £400K should be available to underpin the Council's budget projections. The remaining £1.3M is expected to be used to offset the Council's share of the Collection Fund (Business Rates) deficit existing as at the same date.
- In terms of the potential £2M growth (over and above the Council's baseline funding level) identified as part of Quarter 2 monitoring, this looks likely to reduce to around £1.4M taking account of more recent information. It is clear though that current year's growth could continue to fluctuate and in any event it will not be finalised until September 2015, when the final Government returns are completed.
- In effect, there is a two-year delay between the year in which growth is identified, and it being certain enough for it all to be built into the next budget round (e.g. any 2014/15 actual growth in income will be available to help support the 2016/17 budget).
- Assuming that the Council continues to experience a trend of increasing growth in business rates, however, and as long as reserves can support the position, it is reasonable to start budgeting for Business Rates income at the baseline, rather than at the safety net. This helps the Council's budget by almost £400K per year, and it is now factored in from the current year onwards.

- Risks around this new approach will be managed through the Business Rates Reserve. The remaining £400K opening balance, and almost £400K of additional income now recognised in the current year, have been retained in the Reserve for this purpose.

5.4.3 All the above points will be tested further and there is a major caveat attached, in that the forthcoming Settlement and associated Government returns due to be received and completed in January could fundamentally change current assumptions. It remains a very complex and uncertain situation.

6 VARIANCE ANALYSIS: WHY HAVE BUDGET PROJECTIONS CHANGED?

6.1 To draw informed conclusions about the robustness or otherwise of the Council's budgeting, it is necessary to understand more on the nature and reasoning behind the variances, and to understand the comparators.

6.2 At the highest level, movements against the previously identified budget funding gaps (or savings requirements) can be analysed simply as follows:

	2015/16 £'000	2016/17 £'000
Reduction in Net Spending (allowing for Balances)	(959)	(755)
Estimated Collection Fund (Council Tax) Surplus	(131)	-
Forecast increase in Council Tax Base (in £ terms)	(61)	(135)
Total Savings Identified to date	(1,151)	(890)
Original Funding GAP / Estimated Savings Requirement <i>(MTFS, February 2014)</i>	1,003	2,527
Difference: either Reduction in call on Balances or Updated Savings Requirement / Funding Gap	148	1,637

6.3 It can be seen that changes in council tax income have an effect, and these have already been explained in section 5.3.

6.4 In terms of net spending, a fuller analysis is attached at **Appendix B**. The main reasons for variance are considered to be:

- active management and development of the budget, in support of the Council's financial strategy;
- changes in demand for services, and price factors; and
- changes in the estimated timings of various initiatives and spend patterns.

- 6.5 It is pleasing to note that underspendings continue to arise from proactive savings measures, as well as other budgetary changes. Making savings during the year is an important and accepted element of the Council's approved financial strategy.
- 6.6 As in previous years, the salaries budget has again delivered the largest savings. This is inevitable given the size of the budget (£20M) and the extent of change ongoing. As an example and on top of planned restructurings, rather than fill all vacancies immediately when turnover arises, typically services are considering whether and how to address the reduction in staffing resource, and this often adds to turnover savings.
- 6.7 Another angle to consider is the scale of any under- or overspending. Whilst it is typically expressed as a percentage of the net revenue budget, this does not give a full picture – not least because the Council's gross budget (and therefore the scope for variances arising) is much higher, at around £100M per year.
- 6.8 When compared against the gross budget position, underspendings appear much lower in percentage terms – at less than 1%. In light of the Council's financial strategy and budgeting approach, this is considered good performance.
- 6.9 Nonetheless, it is important that the Council challenges its budget setting approach to ensure that it remains fit for purpose, and to identify any further scope for improvement. For instance:
- Does the Council's approach to budgeting cause any undue adverse impact on service delivery, to warrant any major changes in the approach?
 - Are there any significant variances that could have (and should have) been foreseen and allowed for in setting the budget?
- 6.10 Chief Officers are considering such questions, as services develop their business plans. Other than undertaking a further review of vacant posts and turnover provisions, no major improvements or changes put forward by Officers at this time. Also, more minor improvements are achieved through the usual budget review processes. Cabinet is requested to consider its views on this.

7 BALANCING THE BUDGET AND LONGER TERM EXPECTATIONS

- 7.1 Given that the Settlement announcement is imminent, at this stage there is little point in modelling any alternative scenarios for next year or thereafter. From this budget update, it is clear that attention must focus predominantly on 2016/17 and beyond but it is unknown to what extent this period will be covered by the Government's forthcoming announcements, if at all.
- 7.2 There is another significant cautionary note also. The recently announced public consultation on the County Council's budget proposals helps to highlight the issue, and perhaps it helps make the expectation of future budget setting difficulties more real. Just drawing on one such budget proposal, the end of the cost-sharing agreement in connection with waste management will add around £1.1M to the City Council's own funding gap in 2018/19, which is currently just beyond the Council's current revenue planning horizon. Although really good progress continues to be made in balancing the budget for the short term, fundamentally the expected impact

of medium to longer term austerity measures has not gone away. Work continues therefore on developing an organisational development / change programme, for consideration by Members in due course.

8 GENERAL FUND CAPITAL PROGRAMME

- 8.1 Alongside updating revenue expectations, the capital programme has been updated for known changes to date as well as being rolled forward a year into 2019/20. Gross capital investment of £36.8M is currently forecast over the period, resulting in an increase in the Capital Financing Requirement (or underlying need to borrow) of £14.5M. This is now £2.4M higher, predominantly as a result of asset renewals.
- 8.2 In line with the practice adopted a year ago, vehicle, plant and equipment acquisitions are now assumed to be financed as outright purchase, rather than by operating lease, hence this represents the bulk of essential investment. It is still expected that from 2017 or so, all lease arrangements will need to be treated as capital or “on balance sheet”. Nonetheless, in the meantime options appraisal will continue as appropriate under delegated authority, with revenue and capital budgets being updated accordingly following decision.
- 8.3 £159K is now included to meet old contractual liabilities in respect of West End properties, to be financed from the Capital Support Reserve in line with its delegated use. This is listed in the programme as Adactus Top Up Grants.
- 8.4 A full capital programme summary is included at **Appendix C**, and the movements to date are summarised below.

	Gross Programme	Change in Underlying Borrowing Need: CFR
	£000	£000
Original Approved 5 Year Programme (to 2017/18, excluding last year)	21,568	+12,106
Key Changes:		
Wave Reflection Wall (<i>Cabinet April 2014, minute 103</i>)	9,097	-
Approved Slippage (<i>Cabinet July 2014, minute 28</i>)	1,706	+698
Quarter 2 Monitoring: Officer Delegated Changes	50	-
Affordable Housing Related Schemes (<i>S106 and officer delegation</i>)	239	-
Vehicle, Plant and Equipment Renewal Updates (provisional)	3,374	+3,166
2019/20 Assumed Extension of Disabled Facilities Grants	783	-
Other Net Changes in Externally Funded Schemes	-33	-
Additions / Increases in Other Council Funded Schemes	93	-
Net Increase in Forecast Capital Receipts (used to reduce borrowing need)	-	-1,421
Total Changes	15,309	+2,443
Resulting Draft 6 Year Capital Programme (to 2019/20)	36,877	+14,549

- 8.5 As stated each year, all of the Council’s capital investment plans need to be affordable, sustainable and prudent, and capital investment is intrinsically linked to the revenue budget. As such, the draft programme will continue to be updated during January and February as Cabinet’s budget proposals develop.

9 COUNCIL HOUSING (HOUSING REVENUE ACCOUNT- HRA)

- 9.1 As reflected in the MTFS, Cabinet’s current rent policy for council housing is based on:
- an average rent of £69.91 for 2014/15, representing a 1% increase on the previous year;
 - target average rent increases of 2% in 2015/16, with 3% each year thereafter.
- 9.2 The aim of this policy is to strike a balance between keeping rents affordable, managing financial risks, and increasing and improving council housing provision. For information a 1% change in rent equates to around £135K.
- 9.3 As part of the current budget process both revenue and capital estimates have been updated, reflecting the above rent policy. The latest draft position is as follows:

	2014/15 £000	2015/16 £000	2016/17 £000	2017/18 £000
Draft Housing Revenue Account (Surplus) for Year	(41.0)	(41.6)	(489.2)	(773.4)

- 9.4 The latest projections represent a net overspending of £32K in the current year, when compared with the original projected surplus of £73K, and at present this has simply been met from Balances. For information, the current recommended minimum level for HRA balances is still £350K, subject to formal review.
- 9.5 Cabinet may recall that the 30-year business plan currently works on the basis that monies will be set aside in the earlier years, to offset higher costs in the latter years. This principle accounts for the large surpluses showing in 2016/17 and beyond.
- 9.6 The biggest issue that has been tackled in the budget review so far is that of budgeting for responsive repair and maintenance costs. This budget has been increased by over £400K per year, financed through reducing the annual contributions to some equipment reserves, and reducing revenue financing for the capital programme. This is considered manageable in the medium term at least.
- 9.7 The HRA capital programme has been updated as normal to reflect business plan needs and price changes, but these are fairly minor. More significant changes will come through in due course to reflect the outcome of the recent stock condition survey, but the timescales for completing this work are not yet finalised. Furthermore, the programme does not yet include provision for delivering new council housing within the district.
- 9.8 With regard to future rent policy, back in October Cabinet resolved that a review be undertaken to ensure that it is fit for purpose going forward, in light of Cabinet’s

stock expansion plans as well as existing business planning needs. Provisionally it is assumed that will be a matter for the 2016/17 budget, as by then plans should be clearer.

- 9.9 Of more immediate concern, full HRA budget proposals for 2015/16 will be presented to Cabinet in the New Year.

10 DETAILS OF CONSULTATION

- 10.1 Consultation on General Fund matters will be undertaken with relevant stakeholders through the Budget and Performance Panel meeting in January, prior to Budget Council in early March. Consultation on council housing matters will be undertaken through the District Wide Tenants' Forum. This is in line with the Council's consultation strategy.

11 OPTIONS AND OPTIONS ANALYSIS (INCLUDING RISK ASSESSMENT)

- 11.1 Given that this report is primarily for information, no specific options are put forward.

12 CONCLUSION

- 12.1 The Council is making really good progress in delivering budget savings in a constantly changing and difficult environment, whilst trying to minimise the impact on local communities. It is right to challenge the approach and robustness of budget setting, but it also right to recognise the efforts and achievements of all those involved.
- 12.2 Those achievements have still not negated the reliance on using Balances to help support next year's General Fund budget, however, and this is not sustainable for the longer term. It is hoped, but by no means guaranteed, that forthcoming Government announcements will give greater certainty in terms of the Council's financial outlook – but in any event the medium to longer term budget challenges are still expected to be huge, even allowing for the Council's healthy levels of reserves and balances.
- 12.3 Finally, an important part of those future challenges will be to manage communities' expectations, and it is thought that as other public services providers' budget reductions start to bite, this will gain momentum.

RELATIONSHIP TO POLICY FRAMEWORK

The budget should represent, in financial terms, what the Council is seeking to achieve through its Policy Framework.

CONCLUSION OF IMPACT ASSESSMENT

(including Diversity, Human Rights, Community Safety, Sustainability etc)

None directly arising in terms of the corporate nature of this report – any implications would be as a result of specific decisions on budget proposals affecting service delivery, etc.

FINANCIAL IMPLICATIONS

As set out in the report.

SECTION 151 OFFICER'S COMMENTS

The section 151 Officer (as Chief Officer (Resources)) has produced this report as part of her responsibilities.

LEGAL IMPLICATIONS

Legal Services have been consulted and have no observations to make on the report.

MONITORING OFFICER'S COMMENTS

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

BACKGROUND PAPERS

None. Background information has previously been published as part of earlier committee reports, as appropriate.

Contact Officer: Nadine Muschamp

Telephone: 01524 582117

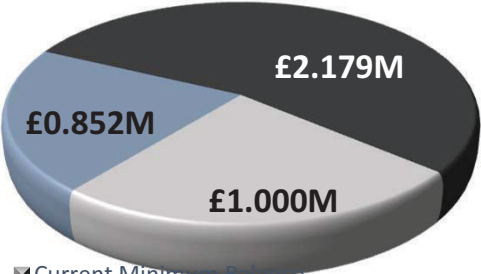
E-mail: nmuschamp@lancaster.gov.uk

GENERAL FUND REVENUE BUDGET : 2014/15 TO 2017/18

For Consideration by Cabinet 02 December 2014

Summary Budget Position To Date				
	2014/15	2015/16	2016/17	2017/18
	£000	£000	£000	£000
Original Revenue Budget & Projections	18,540	17,877	19,154	0
Changes arising from current budget review process	-776	-959	-755	18,823
Additional Contribution to Balances	776			
Reduction in Original £1M Contribution from Balances		148		
Latest Net Revenue Budget Forecast	18,540	17,066	18,399	18,823
Revenue Support Grant	-5,700	-3,832	-3,273	-2,733
Retained Business Rates - Baseline Funding Level	-5,110	-5,250	-5,355	-5,462
Estimated Collection Fund Surplus	-131	-131	0	0
COUNCIL TAX REQUIREMENT	7,599	7,853	9,771	10,628
TARGET COUNCIL TAX REQUIREMENT <i>(To fit with a council tax increase of 1.99% per year)</i>	7,599	7,853	8,134	8,423
Remaining Savings To Be Identified	0	0	1,637	2,205

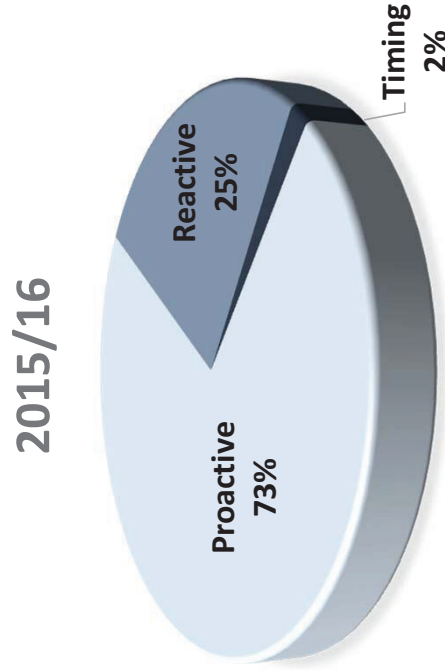
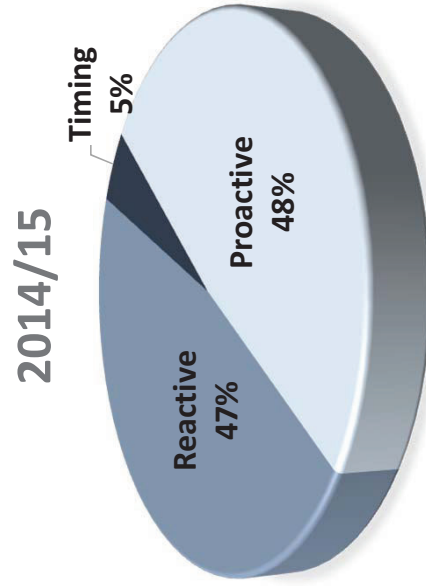
Impact on Council Tax				
Tax Base Projections	38,000	38,500	39,100	39,700
Band D City Council Tax Rate - MTFS Targets	£199.99	£203.97	£208.03	£212.17
<i>Percentage Increase Year on Year</i>	<i>1.99%</i>	<i>1.99%</i>	<i>1.99%</i>	<i>1.99%</i>
Current Council Tax Projections	£199.99	£203.97	£249.89	£267.72
<i>Percentage Increase Year on Year</i>	<i>1.99%</i>	<i>1.99%</i>	<i>22.51%</i>	<i>7.13%</i>

General Fund Unallocated Balances		£M
	Original projected balance as at 31 March 2014	3.436
	Add: 2013/14 underspend	0.277
	Less: Budgeted Contribution for 2014/15	-0.458
	Add: Current Projected Underspend	0.776
	Latest Projected Balance as at 31 March 2015	4.031
	Less: Current Minimum Level	1.000
	Less: Revised Contribution for 2015/16	0.852
	Amount Available to Support Future Years' Budgets	2.179

GENERAL FUND VARIANCE ANALYSIS

For Consideration by Cabinet 02 December 2014

Analysis of General Fund Variances / Net Underspendings	
	2015/16
	£ VARIANCES
TOTAL NET VARIANCES	-776,000
Split by ↙ ↘	
Expenditure Savings	-458,400
Additional Income	-317,600
	-959,000
<i>Expressed as a percentage of</i>	
-4.2% Net Revenue Budget	-5.4%
-0.4% Gross Expenditure	-0.8%
-0.4% Gross Income	-0.3%



Key Drivers for Variances:

2014/15

2015/16

COMMENTS

£

£

Proactive Changes (Managed savings, etc)

Restructures / Deleted Posts / Overtime	-148,000	-167,300	Additional savings achieved over and above the original budgeted £322K.
VAT refund	-108,200		One-off refund relating to successful VAT claim on Trade Waste income, made back in 2010/11
Internal Audit fee work	-12,000		Continuation of work for other bodies
Contribution to Parks reserve no longer required	-30,500	-3,000	Change in provision of parks patrol vehicles now managed by Environmental Services
Apprenticeship reserve	3,100	-19,700	Reduced need for contribution - costs being funded from internal savings
Car allowance savings	-39,400	-40,400	Reduced cost following Personnel Ctee decision on 25 Feb 2014
Consultancy & external fees	-51,000	-28,100	Proactive management of costs (although some elements affected by demand)
Software and other licences	-5,900	-25,300	Proactive management of costs
Reduced cost of funding HRA Central Control	-21,200	-28,500	Proactive management of costs
Business Rates reserve	600	-387,700	Reassessment of Business Rates position and funding requirements
	-412,500	-700,000	

Reactive Changes (Unforeseen events, demand changes etc.)

Net turnover, pay award, incremental progression	-186,100	-13,900	This will also include an element of managed savings, e.g. deliberately keeping posts vacant for a period of time, to review services needs
Fees and charges across all services	-146,300	-78,900	Assumed to be all demand driven
Investment Interest	-51,100	-123,100	Higher than anticipated cash balances & improved interest rate forecasts
Energy Costs	-40,700	15,100	An element of the saving will have been achieved through active management
Water Charges - Williamson Park	11,000	10,000	Additional surface water charges levied by the water supplier
Reduced fuel costs	-69,700	-74,500	Reflects the reduction in the price of oil
Vehicle repair & maintenance	63,000	65,700	In line with 2013/14 outturn, cost of vehicle repair & maintenance has increased
MAAP contribution to reserve (BID)	40,000		Member decision made after budget was set
Other Non-Specific Changes	-24,400	-42,200	
	-404,300	-241,800	

Timing Changes

West End Property costs	20,600	-75,400	Savings now assumed in 2015/16 re Chatsworth Gardens
Additional vehicle leasing costs	80,100	21,800	The increase in 2014/15 is offset by savings made in 2013/14 - changes in leasing profiles
Revenue cost of capital financing	-92,900	39,600	Mainly due to additional capital receipts in 2014/15 resulting in less financing costs charged to revenue
Direct revenue financing of capital programme	33,000	-3,200	Additional cost in 2014/15 relates to slippage on the 2013/14 capital programme
	40,800	-17,200	

GENERAL FUND CAPITAL PROGRAMME - For consideration by Cabinet 02 December 2014

Service / Scheme	2014/15			2015/16			2016/17			2017/18			2018/19			2019/20			6 YEAR PROGRAMME								
	Gross Budget	External Funding	Net Programme	Gross Budget	External Funding	Net Programme	Gross Budget	External Funding	Net Programme	Gross Budget	External Funding	Net Programme	Gross Budget	External Funding	Net Programme	Total Gross Programme	Total External Funding	Total Net Programme									
Environmental Services																											
Alotments	27,000		27,000																								
Vehicle Renewals	798,000		798,000	766,000		766,000	922,000		922,000	1,531,000		1,531,000	126,000		126,000	2,147,000		2,147,000									
Vehicle Tracking System	105,000		105,000																								
Bins & Boxes Scheduled Buy-Outs	12,000		12,000	21,000		21,000	74,000		74,000	50,000		50,000															
Toilet Works	126,000		126,000																								
Car Parks Improvement Programme	385,000	25,000	360,000	135,000		135,000																					
District Playground Improvements	125,000		125,000																								
Williamson Park Improvements & Enhancements				75,000		75,000																					
Health and Housing																											
Disabled Facilities Grants (2015/16 onwards to be confirmed)	869,000		869,000	763,000		763,000	763,000		763,000	763,000		763,000	763,000		763,000	763,000		763,000									
Warmer Homes Scheme	37,000		37,000																								
Salt Ayr Sports Centre - Replacements & Refurbishments				30,000		30,000																					
Regeneration and Planning																											
Toucan Crossing - King Street	13,000		13,000																								
Dalton Square Christmas Lights (Renewal)				28,000		28,000																					
Sea & River Defence Works & Studies	325,000	310,000	310,000	1,020,000	989,000	989,000	1,709,000	1,679,000	1,679,000	2,122,000	2,092,000	2,092,000	1,652,000	1,622,000	1,622,000	2,711,000	2,690,000	2,690,000									
Amenity Improvements (Morecambe Promenade)	31,000	3,000	3,000																								
Lunesside East	25,000		25,000																								
Lancaster Square Routes	1,317,000	1,010,000	307,000																								
Morecambe TH2: A View for Eric	432,000	328,000	104,000	471,000	353,000	353,000	219,000	166,000	166,000																		
Improving Morecambe's Main Streets	120,000		120,000	330,000		330,000																					
Aldcliffe Road Canal Side Access Improvements s106 scheme	20,000		20,000																								
Brindle Close Affordable Housing s106 scheme	80,000		80,000																								
Riversview Hostel Affordable Housing s106 scheme	132,000		132,000																								
King SWWellington Terrace Affordable Housing s106 Scheme	180,000		180,000																								
Middleton Nature Reserve S106 Scheme	11,000		11,000	17,000		17,000	4,000		4,000																		
Adactus Top up Grants	159,000		159,000																								
Bold Street Housing Regeneration Site Works	391,000		391,000																								
Chatsworth Gardens	1,878,000		1,878,000																								
Resources																											
ICT Systems, Infrastructure & Equipment	284,000		284,000	384,000		384,000	76,000		76,000	210,000		210,000	226,000		226,000	84,000		84,000									
Corporate Property Works	2,745,000	10,000	2,735,000	3,195,000		3,195,000	2,000,000		2,000,000																		
GENERAL FUND CAPITAL PROGRAMME	10,627,000	2,680,000	7,947,000	7,255,000	2,125,000	5,130,000	5,787,000	2,628,000	3,159,000	4,696,000	2,875,000	1,821,000	2,787,000	2,405,000	382,000	5,725,000	3,473,000	2,252,000									
Financing :																											
Specific Grants and Contributions	2,680,000		2,680,000	2,125,000		2,125,000	2,628,000		2,628,000	2,875,000		2,875,000	2,405,000		2,405,000	3,473,000		3,473,000									
General Capital Grants	37,000		37,000																								
Capital Receipts	2,078,000		2,078,000	630,000		630,000	370,000		370,000	370,000		370,000															
Direct Revenue Funding	495,000		495,000	51,000		51,000	104,000		104,000	50,000		50,000															
Earmarked Reserves	1,013,000		1,013,000	406,000		406,000	74,000		74,000	210,000		210,000	170,000		170,000	84,000		84,000									
TOTAL FINANCING	6,303,000		6,303,000	3,212,000		3,212,000	3,176,000		3,176,000	4,696,000		4,696,000	2,787,000		2,787,000	3,557,000		3,557,000									
Increase / Reduction (-) in Capital Financing Requirement (CFR) (Underlying Change in Borrowing Need)	4,324,000		4,324,000	4,043,000		4,043,000	2,611,000		2,611,000	1,191,000		1,191,000	212,000		212,000	2,168,000		2,168,000									
TOTAL FINANCING	10,627,000		10,627,000	7,255,000		7,255,000	5,787,000		5,787,000	4,696,000		4,696,000	2,787,000		2,787,000	5,725,000		5,725,000									
SHORTFALL / SURPLUS (-)																											

COUNCIL**Attendance at Outside Bodies
17 December 2014****Report of Council Business Committee****PURPOSE OF REPORT**

To consider recommendations for monitoring and reporting attendance of Councillors appointed to outside bodies.

This report is public

RECOMMENDATIONS OF COUNCIL BUSINESS COMMITTEE:

- (1) **That Councillors appointed to outside bodies inform Democratic Services of the meetings they have attended throughout the year.**
- (2) **That officers include details of attendance in each report to Annual Council to inform Members when appointments to outside bodies are reconfirmed.**

1.0 Introduction

- 1.1 Council Business Committee requested a report from officers to confirm which outside bodies were still in existence, how often they met and to provide feedback on Members' attendance. The Committee considered that report (Appendix A) at its meeting on 6 November 2014.
- 1.2 The information in the report was noted and the Committee felt that it would be helpful to introduce a monitoring system of Councillors' attendance at meetings of the bodies they have been appointed to.

2.0 Proposal

- 2.1 Currently, Members are appointed to outside bodies for a four year term at the Annual Council meeting after the elections. Every year thereafter until the next election, the appointments are reviewed/reconfirmed at the Annual Council meeting. However, there is no information given in those report about whether or not a Member has attended any meetings during the year. The Committee felt this information would be helpful in reconfirming appointments.
- 2.2 The Committee agreed that a template supplied by Democratic Services would be the best way to capture the information and that this would be sent out to the relevant Councillors in time to be completed and returned before

the report was drafted for Annual Council. In this way, the attendance information could be provided in the report for Members to refer to when reviewing the appointments to outside bodies. Any Member who has failed to supply attendance information or has confirmed that they have been unable to attend any meetings would therefore run the risk of losing the appointment.

3.0 Conclusion

3.1 Council is asked to consider the recommendations of Council Business Committee and gather information about Councillors' attendance at meetings of outside bodies to assist in making and reviewing appointments.

<p>CONCLUSION OF IMPACT ASSESSMENT (including Health & Safety, Equality & Diversity, Human Rights, Community Safety, Sustainability and Rural Proofing)</p> <p>None.</p>	
<p>LEGAL IMPLICATIONS</p> <p>There are no legal implications as a result of this report.</p>	
<p>FINANCIAL IMPLICATIONS</p> <p>There are no financial implications as a result of this report.</p>	
<p>OTHER RESOURCE IMPLICATIONS</p> <p>Human Resources: None.</p> <p>Information Services: None.</p> <p>Property: None.</p> <p>Open Spaces: None.</p>	
<p>SECTION 151 OFFICER'S COMMENTS</p> <p>The Section 151 Officer has been consulted and has no further comments.</p>	
<p>MONITORING OFFICER'S COMMENTS</p> <p>The Monitoring Officer has been consulted and has no further comments.</p>	
<p>BACKGROUND PAPERS</p> <p>None.</p>	<p>Contact Officer: Debbie Chambers Telephone: 01524582057 E-mail: dchambers@lancaster.gov.uk Ref:</p>

COUNCIL BUSINESS COMMITTEE**REVIEW OF OUTSIDE BODIES
6 NOVEMBER 2014****Report of Chief Officer (Governance)****PURPOSE OF REPORT**

To consider the council's current list of appointments to outside bodies, and the arrangements for appointed councillors to give feedback on their work.

This report is public

RECOMMENDATION

That the committee notes the content of this report and considers whether to make any recommendations to Council regarding a system for members to provide feedback on their work with outside bodies.

1.0 Introduction

1.1 In considering an appointment to the Lancashire Police and Crime Panel at the previous meeting, Council Business Committee requested:

“That a report be brought to the next meeting on member appointments to outside bodies, with details of how frequently outside bodies met, member attendance, and member feedback.”

The rationale was to ensure that outside bodies on the list were still active, and to consider methods by which appointed councillors could provide feedback on their work.

1.2 In accordance with Council Business Committee's resolution at the previous meeting, officers wrote to each outside body on the current list to ensure that it was still active and to find out how often it met. From a total of 48 organisations, 38 responded.

1.3 Of the 38 outside bodies which responded, 92% reported that the appointed councillors added value to their work and provided a useful link to the city council.

1.4 In considering how appointees provide feedback on their work with outside bodies, officers have been in contact with fellow local authorities to identify best practice elsewhere, which could be replicated in Lancaster.

2.0 Review of Outside Bodies

2.1 Officers contacted each outside body to determine how frequently they met and the results are shown below.

Outside Body	Meeting Frequency
Arnsdale and Silverdale AONB Unit	2 per annum. There are also opportunities for members to get involved in small working groups if they have an interest in a particular area of delivery of the AONB Management Plan eg: Sustainable Tourism, Land Management & Conservation or Planning
Board of Trustees of Skerton Charities	<i>Did not respond</i>
Board of Trustees of Lancaster Charity	4 per annum.
Carnforth Station Railway Trust	4 per annum
Community Safety Partnership	4 per annum
Court of the University of Lancaster	1 per annum
Crook o'Lune Advisory Committee	Ad hoc. Often conducted by email.
Dukes Playhouse Board of Directors	4 per annum
Forest of Bowland Advisory Committee	2 per annum
Friendship Centre Management Committee	12 per annum.
Furness Line Community Railway Partnership	4 per annum
George Fox School Educational Charity	1 or 2 per annum
H2H Landscape Partnership Board	4 per annum
Health and Wellbeing Partnership	6 per annum
Health Scrutiny Committee	6 per annum
Heysham Mossgate Company Limited	Ad hoc
Heysham Nuclear Power Station	<i>Did not respond</i>
Homelessness Forum	2 or 3 per annum
Lancashire Leaders' Forum	6 per annum
Lancashire Tourism Forum	4 per annum
Lancashire Waste Partnership	3 per annum
Lancaster and District Multi Agency Forum on Domestic Violence	<i>Did not response</i>
Lancaster and Morecambe Fairtrade District Steering Group	12 per annum
Lancaster and Skipton Rail User Group	6 per annum
Lancaster Community Fund Grants Panel	1 per annum

Lancaster District Chamber of Commerce	6 per annum
Lancaster District Childrens Trust Board	See comments
Lancaster District CVS	<i>No response</i>
Lancaster Ripley Church of England Education Trust	4 per annum
Lancaster University Council	Minimum 6 per annum
Leeds-Morecambe and Settle-Carlisle Railway Development Partnership	<i>No response</i>
LGA Coastal Issues Special Interest Group	4 per annum
LGA Executive	See comments
Lune Park Children's Centre	<i>No response</i>
Lune Valley Transport Enterprise	4 per annum
Luneside East Project Advisory Board	See comments
Management Group of Lancaster Business Improvement District	12 per annum
Marsh Community Centre Management Committee	<i>No response</i>
Morecambe Bay Partnership	1 per annum
Museum Advisory Panel	2 per annum
National Association of Areas of Outstanding Natural Beauty	2 per annum
North Lancashire Citizens Advice Bureaux	<i>No response</i>
North West Home Safety Council	<i>No response</i>
North West Local Authorities Employers Organisation	5 per annum
Preston and West Lancashire Racial Equality Council	Ad hoc
Rainbow Centre	4 per annum
Relate Lancashire	<i>No response.</i>
Reserve Forces and Cadets Association	2 per annum

3.0 Particular Issues Raised

Forest of Bowland AONB responded to say that they preferred the local authority representative to have a strong interest in AONB and countryside matters and/or live in or represent an AONB and officers will include that comment in the report to Council in May to assist in determining the basis of that appointment.

Lancaster District Children's Trust Board

The Children and Young Peoples Trust (CYPT) in Lancashire is currently going through a period of transition; the final meeting of the District Board took place on 25th September 2014.

Whereas each district previously had its own CYPT Board, under the new arrangements there will now be five combined boards, with Lancaster, Fylde and Wyre merging to form the North Lancashire Children's Partnership Board (CPB).

The North Lancashire CPB will feature a councillor from each of the three districts, with their role remaining consistent with that under the previous system:

- to provide a local interface for the local authority to promote effective two-way communication on matters relating to children and young people.
- to support engagement with local communities and ensure that local community interests are reflected.
- to work with partners to provide responses to local issues.
- to take forward appropriate issues which require resolution by the council
- to raise the profile of the council and its services.

The list of appointments to outside bodies will therefore be updated from the 'Lancaster District Children's Trust Board' to the 'North Lancashire Children's Partnership Board.'

LGA Executive

The Local Government Association (LGA) has informed the council that their Executive's membership is refreshed on an annual basis. Appointments are made in a number of different ways, primarily by the political group offices at the LGA, and by the regional association. However, individual authorities cannot make appointments directly.

The membership for this year's LGA Executive meeting cycle does not include a member from Lancaster City Council, and, in view of the mechanism for appointment, the LGA Executive will be removed from the council's list of outside body appointments.

Luneside East Project Advisory Board

The Luneside East Project Advisory Board has not met for several years now and officers from the council's Regeneration and Planning Department have advised that the Board will be wound up.

3.0 Feedback mechanisms

3.1 The means of generating feedback from members who have been appointed to an outside body varies across local authorities. To establish what happens elsewhere, officers posted a question on the Association of Democratic Services Officers' online forum.

3.2 Options in use elsewhere include:

- biannual email updates to all councillors;
- updating the relevant cabinet member as appropriate;
- providing written reports in town hall members' rooms; and
- providing written annual reports, either submitted to Council or a selected committee.

3.3 With 48 outside bodies currently appointed to, it is likely that written reports to Council or a committee would take up too much time especially since the number of meetings was reduced in 2014/15.

3.4 However, if the committee believes that greater awareness is required of members' work on outside bodies, then it could be recommended that appointees complete a short template with details of their work on an annual basis. Completed feedback forms could then be made available on the councillors' section of the intranet, and in the members rooms in Lancaster and Morecambe town halls.

3.5 It should be noted that authorities which have adopted this approach find that many appointees do not complete the appropriate forms on time, so members may wish to consider how, if at all, the system would operate. It should be noted that there are currently no officer resources available in Democratic Services to provide assistance to members either to draft an annual report on their outside body or to complete feedback forms.

4.0 Conclusion

4.1 Members are asked to note the content of this report and may wish to make recommendations to Council, when new four year appointments are made in May 2015, regarding a practical method of providing feedback.

CONCLUSION OF IMPACT ASSESSMENT
--

(including Health & Safety, Equality & Diversity, Human Rights, Community Safety, Sustainability and Rural Proofing)
--

None.

LEGAL IMPLICATIONS

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

FINANCIAL IMPLICATIONS

There are no financial implications as a result of this report, however, as stated in the report, at current staffing levels officer resources would not be available to assist members in the drafting of any written feedback. Should the committee wish to recommend that course of action to Council then this would need to be addressed as part of that report.

OTHER RESOURCE IMPLICATIONS

Human Resources:

None.

Information Services:

None.

Property:

None.

Open Spaces:

None.

SECTION 151 OFFICER'S COMMENTS

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

MONITORING OFFICER'S COMMENTS

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

BACKGROUND PAPERS

None.

Contact Officer: Peter Baines

Telephone: 01524 582074

E-mail: pbaines@lancaster.gov.uk



**Committee Timetable 2015/16
17 December 2014**

Report of Council Business Committee

PURPOSE OF REPORT

To enable Council to consider recommendations from Council Business Committee and to agree a Committee Timetable for 2015/16.

This report is public

RECOMMENDATIONS

- (1) **Council is asked to consider the draft timetable appended to this report and the recommendations of Council Business Committee, as follows:**
- (2) **That the start time of Cabinet meetings and Cabinet Briefings be changed to 6pm.**
- (3) **That the start time of full Council meetings be changed to 6pm.**
- (4) **That an extra Council meeting be scheduled to fall between 15 July and 21 October.**

1.0 Introduction

1.1 At its meeting on 6 November 2014, Council Business Committee considered a draft Committee Timetable for 2015/16 and made the following resolutions:

- 1) That the planning meeting scheduled for 1 June be moved to 5 June for administrative reasons and that the draft timetable be recommended to Council subject to the following changes:
- 2) That the start times of Cabinet meetings, Cabinet Briefings and Council meetings be changed to 6pm.
- 3) That an extra Council meeting be scheduled to fall between 15 July and 21 October.
- 4) That Officers investigate the feasibility of moving the Audit Committee meeting from 16 September to 23 September to accommodate moving the Cabinet meeting scheduled for 1 September to 8 September and make the following consequential changes: move the Budget and

Performance Panel scheduled for 8 September to 15 September and the Overview and Scrutiny Committee meeting scheduled for 9 September to 16 September.

1.2 Since the meeting, officers have ascertained that it would not be feasible, due to the accounting timetable, to move the Audit Committee meeting from 16 to 23 September to effect a change to the date of the September Cabinet meeting.

1.3 The Committee recognised that there would be financial implications to moving the start times of meetings and Members requested that a report be put to Council to include those implications.

2.0 Proposals and Implications

2.1 The proposals are:

- to move the start times for full Council and Cabinet meetings (and Cabinet briefing meetings) from daytime to 6pm to encourage and enable those in full time work to stand for Council;
- to add an extra Council meeting to the timetable to fall between the meetings already scheduled for July and October 2015.

2.2 Members will recall that, on 13 December 2013, Council resolved to reduce the number of meetings in 2014/15 and the number of ordinary Council meetings was reduced from 10 to 8. The Committee felt that the gap between Council meetings had been too long this year and that the cycle of meetings would be improved by scheduling a meeting towards the end of September. Officers have looked at the situation this year and can report that the gap between meetings did not seem to present any problems. A meeting was held on 16 July and the next ordinary meeting was held on 22 October. The October agenda was not particularly lengthy and the meeting lasted for three hours, so there does not appear to be a need for the extra meeting. However, if Council is minded to approve the recommendation of Council Business Committee, Officers would suggest a provisional date of Wednesday 23 September 2015 to be included in the calendar, to be used if necessary.

2.3 By holding additional meetings in the evening running costs will increase simply through the additional heating, lighting and staffing required to keep a building open beyond normal office hours. It will be necessary for Facilities Support Officers to work additional hours to cover caretaking and security duties should meetings go on beyond 7.30pm. It is also feasible that this proposal could lead to the loss of income through the hire of premises for external events. It is difficult to quantify potential extra costs with any great certainty as it would depend on the length of meeting, the time of year and current staff salaries, etc. However, assuming an additional three evening meetings per month averaging three hours each with one Facilities Support Officer covering Cabinet/Cabinet briefings and two Facilities Support Officers covering Council the estimated additional cost over 12 months could be in the region of £2,500 (£1,400 for staff plus £1,100 for building running costs).

2.4 A further property related concern is that the Facilities Support function is already being stretched following extended opening hours at the Storey to accommodate the University.

- 2.5 The decision was taken some years ago to cease providing sandwiches before evenings meetings to save money, so there has been no costings for refreshments and it is assumed that these would remain the same, with tea/coffee and juice available as currently.
 - 2.6 Democratic support staff already work evening meetings on a 'time off in lieu' basis. This is managed within the service to ensure that there is cover during office hours and these proposals would not cause any issues with that arrangement.
 - 2.7 Officers would remind Council that Cabinet Briefing is not a formal meeting and does not appear on the Committee timetable. It would perhaps be more appropriate for the arrangements for such briefings to be discussed and agreed with the Leader and Cabinet members following Annual Council in May 2015.
- 3.0 Conclusion**
- 3.1 Council is asked to consider the recommendations of Council Business Committee and to agree a timetable of meetings for the municipal year 2015/16.

<p>CONCLUSION OF IMPACT ASSESSMENT (including Health & Safety, Equality & Diversity, Human Rights, Community Safety, Sustainability and Rural Proofing)</p> <p>None.</p>
<p>LEGAL IMPLICATIONS There are no legal implications as a result of this report.</p>
<p>FINANCIAL IMPLICATIONS As set out in paragraph 2 of the report. It is likely that additional costs of in the region of £2,500 will be incurred if meetings are moved to 6pm and this increase will need to be built into the budget as part of the 2015/16 budget process.</p>
<p>OTHER RESOURCE IMPLICATIONS Human Resources: As set out in paragraph 2 of the report. Information Services: None. Property: As set out in paragraph 2 of the report. Open Spaces: None.</p>
<p>SECTION 151 OFFICER'S COMMENTS Given that some additional costs are involved in the proposal, Council is advised to consider these against the identified benefits (e.g. moving meeting times to encourage and enable those in full time work to stand for Council), so that value for money is taken into account. The case for holding an additional</p>

meeting is unclear, however - hence the Officer suggestion if Council is minded to approve this recommendation.

MONITORING OFFICER'S COMMENTS

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

BACKGROUND PAPERS

None.

Contact Officer: Debbie Chambers
Telephone: 01524582057
E-mail: dchambers@lancaster.gov.uk
Ref:

Meeting Start Times/Venues 2015/16

(LTH = Lancaster Town Hall)

(MTH = Morecambe Town Hall)

Annual Council (Ceremonial)	Ashton Hall, LTH	12 noon
Annual Council (Business)	MTH	6:30 pm
Council	MTH	2 pm
Council Business Committee	MTH	6 pm
Cabinet	Alternating LTH, MTH	10 am
Overview and Scrutiny	MTH	6 pm
Budget and Performance	LTH	6.10 pm
Licensing Regulatory Committee	LTH	1 pm
Licensing Act Committee	LTH	2 pm
Planning & Highways Regulatory	LTH	10.30 am
Personnel Committee*	LTH	6.10 pm
JCC	LTH	2 pm
Audit Committee	MTH	6 pm
Standards Committee*	LTH	6.10 pm

The Appeals Committee is convened as and when necessary at LTH with no set day or time.

*These committees will begin earlier in the day where additional meetings are convened to hear specific cases.

DRAFT TIMETABLE 2015/2016

2015

2016

	May	June	July	August	September	October	November	December	January	February	March	April	May	
Mon		1								1 Planning Site Visit				Mon
Tue		2			1 Cabinet MTH			1 Cabinet LTH		2 JCC Personnel	1			Tue
Wed		3	1 JCC Personnel		2			2		3 Council	2 Budget Council			Wed
Thur		4 Licensing Reg	2 Member Briefing		3 Licensing Reg Member Briefing	1 Member Briefing		3 Licensing Act		4 Member Briefing	3 Member Briefing			Thur
Fri	1	5 Planning	3		4	2		4	1 Bank Holiday	5	4	1		Fri
Sat	2													Sat
Sun	3													Sun
Mon	4 Bank Holiday	8	6	3	7	5	2	7 Planning Site Visit	4 Planning Site Visit	8 Planning	7 Planning	4 Planning	2 Bank Holiday	Mon
Tue	5 Planning	9 Overview & Scrutiny Committee	7	4	8 Budget and Performance Panel	6 Cabinet LTH	3 Cabinet MTH	8	5	9	8	5	3 Planning Site Visit	Tue
Wed	6	10	8 Overview and Scrutiny Committee	5	9 Overview and Scrutiny Committee	7	4	9 Overview & Scrutiny Committee	6	10	9	6 Overview and Scrutiny Committee	4	Wed
Thur	7 ELECTION	11 Standards	9	6	10	8	5 Council Business Committee	10	7 Licensing Reg	11 Licensing Reg	10 Council Business Committee	7	5 ELECTION	Thur
Fri	8	12	10	7	11	9	6	11	8	12	11	8	6	Fri
Sat	9													Sat
Sun	10													Sun
Mon	11	15	13	10	14 Planning Site Visit	12 Planning Site Visit	9 Planning Site Visit	14 Planning	11 Planning	15	14	11	9 Planning	Mon
Tue	12	16	14	11	15	13	10 Budget & Performance Panel	15	12	16 Cabinet LTH	15	12	10	Tue
Wed	13	17 Audit	15 Council	12	16 Audit	14 Overview and Scrutiny Committee	11	16 Council	13	17	16	13 Council	11	Wed
Thur	14	18 Licensing Act	16 Licensing Reg	13	17	15 Licensing Reg	12 Member Briefing	17	14 Member Briefing	18	17	14	12	Thur
Fri	15	19	17	14	18	16	13	18	15	19	18	15	13 Annual Council	Fri
Sat	16													Sat
Sun	17													Sun
Mon	18	22 Planning Site Visit	20 Planning Site Visit	17 Planning Site Visit	21 Planning	19 Planning	16 Planning	21	18	22	21	18	16 Business Council	Mon
Tue	19	23 Cabinet MTH	21 Budget and Performance Panel	18	22	20	17	22	19 Cabinet MTH	23 Budget and Performance Panel	22 Cabinet MTH	19	17	Tue
Wed	20	24	22	19	23	21 Council	18 Overview & Scrutiny Committee	23	20 Audit	24 Overview and Scrutiny Committee	23	20	18	Wed
Thur	21	25 Council Bus Com	23	20	24	22	19	24	21 Standards	25	24 Licensing Reg	21	19	Thur
Fri	22 Annual Council	26	24	21	25	23	20	25 Bank Holiday	22	26	25 Bank Holiday	22	20	Fri
Sat	23													Sat
Sun	24													Sun
Mon	25 Bank Holiday	29 Planning	27 Planning	24 Planning	28	26	23	28 Bank Holiday	25	29 Planning Site Visit	28 Bank Holiday	25	23	Mon
Tue	26 Business Council	30	28 Cabinet LTH	25	29	27	24	29	26 Budget & Perf Panel - MTH		29 Planning Site Visit	26 Cabinet LTH	24	Tue
Wed	27 Planning Site Visit		29	26	30	28	25	30	27 Overview and Scrutiny Committee		30	27	25	Wed
Thur	28		30	27		29	26 Licensing Reg	31	28		31	28	26	Thur
Fri	29		31	28		30	27		29			29	27	Fri
Sat	30													Sat
Sun	31													Sun
Mon				31 Bank Holiday			30						30 Bank Holiday	Mon
Tue													31	Tue



**Committee Timetable 2015/16
17 December 2014**

Report of Council Business Committee

PURPOSE OF REPORT

To enable Council to consider recommendations from Council Business Committee and to agree a Committee Timetable for 2015/16.

This report is public

RECOMMENDATIONS

- (1) Council is asked to consider the draft timetable appended to this report and the recommendations of Council Business Committee, as follows:**
- (2) That the start time of Cabinet meetings and Cabinet Briefings be changed to 6pm.**
- (3) That the start time of full Council meetings be changed to 6pm.**
- (4) That an extra Council meeting be scheduled to fall between 15 July and 21 October.**

1.0 Introduction

1.1 At its meeting on 6 November 2014, Council Business Committee considered a draft Committee Timetable for 2015/16 and made the following resolutions:

- 1) That the planning meeting scheduled for 1 June be moved to 5 June for administrative reasons and that the draft timetable be recommended to Council subject to the following changes:
- 2) That the start times of Cabinet meetings, Cabinet Briefings and Council meetings be changed to 6pm.
- 3) That an extra Council meeting be scheduled to fall between 15 July and 21 October.
- 4) That Officers investigate the feasibility of moving the Audit Committee meeting from 16 September to 23 September to accommodate moving the Cabinet meeting scheduled for 1 September to 8 September and make the following consequential changes: move the Budget and

Performance Panel scheduled for 8 September to 15 September and the Overview and Scrutiny Committee meeting scheduled for 9 September to 16 September.

- 1.2 Since the meeting, officers have ascertained that it would not be feasible, due to the accounting timetable, to move the Audit Committee meeting from 16 to 23 September to effect a change to the date of the September Cabinet meeting.
- 1.3 The Committee recognised that there would be financial implications to moving the start times of meetings and Members requested that a report be put to Council to include those implications.

2.0 Proposals and Implications

2.1 The proposals are:

- to move the start times for full Council and Cabinet meetings (and Cabinet briefing meetings) from daytime to 6pm to encourage and enable those in full time work to stand for Council;
- to add an extra Council meeting to the timetable to fall between the meetings already scheduled for July and October 2015.

2.2 Members will recall that, on 13 December 2013, Council resolved to reduce the number of meetings in 2014/15 and the number of ordinary Council meetings was reduced from 10 to 8. The Committee felt that the gap between Council meetings had been too long this year and that the cycle of meetings would be improved by scheduling a meeting towards the end of September. Officers have looked at the situation this year and can report that the gap between meetings did not seem to present any problems. A meeting was held on 16 July and the next ordinary meeting was held on 22 October. The October agenda was not particularly lengthy and the meeting lasted for three hours, so there does not appear to be a need for the extra meeting. However, if Council is minded to approve the recommendation of Council Business Committee, Officers would suggest a provisional date of Wednesday 23 September 2015 to be included in the calendar, to be used if necessary.

2.3 By holding additional meetings in the evening running costs will increase simply through the additional heating, lighting and staffing required to keep a building open beyond normal office hours. It will be necessary for Facilities Support Officers to work additional hours to cover caretaking and security duties should meetings go on beyond 7.30pm. It is also feasible that this proposal could lead to the loss of income through the hire of premises for external events. It is difficult to quantify potential extra costs with any great certainty as it would depend on the length of meeting, the time of year and current staff salaries, etc. However, assuming an additional three evening meetings per month averaging three hours each with one Facilities Support Officer covering Cabinet/Cabinet briefings and two Facilities Support Officers covering Council the estimated additional cost over 12 months could be in the region of £2,500 (£1,400 for staff plus £1,100 for building running costs).

2.4 A further property related concern is that the Facilities Support function is already being stretched following extended opening hours at the Storey to accommodate the University.

- 2.5 The decision was taken some years ago to cease providing sandwiches before evenings meetings to save money, so there has been no costings for refreshments and it is assumed that these would remain the same, with tea/coffee and juice available as currently.
- 2.6 Democratic support staff already work evening meetings on a 'time off in lieu' basis. This is managed within the service to ensure that there is cover during office hours and these proposals would not cause any issues with that arrangement.
- 2.7 Officers would remind Council that Cabinet Briefing is not a formal meeting and does not appear on the Committee timetable. It would perhaps be more appropriate for the arrangements for such briefings to be discussed and agreed with the Leader and Cabinet members following Annual Council in May 2015.
- 3.0 Conclusion**
- 3.1 Council is asked to consider the recommendations of Council Business Committee and to agree a timetable of meetings for the municipal year 2015/16.

<p>CONCLUSION OF IMPACT ASSESSMENT (including Health & Safety, Equality & Diversity, Human Rights, Community Safety, Sustainability and Rural Proofing)</p> <p>None.</p>
<p>LEGAL IMPLICATIONS</p> <p>There are no legal implications as a result of this report.</p>
<p>FINANCIAL IMPLICATIONS</p> <p>As set out in paragraph 2 of the report. It is likely that additional costs of in the region of £2,500 will be incurred if meetings are moved to 6pm and this increase will need to be built into the budget as part of the 2015/16 budget process.</p>
<p>OTHER RESOURCE IMPLICATIONS</p> <p>Human Resources: As set out in paragraph 2 of the report.</p> <p>Information Services: None.</p> <p>Property: As set out in paragraph 2 of the report.</p> <p>Open Spaces: None.</p>
<p>SECTION 151 OFFICER'S COMMENTS</p> <p>Given that some additional costs are involved in the proposal, Council is advised to consider these against the identified benefits (e.g. moving meeting times to encourage and enable those in full time work to stand for Council), so that value for money is taken into account. The case for holding an additional meeting is unclear, however - hence the Officer suggestion if Council is minded to approve this recommendation.</p>

MONITORING OFFICER'S COMMENTS

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

BACKGROUND PAPERS

None.

Contact Officer: Debbie Chambers

Telephone: 01524582057

E-mail: dchambers@lancaster.gov.uk

Ref:

Meeting Start Times/Venues 2015/16

(LTH = Lancaster Town Hall)

(MTH = Morecambe Town Hall)

Annual Council (Ceremonial)	Ashton Hall, LTH	12 noon
Annual Council (Business)	MTH	6:30 pm
Council	MTH	2 pm
Council Business Committee	MTH	6 pm
Cabinet	Alternating LTH, MTH	10 am
Overview and Scrutiny	MTH	6 pm
Budget and Performance	LTH	6.10 pm
Licensing Regulatory Committee	LTH	1 pm
Licensing Act Committee	LTH	2 pm
Planning & Highways Regulatory	LTH	10.30 am
Personnel Committee*	LTH	6.10 pm
JCC	LTH	2 pm
Audit Committee	MTH	6 pm
Standards Committee*	LTH	6.10 pm

The Appeals Committee is convened as and when necessary at LTH with no set day or time.

*These committees will begin earlier in the day where additional meetings are convened to hear specific cases.

DRAFT TIMETABLE 2015/2016

2016

	May	June	July	August	September	October	November	December	January	February	March	April	May
Mon	1									1 Planning Site Visit			
Tue	2				1 Cabinet MTH			1 Cabinet LTH		2 JCC Personnel	1		
Wed	3		1 JCC Personnel		2			2		3 Council	2 Budget Council		
Thur	4 Licensing Reg		2 Member Briefing		3 Licensing Reg Member Briefing	1 Member Briefing		3 Licensing Act		4 Member Briefing	3 Member Briefing		
Fri	5 Planning		3		4	2		4	1 Bank Holiday	5	4	1	
Sat	6		4	1	5	3		5	2	6	5	2	
Sun	7		5	2	6	4	1	6	3	7	6	3	1
Mon	4 Bank Holiday		6	3	7	5	2	7 Planning Site Visit	4 Planning Site Visit	8 Planning	7 Planning	4 Planning	2 Bank Holiday
Tue	5 Planning	9 Overview & Scrutiny Committee	7	4	8 Budget and Performance Panel	6 Cabinet LTH	3 Cabinet MTH	8	5	9	8	5	3 Planning Site Visit
Wed	6	10	8 Overview and Scrutiny Committee	5	9 Overview and Scrutiny Committee	7	4	9 Overview & Scrutiny Committee	6	10	9	6 Overview and Scrutiny Committee	4
Thur	7 ELECTION	11 Standards	9	6	10	8	5 Council Business Committee	10	7 Licensing Reg	11 Licensing Reg	10 Council Business Committee	7	5 ELECTION
Fri	8	12	10	7	11	9	6	11	8	12	11	8	6
Sat	9	13	11	8	12	10	7	12	9	13	12	9	7
Sun	10	14	12	9	13	11	8	13	10	14	13	10	8
Mon	11	15	13	10	14 Planning Site Visit	12 Planning Site Visit	9 Planning Site Visit	14 Planning	11 Planning	15	14	11	9 Planning
Tue	12	16	14	11	15	13	10 Budget & Performance Panel	15	12	16 Cabinet LTH	15	12	10
Wed	13	17 Audit	15 Council	12	16 Audit	14 Overview and Scrutiny Committee	11	16 Council	13	17	16	13 Council	11
Thur	14	18 Licensing Act	16 Licensing Reg	13	17	15 Licensing Reg	12 Member Briefing	17	14 Member Briefing	18	17	14	12
Fri	15	19	17	14	18	16	13	18	15	19	18	15	13 Annual Council
Sat	16	20	18	15	19	17	14	19	16	2-	19	16	14
Sun	17	21	19	16	20	18	15	20	17	21	20	17	15
Mon	18	22 Planning Site Visit	20 Planning Site Visit	17 Planning Site Visit	21 Planning	19 Planning	16 Planning	21	18	22	21	18	16 Business Council
Tue	19	23 Cabinet MTH	21 Budget and Performance Panel	18	22	20	17	22	19 Cabinet MTH	23 Budget and Performance Panel	22 Cabinet MTH	19	17
Wed	20	24	22	19	23	21 Council	18 Overview & Scrutiny Committee	23	20 Audit	24 Overview and Scrutiny Committee	23	20	18
Thur	21	25 Council Bus Com	23	20	24	22	19	24	21 Standards	25	24 Licensing Reg	21	19
Fri	22 Annual Council	26	24	21	25	23	20	25 Bank Holiday	22	26	25 Bank Holiday	22	20
Sat	23	27	25	22	26	24	21	26	23	27	26	23	21
Sun	24	29	26	23	27	25	22	27	24	28	27	24	22
Mon	25 Bank Holiday	29 Planning	27 Planning	24 Planning	28	26	23	28 Bank Holiday	25	29 Planning Site Visit	28 Bank Holiday	25	23
Tue	26 Business Council	30	28 Cabinet LTH	25	29	27	24	29	26 Budget & Perf Panel - MTH	29	29 Planning Site Visit	26 Cabinet LTH	24
Wed	27 Planning Site Visit		29	26	30	28	25	30	27 Overview and Scrutiny Committee		30	27	25
Thur	28		30	27		29	26 Licensing Reg	31	28		31	28	26
Fri	29		31	28		30	27		29			29	27
Sat	30			29		31	28		30			30	28
Sun	31			30			29		31				29
Mon				31 Bank Holiday			30						30 Bank Holiday
Tue													31

2015

COUNCIL 17TH DECEMBER 2014**OFFICER BRIEFING NOTE**

Notice of Motion – Opposition to Driver only Trains

Proposer: Cllr David Whitaker

Seconder: Cllr Robert Redfern, Cllr Margaret Pattison, Cllr Richard-Newman Thompson, Cllr Margaret Pattison, Cllr Liz Scott

This Council

A) Registers its opposition to the Northern and Transpennine Express franchise requirement for driver only trains and The Government's plans to make driver only trains mandatory.

B) Express our concern at the removal of on board conductors on The Northern and Transpennine routes as well as hundreds of essential rail jobs

C) Believes that, if implemented. The plan would result in cuts to funding, fare rises, service and timetable cuts and the loss of local rail jobs. .

D) Also believe that as a result of the loss of skilled jobs, passenger service and passenger safety will be worsened by this plan to remove guards and conductors from services and introduce Driver Only Operated Trains.

E) Notes that these proposals come on top of rail fare hikes and the pre existing understaffing of many rail stations and the closure of ticket offices, making guards and on board conductors even more essential to passenger safety.

F) Believes that safeguarding and increasing staffing levels are the most effective way of improving security and passenger safety

G) Notes that the driver is responsible for safe operation of the train and the on board conductor is responsible for the protection of the passengers.

H) Notes that currently, guards and on board conductors are fully trained in the operational safety, route knowledge, including safely securing doors, protecting the train and acting in emergencies such as driver incapacity

The City Council has no statutory responsibilities in respect of railways or rail travel.

However, this motion falls within Council Procedure Rule 16.4, as it is about a matter which affects the district, albeit along with a wider area.

Officers are unable to comment on the assumptions made in the motion. However, to the extent that the motion simply provides for the Council to express its views, there are no risks or financial or legal implications for the Council should the motion be carried.

Monitoring Officer Comments

This briefing note has been prepared by the Monitoring Officer.

Section 151 Officer Comments

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

OFFICER NOTE FOR COUNCIL 17 DECEMBER 2014

Regarding Notice of Motion – Transatlantic Trade and Investment Partnership

Proposer – Cllr Richard Newman-Thompson

Seconder: Cllr Paul Gardner

Officer Comments

The Transatlantic Trade and Investment Partnership (TTIP) is a very complex matter, and not one that Officers have or require any direct or detailed knowledge of, at this stage. A briefing note cannot be provided therefore, particularly given the time available.

Instead, to help inform the debate, some Government-produced documentation is attached. In reading this, however, Members should appreciate that the documentation includes Government's views – no Officer view or advice is presented.

For more information, it is suggested that Members refer to the various websites or search on line.

Monitoring Officer Comments

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

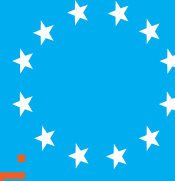
S151 Officer Comments




The s151 Officer has produced this note.


Did you know?

- US tariffs on UK goods include sportswear (32%), synthetic women's coats (16%), hotel tableware (28%) and slippers (26%).
- The US "Bars and Grills" Intellectual Property rule means musicians aren't rewarded when their music plays in many US outlets.
- Many UK qualifications like those from the Royal Institute of British Architects aren't recognised by the US.

3 Key Drivers:

1.  Central to the PM's vision of a reformed, competitive Europe.

2.  Worth up to: **£10bn** to the UK
 **£80bn** to the US and
 **£100bn** to the EU, per year.

3.  Safeguarding liberal trade rules for the 21st century through EU-US leadership on trade policy, including developing new global standards.

Transatlantic Trade and Investment Partnership:

Key Facts

Get Involved:

Cross-Government work on TTIP is led by the Department for Business, Innovation and Skills (BIS). To find out more, work with us or get involved in any other way, contact us on:

TTIP.team@bis.gsi.gov.uk



Department
for Business
Innovation & Skills

What is TTIP?

The Transatlantic Trade and Investment Partnership (TTIP) is a free trade deal in negotiation between the EU and US. It aims to join up the world's largest economies, which account for almost half of global GDP and a third of trade flows (over £1.5bn of trade daily). **It aims to cover sectors including:**



Automotive: Production of UK motor vehicles could increase by 7%, and exports could increase by over £4bn.



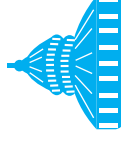
Chemicals and oil: UK companies stand to save £450mn in tariffs alone per year.



Pharmaceuticals: TTIP will decrease regulatory duplication in the EU and US, home to nearly 60% of all medicines in development worldwide.



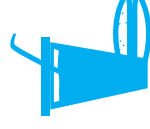
Energy: We could use TTIP to access US gas, which is currently a third of the EU price.



Public Procurement: Only 32% of the US procurement market is currently open to EU businesses.



Finance and Insurance: UK exports could increase by over £400mn.



Food & Drink: The cost for UK firms of complying with US regulations and tariffs (over and above EU regulations) is equivalent to a 13% tax.

“Two million extra jobs, more choice and lower prices in our shops. We’re talking about what could be the biggest bilateral trade deal in history, a deal that will have a greater impact than all the other trade deals on the table put together.”

Prime Minister David Cameron, 2013

Regional Breakdown:

Region	Projected Exports	Relevant Sectors
London	£ 1,900 mn	Finance, Other Services
South East	£ 3,700 mn	Pharma, Finance, Advanced Manufacturing
South West	£ 700 mn	Agriculture, Food & Drink
East	£ 1,550 mn	Agriculture
East Midlands	£ 1,200 mn	Advanced Manufacturing
West Midlands	£ 1,400 mn	Automotives
North East	£ 1,050 mn	Automotives, Chemicals
Yorkshire & the Humber	£ 1,050 mn	Chemicals
North West	£ 2,600 mn	Aerospace, Textiles, Chemicals
Wales	£ 1,500 mn	Energy, Advanced Manufacturing
Scotland	£ 1,400 mn	Food & Drink, Whisky, Energy, Finance
N. Ireland	£ 250 mn	Agriculture

Based on share of UK exports to US and CEPR estimate of UK benefit

What does it mean for the UK?

- **A big boost to our economy:** the deal could add £10 billion to the UK economy each year.
- **Benefits for businesses of all sizes:** complying with behind-the-border regulation is more difficult for small businesses who have fewer sales to spread compliance costs over.
- **Tariffs cut:** TTIP could save UK businesses the \$1 billion they pay the US each year in tariffs.
- **Lower prices for UK shoppers:** TTIP could potentially remove EU import tariffs on popular US goods including jeans (12%) and cars (10%).
- **Less red tape:** Reducing regulatory differences will help UK businesses to export to the US.
- **Standards maintained:** EU and US regulators aim at the same things (safe products, clean environment) by different means. We can reduce differences but maintain our high standards.
- **Markets opened:** British lamb and venison can't currently be exported to the US.
- **Wider UK aims supported:** Developing countries could have access to a larger, simpler and more vibrant market. TTIP could also help finish the Doha Round of global trade talks.

ISDS in numbers:

0 No ISDS challenge has ever succeeded against the UK. Despite the large number of treaties in force with ISDS clauses, there have been only two ISDS challenges brought against us.

43 UK investors have brought at least 43 ISDS claims against other countries to protect their investments.

94 Since 1975 the UK has negotiated 94 Bilateral Investment Treaties (BITs) almost all of which include ISDS provisions. Most of these treaties involve countries that are or have been net recipients of UK investment rather than net investors in the UK.

3400 There are around 3400 Investment Agreements in force worldwide.

How transparent are proceedings under ISDS?

There are different ISDS arbitral mechanisms and rules specified in different treaties, the most common of which are set by bodies of the World Bank and the United Nations. In the past many treaties have not included instructions on transparency meaning provisions are decided on a case-by-case basis.

Recently the United Nations body (UNCITRAL) agreed a new set of rules on transparency that ensure there is public access to hearings and that key documents are made publicly available, with the only exception being for confidential information.

It will soon be possible to apply these rules to existing treaties and the EU has stated its intention to include the UNCITRAL transparency rules in all future treaties.

Investor-State Dispute Settlement

FAQ

Cross-Government work on TTIP is led by the Department for Business, Innovation and Skills (BIS). To find out more, work with us or get involved in any other way, contact us on:

TTIP.team@bis.gsi.gov.uk



Department
for Business
Innovation & Skills

Part of a series of leaflets on the Transatlantic Trade and Investment Partnership (TTIP)

What is ISDS?

ISDS gives international investors the right to bring a damages claim against the government of the 'host' state where the investment is located. Claims are heard by independent international tribunals. They must be based on an alleged breach by the host state of an investment protection commitment agreed in a treaty between the host state and the investor's home state. Such treaty commitments usually include not discriminating against foreign investors, protecting investments from expropriation by the host state, guaranteeing certain minimum standards of treatment and allowing free transfer of capital. The tribunal may award damages to the investor if the host state has breached a commitment. ISDS thus provides additional protection for investors, over and above any protection provided by the host state's domestic laws and courts.

Is it a threat to UK sovereignty?

No. On the right terms, ISDS does not prevent the government from changing its policies or regulating in the public interest, provided that is done in a fair and non-discriminatory way. Nor does ISDS allow tribunals to overturn a host state's laws. Tribunals can order a host state to pay compensation, but only if it has breached its treaty obligations.

Investment Protection plays a vital role in safeguarding the gains of international investments and the trade that depends on them, benefiting producers and consumers alike. It has been included in every British investment deal, without doing the slightest damage to consumer protection or undermining our sovereignty or our legal system.

Rt Hon Kenneth Clarke QC MP, 2014

What's the Government's position on ISDS in current FTA negotiations?

The UK Government will consider ISDS provisions in FTAs on a case-by-case basis and bearing in mind the terms of the wider agreement. The UK Government is aware of the risks of agreeing ISDS provisions on the wrong terms, particularly in agreements with countries which are a major source of investment into the UK. The UK will not support ISDS provisions in EU Treaties that restrict the Government's capacity to govern fairly and in the public interest in any policy area, including public health, labour standards or the environment. Safeguards protecting these policy areas are regularly incorporated into FTAs and BITs.

What about in TTIP?

The UK Government welcomes the European Commission's forthcoming public consultation on the merits of ISDS in the Transatlantic Trade and Investment Partnership (TTIP). The US has supported ISDS clauses in other trade agreements including the Trans-Pacific Partnership, and already has BITs with nine EU Member States, but not the UK. At this early stage in negotiations it is not possible to provide more specific detail. If ISDS were to be included then we would press for provisions that strike the right balance between investment protection and the rights of government to regulate.

Why's it needed?

Investments overseas by UK companies benefit both the company and the UK economy. Investing in a foreign country carries legal and political risk, particularly if the investor's legal rights in relation to actions by the host state are unclear or hard to enforce in local courts.

Where investment protection is provided in a treaty a mechanism is needed to resolve disputes between the investor and host state. ISDS gives UK investors access to independent tribunals and to possible compensation when they are treated unfairly by host states. It also deters the host state from acting unfairly in the first place.

How is ISDS different to other dispute settlement mechanisms in FTAs?

ISDS claims are brought directly by investors and can result in damages awards that are enforceable internationally against the host state's foreign assets. ISDS does not extend to the other non-investment provisions of an FTA such as tariff rates.

These provisions are usually enforceable by state-to-state claims. State-to-state claims do not provide a right to damages. Instead, they can lead to authorised trade sanctions if a state fails to comply with the ruling in a dispute, similar to claims made through the World Trade Organisation under the WTO treaties.

Transatlantic Trade and Investment Partnership

Separating



Part of a series of leaflets from the UK
Government

X TTIP will only benefit the big corporations.

TTIP will directly benefit consumers. It will widen the range of products available, giving consumers more choice. It will also reduce trade costs, leading to cheaper goods. The average benefit for a family of four is estimated at around £400 per year¹.

TTIP will directly benefit small businesses. They will find it easier to export – a direct consequence of TTIP reducing duplication and red tape – but without compromising safety standards.

X TTIP will let GM foods and hormone beef from the US flood our supermarket shelves.

The EU has no mandate in TTIP to lower our food standards. It will be easier for food producers on either side to export, but only if they conform to each side's rules on food standards and genetically modified crops.

X TTIP will decrease environmental standards.

The high environmental standards and targets which we have in place are non-negotiable. This has been made clear repeatedly by both the US and the EU. The EU will also use an independent analysis², which sets out recommendations to minimise the environmental impacts of TTIP, to inform its position.

X TTIP opens the door to privatisation of the NHS.

TTIP will not change the way that the NHS, or other public services, is run. Access to NHS services will continue to be based on patients' needs, not ability to pay. Local NHS commissioners will remain in charge of deciding who should provide services in the best interests of patients. The European Commission is following our approach that it must always be for the UK to decide for itself whether or not to open up our public services to competition.

✗ *UK sovereignty will be threatened by a deal on TTIP. Big corporations will be able to use investment protection provisions to overturn UK laws.*

The EU has made it clear that the freedom of national governments to regulate would be explicitly protected. The Investor-State Dispute Settlement (ISDS) provisions being discussed cannot overturn laws. Their purpose is to protect our investors from discriminatory treatment by protectionist governments, whilst safeguarding the Government's freedom to make laws and regulations in the public interest. The UK already has over 90 bilateral investment agreements in place, the majority of which include similar provisions, and has never lost a case. The Commission recognises that there are public concerns about this and launched a public consultation to inform its position.

✗ *The European Commission is doing deals in secret.*

We need to remember that this is a negotiation, and making our position available publicly will jeopardise our chances of getting the best deal for the EU. The Commission consulted publicly on its negotiating priorities and investment protection, holds regular meetings with the public and published 11 position papers which give detailed information about the negotiations³. It is holding one of the most transparent negotiations it has ever done.

✗ *TTIP is being agreed by a European institution which was not democratically elected.*

The UK Parliament will have an opportunity to scrutinise the final agreement through debates in both Houses. Any eventual deal will have to be agreed by both the EU Council (representing the elected governments of the EU countries) and the European Parliament (whose members are democratically elected). This is the same process by which other trade agreements, such as EU-Korea, were agreed. The Government will also continue to update the UK Parliament on the progress of the negotiations. TTIP is also the subject of a House of Lords enquiry⁴ and an All-Party Parliamentary Group.

¹<http://trade.ec.europa.eu/doclib/html/150737.htm>

²<http://ec.europa.eu/trade/policy/policy-making/analysis/sustainability-impact-assessments/assessments>

³<http://ec.europa.eu/trade/policy/in-focus/ttip/resources/#documents>

⁴<http://www.parliament.uk/business/committees/committees-a-z/lords-select/eu---foreign-affairs-defence-and-development-policy-sub-committee-c/inquiries/parliament-2010/eu-us-fta>

To find out more, raise your concerns or get involved in any other way contact us at: ttip.team@bis.gsi.gov.uk
or see www.gov.uk/government/collections/transatlantic-trade-and-investment-partnership-ttip
and ec.europa.eu/trade/policy/in-focus/ttip/



Department
for Business
Innovation & Skills

COUNCIL 17TH DECEMBER 2014**OFFICER BRIEFING NOTE**

Notice of Motion – 5 Year Housing Land Supply Statement

Proposer: Cllr Hamilton-Cox

Seconder: Cllr Brookes, Cllr Barry

This council resolves:

'To ask officers to produce a public briefing note for councillors on the 5-year housing land supply statement focussed on how the calculation of the under-supply of 1695 homes is justified when set against the available data on growth of population, household formation and employment between 2001 and 2011. Full council asks that the briefing note should be based on attributable data and should compare the data with the projections and forecasts for population, household formation and employment which presumably informed the target of 400 homes per year against which housing delivery is deemed to have fallen short to 2011.

Full council further resolves that the briefing note be circulated to councillors not later than Wednesday 14th January 2015.

The proposers of the motion note the census data which shows that the district's population increased by 4461 between 2001 and 2011. The city council's Housing Land Monitoring Reports show that the number of homes completed in the district between 2001-02 and 2010-11 was 3223. This is a ratio of 1.38 people per new household. The average household size at the 2011 census was 2.27 people.'

Officers can prepare such a note though Members will need to recognise that a public briefing note that critiques different lines of policy positions (national and local) may be tactically useful to Planning Consultants representing private sector interests in potential appeals on specific applications.

Monitoring Officer Comments

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

Section 151 Officer Comments

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

COUNCIL

**Recordings of Meetings
17 December 2014**

Report of the Chief Officer (Governance)

PURPOSE OF REPORT

This report, providing information on the costs of recording Council meetings, was requested by Council at its meeting on 22 October 2014.

This report is public

RECOMMENDATIONS

- (1) Council is asked to consider the information in this report on the costs of recording Council meetings.**

1.0 Introduction

1.1 At its meeting on 22 October 2014, Council approved necessary changes to the Council’s constitution to ensure consistency with the Openness of Local Government Bodies Regulations 2014.

1.2 During debate, it was suggested that Council might keep its own recordings of meetings “to avoid future misrepresentation and misquotation” as a result of observers recording meetings themselves.

1.3 It was noted that there would be cost implications to the recording of meetings and Council therefore resolved:

“That a further report be brought back to Council with information on the costs of keeping its own recordings of meetings to avoid future misrepresentation and misquotation.”

1.4 This report provides the necessary cost estimates and additional background information about the last time this issue was considered by Council, in 2013.

2.0 Background

2.1 On 13 May 2013, Councillor Mace proposed the following motion to Council:

"That Council adds digital recording equipment to the new system of microphones in the Council Chamber and makes recordings of council

meetings publicly available on the Council's website."

2.2 Council resolved:

"That Council asks Council Business Committee to consider adding digital recording equipment to the new system of microphones in the Council Chamber and making recordings of council meetings publicly available on the Council's web site. Council further asks Council Business Committee also consider the costs and practicalities of webcasting Council meetings as soon as possible."

2.3 Council Business Committee considered a report with costings and reported back to Council on 17 July 2013. At the Council meeting on 17 July 2013, the following motion was considered:

"That speakers in Council meetings declare their names before speaking, always use a microphone and that sound recordings be prepared on an experimental basis and made available to Members and officers on request, prior to further consideration of the subject in budget discussions for 2014/15.

That recording should stop when a restricted item is being discussed and the requirement for giving one's name and speaking into the microphone should be limited to the period of the experiment and that a further decision on continuing the experiment should be made after 3 council meetings have been recorded."

2.4 The motion was lost with 16 Members for the motion, 29 Members against and 3 abstentions.

3.0 Equipment and Installation Costs for Audio Recordings

3.1 The Democratic Services Manager has sought up to date costings for audiotaping and webcasting. A digital taping system to add on to the current microphones at Morecambe Town Hall would be in the region of £500 including installation and nine additional microphone units and two charging blocks would also need to be purchased to ensure sound quality. Currently, the microphones are £650 per unit and the charging blocks are £480 each, making a total cost of approximately £7,310.

3.2 However, the microphone system installed at Morecambe Town Hall is soon to be discontinued by the supplier, and it may not be possible to purchase new microphones and charging blocks which would be compatible with our system. Our supplier has checked stock levels of the matching units, and supplies are very low. If matching units are not available, the costs quoted above are likely to be higher because of the installation difficulties regarding compatibility.

4.0 Costing for Webcasting

4.1 The equipment, installation and ongoing costs for webcasting meetings to a sufficiently high standard are considerable. An established provider of webcast services to local authorities has provided an estimate of around £15,660 for the first twelve months which would include a total package comprising:

- leased hardware (4 cameras and cabling)
- software licence
- project management
- installation, support, maintenance and training
- 30 hours per annum content fully hosted

An exact figure could only be given if a site survey was undertaken and there are discounts for longer leases if paid up front. Examples of the standard of broadcasts can be viewed on the Lancashire County Council and Leicester City Council websites.

Whilst it would be possible to film meetings at a cheaper cost, the quality would be poor and unlikely to meet public expectations of new technology.

5.0 Additional Costs and other Issues

5.1 Staff costs also have to be taken into consideration. If audio tapes are to be put on the Council's website, there would be officer time involved in maintaining and updating the library. If recordings are to be made purely for the benefit of Members and Officers, access would have to be given on request, or the recordings uploaded to the Council's intranet, both of which would entail officer time. Any confidential or exempt items discussed could not, of course, be recorded by any method and made available to the public. The recording equipment would need to be stopped and restarted again or editing would need to take place before the files could be made available.

5.2 In addition, any recording system could only be used for full council meetings and other meetings in the Council Chamber at Morecambe Town Hall. The equipment would not be transportable to use for Committee meetings in other rooms at Morecambe Town Hall or at Lancaster Town Hall.

6.0 Misrepresentation/Misquotation

6.1 The additional costs noted above are considerable, even for a simple system of digital recording. The future risk of misrepresentation or misquotation would clearly need to be significant to justify the cost. Officer advice would be that the risk is minimal. At this point it is impossible to predict whether any members of the public or media will wish to record Council meetings and put those recordings in the public domain. It is also not clear how audio recordings would assist if someone deliberately chose to record snippets of debate at a Council meeting and piece them together to misrepresent the words said. There are many instances of high profile politicians, including the Prime Minister, who have recently been parodied by 'mashup' artists such as 'Cassetteboy' and there appears to be little that can be done about it.

7.0 Conclusion

7.1 Council is asked to consider the costings in this report and the financial and resource implications of recording meetings and balance those against their concerns that Members may be misrepresented or misquoted as a result of observers recording meetings.

CONCLUSION OF IMPACT ASSESSMENT

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

None.

LEGAL IMPLICATIONS

It should be emphasised that there is no legal requirement for the Council itself to record or film meetings. The 2014 Regulations simply permit any person attending a meeting to do so.

FINANCIAL IMPLICATIONS

The financial implications of the equipment needed are set out in the report but are only rough estimates ranging from one off costs of £7,310 to costs of up to £15,660 per annum. If it is decided to go ahead with a recording system a final estimate will need to be reported and built into future year's budgets as part of the budget process. There will be some staff time involved as well, but it is expected that this will be managed within existing budgets.

OTHER RESOURCE IMPLICATIONS**Human Resources:**

Officer time would be required to operate, maintain, edit and upload or provide access to the files.

Information Services:

Limited ICT staff resources would be required with regard to planning and implementation of a system. It is assumed that none of the audio-video files would be stored on the council's network storage facility; if this is not the case then there would be cost implications because such files, especial video ones, can be very large.

Property:

None.

Open Spaces:

None.

SECTION 151 OFFICER'S COMMENTS

If Members are minded to put forward audio recording or webcasting for consideration as part of the budget, then in order to demonstrate value for money to the taxpayer there should be a reasonable case that the investment is expected to provide worthwhile benefits, informed by the needs of potential users.

Cost/benefit analysis should inform prioritisation of budget proposals, in context of what is affordable.

Based on information to date, there is no such case presented. The S151 Officer cannot see, therefore, a reasonable basis on which to support such investment at this time.

MONITORING OFFICER'S COMMENTS

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

BACKGROUND PAPERS

None.

Contact Officer: Debbie Chambers

Telephone: 01524582057

E-mail: dchambers@lancaster.gov.uk

Ref:

COUNCIL

**Review of Polling Districts and Polling Places 2014
17 December 2014**

Report of the Chief Officer (Governance)

PURPOSE OF REPORT

To enable Council to consider arrangements for determining the outcome of the review of polling districts and polling places in the Parliamentary Constituencies of Morecambe and Lunesdale and Lancaster and Fleetwood.

This report is public

RECOMMENDATIONS

- (1) **Council is asked to delegate consideration of the review of polling districts and polling places to a specially convened meeting of Council Business Committee in January, to comply with the legislative timetable. Council is also asked to delegate powers to Council Business Committee to authorise publication of prescribed statutory information about the outcome of the review.**
- (2) **To authorise the Returning Officer, in consultation with the relevant ward Councillors, to make any necessary changes to polling places that may arise other than as part of a review.**

1.0 Background

- 1.1 Section 17 of the Electoral Registration and Administration Act 2013 introduced a duty on local authorities to carry out and complete a review of polling districts and polling places between 1 October 2013 and 31 January 2015 and then in the period of 16 months beginning with 1 October of every fifth year after that. This ties in with fixed term Parliaments so that a review is completed before each Parliamentary election.
- 1.2 For clarification, a “polling district” is defined as the geographical area created by sub-dividing a constituency/ward; a “polling place” is defined as a designated area for a polling district in which polling stations are located and a “polling station” is defined as the room in which polling takes place.

2.0 Boundary Changes

- 2.1 Since the last polling district review in 2011, the Local Government Boundary

Commission for England (LGBCE) has carried out a review of the City Council's wards and changed the boundaries and names of some wards. There are some complex changes to parish wards too, as a consequence of the City ward changes. For example, Morecambe Town Council has 6 wards presently, but this will increase to 11 wards for the 2015 elections.

- 2.2 The timing of the review was chosen so that the changes made by the LGBCE could be incorporated into the review and the intention is to publish the electoral register on the new boundaries in January 2015.

3.0 Consultation

- 3.1 The consultation started on 8 August and Councillors were sent a list of the draft proposals and streets within each proposed polling district for consideration. Comments were received, and some inconsistencies were flagged up. The deadline for responses has now closed.

- 3.2 The boundary review was extensive and will entail a significant amount of detailed work. Officers are starting to draw up a definitive list of streets and properties on the new boundaries and will change the boundaries on the electoral management software accordingly. However, the review must be completed before 31 January 2015 and that timescale does not fit with the scheduled meetings of full Council. The next full Council meeting is due to be held on 4 February 2015.

4.0 Proposal

- 4.1 The options for considering the review are:

- a) to call a special meeting of Council to consider the matter in January
- b) to delegate consideration of the matter to Council Business Committee for consideration at a special meeting in January.

In the interests of saving Councillors' and officers' time and the expense of holding an extra Council meeting, officers recommend option b. All the information about the review (consultation, lists of streets in each proposed polling district, etc) will, of course, be sent to every Member of Council for their information as soon as the Council Business Committee agenda is published, so that any further comments can be made to Democratic Services or passed to Members of Council Business Committee to bring to the meeting.

5.0 Conclusion

- 5.1 Council must complete a review its polling districts and polling places by 31 January 2015. In view of this timeframe, Council is recommended to delegate consideration of the review to a special meeting of Council Business Committee in January 2015.

CONCLUSION OF IMPACT ASSESSMENT
 (including Health & Safety, Equality & Diversity, Human Rights, Community Safety, Sustainability and Rural Proofing)

None.

LEGAL IMPLICATIONS

Council has a legal obligation to carry out this review within the timescale set out in the report.

FINANCIAL IMPLICATIONS

Holding an extraordinary meeting of Council Business Committee rather than an extraordinary meeting of Council would save costs of officer time and travel reimbursement for Councillor and Officers, as well as small savings on refreshments, etc.

OTHER RESOURCE IMPLICATIONS

Human Resources:

None.

Information Services:

None.

Property:

None.

Open Spaces:

None.

SECTION 151 OFFICER'S COMMENTS

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

MONITORING OFFICER'S COMMENTS

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

BACKGROUND PAPERS

None.

Contact Officer: Debbie Chambers
Telephone: 01524582057
E-mail: dchambers@lancaster.gov.uk
Ref:

COUNCIL**Allocation of Seats to Political Groups
17 December 2014****Report of Chief Executive****PURPOSE OF REPORT**

To advise Council of the calculations relating to the allocation of seats in accordance with the Local Government and Housing Act 1989 and the Council's agreed protocol, following the death of a Councillor.

This report is public

RECOMMENDATIONS

- (1) That in accordance with Section 15 of the Local Government and Housing Act, 1989 and Part 4 of the Local Government (Committees and Political Groups) Regulations, 1990, the City Council approves the calculations and allocation of seats set out in paragraph 2 of the report.
- (2) That the adjustment required to the membership of the Licensing Act Committee detailed in paragraph 2.5 of the report, be approved.

1.0 Introduction

- 1.1 As Members are aware, Councillor Val Histed sadly passed away on 22 November 2014. This causes a change to the number of Councillors and requires a report on the recalculation of the proportional representation arrangements to the first available Council meeting in accordance with the Local Government and Housing Act 1989.
- 1.2 The revised calculations in relation to numbers from 1 to 20 are attached at Appendix A for information. Details of the effect of these calculations in respect of the current decision-making structure and agreed groupings of committees are set out in paragraph 2 below.
- 1.3 Members are requested to approve the calculation in order to enable an adjustment to be made to appointments to committees to reflect the revised make-up of the Council.

2.0 Calculations

2.1 Composition of the Council

Labour	21
Conservatives	15
Independents	10
Green	10
Free Independents	2
Non-aligned Independent Member	1
	<u>59</u>

2.2 Overview & Scrutiny

2.3 The PR Calculation for a single 9 Member Committee is 3:2:2:2 and the grouping of Overview & Scrutiny Committee and Budget & Performance Panel is as follows:-

9 + 9 = 18 (-: 59) = 0.3050 seats per Member.

L	21	x 0.3050	=	6.4050	=	6
C	15	x 0.3050	=	4.5750	=	5
I	10	x 0.3050	=	3.0500	=	3
G	10	x 0.3050	=	3.0500	=	3
FI	2	x 0.3050	=	0.6100	=	1
Councillor Harrison	1	x 0.3050	=	0.3050	=	0

This calculation remains the same and no changes are required.

2.4 Regulatory and Standing Committees of Council Grouping

2.5 The PR calculation for 15 Member Committees (Planning and Highways Regulatory and Licensing Act) is unchanged at 5:4:2:2:1:0 with a tie for the final place between the Green Group and the Independent Group. The 9 Member Licensing Regulatory Committee is unchanged at 3:2:2:2:0:0 and the 7 Member Committee calculation (for Personnel and Audit) is unchanged at 2:2:1:1:0:0 with a tie for the final place between the Green Group and the Independent Group. The total seats to be allocated for the grouping comprising Planning and Highways Regulatory, Licensing Act, Licensing Regulatory, Personnel and Audit Committees is now as follows:-

15 + 15 + 9 + 7 + 7 = 53 (-: 59) = 0.8983 seats per Member.

L	21	x 0.8983	=	18.8643	=	19
C	15	x 0.8983	=	13.4745	=	13
I	10	x 0.8983	=	8.8983	=	9
G	10	x 0.8983	=	8.8983	=	9
FI	2	x 0.8983	=	1.7966	=	2
Councillor Harrison	1	x 0.8983	=	0.8983	=	<u>1</u>

This is a change from 18:13:9:9:2:1:1 to 19:13:9:9:2:1 which means that the Labour Group receive the place on the Licensing Act Committee formerly held by Councillor Histed.

2.6 Other Standing Committees

2.7 Remaining Standing Committees currently constituted with a PR of 7 are the Appeals, Council Business and Standards Committees. The PR calculation for these is 2:2:1:1:0:0 with a tie for the final place between the Green Group and the Independent Group. No adjustments to membership are required, the tied places were decided at the Council meeting on 16 July 2014 by the drawing of lots, the Green group taking the final places on all three Committees.

2.8 Appraisal Panel

2.9 The Appraisal Panel is a member panel of seven members appointed on a PR basis, although not a formal Committee of Council. The PR calculation for the Panel is 2:2:1:1:0:0 with a tie for the final place between the Green Group and the Independent Group. No adjustments to membership are required, the tied place was decided in favour of the Independent group at the Council meeting on 16 July 2014, by the drawing of lots.

3.0 Conclusion

3.1 Members are requested to approve the calculations and the adjustment required as set out in paragraph 2.5 of this report, in order to enable the required change to appointments to be made at this meeting.

CONCLUSION OF IMPACT ASSESSMENT

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

There are no direct implications as a result of this report.

FINANCIAL IMPLICATIONS

There are no financial implications as a direct result of this report.

LEGAL IMPLICATIONS

This report has been prepared in accordance with the provisions of Section 15 of the Local Government and Housing Act, 1989 and Part 4 of the Local Government (Committees and Political Groups) Regulations 1990.

SECTION 151 OFFICER'S COMMENTS

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

MONITORING OFFICER'S COMMENTS

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

BACKGROUND PAPERS

Contact Officer: Debbie Chambers
Telephone: 01524 582057
E-mail: dchambers@lancaster.gov.uk

P.R. LIST

		Lab	Cons	Inde Group	Green	Free Inde	Non- aligned Inde
1	=	1					
2	=	1	1				
3	=	1	1	*	*		
4	=	1	1	1	1		
5	=	2	1	1	1		
6	=	2	2	1	1		
7	=	2	2	1*	1*		
8	=	3	2	1*	1*		
9	=	3	2	2	2		
10	=	4	3	1*	1*		
11	=	4	3	2	2		
12	=	4	3	2*	2*		
13	=	5	3	2	2	1	
14	=	5	4	2	2	1	
15	=	5	4	2*	2*	1	
16	=	6	4	2*	2*	1	
17	=	6	4	3	3	1	
18	=	6	5	3	3	1	
19	=	7	5	3	3	1	
20	=	7	5	3*	3*	1	

*indicates where there is a tie for the final seat between the Independent Group and the Green Group, both groups having 10 Members each.

Labour	21
Conservative	15
Independent	10
Green	10
Free Independent	2
Non-aligned Independent Member	1
TOTAL	59

As at December 2014

COUNCIL**Local Plan for Lancaster District 2011 – 2031: The Adoption of the Development Management and Morecambe Area Action Plan Development Plan Documents****17 December 2014****Report of Chief Officer (Regeneration and Planning)****PURPOSE OF REPORT**

To seek a council resolution to formally adopt the Development Management Development Plan Document (DPD) [Planning Policies] and the Morecambe Area Action Plan DPD as part of the Local Plan for Lancaster District 2011 – 2031. This report describes the processes that have led to the preparation of these documents, including independent Public Examination, and the process for formal adoption of the DPDs.

RECOMMENDATIONS

- (1) That the council resolves to adopt both the Development Management Development Plan Document (DPD) [Planning Policies] and the Morecambe Area Action Plan (MAAP) DPD as part the Local Plan for Lancaster District 2011–2031.**
- (2) Should the Council resolve to adopt both DPDs that the necessary measures are undertaken to publicise their adoption in accordance with national legislation.**
- (3) Additionally, following the revision of National Planning Practice Guidance on Affordable Housing contributions that was published on Friday 28th November, the council also publishes a clarification note on the implementation of Development Management Policy DM41, New Residential Dwellings, to the effect that the council acknowledges the revised guidance and the implications for the implementation of affordable housing policy, and accordingly will use an interim approach when negotiating for complements of Affordable Housing, as described within the clarification note. The council is further committed to;**
 - a. Preparing an NPPG-compliant interim policy through an imminent revision of the Supplementary Planning Document (SPD) on Meeting Housing Needs, and,**
 - b. Formally revising Policy DM41 through a review of the Development Management DPD following a refresh of evidence on development viability which will accompany the preparation of the forthcoming Land Allocations Document.**

- c. **A draft edition of the proposed interim approach (as described in the first paragraph of this recommendation) is attached to this report as Appendix 3. This interim approach described will be applicable immediately upon the adoption of the DPD and in advance of the further actions to which the council is committed in 3a and 3b above.**

1.0 Introduction

- 1.1 A report was presented to council on 11 September 2013 seeking a resolution to publish and consult upon a 'publication' version of both the Development Management DPD and the Morecambe Area Action Plan DPD, and, following the statutory publication period, that both documents be submitted to the Secretary of State via the Planning Inspectorate for independent Examination.
- 1.2 Consequently the 'publication' period for both DPDs commenced on 10 October 2013. This was for a six-week period concluding on 21 November 2013. The council invited representations to both DPDs in respect of their compliance with national legislation and consistency with national planning policy. In total 253 representations were received to the Development Management DPD (from 34 separate parties or organisations) and 18 representations were received to the Morecambe Area Action Plan DPD (from 11 separate parties or organisations).
- 1.3 The council submitted the DPDs, along with representations received and supporting information, to the Secretary of State (via the Planning Inspectorate) on 12 December 2013. With the submission of the DPDs the independent Examination commenced.

2.0 Background

- 2.1 The Examination provided the final opportunity for interested parties to influence the preparation of a development plan document and for any remaining concerns to be considered by a Planning Inspector. The Planning Inspector then concludes on whether the DPDs are 'sound' in terms of their compliance with national legislation and national planning guidance.
- 2.2 Local hearing sessions took place at Morecambe Town Hall between 1 April and 9 April 2014. Specific topics and questions set by the Inspector were discussed in a round-table format. The hearings were open to the public but participation in the discussion sessions is by invitation of the Inspector. Council officers robustly defended the policy in the documents against often assertive cases made by the other parties, generally representatives from the development industry.
- 2.3 Officers then compiled a series of 'Proposed Modifications' or, suggested changes, to the DPDs. The purpose of these was to provide improved clarity and provide greater consistency with national planning guidance.
- 2.4 Consultation on the 'Proposed Modifications' was held for a six-week period, commencing on 28 May and concluding on the 11 July 2014. Following the conclusion of the consultation the representations were sent to the Planning Inspector.

- 2.5 The council received the Inspector's report on 22 September. The Inspector concluded that both the Development Management DPD and the MAAP DPD "provide an appropriate basis for the planning of the District", providing a number of modifications are made to the plans; that is, he concluded that the documents were soundly prepared and can now be adopted providing that they are adopted with his binding modifications.

3.0 Proposal Details

- 3.1 The Development Management DPD sets out planning policies which will be used by the council to determine planning applications in order to deliver sustainable development. The Morecambe Area Action Plan DPD sets a planning framework for the regeneration of central Morecambe and the initiatives and actions required to help deliver this objective. The DPD seeks to provide a positive framework to encourage both public and private sector intervention. It provides bespoke planning policies and land allocations for the central Morecambe area.
- 3.2 These two DPDs will eventually be joined by three other DPDs which together will represent the Local Plan for Lancaster District 2011-2031. The other three DPDs, yet to be prepared are; the Land Allocations Document, the Arnside Silverdale AONB DPD (jointly prepared with South Lakeland District Council) and a Gypsy and Traveller and Travelling Showpeople Accommodation DPD.
- 3.3 Importantly the Development Management DPD that is the subject of this report does **not** set a new district housing requirement nor does it allocate land for future development needs; these matters will be addressed via the preparation of the Land Allocations DPD. *These matters cannot be addressed until further work is carried out on a refresh of the Objectively Assessed Housing Need figure. It is highly unlikely that a draft Land Allocations document will be brought to full council any earlier than the end of 2015.*
- 3.4 Following the receipt of the Inspector's report in September 2014 the independent Examination process has been concluded. Clearly, as the process has been concluded, further revisions cannot now be made to the editions of the documents which now contain the Inspector's Binding Recommendations. However, in the time between the receipt of the Inspector's report and the preparation of this report, the national policy position has continued to evolve, and, on Friday 28th November 2014 the DCLG revised the paragraph in the on-line National Planning Practice Guidance (NPPG) on negotiating for affordable housing; effectively introducing a threshold of 10 dwellings below which residential proposals should not be expected to provide complements of affordable housing (that is 10 dwellings or fewer), although a lower threshold of five dwellings can be applied in National Parks and Areas of Outstanding National Beauty (AONBs). In a rural area where the lower 5-unit or less threshold is applied, affordable housing and tariff style contributions should be sought from developments of between 6 and 10-units in the form of cash payments which are commuted until after completion of units within the development.
- 3.5 However, Policy DM41, New Residential Development, of the DM DPD, confirms the council's existing practice that contributions of affordable

housing or commuted sums are sought from all residential proposals. Whilst this approach has proved very successful in Lancaster District in securing contributions of affordable housing or commuted sum payments which have supported the delivery of local affordable housing, it is clearly now not fully compliant with the NPPG. It is therefore proposed that should the council adopt the Development Management Document today that the adopted document is accompanied by an interim practice update note and a commitment to undertaking an imminent revision of Affordable Housing practice and policy; through, initially a review of the existing Supplementary Planning Guidance (SPG) on Meeting Housing Needs; this review will contain a revised interim edition of Policy DM41, and, subsequently, a formal review of the policy through a revision of the Development Management Document. The formal review would be undertaken following a refresh of the local evidence base on development viability and would be advanced to much the same timetable as the forthcoming Land Allocations Document.

- 3.6 By giving a clear description of the council’s intentions to ensure that policy and practice on negotiating for affordable housing will be compliant with the recently revised NPPG the council is advised that the publication of the revised national guidance does raise undue concerns for the adoption of the Development management Document today.

4.0 Details of Consultation

- 4.1 Extensive consultation and engagement have taken place during the preparation of the Development Management DPD and Morecambe Area Action Plan DPD. The outcomes of consultation from 2010-2014 for all stages have been reported in detail to the council’s Planning Policy Cabinet Liaison Group and published on the council’s website.
- 4.2 Following a council resolution to adopt the DPDs no further consultation is needed; the DPDs will become parts of the Local Development Plan for Lancaster District and be used for planning purposes and to support regeneration.

Following a resolution to adopt the DPDs, the council must publicise the decision to adopt the documents and give a six-week notice period to allow for any interested party to legally challenge the decision.

5.0 Options and Options Analysis (including risk assessment)

	Option 1: To formally Adopt the Development Management DPD and Morecambe Area Action Plan DPD as part of the Local Plan for Lancaster District 2011 – 2031.	Option 2: To not Adopt the DPDs and continue with the existing policy framework set by the Lancaster District Local Plan (2004) and Lancaster District Core Strategy (2008)
Advantages	Both plans have been prepared after considerable effort by the council and following much consultation and frequent previous reporting.	This would be a very unusual decision. It is difficult to envisage any advantages in choosing not to adopt up to date development management policies and regeneration policies for Morecambe

	<p>The Development Management DPD and the Morecambe Area Action Plan DPD will be part of the Local Plan for Lancaster District 2011 – 2031. The Council will have up-to-date policies for determining planning applications.</p> <p>The Morecambe Area Action Plan provides direction for regeneration and is deliverable. Adoption will help fulfil community expectations for beneficial change and improvement.</p>	<p>that have been prepared with the benefit of four years of engagement and consultation and have had the endorsement of the planning inspector at the conclusion of an independent Examination process.</p> <p>Should the Council not adopt the Development Management DPD and Morecambe Area Action Plan DPD it would have to prepare a new Documents. This would obviously be to a much delayed timetable but would be advanced with other parts of the Local Plan.</p>
<p>Disadvantages</p>	<p>Having Local Development Plan documents at different stages of preparation can present a complex position in terms of understanding the weight of various policies. A number of interim positions and clarifications may be needed to describe the Council’s position on some matters.</p>	<p>Planning decisions will continue to rely on old “saved” within the Lancaster District Local Plan (2004) and the Lancaster Core Strategy (2008). These documents were prepared long before the guidance in the National Planning Policy Framework of 2012. Significant elements of the existing framework are no longer sufficiently robust for determining planning applications.</p> <p>Not to adopt the Morecambe Area Action Plan would render abortive four years of work and make pointless the extensive public consultations and community engagement. The Morecambe Area Action Plan addresses what is a clear ‘gap’ in the council’s policy framework. There will continue to be a lack of direction and certainty for regeneration.</p> <p>Not adopting the DPDs would result in a confused position about the weight given to existing policies in the adopted documents and the found-sound but not-adopted policies in the DM and MAAP DPDs.</p>
<p>Risks</p>	<p>The policies contained within the Development Management and Morecambe Area Action Plan DPDs may be challenged by the development industry who will argue that the council’s failure to identify sufficient land to meet objectively assessed development needs outweighs</p>	<p>Should the council continue to determine planning applications on the basis of out-of-date policies it may result in challenges from the development industry and an increase in appeals. Weaker policies will also lead to development with poorer sustainability characteristics.</p>

	the need to comply with the policy approaches set out within these DPDs. This risk does need to be balanced with the challenge of proceeding without up-to-date policies in place.	Were there to be no Morecambe Area Action Plan there would be a policy vacuum and a lack of certainty for the proposers of development, investment may be deterred or deferred.
--	--	---

6.0 Officer Preferred Option (and comments)

- 6.1 The preferred officer option is Option 1.
- 6.2 The adoption of a Development Management DPD and Morecambe Area Action Plan DPD will provide the council with an up-to-date and robust suite of planning policies which will allow the council to determine planning applications and encourage regeneration in central Morecambe in accordance with national planning policy within the National Planning Policy Framework (NPPF).
- 6.3 The benefits of having an up-to-date, robust suite of planning policies is significant. It will give the council the opportunity to use current and appropriate policies to manage development proposals and help achieve sustainable development. Decisions taken using an up-to-date and robust local planning policy framework will be less open to challenge than the alternative of continuing to use an aging suite of planning policies that were prepared prior to the current national planning guidance in the National Planning Policy Framework.
- 6.4 Despite the robustness of the policies contained within the Development Management DPD and Morecambe Area Action Plan DPD it is anticipated that these will still be challenged by the development industry through the planning applications process. The council has a statutory obligation to prepare a Local Development Plan which also identifies land to meet objectively assessed housing needs within the district. The council intends to address this matter via the preparation of a Land Allocations DPD, however this document is at an early stage of preparation in part due to the challenge of determining the scale of development needs.
- 6.5 The development industry may argue that the council's inability to identify sufficient land for development needs, in particular the identification of a realistic five-year supply of housing, outweighs the need to accord with the policies of the Development Management DPD and, although to a lesser extent, of the Morecambe Area Action Plan DPD.
- 6.6 Potentially, the council could choose to adopt one of the DPDs but not the other, that is; it could adopt the Development Management DPD but not adopt the MAAP, or, it could adopt the MAAP and not adopt the Development Management DPD. In this case the Advantages, Disadvantages and Risks of Option 1 (Adoption) would apply to the DPD which is to be adopted and the Advantages, Disadvantages and Risks of Option 2 (Non-Adoption) would apply to the DPD which is not to be adopted. Officers strongly advise against the adoption of one DPD but not the other as both documents are key elements of the proposed suite of five DPDs that together will constitute the

Local Plan for Lancaster District. The documents have been prepared in tandem and cross refer to each other; thus, should one be adopted and the other not adopted there is the potential for a significant lack of clarity in the policy position. Uncertainties and possible contradictions between adopted policies, not-adopted policies and residual out-of-date policies could be exploited in pursuit of development that does not accord with positive policy intentions and objectives.

7.0 Conclusion

- 7.1 These documents are two of the five key elements of the Local Plan for Lancaster District 2011–2031. Once adopted the council will have a strong planning policy position in which to manage the delivery of sustainable development within the district. The lack of a Land Allocations DPD will continue to represent a challenge to the council. Members will be well aware of the challenging ongoing work being undertaken to prepare a Land Allocations DPD that will address the issue of meeting development needs.
- 7.2 In conclusion, the council is strongly advised, and formally requested to approve the adoption of the Development Management DPD and Morecambe Area Action Plan for planning purposes, and to facilitate regeneration, as parts of the Local Plan for Lancaster District 2011–2031.

Appendices and Background Reports

Editions of both the Development Management Document DPD and the Morecambe Area Action Plan DPD are attached as appendices. These editions are the submitted documents incorporating the Inspector's binding recommendations. The content of these editions is correct, final editions of both documents will be printed following the conclusion of the adoption processes. The final print editions will contain photographs, captions, and if necessary, minor corrections for example to typos and paragraph numbering. The Inspector's Report, and his Appendices A and B which list the binding recommendations, are listed as supporting documents and have been available on the Council's website for some time at;
<http://www.lancaster.gov.uk/planning/local-plan/local-planning-policy/work-in-progress/development-management-dpd/>

Appendix 1: Development Management Development Plan Document
Adoption Edition December 2014

Appendix 2: Morecambe Area Action Plan (MAAP) Development Plan Document
Adoption Edition December 2014

Appendix 3: Proposed interim approach to negotiating complements of Affordable Housing

RELATIONSHIP TO POLICY FRAMEWORK

National Planning Policy Framework (2012) – Requires all Local Authorities to prepare a Local Development Plan for their area setting out how objectively assessed development

needs will be met and clear planning policies on what or will not be permitted.

National Planning Practice Guide (2014) – Provides guidance for Local Authorities and other interested parties on how the detail of the National Planning Policy Framework should be implemented in practice.

Lancaster District Corporate Plan – Development Plan Documents adopted by the council form part of the Local Plan for Lancaster District and are part of the corporate policy framework. Policies within the Local Development Plan seek to deliver the Council's priorities as described in the corporate plan. Actions within the Morecambe Area Action Plan will have corporate priority.

Regeneration and Planning Business Plan – Commits the service to the preparation of Development Plan Documents.

CONCLUSION OF IMPACT ASSESSMENT

(including Health & Safety, Equality & Diversity, Human Rights, Community Safety, HR, Sustainability and Rural Proofing)

The Development Management DPD and Morecambe Area Action Plan DPD provide a planning policy framework to guide and manage development within the District. The Morecambe Area Action Plan DPD provides future policy detail (along with allocations) for the area of Central Morecambe.

Equality, diversity and sustainability implications have been taken into account through the preparation of the draft Local Plan documents. The documents have been subject to the statutory requirements for Strategic Environmental Assessment. Equality, diversity, human rights, community safety, sustainability and rural issues are all considered as part of this process. Officers are confident that this work provides an appropriate impact assessment of the DPDs and this has been confirmed by the Planning Inspector.

LEGAL IMPLICATIONS

The preparation of Local Development Plan documents are subject to legislature and regulations. Failure to meet these requirements could result in the DPDs being subject to legal challenge. The Planning Inspector has considered the preparation of the DPDs in terms of relevant legal requirements and concluded that the DPDs have been prepared in accordance with legislation and are considered sound. The council consulted on its proposed modifications in the summer of 2014 and cannot now make any further changes. The Inspector's modification are binding, thus the final form of the adopted DPDs must fully incorporate his recommendations.

FINANCIAL IMPLICATIONS

Preparation of an up-to-date and robust Local Development Plan does come with costs; the commissioning of evidence, the engagement of expert witnesses and legal representation; these costs are budgeted for in the normal way. Additionally unanticipated costs can arise from legal challenges to the adoption of documents, usually as a result of actions from affected parties. The Morecambe Area Action Plan DPD sets actions that can be implemented. The costs and implications of these are described through separate reporting means; this report solely deals with the process of adopting the Development Management DPD and the Morecambe Area Action Plan DPD. Work to implement the Morecambe Area Action Plan DPD will be reported on when necessary and appropriate.

Failure to have an up-to-date Local Development Plan will reduce the Council's ability to confidently refuse development proposals and defend refusals at appeal.

In short, the Officer preferred Option 1, helps manage related financial risks for the Council. Option 2 exposes the Council to much greater financial risk, and gives rise to significant value for money concerns regarding the time and costs that have been expended over the last four years or so.

OTHER RESOURCE IMPLICATIONS

Human Resources:

The Regeneration and Planning Service is presently adequately resourced to advance these complex and challenging areas of work. However, maintaining the momentum of preparing a Local Development Plan in terms of policy review and plan preparation is very much dependent on maintaining the level of key personnel.

Information Services:

No direct implications.

Property:

There are potential implications for council owned assets within the MAAP area, these matters are directly dealt with through other reporting routes.

Open Spaces:

The Development Management DPD seeks to protect and enhance areas of public open space; this may have implications for land within the Council's ownership. New areas of open space may be created through the implementation of policies about ensuring that new development provides adequate amenity and, where appropriate and relevant to do so, contributes to open space and recreational facilities.

SECTION 151 OFFICER'S COMMENTS

The s151 Officer has been consulted and has no further comments.

MONITORING OFFICER'S COMMENTS

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

BACKGROUND PAPERS

1. Local Development Scheme July 2013 (Local Plan Timetable).
2. Report to Lancaster City Council by Paul Crysell, an Inspector appointed by the Secretary of State for Communities and Local Government, on the Examination into Lancaster District Development Management Development Plan Document and the Morecambe Area Action Plan Document. 22nd September 2014. Including Appendix A Main Modifications to the Development Management Document and Appendix B Main Modifications to the Morecambe Area Action Plan.

Contact Officer: Maurice Brophy
Telephone: 01524 582330
E-mail: mbrophy@lancaster.gov.uk
Ref: N/A

Affordable Housing Interim Statement (draft)

Planning Contributions (Section 106 planning obligations) for smaller residential proposals

Reported to Council 17th December 2014

Introduction

In March 2014 the Government published a consultation on “Planning Performance and Planning Contributions”.

The consultation proposed that before any request for affordable housing contributions can be considered, authorities will have to have regard to national policy that such charges create a disproportionate burden for development falling within a combined 10-unit and 1,000 square metres gross floor space threshold. A maximum total floor space was proposed in combination with a unit threshold to avoid creating an unintended incentive to alter scheme construction densities.

Developers, development representative bodies, and some members of the public generally supported the proposed changes, arguing that excessive affordable housing contributions were often being applied.

Local Authority responses generally opposed both the principle of a national threshold for affordable housing contributions and the size of the proposed threshold. The consultation closed on 4 May 2014.

Response

On the 28th November 2014 the Government has published its conclusions with regard to the planning contributions element.

The conclusions read that the Government considers that affordable housing 106 charges can place a disproportionate burden on small scale developers, including those wishing to build their own homes, and prevent the delivery of much needed, small scale housing sites. The Government has aimed to strike an effective balance between providing the support and incentives which will drive up self-build, small scale and brownfield development without adversely impacting on local contributions to affordable homes and infrastructure.

The Government has made the following changes with regard to section 106 planning obligations:

- Due to the disproportionate burden of developer contributions on small scale developers, for sites of 10-units or less, and which have a maximum combined gross floor space of 1000 square metres, affordable housing and tariff style contributions should not be sought. This will also apply to all residential annexes and extensions.
- For designated rural areas under section 157 of the Housing Act 1985, which includes National Parks and Areas of Outstanding Natural Beauty, authorities may choose to implement a lower threshold of 5-units or less, beneath which affordable housing and tariff style contributions should not be sought. This will also apply to all residential annexes and extensions. Within these designated areas, if the 5-unit threshold is implemented then payment of affordable housing and tariff style contributions on developments of between 6

to 10 units should also be sought as a cash payment only and be commuted until after completion of units within the development.

- These changes in national planning policy will not apply to Rural Exception Sites which, subject to the local area demonstrating sufficient need, remain available to support the delivery of affordable homes for local people. However, affordable housing and tariff style contributions should not be sought in relation to residential annexes and extensions.

The changes have been implemented in National Planning Policy Guidance (NPPG) which has been repeated below:

EXCERPT FROM NPPG

Are there any circumstances where infrastructure contributions through planning obligations should not be sought from developers?

There are specific circumstances where contributions for affordable housing and tariff style planning obligations (section 106 planning obligations) should not be sought from small scale and self-build development.

- contributions should not be sought from developments of 10-units or less, and which have a maximum combined gross floorspace of no more than 1000sqm
- in designated rural areas, local planning authorities may choose to apply a lower threshold of 5-units or less. No affordable housing or tariff-style contributions should then be sought from these developments. In addition, in a rural area where the lower 5-unit or less threshold is applied, affordable housing and tariff style contributions should be sought from developments of between 6 and 10-units in the form of cash payments which are commuted until after completion of units within the development. This applies to rural areas described under section 157(1) of the Housing Act 1985, which includes National Parks and Areas of Outstanding Natural Beauty
- affordable housing and tariff-style contributions should not be sought from any development consisting only of the construction of a residential annex or extension to an existing home

Lancaster City Council Development Management Policy

Lancaster City Council has for a number of years been successful in securing contributions from smaller schemes in order to enable the delivery of affordable housing within the District. The implementation of Guidance Notes and latterly the Meeting Housing Needs SPD has facilitated the collecting of monies from all levels of residential development subject to viability assessment. This policy approach has been successful in delivering significant numbers of affordable houses even in times of significant economic difficulty.

Consequently the Council has over the past year sought to secure this policy approach in its forthcoming Local Plan. It has successfully progressed the Development Management DPD to the point of adoption including policies to this effect. The document has been subject to an independent Examination and has received a finding of soundness and an inspector's report with binding recommendations. The Document is reported to council on 17th December 2014 to seek a resolution to adopt as part of the Local Development Plan.

The DPD contains detailed policies intended to guide and promote sustainable development throughout the District and includes Policy DM41: New Residential Development

DM 41 requires that "other than in the most exceptional circumstances new housing development must contribute toward the provision of affordable housing."

It further details that proposal for new residential development falling into Use Class C3 will be assessed against the following table;

Excerpt from DM41: New Residential development

Affordable homes

Other than in the most exceptional circumstances new housing development must contribute toward the provision of affordable housing. The council will consider detailed proposals for new housing development that falls into Use Class C3 with reference to the following targets:

Reference Affordable Housing Target by Development Type (Average)			
<u>Units</u>	<u>Location</u>	<u>Affordable Housing</u>	<u>Delivery Method</u>
15 plus	Urban	30%*	On site
10 plus	Rural	30%*	On site
5 to 14	Urban	Up to 20%	On site
5 to 9	Rural	Up to 20%	On site
1 to 4	Urban & rural	Up to 10%	Financial contribution

**** Up to 40% affordable housing will be sought from new housing proposed on greenfield sites.***

Financial contributions towards the provision of affordable housing will be calculated in accordance with the methods detailed in the Meeting Housing Needs SPD or successor documents.

Where compelling and detailed evidence demonstrates that the provision of affordable housing in accordance with the above targets would have a disproportionate and unwarranted negative impact on the viability of a proposed development, applicants may seek to provide fewer affordable dwellings than would be ordinarily acceptable.

The degree to which proposals deviate from the above requirements will be weighed against the benefits of any resulting scheme. Where proposals offer fewer dwellings than would ordinarily be acceptable, weight will be given to whether an alternative scheme, amended layout or other adjustment may result in a greater quantum of affordable dwellings being achieved.

The Policy further requires that financial contributions will be calculated in accordance with the Meeting Housing Needs SPD. The SPD provides a formula for calculating contributions and also reiterates the guidance in the DM DPD including the table above with minor amendments.

Accordingly the Council is aware that the Development management DPD conflicts with the newly stated elements of National Planning Policy Guidance.

17 December 2014 Interim Development Management Approach to Negotiating Affordable Housing

In light of the CLG's update to the NPPG on 28th November 2014, following the adoption of the Development Management DPD on 17th December, the council will apply the following approach when assessing proposals for residential development.

Notwithstanding the percentage targets detailed within the Development Management DPD Policy DM41: New Residential Development, the following criteria will apply:

Outside of the district's AONB's (and potentially National Park);

- Planning Proposals which result in a net increase of 10 or fewer dwellings will not be subject to a request for affordable housing contributions.
- Where proposals are made for 11 or more dwellings Development Management DPD Policy DM41: New Residential Development will apply in full.

Within the districts AONB's (and potentially National Park);

Planning proposals which result in a net increase of 5 or fewer dwellings will not be subject to requests for affordable housing contributions.

- Where proposals are made for 6 -10 dwellings a financial contribution will be sought with reference to the targets set out in Development Management DPD Policy DM41: New Residential Development.
- Where 11 or more dwellings are proposed Development Management DPD Policy DM41: New Residential Development will apply in full.

All other development Management policies remain wholly in force and are accorded due weight.

Future Review of the Development Management DPD

The adoption of the Development Management DPD does not preclude continuing policy development. It is of course the Council's intention to revisit elements of the Development Management DPD in response to changing evidence, evolving planning practise, case law, and revised national guidance. It is fully understood that revisions to the DM DPD may well be required to ensure that, in addition to being kept up to date, the DM Document is consistent with the forthcoming Land Allocations DPD.

The Council has committed to undertaking an Affordable Housing Viability Study (AHVA) prior to the adoption of the Land Allocation DPD and is also revisiting its strategic approach to housing delivery in order to meet very substantial needs over the forthcoming plan period. It is anticipated that a review the Development Management DPD alongside progression of the Land Allocations DPD will provide the opportunity to incorporate new evidence and to ensure that the policy DM41 is amended to incorporate the extant national policy position and national planning practice guidance position.

In addition to the immediate application on this interim approach the council is therefore also committed to;

- **Preparing an NPPG-compliant interim policy through an imminent revision of the Supplementary Planning Document (SPD) on Meeting Housing Needs, and,**
- **Formally revising the Policy DM 41 through a review of the Development Management DPD following a refresh of evidence on development viability which will accompany the preparation of the forthcoming Land Allocations Document.**

V1.1

Lancaster City Council

Reported to Council 17th December 2014

COUNCIL

**Amendment of the Executive Scheme of Delegation to
Officers – Anti-Social Behaviour, Crime and Policing
Act 2014**

**17th December 2014
Report of the Chief Officer (Governance)**

PURPOSE OF REPORT

To give notice of an amendment made by the Leader to the Scheme of Delegation to Officers.

This report is public

RECOMMENDATIONS

(1) That the report be noted

1.0 Introduction

1.1 The current delegations of executive functions to officers were approved by Council in May 2014, and are set out in Part 3 of the Constitution.

1.2 Rule 1.4(b) of the Cabinet Procedure Rules provides as follows:

“The Leader may amend the scheme of delegation relating to Executive functions at any time during the year. To do so, the Leader must give written notice to the Chief Officer (Governance) and to the person, body or committee concerned. The notice must set out the extent of the amendment to the scheme of delegation, and whether it entails the withdrawal of delegation from any person, body, committee or the Executive as a whole. The Chief Officer (Governance) will present a report to the next ordinary meeting of the Council setting out the changes made by the Leader.”

1.3 The Leader has amended the Scheme of Delegation to ensure that officers are able to exercise new powers contained in the Anti-Social Behaviour, Crime and Policing Act 2014.

2.0 Proposal Details

2.1 The Anti-Social Behaviour Crime and Policing Act 2014 amends some of the existing powers and introduces new powers to deal with anti-social behaviour, focusing in particular on the impact the behaviour has on the community as a whole. The Council, in partnership with the police, has an important role in

exercising these powers.

- 2.2 The Act introduces the Community Protection Notice (CPN), which may be served on an individual whose unreasonable conduct is having a detrimental effect, of a persistent or continuing nature, on the quality of life in the locality. Examples of matters that may be dealt with by way of CPN are noise, graffiti and litter. A notice may be issued by a police officer, PCSO or authorised council officer. Enforcement is by way of fixed penalty notice or prosecution. Where a CPN requires work to be carried out, and this is not complied with, there is provision for the Council to serve notice of intention to carry out works in default and to arrange for that work to be carried out.
- 2.3 The Council has power under the Act to make Public Spaces Protection Orders (PSPOs). These are intended to deal with a particular nuisance or problem in a particular area that is detrimental to the quality of life of those in that locality, by imposing conditions which apply to everyone using that area. In particular the PSPO will be used to replace dog control orders and orders designating zones where alcohol may not be consumed. It is envisaged that the making of a PSPO will be approved by Cabinet or Individual Cabinet Member Decision. Once made, the PSPO will be enforced by way of fixed penalty notice, which may be issued by an authorised council officer, police officer or PCSO.
- 2.4 The Act also provides for the Council and the police to issue closure notices to protect victims and communities by quickly closing premises that are causing nuisance or disorder. A closure notice, issued for up to 48 hours will be followed by a closure order made by the Magistrates' court. A closure notice for a period of up to 24 hours may be issued by an authorised council officer or a police officer of at least the rank of inspector. A notice may be extended or issued for a period of up to 48 hours by a police officer of at least the rank of superintendent or if signed by the Council's Chief Executive or an officer designated by the Chief Executive.
- 2.5 In order to implement all these provisions, it was necessary for the officer Scheme of Delegation to be amended to authorise officers who may issue the appropriate notices, and take the appropriate enforcement action.
- 2.6 Accordingly, the Leader has amended the Scheme of Delegation to provide as follows:

That the Chief Officer (Environment) and the Chief Officer (Health and Housing) and any officer designated by either of them in writing:

- (a) be authorised persons for the purposes of section 53 of the Anti-Social Behaviour, Crime and Policing Act 2014 (ASBCPA), with authority to issue a Community Protection Notice (Section 43), and/or a Fixed Penalty Notice for breach of a Community Protection Notice (Section 48);
- (b) be authorised to issue notices under Section 47(3), Section 47(6) and 49 (6) of the ASBCPA in respect of Community Protection Notice works in default;
- (c) have authority to authorise Community Protection Notice work in default to be carried out under sections 47(2) and (3) of the ASBCPA;
- (d) be authorised persons for the purposes of Section 63 and Section 68 of ASBCPA (enforcement of Public Spaces Protection Orders); and
- (e) be authorised to issue a Closure Notice for a period of up to 24 hours.

3.0 Details of Consultation

3.1 There has been no consultation.

4.0 Conclusion

5.1 The report is for noting

**CONCLUSION OF IMPACT ASSESSMENT
(including Health & Safety, Equality & Diversity, Human Rights, Community Safety, Sustainability and Rural Proofing)**

The delegations authorised by the Leader will ensure that appropriate action can be taken in the interests of community safety

LEGAL IMPLICATIONS

Legal Services will be able to advise in individual circumstances on the appropriate use of the powers contained in the Act.

FINANCIAL IMPLICATIONS

There are no direct financial implications arising from this report. Many of the powers replace existing legislation, and the powers will be exercised within existing staff resources

OTHER RESOURCE IMPLICATIONS

Human Resources:

None

Information Services:

None

Property:

None

Open Spaces:

None

SECTION 151 OFFICER'S COMMENTS

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

MONITORING OFFICER'S COMMENTS

The report has been prepared by the Monitoring Officer in her role as Chief Officer (Governance).

BACKGROUND PAPERS None	Contact Officer: Mrs S Taylor Telephone: 01524 582025 E-mail: STaylor@lancaster.gov.uk Ref:

COUNCIL**Members' Allowances Scheme - Report of the
Independent Remuneration Panel
17th December 2014****Report of Chief Officer (Governance)****PURPOSE OF REPORT**

To enable Council to consider members' allowances for 2015/16, in the light of a report from the Independent Remuneration Panel.

This report is public

RECOMMENDATIONS

- (1) **Council is asked to consider the recommendations put forward by the Independent Remuneration Panel, and to approve a Members' Allowances Scheme for 2015/16**

1.0 Introduction

- 1.1 The Council is required by the Local Authorities (Members' Allowances) (England) Regulations 2003 to make an allowances scheme for each year. The Regulations require that before an authority makes or amends a scheme, it must have regard to the recommendations made to it by an independent remuneration panel
- 1.2 The report of the Independent Remuneration Panel is attached to this report for consideration by the Council.

2.0 Proposal Details

- 2.1 The recommendations of the Independent Remuneration Panel are set out in its report, and the Chairman and other members of the Panel have been invited to attend the meeting to present the report and to answer any questions.
- 2.2 Members will note that the report recommends that the basic allowance, which is required by law to be the same for each member, be increased from £3,300 to £3,350, an increase of just over 1.5%. This would be the first increase in the basic allowance since 2009/10. The Panel recommends that the special responsibility allowances, carers' allowances and travel and subsistence allowances remain unchanged.
- 2.3 Members will also note that with regard to car parking, the Panel's preference would be for the Member Car Parking Permit to be withdrawn, and for members, on production of a valid receipt to be reimbursed for the cost of parking in long stay car parks. However, the Panel recognises that in the past the Council has not accepted this recommendation, and the Panel is content for the current dual system to continue whereby members may either be reimbursed for each car parking ticket purchased, or may purchase a

member permit and receive no reimbursement towards the cost of parking.

3.0 Details of Consultation

3.1 The attached report presents the recommendations of the Independent Remuneration Panel, which the Council is required to have regard to in making any decisions about the allowances scheme.

4.0 Options and Options Analysis (including risk assessment)

4.1 It is open to Council to accept the Panel's report in its entirety, or with amendment. Council does not have to accept the recommendations of the Panel, but the Regulations require that it must have regard to them in making its decision.

5.0 Conclusion

5.1 Council is asked to approve a Members' Allowances Scheme for 2015/16, to take effect following the elections.

**CONCLUSION OF IMPACT ASSESSMENT
(including Diversity, Human Rights, Community Safety, Sustainability and Rural Proofing)**

None directly arising from this report.

LEGAL IMPLICATIONS

The relevant regulation is set out in the report.

FINANCIAL IMPLICATIONS

The provisional 2015/16 budget for members' basic allowances is £203,900 and for special responsibility allowances £86,500 giving a total of £290,400, which could be redistributed between basic and special responsibility allowances. These figures are based on the current year's budget plus estimated inflation; they will be updated as appropriate to reflect the decisions of Council. There are separate budgets for carers' allowance and travel allowance.

The special responsibility allowances actually payable will depend on the number of members appointed to Cabinet by the Leader in May 2015, and on whether there is any duplication of member roles, given that the scheme provides for any member to receive only one special responsibility allowance.

OTHER RESOURCE IMPLICATIONS

Human Resources:

None

Information Services:

None

Property:

None

Open Spaces:

None

SECTION 151 OFFICER'S COMMENTS

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

MONITORING OFFICER'S COMMENTS

The Monitoring Officer has prepared this report as the officer supporting the Independent Remuneration Panel.

BACKGROUND PAPERS

None

Contact Officer: Mrs Taylor

Telephone: 01524 582025

E-mail: STaylor@lancaster.gov.uk

Ref:

Report To: Lancaster City Council

From: The Independent Remuneration Panel



**Recommendations For Members' Remuneration
For The Municipal Year 2015/2016**

Report to Council on Wednesday 17th December 2014

Report Contents

Section	Page
Panel Remit	3
Panel Membership	4
Background	4
Summary of Recommendations	4
Supplementary Allowances	6
Approach of the Panel	8
Basic Allowance	10
Special Responsibility Allowances	11
Dependents' Carers' Allowances	12
Travel and Subsistence Allowances	12
Cost of Parking	13
Information and Communication Technology	14
Co-optees' Allowance	14
Pensions	14
Member Champions	15
Costs of Recommendations	15
Acknowledgements	15
Appendix 1: Recommended Members' Allowances Scheme	16
Appendix 2: Background Bibliography	35
Appendix 3: Witnesses Interviewed by the Panel	36



PANEL REMIT

- 1.1 The Lancaster City Council Independent Remuneration Panel (IRP) was established in accordance with Local Authorities (Members' Allowances) (England) Regulations 2003.
- 1.2 A local authority is required to establish and maintain an Independent Remuneration Panel to provide it with recommendations on a scheme of allowances to be paid to members and others. The authority must have regard to the recommendations of its IRP before it makes or amends its members' allowance scheme.
- 1.3 The allowances payable under a local authority scheme of allowances are as follows:
 - **Basic Allowance** (*Each local authority **must** make provision in its scheme of allowances for a basic, flat rate allowance payable to all members of the authority which must be the same for each member*).
 - **Special Responsibility Allowance** (*Each authority **may** also make provision for payment of special responsibility allowances for those members who have significant responsibilities e.g. leader of the council, member of the executive/cabinet, presiding at meetings of committees, acting as spokesperson for a political group*).
 - **Dependents' Carers' Allowance** (*Each authority **may** also provide for the payment of a dependents' carers' allowance to those members who incur expenditure for the care of children or other dependents whilst undertaking particular duties*).
 - **Travelling and Subsistence Allowance** (*Each authority **may** also provide for the payment of a travelling and subsistence allowance to its members, including co-opted members*).
 - **Co-optees' Allowance** (*Each authority **may** also provide an allowance to any co-opted and appointed members of a council's committees or sub committees*).
- 1.4 The IRP can also make recommendations to the local authority on the backdating of allowances, annual adjustments to allowance levels and entitlements to pensions. The Regulations also set out the circumstances in which allowances can be withheld from members. The Scheme provides that any Councillor may forgo all or part of any allowance to which they are entitled.



2. PANEL MEMBERSHIP

- 2.1 There are currently four members on the panel, all of whom were appointed following a public recruitment process. The members and their terms of office are as follows:

Colin Everett is a retired Local Government Finance Officer He was appointed to the IRP in 2009 and is the Chairman of the Panel.

Unity Lawler is a Finance Manager for the family business with experience in Local Government and research in academic institutions. She was appointed to the IRP in 2010.

Pat Loryman is a retired Local Government Information Technology Officer, and previously experience in the public and private sector. She was appointed in 2010.

Janice Wilson is a qualified Cumbria Blue Badge Tourist Guide. She is a former Local Government Officer in Human Resources, specialising in Learning and Development. She was appointed to the IRP in 2010.

3. BACKGROUND TO LANCASTER CITY COUNCIL SCHEME OF ALLOWANCES

- 3.1 The current Members Allowances Scheme has been reviewed on a regular basis.
- 3.2 There were no pay increases for local government employees in 2010, 2011 and 2012. Whilst there was a 1% pay increase in 2013 an increase for members was not applied.
- 3.3 The Regulations require an authority before the beginning of each year to 'make' the scheme for the payment of allowances in that year.
- 3.4 The Regulations require an authority to publish the payment of allowances.

4.0 SUMMARY OF RECOMMENDATIONS

In accordance with its responsibilities under the Local Authorities (Members' Allowances) (England) Regulations 2003, the Independent Remuneration Panel (IRP) has reviewed the current scheme of allowances in place for members of Lancaster City Council and makes the following recommendations, to be effective following the Lancaster City Council elections in 2015.

4.1 Basic Allowance

- a) The Panel recommends an increase to the basic allowance of slightly over 1.5% to give a new basic allowance of £3350, to take effect following the local elections to the city council in 2015.

4.2 Special Responsibility Allowances

- b) The Panel recommends the following levels and rates of SRAs

Allowance	Proposed Amount (pa)	Current Amount (pa)
Leader of the Council and Chairman of the Cabinet	£11,060	£11,060
Deputy Leader of the Council	£6,530	£6,530
Cabinet Members	£5,530	£5,530
Overview and Scrutiny Committee Chair	£4,145	£4,145
Budget and Performance Panel Chairman	£3,315	£3,315
Planning Committee Chairman	£4,285	£4,285
Licensing Regulatory Committee Chairman	£4,285	£4,285
Licensing Act Committee Chairman	£715	£715
Licensing Act Hearings Sub Committee Chairman	£435	£435
Personnel Committee Chairman	£3,270	£3,270
Audit Committee Chairman	£2,280	£2,280
Appeals Committee Chairman	£290	£290
Council Business Committee Chairman	£1,400	£1,400
Standards Committee Chairman	£1,210	£1,210
Leader of Opposition Groups (allocated on a pro rata basis)	£5,530	£5,530

- c) The Panel recommends that the Council should continue to adhere to the established conventions that no member should receive more than one SRA and that no more than 50% of elected members should receive an SRA.
- d) The Panel recommends that detailed role profiles be prepared for each role qualifying for an SRA to assist with future evaluation of responsibilities, complexity and time commitment.

4.3 Part 8 of the Constitution

The Recommended Members Allowance Scheme, amended as a result of this report is attached as Appendix 1.



5.0 SUPPLEMENTARY ALLOWANCES

5.1 Dependents' Carers' Allowances

5.2 The Panel recommends that the current levels of allowance should remain unchanged.

5.3 Travel and Subsistence Allowances

The Panel recommends that the current levels of allowance should be remain unchanged and are in line with HMRC guidelines.

<i>Type of Vehicle</i>	<i>First 10,000 miles</i>	<i>Above 10,000 miles</i>
<i>Cars and vans</i>	<i>45p per mile</i>	<i>25p per mile</i>
<i>Motorcycles</i>	<i>24p per mile</i>	<i>24p per mile</i>
<i>Cycles</i>	<i>20p per mile</i>	<i>20p per mile</i>

5.4 Cost of Vehicle Parking

5.5 The Panel stands by its previous recommendation made in the report dated 16th November 2011. This read as follows:

5.6 *'The Panel would recommend, as a starting point, that, where there are convenient public transport links, elected members should be encouraged to use public transport in appropriate circumstances.'*

5.7 *The Panel noted that the view had been expressed that the current arrangements with regard to car parking were unfair. The Panel felt that it would be fair to everyone if the member permit facility was withdrawn, and that where it is necessary for a member to travel by car, a long stay car park only should be used, and the actual cost of car parking be reimbursed on presentation of a receipt from the ticket machine.*

5.8 *The panel recommended that the Scheme be amended accordingly.'*

5.9 However, the Panel recognises that this recommendation was not accepted by Council, and that the current arrangements which give members the option of either purchasing a member permit, or receiving reimbursement on production of a valid car park ticket, will continue.

5.10 ICT

5.11 The panel is currently awaiting confirmation on future ICT provision to councillors and will not be making a recommendation at this stage.

5.12 Co-optees' Allowance

5.13 The Panel has no recommendation to make in this report.

5.14 Pensions

5.15 The Panel recommends no change in the current arrangements regarding pensions.



5.16 Financial Implications

- 5.17 The recommended allowance scheme would cost £288,460 in respect of basic and special responsibility allowances, whilst the travel and subsistence allowances totalled £6,438.92 and £4,562 in 2012/13 and 2013/14 respectively.
- 5.18 The cost of the recommended scheme, in respect of basic and special responsibility allowances, would represent 1.7% of the Council's projected budget of £16,874,000 in 2015/16.
- 5.19 These figures are based on the current position regarding holders of SRA positions. Therefore there is the potential for costs to go up or down in the course of the year.



6.0 APPROACH OF THE PANEL

6.1 Context

6.2 The Panel began its work in June 2014. One of our priorities has been to understand the context within which the Council operates and in which the Panel must undertake its review and make recommendations to the Council.

6.3 The Panel received briefings from officers on the financial climate for the Council. The 2014/15 budget approved in February 2014 sets out the challenge faced by the Council at a time of reduced funding and rising demand for services. The Council has already made savings over the period 2010-2013. The Panel recognises that future savings will need to be implemented over the next few years, as directed by central government.

6.4 The Panel has also taken account of the Council Plan and the scale of change required.

6.5 Methodology

6.6 Mindful of the operating context of the Council, the Panel undertook extensive research to enable it to fulfil its remit:

- A review of the current allowance scheme to understand its history and rationale;
- A review of comparative allowance data from peer councils and national and local data on pay trends in order to 'benchmark' the current position of the Council's allowance scheme;
- A questionnaire survey of all members to understand the time they devote to their role as city members and their special responsibility roles (where applicable). Of the 60 members surveyed, 18 responded - a response rate of 30%. In addition, all members were given the opportunity to meet with the Panel if they wished;
- Attending council to gain an appreciation of the roles performed by members in practice. Whilst cabinet and committee meetings have not been attended to date, this is likely to be included in the future.
- A review of relevant literature and reports on the role of members and their remuneration as well as consideration of the approach adopted by the Independent Parliamentary Standards Authority in their review of MPs Pay and Pensions (July 2013). Details of the most relevant material consulted are listed in Appendix 2;
- Meetings with members and members of the executive to gain a more in-depth understanding of specific roles and responsibilities and to seek views on the pros and cons of the current scheme of allowances. The individuals who met with the Panel are listed in Appendix 3 and the Panel is very grateful to them for their assistance;
- Training to ensure that it had a sound grasp of the Regulations and its responsibilities as a Panel.

6.7 Public Consultation

6.8 The Panel is considering undertaking future consultation with the public and private sectors to assist its approach to revising the members' allowance scheme. The Panel



would hope to make use of the Council's existing consultation methods, such as Voice Your Views, to gain an insight into public perception.

6.9 Principles Underpinning an Allowance Scheme

6.10 The Panel considered that it should have a broad understanding of the role of a councillor in order to establish an effective scheme of allowances. The Panel favours the view stated by the Government in its response to the Government Select Committee Report: *Members on the Frontline* published on 10 January 2013:

*“In the Government’s view, the core principles of being a councillor are those of **community service** and **volunteering**. The aim and motivation of every councillor should be to make things better for the people they represent, and the Government’s reforms to establish localism are designed to give those wishing to serve their communities the best possible opportunities for improving their local areas. The Government is quite clear **that members are and should fundamentally be volunteers and does not wish to see any move towards professionalising the role through members becoming full time salaried staff.**”*

6.11 The Panel also reviewed the various approaches over the years to produce a definitive set of principles to underpin a scheme of allowances. From this work, the Panel concluded that the following principles (taken from a submission on members’ remuneration to the Members Commission 2007-2009 chaired by Dame Jane Roberts) were appropriate for a scheme of allowances for the City Council:

- *The basic allowance should encourage people from a wider range of backgrounds and with a wide range of skills to serve as local members*
- *Those who participate in and contribute to the democratic process should not suffer unreasonable financial disadvantage*
- *Members should be compensated for their work and the compensation should have regard to the full range of commitment and complexity of their roles*
- *The system should be transparent, simple to operate and understand*
- *The system should not encourage the proliferation of meetings or provoke members into spending more time on council business than is necessary*
- *The level of remuneration should relate to a commonly accepted benchmark such as the median male non-manual salary.*

6.12 In addition another important principle is set out in Government Guidance document “New Council Constitutions: Guidance on Regulation for Local Authority Allowances 2002”

*“It is important that some element of the work of members continues to be **voluntary - that some hours are not remunerated**. This must be balanced against the need to ensure that financial loss is not suffered by elected members, and further to ensure that, despite the input required, people are encouraged to come forward as elected members and that their service to the community is retained.”*



7.0 BASIC ALLOWANCE

7.1 Current Arrangements

7.2 All 60 Members receive a basic allowance of £3,300 per annum. In accordance with the Regulations, this allowance is intended to recognise the time commitment of members including the inevitable calls on their time such as meetings with officers and constituents. It is also intended to cover relevant incidental costs.

7.3 Review

7.4 The basic allowance has remained at £3,300 per annum since 2010.

7.5 The Panel sought the views as to the adequacy of this level of basic allowance. From the members' questionnaire survey, 39% of those who responded felt that the allowance was adequate. Of the 61% who did not feel that it was adequate their views ranged from concerns that the allowance would not attract young people into local politics and precluded full-time employment (56% of those responding to the survey were retired). A number felt that the allowance was not adequate compensation for the time spent on the role and should be raised, at least in line with inflation. Some considered that what was required was fewer but better paid members. As 70% of Members did not respond to the survey, the Panel concluded that they had no strong views about the adequacy of the basic allowance.

7.6 The Panel sought comparison peer group local authorities

7.7 In determining an appropriate rate of basic allowance the Panel also had regard to the following:

- **the overall relatively low earnings in the immediate local economy**
- **despite an increase in the national economy, this has not been reflected in pay levels**
- **the level of pay increase received by Council employees in 2013/14**
(The IRP was informed that employees received a 1% increase in pay from 1 April 2013. This followed a three year period of no increases)
- **the time commitment of members**
- **the fact that being a councillor has long been recognised as a form of voluntary public service**

7.8 Recommendation

7.9 ***That the basic allowance be increased by 1.5%, giving a new basic allowance of £3350 per annum, to take effect following the Lancaster City Council elections in 2015.***



8 SPECIAL RESPONSIBILITY ALLOWANCES (SRAs)

8.1 Current Arrangements

8.2 The current range of SRAs is as follows:

Allowance	Amount (pa)
Leader of the Council and Chairman of the Cabinet	£11,060
Deputy Leader of the Council	£6,530
Cabinet Members	£5,530
Overview and Scrutiny Committee Chair	£4,145
Budget and Performance Panel Chairman	£3,315
Planning Committee Chairman	£4,285
Licensing Regulatory Committee Chairman	£4,285
Licensing Act Committee Chairman	£715
Licensing Act Hearings Sub Committee Chairman	£435
Personnel Committee Chairman	£3,270
Audit Committee Chairman	£2,280
Appeals Committee Chairman	£290
Council Business Committee Chairman	£1,400
Standards Committee Chairman	£1,210
Leader of Opposition Groups (allocated on a pro rata basis)	£5,530

8.3 Review

8.4 The SRAs for Members have been reviewed regularly.

8.5 The Regulations specify that whilst additional responsibilities may be unique to particular members, *“it may be that all or most members have some such responsibility to varying degrees. Such duties may not lead to a significant extra workload for any one particular member above another. These sorts of responsibilities should be recognised as a time commitment to council work which is acknowledged within the basic allowance and not responsibilities for which a special responsibility allowance is recommended”* (paragraph 73, *New Council Constitutions: Guidance on Regulation for Local Authority Allowances*).

8.6 The Panel reviewed the levels of responsibility, workload and time commitment of the roles attracting SRAs. The absence of detailed role profiles for the roles receiving SRAs was of concern to the Panel and needs to be addressed.

8.7 Recommendations

8.8 The IRP recommends that there are no changes to Special Responsibility Allowances.

- The Panel recommends that the Council should continue to adhere to the established conventions that no member should receive more than one SRA and that no more than 50% of elected members should receive an SRA.



- The Panel recommends that detailed role profiles be prepared for each role qualifying for an SRA to assist with future evaluation of responsibilities, complexity and time commitment.

9 DEPENDENTS' CARERS' ALLOWANCES

9.1 Current Arrangements

9.2 The Council provides for the payment of a dependents' carers' allowance to members who incur expenditure on the care of children aged 14 years and under, or other dependants whilst undertaking particular duties where there is medical or social work evidence that care is required. The duties which qualify are set out in the Regulations.

9.3 Review

9.4 The Panel noted the low level of claims in this area.

9.5 There were no significant issues raised in the members questionnaire in respect of this allowance therefore the Panel concluded that the allowance was sufficient to meet the needs of the Council.

9.6 Recommendation

9.7 *The Panel recommends that the current levels of allowance should remain unchanged.*

10.0 TRAVEL AND SUBSISTENCE ALLOWANCES

10.1 Current Arrangements

10.2 Arrangements are in place to enable members to claim the costs of travel and subsistence associated with undertaking approved duties.

10.3 The Panel remain concerned that the Council changed the IRP recommendation on travel from outside council boundaries for meetings without due regard for its full implications.

10.4 Review

10.5 The Panel considers that the mileage rates payable for the use of cars/vans, motorcycles and cycles should remain aligned to the HMRC rates.

10.6 The Panel recommends that the list of approved duties for the payment of travel and subsistence allowances should be in the schemes of allowances.

10.7 The Panel may undertake a more extensive review of subsistence allowances at its next review.

10.8 Recommendation

10.9 That the HMRC rates of travel allowances should apply:

<i>Type of Vehicle</i>	<i>First 10,000 miles</i>	<i>Above 10,000 miles</i>
<i>Cars and vans</i>	<i>45p per mile</i>	<i>25p per mile</i>
<i>Motorcycles</i>	<i>24p per mile</i>	<i>24p per mile</i>
<i>Cycles</i>	<i>20p per mile</i>	<i>20p per mile</i>

11.0 COST OF PARKING

11.1 Current Arrangements

11.2 All members are currently eligible to purchase annual parking permits. This covers parking in any car park managed by the council, and can be used at any time regardless of whether or not the member is on council business.

A member who has purchased such a permit is not permitted to claim reimbursement for any parking authorised by the permit. However, a member who chooses not to purchase such a permit receives reimbursement of any parking fees that may be incurred in the course of approved duties.

11.3 Review

11.4 The Panel reviewed the current arrangements, the members questionnaire and sought the opinion of those members interviewed.

11.5 Recommendation

11.6 *The Panel refers members to their recommendation of November 2011:*

'The Panel would recommend, as a starting point, that, where there are convenient public transport links, elected members should be encouraged to use public transport in appropriate circumstances.

The Panel noted that the view had been expressed that the current arrangements with regard to car parking were unfair. The Panel felt that it would be fair to everyone if the member permit facility was withdrawn, and that where it is necessary for a member to travel by car, a long stay car park only should be used, and the actual cost of car parking be reimbursed on presentation of a receipt from the ticket machine.

The panel recommend that the Scheme be amended accordingly.'

11.7 However, the Panel recognises that this recommendation was not accepted by Council, and that the current arrangements which give members the option of either purchasing a member permit, or receiving reimbursement on production of a valid car park ticket, will continue.



12.0 INFORMATION AND COMMUNICATION TECHNOLOGY (ICT)

12.1 Current Arrangements

12.2 There have been recent changes to councillors' remote access to the IT network, owing to the requirements that had to be met in order to comply with the government standards for connection to the Public Services Network. IT officers are currently reviewing the options for broadband connection that will be required for members, and will report to the Panel in due course.

12.3 Review

12.4 The Panel reviewed the current arrangements, the members questionnaire and sought the opinion of those members interviewed

12.5 Recommendation

12.6 *The Panel has no recommendation to make in this report, and is awaiting the decision of officers on future ICT provision.*

13.0 CO-OPTEE'S ALLOWANCE

13.1 Current Arrangements

Each authority **may** also provide an allowance to any co-opted and appointed members of a council's committees or sub committees. No appointments requiring an allowance have been made.

13.2 Review

13.3 The Panel reviewed the current arrangements.

13.4 Recommendation

13.5 The Panel has no recommendation to make in this report.

14.0 PENSIONS

14.1 Current Arrangements

14.2 The 2003 Regulations provide that, following a recommendation from its Panel, a local authority can make provision in its scheme of allowances for members to be able to join and enjoy the benefits of a pension scheme. No such provision exists in the current scheme of members' allowances.

14.3 Review

14.4 The Panel is aware that some local authorities have made provision in their schemes for some or all members to join the Local Government Pension Scheme following recommendation to that effect from their IRPs. The Panel has also been informed that



with effect from 1 April new regulations mean that members are not able to join the Local Government Pension Scheme.

14.5 Recommendation

14.6 The Panel recommends no change in the current arrangements regarding pensions.

15.0 MEMBER CHAMPIONS

15.1 Current Arrangements

15.2 The Panel are aware of the role of Member Champions within the Council, and recommended in July 2013 that the Members' Allowances Scheme be amended to permit reasonable travel and subsistence claims from Champions carrying out their role, in line with the current rates for travel within and outside the district.

15.3 Review

15.4 The Panel intends to review the role of Member Champions in a future report to Council.

15.5 Recommendation

15.6 The Panel does not have a recommendation to make in respect of Member Champions at this point.

16.0 COSTS OF RECOMMENDATIONS

16. The Scheme of Members' Allowances currently in place costs £285,460 per annum.

16.2 The Scheme of Members' Allowances now recommended by the IRP would cost £288,460 per annum.

17.0 ACKNOWLEDGEMENTS

17.1 The IRP wishes to thank Peter Baines and Sarah Taylor for their invaluable assistance and support during this review.

PART 8

**RECOMMENDED
MEMBERS' ALLOWANCES
SCHEME**

Part 8

Members' Allowances Scheme

1.0 INTRODUCTION

1.1 The scheme outlined in this document was adopted following a full review by the Independent Remuneration Panel in accordance with the Local Authorities (Members' Allowances) (England) Regulations 2003. The Panel carried out the review between June and December 2014. This Scheme, which takes effect from May 2015, reflects the option adopted by Council on the 17th December 2014. A further review will be carried out after 4 years (i.e. for implementation no later than May 2019).

2.0 BASIC ALLOWANCE

2.1 Basic allowance is to be paid to all Members, and is intended to recognise a time commitment expected of all Members, including such inevitable calls on their time as meetings with officers and constituents and attendance at political group meetings. It is also intended to cover incidental costs such as the use of homes and private telephones.

2.2 Each Member is entitled to £3,350 per annum, which will be paid monthly.

2.3 In addition to the Basic Allowance, all Members will be provided with a laptop and printer together with a suitable broadband connection to enable them to access the Council network. Where Members use their own broadband connection for such purposes a payment of a monthly amount equivalent to that paid by the Council for the provision of the service will be paid which can be used by the Member as payment (in part or in full) to their own Service Provider. Where a member wishes to utilise their own PC or laptop, rather than use a Council provided laptop, this must be the subject of prior agreement with the Council's Information Services Application Manager, and the Council may enable a remote access facility for that Member.

2.4 In order to comply with the requirements of Data Protection legislation the Council will, in addition, pay for the registration of each Councillor under the Data Protection Act.

3.0 SPECIAL RESPONSIBILITY ALLOWANCE

3.1 A special responsibility allowance will be paid in addition to any entitlement to basic allowance for those Members who have significant responsibilities.

3.2 The Members receiving special responsibility allowance and the allowances payable are as follows:-

	2015/16
Leader of the Council and Chairman of the Cabinet	£11,060

Deputy Leader of the Council	£6,530
Cabinet Members	£5,530
Overview and Scrutiny Committee Chairman	£4,145
Budget and Performance Panel Chairman	£3,315
Planning Committee Chairman	£4,285
Licensing Regulatory Committee Chairman	£4,285
Licensing Act Committee Chairman	£715
Licensing Act Hearings Sub-Committee Chairmen	£435
Personnel Committee Chairman	£3,270
Audit Committee Chairman	£2,280
Appeals Committee Chairman	£290
Council Business Committee Chairman	£1,400
Standards Committee Chairman	£1,210
Leader(s) of Opposition Group(s) (to be allocated to leaders of groups who are “in opposition”, ie who are not represented on Cabinet. The sum specified is to be divided between the leaders of any such groups which have four or more members, in proportion to the size of their respective groups.)	£5,530

3.3 No Member is entitled to more than one payment from the Scales identified above.

3.4 It will be for individual Members who would qualify for more than one special responsibility allowance to inform the Head of Governance as to which allowance they would wish to be allocated, otherwise it will be assumed that the highest allowance is to be paid.

4.0 **CARERS’ ALLOWANCE**

4.1 The Council will make reasonable payments for the reimbursement of the care of dependent relatives living with the Elected Member. Full details of the Carers’ Allowance Scheme are attached at Appendix A.

5.0 **PART PAYMENTS**

5.1 In the case of basic and special responsibility allowances, payment will only be made for the period during which a person performs the duties for which these allowances are payable. Where a member (or co-optee) is suspended or partially suspended from his responsibilities or duties as a member of the Council, in accordance with Part III of the Local Government Act 2000 or regulations thereunder, the part of basic allowance or special responsibility allowance payable to him in respect of the period for which he is suspended or partially suspended may be withheld by the Council.

6.0 **REPAYMENTS**

6.1 Where payment of any allowance has already been made in respect of any period during which the member concerned is suspended or partially suspended from his responsibilities or duties as a member of the Council in accordance with Part III of the Local Government Act 2000 or regulations made thereunder, or ceases to be a member of the Council or is in any other way not entitled to receive the allowance in respect of that period, the member (or co-optee) shall repay to the Council on demand such part of the allowance as relates to any such period.

7.0 **REVOCAION**

7.1 Basic and special responsibility allowances will be paid automatically unless notice is received in writing from the Member concerned revoking the entitlement. All such notices should be delivered to the Head of Financial Services.

8.0 **CLAIMS**

8.1 Claims for travel and subsistence allowances should be submitted monthly after the end of the month in which the entitlement to the allowance arose and in any event no later than 3 months from that date. Claims must be made on the official claim form available from the Head of Financial Services.

8.2 Completed claim forms should be forwarded to Governance (Democratic Services). Claims will be checked on receipt in Democratic Services and, when verified, forwarded to Financial Services for payment. Those received in Democratic Services by the 20th of a month will be paid on the 15th of the following month. Claims received in Democratic Services after the 20th cannot be guaranteed to be paid the following month.

8.3 Payments are made net of income tax, through the PAYE system used for salaried employees. Bank details are, therefore, required for each Member. If a Member changes their bank details, the revised details should be provided to the Head of Financial Services.

9.0 **TRAVEL AND SUBSISTENCE ALLOWANCES**

9.1 In addition to the Members' Allowances Scheme, travel and subsistence allowances are payable.

9.2 A full schedule of rates payable for travel and subsistence and eligible duties is attached at Appendix B, and the approved duties for which travel and subsistence allowances are payable are set out in Annexes 1-3.

9.3 All such travel and subsistence payments are payable to independent and parish members of the Council's Standards Committee when attending meetings or training in connection with their duties on that committee or its sub-committees.

9.4 For the purposes of the payment of travel expenses, all travel will be deemed to have commenced from the Member's current address or, if this is not within the administrative area of the Council, from the address through which the Member

qualified to stand for election. However, for the purposes of attending one meeting of the full Council only and during the summer vacation only, travel from an address within the UK mainland will be reimbursed to an Elected Member who is registered as a full time student and who does not at the time of the meeting have an address within the administrative area of the Council. No subsistence or overnight allowances will be paid.

10.0 **LGA ALLOWANCES**

10.1 For those Members of the Council who have accepted political appointments on the LGA the Council's policy for the payment of Carers Allowances and Travel and Subsistence Allowances is set out at Appendix C.

11.0 **PUBLICATION**

11.1 The Council is required to publish details of the Members' Allowances Scheme and the total amounts received by each Member. The Head of Governance is responsible for this matter.

12.0 **MAYORAL AND DEPUTY MAYORAL EXPENSES**

12.1 These expenses are paid to the Mayor and Deputy Mayor to reflect the additional expenditure that arises with these positions.

12.2 The level of Mayoral allowances will be:- **2015/16**

Mayor £6,720

Deputy Mayor £1,335

13.0 **REVIEW OF SCHEME**

13.1 The Independent Remuneration Panel will review the Scheme as and when requested, and in any event before May 2019, and will consider whether any annual index-linked increases are appropriate at any time..

13.2 The Independent Remuneration Panel will monitor the Scheme.

13.3 Minor revisions are the responsibility of the Chief Executive in consultation with the Chairman of the Independent Remuneration Panel.

13.4 Any queries or matters of clarification or determination as to Members' entitlements to any provisions of this scheme shall be ultimately determined by the Chief Executive

14.0 **QUERIES**

- 14.1 Any specific queries regarding the entitlement to the scheme should, in the first instance, be addressed to the Chief Officer (Governance) (telephone 582025). Queries regarding claims and payments should be addressed to the Exchequer Payments Team in Financial Services .

CARERS' ALLOWANCE SCHEME

1.0 **Legality**

- (a) The scheme is established by the Council under the Local Authorities (Members Allowances) (England) Regulations 2003. The Carers' Allowance is payable in respect of the approved duties set out in Annexes 1-3 of Appendix B. The scheme requires Councillors claiming the allowance to demonstrate and certify that carer expenses are actually and necessarily incurred in the conduct of their official duties.

2.0 **Entitlement**

- (a) The scheme provides for payments to be made to Councillors in respect of care for "dependent relatives" living with the Member. For the purposes of the scheme, "dependent relatives" are defined as:
 - (i) children aged 14 or under;
 - (ii) elderly relatives requiring full-time care; and
 - (iii) relatives with disabilities who require full-time care.
- (b) The allowance is payable for care provided by carers registered by a Councillor with the Authority (see paragraph 6.0(b) for details). In the case of (i) above, under no circumstances will the allowance be payable to another parent, the parent's spouse or partner. In the case of (ii) and (iii) above, under no circumstances will the allowance be payable in respect of care provided by a member of the Councillor's household.
- (c) For meetings or duties within the Council's boundaries as set out in Annexes 1, 2 and 3, the allowance will be paid for the duration of the meeting or otherwise approved duty plus an allowance for up to one hour's travelling time before and after the meeting. For duties outside the Council's boundaries, the allowance will be paid for the duration of the duty plus the actual travelling time to and from the venue. In all instances, total time claimed should be rounded to the nearest half-hour.

3.0 **Rates of Allowance**

- (a) The actual cost of care will be reimbursed, up to a maximum of £8.35 per hour, irrespective of the number of dependants.
- (b) Where a dependent relative requires specialist professional care, the full cost of care will be allowed, with the prior written approval of the Head of Governance see paragraph 6 (b)).

4.0 **Claims Procedures**

- (a) Members wishing to apply for Carers' Allowance must submit an application form to the Head of Governance, declaring that:
 - (i) claims made will only be made in respect of a named dependent relative (or relatives) as defined in the scheme;
 - (ii) claims will only be made in respect of the entitlements set out in 2.0 above;
 - (iii) receipts will be provided in support of all claims; and
 - (iv) where a specialist professional carer is to be engaged, that this is a necessary expense for which full reimbursement will be claimed.
- (b) Members are required to notify Democratic Services in the event of their entitlement to Carers' Allowance ending.
- (c) All claims will be processed by Financial Services through the Council's payroll system. In exceptional circumstances, and with the approval of the Head of Financial Services, advance payments may be made in cash and subsequently adjusted through the payroll.

5.0 **Taxation and National Insurance Contributions**

Advice from the Council's taxation consultants is that payments made under such a scheme will be subject to Income Tax and NIC's unless an arrangement can be reached with the Inland Revenue and dispensation not to tax obtained on the basis that the payments are reimbursement of costs actually and necessarily incurred.

Because of the potential taxation and NIC implications, all payments must be processed through the Council's payroll system.

Negotiations are being entered into with the local Inland Revenue office with a view to agreeing the principle of a dispensation not to tax any Carers' Allowances payable.

6.0 **Administration**

- (a) The scheme is an integral element of the Council's Members' Allowances Scheme, and responsibility for supervising, maintaining and reviewing the

scheme is assumed by the Head of Governance in conjunction with the Chief Executive and the Independent Remuneration Panel.

- (b) Signed applications for registration of a carer are to be submitted by Members for approval by the Head of Governance. Approved applications will be retained by Democratic Services and a copy forwarded to Financial Services.
- (c) Claims for payment of the allowance should be submitted by Members to Financial Services on the revised standard Members' Allowances forms. All claims must be supported by a signed pro-forma receipt (in the case of care provided by a non-professional carer) or a receipted official invoice in the case of a specialist carer. Financial Services will check all claims for approval of entitlement, accuracy and reasonableness of duties and times claimed, and submission of supporting receipts and invoices.
- (d) Any queries regarding entitlement to the allowance, or individual claims, will be referred in the first instance to Democratic Services. Should a dispute arise as to the eligibility of a claim, this will be referred to the Head of Governance or Chief Executive for decision. Should agreement not be reached the matter will then be referred to the Independent Remuneration Panel for arbitration.

7.0 **Audit**

Internal Audit will review the systems for payment of Members' Allowances on a cyclical basis and include sample testing of Members' Allowances transactions in annual probity programmes.

TRAVEL AND SUBSISTENCE ALLOWANCES PAYABLE

Travelling Allowances

(A) Public Transport (except taxis and aircraft)

- (i) The rate must not exceed the ordinary standard class fare or any available saver fare, but the Council may generally or specially determine to substitute first for standard class fare.
- (ii) Supplementary allowance may be paid for expenses actually incurred on Pullman Car or a similar supplement, reservation of seats, deposit or portage of luggage and sleeping accommodation for overnight journeys, but in this last case the maximum overnight subsistence allowance is reduced by one-third.
- (iii) All long distance rail journeys and sea-travel bookings must be made by Members Services on behalf of Councillors, to seek the most cost-effective deal within current parameters.
- (iv) For journeys by public transport the cost of any private vehicle travel to and from the point of public transport may also be reimbursed at the rate set out in B below.
- (v) For journeys within the Council's administrative area valid receipts must be produced.
- (vi) For journeys outside the Council's administrative area where the journey has been undertaken by car, the equivalent of a standard class rail fare as determined by Members Services on receipt of the claim shall be payable, subject to this being less than the payable rate set out in (B) below.

(B) Private Vehicle – for journeys within the City Council's administrative area:

- (i) By motor cycle 24p per mile and by motor car - 45p per mile. (The rates payable are those recommended by the HM Revenue & Customs and will be increased in line with their guidance.)
- (ii) Cycling/other non-motorised transport allowance (in all cases) - 20p per mile

For journeys outside the Council's administrative area, the lower of the above mileage allowance or the relevant standard class rail fare will be paid. However the cost of any private vehicle travel to and from the point of public transport may also be reimbursed at the rates set out above.

Car parking charges may be reimbursed on production of a valid receipt. However, where a Member chooses to purchase a Member Car Parking Permit, the Council will not make any reimbursement towards the cost of parking within the district.

Supplementary payments may be made for tolls and ferries actually incurred, on production of a valid receipt.

(C) Taxis and Hire Vehicles

- (i) Taxis: in cases of urgency or where there is no reasonably available public transport, the fare plus any reasonable gratuity paid. In other cases, the fare by appropriate public transport.
- (ii) Hire Vehicles: the rate appropriate if the Member had owned the vehicles, unless the Council approves additional amounts up to the actual hiring cost.

(D) Aircraft

- (i) The rate applicable to travel by appropriate alternative transport plus any amount of attendance or financial loss or subsistence allowance saved by travelling by air.
- (ii) But if the Council generally or specially resolves that the saving in time is so substantial, then –
 - (a) the ordinary or available cheap fare by regular service; or
 - (b) where no such service is available or in the case of emergency, the fare actually paid.
- (iii) The Chief Executive has discretion to authorise air travel.
- (iv) All bookings must be made by Democratic Services on behalf of Councillors.

Subsistence Allowance

- (i) In case of an absence, other than an overnight absence from home, subsistence allowance is payable as follows –

Breakfast (when more than 4 hours away from normal place of residence)

Members on approved duties who leave home before 7.00 a.m. to attend a location outside the Council's boundary, may claim breakfast expenses as follows -

Breakfast, on production of a valid receipt	Up to £5.85
Breakfast, (in London), on production of a valid receipt	Up to £8.50
Breakfast, (in or out of London), where unable to produce a receipt	£3.20

Lunch (when more than 4 hours away from normal place of residence)

Members on approved duties outside the Council's boundary from 11.45 a.m. to 1.30 p.m. may claim lunch expenses as follows –

Lunch, on production of a valid receipt	Up to £5.85
Lunch, (in London), on production of a valid receipt	Up to £8.50
Lunch, (in or out of London), where unable to produce a receipt	£3.20

Evening Meal (when more than 4 hours away from normal place of residence)

Members on approved duties who have not returned home by 7.30 p.m. may claim an evening meal as follows –

Evening meal, on production of a valid receipt	Up to £11.45
Evening meal, (in London), on production of a valid receipt	Up to £17.00
Evening meal, (in or out of London), where unable to produce a receipt	£5.85
In the case of an overnight absence -	£90.60

For an overnight absence in Central London

£103.40

- (ii) The value of free meals must be deducted from the allowance. Where main meals are taken on trains during which there is an entitlement to a day subsistence allowance, the reasonable cost of meals (including VAT) may be reimbursed in full. In such circumstances, reimbursement for the cost of a meal would replace the entitlement to the day subsistence allowance for the appropriate meal period.
- (iii) All accommodation bookings should be made by Democratic Services.
- (iv) Where pre-booked the cost of hotel meals will be paid by the Council.

Eligible Duties

Approved duties eligible for claiming travel and subsistence allowances are set out in Annexes 1, 2 and 3.

Approved Duties - Meetings of the Authority
Council
Committees established by Council and any sub-committees established by those Committees, currently:
Personnel Committee
Audit Committee
Appeals Committee
Licensing Regulatory Committee
Licensing Act Committee
Licensing Act Sub-Committees
Planning and Highways Regulatory Committee
Scheduled Planning Briefings
Standards Committee
Standards Sub-Committees
Council Business Committee

Cabinet
Committees established by Cabinet
Cabinet Liaison Groups established by Cabinet
Scheduled Cabinet Briefings
Overview and Scrutiny Committee
Task Groups established by Overview and Scrutiny Committee
Budget and Performance Panel
Joint Committees:
Joint Committee for Revenues and Benefits
Appraisal Panel

Approved Duties - Outside Bodies

Note: All the following bodies are currently operating with one or more Council-nominated representative.

Organisation
Arnsdale & Silverdale AONB Unit
Board of the Lancaster and District Chamber of Commerce
Board of Trustees of Skerton Charities
Board of Trustees of the Lancaster Charity
Carnforth Station and Railway Trust Company Limited
Community Safety Partnership
Court of the University of Lancaster
Crook O'Lune Advisory Committee
Dukes Playhouse Board of Directors
Forest of Bowland AONB Joint Advisory Committee
Friendship Centre Management Committee
George Fox School Educational Charity
Health and Wellbeing Partnership
Health Scrutiny Committee
Heysham Mossgate (Community Facilities) Company Limited
Heysham Nuclear Power Station Local Community Liaison Council
Historic Towns Forum
Homelessness Forum
Lancashire Leaders Meeting
Lancashire Tourism Forum
Lancashire Waste Partnership
Lancaster & District Multi Agency Forum on Domestic Violence
Lancaster & Morecambe Fairtrade District Steering Group
Lancaster & Skipton Rail User Group
Lancaster Business Improvement District (BID) Management Group
Lancaster District Children's Trust Board
Lancaster District CVS
Lancaster Ripley Church of England Education Trust
Lancaster University Council
Leeds-Morecambe and Settle-Carlisle Railway Development Partnership
LGA Coastal Issues Special Interest Group
LGA Executive
LGA Rural Commission
LGA Urban Commission
Lune Park Children's Centre
Lune Valley Transport Enterprise
Marsh Community Centre Management Committee
Morecambe Bay Partnership
Museums Advisory Panel
National Association of AONBs
North Lancashire Citizens Advice Bureaux

Organisation
North Lancashire Local Action Group Executive Group
North West Local Authority Employers' Organisation
North West Home Safety Council
North West Local Authorities Employers' Organisation
North West Rural Affairs Forum
Preston and Western Lancashire Racial Equality Council
Rainbow Centre, Morecambe
Relate Lancashire, Lancaster District
Reserve Forces and Cadets Association for NW of England and Isle of Man

Approved Duties - Other Duties
Attendance at Conferences/Seminars to which the Council or Cabinet has nominated a delegate
Media Receptions
Scheduled, Formal Meetings with Chief Executive/Chief Officers
Mayoral and other public ceremonies/launches etc approved by the Council or Committee of the Council
Scheduled, Formal Meetings with Trade Unions
Scheduled, Formal Meetings of Cabinet / Overview and Scrutiny meetings / Working Groups
Reasonable travelling expenses and subsistence to Member Champions appointed by Council in carrying out their Champion's role.

Notes:

The essential criteria for these, and any other such duties that may arise, is that they must be formally structured and diarised elements of Council business. The inclusion of other duties within this definition will be at the discretion of the Head of Governance

Appendix C LGA Scheme of Members Allowances - City Council Policy

The LGA's current scheme of members' allowances became be effective from April 2003. The main features of the scheme are:

- Members of all Executives are paid an annual lump sum 'Responsibility Allowance' reflecting both the time which might be spent and the level of responsibility involved in carrying out these posts; no other attendance allowance is paid;
- The LGA pays travel and subsistence for meetings at which a Member has been appointed in a representative role on behalf of the LGA. The City Council pays the travel and subsistence costs for other meetings.
- The LGA pays carers allowance in respect of all approved duties and to members representing the LGA on outside bodies.
- Allowances paid by the association are index-linked to the principal local government pay settlement.



Appendix 2

Background Bibliography

1. The Local Authorities (Members' Allowances) (England) Regulations 2001
<http://www.legislation.gov.uk/ukxi/2001/1280/contents/made>
2. Many of the issues addressed by the Panel are referred to in “Members on the frontline” Communities and Local Government Committee - Sixth Report January 2013
<http://www.publications.parliament.uk/pa/cm201213/cmselect/cmcomloc/432/43202.htm>
 And :
 Government Response to the House of Commons Communities and Local Government Select Committee Report: “Members on the frontline” Presented to Parliament by the Secretary of State for Communities and Local Government by Command of Her Majesty March 2013
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/142094/8582.pdf
3. A methodology for fixing the basic allowance and using a ‘public sector discount’ has evolved and this has been codified by Dr Declan Hall of the School of Public Policy, University of Birmingham - see Members Commission report ‘Members Remuneration – Models, Issues, Incentives and Barriers’, Department of Communities and Local Government, December 2007.
<http://webarchive.nationalarchives.gov.uk/20080910134927/http://communities.gov.uk/documents/localgovernment/pdf/584026.pdf>
4. The Panel also had access to the report “MPs’ Pay and Pensions: A New Package July 2013”
<http://parliamentarystandards.org.uk/payandpensions/Documents/10.%20MPs'%20Pay%20and%20Pensions%20-%20A%20New%20Package%20-%20Summary%20Document.pdf>
5. CACI: Paycheck: Household Income: Lancashire & Districts: 2013.
<http://www.lancashire.gov.uk/corporate/web/?siteid=6236&pageid=36486&e=e>
6. Representing the Future - The report of the Members Commission, December 2007.
<http://webarchive.nationalarchives.gov.uk/20080910134927/http://www.communities.gov.uk/documents/localgovernment/pdf/583990.pdf>



Appendix 3

Witnesses Interviewed By Panel

- Councillor Abbot Bryning (Labour)
Special Responsibility Allowance: Cabinet Member and Portfolio Holder with Responsibility for Finance, Revenues and Benefits and ICT

- Councillor Tony Johnson (Conservative)

- Councillor Paul Woodruff (Free Independent Group)

- Councillor Peter Williamson (Conservative)
Special Responsibility Allowance: Leader of Opposition Group

- Councillor Paul Gardner (Labour)
Special Responsibility Allowance: Personnel Committee Chairman

- Councillor Roger Dennison (Independent Group)
Special Responsibility Allowance: Leader of Opposition Group

- Councillor Liz Scott (Labour)

CABINET

10.00 A.M.

4TH NOVEMBER 2014

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
Sarah Taylor	Chief Officer (Governance) and Monitoring Officer
Nadine Muschamp	Chief Officer (Resources) and Section 151 Officer
Andrew Dobson	Chief Officer (Regeneration and Planning)
Liz Bateson	Principal Democratic Support Officer

50 MINUTES

The minutes of the meeting held on Tuesday 7 October 2014 were approved as a correct record.

51 ITEMS OF URGENT BUSINESS AUTHORISED BY THE LEADER

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

52 DECLARATIONS OF INTEREST

No declarations were made at this point.

53 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 Dukes - Lease Renewal and the Dukes – Review of Service Level Agreement (Minutes 56 & 57 refer).

Councillor Blamire declared an interest at this point in her capacity as a member of the Board of the Dukes, and indicated that she would not chair, speak or vote on these items.

Councillor Hanson, the Vice-Chairman took the chair.

Ivan Wadeson, Executive Director of the Dukes, accompanied by Sian Johnson, Chair of the Board at the Dukes, addressed the meeting and responded to questions from members.

Councillor Blamire took the Chair

54 URGENT BUSINESS REPORT

(Cabinet Member with Special Responsibility Councillor Blamire)

Cabinet received a report from the Chief Officer (Governance) to advise members of actions taken by the Chief Executive, in consultation with the relevant Cabinet Members.

Councillor Leytham proposed, seconded by Councillor Blamire:-

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

Councillors then voted:-

Resolved unanimously:

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

FUNDING BID TO DCLG FOR TRANSFORMATION CHALLENGE AWARD

- (1) *That the Chief Executive under urgent business agrees to Lancaster City Council submitting an application to DCLG Transformation Challenge Award subject to there being no additional cost implications for the city council.*
- (2) *That should the bid be successful, acceptance of the funding is delegated to Chief Officer (Resources) subject to due diligence being completed.*
- (3) *That the General Fund Revenue Budget is updated accordingly, split across relevant financial years as appropriate.*
- (4) *That consultation is undertaken with a view to waiving call in, in accordance with Overview and Scrutiny procedure rule17, to enable the decision to be implemented immediately.*

Officer responsible for effecting the decision:

Chief Officer (Governance)

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.

Councillor Hanson took the Chair at this point, as Councillor Blamire had declared an interest in the following items.

55 EXCLUSION OF THE PRESS AND PUBLIC

It was moved by Councillor David Smith 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.

56 THE DUKES, LANCASTER - LEASE RENEWAL

(Cabinet Member with Special Responsibility Councillor Hamilton-Cox)

Cabinet received a report from the Chief Officer (Resources) to provide an update on the proposed details for the lease renewal for the Dukes. The report was exempt from publication by virtue of paragraph 3, of Schedule 12A of the Local Government Act 1972.

The exempt report was for information only and therefore no options were presented for Cabinet's consideration.

Councillor David Smith proposed, seconded by Councillor Sands:-

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

Councillors then voted:-

Resolved:

(7 Members (Councillors Barry, Bryning, Hamilton-Cox, Hanson, Leytham, Sands and David Smith) voted in favour. Councillor Blamire had declared an interest in this item and did not participate in the discussions or vote.)

- (1) That Cabinet notes the content of the report and that further progress and any outcome of this matter be presented during the 2015/16 budget process.

Officer responsible for effecting the decision:

Chief Officer (Resources)

Reasons for making the decision:

The arts is identified in the City Council's Corporate Plan as a contributor to achieving the City Council's priority of Sustainable Economic Growth. Cabinet notes that The Dukes presented a new draft business plan and 5 year financial plan to Arts Council England in October 2014 and this will be shared with officers and members in early December once feedback has been received from the Arts Council England and it has been given approval by the Dukes' Board of Directors.

57 THE DUKES, LANCASTER – REVIEW OF SERVICE LEVEL AGREEMENT

(Cabinet Member with Special Responsibility Councillor Sands)

Cabinet received a report from the Chief Officer (Resources) which provided an update on the existing Service Level Agreement in the context of potential new lease and rent arrangements. The report was exempt from publication by virtue of paragraph 3, of

Schedule 12A of the Local Government Act 1972.

The report was for information only and therefore no options were presented in the exempt report for Cabinet's consideration.

Councillor Barry proposed, seconded by Councillor Sands:-

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

Councillors then voted:-

Resolved:

(7 Members (Councillors Barry, Bryning, Hamilton-Cox, Hanson, Leytham, Sands and David Smith) voted in favour. Councillor Blamire had declared an interest in this item and did not participate in the discussions or vote.)

- (1) That Cabinet notes the content of the report and that further information is considered in due course as part of the 2015/16 budget process.

Officers responsible for effecting the decision:

Chief Officer (Regeneration & Planning)
Chief Officer (Resources)

Reasons for making the decision:

The arts is identified in the City Council's Corporate Plan as a contributor to achieving the City Council's priority of Sustainable Economic Growth. Cabinet notes that The Dukes presented a new draft business plan and 5 year financial plan to Arts Council England in October 2014 and this will be shared with officers and members in early December once feedback has been received from the Arts Council England and it has been given approval by the Dukes' Board of Directors.

Chairman

(The meeting ended at 10.40 a.m.)

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

MINUTES PUBLISHED ON THURSDAY 6th NOVEMBER, 2014.

**EFFECTIVE DATE FOR IMPLEMENTING THE DECISIONS CONTAINED IN THESE MINUTES:
FRIDAY 14th NOVEMBER, 2014.**

CABINET

10.00 A.M.

2ND DECEMBER 2014

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	Chief Officer (Resources) and Section 151 Officer
Mark Davies	Chief Officer (Environment)
Andrew Dobson	Chief Officer (Regeneration and Planning)
Suzanne Lodge	Chief Officer (Health and Housing)
Liz Bateson	Principal Democratic Support Officer

58 MINUTES

The minutes of the meeting held on Tuesday 4 November 2014 were approved as a correct record.

59 ITEMS OF URGENT BUSINESS AUTHORISED BY THE LEADER

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

60 DECLARATIONS OF INTEREST

No declarations were made at this point.

61 PUBLIC SPEAKING

Members were advised that there had been 4 requests to speak at the meeting from members of the public in accordance with Cabinet's agreed procedure, as set out in Cabinet Procedure Rule 2.7. Karen Chaplin and Andrew Kenyon had registered to speak on the Charter Market Review (Minute 62), with Helen Hicks and Rachel-Ann Powers having requested to speak on the Storey – Tasting Garden (Minute 63 refers).

62 CHARTER MARKET REVIEW

(Cabinet Member with Special Responsibility Councillor Barry)

Karen Chaplin and Andrew Kenyon who had registered to speak in accordance with the City Council's agreed procedure and Cabinet Procedure Rule 2.7 addressed the meeting on this item and responded to questions raised by Cabinet Members.

Cabinet received a report from the Chief Officer (Environment) which provided options for the layout of the market once the Square Routes work has been completed.

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

were set out in the report as follows:

Is a more radical overhaul of the Charter Market required than what officers have consulted on?

Some have suggested that the Council lacks a well thought out business plan and strategy for the market, and that without one the full potential of the city centre will not be realised and furthermore decisions cannot really be taken on the layout of the market. In putting forward this view it is suggested that a key point to consider is whether the newly refurbished Market Square should be left solely for entertainment / events and for people to congregate. The officer view of this is that actually the City Council is very clear in its view of the market. These have been articulated via the considerations made in arriving at the Square Routes project and the subsequent consultations and are underpinned by the Council's ethos and particularly the need for the Council to act as a steward. The Council's view of the market can be summed up as-

The market is an attraction that makes the city centre an attractive and vibrant place and should be managed to take account of other users and to make sure it achieves high standards.

The question is then to what extent does the Council feel it needs to further 'plan' the market to achieve the above?

The Council could take the view that to achieve the above it wants to completely overhaul the market. Some Councils have adopted a very interventionist route to market provision. To the extreme where the market is effectively an outdoor shopping mall with homogenised stalls selling prescribed products that complement what the shop based businesses offer. Other Councils have followed a less extreme route but have in place a very prescribed plan for their markets nonetheless. Such plans are still very interventionist in that they will specify which goods can be sold and from which pitches, where the goods should come from, the Council may also supply the stalls.

It would also be perfectly valid for the Council to take the view, as it has to date, that, as it is, the market supports the Council's strategic objectives. The current model of market provision is financially self-sufficient, creating no burden for the Council tax-payer and making a contribution to delivery of key Council priorities. The ongoing management input from the Council is streamlined to keep down costs and is focussed on day to day management activities that ensure that the market operates smoothly (e.g. managing pitches and stall location, ensuring traders comply with standards, complementing the other range of City Centre activities, collecting fees from traders). In this model traders bear the vast majority of the risk. The success or otherwise of individual traders, and the wider market, is largely determined by whether consumers want to buy the products. Critics of this approach will argue that shop based businesses suffer from increased competition because of lack of regulation and that the City Centre as a whole suffers because the overall look and appearance of the market is not tightly regulated.

Feedback from residents, visitors, users of the market and traders would suggest that generally people do not feel there is need to radically overhaul the market. Consumers actually seem to like the eclecticism and diversity of the Charter market. Those that suggest that the market is in need of a radical overhaul, say that now is the time to do so.

If Cabinet take the view that a radical overhaul is required then the view put forward that a business plan and strategy for the market needs to be developed and agreed is the best way forward. A radical overhaul will require significant officer input in terms of developing and agreeing a development plan. It would also be reasonable to expect that once implemented much more management input would be required in the day to day running of the market, which will require additional resources. In addition to this it will further extend the waiting time before a decision on the layout of the market is made. Already it is clear there is considerable uncertainty and resulting friction. This is of course a side effect of any change but is raised so that Cabinet are aware there is further potential were Cabinet to request a radical overhaul.

There has also been some suggestion that the BID would be best placed to deliver and manage the market. Whilst no detail of how this could work is available the principle of it and the potential implications of it would seem to be contrary to the Council's aims, objectives and ethos. It would effectively mean a delegation of stewardship.

Cabinet are therefore requested to consider whether a radical overhaul of the Charter Market is actually needed. If so consideration should be given to setting up a working group to develop a strategy and plan for future provision of the market.

If Cabinet take the view that a radical overhaul is required then no further decisions are required at this stage. However, if Cabinet take the view that no radical overhaul is required then consideration of a number of proposals is requested. These proposals are likely to be seen by some as being too regulatory. In response to this clearly a balance is needed. Even if Cabinet determine that a radical overhaul isn't required it is clear that as stewards of the City Centre the Council does have a responsibility to ensure a generally acceptable standard for the market. Having such a light touch that the market deteriorated into a city centre car boot sale would be to nobody's advantage either. Therefore the questions Cabinet are requested to consider are:-

How should current market pitches be laid out / and presented?

In the latest round of consultation 2 draft layouts were proposed (See Appendix B to the report).

Layout A-

Based around the current footprint of the market, Market Street, Market Square, Cheapside. This option means that all existing permanent traders will still be able to trade from pitches within this footprint (although in some cases the pitches will be smaller)

- Reduces the amount of stalls in Market Square by 2.
- Only allows food stalls in Market Square.
- Distributes pitches for existing stalls between Market Street, Market Square, Cheapside.
- New traders will be allocated pitches on Church Street / New Street if there are none vacant in Market Street, Market Square, Cheapside. (To encourage take up these will be free for an initial period).
- Existing traders will be given the opportunity to relocate to Church Street for a rent free period, on a voluntary basis

- Comes with the proviso that the standard of appearance of market stalls is maintained to a standard specified by the Council.
- Sets out the maximum size of pitch that will be allowed at each location. The pitch sizes have been selected to work in the given location and to allow for as many pitches as possible.

Layout B-

Deliberately alters the current footprint of the market so that there are only pitches on one side of Cheapside. This means that some existing permanent traders will be moved to new pitches in Church Street. Pitches will still remain in Market Street and Market Square.

- Reduces the amount of stalls in Market Square by 2
- Only allows food stalls in Market Square.
- Distributes pitches for existing stalls between New Street, Market Street, Market Square, Cheapside (one side only) and Church Street.
- Existing traders allocated pitches on Church Street will be allowed them free for a limited period.
- New traders will be allocated pitches on Church Street / New Street. (To encourage take up these will be free for an initial period).
- Comes with the proviso that the standard of appearance of market stalls is maintained to a standard specified by the Council.
- Sets out the maximum size of pitch that will be allowed at each location. The pitch sizes have been selected to work in the given location and to allow for as many pitches as possible.

Note- in both options within the boundaries set out above the plan would be to seek to accommodate traders' views on where they were located as far as we reasonably could. Clearly though in both options there will need to be some movement of stallholders (e.g. in plan B it would not be simply a case of moving the traders who were displaced from Cheapside into Church Street - consideration would need to be given to what was best for the market) and some stallholders may have reduced pitches from previously.

Layout A is generally preferred by shoppers and market traders.

From a financial perspective option A is the best option for the Council.

Layout B is generally preferred by shop based businesses as it distributes the market around a larger area and takes positive action to use Church Street. Shop based businesses say that will increase footfall to Church Street (albeit only on 2 days per week). Traders generally say that they would sooner stop trading than trade on Church Street.

Neither layout is supported by those who say that now as the plinth is in place in Market Square there is an opportunity to further add to be vibrancy of the city centre by using it for entertainment events on Saturdays. To allow this Market Square should be kept clear. In turn the added footfall from the entertainment will benefit the market and shop based businesses.

How much should pitches cost?

Based on consultation it's clear that pitches in Cheapside and Market Street are viewed by existing traders as the best to trade from. Current charges for pitches are £1.35 sq/m with £15 being the minimum charge. There is usually a waiting list for traders.

Traders are provided with a pitch immediately in the newly upgraded public realm of City Centre, with an existing footfall, which is likely to increase. Looking at comparable markets the current amount charged for pitches is very low. In some places comparable pitches are charged at double this amount. The cost of pitches has increased very little over the last few years. It is therefore proposed that from April 1st, 2015 the charge increases to £1.80 sq/m and £20.00 minimum charge.

The charge for traders wishing to trade from Church Street will remain £1.35 sq/m with £15 being the minimum charge. However for new traders wishing to trade from Church Street there will be an initial 6 month period where no fees will be charged. Clearly this proposal could result in reduced income and would not be welcomed by all traders. It would however encourage traders to think about where they might want to be located and what sort of products might they want to sell. The forecast financial implications of this are set out in the financial implications box in the report.

Proposal Concessionary pitches, street cafes etc.

Besides Charter Market pitches the City Council also charges for the use of a number of concessionary pitches in the City Centre and also licenses a number of street cafes. There is clearly a need to ensure that these also complement the wider aims of the City Centre. As things stand further some further work is needed to review the locations and fees for concessionary pitches. Further work is also needed to ensure that street cafes, concessionary pitches and market pitches all work together. Cabinet are requested to delegate the implementation of this review to the Chief Officer (Environment) in consultation with the Cabinet Members responsible for Markets and Regeneration.

Councillor Barry proposed, seconded by Councillor Hanson:-

“(1) That Layout A be approved with the following revisions:

- inclusion of two extra stalls on Market Street (one at the top of Golden Ball Lane and one in between pitch 11 and pitch 21)
- To extend the length of stall 34 from 10 m to 12 m but with the loss of the dogleg
- Not to impose a food only restriction on stalls in Market Square but ensure that only attractive stalls are sited in that area to maintain the improved appearance of the square.

(2) That Cabinet reaffirms that traders are expected to follow market rules on matters such as appearance of stalls, tidiness of stalls, leaving the pitch clean and tidy, not encroaching beyond the pitch, being courteous to other city centre businesses etc. Furthermore officers are instructed to ensure that market rules are followed at all times and to take immediate action against traders who do not wish to comply with

the market rules.

- (3) That from April 2015 the cost of pitches on Market Square, Market Street and Cheapside be increased from £1.35 to £1.50 per square metre with a minimum charge of £16.00. Existing traders wishing to trade from Church Street/New Street to be charged at £1.35 per square metre and £15 minimum charge and new traders requesting a pitch on Church Street/New Street be given an initial 6 month period where no fees will be charged.
- (4) That the implementation of the review of City Centre concessions, street pitches etc. be delegated to the Chief Officer (Environment) in consultation with the Cabinet Members responsible for Markets and Regeneration.”

Councillors then voted:-

Resolved unanimously:

- (1) That Layout A be approved with the following revisions:
 - inclusion of two extra stalls on Market Street (one at the top of Golden Ball Lane and one in between pitch 11 and pitch 21)
 - To extend the length of stall 34 from 10 m to 12 m but with the loss of the dogleg
 - Not to impose a food only restriction on stalls in Market Square but ensure that only attractive stalls are sited in that area to maintain the improved appearance of the square.
- (2) That Cabinet reaffirms that traders are expected to follow market rules on matters such as appearance of stalls, tidiness of stalls, leaving the pitch clean and tidy, not encroaching beyond the pitch, being courteous to other city centre businesses etc. Furthermore officers are instructed to ensure that market rules are followed at all times and to take immediate action against traders who do not wish to comply with the market rules.
- (3) That from April 2015 the cost of pitches on Market Square, Market Street and Cheapside be increased from £1.35 to £1.50 per square metre with a minimum charge of £16.00. Existing traders wishing to trade from Church Street/New Street to be charged at £1.35 per square metre and £15 minimum charge and new traders requesting a pitch on Church Street/New Street be given an initial 6 month period where no fees will be charged.
- (4) That the implementation of the review of City Centre concessions, street pitches etc. be delegated to the Chief Officer (Environment) in consultation with the Cabinet Members responsible for Markets and Regeneration.

Officers responsible for effecting the decision:

Chief Officer (Environment)

Reasons for making the decision:

The decision is consistent with the ethos of stewardship set out in the City Council's Corporate Plan; ensuring the social, economic and environmental wellbeing of the local

area. The decision allows for implementation of the new charter market layout in January 2015. Once Officers allocate pitches to stallholders they will continue to monitor and adjust as necessary. Only fundamental changes will be referred back to Cabinet.

63 STOREY - TASTING GARDEN

(Cabinet Member with Special Responsibility Councillor Hanson)

Helen Hicks and Rachel-Ann Powers who had registered to speak in accordance with the City Council's agreed procedure and Cabinet Procedure Rule 2.7 addressed the meeting on this item and responded to questions raised by Cabinet Members.

At this point Councillor Barry declared an interest in view of his involvement with the Friends of the Storey Gardens.

Cabinet received a report from the Chief Officer (Environment) which sought a decision on the future of the tasting garden.

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

OPTION 1- Consider that restoration of the artwork is a priority for the Council and that in its role as a steward the Council should properly lead on it.

In order to arrive at this option Cabinet would need consider the following-

- What actual evidence is there that this is generally what our citizens want?
- How would the restoration be funded? If the Council was to allocate resources for the Garden, in effect they would need to be redirected from another initiative or activity. Realistically, therefore, it could be viewed that the Council does not have the resources to directly fund restoration and if so, external funds would need to be raised. We have been told that there are likely to be funds available out there. Experience tells us that obtaining external funding can be a complicated and time consuming exercise, depending on the regime under which funding is being sought, and match funding may well be required.
- How would the project be resourced? As stated above just raising the funds could be time consuming and complicated. Due to the need to prioritise and focus on core activities the Council does not have available officer time or expertise that could be allocated to this, if such a route was chosen. Therefore, Cabinet would need to consider this as an area for growth, as appropriate.
- How would the restored project be maintained? The ongoing maintenance of the artwork would be intensive and would again require ongoing growth – this need is a very real difficulty given the financial outlook.
- Even if funds are available obtaining them could take a number of years, depending on the route chosen, and in any event the timescales would not fit with the review of the Storey operation, required by 2017/18. What does the Council do with the garden in the interim and how will that support the Storey business plan? What about the future? What would need to change?

OPTION 2- Consider that restoration of the artwork is a priority for the Council, but only on the firm basis that it was resource- and risk- free for the authority, and so could only take place if full responsibility could be transferred, in some way, to a third party.

In order to arrive at this option Cabinet would need to consider the following-

- The Council are properly stewards of the garden. How would transferring/delegating this responsibility to a third party fit with that?
- What evidence is there that the general desire of our citizens is that a valuable space is delegated to a third party to manage in the hope that funds can be raised to restore the artwork therein?
- What would happen if the third party lost interest in the project, or got into difficulties, especially bearing in mind previous experience?
- How would the long term maintenance of the project be funded and managed?
- How would this fit in with the business plan of the Storey, and the requirement for the operation to be reviewed prior to 2017/18?
- What would happen to the garden whilst the funds are being raised?

Cabinet need to be aware that gaining satisfactory answers to these questions may prove impossible – there is no guarantee that this option is viable and it could tie up much Officer time pursuing it, to no avail.

OPTION 3- Accept that ideally the artwork would be restored and would support the wider aims of the Storey and provide an attraction for our citizens but that the reality is that the policy and financial context of the Council mean that this is an unrealistic option. Therefore the most realistic option is to make the very best of the gardens, within the resources we have, and in a way that goes to meeting the needs of our citizens and the business plan for the Storey. The details to be determined through the masterplanning process that Cabinet have already agreed.

In order to arrive at this option Cabinet would need to consider the following-

- What is the current and future financial position of the Council and what are the competing priorities?
- This option may be seen by some as not supporting wider aims and objectives for arts and culture in the District. However, this needs to be balanced by the fact that the Council already provides considerable ongoing support to arts and culture within the District.
- The view expressed by many citizens is that what really matters is that the gardens are brought back into use. Done properly this option could support the wider plans for the Storey and could (subject to testing through the masterplan process) reasonably include use of the garden to promote arts and culture.
- There is already an active 'Friends of ' group who the Council could continue to work with to improve the gardens in the short term and deliver aspects of the masterplan once agreed.
- This option is based around the current financial realities facing the Council so would be designed to be delivered within existing resources, and could fit with the future review of the wider Storey operation.

Cabinet are requested to agree in principle the way forward. Whatever option is chosen it is expected further more detailed reports will be brought back to Cabinet.

Councillor Blamire proposed, seconded by Councillor Hanson:-

- “(1) That a further report be prepared with information on governance/land ownership issues, and a timescale together with a masterplan with two options: one option being the reinstatement of the artwork, the other a more broadly based opportunity for people to use the Storey Gardens.
- (2) That if following consideration of the report and masterplans, the decision is taken to restore the Tasting Gardens, the Council will not look to do that itself but would expect the supporters of the Tasting Gardens to undertake this recognising that there would be a cost implication to the City Council which would be responsible for any ongoing maintenance costs.”

Councillors then voted:-

Resolved:

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

- (1) That a further report be prepared with information on governance/land ownership issues, and a timescale together with a masterplan with two options: one option being the reinstatement of the artwork, the other a more broadly based opportunity for people to use the Storey Gardens.
- (2) That if following consideration of the report and masterplans, the decision is taken to restore the Tasting Gardens, the Council will not look to do that itself but would expect the supporters of the Tasting Gardens to undertake this recognising that there would be a cost implication to the City Council which would be responsible for any ongoing maintenance costs.

Officer responsible for effecting the decision:

Chief Officer (Environment)

Reasons for making the decision:

The decision recognises the polarisation of views. The Council has a clearly defined strategy for the Storey Institute and this includes the recognition that the gardens are an integral part of the business plan for the facility. This will be addressed in the forthcoming report and draft masterplans.

The meeting adjourned at 11.35am and reconvened at 11.45am.

64 SMOKEFREE PLAY AREAS - INTRODUCTION OF A VOLUNTARY CODE

(Cabinet Members with Special Responsibility Councillors Leytham and Smith)

Cabinet received a report from the Chief Officer (Health and Housing) which sought approval to introduce a voluntary code of no smoking within children's play areas and young people's play facilities located in parks and open spaces owned by the Council.

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

	Option 1: Approve the introduction of a voluntary code of no smoking in Council owned play areas.	Option 2: Do not approve the introduction of a voluntary code of no smoking in Council owned play areas.
Advantages	Reduce child exposure to smoking and help to decrease the number of young people starting to smoke. Decrease cigarette litter such as cigarette butts, empty packets and wrappers to make play areas more pleasant and to protect wildlife. Encourage play area users to discourage smokers in play areas. Project contributes to health and wellbeing targets.	None
Disadvantages	Cost of installing the signs. There may be opposition from smokers who feel we shouldn't go beyond the statutory controls.	Missed opportunity to work in partnership with county public health to help address a health and wellbeing issue.
Risks	Future maintenance costs could be high. However, this is unlikely as the signs will be of robust quality and require little maintenance.	Reputational risk – not implementing this would be at odds with our health and wellbeing priority.

Option 1 – The introduction of a voluntary no smoking code is entirely consistent with the Council's health and wellbeing corporate priority and can be achieved with minimum impact on Council resources.

Councillor Leytham proposed, seconded by Councillor David Smith:-

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

Councillors then voted:-

Resolved:

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

- (1) That the introduction of a voluntary code of no smoking within Council owned play areas, skate parks and multi-use play areas be approved.

Officer responsible for effecting the decision:

Chief Officer (Health and Housing)

Reasons for making the decision:

Reducing child exposure to smoking and de-normalising tobacco use within the community is desirable to try to reduce smoking uptake rates amongst young people. Smoking is still a major public health problem and implementing a voluntary code of no smoking in play areas is one way of the Council contributing to addressing the health, social and financial impacts of smoking. In addition, smoking related litter should reduce in play areas and this also addresses another important priority of the Council.

65 CORPORATE PERFORMANCE MONITORING 2014/15**(Cabinet Member with Special Responsibility Councillor Bryning)**

Cabinet received a report from the Chief Officer (Resources) which presented the corporate performance and financial monitoring reports at quarter 2 of the 2014/15 performance monitoring cycle.

Following the approval of the Corporate Plan on 16 July 2014, Officers have been developing the performance monitoring process to ensure the 'right' measures are in place and that they can be measured accurately and appropriately. Planned performance reporting in Quarter 2 has been deferred in light of a revised performance management framework currently being developed and actions arising from a recent Investors in People assessment. The report therefore focussed on financial, property and treasury management activities.

The second quarter's update on Property matters was included at Appendix B to the report, and the position with regards to treasury management activities was included at Appendix C to the report.

Councillor Bryning proposed, seconded by Councillor Barry:

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

Resolved unanimously:

- (1) That the report be noted.
(2) That the Treasury Management report, as set out at Appendix C to the report, be referred on to Council for noting.

Officer responsible for effecting the decision:

Chief Officer (Resources)

Reasons for making the decision:

The Council's Performance Management Framework requires the regular reporting of operational, as well as financial performance.

66 BUDGET AND POLICY FRAMEWORK UPDATE 2015/16

(Cabinet Member with Special Responsibility Councillor Bryning)

Cabinet received a report from the Chief Officer (Resources) which provided an update on the Council's financial position to help inform development of Cabinet's budget proposals. Given that the Local Government Settlement had not yet been received, the report was an interim update only, primarily for information and no specific options were put forward.

Councillor Bryning proposed, seconded by Councillor Sands:-

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

Councillors then voted:-

Resolved unanimously:

- (1) That Cabinet notes the draft budgetary position for current and future years as set out in the report, accepting that this is an interim update.
- (2) That the update be referred on to December Council for information.

Officer responsible for effecting the decision:

Chief Officer (Resources)

Reasons for making the decision:

To note the latest position and to provide an update to full Council.

67 EXCLUSION OF THE PRESS AND PUBLIC

It was moved by Councillor David Smith and seconded by Councillor Leytham:-

"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:-

(6 Members (Councillors Blamire, Bryning, Hanson, Leytham, Sands and Smith) voted in favour and 2 Members (Councillors Barry and Hamilton-Cox) voted against.)

Resolved:

- (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.

68 SITES OFF BAILRIGG LANE, SCOTFORTH, LANCASTER (Page 15)

(Cabinet Member with Special Responsibility Councillor Hamilton-Cox)

Cabinet received a joint report from the Chief Officer (Regeneration and Planning) and Chief Officer (Resources) to approve the freehold and leasehold disposal of the land south of Bailrigg Lane, Lancaster (the 'Science Park' site). The report was exempt from publication by virtue of Paragraph 3, of Schedule 12A of the Local Government Act 1972.

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

Councillor Hanson proposed, seconded by Councillor Bryning:-

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

Councillors then voted:-

Resolved:

(6 Members (Councillors Blamire, Bryning, Hanson, Leytham, Sands and Smith) voted in favour and 2 Members (Councillors Barry and Hamilton-Cox) abstained).

- (1) That the land south of Bailrigg Lane, Lancaster, as shown edged red and coloured blue on the plan attached, be disposed of on the terms and conditions as set out in section 2 of the exempt report.

Officers responsible for effecting the decision:

Chief Officer (Resources)
Chief Officer (Regeneration and Planning)

Reasons for making the decision

The Lancaster Science Park (or Innovation campus) is a long-standing regeneration priority of the Council and is identified as such in the Local Development Framework Core Strategy.

The Council's acquisition of the land was funded by the former North West Development

Agency (NWDA) to facilitate specifically the Science Park idea. This places significant restrictions and obligations on the Council in terms of its disposal of the land and also on the future use and development of the site.

Furthermore, the Corporate Property Strategy requires that the Council review its asset base and only retain those assets required to meet its agreed objectives and priorities. Where assets are not required for this purpose, generally they should be disposed of at best value. This sale allows the Council to improve the management of its assets

Chairman

(The meeting ended at 12.20 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 9TH DECEMBER, 2014.

**EFFECTIVE DATE FOR IMPLEMENTING THE DECISIONS CONTAINED IN THESE MINUTES:
WEDNESDAY 17TH DECEMBER, 2014.**