

CABINET

10.00 A.M.

27TH MAY 2014

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

Apologies for Absence:-

Councillor David Smith

Officers in attendance:-

Mark Cullinan	Chief Executive
Nadine Muschamp	Chief Officer (Resources) and Section 151 Officer
Andrew Dobson	Chief Officer (Regeneration and Planning)
Liz Bateson	Principal Democratic Support Officer

1 ABBEYSTEAD DISASTER

The Chairman advised the meeting that the 23rd May marked the 30th Anniversary of the Abbeystead disaster where a number of residents of St. Michaels-On-Wyre, visiting a pumping station in Abbeystead, had been killed.

The Chairman requested Members to hold one minute's silence to commemorate those people who had lost their lives in the tragedy.

2 MINUTES

The minutes of the meeting held on Tuesday 15 April 2014 were approved as a correct record.

3 ITEMS OF URGENT BUSINESS AUTHORISED BY THE LEADER

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

4 DECLARATIONS OF INTEREST

The Leader advised the meeting of a revision in the order of the agenda with the Request from the Dukes and Grand Theatres for Grant Support being considered after Public Speaking for the convenience of the public speakers who had both registered to speak on that item.

Councillor Blamire declared an interest with regard to the Request from the Dukes and Grand Theatres for Grant Support in her capacity as a member of the Board of the Dukes and would not chair, speak or vote on this item. (Minutes 5 & 6 refer).

The Vice-Chairman took the chair at this point.

5 PUBLIC SPEAKING

Members were advised that there had been two 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, with regard to the Request from the Dukes and Grand Theatres for Grant Support (Minute 6 refers).

Mr Stuart Langhorn as a member of the Board of the Grand, addressed the meeting with regard to The Grand's application for support. Ms Sian Johnson, Chair of the Dukes, addressed the meeting with regard to The Duke's application for funding.

Following the representations from the public speakers Councillor Hanson, as Chairman, adjourned the meeting at 10.40am to enable Cabinet members to seek advice from officers on the content of the presentations. The public speakers and non-executive members were requested to leave the room during the adjournment. The meeting reconvened at 11.20am.

6 REQUEST FROM DUKES AND GRAND THEATRES FOR GRANT SUPPORT

(Cabinet Member with Special Responsibility Councillor Hanson)

Cabinet received a report from the Chief Officer (Regeneration & Planning) to consider requests from the Dukes and Grand theatres for additional funding support.

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

	Option 1: That neither request be granted.	Option 2: To award grant funding in full to one or both theatres.	Option 3: To award one or both theatres grant funding in part (e.g. lower amount, or for shorter period).
Advantages	<p>No further draw on the Council's budget at a time of budgetary pressure.</p> <p>Reduces the likelihood of a future conflict of interest with the Canal Corridor redevelopment.</p> <p>May help maintain / encourage financial independence of the theatres, and/or encourage greater financial contribution</p>	<p>Supports the theatres at a time when they need to make provision for development proposals.</p>	<p>The draw on the Council's budget is less than the full cost.</p>

	from British Land.		
Disadvantages	The theatres may not be able to advance their preparations for developing their offers alongside the Canal Corridor redevelopment.	Additional cost to the Council at a time of increasing budgetary pressure.	As per option 2, albeit a lesser amount.
Risks	Could be perceived as showing a lack of support for well-known cultural facilities in the area and the theatres might not support the council in its ambitions for the Canal Corridor redevelopment.	May raise future expectations. Runs contra to aims for moving towards a commissioning approach. Could lead to other similar applications for grant aid, or perceived unfairness.	As per option 2. May fail to meet either theatre's objectives.

Option 1 is the officer preferred option. Successful theatres benefit the district in a number of ways and are a key element of the Canal Corridor scheme. The case for providing more financial support must be balanced against the potential for other similar operators to approach the council for support (given the current budgetary climate) and possible conflicts of interest in terms of the Canal Corridor scheme.

Councillor Hanson proposed, seconded by Councillor Sands:-

- (1) That Cabinet recognises and supports the continued importance of The Dukes and The Grand as an essential part of the Arts provision in the district, with both theatres effectively being integral to any future redevelopment of the Canal Corridor North site. Accordingly, Cabinet agrees to the request from The Dukes for £12K as the money is required now to assist with the establishment of their business plan, with the additional £12K being allocated from the Performance Reward Grant Reserve.
- (2) That The Grand be invited to make an application for a grant through the Arts commissioning framework once this is in place."

Councillors then voted:-

Resolved:

(5 Members (Councillors Bryning, Hamilton-Cox, Hanson, Leytham and Sands) voted in favour, and 1 Member (Councillor Barry) abstained.) Councillor Blamire had declared an interest in this item and did not participate in the discussions or

vote.

- (1) That Cabinet recognises and supports the continued importance of The Dukes and The Grand as an essential part of the Arts provision in the district, with both theatres effectively being integral to any future redevelopment of the Canal Corridor North site. Accordingly, Cabinet agrees to the request from The Dukes for £12K as the money is required now to assist with the establishment of their business plan, with the additional £12K being allocated from the Performance Reward Grant Reserve.
- (2) That The Grand be invited to make an application for a grant through the Arts commissioning framework once this is in place.

Officers responsible for effecting the decision:

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

Reasons for making the decision:

The development of the district's arts offer and its relationship to the Canal Corridor Development is highlighted as a key economic development objective in the Council's Cultural Heritage Strategy. The decision provides support in line with this objective.

Councillor Blamire took the chair at this point.

7 CABINET LIAISON GROUPS AND APPOINTMENTS TO OUTSIDE BODIES, PARTNERSHIPS AND BOARDS**(Cabinet Member with Special Responsibility Councillor Blamire)**

Cabinet received a report from the Chief Executive to consider the Cabinet Liaison Groups currently constituted and Cabinet appointments to Outside Bodies, Partnerships and Boards.

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

The options regarding Cabinet Liaison Groups and the Cabinet Committee are:

- To note existing arrangements and make no amendments.
- To consider and approve, where appropriate, any proposals from Cabinet Members.

With regard to Outside Bodies, Partnerships and Boards, Cabinet is requested to make appointments, as set out in Appendix C to the report.

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

- “(1) That the Cabinet Liaison Groups as set out in Appendix B to the report, be reconvened with the following exceptions:
- Business Cabinet Liaison Group to be stood down.
 - Climate Change Cabinet Liaison Group to be reconstituted as the Municipal Energy Strategy Cabinet Liaison Group with the following terms of reference:
 - (a) To promote, communicate and monitor the progress of the development and delivery of the Council’s Municipal Energy Strategy.
 - Square Routes Centrepiece Cabinet Committee to be stood down.
- (2) That the following revision be made to appointments to Outside Bodies:
- Councillor Hamilton-Cox to replace Councillor Leytham on the Health and Wellbeing Partnership.”

Councillors then voted:-

Resolved:

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

- (1) That the Cabinet Liaison Groups as set out in Appendix B to the report, be reconvened with the following exceptions:
- Business Cabinet Liaison Group to be stood down.
 - Climate Change Cabinet Liaison Group to be reconstituted as the Municipal Energy Strategy Cabinet Liaison Group with the following terms of reference:
 - (b) To promote, communicate and monitor the progress of the development and delivery of the Council’s Municipal Energy Strategy.
 - Square Routes Centrepiece Cabinet Committee to be stood down.
- (2) That the following revision be made to appointments to Outside Bodies:
- Councillor Hamilton-Cox to replace Councillor Leytham on the Health and Wellbeing Partnership.

Officers responsible for effecting the decision:

Chief Executive
Chief Officer (Governance)

Reasons for making the decision:

The establishment of Cabinet Liaison Groups assists the Cabinet in the discharge of executive functions. Representation on Outside Bodies is part of the City Council's community leadership role.

8 CORPORATE PLAN 2014-16**(Cabinet Member with Special Responsibility Councillor Blamire)**

Cabinet received a report from the Chief Executive to enable Cabinet to consider the draft Corporate Plan 2014-16, with a view to recommending the Corporate Plan to full Council for formal approval in July.

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

	Option 1: Recommend to full Council the draft Corporate Plan as presented or recommend with minor amendments	Option 2: Corporate Plan not recommended to Council at this stage
Advantages	Assuming no significant impact on resources and forward planning arrangements minor amendments can be managed without interruption to the strategic planning cycle and the Corporate Plan can be submitted for consideration by full council.	A revised Corporate Plan will reflect any significant changes recommended by Cabinet
Disadvantages	None identified	This option is likely to lead to delays in publication of the Corporate Plan leading to uncertainty regarding the council's intentions and possible interruptions to delivery of some services and activities
Risks	Objectives and funding may change during the year that will have an impact on needs, aspirations, financial forecasts and other resource implications	May have an impact on the strategic direction for the delivery of council services and the achievement of corporate priorities. The budget has been approved in line with the priorities set

		out in the Corporate Plan and significant changes at this stage may have budget implications that would need to be considered further
--	--	---

The Officer preferred Option is Option 1 as this will underpin Council activities, business and resource planning. Additionally, local residents, communities and partners will be clear about the Council priorities and outcomes the council wishes to achieve in the coming two years.

The strategic planning arrangements create an opportunity each year to consider the changing needs and aspirations of local communities and the shifting priorities, opportunities and challenges that the Council faces. These are reflected in the draft Corporate Plan for 2014 - 2016 taking into account recommendations by Council and Cabinet, consultation and engagement with residents and visitors and budget information and options that have been set out in various Budget and Policy Framework updates during 2013/14.

Councillor Hanson proposed, seconded by Councillor Bryning:-

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

Councillors then voted:-

Resolved:

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

- (1) That the draft Corporate Plan 2014-16 be agreed and referred to full Council for approval.

Officer responsible for effecting the decision:

Chief Executive

Reasons for making the decision:

The Corporate Plan is a central part of the Council’s Budget and Policy Framework stating the key priorities, outcomes and measures that the Council hopes to achieve for the district.

9 POTENTIAL FOR THE PROVISION OF BUILDING CONTROL SERVICES BY SOUTH LAKELAND DISTRICT COUNCIL

Cabinet received a report from the Chief Officer (Regeneration & Planning) which sought approval to enter into formal arrangements with South Lakeland District Council (SLDC) to provide Building Control services on behalf of the City Council.

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

	Option 1: Not to enter into negotiations with SLDC to provide Building Control services	Option 2: To enter into formal negotiations with SLDC to provide Building Control services	Option 3: To enter into negotiations with another party to provide Building Control services
Advantages	None.	SLDC have a strong brand and shared geographical boundary. Such an arrangement would provide the public with a viable alternative choice to local private sector provision.	Non apparent at this time
Disadvantages	The Council cannot currently provide a viable Building Control service without further investment	The new service would be branded as an SLDC operation, however the current Lancaster city brand is weak in this service area so the disadvantage is minimal.	No other adjoining local authorities are able to consider providing such a service, and securing provision contracted to private sector organisations would be more costly due to the districts remoteness.
Risks	The further extension of the deficit in the Building Control Trading Account	SLDC being unable to secure more business from the Lancaster area and continuing losses in the Building control Trading Account	As per option 1

The officer preference is Option 2. The Council must take steps to continue providing this service without continuing to build the deficit in its own trading account. To do this the best alternative is to achieve economies of scale and changes in market perception by merging with another party. Members have expressed the preference to achieve efficiencies by working with other local authorities. There are also benefits in strengthening working relations with partners around Morecambe Bay where there is more commonality in local economies.

Although the new operation would be a SLDC service provided for the City Council, this

is a confident local brand which is more likely to compete effectively with local approved inspectors than the City Council brand. This arrangement would also secure employment for the small number of officers currently employed by the City Council should they wish to continue working in this field.

Councillor Barry proposed, seconded by Councillor Bryning:-

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

Councillors then voted:-

Resolved unanimously:

- (1) That Cabinet agrees that steps should be taken to enter into an appropriate formal arrangement for Building Control services to be provided by South Lakeland District Council on behalf of Lancaster City Council.
- (2) That the Chief Officers (Regeneration and Planning), (Governance) and (Resources) be instructed to conduct the appropriate negotiations including taking any transitional steps required in the interim period and to report back to Cabinet for approval to formalise arrangements in due course.

Officers responsible for effecting the decision:

Chief Officer (Regeneration and Planning)
 Chief Officer (Governance)
 Chief Officer (Resources)

Reasons for making the decision:

The Council has a duty to provide a basic Building Control Service. South Lakeland District Council has a strong brand and our authorities share a geographical boundary. Such an arrangement would provide the public with a viable alternative choice to local private sector provision.

10 LIGHT UP LANCASTER - FIREWORKS EVENT

(Cabinet Member with Special Responsibility Councillor Sands)

Cabinet received a report from the Chief Officer (Regeneration & Planning) which provided an update on the 2014 Lancaster Fireworks event together with options with regard to event management.

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

	Option 1: Procure management and delivery of Lancaster Fireworks event 2014	Option 2: Do not procure management and delivery of Lancaster Fireworks event for 2014
--	--	---

Advantages	<p>Allows the Fireworks event for 2014 to be delivered, meeting local expectations around this highly valued local event.</p> <p>Economic impact achieved as a result of high volume of visitors and attendees.</p> <p>Enhances the value of the Light Up Lancaster event as a whole, supporting the work of arts partners.</p> <p>Allows external funding to be maximised.</p> <p>Efficient model of delivery as in kind contributions from the council for key events staffing roles no longer required.</p> <p>Allows the council to focus its limited resources on marketing, business engagement, external funding and work with district partners.</p> <p>No impact on day to day business as a result of time off in lieu.</p>	Provide an opportunity to make savings.
Disadvantages	<p>Increase in the headline budget required to organise and deliver the event (to be mitigated either by utilising savings elsewhere or redirecting existing resources).</p>	<p>Fireworks will not be deliverable as resources required are not available.</p> <p>Jeopardises external funding of £58k, which Light up Lancaster has secured from Arts Council and BID by withdrawing match funding support.</p> <p>Possible reputational damage to the Council re public expectations and economic impact.</p>
Risks	<p>Quality of event - contract management arrangement will be in place to manage performance.</p>	<p>That the fire service will possibly see an increase in call outs with the increase of more private firework displays being</p>

	Costs may be higher than estimated from the market testing - procurement processes will ensure Value for Money	organised.
--	--	------------

The Officer preferred option is option 1, to approve the procurement and private sector delivery for the Lancaster Fireworks for 2014. This enables local communities to continue to benefit from an important local event, an economic impact to be achieved for the district and the continuing development of work with arts partners and funders for the Light Up Lancaster Festival 2014 as a whole.

As previous delivery arrangements for the Fireworks event are no longer feasible, a new approach is recommended which will allow the Fireworks event to be delivered again in 2014. Although there is the potential for some limited additional costs, this is in the context of considerable savings gained as a result of service restructures. Timing is an important issue as a firm commitment will need to be made to an external provider as soon as possible in order to ensure that services are secured and sufficient lead in time is available.

Councillor Hanson proposed, seconded by Councillor Sands:-

“That the recommendations, as set out in the report, be approved with an additional recommendation that consideration be given to the introduction of charging for wrist bands in future years.”

Councillors then voted:-

Resolved unanimously:

- (1) That external event management support is procured to provide formal event management for the Lancaster Fireworks event in November 2014.
- (2) That delegated authority be given for the Chief Officer (Resources) to update the General Fund Revenue Budget to reflect indicative additional costs for event management, of around £6,000 to £16,000, as indicated by the market testing exercise, subject to confirmation of final costs as part of the procurement process and sufficient savings being identified from existing budgets.
- (3) That consideration be given to the introduction of charging for wrist bands in future years.

Officers responsible for effecting the decision:

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

Reasons for making the decision:

The Fireworks event is part of the Council's current range of Economic Development services and the decision is consistent with the current Corporate Priority of Economic Growth.

11 EXCLUSION OF THE PRESS AND PUBLIC

It was moved by Councillor Hanson and seconded by Councillor Hamilton-Cox:-

“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.

12 LAND FORMING PART OF LANCASTER LEISURE PARK, OFF WYRESDALE ROAD, LANCASTER**(Cabinet Member with Special Responsibility Councillor Hamilton-Cox)**

Cabinet received a report from the Chief Officer (Resources) which 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 Hamilton-Cox proposed, seconded by Councillor Leytham:-

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

Councillors then voted:-

Resolved unanimously:

- (1) That the land off Wyresdale Road, Lancaster, as shown hatched red, hatched green and edged blue on the plan attached to the exempt report, be declared surplus to requirements and disposed of on the terms and conditions as set out in section 2.4 of the exempt report.
- (2) That detailed terms for the completion of the sale and the lease renewal be referred back to Cabinet for final decision.
- (3) That Cabinet welcomes the additional capital receipt to be generated from the proposal, together with the resulting reduction in borrowing need and indicative revenue savings.

Officer responsible for effecting the decision:

Chief Officer (Resources)

Reasons for making the decision:

The Corporate Property Strategy requires 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 they should be disposed of at best value. This is an opportunistic sale, allowing the Council to improve the management of its assets.

Chairman

(The meeting ended at 12.30 p.m.)

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

MINUTES PUBLISHED ON THURSDAY 29 MAY, 2014.

**EFFECTIVE DATE FOR IMPLEMENTING THE DECISIONS CONTAINED IN THESE MINUTES:
FRIDAY 6 JUNE, 2014.**