



Committee: CABINET

Date: TUESDAY, 29 MARCH 2016

Venue: MORECAMBE TOWN HALL

Time: 6.00 P.M.

A G E N D A

1. **Apologies**

2. **Minutes**

To receive as a correct record the minutes of Cabinet held on Tuesday, 16 February 2016 (previously circulated).

3. **Items of Urgent Business Authorised by the Leader**

To consider any such items authorised by the Leader and to consider where in the agenda the item(s) are to be considered.

4. **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.

5. **Public Speaking**

To consider any such requests received in accordance with the approved procedure.

Reports from Overview and Scrutiny

None

Reports

6. **Appointment to Outside Body - Yorkshire Dales National Park Authority (Pages 1 - 3)**

(Cabinet Member with Special Responsibility Councillor Blamire)

Report of Chief Executive

7. **Corporate Plan 2016 - 2020**

(Cabinet Member with Special Responsibility Councillor Blamire)

Report of Chief Executive - (Report to follow)

8. **Town Hall Tours (Pages 4 - 8)**

(Cabinet Member with Special Responsibility Councillor Clifford)

Report of Chief Officer (Regeneration & Planning)

9. **Catering At The Storey, Lancaster (Pages 9 - 15)**

(Cabinet Member with Special Responsibility Councillor Hanson)

Report of Chief Officer (Resources)

10. **Exclusion of the Press and Public**

This is to give further notice in accordance with Part 2, paragraph 5 (4) and 5 (5) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 of the intention to take the following item(s) in private.

Cabinet is recommended to pass the following recommendation in relation to the following item(s):-

“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(s) of business, on the grounds that they could involve the possible disclosure of exempt information as defined in paragraph 3 of Schedule 12A of that Act.”

Members are reminded that, whilst the following item(s) have been marked as exempt, it is for Cabinet itself to decide whether or not to consider each of them in private or in public. In making the decision, Members should consider the relevant paragraph of Schedule 12A of the Local Government Act 1972, and also whether the public interest in maintaining the exemption outweighs the public interest in disclosing the information. In considering their discretion Members should also be mindful of the advice of Council Officers.

11. **St. Leonard's House (Pages 16 - 51)**

(Cabinet Member with Special Responsibility Councillor Bryning)

Report of Chief Officer (Resources)

12. **Disposal of the Site off Central Drive, Morecambe (Pages 52 - 62)**

(Cabinet Member with Special Responsibility Councillor Bryning)

Report of Chief Officer (Resources)

ADMINISTRATIVE ARRANGEMENTS

(i) Membership

Councillors Eileen Blamire (Chairman), Janice Hanson (Vice-Chairman), Abbott Bryning, Darren Clifford, Karen Leytham, Margaret Pattison and David Smith

(ii) Queries regarding this Agenda

Please contact Liz Bateson, Democratic Services - telephone (01524) 582047 or email ebateson@lancaster.gov.uk.

(iii) Apologies

Please contact Democratic Support, telephone 582170, or alternatively email democraticsupport@lancaster.gov.uk.

MARK CULLINAN,
CHIEF EXECUTIVE,
TOWN HALL,
DALTON SQUARE,
LANCASTER LA1 1PJ

Published on Thursday, 17 March, 2016.

CABINET

Appointment to Outside Body – Yorkshire Dales National Park Authority

29th March 2016

Report of Chief Executive

PURPOSE OF REPORT			
To enable Cabinet to appoint a Cabinet Member to the Yorkshire Dales National Park Authority, if invited to join.			
Key Decision	<input type="checkbox"/>	Non-Key Decision	<input type="checkbox"/>
			Referral from Council <input checked="" type="checkbox"/>
Date of notice of forthcoming key decision		n/a	
This report is public			

RECOMMENDATION

- (1) **That the Cabinet Member with Special Responsibility for Rural Affairs be appointed to the Yorkshire Dales National Park Authority subject to an invitation to join.**

1.0 Introduction

- 1.1 An extension to the boundary of the Yorkshire Dales National Park Authority (YDNPA) comes into effect in August 2016 and will include Leck Fells. It is expected that Lancaster City Council will be entitled to a seat on the Authority.
- 1.2 At its meeting on 2 March 2016 Council were requested to consider the basis of any appointment to the (YDNPA).

2.0 Proposal Details

- 2.1 Council agreed that the basis of the appointment should be the appropriate Cabinet Member and that the appointment be referred to Cabinet to endorse.
- 2.2 It is understood that the National Park body is keen to ensure that any new local authority members would be able to take their seats on the revised park board as quickly as possible to consider any planning applications in August.

3.0 Officer Preferred Option (and comments)

- 3.1 It is recommended that the appointment be aligned as closely as possible to

an individual Cabinet Member's portfolio. Although the membership of the extended Authority has not yet been finalised, it is recommended that Cabinet indicate who will be appointed so that there is no delay in making any appointment, for the reasons outlined in 2.2 above.

RELATIONSHIP TO POLICY FRAMEWORK

Representation on Outside Bodies is part of the City Council's community leadership role.

CONCLUSION OF IMPACT ASSESSMENT

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

There are no direct implications arising from this report.

LEGAL IMPLICATIONS

See paragraph 2 of the financial implications below.

FINANCIAL IMPLICATIONS

Members of outside bodies are entitled to travel expenses. Costs resulting from these appointments can be met from existing democratic representation budgets.

It should be noted that the National Parks Authorities have the power to levy under the National Park Authorities (Levies) (England) Regulations 1996. As the levy is apportioned on the basis of membership of the Authority, potentially this appointment could have implications for the Council's budget. However, officers have been informed that the Authority has no plans to use the power to levy.

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: Liz Bateson Telephone: 01524 582047 E-mail: ebateson@lancaster.gov.uk Ref:
----------------------------------	--

CABINET

Town Hall Tours 29th March 2016

Report of Chief Officer, Regeneration and Planning

PURPOSE OF REPORT			
To propose new arrangements for Town Hall tours in Lancaster Town Hall.			
Key Decision	X	Non-Key Decision	Referral from Cabinet Member
Date of notice of forthcoming key decision	22 February 2016		
This report is public			

OFFICER RECOMMENDATION

It is recommended that

- (1) **Cabinet approves the proposals outlined in this report for development and delivery of Town Hall tours at Lancaster Town Hall**

1.0 Introduction

1.1 Lancaster Town Hall is an important heritage building with an interesting history that spans over a century. Over the last couple of years a significant amount of work has been undertaken to repair and maintain the building in a way that is appropriate for its Grade 2* listed status. As a result, public access to various parts of the building has been restricted for some time. Although further works are planned but unprogrammed at this stage, the current phase of the repairs and maintenance works is now almost complete creating a better opportunity to open up the building more regularly for the public and visitors.

1.2 This report proposes new Town Hall tours at Lancaster Town Hall, in order to enhance the building as a visitor attraction, increase public access and develop its role as a unique and important historical building within the heritage city of Lancaster.

2.0 Proposal Details

Town Hall tours

- 2.1 This report has come forward at the request of Councillor Jon Barry, the current Mayor.
- 2.2 Completion of the current phase of repairs and maintenance work during the

early part of 2016 provides a useful opportunity to reinstate Town Hall tours.

- 2.3 The tours will begin in the Mayor's Parlour followed by the Main Staircase, The Council Chamber, The Ashton Hall, the Witness Room, and then the Courtrooms followed by the Police Cells. In line with many other historic attractions, the length of the tour will last approximately 1- 1½ hours and will help tell the story of the city and as well as the Town Hall itself.
- 2.4 The Mayor's Beadle is an excellent tour guide and in addition, tour guides can be provided by County Council or by a private sector provider, as and when required.
- 2.5 In the first place, it is proposed that tours take place on pre-arranged weekdays during July and August and this programme can be developed in line with demand. Further scheduled group or educational tours can be organised on request.
- 2.6 Research on other similar attractions suggests that £3 (£2 for concessionary tickets) is a reasonable charge for Town Hall tours and this will help to cover tour costs. Free admission can still be available for children and, for example, as part of Heritage Open Days.
- 2.7 Visitor marketing and promotion priorities for the Council change year on year dependent on what opportunities exist to achieve the best outcomes from the resources available. Lancaster Town Hall tours fit well with Lancaster's destination brand and its status as one of England's Heritage Cities so can potentially help to achieve a positive impact on the visitor economy and on Lancaster's profile within and beyond the district.
- 2.8 Reflecting the above points, marketing and promotion of Town Hall tours will be undertaken in a number of different ways, as follows:
 - The tours will reflect Lancaster's destination brand and be a new product feature of Lancaster's 'City of Stories' thematic campaign
 - A dedicated campaign will be run to promote the series of tours including the production of print and display materials, digital marketing
 - A PR launch will take place at the beginning of the season where the media are invited onto the tour
 - Opportunities to link the Town Hall tours with city heritage trails and Heritage Open days will be developed
 - Further promotion, face to face, telephone and on line promotion via the Visitor Information Centres
 - Features on the reception plasma screens at the Storey and Platform
 - Social media including Facebook (Morecambe and Lancaster VIC's) Twitter(@moreLancaster)
 - On line listing on Google Calendar and LOIS (Lancashire Online Information Service)
- 2.9 Ticketing for individual and group bookings will be undertaken by the Visitor Information Centres, using the Council's existing ticketing arrangements.
- 2.10 Dependent on the level of demand, the number of Town Hall tours could increase and income generation opportunities could be developed through ancillary services, such as catering and retail, where there is a business case.
- 2.11 Initially, it is expected that management and coordination of the proposed Town Hall tours can be undertaken by Regeneration and Planning within existing resources. Any developments over time will need to be considered further in terms of costs, capacity and potential income.

2.12 Although there is always a limited risk, ideally any event will at least pay for itself and should have the potential for surplus income once the Town Hall tours are established, and awareness and take up are increased.

2.13 Following the trial period, a review of the Town Hall tours will be undertaken to establish the overall costs and benefits and to consider potential for further development.

3.0 Details of Consultation

3.1 Ongoing discussion with management of other significant attractions in the city will continue as the tours develop, in order to build on links between Lancaster’s key heritage assets.

4.0 Options and Options Analysis (including risk assessment)

	Option 1: Provide Town Hall tours	Option 2: Do not provide Town Hall tours
Advantages	<p>Better use of the Town Hall, as a public building, by visitors and local communities</p> <p>Increased profile for Lancaster as a visitor destination, as a result of higher profile events</p> <p>Improved recognition of the Town Hall as an important historical building in an English Heritage City</p> <p>Potential for income generation for the Council</p> <p>Efficient use of existing staff resources and skills</p>	<p>Building management arrangements simpler, as fewer public visits and events taking place</p> <p>Visitor marketing resources can be used for alternative campaigns</p>
Disadvantages	<p>Greater public access would directly lead to an increased security risk for the building</p> <p>Would take a large number of our events spaces out of action for one afternoon per week preventing bookings that may offer a greater financial reward</p> <p>Future building works are envisaged that could prevent access to some areas of the building. Adequate windows in the tours to allow completion of the works would need to be planned or there could be potential for complaints, refunds and the like.</p>	<p>Lost opportunity to increase use of the Town Hall by visitors and local communities</p> <p>Lost opportunity to enhance Lancaster’s profile as a visitor destination and as an English Heritage City</p> <p>Less awareness of the Town Hall’s historical and heritage value</p> <p>Loss of potential income</p>
Risks	<p>Low level financial risks exist as expenditure is required where</p>	

	<p>income is not guaranteed. Quality of the tour experience and good marketing and promotion will help to minimise this risk.</p> <p>There are currently several disabled access challenges within the building that could potentially have legal implications.</p> <p>The tours could prove to be unpopular but the resources necessary to make them to happen would still need to be accounted for.</p>	
--	---	--

5.0 Officer Preferred Option (and comments)

5.1 The Officer preferred option is Option1, which increases access to and use of Lancaster Town Hall, within manageable costs and with the potential for income.

6.0 Conclusion

6.1 Lancaster Town Hall is an exceptional heritage building with facilities that do not exist elsewhere in the district. This report describes a number of ways in which the Town Hall can be made more available to visitors and those who live and work locally. This also raises the profile of Lancaster, supports the visitor economy, delivers an economic impact and generates income for the Council.

6.2 During 2016, arrangements for the tours and events described will be developed and initial tours and events will be staged. All tours and events will be reviewed to establish their viability on an ongoing basis.

RELATIONSHIP TO POLICY FRAMEWORK

The proposals in this report are consistent with the Councils' Corporate Priority of Sustainable Economic Growth, the Outcome "Lancaster...will be recognised as (an) important visitor destination" and the Success Measure "Visitor numbers and spend will be increased".

CONCLUSION OF IMPACT ASSESSMENT

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

Access arrangements will need to be considered as part of the Lancaster Town Hall tours.

LEGAL IMPLICATIONS

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

FINANCIAL IMPLICATIONS

It is not expected that there will be any significant financial implications arising during the trial

period. Should the need arise for a tour guide to be procured externally, then associated expenditure will need to be offset by additional tour income or from within existing resources, should a deficit arise. For information, it is estimated that for each individual tour an average of 8 visitors is required to cover external tour guide costs should internal resources not be available as required. Risks will be managed by ensuring the tour is engaging and attractive and by providing sufficient marketing and promotion, the latter also being met from within existing budgets in the first instance.

Management and marketing of the Town Hall tours will be managed primarily by officers within the Regeneration and Planning Service, albeit in liaison with Property Group regarding access to relevant areas within the Town Hall.

On this basis, there is no requirement for additional funding for Town Hall tours at the present time. Following the outcome of the review of the pilot, then any possible future requirement for further developments would need to be dealt with as part of the 2017/18 budget process.

OTHER RESOURCE IMPLICATIONS

Human Resources:

Existing staff capacity is required to manage and market the tours and to ensure access to the relevant areas within the Town Hall.

Information Services:

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

Property:

Town Hall tours rely on access to a range of rooms and facilities within Lancaster Town Hall. All arrangements will need to be in line with the Council's Lettings Policy.

Open Spaces:

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

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: Anne Marie Harrison

Telephone: 01524 582308

E-mail: amharrison@lancaster.gov.uk

CABINET

Catering at The Storey, Lancaster 29 March 2016

Report of Chief Officer (Resources)

PURPOSE OF REPORT				
To update Members on the catering/bar offer at The Storey, in context of recent changes and the forthcoming wider review of The Storey's operation.				
Key Decision	<input type="checkbox"/>	Non-Key Decision	<input checked="" type="checkbox"/>	Officer Referral
Date of notice of forthcoming key decision				N/A
This report is public.				

RECOMMENDATIONS OF COUNCILLOR HANSON

1. That Cabinet endorses the principle of the Council providing the catering/bar offer at The Storey with immediate effect, following vacation by the current tenant.
2. That Cabinet receives an update report on the longer term viability of providing the catering/bar operation in-house as part of the wider formal review of The Storey operation prior to 2017/18, with updates being provided through normal quarterly monitoring arrangements in the interim.

1.0 Report

- 1.1 The current catering tenant at The Storey has a five year lease dated 11th June, 2014 which allows them to operate the café, bar and restaurant plus sole catering rights within The Storey building. Following various discussions with the operator on their current lease, the operator served appropriate notice on the City Council to end the lease on 31 March 2016 and, under delegated authority, this notice has been accepted.
- 1.2 The termination of the current arrangement presents the opportunity for the Council to take on a re-modelled catering offer to suit the needs of the venue, to complement the room hire and to draw additional people into the building. The café and bar areas have been designed as an integral part of The Storey as a business and a place to visit.

- 1.3 Plans are in place therefore to bring the café/bar operation in-house to be operated and managed by the City Council, with the longer term being subject to the outcome of the wider formal review of The Storey operation prior to 2017/18. The restaurant within the building would cease to be used for its current purpose. The facility is not essential for the venue's offer and having the restaurant open, at times when most of the building is closed to the public, presents operational difficulties and cost pressures. Drawing on recent experience, it is not considered that siting a restaurant in the building presents a viable business opportunity.
- 1.4 It should be noted that there will be a short period from when the current tenant vacates to when the City Council launches the new in-house provision, i.e. the café will be closed for minor refurbishment/rebranding works but meetings and events will still be catered for by a combination of existing facilities staff and a preferred shortlist of caterers and bar operator.

2.0 Details of Consultation

- 2.1 Detailed consultation has taken place with council officers in Resources (Accountancy); Regeneration and Planning; Environmental Services and Human Resources.

3.0 Options and Options Analysis (including risk assessment)

- 3.1 Various options have been considered relating to the catering/bar operation including putting it out to tender or working in partnership with outside organisations. These have been dismissed at this stage, primarily for operational reasons and due to the need for a wider formal review of The Storey operation before 2017/18. The timing of the current tenant wishing to leave The Storey has therefore presented the Council with this opportunity to undertake the catering/bar operation itself.
- 3.2 For operational and property management reasons Officers consider bringing in-house the café/bar operation, with the catering of large events being undertaken initially by a preferred shortlist of outside caterers, the better option at this stage. The former restaurant space would be made available for leasing to a new tenant or for additional room hire. It is considered that an in-house operation would work much better in terms of room hire that requires catering, and it would allow other efficiency savings to be made with regard to existing facilities support / reception staffing, through more flexible job roles and working arrangements. It would also allow the Council to take more control of the building and offer more flexibility and choice to room hirers.
- 3.3 From the initial appraisal undertaken so far, bringing the operation in-house is expected to become financially viable after the initial setting up period and would help The Storey to achieve at least a break-even position - that is the budgetary target now adopted for next year and beyond. As with any such initiative, however, it is not without its risks, but these are thought to be manageable, subject to an effective staffing structure being put in place as set out at **Appendix A**.
- 3.4 In recent times the Council's other catering operations, in particular Williamson Park, have improved greatly and it is currently envisaged that the manager there will be able to provide some technical assistance with the

initial development of the in-house catering offer at The Storey.

- 3.5 Furthermore independent advice obtained when the Council was in lease negotiations with the current tenant demonstrated that the trading market is weak with potential tenants of commercial catering premises. Those that are out there would require incentives such as rent free periods; reverse premium from the landlord; limited levels of service charges and the risk of offering low rents.
- 3.6 It is unlikely that one of the big national chains would be interested in the catering offer and there is always the risk that the Council would not secure a tenant.

4.0 Officer Preferred Option (and comments)

Bringing the operation in-house will give the Council increased flexibility with the catering/bar operation and the existing facilities management staff and improved integration within the overall Storey offer. This is expected to become financially viable after the initial setting up period and would therefore assist The Storey to achieve at least a break-even budget position. This will feed into the wider forthcoming review.

<p>RELATIONSHIP TO POLICY FRAMEWORK</p> <p>The Storey operation as a whole will need to support Council’s priorities and be sustainable, to fit with the Council’s theme of managing its resources to deliver value for money.</p> <p>The future of The Storey should be considered in context of the Council’s regeneration priorities, as well as its core values of providing value for money, drawing on medium term financial and property strategies.</p>
<p>CONCLUSION OF IMPACT ASSESSMENT (including Health & Safety, Equality & Diversity, Human Rights, Community Safety, HR, Sustainability and Rural Proofing)</p> <p>None directly from this report</p>
<p>LEGAL IMPLICATIONS</p> <p>Legal Services will deal with any necessary legal documentation once the future of these premises at The Storey has been decided</p>
<p>FINANCIAL IMPLICATIONS</p> <p>Due to the need for a wider review of the overall Storey Business Plan before 2017/18, the surrender of the lease by the current tenant has presented the Council with the timely opportunity to assess how the catering operation is provided and so it makes sense to deliver and manage this in-house, at least until the outcome of the review is known.</p> <p>The 2016/17 Storey budget assumes £7.4K rental and £17.6K service charge income in relation to the catering offer and so going forward this will need to be offset from a combination of the in-house catering/bar provision, hire of the former restaurant space, and other Storey activities generally (accepting, however, that some of the costs feeding into the</p>

service charge will change and may be lower).

At this stage, it has not been possible to produce a detailed business plan for the in-house catering/bar operation based on information provided by the current tenant, but a high level review of comparative operating budgets within other similar existing council operations combined with increasing room bookings at The Storey help to demonstrate that it should be possible to become cost neutral or even generate a net surplus from Year 2 onwards.

The table below provides a summary of the projected budgets for the in-house catering/bar offer, however, (i.e. excluding additional room hire income and flexible working arrangements) and demonstrates that potential for a net surplus to be achievable, subject to a more detailed review post-implementation. This also includes for a new staffing structure similar to that at Williamson Park as set out at **Appendix A**. If successful, this will in turn contribute to the overall budgetary position for The Storey and help with the wider review.

Storey Catering/Bar In-House Provision	Year 1 2016/17 £	Year 2 2017/18 £	Year 3 2018/19 £	Year 4 2019/20 £
Employee Related	89,800	92,700	95,700	98,800
Premises Related	30,100	30,700	31,300	31,900
Supplies & Services	95,400	108,600	116,900	119,200
Income	-205,000	-242,500	-260,000	-265,200
Net Deficit+/-Surplus-	10,300	-10,500	-16,100	-15,300
Lost Rental Income	7,400	7,400	7,400	7,400
Income needed from catering/room hire/other Storey activities to break-even	17,700			
Potential Surpluses		3,100 Surplus	8,700 Surplus	7,900 Surplus

Officers consider this level of income target to be manageable in Year 1. Further details will be reported in due course as part of normal quarterly monitoring arrangements.

Even if some level of deficit remains in Year 1, it is expected that any operating deficit potentially arising should still be an improved position compared with an external provider who would, realistically, expect incentives such as a rent-free period during the initial setting up period. Furthermore, it is anticipated that additional income can be generated either through letting of the former restaurant space to a new tenant or using as a further room hire facility to enhance the existing offer. This combined with more control over how the catering provision fits within the overall building offer and more flexible working arrangements for existing facilities/reception staff should enable the operation overall to become as near to

cost neutral as possible after the initial setting up period.

It should also be noted that during Year 1 it is unlikely that the café will open before June or July. The financial impact is expected to be minimal overall as existing facilities staff should be able to continue to provide refreshments for meetings and smaller scale events and where necessary outside caterers and bar operators will be utilised for larger scale events bookings (such as weddings and celebrations) during the interim period.

Overall, catering is critical to support The Storey's events programme and the commercial and conference offer, including large scale events such as weddings. It needs to be of a high standard with the capacity and flexibility to develop/maximise potential for future business expansion, which meet both the Council's corporate priorities as well as providing an opportunity to contribute to the overall bottom line position for The Storey itself. Recent success in developing this area has been demonstrated by other Council-run facilities such as the café operations at Williamson Park and Salt Ayre Sports Centre and the bar function at the Platform – accepting that the physical condition and layout of these facilities are less than ideal. In short, there is an existing knowledge base on which to draw upon for The Storey, if needed, albeit that resources are tight.

That said, there is still some risk attached as with any new venture and so this will need to be monitored and reported upon as part of the wider review needed for The Storey Business Plan before 2017/18, and through normal monitoring arrangements as appropriate..

Finally, line management responsibility for the in-house catering offer and associated staff will sit within Property Group, as part of their corporate landlord role, although as with the main Storey operation, this will need to be undertaken in conjunction with continued operational support from Regeneration and Planning and also additional interim support from Environmental Services (i.e. Williamson Park) to ensure the necessary expertise is in place until such time that appropriate management capacity is fully established within the catering/facilities management staffing structure at The Storey. In time, staffing changes will mean that a more corporate, better structured and resourced approach for catering may be considered in due course, as part of a facilities management package.

OTHER RESOURCE IMPLICATIONS

Human Resources:

The Council has completed a due diligence process in relation to employees working for the current tenant. The initial information provided to the HR Team suggested that the proposed action of the Council may result in a transfer of an employee to the Council under the Transfer of Undertakings (Protection of Employment) (Amendment) Regulations 2014, known as TUPE.

Notwithstanding the fact that it might be argued that the termination of the lease does not in itself give rise to the application of TUPE, the HR Team have completed a due diligence process which secured additional information about the work activities of employees of the current tenant. This information has enabled a judgment to be made as to which employees might argue that they should be assigned to a transfer.

The information now available indicates that one employee undertakes work associated to the café operations which required due consideration in relation to TUPE. The data provided suggests that this employee work activities in relation to the café operation, do not exceed 55% of their overall employment. On that basis the assessment of the HR Team is that this does not represent a sufficient level of work to justify the transfer of this individual's employment to the Council.

Both the current tenant and the employee concerned have been advised of the Council's position and consultation is ongoing. It may be that the Council's position is disputed by the employee, who may present an argument that TUPE should apply. Any argument that is presented will be managed as a matter of process.

The proposals set out an indicative staffing structure to deliver the operational activities and this has been developed using the professional knowledge of officers within the Council who currently manage catering operations. Having compared the general duties for each post against comparable posts elsewhere in the Council, notional grades have been assigned to each post for planning purposes. Should the proposals in the report be approved then detailed Job Descriptions will need to be drawn up and formally evaluated under the Council Job Evaluation Scheme.

The Council pay and grading structure means that, in general, pay for employees working in catering roles is higher than other local catering operations. A basic assessment of current catering vacancies in the local area has highlighted that roles such as waiter and 'bar staff' attract a pay rate at or around the national minimum wage rate. For example from 1 April 2016 the based rate of pay for Council employees (excluding Apprentices) will be £8.25 per hour (the Council does not apply an age limit to this rate).

With effect from 1 April 2016 the national minimum wage will be £7.20 per hour (over 24 years of age) Lower rates apply to employees under 24 years of age.

Any recruitment process to fill the proposed posts will be conducted in line with existing procedures.

Should the Council seek to draw in staff from other service areas to address the proposed demand, care must be taken to ensure any drawing on existing capacity does not compromise the delivery of existing services or those proposed in this report. It would also be appropriate to account for any ongoing support arrangements from other services, so that the staffing time allocated to the proposed service is accurately accounted for financial management purposes.

Information Services:

N/a

Property:

These have been covered in the report.

Open Spaces:

N/a

SECTION 151 OFFICER'S COMMENTS

The s151 Officer has contributed to this report, which is in her name (as Chief Officer (Resources)).

MONITORING OFFICER'S COMMENTS

The Monitoring Officer has been consulted and has no further comments

BACKGROUND PAPERS

None

Contact Officer: Julia Greenwood

Telephone: 01524 582507

E-mail: jgreenwood@lancaster.gov.uk

Ref: L4210

The Storey Café & Bar In-House Catering Indicative Staffing Structure

	Duty Catering Supervisor	Ass't Duty Catering Supervisor	Catering Assistant	Casual Catering Assistant	Casual Event Assistants	Total Combined Staffing
	1 fte	1.5 fte	1 fte	9 hrs pw	12 hrs pw	
	SCP 25-31	SCP 18-25	SCP 9-18	SCP 9	SCP 9	
Salaries - Basic	22,400	26,600	16,800	3,900	5,200	74,900
Salaries - National Insurance	2,000	1,400	0	0	0	3,400
Salaries - Superannuation	2,900	3,400	2,200	0	0	8,500
Salaries - Overtime						1,000
Service Training						1,000
Employee Related Insurance						1,000
Total Staffing Costs	27,300	31,400	19,000	3,900	5,200	89,800

Document is Restricted

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

Document is Restricted

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

Document is Restricted

Document is Restricted

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

Document is Restricted

Document is Restricted

Document is Restricted

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

Document is Restricted

Document is Restricted