

## CABINET

6.00 P.M.

26TH APRIL 2016

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

Also present: Councillor Nigel Goodrich (Minute 97)

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)
Gary Watson	Senior Property Officer
Liz Bateson	Principal Democratic Support Officer

### 92 MINUTES

The minutes of the meeting held on Tuesday 29<sup>th</sup> March 2016 were approved as a correct record.

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

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

### 94 DECLARATIONS OF INTEREST

Councillors Hanson, Clifford and Pattison declared an with regard to the Morecambe Neighbourhood Plan Application for Area Designation report in view of being members of Morecambe Town Council.(Minute 98 refers).

### 95 PUBLIC SPEAKING

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

### 96 EXCLUSION OF PRESS AND PUBLIC

It was moved by Councillor Clifford 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 items 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 items 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.

**97 REPORTS FROM OVERVIEW AND SCRUTINY COMMITTEE - ST LEONARD'S HOUSE CALL-IN REFERRAL**

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

The Chairman of the Overview and Scrutiny Committee presented a report to advise Cabinet of the outcome of the call-in of the Cabinet decision in relation to St Leonard's House, Lancaster held on 14<sup>th</sup> April 2016, and request Cabinet to consider the recommendations of the Overview and Scrutiny Committee in relation to this matter. The recommendation was set out in a referral report which was exempt from publication by virtue of paragraph 3, Schedule 12A of the Local Government Act 1972.

After some discussion it was moved by Councillor Bryning and seconded by Councillor Hanson:-

- "(1) That Cabinet notes the comments made by the Overview and Scrutiny Committee and reaffirms its previous decision in relation to St Leonard's House on 29 March 2016 (Minute 90 refers)."

***Resolved unanimously:***

- (1) That Cabinet reaffirms its previous decision in relation to St Leonard's House on 29<sup>th</sup> March 2016:

- (1) *That Cabinet notes the progress made following the financial commitment made to progress the 'Stage 2' report for the redevelopment of St. Leonard's House as student accommodation.*
- (2) *That Cabinet approves Option 1 as set out in the exempt report, this being the disposal of St. Leonard's House to Robertson Property Limited in line with the exclusivity agreement and other heads of terms developed through the Lancashire Regeneration Property Partnership (LRPP) as set out at Appendix A to the exempt report, in support of the economic well-being of the area.*
- (3) *That progress on this matter be covered in the normal quarterly reporting arrangements.*

**Officer responsible for effecting the decision:**

Chief Officer (Resources)

**Reason for making the decision:**

In re-affirming the decision made on 29th March, Cabinet notes the observations made by the Overview and Scrutiny Committee. The decision enables the disposal of St Leonard's House to progress with immediate effect and supports current corporate

priorities in connection with Economic Growth and Health and Wellbeing (Housing).

*The press and public were re-admitted to the meeting at this point.*

**98 MORECAMBE NEIGHBOURHOOD PLAN APPLICATION FOR AREA DESIGNATION**

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

***Councillors Hanson, Clifford and Pattison had declared an interest in this item in view of being members of Morecambe Town Council.***

Cabinet received a report from the Chief Officer (Regeneration & Planning) which sought approval of Morecambe Town Council's Neighbourhood Plan Designation Area Application.

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

A local authority can refuse an application for a neighbourhood plan area designation only on the grounds that the area that is the subject of the application is not an appropriate area. Given that the area that is proposed is the area of the whole parish, there is no suggestion that the subject of this application is not an appropriate area. It follows that there is no reasonable ground for not approving the application, and therefore no realistic other option.

The Morecambe Neighbourhood Plan Area Designation is in line with the current ward boundaries and follow the urban form of Morecambe, whilst there are concerns over the geographical scale of the area designation there have been no formal objections raised. Therefore it is recommended that the application be approved.

Councillor Whitehead proposed, seconded by Councillor Leytham:-

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

Councillors then voted:-

***Resolved unanimously:***

- (1) To approve the Morecambe Neighbourhood Plan Designation Area Application.
- (2) To update the General Fund Revenue Budget to reflect the DCLG funding and associated expenditure.

**Officer responsible for effecting the decision:**

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

**Reasons for making the decision:**

Neighbourhood Planning contributes to the Council's corporate plan priorities,

particularly sustainable economic growth and once adopted will form part of the Council's Lancaster District Local Plan.

## 99 LICENSING REGULATORY COMMITTEE REFERRALS

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

Cabinet received a report from the Chief Officer (Environment) to enable consideration of two items referred by the Licensing Regulatory Committee with regard to Hackney Carriage and Private Hire Vehicle plates and the testing of Hackney Carriages and Private Hire Vehicles.

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

In terms of options Cabinet can either confirm that they are satisfied that the current arrangements are in place or request that Officers develop further options that Cabinet can consider.

The officer view is firmly that the current arrangements are very much fit for purpose in terms of ensuring the Council's roles and responsibilities both with regards to safety, regulation and the need to provide services in an efficient, effective and economical manner. Furthermore, the officer view is that significant change to the current system in these two areas would compromise the Council's ability to undertake its regulatory role effectively.

The Officer preferred option is that Cabinet considers the two issues referred to them for consideration and based on the evidence provided recommends that no changes are made to the current arrangements.

Councillor Pattison proposed, seconded by Councillor Smith:-

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

Councillors then voted:-

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

- (1) That Cabinet considers that the current plates issued to hackney carriages/ private hire vehicles are appropriate and consistent with best practice.
- (2) That Cabinet considers that the current system of testing hackney carriages/ private hire vehicles is appropriate, in terms of frequency and rigour, and satisfactory to ensure high standards of safety for the public, and consistency between vehicles.

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

Chief Officer (Environment)

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

The decision is consistent with the Council's ethos of stewardship and ensuring the social, economic and environmental wellbeing of the local area and as regulators of public safety, Cabinet would be concerned by any proposals which would reduce the status of the regulations. Cabinet consider that the licence plating system in place provides a level of reassurance and is appropriate and consistent with best practice. Cabinet concurs that the current arrangements for testing vehicles in terms of frequency and vigour ensure high standards of safety for the public and consistency between vehicles as well as an efficient, economical and effective service.

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Chairman

(The meeting ended at 6.45 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 FRIDAY 29<sup>TH</sup> APRIL 2016.**

**EFFECTIVE DATE FOR IMPLEMENTING THE DECISIONS CONTAINED IN THESE MINUTES  
(WITH THE EXCEPTION OF MINUTE 97): TUESDAY 10<sup>TH</sup> MAY 2016.**

**MINUTE 97 MAY BE IMPLEMENTED WITH IMMEDIATE EFFECT.**