



LANCASTER
CITY COUNCIL

Promoting City, Coast & Countryside

COUNCIL MEETING

**Wednesday, 19 December 2018 -
6.00 p.m.
Morecambe Town Hall**

Susan Parsonage,
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, 19 December 2018 commencing at 6.00 p.m. for the following purposes:

1. **APOLOGIES FOR ABSENCE**

2. **MINUTES**

To receive as a correct record the Minutes of the Meetings of the City Council held on 14th November 2018 (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 9 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 11**

To receive questions in accordance with the provisions of Council Procedure Rules 11.1 and 11.3 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.

ITEMS DEFERRED FROM THE NOVEMBER COUNCIL MEETING

8. CANAL QUARTER PROGRESS UPDATE (Pages 1 - 8)

To consider the report of the Portfolio Holder for Regeneration and Planning.

9. MOTION ON NOTICE - REDUCING CLIMATE CHANGE EMISSIONS FROM-BUILD HOMES BY IMPROVING THEIR MINIMUM ENERGY EFFICIENCY STANDARDS (Pages 9 - 12)

To consider the following motion submitted by Councillors Tim Hamilton-Cox, Caroline Jackson, Jon Barry and Kevin Frea.

“Motion on reducing climate change emissions from new-build homes by improving their minimum energy efficiency standard.

This Council notes:

- *the Government announcement in July 2018 that Council could set their own energy efficiency standards for new buildings beyond those set in Part L of the Building Regulations;*
- *the October 2018 report from the Intergovernmental Panel on Climate Change (IPCC) highlighting that we only have around 12 years to reduce climate change emissions in order to limit global warming to 1.5 C. degrees above pre-industrial levels, for the reasons set out in the IPCC's report;*
- *that local authorities are best placed to take a lead on, and implement, many of the measures needed to reduce climate change emissions.*

This Council believes:

- *that one such measure is to improve the energy efficiency standards in new buildings, not only to reduce carbon emissions, but also to keep money that would otherwise go to energy companies circulating in our local economy;*
- *that improving energy efficiency in new buildings is just one part of a strategy to reduce emissions in our district but is an important step to take that should be part of a wider strategy to be set out in a further motion in December following cross-party discussion.*

This Council resolves:

- *to instate Level 4 of the Sustainable Homes Code as the minimum standard on all new homes and include this direction in the draft Local Plan;*
- *to require a Passivhaus standard, as exemplified by the Lancaster Co-housing development in Halton, for all new homes built on council-owned land (following the lead of councils in Norwich and Cambridge, which have mandated higher standards of sustainability for homes on council-owned land);*
- *to expand the range of housing specified in the Canal Quarter section of the draft Local Plan to include social and affordable homes and that these homes match*

the Passivhaus standard at Halton.”

An officer briefing note is attached.

10. QUESTIONS UNDER COUNCIL PROCEDURE RULE 12

To receive questions in accordance with the provisions of Council Procedure Rules 12.2 and 12.4 which require a Member to give at least 3 working days' notice, in writing, of the question to the Chief Executive.

11. LEADER'S REPORT (Pages 13 - 15)

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

REPORTS REFERRED FROM CABINET, COMMITTEES OR OVERVIEW AND SCRUTINY

12. EXCLUSION OF THE PRESS AND PUBLIC

Council 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 of business, on the grounds that they could involve the possible disclosure of exempt information as defined in paragraph 1 of Schedule 12A of that Act.”

Members are reminded that, whilst the following item(s) have been marked as exempt, it is for Council 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.

13. INVESTIGATION INTO LEAKED SENSITIVE INFORMATION AND MEMBERS CONDUCT

Referral from Standards Committee

Report to follow

14. APPOINTMENT TO CHIEF EXECUTIVE POST

Referral from Personnel Committee

Report to follow

15. COMMITTEE TIMETABLE 2019/2020 (Pages 16 - 21)

Referral from Council Business Committee

MOTIONS ON NOTICE

16. MOTION ON NOTICE - BREXIT

To consider the following motion submitted by Councillors Caroline Jackson, Roger Mace and Dave Brookes.

“This Council notes:

- That 28 months have passed since the European Union (EU) Referendum, and that we are now approaching a critical time when the results of the negotiations on the terms of the UK's withdrawal from the EU will be presented to Parliament for a decision*
- The significant support that the Lancaster district has received from the EU over many years for farming, infrastructure investment, tourism and the environment*
- There are at least 10,000 EU nationals working and studying in the district, mainly in Lancaster University and the health service. In this district there is nearly full employment: any reduction in the labour pool will make recruitment difficult for businesses*
- That in a recent survey in Lancaster 91 % of those surveyed believed that Brexit was not going well and that 86% of those surveyed said that there should be a popular vote on the final deal before we leave the EU*
- The mounting public concern at the prospect of leaving the EU with either a bad deal or no deal at all*
- That many Councils across the UK including, in the North West, Trafford, Liverpool, Stockport, Preston, Knowsley and Warrington have each adopted motions supporting calls for a People's Vote on the final Brexit Deal. Other Councils have carried out impact studies on how their area will be affected by Brexit.*

This Council believes:

- That prior to the UK leaving the EU a national People's Vote should be held where the voters make their final choice.*

This Council resolves:

- To explore with other Councils in Lancashire preparing impact studies on the effects that leaving the EU will have on the economy of the County.”*

An officer briefing note has not been provided

17. MOTION ON NOTICE - HIGH SPEED 2 (HS2) AND THE IMPLICATIONS FOR THE LANCASTER DISTRICT (Pages 22 - 25)

To consider the following motion submitted by Councillors Eileen Blamire and Peter Williamson.

“This Council notes:

- That in principle it welcomes the opportunity for improving rail links to the North West, particularly the potential for High Speed 2 (HS2) to add further capacity to*

the existing West Coast Main Line rail network.

- *That the final HS2 timetable is subject to future revision and consultation, but it wishes to ensure that our citizens benefit from the social and economic advantages that connection of the West Coast Main Line to the wider HS2 network may bring.*

This Council believes:

- *That the City of Lancaster's mainline station should serve as a primary stopping station served by HS2 trains, which in turn will provide improved access for businesses, organisations, and residents within (and visitors to) the Lancaster District.*
- *That the inclusion of Lancaster as a primary stopping station served by HS2 trains has the potential to improve the future transport connections to Morecambe, including to Eden North (Eden Project), which is an emerging and potentially nationally-significant proposal.*
- *That the Council should continue to consult with other prominent politicians, business leaders and organisations within the district to establish high-level support for the inclusion of Lancaster as a primary stopping station served by HS2 trains.*

This Council resolves:

- *That the Chief Executive and Officers are empowered to promote Lancaster as a primary stopping station served by HS2 trains, on behalf of the City Council and its' citizens, for the reasons set out above.*
- *That Officers are empowered to respond positively, on behalf of the City Council and its' citizens, to any future, relevant, national consultations regarding HS2 to promote Lancaster as a primary stopping station served by HS2 trains.*
- *That as a first step, Officers arrange to work alongside prominent politicians, business leaders and organisations within the Lancaster District to collectively agree the detail regarding district-wide support for the inclusion of Lancaster as a primary stopping station served by HS2 trains.*
- *That in promoting Lancaster as a primary stopping station served by HS2 trains, that residential amenity environmental standards will continue to be protected."*

An officer briefing note is attached.

OTHER BUSINESS

18. MEMBERS' ALLOWANCE SCHEME: REVIEW (Pages 26 - 43)

To consider the report of the Chief Executive

19. REVIEW OF THE EMPTY HOMES CHARGING POLICE USE OF DISCRETIONARY POWERS (Pages 44 - 56)

To consider the report of the Interim Financial Services Manager

20. **LOCALISED COUNCIL TAX SUPPORT SCHEME 2019/20** (Pages 57 - 66)
To consider the report of the Interim Financial Services Manager
21. **EDEN PROJECT NORTH** (Pages 67 - 72)
To consider the report of the Assistant Chief Executive
22. **APPOINTMENTS AND CHANGES TO COMMITTEE MEMBERSHIP**
Group Administrators to report any changes to Committee Membership.
23. **QUESTIONS UNDER COUNCIL PROCEDURE RULE 12**
To receive questions in accordance with the provisions of Council Procedure Rules 12.2 and 12.4 which require a Member to give at least 3 working days' notice, in writing, of the question to the Chief Executive.
24. **MINUTES OF CABINET** (Pages 73 - 92)
To receive the Minutes of Meetings of Cabinet held on November 6th 2018 and December 4th 2018.



.....
Chief Executive

Town Hall,
Dalton Square,
LANCASTER,
LA1 1PJ

Published on Tuesday 11th December 2018.

COUNCIL

Canal Quarter Progress Update 14 November 2018

Report of Portfolio Holder for Regeneration and Planning

PURPOSE OF REPORT
To update Council on progress since the last meeting in July and note various actions undertaken to enable the Canal Quarter development proposal to proceed.
This report is public.

RECOMMENDATIONS:

That Council

- (1) **Notes progress on the emerging draft Development Framework and the work undertaken to date;**

1 INTRODUCTION

- 1.1 At its meeting held on 14 July 2018, Council made several resolutions in relation to the Lancaster Canal Quarter regeneration scheme. This report updates Council on progress made since then as required under the "Future Reporting" resolution.
- 1.2 A second meeting of the Canal Quarter Cabinet Liaison Group (CQCLG) took place on 12 September (Appendix 1). Various actions were reported to this meeting. As few substantive matters had been resolved for consideration the Portfolio Holder for Regeneration and Planning cancelled the scheduled October meeting and the group will convene again in early December.

2 PROGRESS SINCE LAST MEETING

- 2.1 The following section addresses each of the resolutions approved by Council in July by providing a short progress update on each.

Development Proposals: Resolution (1) and (2)

Notes progress on the emerging draft Development Framework and the draft Consultation / Engagement Plan including the work undertaken to date by Planit;

Authorises the necessary changes to the Local Development Scheme to produce a Supplementary Planning Document (SPD) with responsibility delegated to Planning Policy Cabinet Liaison Group;

Progress

As previously noted officers have been working with consultants GVA and Planit on an embryonic Development Framework (DF) for the site. This work is still ongoing although nearing completion. CQCLG will be able to consider a completed version of this document at its next meeting in early December.

The DF work takes into account the community reaction to the nine principles approved at the April council meeting and explored via the "Principles Survey". It can be confirmed that the work to date stresses the importance of appreciating the site's many existing assets (such as the heritage and cultural offers), exploiting opportunities more fully (e.g. proximity to the Lancaster Canal and City Centre) in an engaging and legible format.

The initial ideas are being informed by detailed market analysis of the various potential uses, which utilise the existing topography to preserve and enhance existing vistas and scale. The final document will present high level options which are both consistent with the principles previously agreed and which comply with the council's stated aim of securing a viable project.

A tender brief has been issued to procure a specialist consultant team to follow on from this high-level work. The appointed consultant team will take this work further on towards creating a more detailed Strategic Master-planning Framework with the intention this is adopted as a Supplementary Planning Document (SPD) for the Canal Quarter. At the time of writing the tender process is still ongoing but the consultant team should be appointed by the time of Council's meeting on 14 November.

It has been a guiding principle that public consultation should be at the earliest possible stage of the scheme. CQCLG is due to liaise with key personnel involved with Winchester Council (noting council's wish to learn from their Silver Hill model of community consultation) at their next meeting. In addition, the consultant team appointed to work towards the Strategic Framework will be required to work to the broad requirements of an Engagement Plan (previously considered in the report to July Council and by CQCLG) which has recommended innovative, collaborative consultation engagement methods with a strong emphasis on social media throughout. A wide range of methods are to be considered including:

- Launch and feedback events
- Targeted meetings and workshops
- Drop in exhibitions
- Roadshows
- Community Planning Weekend
- Social media e.g. YouTube, Instagram
- Street surveys
- Online/paper forms

Events could include the use of video, mobile voting, walk-about, planning for real and visioning techniques, appreciative inquiry (building on 'best of'), world café and appropriate Leapfrog tools (Lancaster University) could also

be considered. The engagement will need to be accessible and inclusive and will target diverse communities and stakeholders to ensure representation.

Legal: Resolutions (3) and (4)

Notes the proposal that Cabinet agrees the creation of any legal entity as appropriate to facilitate the effective delivery of the overall project.

Notes the deed of termination of development agreement with British Land dated 19 June 2018.

Progress

Work is ongoing on exploring potential legal entities or investment vehicles as part of the wider approach and intent to better utilise council assets. No specific matters relating to the Canal Quarter have been progressed at the current time

In response to the termination and despite best efforts to come to an agreement with the council to secure the properties, British Land placed their holdings on the open market. The council registered as an interested party to purchase but, at the time of writing, it is known that British Land have accepted a third party offer for their portion of the Canal Quarter site. They have suggested that a deal will be completed in the next few weeks but have not revealed the identity of the purchaser although this may be available by the time of Full Council meeting.

As noted in previous reports there is now an increased likelihood that a third-party developer could submit a planning application that was not in alignment with council's or community's overall ambitions for the site. The need to progress supplementary planning guidance in good time is therefore critical.

Financial: Resolutions (5), (6) and (7)

Authorises the Chief Executive on behalf of the Council to conduct negotiations and further due diligence work in relation to the potential acquisition of land and buildings in the Canal Quarter area.

Authorises the Chief Executive on behalf of the Council to enter into negotiations with potential development partner(s) which may include any other property owner.

Approves the budgetary framework as set out in the exempt Appendix C of the report and authorises its use for progressing the scheme, providing for:

- *the renaming of the Canal Corridor Reserve to the Canal Quarter Reserve;*
- *a £186K transfer from the Capital Support Reserve to the Canal Quarter Reserve;*
- *an increase in the Council's underlying need to borrow (known as the Capital Financing Requirement) (as set out in the table at paragraph 1 of Appendix C);*
- *Cabinet being granted delegated authority to acquire the two landholdings identified in Appendix C of the report which are part of the Canal Quarter development, and to authorise any associated works;*
- *the Chief Executive, in consultation with the s151 and Monitoring Officers, being granted delegated authority to pursue relevant external funding bids,*

subject to any such opportunities being in line with the overall budget and development framework for the scheme; and

- *the Chief Executive being granted delegated authority for commissioning professional consultancy in support of progressing the scheme.*

Progress

The previous report to Council addressed the key financial issues that needed to be resolved and agreed to enable the project to proceed. This included the key question of what role the council might play in assembling land for development and how this will influence future master planning and project delivery. However, as the revised scheme develops the Council has begun without prejudice discussions with occupiers and operators who would be suitable - and welcome - in the regeneration of the Canal Quarter.

No external funding bids have been submitted since the last meeting.

It is not intended, at the present time, to make any amendments to the authorities granted at the last meeting.

3 CONCLUSION

- 3.1 Since Council's July meeting, work has centred around monitoring and assisting consultants with preparing the high-level strategic document and preparing for a consultant team to take on this work to the adoption of an SPD through a comprehensive consultation strategy. Having said this engagement with the wider property market has been undertaken and discussions are in place with a number of key occupiers and operators.
- 3.2 Council is now asked to note progress and the various actions to enable progress to be maintained on this key project.

RELATIONSHIP TO POLICY FRAMEWORK

The Canal Quarter Site is a long-standing allocation within the Lancaster Local Plan and is identified via Policies ER4 and ER5 of the Lancaster District Core Strategy (adopted in 2008) and the emerging Policy SG5 of the Strategic Policies & Land Allocations DPD, which is at an advanced stage and was Submitted to the Government in May 2018.

Both adopted and emerging policy for the Canal Corridor Site recognise its potential for:

- a sustainable extension to the current city centre to facilitate growth;
- accommodating a range of uses, including retail, leisure, residential, cultural and wider commercial uses;
- retaining Lancaster City Centre's role and function serving both the district and the North Lancashire / South Cumbria sub-region
- retention of historic buildings of significance, views and the creating of public open space.

CONCLUSION OF IMPACT ASSESSMENT

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

The Council has committed to understand a wide range of stakeholder views on what the Canal Quarter scheme should include and how this might look. This will help to inform the future of the development scheme.

The Council aims to engage with a diverse range of stakeholders including councillors, community groups, voluntary organisations, businesses, land owners, public bodies and other key stakeholders. Targeted publicity will help engagement with children and young people, students, older people, LGBT, people with disabilities, from ethnic backgrounds and faith communities.

Visitors will also be included to gain insight on what attracts people to the city and how the current offer could be improved.

LEGAL AND GOVERNANCE IMPLICATIONS

There are no new legal implications arising from this report.

FINANCIAL IMPLICATIONS

There are no further budget implications arising from this report. Spending this year is within budget and future financial implications will depend on proposals and will be considered by council at future meetings.

OTHER RESOURCE IMPLICATIONS

Human Resources / Information Services / Property / Open Spaces:

Referred to in the report as appropriate.

SECTION 151 OFFICER'S COMMENTS

Section 151 Officer has been consulted and has no further comments

MONITORING OFFICER'S COMMENTS

Monitoring Officer has been consulted and has no further comments

BACKGROUND PAPERS

Previous council reports

Contact Officer: Richard Crompton

Telephone: 01524 582331

E-mail: rcrompton@lancaster.gov.uk

**Notes of the Canal Quarter Cabinet Liaison Group Meeting
held on 12th September 2018 at 5.00 p.m.**

Attendance: Councillors Janice Hanson (Chairman), Eileen Blamire, Abbott Bryning, Kevin Frea, Tim Hamilton-Cox, Andrew Kay, Ronnie Kershaw, Margaret Pattison, Malcolm Thomas, Anne Whitehead and Nicholas Wilkinson

Officers in Attendance: Kieran Keane Assistant Chief Executive
Richard Crompton Interim Regeneration Manager
Mark Cassidy Planning Manager
Anne Marie Harrison Economic Development Manager
Jane Glenton Democratic Support Officer

Also in Attendance: Anna Couch Principal Urban Designer, Planit
Helen Buckle Urban Designer, Planit
Nicola Rigby Director, GVA Property Consultancy

8 Notes

The Notes of the meeting held on 11th July 2018 were accepted by the Group.

9 Declarations of Interest

There were no declarations of interest.

10 Project Development Team - Personnel Update

It was reported that the incoming Director of Economic Growth and Regeneration would oversee the management of Canal Quarter; the Senior Regeneration Officer would project lead; and the Planning and Housing Policy Manager would report to the Planning Manager until the appointment was made.

That the Cabinet Member for Economic Regeneration and Planning be recommended to:

Note the personnel update.

The Chairman advised that the agenda would be re-ordered. Agenda Item No. 6 would be brought forward as the next item of business.

11 High-Level Optioneering and Viability Update

It was reported that Planit had been working with GVA to evaluate the high level options for a new development and financial framework for Canal Quarter and their viability.

Members were guided through progress to-date. A number of themes had emerged from the work carried out, which included the importance of working with the site's heritage and cultural buildings, and fully exploring other opportunities and looking at ways of improving viability, including a mix of uses and phasing.

The next stage in the process would be to complete the Spatial Strategy, which would set out the level and type of development considered appropriate for Canal Quarter. Details would be presented to the Cabinet Liaison Group in October and progress reported to Full Council in November.

It was reported that the Masterplan for the site would be constructed through continuous consultation with the public and finalised in October. The Supplementary Planning Document and Community Engagement Strategy would be commenced from October onwards.

Following the update, a question and answer session took place.

That the Cabinet Member for Economic Regeneration and Planning be recommended to:

Note the update and endorse the work being completed within the timescales reported.

12 Communications and Engagement Strategy Update

Planit gave a detailed presentation, which set out their approach and advised of an iterative process. Called "You Said, We Did", comments collected from the public would be responded to and developed.

Members were advised that the public would be provided with balanced and objective information to assist them in understanding the problems, alternatives and solutions relating to the Canal Quarter.

Working directly with the public throughout the process would ensure that public concerns and aspirations were consistently understood and considered. The public would be involved in the development of alternatives and identification of a preferred solution.

The Communications and Engagement Strategy would be informed by best practice, including consideration of Winchester's central regeneration and elsewhere. Lessons learned would feature in the Consultation and Engagement Plan.

It was reported that Winchester City Council were offering a video conferencing session, which would be arranged for the next meeting of the Group in October. Members were asked to submit questions in advance of the session.

Following the presentation, Members had the opportunity to raise questions, which were suitably answered.

That the Cabinet Member for Economic Regeneration and Planning be recommended to:

Note the work being undertaken on the Communications and Engagement Strategy.

13 Other Site-Specific Land and Property Matters

It was reported that it had not been possible to reach agreement with British Land

regarding acquiring their land and property interests, which had been placed on the open market.

Members noted that, should British Land's land and property holdings be sold to a third party, there was a risk that a developer could submit a planning application that was at odds with the overall ambitions for the site, and more detailed planning guidance would be needed.

Discussions had taken place with local key stakeholders, which included The Dukes, The Grand, The Musicians' Co-operative and Lancaster University. The University's Masterplan advised of the need for further student accommodation in the city. Greater clarity was needed from them and this would be sought.

With regard to the Musicians' Co-operative, it was intended that their presence be retained within the development scheme and discussion had taken place with them. R. G. Parkins & Partners Ltd had produced a structural report on the building and a number of items had been identified, which required urgent work. An update would be requested from Property Group regarding the works and the lease to the property.

It was reported that dialogue had been entered into in connection with property in third party ownership. The retention of existing buildings included the old Mitchell's Brewery site, which would be developed for arts/cultural purposes.

That the Cabinet Member for Economic Regeneration and Planning be recommended to:

Note the report.

14 Future Format of the Liaison Group

Members were asked to consider how the Cabinet Liaison Group might work in the future and to come back with a shared view.

15 Any Other Business

None.

16 Date and Time of the Next Meeting

The next meeting of the Canal Quarter Cabinet Liaison Group was scheduled for Tuesday, 16th October 2018, starting at 5.00 p.m. at The Storey. The meeting was subsequently rescheduled to Tuesday, 23rd October 2018, starting at 5.00 p.m. at The Storey.

(The meeting ended at 6.51 p.m.)

**Any queries regarding these Notes, please contact
Jane Glenton - Democratic Services - 01524 582068 or email jglenton@lancaster.gov.uk**

NOTICE OF MOTION:**REDUCING CLIMATE CHANGE EMISSIONS FROM NEW-BUILD HOMES BY IMPROVING THEIR MINIMUM ENERGY EFFICIENCY STANDARD**

To be proposed by Cllr Hamilton-Cox and seconded by Cllr Jackson, Cllr Barry and Cllr Frea.

“This Council notes:

- The Government announcement in July 2018 that Council could set their own energy efficiency standards for new buildings beyond those set in Part L of the Building Regulations;
- The October 2018 report from the Intergovernmental Panel on Climate Change (IPCC) highlighting that we only have around 12 years to reduce climate change emissions in order to limit global warming to 1.5 C. degrees above pre-industrial levels, for the reasons set out in the IPCC's report;
- That local authorities are best placed to take a lead on, and implement, many of the measures needed to reduce climate change emissions.

This Council believes:

- That one such measure is to improve the energy efficiency standards in new buildings, not only to reduce carbon emissions, but also to keep money that would otherwise go to energy companies circulating in our local economy;
- That improving energy efficiency in new buildings is just one part of a strategy to reduce emissions in our district but is an important step to take that should be part of a wider strategy to be set out in a further motion in December following cross-party discussion.

This Council resolves:

- To instate Level 4 of the Sustainable Homes Code as the minimum standard on all new homes and include this direction in the draft Local Plan;
- To require a Passivhaus standard, as exemplified by the Lancaster Co-housing development in Halton, for all new homes built on council-owned land (following the lead of councils in Norwich and Cambridge, which have mandated higher standards of sustainability for homes on council-owned land);
- To expand the range of housing specified in the Canal Quarter section of the draft Local Plan to include social and affordable homes and that these homes match the Passivhaus standard at Halton.

OFFICER BRIEFING NOTE

Background

The global context of the Motion is relevant, given the Intergovernmental Panel on Climate Change's report last month (which is referenced in the Motion). The report has a stark message in that the consequences of global warming are already visible, and that every additional rise in warming matters, given that it will increase the risk associated with long-lasting or irreversible changes, such as the loss of eco-systems.

Limiting global warming to 1.5°C above pre-industrial levels will require rapid and far-reaching transitions in land, energy, industry, buildings, transport and cities that go beyond district boundaries. However, our own contribution at a district level (collectively and individually) remains a vital part of the national response. At this level, as the Co-Chair of the IPCC Working Group Debra Roberts said, the report will help policymakers and practitioners to "...*make decisions that tackle climate change while considering local context and people's needs*".

The First Resolution

The first resolution requires Level 4 of the Code for Sustainable Homes to be the new minimum standard for all new housing, and to require this within the draft Local Plan.

The Code for Sustainable Homes is a method for certifying the sustainable design and construction of new homes by assessing different criteria. The code was mandatory if it were a requirement of a district's Local Plan, or where it involved affordable housing that was funded by the (then) Homes and Communities Agency.

As part of a wider planning, economic and environmental statement issued in March 2015, the Coalition Government advised the following in respect of Local Plan preparation:

*"From the date the Deregulation Bill 2015 is given Royal Assent, local planning authorities and qualifying bodies preparing neighbourhood plans should **not** set in their emerging Local Plans, neighbourhood plans, or supplementary planning documents, any additional local technical standards or requirements relating to the construction, internal layout or performance of new dwellings. This includes any policy requiring any level of the Code for Sustainable Homes to be achieved by new development; the government has now withdrawn the code, aside from the management of legacy cases".*

The Deregulation Act received Royal Assent on 26 March 2015. It was at this time that Councils were also advised that they could no longer insist on requiring Code Level 3, 4, 5 or 6 via planning conditions imposed on planning permissions.

Leaving aside the Code for Sustainable Homes, the specific issue of energy performance was set out in the Planning and Energy Act 2008. This advised that local planning authorities could continue to set and apply policies within their Local Plans which required compliance with energy performance standards that exceeded the energy requirements of the Building Regulations (which were broadly equivalent to Code Level 4) until amendments to the Planning and Energy Act 2008 have been commenced via the Deregulation Bill.

The complex national legislative framework regarding energy performance was perhaps best exemplified by the recent Government consultation regarding the revised National Planning Policy Framework (NPPF). During the consultation, the Government noted the following:

“A number of local authority respondents stated the view that the text in the revised NPPF restricted their ability to require energy efficiency standards above Building Regulations. To clarify, the (revised) NPPF does not prevent local authorities from using their existing powers under the Planning and Energy Act 2008 or other legislation where applicable to set higher ambition. In particular, local authorities are not restricted in their ability to require energy efficiency standards above Building Regulations”.

Given this new clarity, matters turn to the draft Local Plan. As Members will recall, the Council made a decision to formally publish and submit its Local Plan to the Government for Examination late last year, and the Local Plan documents were formally submitted on 15 May 2018. The Examination is scheduled to commence on 8 January 2019.

The Inspector will have only three options, namely:

- Finding the Local Plan – as submitted – to be sound;
- Finding the Local Plan – as submitted – to be unsound; or,
- Finding that the Local Plan – as submitted but with modifications – can meet the legal requirements and the criteria for soundness set out in the National Planning Policy Framework

The latter is the most common outcome. However the submitted draft Local Plan policy cannot simply be amended in form at this stage by either Inspector or Council.

The Local Plan is prepared having been informed by a wide range of evidence. Turning to the issue of scheme viability, updates regarding viability evidence were presented to the Planning Policy Cabinet Liaison Group (28 November 2017, 7 February 2018 and 27 March 2018). This included updates on the Viability Assessment work undertaken by the Council’s consultants, Lambert Smith Hampton. The scope of the Viability Assessment tested a number of scenarios, including the impact of including the nationally-described spaces standards and accessibility standards. The study did not include raising the standards for all new homes to Code Level 4. This additional requirement can be significant in terms of development costs and would require separate viability testing outside the draft Local Plan process. Officers will continue to keep up-to-date with development costs and are prepared for any early review of its’ Local Plan to take account of this evolving agenda.

The Second Resolution

Passivhaus is a term that is used in the housing industry regarding the air quality and comfort of properties. The Passivhaus Standard derives from the Passivhaus Institute and is defined as *“A building in which thermal comfort can be achieved solely by post-heating or post-cooling the air flow required for a good indoor air quality, without the need for additional recirculation of air”*. In other words, Passivhaus can achieve significant reductions in heating and cooling requirements compared to standard practice, thus helping to reduce carbon emissions.

The Council is of course entitled to pursue higher standards of housing for all new homes built on Council-owned land. However it should have evidence to prove that this will not make the delivery of housing unviable. This is particularly relevant in the context of delivering new council housing on land that the Council owns.

Without evidence regarding viability, making a commitment to deliver Passivhaus standard on all of its’ own land may be premature via the current Motion. Instead, it is suggested that Officers can undertake work to assess the associated costs of achieving higher standards regarding

development on its' own land, and what the impact this is likely to have upon the rents that may be set. This will then provide Members with the opportunity to debate its priorities (i.e. whether it is important to set rents as low as possible to make housing more affordable, or to aim for higher standards that would impact upon higher rents).

The Third Resolution

This resolution again requires amendment to a policy within the submitted draft Local Plan, which at this stage of the Plan Examination process cannot be formally edited. However, as reported at the previous meeting of Council, Officers have prepared draft suggested modifications to assist the Inspector in considering the soundness of the submitted plan. This includes draft suggested modifications to Local Plan Policy SG5 to take account of the Council's own resolution, which followed the decision to submit the plan, to prepare a new development brief for the Canal Quarter.

The draft suggested modification to Local Plan Policy SG5 (of the Strategic Policies and Land Allocations Development Plan Document) acknowledges that the Canal Quarter must involve a positive mixture of uses including residential. The draft suggested policy wording did not explicitly reference social and affordable housing, referring in the draft suggested modifications to student and market housing. However it had not been the intention to preclude social and affordable housing, as can be evidenced by other Policy requirements within the suite of Local Plan Documents, most notably Policy DM3 (The Delivery of Affordable Housing). However, to avoid any unintended inference, the draft suggested modification has been amended to specifically additionally reference "affordable housing" as an element of a potential residential component to be explored during the preparation of a site-specific Supplementary Planning Document (SPD). This will be developed via a comprehensive public engagement and consultation strategy in 2019. At this stage, more will be known regarding development viability and the likely mix of uses across the wider site.

For further clarity, Policy DM3 states that "*other than in the most exceptional circumstances, or for schemes within the West End Masterplan and Morecambe Area Action Plan boundaries, new housing development must contribute towards the provision of affordable housing...*" (And also meet location-specific thresholds). In the case of previously-developed urban sites like Canal Quarter, the affordable housing target would be a minimum of 30% affordable units for schemes of 15+ units and a minimum of 20% for schemes of fewer than 15 units.

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.



Leader's Report

19 December 2018

Report of the Leader of the Council

PURPOSE OF REPORT

To present the Leader's report to Council.

This report is public.

RECOMMENDATIONS

(1) To receive the report of the Leader of Council.

REPORT

1.0 Cabinet

Information on Cabinet matters are provided in the minutes from the Cabinet meeting held on 6 November 2018 and 4 December 2018 later in this agenda.

2.0 Decisions required to be taken urgently

There are no decisions to report since the last Leader's Report on 14 November 2018.

3.0 Leader's Comments

Lancashire Leaders Update

At the monthly Lancashire Leaders' meeting, the Lancashire Enterprise Partnership (LEP) presented their response to the Government's Strengthened Local Enterprise Partnerships review. The key findings chime with the direction of the travel of the LEP. The review identified a number of new requirements. Many of the precise details are still in development, but LEPs are required to provide a short update on the key findings, which include:

- Introducing defined limits for Chairs and Deputy Chairs
- Establishing more representative boards of a maximum of 20 persons (with the option to co-opt up to five additional board members), aspiring to appoint two-thirds of board members from the private sector

- Improving the gender balance and representation of those with protected characteristics on boards, with an aim that women make up at least one-third of boards by 2020 and an expectation for equal representation by 2023
- All LEPs must fully operate as company entities; the Lancashire LEP was established as a company limited by guarantee and though fully compliant will need to produce audited accounts

Representatives of Lancashire Leaders met with Jake Berry MP on Tuesday 13 November. A devolution framework has not been finalised and Mr Berry MP offered to meet Leaders once further material is available. The framework would set out a road map for local authorities and explore different options, including a Mayor, a Combined Authority or other formats, as well as the potential benefits of each approach. Any devolution deal would require negotiation with government.

A further presentation on Health and Care was given by Dr Amanda Doyle, with mental health a current priority due to rising demand in this area. A long-term plan is to be agreed during 2019.

Work Programme updates were also presented and a Forward Plan.

WWI 100th Anniversary Remembrance

The Remembrance Service was very well attended despite heavy rain.

HS2

A discussion on HS2 was held for Group Leaders and Independent Members. We discussed background information and potential impacts for the district. Whilst the new HS2 lines would terminate at Crewe, HS2 trains would continue by joining the existing West Coast Main Line, thus potentially serving Lancaster.

No final decisions have been taken but Lancashire County Council has representation on a number of Transport for the North's technical working groups. They have confirmed that they are aware of the inclusion of Lancaster, as well as Preston, on the list of stations potentially requiring modification to accommodate HS2 services.

The County Council have provided assurance that they will continue to make the case for trains to stop at Lancaster and they will look to commission further economic evidence if necessary.

Eden North Project

The meeting on Friday 16 November included the City Council, County Council, LEP, Lancaster University and Eden representatives. Sir Tim Smit, Chair of Eden International, advised that he has been working on the health agenda and has had more offers of assistance with the project than he has ever seen.

The intention is to focus on Morecambe's strapline of "Beauty Surrounds, Health Abounds".

All partners are committed to a financially sustainable social enterprise that generates long-term benefits, supporting a seaside resort for the 21st century. Ambitions for the project are high, aiming to create a culturally significant attraction, treading sensitively and respecting the natural environment, changing perceptions and providing a focal point for cutting edge research to drive social and economic change. There is much work to be done on this project, but it has started positively.

A traffic study will be carried out in order to consider how best to accommodate the high numbers of visitors expected to the attraction, with particular consideration given to rail connections, parking and potential traffic bottlenecks.

A communication strategy was also discussed due to the high public profile of the project.

The next step for the project is to move through concept design to the outline planning stage. Practically, the partners will need to establish project controls as well as considering stakeholder engagement. There is a commitment to delivering a 'wow' factor and the presentation on Friday 16 November certainly provided this. It is fantastic to see the growing support, enthusiasm and hope amongst the community around this project.

4.0 Other Matters

Cabinet minutes for 6 November 2018 and 4 December 2018 are attached at the end of this agenda.

5.0 Key Decisions

The following Key Decisions were taken by Cabinet on 6 November 2018:

- (1) Progress with the Community Housing fund.

The following Key Decisions were taken by Cabinet on 4 December 2018:

- (1) Housing Standards Enforcement Policy.
- (2) Budget and Policy Framework Update 2019/20 to 2023/24.
- (3) Funding the Future: Financial Sustainability Strategy.

There following Officer Delegated Key Decisions were taken during this period:

- (1) Corporate Non-Housing Delivery Plan – Palatine Avenue Recreation Ground Improvement Works.
- (2) Renewal of Microsoft Enterprise Agreement for Licensing of ICT Systems.
- (3) Lancaster Canal Quarter Regeneration – Appointment of Consultants.

Background Papers

Cabinet agenda and minutes of the meetings held on 6 November 2018 and 4 December 2018.

COUNCIL**Committee Timetable 2019/2020****19 December 2018****Report of Council Business Committee****PURPOSE OF REPORT**

To agree a timetable of committee meetings for the 2019/20 municipal year.

This report is public.

RECOMMENDATIONS

- (1) That Council approves the draft 2019/20 timetable (Appendices A and B) for approval with the following suggested revisions:
- a) That the agenda for the full Council budget meeting in February be limited to consideration of the Budget and Policy Framework proposals only.
 - b) That two additional meetings of full Council be scheduled in future Council calendars towards the end of March and during June (*these have been shown on the draft timetable as 26 June 2019 and 18 March 2020*).
 - c) That a separate full Council meeting be arranged for any substantial agenda items.

1.0 Introduction

- 1.1 Council Business Committee (CBC) has delegated authority to agree the annual timetable of City Council meetings. This year, however, the Constitutional Working Group asked Council to consider including two additional meetings of full Council. CBC agreed with that suggestion and this report is to refer the Committee's recommended timetable for 2019/20 to Council for approval.

2.0 Proposal Details

- 2.1 The appended draft timetable for 2019/20 has been based on the schedule of meetings for 2018/19 with two additional meetings of full Council added in June 2019 and March 2020, as suggested by the CWG.
- 2.2 The number of meetings, committee start times and venue details are provided at Appendix A to this report, with the draft timetable at Appendix B.

3.0 Reason for two extra meetings

3.2 On 2 October 2018, the Constitutional Working Group (CWG) resolved to recommend to full Council:

(a) That the agenda for the full Council budget meeting in February be limited to consideration of the Budget and Policy Framework proposals only.

(b) That an additional meeting of full Council be scheduled in March 2019 for consideration of the final version of the new draft Constitution.

(c) That two additional meetings of full Council be scheduled in future Council calendars towards the end of March and during June.

(d) That a separate full Council meeting be arranged for any substantial agenda items.

3.3 CBC, at its meeting on 22 November 2018, felt that the agendas for recent Council meetings had been very heavy, with a number of weighty business items to get through. Members agreed that putting back the two extra Council meetings, which had been cut from the timetable several years ago, would assist in keeping agenda manageable.

3.4 CBC accepted all four of the CWG's recommendations. An additional meeting of full Council has therefore been scheduled for 13 March 2019 in accordance with (b). CBC is now recommending to Council that two extra meetings of full Council are scheduled for 26 June 2019 and 18 March 2020.

3.4 With regard to recommendation (d), this is, in fact, already current practice. A number of extraordinary meetings have been held over the years to look at substantial items, such as the Canal Corridor. However, CBC wished to re-affirm this position.

4.0 Conclusion

4.1 Members are asked to consider the draft timetable of meeting dates, times, and venues for the 2019/20 municipal year attached at Appendices A and B.

CONCLUSION OF IMPACT ASSESSMENT

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

None.

LEGAL IMPLICATIONS

It is a legal requirement that the City Council publishes its timetable of meetings by the commencement of each Municipal Year. Amendments can be made throughout the year provided at least 5 days' notice is given.

FINANCIAL IMPLICATIONS

There are no additional financial implications for the above proposals. The costs of the meetings will be met from existing budgets.

OTHER RESOURCE IMPLICATIONS, such as Human Resources; Information Services; Property; Open Spaces:

None.

DEPUTY SECTION 151 OFFICER'S COMMENTS

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

MONITORING OFFICER'S COMMENTS

Monitoring Officer has been consulted and has no further comments.

BACKGROUND PAPERS

None.

Contact Officer: Debbie Chambers

Telephone: 01524 582057

E-mail: dchambers@lancaster.gov.uk

Ref: SJM

Meeting Start Times/Venues/Number of meetings 2019/20

Appendix A

Meeting	Venue(s)	Start Time	Number of meetings
Annual Council (Ceremonial)	Ashton Hall, LTH	12 noon	1
Annual Council (Business)	MTH	6.30pm	1
Council	MTH	6.00pm	9*
Council Business Committee	MTH	6.00pm	3
Cabinet	Alternating between LTH/MTH	6.00pm	10
Overview and Scrutiny Committee	MTH	6.00pm	9
Budget and Performance Panel	LTH The stakeholder meeting in January 2018 to be held in MTH commencing at 6.00pm.	6.10pm	5
Licensing Regulatory Committee	LTH	1.00pm	8
Licensing Act Committee	LTH	2.00pm	2
Planning & Highways Regulatory Committee	LTH	10.30am	13
Personnel Committee*	LTH	6.10pm, 'or at the rise of JCC, whichever is the later'.	2
JCC	LTH	4.00pm. Chairman to use their discretion regarding an earlier start for JCC depending on the amount of business to be considered.	2
Audit Committee	LTH	6.10pm	4
Standards Committee*	LTH	6.10pm	2

Notes:

(LTH = Lancaster Town Hall)

(MTH = Morecambe Town Hall)

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

*This reflects the recommendation from the Constitutional Working Group to increase the number of Council meetings to 9.

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

DRAFT COMMITTEE TIMETABLE 2019/2020
2019

2020

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

MOTION ON NOTICE - HIGH SPEED 2 (HS2) AND THE IMPLICATIONS FOR THE LANCASTER DISTRICT

To consider the following motion submitted by Councillors Eileen Blamire and Peter Williamson.

“This Council notes:

- That in principle it welcomes the opportunity for improving rail links to the North West, particularly the potential for High Speed 2 (HS2) to add further capacity to the existing West Coast Main Line rail network.
- That the final HS2 timetable is subject to future revision and consultation, but it wishes to ensure that our citizens benefit from the social and economic advantages that connection of the West Coast Main Line to the wider HS2 network may bring.

This Council believes:

- That the City of Lancaster’s mainline station should serve as a primary stopping station served by HS2 trains, which in turn will provide improved access for businesses, organisations, and residents within (and visitors to) the Lancaster District.
- That the inclusion of Lancaster as a primary stopping station served by HS2 trains has the potential to improve the future transport connections to Morecambe, including to Eden North (Eden Project), which is an emerging and potentially nationally-significant proposal.
- That the Council should continue to consult with other prominent politicians, business leaders and organisations within the district to establish high-level support for the inclusion of Lancaster as a primary stopping station served by HS2 trains.

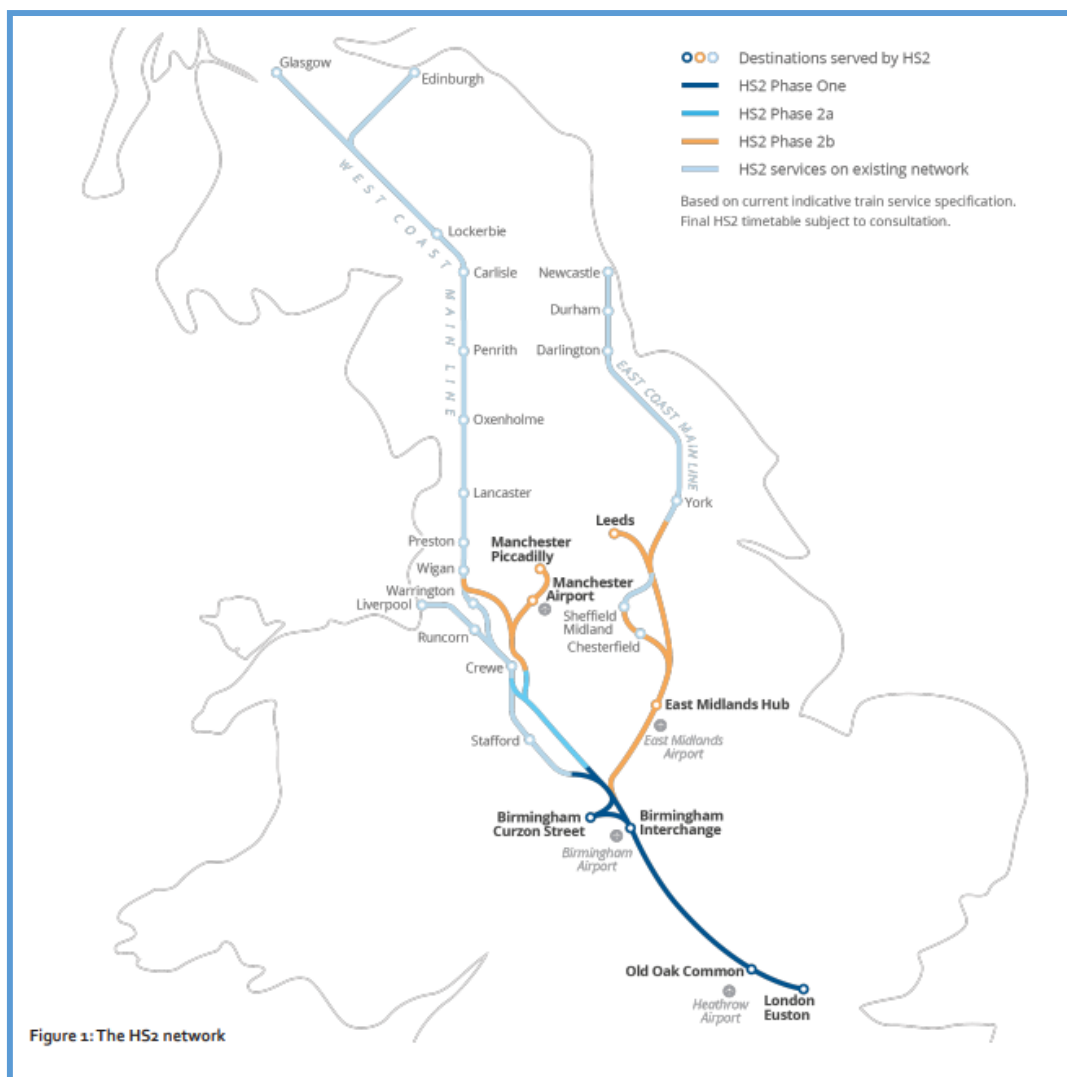
This Council resolves:

- That the Chief Executive and Officers are empowered to promote Lancaster as a primary stopping station served by HS2 trains, on behalf of the City Council and its’ citizens, for the reasons set out above.
- That Officers are empowered to respond positively, on behalf of the City Council and its’ citizens, to any future, relevant, national consultations regarding HS2 to promote Lancaster as a primary stopping station served by HS2 trains.
- That as a first step, Officers arrange to work alongside prominent politicians, business leaders and organisations within the Lancaster District to collectively agree the detail regarding district-wide support for the inclusion of Lancaster as a primary stopping station served by HS2 trains.
- That in promoting Lancaster as a primary stopping station served by HS2 trains, that residential amenity environmental standards will continue to be protected.”

OFFICER BRIEFING NOTE

1.0 What is HS2?

- 1.1 HS2 is a proposed infrastructure project to build a high-speed rail line from London to Manchester and Leeds, via Birmingham, to begin operation along its' first phase in 2026 and be completed in 2033.
- 1.2 HS2 is planned to be delivered in three phases:
- **Phase 1** from London Euston to the West Midlands, which includes Birmingham Curzon Street and Lichfield with intermediate stations in West London (at Old Oak Common) and at Birmingham Airport;
 - **Phase 2a** from the West Midlands to Crewe; and,
 - **Phase 2b** comprising an eastern leg from the West Midlands to Leeds New Lane with intermediate stations in the East Midlands and South Yorkshire; and a western leg from Crewe to Manchester with an intermediate station at Manchester Airport. The western leg would also have a connection to the West Coast Mainline at Bamfurlong, which is immediately south at Wigan.
- 1.3 Parliament granted powers in 2017 for the construction of Phase 1. Each of the three phases interact to create a route that is known as the **Y Network** (see map, below).
- 1.4 This network will serve 29 railway stations and aims to connect 8 of Britain's 10 largest cities.



2.0 What does HS2 hope to achieve, and how will it do so?

- 2.1 HS2 is premised upon two main benefits; that it will increase capacity upon Britain's crowded railway network; and that it will improve journey times between major cities.
- 2.2 The new purpose-built rail lines for HS2 will only accommodate new high-speed trains, which will all be capable of running at the same speed, thus not having to slow down for slower passenger or freight trains. These trains could be 400 metres in length, and be capable of accommodating over 1000 passengers per train.
- 2.3 Longer trains require longer platforms. This is not a problem along the new purpose-built route, where all infrastructure can be designed to fit the new rolling stock. However it could be problematic for existing stations.
- 2.4 The theory is that HS2 will release capacity on the existing network, including the West Coast Main Line which serves Lancaster, and that this would allow additional local and regional services and freight trains to run on those lines.
- 2.5 There will clearly be reductions in journey time for many passengers using the new route. For example, it is estimated that journey times from Manchester Piccadilly to London will almost halve, and that journeys from London to Scotland will be 40 minutes shorter.
- 2.6 Whilst the new route is controversial, not least because of the impact upon some local communities caused by the construction of the new line, preliminary work for Phase 1 has already commenced. Recently the national press has been vocal in terms of casting doubt regarding the deliverability of the entire project. The Chair of HS2 Ltd, Sir Terry Morgan, recently left his post. Meanwhile some commentators are estimating that the costs of the project are likely to double, although Ministers are adamant that the project would be delivered within budget.
- 2.7 In September 2018 it was announced that the HS2 Phase 2b Bill would be delayed by 12 months. The reason given for this was to ensure that the benefits of Northern Powerhouse Rail (a separate project aimed at improving rail connectivity over the Pennines by connecting major cities in the north) could play a role in the final Bill.

3.0 What are the potential impacts for the Lancaster District?

- 3.1 Whilst the new HS2 lines would terminate south of Lancaster, HS2 trains would continue by joining the existing West Coast Main Line.
- 3.2 Lancaster is indicated as one of 29 stations that would be served by HS2 trains, although HS2 Ltd state that this is based on current, indicative train service specification, and that the final HS2 timetable will be subject to revision and consultation. Therefore, no final decisions have been taken yet in terms of the precise volume of HS2 services, or indeed how many of those services would stop at Lancaster.
- 3.3 There are other factors that will affect this decision. One of those is the current tender exercise for the West Coast Partnership Franchise. This tender opened in March 2018 and it will conclude with the award of the contract for operating InterCity West Coast Services from 15 September 2019 until 2031. The successful operator for the West Coast Partnership will be required to work with HS2 Ltd to design, launch and operate the initial HS2 services, as well as re-design train services on the West Coast Main Line (to take advantage of the extra capacity that HS2 is anticipated to provide). The successful operator is expected to *"consult extensively on proposed service patterns, enabling Government to make decisions on the final HS2 and West Coast Main Line services in the early 2020s"*. The preferred bidder for the

InterCity West Coast Services is currently expected to be announced by the Department for Transport in April 2019.

- 3.4 Train specification will also affect decisions. HS2 trains will be markedly different from existing West Coast Main Line rolling stock. For example it is (currently) a pre-requisite that all HS2 trains will offer step-free access from the platform to the train. That means changes to existing platform heights.
- 3.5 The 400 metre-long HS2 services could also 'split' at Crewe. For example, Government have previously modelled running a combined London-to-Preston and London-to-Liverpool service that splits at Crewe, allowing the two trains caused by the 'split' to then depart to Preston (and potentially beyond) and Liverpool separately.
- 3.6 Lancashire County Council has representation on a number of Transport for the North's technical working groups. They have confirmed that they are aware of the inclusion of Lancaster, along with Preston, on the list of stations potentially requiring modification to accommodate HS2 services. The County Council has provided assurance that they will continue to make the case for HS2 services to call at Lancaster, and they will look to commission further economic evidence if that is necessary.

4.0 What happens next?

- 4.1 There is a current consultation regarding Phase 2b. However this is a consultation into the working draft Environmental Statement (which describes the likely environmental impacts around areas affected by the route) and the working draft Equality Impact Assessment Report (which looks at the potential effects of building and operating the railway on those people who are affected by the Equality Act 2010). Both consultations close on 21 December 2018.
- 4.2 Meanwhile it is anticipated that the main civil work on the HS2 Route (phase 1) will gather pace during 2019. Currently the schedule estimates that the first trains will be tested on the new infrastructure in 2024, with first passenger services along Phase 1 by late-2026.
- 4.3 Separate proposals to award the West Coast Partnership Franchise are currently scheduled to be announced in April 2019, with the operator commencing services in September 2019. This operator will have to integrate with proposed HS2 services at some point during their franchise.
- 4.4 With regard to Northern Powerhouse Rail (NPR), clear costed proposals for the whole of the network (linking Newcastle, Sheffield, Hull, Leeds, Manchester and Liverpool) are currently being finalised and NPR have indicated that they intend to present their Strategic Outline Business Case to the Secretary of State by December 2018.
- 4.5 In terms of the proposed Motion before Council, it is timely to reiterate the Council's support for promoting the value of Lancaster Main Line station as a primary stopping station served by HS2 trains. The economic and social advantages created by stopping HS2 trains will be of paramount importance as the district looks to take forward its ambitious proposals for the district.

MONITORING OFFICER COMMENTS

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

DEPUTY SECTION 151 OFFICER COMMENTS

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

COUNCIL**Members' Allowances Scheme: Review
19 December 2018****Report of the Chief Executive****PURPOSE OF REPORT**

To present the report and recommendations of the Independent Remuneration Panel, which Council must give due regard to in setting its Members' Allowances Scheme from May 2019.

This report is public

RECOMMENDATIONS

- (1) **That Council sets a Members' Allowances Scheme to come into effect following the City Council's elections in May 2019 and, in doing so, considers the attached report and recommendations of the Independent Remuneration Panel (IRP).**

The IRPs recommendations for amendments to the scheme are as follows:

That

- a) The broadband allowance, of £173.88 (£14.49 per month), be incorporated into the basic allowance and the scheme amended accordingly, as set out in the IRP report.
- b) The basic allowance of £3,557.38, (current basic allowance of £3,383.50 plus £173.88 broadband allowance) be increased by 2%, to match the Local Government Pay Award of 2% awarded to Council employees in 2018. This will give a new basic allowance of £3,628.53, to take effect following the local elections to the city council in 2019.
- c) The basic allowance be increased, year on year, in line with Employee Pay Awards, unless Council votes against an increase.
- d) An increase of 2% be applied to all Special Responsibility Allowances
- e) 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.

- f) Before the next major review, detailed role profiles be drafted for each role qualifying for an SRA, to assist with future evaluation of responsibilities, complexity and time commitment.
- g) The existing levels of dependent carer's allowance should be increased to allow the reimbursement of up to a maximum of the current National Living Wage (currently £8.75 per hour).

1.0 Introduction

- 1.1 Local authorities are required to establish and maintain an Independent Remuneration Panel to provide them 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.

2.0 The IRP's Methodology and Findings

- 2.2 The IRP invited a variety of Members holding different roles in the Council and from different political groups to meet with them and discuss the allowances scheme. The Members they spoke with are listed in the report.
- 2.3 A 'drop in' session for any other Councillors who wished to put forward their views was planned but did not take place as there were no expressions of interest in attending.
- 2.4 Benchmarking with other local authorities was also carried out. Full details of the IRP's review process and findings are set out in the Panel's report.

3.0 Conclusion

- 3.1 Members are requested to have regard to the report of the IRP when setting a scheme for Members' Allowances to come into effect after the May 2019 elections.

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

The provisional 2019/20 budget for members' basic allowances is £203k, for special responsibility allowances £81.5k and broadband allowance £10k giving a total of £294.5k.

A 2% increase would equate to £6.3k in 2019/20, £10.7k in 2020/21, £15.1k in 2021/22 and £19.7k in 2022/23 and will need to be built into the budget as part of the 2019/20 budget process. However, the special responsibility allowances actually payable will depend on the number of members appointed to Cabinet by the Leader in May 2019, 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.

LEGAL IMPLICATIONS

The relevant regulation is set out in the IRP's report.

DEPUTY 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 comments.

BACKGROUND PAPERS

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



Report To: Lancaster City Council

From: The Independent Remuneration Panel



**Recommendations for Members' Remuneration
for the Municipal Year 2019/2020**

Report to Council on Wednesday 19th December 2018



List of Contents

	Page
Panel Remit and Membership	3
Summary of Recommendations:	
Basic Allowances	4
Special Responsibility Allowances	5
Carers' Allowances	5
Travel and Subsistence	6
ICT Broadband Allowance	6
Financial Implications	7
Approach of the Panel	8
Appendix	
Members interviewed by the Panel	15



PANEL REMIT

- 1.1 Lancaster City Council's 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*).

2. PANEL MEMBERSHIP

- 2.1 There are currently three members on the panel, all of whom were appointed by Council on the 15th July 2015:



Kirsten McAteer (Chairman) is a solicitor who has worked locally in private practice and for the Crown Prosecution Service, and she is now a Deputy District Judge of the County Court and a First-Tier Tribunal Judge sitting in the Social Entitlement Chamber.

Neil Harris has recently retired from his position as Registrar and Secretary of the University of Cumbria. He previously held posts in other Higher Education Institutions, the Department of Education and Science, and the National Curriculum Council.

Harsha Shukla is Chairman of Communities Together, President of Lancaster and Morecambe Hindu Society, and a member of the Faith in Lancaster Group.

- 2.2 One further Panel Member, **Ian Johnson**, was also appointed by Council on the 15th July 2015. Ian is a solicitor, who is currently Chairman Chair of University Hospitals of Morecambe Bay NHS Foundation Trust. He resigned from the Panel on 9th July 2018, partway through this review, due to increasing commitments with his NHS role.

3. BACKGROUND TO LANCASTER CITY COUNCIL SCHEME OF ALLOWANCES

- 3.1 The current Members Allowances Scheme is reviewed on a regular basis with a full review every four years, before the Council elections. The last full review took place in the autumn of 2014 and the Scheme was approved by Council in 2014 to take effect from May 2015.
- 3.3 This Panel has undertaken periodic reviews of the Scheme since their appointment in 2015 and reported their recommendations to Council in May 2016 and February 2017.
- 3.4 In February 2017 Council approved a 1% increase to the Basic Allowance for 2017/18 and the current Scheme took effect in May 2017.
- 3.5 The Regulations require an authority before the beginning of each year to 'make' the Scheme for the payment of allowances in that year.
- 3.6 The Regulations require an authority to publish the scheme if it changes and to publish the amounts of allowances paid to individual Members every year.

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 2019.

4.1 Basic Allowance

The Panel recommends:

- ***That the broadband allowance, of £173.88 (£14.49 per month), be incorporated into the basic allowance.***



- ***That the basic allowance of £3,557.38, (current basic allowance of £3,383.50 plus £173.88 broadband allowance) be increased by 2%, to match the Local Government Pay Award of 2% awarded to Council employees in 2018. This will give a new basic allowance of £3,628.53, to take effect following the local elections to the city council in 2019.***
- ***That the basic allowance be increased, year on year, in line with Employee Pay Awards, unless Council votes against an increase.***

4.2 Special Responsibility Allowances

The Panel recommends:

- ***That an increase of 2% be applied to all Special Responsibility Allowances:***

Allowance	Current Amount (pa)	Proposed Amount (pa)
Leader of the Council and Chairman of the Cabinet	£11, 060	£11, 281.20
Deputy Leader of the Council	£6,530	£6,660.60
Cabinet Members	£5,530	£5,640.60
Overview and Scrutiny Committee Chair	£4,145	£4,227.90
Budget and Performance Panel Chairman	£3,315	£3,381.30
Planning Committee Chairman	£4,285	£4,370.70
Licensing Regulatory Committee Chairman	£4,285	£4,370.70
Licensing Act Committee Chairman	£715	£729.30
Licensing Act Hearings Sub Committee Chairman	£435	£443.70
Personnel Committee Chairman	£3,270	£3,335.40
Audit Committee Chairman	£2,280	£2,325.60
Appeals Committee Chairman	£290	£295.80
Council Business Committee Chairman	£1,400	£1,428
Standards Committee Chairman	£1,210	£1,234.20
Leader of Opposition Groups (allocated on a pro rata basis)	£5,530	£5,640.60

- ***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.***
- ***That, before the next major review, detailed role profiles be drafted for each role qualifying for an SRA, to assist with future evaluation of responsibilities, complexity and time commitment.***

4.3 Dependents' Carers' Allowances



The Panel recommends

- ***That the existing levels of allowance should be increased to allow the reimbursement of up to a maximum of the current National Living Wage (currently £8.75 per hour).***

4.4 Travel and Subsistence Allowances

The Panel recommends

- ***that the current levels of allowance should remain unchanged and remain 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>

4.5 ICT – Broadband Allowance

4.6 The current scheme provides for the provision of a broadband allowance which equates to £173.88 per annum.

4.7 Recommendation

The Panel recommends:

- ***That the broadband allowance be incorporated in full into the basic allowance, as per recommendation 4.1 above.***
- ***That the scheme be amended as follows, to reflect the withdrawal of the broadband allowance:***

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 and broadband.*

2.2 *Each Member is entitled to £3,628.53 per annum, which will be paid monthly.*



- 2.3 *In addition to the Basic Allowance, all Members will be provided with a device to enable them to access the Council network. Members need to use their own broadband connection for such purposes, and the cost of this is included in the Basic Allowance.*
- 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.*

4.8 Co-optees' Allowance

There are no co-optees currently, therefore the Panel has no recommendation to make in this report.

4.9 Pensions

The Panel recommends no change to the current arrangements regarding pensions.

4.10 Financial Implications

- 4.11 The current allowance scheme in 2017/18 cost £283,050.80 in respect of basic and special responsibility allowances, whilst the travel and subsistence allowances totalled £2,399.88 in the same year. (Broadband allowances which, based on 60 Councillors for a full year, would amount to £10,432.80 were not included in these figures.)
- 4.12 Based on the allowances claimed in 2017/18, the approximate cost of the recommended scheme for 2019/20, in respect of basic and special responsibility allowances, would be £300,841.66. (This figure includes the broadband allowance as part of the basic allowance, with the 2% increase applied.)
- 4.13 There is always the potential for costs to be slightly lower or higher than the above estimate. Costs are affected by seats left vacant whilst by-elections are held, for example, or if more than one Special Responsibility posts is held by the same Member.



5.0 APPROACH OF THE PANEL

5.1 Context

5.2 The Panel began its work in March 2018. The main priorities of the Panel have been to understand how Members view the Allowance Scheme, and how the scheme sits in the context of other comparable local authority Member's Allowances Schemes.

5.3 The Panel was keen to engage with Members from an early stage of the process and invited all Members to express their views on the suitability of the existing Members' Allowance Scheme. The Panel has considered these views in its final recommendations.

5.4 Methodology

5.5 The Panel undertook extensive research to enable it to fulfil its remit. This included:

- A review of the current Allowance Scheme to understand its history and rationale;
- A 'benchmarking' exercise against 11 comparable district/borough councils. This considered the Basic Allowance, the Special Responsibility Allowances for each Council and the size of the Council;
- A survey of all Members to understand the time they devote to their role as city Councillors and their special responsibility roles (where applicable). Of the 60 Members surveyed, 31 responded - a response rate of 52%. The survey asked Members how much time they spend fulfilling their duties as councillors and their views on the adequacy of the Basic Allowance and other allowances including the Special Responsibility Allowances.
- All Members who were eligible for a Special Responsibility Allowance, including Cabinet Members and Committee Chairman were invited to meet with the Panel to discuss their views on the Allowance Scheme to help the Panel gain a more in-depth understanding of the roles and responsibility of Members and to seek views on the pros and cons of the current Scheme. Champions and Group Leaders were also invited. The Members who met with the Panel are listed in Appendix 2 and the Panel is very grateful to them for their time and assistance;
- All Members were invited to a round table event with the Panel as an opportunity to put their views across the Panel. This event had to be cancelled because no Members expressed an interest in attending.

6.0 BASIC ALLOWANCE

6.1 Current Arrangements

6.2 All 60 Members receive a Basic Allowance of £3,383.50 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.

6.3 **Review**

6.4 The basic allowance is currently £3,383.50 per annum.

6.5 The last full review of the Scheme took place in 2014 prior to the City Council Elections in May 2015. Since then the Panel has undertaken interim reviews of the Scheme.

6.6 The Panel last reviewed the scheme at the beginning of 2017 and reported to Council in February 2017. In their report the Panel recommended that the Basic Allowances be unchanged from the sum of £3,350 which had been agreed by Council following the last full review in 2014. At that time Council did not support the Panel's recommendation and voted to increase the Basic Allowance by 1% to the current figure of £3,383.50 per annum, to take effect from May 2017.

6.7 The Panel were keen to engage with Members throughout the review and sought the views of Members as to the adequacy of the Basic Allowance through the Survey and interviews with individual Members.

6.8 31 Members completed the survey which asked for Members views on how much time they spent fulfilling their duties as Councillors and the adequacy of the Basic Allowance. 29% of those who responded to the survey felt that the allowance was adequate. Of the 71% of Members who felt that the allowance was inadequate their views were varied:

- concerns that the allowance precluded people in full-time employment standing for Council
- didn't sufficiently compensate for the time spent on council duties
- didn't sufficiently compensate for being on call all the time
- allowance at Lancaster City Council was low in comparison to other Councils.

6.9 These view were reiterated by the Members who attended individual interviews with the Panel in June 2018.

6.10 The Panel was also keen to understand how Lancaster City Council compared to other local authorities, particularly as a number of Members had expressed a view that their allowances were low in comparison to other Councils. The Panel undertook a benchmarking exercise which looked at the Basic Allowances of 11 district/borough councils locally, as well as further afield.

6.11 Following the benchmarking exercise the Panel noted that it was clear from this evidence that Lancaster City Council did pay low allowances compared to other authorities in the local area, though they were not the lowest. The Panel also noted that all the comparable authorities considered had between 35 and 54 councillors, all fewer than the 60 Members on Lancaster City Council.



- 6.12 Some Members expressed a view that they would support an increase in the Basic Allowance, but on the basis of a reduction in the size of the Council. While the Panel recognise that any consideration of the size of the Council is beyond their remit – it is a matter for the Boundary Commission - the Panel do feel it is appropriate that Members recognise that the relatively large size of the Council in the context of other local authorities may, in some way, be reflected in the relative value of their allowances.
- 6.13 The Panel considered the recent increases in the Basic Allowance and noted that apart from the 1% increase in 2017 the value of the allowance had remained static for a number of years. This had largely reflected the situation with local government staff wages over a similar time frame. The Panel were advised by the Democratic Services Manager that the most recent Local Government Pay Award had, generally speaking, increased staff salaries by 2% as of 1st April 2018.

6.14 Broadband Allowance

- 6.15 The Panel has previously reviewed the broadband allowance and in May 2016 recommended to Council that making provision for a separate broadband allowance was outdated and anomalous as the Basic Allowance was intended to cover incidental costs such as the use of home and private telephones but did not cover broadband which most households would now have. Also, administering two allowances separately was time consuming and resource intensive. Perhaps even more importantly, because it is paid as a separate sum, the amounts paid to Councillors for Broadband are not published with the basic and special responsibility allowances and the Panel feel that all allowances should be published in the interests of transparency. The Panel at that time recommended that the broadband allowance be withdrawn and the basic allowance be increased by £100 to mitigate to loss of this allowance. At that time Council did not agree with that proposal and the status quo was maintained.
- 6.16 For the reasons set out above, the Panel still feel that the separate broadband allowance should be incorporated into the basic allowance. In discussion with Members, several had indicated that immediately after the city council elections in May 2019 might be a more favourable time to make that amendment to the scheme. This time, the Panel is recommending that the broadband allowance be incorporated - in full - into the basic allowance before the 2% increase is applied, thereby providing a 2% increase on the broadband allowance, too.

6.17 Recommendation

- ***That the broadband allowance of £173.88 be added to the Basic Allowance.***
- ***That the Basic Allowance be increased be 2% to match the Local Government Pay Award awarded to staff in 2018 to £3,628.53.***
- ***That the Basic Allowance increase, year on year, in line with Staff Pay Awards, unless Council votes against an increase.***



7.0 SPECIAL RESPONSIBILITY ALLOWANCES (SRAs)

7.1 Current Arrangements

7.2 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

7.3 Review

7.4 The SRA for Members were last considered by the Panel in their report in 2014. At that time there were no changes made to the Allowances.

7.5 The Panel considered the comments of Members, who were eligible for SRA, via the survey and the individual interviews with Members. The benchmarking exercise also gathered evidence on the SRA's paid by other councils.

7.6 Through the survey and from speaking to Members the Panel noted that there was no huge desire for the SRAs to be increased, however a number of Members felt that they were disproportionate to the Basic Allowances in term of time commitment. Others felt that it was unclear how the SRAs were calculated and that there was no obvious or transparent rationale behind the values for each one.

7.7 The Panel considered the levels of responsibility, workload and time commitment of the roles attracting SRAs. They also considered the benchmarking evidence from other authorities, which showed how some used multipliers or percentages to calculate their SRAs. However, the absence of any detailed role profiles for the roles receiving SRAs, and any clear comparison with other authorities meant that the Panel at this time felt



unable to make any substantive recommendation on the relative values of the allowances.

7.8 Recommendations

- ***The IRP recommends that the SRA's be increased by 2% in line with the recommended increase in the Basic Allowance for the year 2019/20.***
- ***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.***

8.0 CARERS' ALLOWANCES

8.1 Current Arrangements

8.2 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. The duties which qualify are set out in the Regulations.

8.3 The current scheme provides that *"The actual cost of care will be reimbursed, up to a maximum of £8.35 per hour, irrespective of the number of dependents"*.

8.4 Review

8.5 The Panel noted that most Members who response to the survey or attended the interviews did not use the carers allowance. However, it was noted by the Panel that some Members expressed a view that it was inadequate and that, in particular, they found it difficult to find suitable carers.

8.6 Recommendation

- ***The Panel recommends that the carers allowance be increased to allow reimbursement up to a maximum of the National Living Wage (currently £8.75).***

9.0 TRAVEL AND SUBSISTENCE ALLOWANCES

9.1 Current Arrangements

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



9.3 Review

9.4 The Panel considers that the mileage rates payable for the use of cars/vans, motorcycles and cycles should remain aligned to the HMRC rates which are the same as for staff.

9.5 Recommendation

- *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>

10.0 CO-OPTEE'S ALLOWANCE

10.1 Current Arrangements

10.2 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.

10.3 Review

10.4 The Panel reviewed the current arrangements.

10.5 Recommendation

- *The Panel has no recommendation to make in this report.*

11.0 MEMBER CHAMPIONS

11.1 Current Arrangements

11.2 The Council currently has 4 Member Champions who do not currently receive a SRA. The role of Member Champions is outside the remit of the Panel but the Panel have considered whether a SRA should be applied.

11.3 Review

11.4 The Panel considered the role of Member Champions as part of their annual review which was reported to Council in February 2017. As part of this review the Panel met with a Member Champion and sought information from other Councils about whether they paid Allowances to their Champions. The Panel found that only three of the fifteen Councils who responded to the request for information paid a Special Responsibility Allowance to their Champions. Of those three, only two were district councils, the other



was Lancashire County Council. In view of this, and their concerns about the type of work being carried out, the Panel decided not to recommend to Council that an allowance be paid to Champions.

11.5 Recommendation

- ***The Panel does not recommendation the payment of Special Responsibility Allowances to Member Champions at this point.***

12.0 COSTS OF RECOMMENDATIONS

12.1 The Scheme of Members' Allowances currently in place cost £283,050.80 in 2017/18 plus a separate amount of £14.49 each month towards home Broadband for every Member entitled to receive this (i.e. for each household), which equates to around £10,300 per annum.

12.2 Based on the same distribution of allowances as 2017/18, the Scheme of Members' Allowances now recommended by the IRP would cost £300,841.66 in 2019/20 which includes the broadband allowance.

13.0 ACKNOWLEDGEMENTS

13.1 The IRP wishes to thank Debbie Chambers and Sarah Moorghen for their invaluable assistance and support during this review.



Appendix

Members Interviewed by the Panel

Councillor Jon Barry (Green) - Green Group Leader

Councillor Carla Brayshaw (Labour) - Planning and Highways Regulatory Committee Chairman

Councillor Dave Brookes (Green) - Budget and Performance Panel Chairman

Councillor Nathan Burns (Labour) - Cabinet Member for Skills, ICT, Digital Strategy, Customer Services and Communication

Councillor Bryning (Labour) - Audit Committee Chairman

Councillor Claire Cozler (Labour) - Appeals Committee Chairman

Councillor Nigel Goodrich (Conservative) - Chairman of Overview and Scrutiny Committee

Councillor Janice Hanson (Labour) - Cabinet Member for Regeneration and Planning

Councillor Colin Hartley (Labour) - Licensing Regulatory Committee Chairman

Councillor Brendan Hughes (Labour) - Cabinet Member for Community Safety, Clean and Green and Car Parking

Councillor Margaret Pattison (Labour) - Cabinet Member for Markets, Voluntary Sector, Older People and Rural Affairs

COUNCIL**Review of the Empty Homes Charging Policy
Use of Discretionary Powers****19 December 2018****Report of Interim Financial Services Manager****PURPOSE OF REPORT**

To inform members of new discretionary powers available with regard to council tax premiums, applicable to long term empty homes and to review existing discount arrangements in relation to empty and substantially unfurnished properties.

This report is public.

RECOMMENDATIONS OF COUNCILLOR WHITEHEAD:

- (1) That Council determines whether to retain its existing Empty Homes Council Tax Charging Policy for 2019/20 (*Option 1 as set out in the report*), or to amend it to:
 - Levy an increasing “premium” of Council Tax, in line with new discretionary powers, on long term empty dwellings that have been empty and unfurnished for over two years, subject to statutory exemptions and locally determined exceptions. *Option 2 as set out in the report.*
 - Use the policy guidelines set out in Appendix A to this report when determining applications for exceptions to the payment of a premium, for properties that have been vacant for more than two years. *Option 3 as set out in the report.*
 - Amend the 1 month discount period applicable to empty and unfurnished properties. *Option 4 as set out in the report.*
- (2) That the S151 Officer be authorised to finalise the Council’s Empty Homes Charging Policy in line with (1) above, and to include “policy guidelines” for locally determined exceptions in line with Government guidance when available, and make all other necessary arrangements for its implementation.
- (3) That the S151 Officer be authorised to advertise the variations to the Empty homes Charging Policy in accordance with statutory provisions.

1. PREMIUMS – LONG TERM EMPTY HOMES

1.1 Current Scheme

1.1.1 The Council currently levies an additional “premium” of 50% above the 100% charge, on all empty properties that are not exempt and have been so for a period of two years. These are classed as long term empty properties. The Empty Homes Charging Policy in this regard has generally worked well and generates income for the Council and its precepting authorities, whilst encouraging owners of long term empty properties to bring their property back into use.

1.1.2 The vast majority of Councils have introduced this 50% premium on long term empty homes. Where Councils have applied the premium consistently every year, the Government reports a nine per cent fall in the number of long term empty homes.

1.2 New Discretionary Provisions

1.2.1 Under new legislation the Government has introduced provision (effective from 1 April 2019) for Councils to double the rate of Council Tax on properties empty for two years or more. Further amendments have also been introduced for future years, allowing Councils to triple the Council Tax on homes left empty for five to ten years and to quadruple it on those empty for more than a decade.

1.2.2 Specifically the legislation provides discretion from:

(i) **1 April 2019:**

To levy a 100% premium of Council Tax due on properties that have been empty and unfurnished for at least two years, subject to statutory exemptions and locally determined exceptions; and

(ii) **1 April 2020:**

To levy a 200% premium of Council Tax due on properties that have been empty and unfurnished for at least five years, subject to statutory exemptions and locally determined exceptions; and

(iii) **1 April 2021:**

To levy a 300% premium of Council Tax due on properties that have been empty and unfurnished for at least ten years, subject to statutory exemptions and locally determined exceptions; and

1.2.3 Alongside these new powers, the Government propose to publish revised guidance for Councils on the use of premiums. It is suggested that this guidance will take into account issues relating to low demand areas and ensure that the use of a premium does not hinder complex regeneration schemes. In the past, Government has suggested that exceptions should be allowed for properties “genuinely” on the housing market for sale or rent, although this has proven a difficult concept for Councils to evaluate.

1.2.4 Subject to Government guidance, officers have developed “Policy Guidelines” to be used in determining local exceptions where the premium will not be charged. (**See Appendix A**). The Policy Guidelines provide reference to exceptions from charges in the following circumstances:

- For those owners who are genuinely attempting to sell or let their property which has been vacant for at least two years
- Those owners who are experiencing particular legal or technical issues which is preventing the sale or letting of the property
- Those owners who are in negotiation with the Council with a genuine view to letting the property under the Council's scheme(s).
- Cases where the dwelling has remained empty beyond a two year period due to exceptional and /or unforeseen circumstances and / or occasionally any other circumstances, proven to be beyond the control of the owner/liable person.
- Cases where imposition of the Council Tax Premium would result in hardship and a reasonable person would regard the imposition as unfair.

2. Empty and Substantially Unfurnished Properties (Review)

- 2.1.1 In January 2018, Council approved a reduction in the previous discount arrangement allowing six months at 100% discount for empty and unfurnished properties to one that provides 100% discount for up to one month. The change resulted in council tax income generation, estimated in the region of £700k for the Council and its precepting authorities in the district, of which it is estimated that 90k will be retained by the Council.
- 2.1.2 The policy change has a minor negative financial impact upon Council Housing, where a Council property remaining empty and unfurnished between tenancies for a period in excess of one month will accrue empty charges. However, the policy also acts as an incentive to help bring council houses back into use in less time, in much the same way as private properties.
- 2.1.3 Most housing associations and social housing providers remain unaffected by this policy, as due to their charitable status, they remain entitled to a six month exemption on their empty property
- 2.1.4 There has been a minimal number of complaints about the loss of discount and this general policy review provides an opportunity to consider whether this particular policy principle is having the desired effect.

3. ADDITIONAL INFORMATION

- 3.1 Any changes to the Empty Homes Charging Policy must be approved prior to the beginning of the financial year; they cannot be changed in-year.
- 3.2 Exemption status continues to apply to all empty properties in the usual way for those properties left empty by patients in hospital, deceased persons, receiving or providing care etc. No additional charges will be incurred on a property that is exempt.

4. **OPTIONS AND OPTIONS ANALYSIS**

Option 1: Retain the Empty Homes Charging Policy for 2019/20 in its existing format.

- The retention of the existing policy would be a missed opportunity to adopt new discretionary powers in relation to premiums, with the potential to generate additional revenue and incentivise owners to bring long standing empty homes back into use.

Option 2: Levy an incremental “premium” of Council Tax, in line with new discretionary powers, on long term empty dwellings that have been empty and unfurnished for over two years, subject to statutory exemptions and locally determined exceptions.

In support of the new provisions, The Secretary of State for Communities (Rt Hon James Brokenshire MP) said:

- We’re determined to do everything we can to ensure our communities have the housing they need. That’s why we’re giving Councils extra flexibility to increase bills and incentivise owners to bring long standing empty homes back into use.
- By equipping Councils with the right tools to get on with the job, we could potentially provide thousands more families with a place to call home
- Councils will be able to use funds from the premium to keep Council Tax levels down for hard working families.

Option 3: Use the policy guidelines set out in Appendix A to this report when determining applications for exceptions to the payment of a premium, for properties that have been vacant for more than two years.

In the light of a decision to increase charges under Option 2, officers have developed “Policy Guidelines” to be used in determining local exceptions where the premium will not be charged:

- These guidelines provide protection for genuine cases, who perhaps through no fault of their own are unable to dispose of their property at a given time, or alternatively in a small number of cases, if the imposition of a higher premium would result in hardship.

Option 4: Amend the 1 month discount period applicable to empty and unfurnished properties.

- Under current legislation Council has scope to increase or remove the current one month discount period. However, the system works well in its present format and has generally been accepted, providing some

limited relief for those liable for charges, to allow for the changeover of occupiers, particularly tenants.

- To date we have had only one notable complaint from a local landlord, that the current policy of a one month discount period for empty properties unfairly penalises responsible landlords who are looking to re-let. In this case, of the seven void periods showing on record since 2003, five of the seven were for 28 days or less.
- The matter was previously considered at full Council in December 2017 and as such, a month was determined to be a reasonable average period to allow for turnover.

5 OFFICER PREFERRED OPTIONS AND COMMENTS

5.1 Option 2 and Option 3 are the preferred options in line with the following comments:

- (i) Option 2 is the preferred option for long term empty homes; to levy an incremental premium of council tax in line with the maximum allowed under new discretionary powers. This initiative should encourage owners to return them to use, whilst providing additional income to the council and its major precepting authorities
- (ii) Option 3 is the preferred option to adopt in relation to policy guidelines for determination of future exceptions from the charge, given the potential for increased charges in owning a long term empty property. This will enable the Council to administer the policy as intended, in line with government guidelines.
- (iii) It is felt that Option 4 should not be considered in relation to empty and unfurnished properties, as the policy is working well and is fair to owners, whilst encouraging them to bring dwellings back into occupation at the earliest opportunity.

6 CONCLUSION

- 6.1 Any “Empty Homes Premium” for properties empty for more than two years must be seen to operate fairly and be equitable to all owners, whilst also making sense in the context of the broader local strategy for dealing with empty homes.
- 6.2 Whilst there is the potential for the Council to raise additional revenue in choosing to adopt these discretionary powers, the opportunity to encourage owners to bring their long standing dwelling back into occupation is seen as a greater reward for the Council.

RELATIONSHIP TO POLICY FRAMEWORK

The proposals are developed in support of the Council's Medium Term Financial Strategy, whilst also supporting ambitions within the Council Plan regarding health and wellbeing.

CONCLUSION OF IMPACT ASSESSMENT

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

Additional charges will impact upon owners of long term empty dwellings and the additional tax they pay will depend on the Council adopting these flexibilities. Any extra revenue generated will help to relieve pressure on overall Council Tax levels.

At the same time, if the Council adopts new "Policy Guidelines" for local exceptions, in the main, local taxpayers who have genuine reason for retaining ownership of their property will no longer be penalised.

FINANCIAL IMPLICATIONS

Based on existing housing numbers that would be affected and the existing collection rates, the proposed changes to the charging Policy would generate the following estimated additional Council Tax income:

Summary	Additional Collection Fund Income	@ 90% Collection Rate	LCC Share
2019/20	£117,288	£105,559	£13,215
2020/21	£209,299	£188,369	£23,582
2021/22	£239,651	£215,686	£27,002

The additional income is allocated to the precepting authorities in proportion to their precept. For a detailed analysis see **Appendix B**.

The primary reason for altering the charging policy is to bring long term empty homes back into use, not to increase the Council Tax income. If the policy is successful in achieving this aim it is expected that the additional income will be lower than the forecast in **Appendix B**. In addition, the use of local exceptions will reduce the potential income further.

The return to use of long term empty properties will enhance the value of New Homes Bonus (NHB) received by the Council. The additional NHB income received due to this cannot be quantified as there are several other factors that interlink to complete the calculation.

SECTION 151 OFFICER'S COMMENTS

The Section 151 Officer has contributed to the production of financial comments.

LEGAL IMPLICATIONS

Under the Local Government Finance Act 1992 ("the 1992 Act") the Council, as the billing authority introduced a charging policy, and determined that the amount of Council Tax shall be increased by a percentage of 50% to long term empty dwellings that have remained empty

over two years.

The Rating (Property in Common Occupation) and Council Tax (Empty Dwellings) Act 2018 provides Councils with a power to increase charges on long term empty properties with effect from 1 April 2019. The Council in making such a determination must do so before the beginning of the financial year.

Any such determination must be published in at least one newspaper circulating in its area before the end of twenty one days beginning on the date of the determination.

MONITORING OFFICER'S COMMENTS

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

BACKGROUND PAPERS

None.

**Contact Officer: Adrian Robinson
AD (Head of Revenues & Benefits) Shared
Service
Telephone: 01772 906023
E-mail: a.robinson@preston.gov.uk**



Council Tax Premium – Policy Guidelines for Determining Local Exceptions

1. Purpose

This document sets out the factors that Lancaster City Council (The Council) will take into account when deciding if an exception to payment of the Council Tax Premium can be granted.

The Council Tax Premium is a 100% increase on the Council Tax set in 2019, making the total charge 200% on properties which have been unoccupied and unfurnished for a period of at least two years (“long term empty dwellings”). From 2020 it is proposed to levy a 200% premium for dwellings that are classed as long term empty for a period in excess of five years. From 2021 it is proposed to levy a 300% premium for dwellings that are classed as long term empty for a period in excess of ten years.

Each case will be treated strictly on its merits and all applicants will be treated equally and fairly through administration of the scheme.

2. Statement of objectives

The Council will consider waiving the Council Tax Premium for applicants who meet the qualifying criteria as specified in these guidelines. The Council will treat all applications on their individual merits, and will seek through the operation of these guidelines to grant exceptions to liability for the Council Tax Premium:

- For those owners who are genuinely attempting to sell or let their property which has been vacant for at least two years
- Those owners who are experiencing particular legal or technical issues which is preventing the sale or letting of the property
- Those owners who are in negotiation with the Council with a genuine view to letting the property under the Council’s scheme(s).
- Cases where the dwelling has remained empty beyond a two year period due to exceptional and /or unforeseen circumstances and / or any other circumstances, proven to be beyond the control of the owner/liable person.

- Cases where imposition of the Council Tax Premium would result in hardship and a reasonable person would regard the imposition as unfair.

3. Claiming a Local Exception to the Council Tax Premium

A claim must be made on an application form provided by the Council and signed by the owner of the vacant property or their representative. The claimant must include any relevant supporting evidence.

A Council Officer may make an appointment to visit any applicant who for whatever reason is unable to complete the application form or to confirm the details provided which may necessitate being given access to the premises.

The Council may request any (reasonable) evidence in support of an application but the applicant will be asked to provide the evidence within one month of such a request although this will be extended in appropriate circumstances.

The Council reserves the right to verify any information or evidence provided by the Applicant, with third parties where appropriate.

Payment of Council Tax including the premium may not be withheld whilst awaiting the outcome of an application or the review of a previous decision.

4. Period of Exception

In all cases, the Council will decide the length of time for which an exception will be awarded on the basis of the evidence supplied and the facts known.

The start date of an exception will normally be the date the application is received by the Council providing the Council is satisfied the reasons for the exception existed at that time and the exception will continue for a period of twelve months subject to those circumstances continuing.

The Council will review the award and request confirmation that the circumstances leading to the award of the exception remain applicable. The Council reserves the right to make routine inspections of the property at any point during the period of the exception.

The Council will comply with any Regulations issued by the Secretary of State in relation to any application and have regard to any related national policy guidance.

5. Awarding an Exception to liability for the Council Tax Premium

In deciding whether to award an exception to payment of the Council Tax Premium, the Council will take into account the following criteria:

5.1 For those owners who are genuinely attempting to sell or let their property which has been vacant for at least two years:

- Has professional advice and assistance been obtained?
- A professional Estate Agent with specialist knowledge of the locality must have been engaged.
- Have any offers to purchase or rent the property been received?
- If Yes – why were those offers refused?
- Written confirmation of the reasons for refusal will be required from a professional agent
- Is the sale price or rental in line with recent sale or rental prices for similar properties in the locality?
- If no, does this property have special features that reasonably warrants a higher value or rent?
- Has the property been put up for sale by public auction?

5.2 For those owners who are experiencing particular legal or technical issues which is preventing the sale or letting of the property

- Is there a legal difficulty or issue which is preventing the sale or letting of the property?
- A Solicitor's or Legal Conveyancer's letter should be produced in evidence detailing the reasons preventing sale or letting.
- Is a sale or letting being delayed by the actions of a Public Body?
- Full details must be provided

5.3 Those owners who are in negotiation with the Council with a genuine view to letting the property under the Council's Management Scheme(s)

- Has there been a genuine expression of interest in transferring management of a property to the Council with a view to letting the property to local people with housing needs?
- The Council's Empty Homes Officer will be asked to confirm details of the expression.
- The exception would only be applied from the date of signing the approval notice.

5.4 Cases where the dwelling has remained empty beyond a two year period due to exceptional and /or unforeseen circumstances and / or occasionally any other circumstances, proven to be beyond the control of the owner/liable person.

- Are the circumstances exceptional or unforeseen?
- Decision based on evidence, considered on the merits of each individual case.

5.5 Cases where imposition of the Council Tax Premium would result in hardship and a reasonable person would regard the imposition as unfair.

- Will imposition of the Council Tax Premium result in the owner suffering hardship?
- Granting an exception under this criterion is likely to be the exception rather than the rule as it is expected the majority of exceptions will have been granted under earlier criteria.

6. Changes of Circumstances

The Council may need to revise the decision to grant an exception to the Premium if it becomes aware that the circumstances of an applicant have materially changed. Individuals must immediately advise the Council of any change in circumstances affecting the decision within 21 days of the change. Failure to do so may result in the exception being revoked in full.

7. Notification

The Council will inform the applicant in writing of the outcome of their application within 28 days of receipt, or as soon as possible after. Where the application is unsuccessful, the Council will set out the reasons why this decision was made and explain the right of review.

8. The right to seek a review

As the exceptions to the Premium in this policy are determined locally any decisions are not subject to a statutory appeals mechanism. The Council will therefore operate its own procedures for dealing with appeals against a refusal to award an exception to the Premium.

Decisions will be determined at management level by the Revenues Manager.

An applicant (or their appointee or agent) who disagrees with a decision not to award an exception may dispute the decision. A request for a review must be made in writing to the Head of Shared Service, Revenues and Benefits within one calendar month of the written decision being issued.

The Head of Shared Service, Revenues and Benefits will review all the evidence held and may ask for further clarification to be provided. A decision will be made within 28 days of the request for a review. The decision will be notified to the claimant in writing, setting out the reasons for the decision.

LANCASTER CITY COUNCIL		[as at 15 November 2018]								APPENDIX B
Long Term empty Properties		A	B	C	D	E	F	G	H	Total
<i>A vacant dwelling (i.e. empty and substantially unfurnished) after two years.</i>										
Average Council Tax (excl parishes)		1,173.46	1,369.04	1,564.61	1,760.19	2,151.34	2,542.50	2,933.65	3,520.38	
Average Parishes		18.39	21.45	24.52	27.58	33.71	39.84	45.97	55.16	
Total Average Council Tax		1,191.85	1,390.49	1,589.13	1,787.77	2,185.05	2,582.34	2,979.62	3,575.54	
CURRENT POSITION:										
Total Long term empties (over 2 years)		125	50	25	19	12	3	3	0	237.00
	90%	112.50	45.00	22.50	17.10	10.80	2.70	2.70	0.00	213.30
Empty Homes Premium	50%	595.92	695.25	794.56	893.89	1,092.52	1,291.17	1,489.81	1,787.77	
Revised Average Council Tax		1,787.77	2,095.74	2,383.69	2,681.66	3,277.57	3,873.51	4,469.43	5,363.31	
Current Income from Empty Homes Premium		67,041.00	31,286.25	17,877.60	15,285.52	11,799.22	3,486.16	4,022.49	0.00	150,798.23
PROPOSED POSITION:										
Total Long term empties (over 2 years) (2019)		125	50	25	19	12	3	3	0	237.00
	80%	100.00	40.00	20.00	15.20	9.60	2.40	2.40	0.00	189.60
Empty Homes Premium	100%	1,191.85	1,390.49	1,589.13	1,787.77	2,185.05	2,582.34	2,979.62	3,575.54	
Revised Average Council Tax		2,383.70	2,780.98	3,178.26	3,575.54	4,370.10	5,164.68	5,959.24	7,151.08	
Income from Empty Homes Premium		119,185.00	55,619.60	31,782.60	27,174.10	20,976.48	6,197.62	7,151.09	0.00	268,086.49
										Additional Income
										90% colln. Rate
										105,559.43
										Lancaster element
										13,215.09
Long term empty (Over 5 years) (2020)		45	23	6	6	3	1	0	0	
Assumed % of chargeable properties	80%	36.00	18.40	4.80	4.80	2.40	0.80	0.00	0.00	67.20
Empty Homes Premium	100%	1,191.85	1,390.49	1,589.13	1,787.77	2,185.05	2,582.34	2,979.62	3,575.54	
Revised Average Council Tax		2,383.69	2,780.98	3,178.25	3,575.54	4,370.10	5,164.68	5,959.23	7,151.08	
Income from Empty Homes Premium		42,906.48	25,585.04	7,627.80	8,581.30	5,244.12	2,065.87	0.00	0.00	92,010.60
										Additional Income
										90% colln. rate
										188,368.97
										Lancaster element
										23,582.11
Long term empty over 10 years (2021)		14	8	3	3	0	0	0	0	
Assumed % of chargeable properties	80%	11.20	6.40	2.40	2.40	0.00	0.00	0.00	0.00	22.40
Empty Homes Premium	100%	1,191.85	1,390.49	1,589.13	1,787.77	2,185.05	2,582.34	2,979.62	3,575.54	
Revised Average Council Tax		2,383.69	2,780.98	3,178.25	3,575.54	4,370.10	5,164.68	5,959.23	7,151.08	
Income from Empty Homes Premium		13,348.68	8,899.14	3,813.90	4,290.65	0.00	0.00	0.00	0.00	30,352.38
										Additional Income
										90% Colln Rate
										215,686.11
										Lancaster element @ 90% colln. Rate
										27,001.97

COUNCIL

Localised Council Tax Support Scheme 2019/20

19 December 2018

Report of Interim Financial Services Manager

PURPOSE OF REPORT
To seek a decision from Council on whether the existing Localised Council Tax Support (LCTS) scheme should be retained in its present format for application in 2019/20.
This report is public.

RECOMMENDATIONS

- (1) That Council determines whether to retain its existing Localised Council Tax Support Scheme for 2019/20 (Option 1), or whether to amend it to reduce entitlement. (Option 2).
- (2) That in the event that Option 1 is approved, that the Interim Financial Services Manager be authorised to finalise and publish the Council's approved Scheme for 2019/20 and make all other necessary arrangements for its implementation in next financial year.

1 BACKGROUND

- 1.1 Following the abolition of the national Council Tax Benefit (CTB) system back in 2013, each billing authority now has a legal duty to adopt a Localised Council Tax Support (LCTS) scheme.
- 1.2 Each authority is also under a legal obligation to consider, for each year, whether to revise its scheme or to replace it with another scheme. The history of the Council's arrangements is summarised below:
 - The first local scheme was adopted in January 2013 for implementation in 2013/14. The Council chose not to reduce support levels at that time, unlike most other local authorities.
 - In reviewing its scheme since then, Council has decided to retain basic council tax support levels, meaning that working age claimants on low incomes may still be awarded support to cover up to 100% of their council tax bills.

- The Council has applied some other comparatively minor changes, on the basis that entitlement criteria for LCTS should generally remain in line with other key benefits, most notably Housing Benefit (HB) and Universal Credit (UC).
- 1.3 If a Council does wish to alter its scheme, it must approve any changes by 11 March, otherwise the existing scheme will continue to apply. There is currently no provision for changing a scheme in-year.

2 OVERVIEW OF THE COUNCIL'S CURRENT SCHEME

- 2.1 As laid down by Government, there are three general principles that all Local Council Tax Support (LCTS) schemes must follow:
- pensioners should be fully protected;
 - vulnerable groups should be protected as far as possible, as determined locally; and
 - local schemes should support the positive work incentives being introduced through Universal Credit for working age people.
- 2.2 The Council's existing scheme meets these principles, giving protection for certain groups and helping to support work incentives. It provides additional protection for vulnerable people through other income disregards, premiums and allowances. It also provides for annual uplifts associated with inflation, etc.
- 2.3 Under current legislation, pensioners are protected from any locally driven scheme changes, and so any Council decisions can impact only on working age claimants.
- 2.4 As Council has so far maintained general support levels, this means that if entitled, a claimant would receive 100% support to cover their council tax bill. Of the 326 schemes in operation nationally, currently the Council is one of the few remaining councils that still provide that full level of Council Tax Support for working age claimants, depending on their circumstances.
- 2.5 A hardship fund of £40k is built into the LCTS scheme to protect those suffering exceptional hardship. This initiative is financially supported by a contribution from the major precepting authorities although given that general support levels have been maintained, demand against this continues to be minimal.
- 2.6 The Department for Work and Pensions (DWP) operates a "full" Universal Credit (UC) service in this district, and the Council's existing LCTS scheme accommodates this development. The Council's current LCTS scheme principles are set out in **Appendix A** to this report.
- 2.7 As the impact of UC grows and caseload for housing benefit reduces, it is anticipated that more authorities will look to implement simplified "banded" LCTS schemes that reduces the administrative burden. This is not an option for the City Council in the short-term, but may be something to be considered in the longer term.

3 CONSULTATION

- 3.1 Members have indicated a preference to retain the existing LCTS scheme in its present format, subject to the scheme principles listed in **Appendix A**. As such,

legally there is no need to consult on changes to the scheme at this stage. However, should "Option 2" be the preferred option of the Council, alternative scheme options will need to be developed for consideration by Council early next year, following a swift consultation exercise.

- 3.3 Under Option 1, the Council will write to major precepting authorities setting out the principles of the scheme for 2019/20, acknowledging the fact that they will share the financial cost and risk of any changes made. Their preference has always been for a cost neutral scheme that limits the financial pressure on their budgets as an alternative to cutting essential services.

4 OPTIONS AND OPTIONS ANALYSIS

- 4.1 The challenge for the Council is to adopt a scheme that fits with its ambitions and priorities and is considered fair, deliverable and affordable, given statutory obligations and competing pressures for resources. Council is presented with two basic options:

4.2 Option 1:

Retain the existing Localised Council Tax Support (LCTS) scheme.

- The existing scheme is considered soundly structured and works well, and offers maximum support for low income families, who may otherwise find themselves in mounting debt.
- The current forecast assumes the continuation of the existing LCTS system and as such, maintaining current levels of support will have no impact on the Councils financial forecast.
- Retaining existing policy principles of keeping various positive entitlement provisions for LCTS in line with other key welfare benefits promotes equality.

4.3 Option 2:

Make changes to the existing Localised Council Tax Support (LCTS) Scheme to reduce benefit entitlement for working age claimants.

- Statistics indicate a gradual monthly reduction in caseload from a high of 12,202 in April 2014 to a current level of 10,874 residents claiming Council Tax Support in the Lancaster district. As pensioners make up 40% (4,341) of claimants, it means any cut in the level of support provided falls on the remaining 60% (6,533) of working age people on low incomes.
- A reduction in the levels of support provided could arguably provide claimants with further incentives to work, reducing their reliance on benefits.
- This option will have greater adverse financial impact on working age households, but would help protect other Council services by requiring less savings to be made by them.
- If levels of support are reduced, the Council would be tasked with the difficulty of collecting this debt from the more vulnerable members of our society, increasing workloads and costs associated with Council tax recovery.

- Additional costs associated with developing new scheme options, consultation exercise, legal changes to scheme etc.

5 CONCLUSION

- 5.1 The Council's existing LCTS scheme works well in terms of providing support, but at a cost, particularly for the County Council. To date the Council has attached a high priority to maintaining council tax support levels available to working age claimants (pensioners being unaffected by Council's decision).
- 5.2 Adoption of a particular option should be informed by Council's views regarding the relative priority of LCTS, compared with other services and activities in support of future corporate priorities.

RELATIONSHIP TO POLICY FRAMEWORK

The LCTS is developed in support of ambitions within the Council Plan regarding inequality and poverty, to optimise access to welfare benefits and related support.

CONCLUSION OF IMPACT ASSESSMENT

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

The ambition is to continue with a LCTS scheme for the Council, which supports the objective of simplicity, but protects the most vulnerable residents in the district. The Council must continue to ensure that it has due regard to equality in making its local scheme, including how it will minimise disadvantage.

The Equality and Human Rights Impact Assessment has been reviewed and can be found as part of **Appendix B**.

FINANCIAL IMPLICATIONS

The current forecast assumes the continuation of the existing LCTS scheme which offers a maximum 100% support. As such, should Council approve Option 1, there would be no direct impact on the budget, as it is already assumed that the existing scheme will continue to apply in next year and beyond.

Currently the LCTS system is estimated to cost £9.8M each year, but this is affected by council tax rates and claimant caseload, as well as the decisions of Council. Of this estimated cost, approximately £1.2M falls to the City Council, with the remainder being covered predominantly by the other major precepting authorities (County, Fire, Police) and a small element being met by Parish and Town Councils.

Should Council approve Option 2 and reduce support levels there would be related savings to the Council and major preceptors (County, Fire, Police), subject to level of reduction. Any impact on parishes would be negligible.

Since the introduction of the LCTS scheme, the Government has rolled the Council Tax Support Grant into mainstream Government funding thereby making it difficult to separately identify.

SECTION 151 OFFICER'S COMMENTS

The Section 151 Officer has contributed to the production of financial comments.

LEGAL IMPLICATIONS

The Local Government Finance Act 1992 (as amended) provides that the Council, as the billing authority, must consider whether to revise its LCTS scheme, or replace it with another scheme by 11th March every year. However, it is beneficial for the Council to determine the principles of its LCTS scheme early, in order to build estimates into its Tax Base calculations.

Before a Council can determine to revise or replace its LCTS scheme it must consult any major precepting authority which has the power to issue a precept to it and such other persons as it considers are likely to have an interest in the operation of the scheme. However, these consultation rules do not apply if the Council approves the recommendation to "retain" its existing LCTS scheme.

Likewise, if Council is not proposing to change the existing LCTS scheme then technically there is no requirement to seek approval from full Council. However, it is considered good practice for Council to ratify the existing scheme, given the annual upratings in April each year to adjust benefits and personal allowances.

MONITORING OFFICER'S COMMENTS

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

BACKGROUND PAPERS

Contact Officer:
Adrian Robinson
Telephone: 01772 906023
E-mail:
a.robinson@preston.gov.uk

**Lancaster City Council
Summary Principles of the Council Tax Support Scheme**

The Council Tax Support Scheme is based upon the following principles and will:

1. be calculated as a means tested discount, defined primarily by the terms of the former Council Tax Benefit (CTB) Scheme;
2. match/reflect as appropriate specific wider welfare reforms introduced by the Government, such as those that impact upon housing benefits and/or universal credit as examples;
3. protect pensioners (a Government requirement);
4. help protect the most vulnerable members of society as far as possible, as determined locally;
5. retain a local arrangement for war pensions to be disregarded in full;
6. support positive work incentives that are built in to benefit those who find work;
7. include a hardship fund to help claimants who suffer exceptional hardship as a result of council tax support changes; and
8. not include a second adult rebate reduction for working age claimants.

Class of persons

The scheme sets out rules for working age claimants. Regulations prescribe a scheme for claimants of state pension credit age and prescribe certain classes of persons who are not eligible to claim council tax support.

Eligibility for council tax support is determined by reference to means testing i.e. the income and capital of the claimant and any partner; and by the income and number of non-dependants in the household.

Eligibility for council tax support is defined by the terms of this scheme. The scheme sets out how council tax support is claimed, calculated and paid, except where amendments are required by statute under the Local Government Finance Act 2012 and/or accompanying legislation.

Class of reductions

The scheme aligns with the basic principle of the need to create work incentives.

The scheme is based on the system of making deductions from the eligible council tax for each non-dependant person in the household. The categories of non-dependency are set out in the scheme. Income brackets may be altered in line with the general up-rating arrangements in the scheme, usually adjusted annually to include personal allowances.

Changes will be reflected in the scheme, as considered appropriate, to reflect the Government's ongoing welfare benefits reforms, such as those affecting housing benefit and universal credit as examples.

Applications

An application will be required for all new claims. An appropriate means of application will be decided by the authority and may be revised as required. A review process may be implemented by the local authority for new and existing awards. Awards may be reviewed in a time period to be determined by the authority and failure of the claimant to fulfil any request during a review of their award may result in the termination of that award.

General administration of the scheme

Apart from where statutorily required, advice of any award granted, removed or revised will be by an adjustment to the council tax bill and the bill itself will be the formal notification. The authority reserves the right to include additional notifications.

Changes in Circumstances

Matters relating to the duty for a claimant to notify the Local Authority of a change in circumstances shall generally replicate those that applied to the former CTB Scheme.

Appeals process

Claimants will submit any appeals to the Council in the first instance for a reconsideration of a relevant decision. Once notified of the outcome of this review, the claimant will have a period of two months from the date of the notification to submit an appeal to the Valuation Tribunal.

Backdating

Council Tax Support can be backdated, providing continuous good cause is shown for the delay in claiming.

Up-rating

Following commencement of the scheme, with effect from 1st April each year any figures set out in the scheme may be up-rated by the consumer price index, retail price index or other rate of inflation set out in the preceding September, or by another rate determined with reference to provisions made for Housing Benefit and Universal Credit, or as decided by the authority.

Other Matters

The scheme may be amended to take into account any circumstances subsequently identified, whether through government statute, or other means.



Lancaster City Council's Equality Impact Assessment
Localised Council Tax Support Scheme 2019/20

Section 1: Details:

Service	Revenues & Benefits Shared Service Resources
Title and brief description (if required)	Localised Council Tax Support Scheme
New or existing	Existing
Author/officer lead	Lead – Head of Shared Service / Benefits Manager
Date	30 th November 2018

Does this affect staff, customers or other members of the public?

Yes

Section 2: Summary:

What is the purpose, aims and objectives?

The Local Government Finance Act 1992 as amended, sets out measures requiring all billing authorities to introduce and maintain a LCTS scheme for each financial year.

The main aims of the LCTS scheme are to ensure fairness and consistency, and to help reduce confusion for claimants.

Who is intended to benefit and how?

Under any scheme, support for pensioners must remain at existing levels, and the scheme must be delivered through a national framework of criteria and allowances.

For working age claimants, Councils can choose – through the design of their scheme – whether to alter support entitlements in some way.

Policies and procedures are structured to ensure that all customers receive the correct amount of support and that every claim is considered on its own merits and in accordance with legislation and Government guidance.

Section 3: Assessing impact

Is there any potential or evidence that this will or could:		
• Affect people from any protected group differently to others?	Yes	
• Discriminate unlawfully against any protected group?		No
• Affect the relations between protected groups and others?		No
• Encourage protected groups to participate in activities if participation is disproportionately low (won't always be applicable)?		No
• Prevent the council from achieving the aims of its' Equality and Diversity Policy?		No

We hold household and income details of current Council Tax Support recipients but this was not used as part of the consultation. We have access to wider population statistics and can assess equality monitoring data available as part of the survey.

Age including older and younger people and children	Positive re: pensioners - as they are protected from any changes, as directed by Government. The scheme impacts upon working age claimants only.
Disability	Disabled customers are not adversely affected by the LCTS scheme and are not disadvantaged in comparison to other groups.
Faith, religion or belief	Neutral.
Gender including marriage, pregnancy and maternity	No specific evidence. We do not anticipate this scheme will have a particular equality impact on this protected group.
Gender reassignment	We do not anticipate this scheme will have a particular equality impact on this protected group.
Race	Potentially but if so, very marginally – BME populations seem to be over- represented in unemployment figures and so this may feed through into LCTS claims and entitlement.
Sexual orientation (Including Civic Partnerships)	No specific evidence. We do not anticipate this scheme will have a particular equality impact on this protected group.
Rural communities	No specific evidence. We do not anticipate this scheme will have a particular equality impact on this protected group.
People on low incomes	The scheme relates predominantly to this group, but numbers affected by the specific proposals are expected to be very low.

Section 4: Next steps:

Do you need any more information/evidence eg statistics, consultation? If so, how do you plan to address this?

No further evidence required.

The proposal is to retain the existing scheme, which works well and offers 100% support.

How have you taken/will you take the potential impact and evidence into account?

This Equality Impact Assessment forms part of the Council report to be presented to Members at full Council in December 2018.

How do you plan to monitor the impact and effectiveness of this change or decision?

The reasons for applications to the Discretionary Hardship fund will be analysed to establish if any group is suffering extreme detriment under the retained LCTS scheme to enable action to be taken.

The Council has a Hardship Fund, available to assist vulnerable customers, experiencing difficulty in meeting their Council Tax liability.

COUNCIL**EDEN PROJECT NORTH
19 December 2018****Report of the Assistant Chief Executive****PURPOSE OF REPORT**

To consider the City Council's agreement to contribute to the development of the Eden (North) proposals.

This report is public.

RECOMMENDATIONS

- (1) Council is asked to agree to contribute £250,000 towards specific pieces of work which will significantly advance detailed work on the proposals for the development of the Eden North Project. (£250,000 represents a 25% share of the total cost with each of the four partners being asked to contribute equally.) This contribution will be conditional upon:-
- (i) each party making their contribution and
 - (ii) should a contribution be made, confirmation that funds have been applied as specified is confirmed to the Council.

1.0 Introduction

- 1.1 The Eden North "partners"; the City Council together with Lancaster University, Lancashire Local Enterprise Partnership and Lancashire County Council have been asked to together contribute £1,000,000) towards specific pieces of work which will significantly advance detailed work on the proposals for the development of the Eden North Project. (The City Council is being asked to contribute £250,000 which represents a 25% share of the total cost. A letter setting out the request is attached at Appendix 1.
- 1.2 The initial feasibility study for the project has been undertaken and is positive although it must be acknowledged the project is in early stages of development.
- 1.3 The design and planning stage will take the project from an initial feasibility study to a more coherent structure. Where specific proposals relating to business case, design planning etc. The specific areas that the contributions will fund are set out in the documents received from Eden attached at Appendix 1.

2.0 Considerations.

2.1 Morecambe and Lancaster City would be the main beneficiaries of significant development in the area. The benefits are not just financial but will also positively impact upon the general health, wellbeing and prosperity of the area.

2.2 In summary the proposal will:

- a) require inward investment of circa £ 88 million in the area
- b) estimated to create 500 jobs
- c) attract 8000 visitors a day to the area (Eden Cornwall indicate 2 million visitors since opening)
- d) generate an estimated additional £75 tourist spend per family
- e) stimulate additional inward investment in the whole region. (Cornwall estimate £2 billion in added value to the region)

2.3 The request for £250,000 was not in the contemplation of Full Council when the budget was set in February 2018. This request currently sits outside of the budget, the current MTFS and policy framework. In 2019 Full Council will be asked to approve a new approach that will bring these matters within our policy framework.

2.4 If this matter is to proceed it is the responsibility of Cabinet under Article 7.06 (g) of the constitution to undertake a continuing review of the policy and to call upon Scrutiny to support any review.

2.5 In the recent budget central government has specifically allocated £100,000 to provide support to this project.

3.0 Details of Consultation

3.1 A briefing session by Eden has been provided to members

4.0 Options and Options Analysis (including risk assessment)

	Option 1: Agree the sale	Option 2: Do not contribute
Advantages	Provides opportunity to contribute and be part of a significant major infrastructure development likely to benefit not just the immediate community but the wider economic prosperity of the area	Retains a significant sum within the local authority
Disadvantages	Reduces the available finance for other projects with no guaranteed return.	The land remains unused, undeveloped and provides no return.
Risks	The project does not proceed and there is no return for the expenditure	The area remains stagnated

5.0 Officer Preferred Option (and comments)

- 5.1 If Council wishes this initiative to progress to the next stage this will only proceed if partner funding is made available. However there is still a risk that a decision may be taken not to proceed at a later stage.

<p>RELATIONSHIP TO POLICY FRAMEWORK</p> <p>This currently sit outside of the policy framework proposals</p>	
<p>CONCLUSION OF IMPACT ASSESSMENT (including Health & Safety, Equality & Diversity, Human Rights, Community Safety, HR, Sustainability and Rural Proofing):</p> <p>None</p>	
<p>LEGAL IMPLICATIONS</p> <p>If the matter is considered by full council an agreement will need to be put in place to ensure funds are used in accordance with the wishes of full council</p>	
<p>FINANCIAL IMPLICATIONS</p> <p>As referred to in the options.</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>Eden artistic impression pictures and press release.</p>	<p>Contact Officer: Kieran Keane</p> <p>Telephone: 01524 582000</p> <p>E-mail: kkeane@lancaster.gov.uk</p>

Bodelva Cornwall PL24 2SG Public information: T: 01726 811911	
United Kingdom	T: +44 (0)1726 811900 F: +44 (0)1726 811912
eden project	www.edenproject.com

Susan Parsonage
Chief Executive
Lancaster City Council
Town Hall
Dalton Square
Lancaster
LA1 1PJ

5th December 2018

Dear Susan,

Following the Eden Project North Partners' meeting on 16th November, I am writing to you to formally request funding for the next stages of the project through concept design to outline planning.

The request is for £250,000 to cover a quarter of the total £1 million funding agreed by the Eden North partners: Lancaster City Council, Lancaster County Council, Lancaster University and the LEP.

A synopsis of the funding requirement and breakdown of the costs involved have been provided. If you need any additional information or clarification please don't hesitate to contact either myself or David Harland. In the meantime, thank you for your on-going support; you know how excited we are to move this project beyond feasibility.

Yours Sincerely



Si Bellamy
Head of Eden Project International

Eden North - Next stage funding breakdown.

The Eden North project was prompted by an approach from Lancaster University in Autumn 2015 with the strategic aims:

- To transform the local economy
- To drive the regeneration of the area
- To create a year round attraction and wet weather destination for tourists to Blackpool and South Lake District
- A crowd puller that is interesting to all ages
- That is an asset for the university
- That is globally significant
- That is financially sustainable, a revenue generating proposition – an enterprise = that is (at least) self-supporting.
- To engage with public with science.

At the partners meeting on 16th November 2018 the City Council, County Council, Lancaster University and the LEP agreed the need to fund the £1 million needed to enable the next stage of project development.

The next tranche of funding will allow progress of the project through concept design to the submission of an outline planning application and provide six strategic outputs.

1. Develop and deliver proportion of legal and funding required. Business Case, Investment Case and legal client entity.
2. Develop Concept Design (CD).
3. Develop and deliver proportion of visitor experience, content design and operational design briefs.
4. Develop and deliver proportion of communications strategy and engagement plans.
5. Develop and deliver outline planning application.
6. Develop and deliver full project planning and Project Execution Plan.

The below table gives a full breakdown of the next phase of funding. The £250,000 from the City Council will be used to fund one quarter of the below costs.

Scope of work	To outline planning and concept design stage
Develop and deliver legal and funding required. Business case, Investment Case and Legal client entity.	£150,000
Develop Concept Design (CD) phases , Architectural fees, Engineering consultancy & Quantity surveyors fees	£260,000
Develop and deliver visitor experience, content design and operational design brief	£190,000
Develop and deliver communications strategy and engagement plan	£45,000
Develop and deliver planning application and land acquisition including full transport assessment, biodiversity studies and sustainability plan	£247,000
Project Management fees including develop and deliver Project Execution Plan (PEP)	£108,000
Total	£1,000,000

CABINET

6.00 P.M.

6TH NOVEMBER 2018

PRESENT:- Councillors Eileen Blamire (Chairman), Janice Hanson (Vice-Chairman), Nathan Burns, Darren Clifford, Brendan Hughes, Margaret Pattison and Anne Whitehead

Apologies for Absence:-

Councillor Andrew Warriner

Officers in attendance:-

Susan Parsonage	Chief Executive
Kieran Keane	Assistant Chief Executive
Mark Davies	Director for Communities and the Environment
Suzanne Lodge	Deputy Director for Communities and the Environment
Mark Cassidy	Planning Manager
David Brown	Interim Head of Legal and Democratic Services and Monitoring Officer
Daniel Bates	Financial Services Manager
Paul Thompson	Accountancy Manager
Jez Bebbington	Executive Support Manager
Liz Bateson	Principal Democratic Support Officer

40 MINUTES

The minutes of the meeting held on Tuesday 4 September 2018 were approved as a correct record.

41 ITEMS OF URGENT BUSINESS AUTHORISED BY THE LEADER

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

42 DECLARATIONS OF INTEREST

No declarations were made at this point.

43 PUBLIC SPEAKING

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

44 REFERRAL FROM THE OVERVIEW AND SCRUTINY COMMITTEE - REPORT OF THE RESILIENCE COMMISSION INFORMAL TASK GROUP

Cabinet received a report from the Overview and Scrutiny Committee together with the final report and recommendations of the Resilience Commission Informal Task Group. Councillor Caroline Jackson, the Chairman of the task group presented the report.

The options were set out in the report as follows:

1. To accept the recommendations of Overview and Scrutiny.
2. Not to accept the recommendations of Overview and Scrutiny.
3. To make alternative proposals to those recommended by Overview and Scrutiny.

Councillor Hanson proposed, seconded by Councillor Whitehead:-

“That Cabinet notes the recommendations of the Resilience Commission Informal Task Group and requests that the Flooding Cabinet Liaison Group consider the recommendations in more detail when convened.”

Councillors then voted:-

Resolved unanimously:

- (1) That Cabinet notes the recommendations of the Resilience Commission Informal Task Group and requests that the Flooding Cabinet Liaison Group consider the recommendations in more detail when convened.

Officer responsible for effecting the decision:

Director for Communities and the Environment

Reasons for making the decision:

The decision is consistent with the Council Plan Principles regarding Community Leadership and Our Ambitions for Clean, Green and Safe Neighbourhoods. A Flooding Cabinet Liaison Group will provide a strategic oversight of flooding issues in the district including hearing the action plans and timescales from all the agencies with a responsibility for flooding and hearing from residents about what would help them best prepare and deal with flooding. It will also provide an appropriate forum to consider the recommendations of the task group in more detail.

45 FLOODING CABINET LIAISON GROUP (Page 8)

(Cabinet Member with Special Responsibility Councillor Warriner)

Cabinet considered a report which sought approval of the terms of reference of a Flooding Cabinet Liaison Group. Cabinet had agreed to establish a Flooding Cabinet Liaison Group in principle at its meeting on 26 June 2018 (Minute 12 refers).

The options were to agree to the Terms of Reference as attached at appendix 1 to the report or propose alternatives, subject to Cabinet’s desired focus for the Cabinet Liaison Group. As long as the terms fit with the Constitution, there was no officer-preferred option.

Councillor Clifford proposed, seconded by Councillor Burns:-

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

Councillors then voted:-

Resolved unanimously:

- (1) That the proposed terms of reference for the Flooding Cabinet Liaison Group, as appended, be approved.

Officer responsible for effecting the decision:

Director for Communities and the Environment

Reasons for making the decision:

The establishment of Cabinet Liaison Groups assists the Cabinet in the discharge of executive functions. The rationale for a Flooding Cabinet Liaison Group was identified as a result of the work undertaken by the Resilience Commission Informal Task Group and is intended to provide a strategic oversight of flooding issues in the district and is consistent with the Council Plan Principles regarding Community Leadership and Our Ambitions for Clean, Green and Safe Neighbourhoods.

46 PROGRESS WITH THE COMMUNITY HOUSING FUND

(Cabinet Member with Special Responsibility Councillor Warriner)

Cabinet received a report from the Planning Manager (Regeneration & Planning) to set aside funding for the development of a sub-regional Community Housing Hub with neighbouring local authorities and to create a new fixed term Community Housing Fund Development Officer post.

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

	Option 1: Proceed with setting up a Community Housing Hub and create an officer resource through direct recruitment or through the Hub	Option 2: Only provide funding for officer support.	Option 3: Do not proceed with either option
Advantages	It will improve access to and increase the range of specialist services available to Community Groups that will not otherwise be available. It will provide the direct officer support	It will create a local resource to directly support groups in Lancaster district.	There will be no budget implications.

	required.		
Disadvantages	The funding could be spent on other projects.	The funding could be spent on other projects. Option 2 would not increase the range of specialist services available to Community Groups although there would be a local resource, it would potentially take longer for schemes to come to fruition.	There would be very little direct support available to support groups to bring projects forward. The capacity within the existing establishment will result in delays in bringing schemes forward due to lack of specialist input and the momentum of projects would be lost.
Risks	The effectiveness of the Hub will rely on the successful Provider who are likely to be based in Cumbria. It may be difficult to find a candidate that has the skills and knowledge required for the position. Using the Hub as a means of securing direct officer support will not provide the equivalent hours	The council may be unable to fill the vacancy. It is unlikely that the Hub Provider would be able to provide direct support if Lancaster City Council is not involved in the Hub partnership.	Loss of opportunities Reputational damage if the budget is not used for its intended purpose. Lack of delivery could hinder the future funding opportunities available. MHCLG may seek to recoup the allocation and direct it elsewhere.

The Officer Preferred Option is Option 1. The establishment of a sub-regional Community Housing Hub will improve access to and increase the range of specialist services required to bring Community Led developments into fruition, building on the successes of some of the schemes already completed or being brought forward in Cumbria. Along with the provision of direct support (either through a recruitment process or through a Hub) will ensure that Community Groups will have the necessary support and assistance required. This is particularly important if bids are made for capital grant due to the requirements of Homes England in terms of the quality of bids, acquiring Investment Partner Status, and in some instances, acquiring Registered Provider status for the management of rented units.

Community Led developments provide an opportunity to diversify the housing market in Lancaster district and increase the provision of affordable housing. Given that a further announcement of £163M national funding to support these initiatives and the fact that the council was successful in receiving the original allocation of £707K in 2016/17, funds have been put in place to provide a robust framework of support for local community groups without any direct impact on other council resources.

Councillor Hanson proposed, seconded by Councillor Hughes:-

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

Councillors then voted:-

Resolved unanimously:

- (1) That the progress being made within this region in relation to the development of a Community Led Housing Hub be noted.
- (2) That funding from the Community Housing Fund be set aside to enable a contribution of up to £15K for Year 1 set up costs for a Community Led Housing Hub, and that where there is opportunity to do so, officers be authorised to submit a bid for continued revenue funding for the Hub in future years, either through Homes England or other relevant external funding sources.
- (3) That further funding of up to £40K from the Community Housing Fund also be set aside to support the creation of a new fixed term part-time post (21 hours per week) for up to two years from initial appointment.
- (4) That, in the event that Lancaster City Council is unable to recruit a suitable candidate, the equivalent budget is used to purchase direct support from the Community Housing Hub Provider if capacity exists.
- (5) That the Interim Financial Services Manager/Section 151 Officer be authorised to update the General Fund Revenue Budget to reflect any decisions taken under recommendation 2 and 3 to be funded from the Revenue Grants Unapplied Reserve, and for continuation of the Hub in future years through additional external funding bids where appropriate to do so, and subject to there being a nil impact on the Council's resources.

Officers responsible for effecting the decision:

Planning Manager (Regeneration & Planning)
Interim Financial Services Manager/Section 151 Officer

Reasons for making the decision:

The decision is consistent with a success measure within the Corporate Plan to improve the quality and availability of housing, including the provision of affordable housing in some instances. In addition, it is consistent with the Lancaster District Housing Strategy, as it will increase the opportunities for specific groups to bring forward community led schemes tailored to their own needs and objectives providing a more diverse housing offer.

47 CORPORATE FINANCIAL MONITORING 2011/19 - QUARTER 2

(Cabinet Member with Special Responsibility Councillor Whitehead)

Cabinet received a report from the from the Interim Financial Services Manager to provide an overview of the Council's financial position for Quarter 2 of the 2018/19

monitoring cycle, and the supporting actions underway.

As the report was primarily for noting, no options were provided.

It was proposed by Councillor Whitehead, seconded by Councillor Hanson and resolved unanimously that the report and supporting actions be noted.

Resolved unanimously:

- (1) That the report and supporting actions, as set out in the report, be noted.

**48 DELIVERING OUR AMBITIONS - PERFORMANCE AND PROJECT MONITORING
QUARTER 2 2018/19**

(Cabinet Member with Special Responsibility Councillor Whitehead)

Cabinet received a report from the Chief Executive on the performance of key indicators and projects for July to September 2018. It was noted that the report now included a breakdown of performance against key corporate indicators for the period and these would be developed to provide further information.

Officers responded to a number of questions and as the report was primarily for noting, no options were provided.

It was proposed by Councillor Whitehead, seconded by Councillor Pattison and resolved unanimously that the report be noted.

Resolved unanimously:

- (1) That the report be noted.

Chairman

(The meeting ended at 6.35 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 13 NOVEMBER, 2018.

**EFFECTIVE DATE FOR IMPLEMENTING THE DECISIONS CONTAINED IN THESE MINUTES:
WEDNESDAY 21 NOVEMBER, 2018.**

Flooding Cabinet Liaison Group

Chairman:

Cabinet Member and Portfolio Holder with Responsibility for Housing and Environmental Health

By invitation of the Chair.

Terms of Reference:

To provide assistance to the Cabinet Member in helping to form a strategic oversight of flooding issues in the district, including hearing the flooding issues, action plans and timescales from all the agencies with a responsibility for flooding.

To advise the Cabinet Member on actions arising from an update report on relevant issues that will/may affect the District from the Lancashire Resilience Forum.

To consider, on an annual basis, arrangements to mitigate the risk to council properties, where it has been shown that properties have flooded in the past and for appropriate adaptations to be made to these properties.

To advise on the local flood emergency responses of the various agencies, including the efficacy of the use of sandbags or alternatives.

To advise the Cabinet Member on action following receipt of reports on cross boundary issues.

To invite members of the Planning Policy Cabinet Liaison Group, at an appropriate time, in order to hear policies/strategies for reducing the impact of flooding when planning for new development.

That future reports and surveys, including reports from the Lancashire Flood Partnership, be submitted for consideration to assist the Cabinet Member in making recommendations for action.

To invite community/residents representatives to hear their experiences on emergency responses and future resilience.

To invite agencies/organisations with a responsibility or interest in flooding and flood prevention work to provide information on flood preparedness and flood recovery.

Frequency:

The Group to meet twice a year, and/or more frequently as/when required.

CABINET

6.00 P.M.

4TH DECEMBER 2018

PRESENT:- Councillors Eileen Blamire (Chairman), Janice Hanson (Vice-Chairman), Nathan Burns, Darren Clifford, Margaret Pattison and Anne Whitehead

Apologies for Absence:-

Councillors Brendan Hughes and Andrew Warriner

Officers in attendance:-

Kieran Keane	Assistant Chief Executive
Mark Davies	Director for Communities and the Environment
Daniel Bates	Interim Financial Services Manager/Section 151 Officer
David Brown	Interim Head of Legal and Democratic Services and Monitoring Officer
Suzanne Lodge	Deputy Director for Communities and the Environment
Mark Cassidy	Planning Manager (part)
Richard Crompton	Interim Regeneration Manager
Rephael Walmsley	Acting Head of Legal Services
Liz Bateson	Principal Democratic Support Officer

49 MINUTES

The minutes of the meeting held on Tuesday 6 November 2018 were approved as a correct record.

50 ITEMS OF URGENT BUSINESS AUTHORISED BY THE LEADER

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

51 DECLARATIONS OF INTEREST

No declarations were made at this point.

52 PUBLIC SPEAKING

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

53 EDEN PROJECT NORTH**(Cabinet Member with Special Responsibility Councillor Hanson)**

Cabinet received a report from the Assistant Chief Executive to refer to Full Council the consideration of a request to contribute £250,000 to the development of the Eden Project North proposal.

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

	Option 1: Agree to refer the decision to Full Council	Option 2: Do not refer the decision to Full Council
Advantages	Provides opportunity to contribute and be part of a significant major infrastructure development likely to benefit not just the immediate community but the wider economic prosperity of the area	Retain £250,000 within the local authority.
Disadvantages	Reduces the available finance for other projects with no guaranteed return.	The land remains unused, undeveloped and provides no return.
Risks	The project does not proceed and there is no return for the expenditure	The area remains stagnated.

The Officer Preferred Option was to refer the request for funding to Full Council who may agree the contribution to the next stage of the project development.

Councillor Hanson proposed, seconded by Councillor Pattison:-

“That the recommendations, as set out in the report, be approved and that consideration be given to establishing a budget reserve for the Eden North Project.”

Councillors then voted:-

Resolved unanimously:

- (1) That consideration of the request to contribute £250,000 to the Eden Project North detailed design and planning proposal be referred to Full Council for consideration on 19 December 2018 and that consideration be given to establishing a budget reserve for the Eden North Project.
- (2) That the Overview & Scrutiny Committee be requested to consider the Eden (North) proposals as part of their work programme.

Officers responsible for effecting the decision:

Assistant Chief Executive
Interim Head of Financial Services

Reasons for making the decision:

The request sits outside the policy framework proposals. Prior to full Council considering and making a decision on the requested contribution of £250,000, officers will liaise with Eden and provide an explanation as to why the initial funding is required and what it will be used for. This will be reported to Council on 19 December 2018.

54 HOUSING STANDARDS ENFORCEMENT POLICY**(Cabinet Member with Special Responsibility Councillor Warriner)**

Cabinet received a report from the Director for Communities and the Environment in order to give consideration to and adopt the Private Sector Housing Enforcement Policy and associated charges.

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

	Option 1: Adopt the policy	Option 2: Do not adopt the policy
Advantages	Provides clarity for the Local Authority and stakeholders. Assists the Local Authority in meeting its statutory obligations and deliver one of its priorities.	None
Disadvantages	None	The council could be subject to challenge. The authority is obliged to determine the level of penalties to be levied in relation to the legalisation referred to in this report and has to publish a statement of principles in relation to the Smoke and Carbon Monoxide Alarm Regulations.
Risks	None	The council could be subject to challenge and may not be in a good position to meet its statutory obligations.

The officer preferred option was to adopt the Private Sector Housing Enforcement Policy and the specific policies (including the fine matrices contained therein).

Councillor Clifford proposed, seconded by Councillor Hanson:-

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

Councillors then voted:-

Resolved unanimously:

- (1) That the overarching Housing standards, Private Sector Housing Enforcement Policy as set out in Appendix 1 to the report be adopted.
- (2) That the specific Housing Standards policies/statement of principles, set out below, together with the fine matrices contained therein be adopted:
 - (a) Housing Standards, Civil Penalties Enforcement Policy as set out in Appendix 2 to the report;
 - (b) Housing Standards, the Smoke and Carbon Monoxide Alarm (England) Regulations 2015 Statement of Principles as set out in Appendix 3 to the report;
 - (c) Housing Standards, The Redress Schemes for letting agency work and property management work (requirement to belong to a scheme, etc.) (England) Order 2014 policy as set out in Appendix 4 to the report.
- (3) That an evaluation of the effectiveness of the policies referred to above, be included in the report back to Cabinet on the implementation of the alternative approach to selective licensing approved by Cabinet in March 2018 (minute 84 refers).

Officer responsible for effecting the decision:

Director for Communities and the Environment

Reasons for making the decision:

The proposals support the Council's objectives to promote sustainable communities and support the positive health and wellbeing of residents in the district. Adoption of the new policy will assist the Council to provide efficient and effective regulatory enforcement to support the delivery of a statutory function and corporate priority, providing clarity to the local authority and stakeholders.

55 WENNINGTON NEIGHBOURHOOD PLAN REFERENDUM**(Cabinet Member with Special Responsibility Councillor Hanson)**

Cabinet received a report from the Planning Manager which sought approval for the Wennington Neighbourhood Plan to proceed to referendum at the earliest possible opportunity.

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

	Option 1: Accept the modifications of the Examiner, issue a decision	Option 2: Reject some of the modifications of the Examiner and	Option 3: Reject all of the modifications of the Examiner.
--	---	---	---

	statement to this effect and approve the Neighbourhood Plan to go forward to referendum.	delegate authority to the Planning Manager to publish the decision.	
Advantages	This would be to the benefit of adopting localism within the district, enabling communities to shape their area. It would enable the community as a whole to decide if the plan should be sued by the Council for determining planning applications.	That the plan could be prepared in line with (or closer in line with) the original intentions of the Neighbourhood Plan sub group.	None known. Rejection of all the modifications would mean rejection of the plan on the basis that the Council could not be satisfied that the Plan could meet the basic conditions required by Schedule 4B Town and Country Planning Act 1990.
Disadvantages	None known	<p>Officers and the Neighbourhood Plan sub group have agreed the modifications are acceptable and that the plan is suitable to be the subject of a referendum.</p> <p>Rejecting modifications may remove clarity, factual correctness or compatibility with other local authority plans or policies. It could also lead to the Basic Conditions requirement not being met.</p> <p>Rejecting modification will require further consideration by officers as to the suitability of the plan and further consideration by Council.</p>	The Neighbourhood Plan would not be made.

Risks	None known	<p>Removal of some of the modification may lead to the Plan not meeting the basic conditions and to the ultimate decision that the plan should not be progressed.</p> <p>Removal of some of the Examiner's recommendations may also create ambiguity and uncertainty in the application of the Plan. This could lead to legal challenge and difficulty in the application of planning policy to planning decisions.</p>	<p>The Plan, with the Examiners' recommendations, is agreeable to the Neighbourhood group. To reject the Plan by not accepting the modifications could be suggest to public law challenge.</p>
-------	------------	---	--

The preferred option is Option 1. Given the level of work undertaken by the Neighbourhood Plan Sub Group alongside the extensive consultation that took place prior to the Examination of the plan it is considered that subject to the outcome of the referendum that it is the will of the community of Wennington for a neighbourhood plan to be prepared. The independent Examiner has scrutinised the plan in making an assessment as to whether it meets the Basic Conditions and subject to modification is of the view that the plan is ready to proceed to Referendum.

In conclusion it is the opinion of the Planning Manager that the Wennington Neighbourhood Plan is ready to proceed to referendum, subject to modifications as recommended by the Examiner being made.

Councillor Hanson proposed, seconded by Councillor Clifford:-

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

Councillors then voted:-

Resolved unanimously:

- (1) That the proposed changes to the Neighbourhood Plan, as set out in Appendix C to the report be approved, and that a decision statement be issued to inform interested parties that the modified Neighbourhood Plan should proceed to Referendum as soon as reasonably possible.
- (2) That agreement be given to advance funding of the Referendum, which will be

claimed back from the Government in due course.

Officer responsible for effecting the decision:

Planning Manager

Reasons for making the decision:

The aim of the referendum is to give the people of Wennington community a vote on whether they support the Neighbourhood Plan. Neighbourhood Planning contributes to the Council's corporate plan priorities, in particular, sustainable economic growth. Once adopted, neighbourhood plans will form part of the Council's Lancaster District Local Plan.

56 BAILRIGG GARDEN VILLAGE CABINET LIAISON GROUP (Page 12)

(Cabinet Member with Special Responsibility Councillor Hanson)

Cabinet received a report from the Interim Regeneration Manager to seek approval to establish a Bailrigg Garden Village Cabinet Liaison Group and agree to the proposed terms of reference.

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

The options are essentially to agree to the Terms of Reference, or propose alternatives, subject to Cabinet's desired focus for the Cabinet Liaison Group. As long as any terms fit with the Constitution, there is no Officer preferred option.

Councillor Hanson proposed, seconded by Councillor Whitehead:-

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

Councillors then voted:-

Resolved unanimously:

- (1) That a Bailrigg Garden Village Cabinet Liaison Group be established.
- (2) That the terms of reference of the Bailrigg Garden Village Cabinet Liaison Group, as appended to the minutes, be approved.

Officer responsible for effecting the decision:

Interim Regeneration Manager

Reasons for making the decision:

The establishment of Cabinet Liaison Groups assists the Cabinet in the discharge of executive functions. The aims and objectives of the Bailrigg Garden Village Cabinet Liaison Group will be aligned to support the Council Plan to develop the concept of the

garden village with the group meeting in response to progress and key issues on the project.

57 BUDGET AND POLICY FRAMEWORK UPDATE 2019/20 TO 2023/24

(Cabinet Member with Special Responsibility Councillor Whitehead)

Cabinet received a report from the Interim Head of Financial Services to provide an update on the Council's budget strategy for 2019/20 and financial outlook up to 2023/24 to help inform development of Cabinet's corporate planning and budget proposals and the development of a revised Medium Term Financial Strategy.

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

Regarding the budget strategy, Cabinet may approve the proposals as set out, or require changes to be made to the suggested approach. The overriding aim of any budget setting process is to approve a balanced budget by statutory deadlines, allocating resources to help ensure delivery of the Council's corporate and service objectives. The proposed approach is in line with that broad aim, drawing on various strategic matters. Any changes that Cabinet puts forward should also be framed in that context.

In term of the actual budget position, this report is primarily for information, to assist Cabinet in its budget deliberations. No specific decisions are sought at this time.

Councillor Whitehead proposed, seconded by Councillor Clifford:-

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

Councillors then voted:-

Resolved unanimously:

- (1) That the draft budgetary position for current and future years be noted, accepting that this is an interim update.
- (2) That the approach and timetable in respect of the 2019/20 budget as set out in Section 3 of the report be approved.
- (3) That the approach to updating the Medium Term Financial Strategy set out in Section 4 of the report be approved.
- (4) That the Treasury Management Mid-Year Review attached at Appendix A to the report, be noted and referred to Council for information.

Officer responsible for effecting the decision:

Interim Head of Financial Services

Reasons for making the decision:

Draft budget proposals will be considered by Cabinet on 15 January 2019 and by the Budget & Performance Panel on 22 January 2019.

58 FUNDING THE FUTURE: FINANCIAL SUSTAINABILITY STRATEGY

(Cabinet Member with Special Responsibility Councillor Whitehead)

Cabinet received a report from the Assistant Chief Executive, which sought approval to the adoption of an overarching strategy for building financial resilience strategy: 'Funding the Future.'

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

Option 1 is to adopt the strategy.

Option 2 is to maintain the status quo and address deficits through reduced budgets and service cuts.

	Option 1: Adopt the strategy	Option 2: Do not adopt the strategy
Advantages	The prospect of long term financial resilience to help maintain the provision of good quality council services	None
Disadvantages	New ways of working and adapting reasonably quickly to new approaches.	A series of unpalatable decisions will need to be taken on cuts and service reductions.
Risks	A manageable level of commercial risk in terms of trading and investment. degree of financial risk	Potential financial instability delivery of services being reduced. A deteriorating reputation.

The officer-preferred option is Option 1 for the reasons set out in the document attached at Appendix 1 to the report.

Councillor Whitehead proposed, seconded by Councillor Clifford:-

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

Councillors then voted:-

Resolved unanimously:

- (1) That the principles of the overarching financial resilience strategy be approved.
- (2) That the incorporation of the key principles of the strategy within the MTFs be approved.

Officers responsible for effecting the decision:

Assistant Chief Executive
Interim Head of Financial Services

Reasons for making the decision:

The Council has developed highly ambitious plans for enhancing the economy, wellbeing and the presence of Lancaster City and District; setting out its priorities and vision for the district to thrive as a vibrant regional centre in the north west of England in its recently published Council Plan. The Council's current projected funding gaps reveals the continuing financial challenge faced by the Council. The proposals put forward within the Funding the Future strategy provide a combination of short, medium and longer term solutions, aligned with the Council's Medium Term Financial Strategy to bridging the funding gaps and building financial resilience within the Council.

59 INVESTMENT STRATEGY

The Chairman advised the meeting that this item had been deferred to the next Cabinet meeting on 18 December 2018.

The Planning Manager left the meeting at this point.

60 EXCLUSION OF THE PRESS AND PUBLIC

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

"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.

61 LAND AT SCOTFORTH (Page 13)**(Cabinet Member with Special Responsibility Councillor Blamire)**

Cabinet received a report from the Assistant Chief Executive, 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 Blamire proposed, seconded by Councillor Burns:-

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

Councillors then voted:-

Resolved unanimously:

The resolution and reason for making the decision is set out in a minute exempt from publication by virtue of Paragraph 3, Schedule 12 of the Local Government Act, 1972.

Officer responsible for effecting the decision:

Assistant Chief Executive

Chairman

(The meeting ended at 6.27 p.m.)

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

MINUTES PUBLISHED ON MONDAY 10TH DECEMBER, 2018.

**EFFECTIVE DATE FOR IMPLEMENTING THE DECISIONS CONTAINED IN THESE MINUTES:
TUESDAY 18 DECEMBER, 2018.**

BAILRIGG GARDEN VILLAGE CABINET LIAISON GROUP**TERMS OF REFERENCE APPROVED BY CABINET ON 4 DECEMBER 2018**

- To advise the Cabinet member and Cabinet on the setting of objectives for Bailrigg Garden Village.
- To assist the Cabinet member and Cabinet to ensure the development is of the highest standard and uses best practice in the development and inform the potential content, quality and function of the Garden Village.
- To advise the Cabinet member and Cabinet on the evolution of a concept plan and masterplan for Bailrigg Garden Village
- To provide a public written report each quarter summarising the discussions and recommendations made to the Cabinet member.
- To invite and consider reports from the Councils Officers and agents on the development.
- To invite and consider third party presentations and proposals, and if required to summarise the information in a recommendation to the Cabinet member.
- To monitor and advise the Cabinet Member on the progress of the development of options for the delivery of the project, to consider appropriate delivery mechanisms as required and to advise of progress on the project in accordance with the agreed project plan and its key milestones.
- To advise, facilitate and assist in the expeditious progress of the development.
- To advise, facilitate and assist in the progress of consultations, contribute to the community engagement and to champion the work being undertaken towards the delivery of the Garden Village to the public and wider member forum.

Document is Restricted