



LANCASTER
CITY COUNCIL

Promoting City, Coast & Countryside

COUNCIL MEETING

**Wednesday, 30 January 2019 –
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, 30 January 2019 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 Meeting of the City Council held on 19th December 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.

8. **PETITION - THE YOUNG PEOPLE OF LANCASTER DISTRICT DECLARE A 'CLIMATE EMERGENCY'**

To receive a petition to the Council, notification of which has been received by the Chief Executive in accordance with the Council's Constitution.

Members are advised that the petition has in excess of 1,500 signatures and meets the trigger level for a Council debate. A motion relating to the same topic is already scheduled for debate at item 16.

The young people of Lancaster District declare a 'climate emergency'.

We, the young people of Lancaster, are the generation which will feel the effects of global warming, yet there is little action to reduce these effects. As a generation, we have never lived in a time of stable climate conditions. We are seeing its devastating effects in many ways already; sea levels are rising, habitats are being destroyed and our future is uncertain. If the current global trend continues, it is very likely that the earth's temperature will rise by 2 degrees Centigrade. The consequences will be disastrous. As a society, we need to involve the opinions of young people in the decision-making processes to tackle this climate emergency, to help protect our future.

We the undersigned, live, work or study in the district and petition the Council to:

1. Declare a "climate emergency".
2. Conduct a consultation with young people of all ages, by young people of all ages, for what they want for a sustainable future in Lancaster district.
3. Include consultation ideas in council plans to make Lancaster District carbon neutral by 2030.
4. Create a young person's climate panel to review and support Council climate strategies.

An officer briefing note is attached to Item 16.

ITEMS DEFERRED FROM THE DECEMBER COUNCIL MEETING

9. **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.

10. **MINUTES OF CABINET** (Pages 1 - 20)

To receive the Minutes of Meetings of Cabinet held on November 6th 2018 and December 4th 2018.

11. **LEADER'S REPORT** (Pages 21 - 23)

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. **DESIGNATION OF CHIEF FINANCIAL OFFICER (SECTION 151 OFFICER) RESPONSIBILITY** (Pages 24 - 26)

Referral from Personnel Committee.

13. **BUDGET AND POLICY FRAMEWORK UPDATE 2019/20 TO 2023/24** (Pages 27 - 59)

Referral from Cabinet

14. **PROPERTY INVESTMENT STRATEGY** (Pages 60 - 62)

Referral from Cabinet

15. **PROPOSALS FOR THE GOVERNANCE ARRANGEMENTS FOR INVESTMENT DECISIONS** (Pages 63 - 73)

Referral from Cabinet

MOTIONS ON NOTICE

16. **MOTION ON NOTICE - CLIMATE CHANGE AND LANCASTER CITY COUNCIL** (Pages 74 - 80)

To consider the following motion submitted by Councillors Kevin Frea, Andrew Kay, Caroline Jackson and Tim Hamilton-Cox;

“Full Council Notes:

Lancaster City Council has already committed to reducing carbon emissions to zero by 2050, but the recent IPCC Report shows it is imperative that this target is reached much sooner. Lancaster City Council can play its role. Business as usual is clearly no longer an option. We need local wisdom to increase our resilience and to prepare for the climate changes already in the system.

According to the Intergovernmental Panel on Climate Change 1.5°C report, published in October 2018, humanity has 12 years for “ambitious action from national and sub-national authorities, civil society, the private sector, indigenous peoples and local communities” to deliver the “rapid and far-reaching transitions in land, energy, industry, buildings, transport, and cities” needed to turn this around, so we can avoid reaching tipping points where we no longer have the ability to avoid extreme weather events.

It is vital that rural communities play their part in reducing carbon emissions.

Bold climate action can deliver economic benefits in terms of new jobs, new income streams, and localising wealth generation; as well as improved well-being for people locally and worldwide.

Our inspiration:

A number of City & District Councils, together with the Mayor of London, have passed motions declaring a 'Climate Emergency'.

We, the undersigned, therefore call on Lancaster City Council to

- 1. Declare a 'Climate Emergency';*
- 2. Support the setting up of a Climate Change Advisory Board immediately, involving Councillors, residents, businesses, experts from the two Universities and other relevant parties. Over the following 6 months, the Board will revisit and update the 2010 Lancaster City Council Climate Change Strategy and help the Council develop a new carbon budget taking into account both production and consumption emissions (scope 1, 2 and 3) and set a target date of 2030, to:*
 - make the Council's activities net-zero carbon;*
 - Consider systematically the climate change impact of each area of the Council's activities;*
 - increase local resilience to climate impacts already in the system;*
 - maximise local benefits of these actions in other sectors such as health, agriculture, transport and the economy;*
 - support and work with all other relevant agencies towards making the Lancaster District zero carbon within the same timescale.*

We recognize the current financial constraints that the Council faces and expect that both the development and implementation of a carbon budget are likely to need a significant measure of additional external funding. Some of the potential actions may have a positive or neutral financial impact.

Actions that could be recommended include: increasing the energy efficiency of buildings; prioritizing these measures for council housing and private sector housing to address fuel poverty; building solar and other renewable energy generating and storage plant; requiring all new housing and commercial developments to be low carbon; replacing the vehicle fleet with electric and/or hydrogen powered vehicles; switching to 100% renewable energy; setting up a council run energy company (eg. Robin Hood Energy) and adapting the Council's purchasing policy.

- 3. Prepare a report on methods for conducting a consultation with young people and creating a young people's climate panel.*
- 4. Task a director level officer with responsibility for reducing, as rapidly as possible, the carbon emissions resulting from the Council's activities;*
- 5. Call on the UK Government to provide the powers, resources and help with funding to make this possible;*
- 6. Work with partners across the district, county and region to help deliver this new goal through all relevant strategies, plans and shared resources;*

7. *Require all officer reports to Cabinet and Full Council to contain Impact assessments on Climate Change that include Carbon Emission Appraisals, including presenting alternative approaches which reduce emissions wherever possible;*
8. *Produce a report to the next Full Council on the level of investment in the fossil fuel industry that our pensions plan and other investments have;*
9. *Amend the Council's Investment Strategy to give due weight to climate change targets in the portfolio of investments.*
10. *Report to full Council by the end of 2019 with a fully costed action plan to address this emergency."*

An officer briefing note is attached.

OTHER BUSINESS

17. **GAMBLING ACT 2005 STATEMENT OF GAMBLING LICENSING POLICY 2019- 2022**
(Pages 81 - 134)

To consider the report of the Director for Communities and the Environment.

18. **APPOINTMENT OF THE RETURNING OFFICER AND ELECTORAL REGISTRATION OFFICER** (Pages 135 - 137)

To consider the report of the Chief Executive.

19. **APPOINTMENT OF MAYOR ELECT**

To appoint a Mayor Elect to be put forward for election by the City Council in May 2019, for the municipal year 2019/20.

20. **APPOINTMENT TO AN OUTSIDE BODY MORECAMBE FC COMMUNITY SPORTS CHARITY** (Pages 138 - 139)

To consider the report of the Chief Executive.

21. **APPOINTMENTS AND CHANGES TO COMMITTEE MEMBERSHIP**

Group Administrators to report any changes to Committee Membership.

22. **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.

23. **MINUTES OF CABINET** (Pages 140 - 155)

To receive the Minutes of Meetings of Cabinet held on 18th December 2018 and 15th January 2019*.

**Please note the decisions contained within these minutes are subject to a call-in period up to the 29th January 2019.*



.....
Chief Executive

Town Hall,
Dalton Square,
LANCASTER,
LA1 1PJ

Published on Tuesday 22nd January 2019.

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.
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	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>
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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



Leader's Report

30 January 2019

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 18 December 2018 and 15 January 2019 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 19 December 2018.

3.0 Leader's Comments

Happy New Year to everyone. Work has been continuing on the budget which is to be presented on 22 January. This will be the last budget based on a Government settlement and though it can be balanced, we know that the future is uncertain with a new funding system.

In my last report, I omitted the meeting at the end of October with the Chamber of Commerce and Business Improvement Districts. They were pleased with the events during the year including the new Lancaster Festa Italia and with their Winter in the City marketing campaign which included events every weekend. Christmas lighting and decorations throughout the district were much improved this year and the ice rink in Dalton Square was a wonderful new attraction. I was pleased to see that the city defied national trends in footfall and in the first week of 2019 saw a 5.8% increase. Lots of ideas for this year were mentioned working on ideas for the "Great British High Street." They have an ambitious programme of improvement of plating

and horticulture and are considering ways to reduce impact on the wider environment.

I am very impressed by their commitment and they thanked officers who are proactive in helping to benefit our area. Morecambe BID report spoke about a really attractive Christmas display and their commitment to support events and improvements. Since I became Leader, I have tried to improve relationships with the Chamber by meeting them very regularly and working together. This is one of the best things that we have done, and I congratulate all involved.

For those who missed the Christmas show at The Dukes, it was a wonderful family show enjoyed by all and very well reviewed. I keep learning about the crocodile from my four year old great granddaughter! Keep supporting them throughout 2019.

The Lancaster and South Cumbria Economic Region Group met on 12 December. We are a great place and we have a strong, high quality arts culture and heritage offer, and our collective investment makes the sub region a significant player in the North West. We need a strategic plan that builds on our collection strengths, aiming to achieve more together to deliver clear benefits to our people, place and economy. Arts Council England are willing to consider an investment of £15-20k from strategic funds for the partnership to deliver a strategy that would act as a 'roadmap' of the route and steps we wish to take to develop a shared vision and to support the Business Prospectus drawing growth together in our region. We propose to match fund the ACE investment from all authorities and I suggested that we start by joint arts advertisements of events and exhibitions. A joint project officer would be sourced to arrange events, promotion and a website etc. There will be a launch of the LSCER promotion brochure soon.

The launch of the Place-Story presentation on 6 December showed our district at its very best. It was very well attended and received, and I thank all who organised it so well.

Lancashire Leaders met on Wednesday 9 January in the new Savoy Suite at County. The successful business rates bid of £10m was made, albeit without including Lancaster as I have explained previously. Updates on the work programmes were given but the main part of the agenda was an update from the Lancashire Enterprise Partnership on their progress on their review. They are employing consultants and lawyers to work on an Industrial Strategy and a Cultural Strategy for Lancashire among other proposals. A promised Development Framework for a Combined Authority was due in January but I feel that the Government may be otherwise occupied.

4.0 Other Matters

Cabinet minutes for 18 December 2018 and 15 January 2019 are attached at the end of this agenda.

5.0 Key Decisions

The following Key Decisions were taken by Cabinet on 18 December 2018:

- (1) Investment Strategy Principles
- (2) Land at Scotforth Road

The following Key Decisions were taken by Cabinet on 15 January 2019:

- (1) Budget and Policy Framework Update 2019-23
- (2) Proposed Governance Arrangements for Investment Strategy
- (3) Detailed Investment Strategy Proposals
- (4) Discretionary Rate Relief Policy Update – Retail Discount (Business Rates)
- (5) Lancaster Caton Road (Phase 3) Flood Risk Management Scheme

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

- (1) Williamson Park Adventure Play Offer
- (2) Ripley Court Bedsit Remodelling Phase 2

Background Papers

Cabinet agenda and minutes of the meetings held on 18 December 2018 and 15 January 2019.

COUNCIL**Designation of Chief Financial Officer (Section 151 Officer) Responsibility****30 January 2019****Report of the Personnel Committee****PURPOSE OF REPORT**

To enable the Council to designate an officer to be the Council's Chief Financial Officer (Section 151 Officer) with effect from 1 March 2019.

This report is public

RECOMMENDATIONS

- (1) **That Paul Thompson, the Council's current Accountancy Manager, be designated as the Council's Chief Financial Officer (Head of Finance & Section 151 Officer) with effect from 1 March 2019, for the purposes of Section 151 of the Local Government Act 1972.**

1.0 Introduction

- 1.1 Every local authority must make arrangements for the proper administration of its financial affairs and shall secure that one of their officers has responsibility for the administration of those affairs; that officer should be designated as the Section 151 Officer. This is a statutory chief officer level responsibility.
- 1.2 The Council's current interim S151 Officer, Daniel Bates, will cease to hold the statutory role on 28th February 2019, to take up his new role of permanent Director of Corporate Services with the Council from 1 March 2019.
- 1.3 The Council commenced the process to recruit permanently to the post of Head of Finance & S151 Officer during Autumn 2019, and Mr Thompson was identified as the most suitable candidate. He has been through a two stage interview process in competition with other candidates, and was then interviewed by Personnel Committee on 20 December 2018, who unanimously agreed to propose his appointment to full Council.
- 1.4 Mr Thompson has significant finance and financial management experience, having worked with the Council since August 2017, and previously in senior finance roles within the further education sector. Prior to that, he occupied senior audit roles both in private practice and central government. He is

CIPFA qualified and has acted as Deputy S151 Officer within Lancaster City Council. Mr Thompson meets the requirements of S113 of the Local Government Finance Act 1988.

2.0 Proposal Details

2.1 It is proposed that Paul Thompson be designated as the Council's S151 Officer from 1 March 2019.

3.0 Conclusion

3.1 Council is asked to approve this designation.

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

There is no impact.

LEGAL IMPLICATIONS

Section 151 of the Local Government Act 1972 requires local authorities to make arrangements for the proper administration of their financial affairs and appoint a Chief Financial Officer to have responsibility for those arrangements.

Section 113 of the Local Government Finance Act 1988 requires the responsible officer under Section 151 of the 1972 Act to be a member of a specified accountancy body.

FINANCIAL IMPLICATIONS

The appointment of Mr Thompson as S151 Officer (and Head of Finance) is in line with the proposals made through the Chief Executive's restructure of the Council's executive Team, where it was agreed that the S151 responsibility will sit at Head of Service level.

The costs relating to this appointment fall within the overall cost proposals for the restructure. There are therefore no additional costs to the Council of agreeing to the designation of Mr Thompson as the Council's S151 Officer.

OTHER RESOURCE IMPLICATIONS

There are no other resource implications.

SECTION 151 OFFICER'S COMMENTS

The Section 151 Officer is a statutory role and as stated in the report every Council must have a designated officer to fulfil that role. The appointment will ensure the Council fulfils that duty and will provide the necessary professional advice and support

MONITORING OFFICER'S COMMENTS

The operating principles for the Chief Financial Officer (CFO) in a local authority can be summarised as follows:

- 1 is a key member of the Leadership Team, helping it to develop and implement strategy and to resource and deliver the organisation's strategic objectives sustainably and in the public interest;
- 2 must be actively involved in, and able to bring influence to bear on, all material business decisions to ensure immediate and longer term implications, opportunities and risks are fully considered, and alignment with the organisation's financial strategy; and
- 3 must lead the promotion and delivery by the whole organisation of good financial management so that public money is safeguarded at all times and used appropriately, economically, efficiently and effectively.

To deliver these responsibilities the CFO:

- 4 must lead and direct a finance function that is resourced to be fit for purpose; and must be professionally qualified and suitably experienced.
- 5 The Chief Financial Officer has a fiduciary duty to the tax payer and this public interest role is in addition to that of an employee.

BACKGROUND PAPERS

None

Contact Officer: Dave Rigby
Telephone: 01524 582180
E-mail: darigby@lancaster.gov.uk
Ref:

COUNCIL**Budget and Policy Framework Update 2019/20 to 2023/24
30 January 2019****Report of Cabinet****PURPOSE OF REPORT**

To update Council and gain its feedback on the latest position regarding the development of the budget and policy framework for 2019/20 to 2023/24 and in that context, to seek approval of the level of council tax increase for 2019/20 and for Cabinet's proposed revenue budget for 2019/20.

This report is public.

RECOMMENDATIONS OF COUNCILLOR WHITEHEAD:

1. **That Council approves a City Council tax increase of 2.99% for 2019/20, together with a year on year target of 2.99% for future years, subject to Government confirming local referendum thresholds.**
2. **That Council considers the proposed revenue budget for 2019/20 as set out in section 4 of this report.**

1 INTRODUCTION

- 1.1 Under the Constitution, Cabinet has responsibility for developing corporate planning proposals and a balanced budget for Council's consideration.
- 1.2 This report seeks a final decision on council tax increases and feedback on Cabinet's proposed balanced revenue budget for 2019/20.
- 1.3 The Cabinet meeting on 4 December considered updated estimates with respect to government funding and council tax and the corresponding impact on the revenue budget gap as well as a timetable for completing the budget for 2019/20 and the Medium Term Financial Strategy for 2019/20 to 2023/24. Since that report the Government has released the Provisional Local Government Finance Settlement and a number of informal meetings have been held between officers and members to consider specific revenue budget proposals for 2019/20. Cabinet agreed a proposed balanced revenue budget for recommendation to Council at its 15 January 2019 meeting.

1.4 This report sets out:

- An update to the estimates in respect of Council funding including Revenues Support Grant, Retained Business Rates, New Homes Bonus following on from the release of the provisional local government finance settlement and the corresponding impact on the budget gap. (section 2)
- Consideration of options for setting the Council's element of the council tax for 2019/20. (section 3)
- A summary of the proposed balanced revenue budget for 2019/20. (section 4)
- An update on the work undertaken in respect of the capital programme for 2019/20 and a longer term Capital Strategy. (section 5)
- An update on the development of a Medium Term Financial Strategy which will secure the long term financial resilience of the authority and identify resources to meet the Council's ambitions for the next five years. (section 6)

2 FUNDING UPDATE

2.1 The Council's net revenue expenditure is funded from the following sources:

- Settlement Funding Assessment which is divided into Revenue Support Grant and Localised Business Rates
- New Homes Bonus
- Council Tax

2.2 The Government released the provisional local government finance settlement on 13 December 2018. Next year, 2019/20, is the final year of the Government's four year settlement. A summary of the provisional settlement for Lancaster City Council is provided in table one below.

Table One – Provisional Settlement allocations for Lancaster City Council

	Provisional Settlement	LCC Forecast	Difference	Note
Settlement Funding Assessment	5,844,480	5,844,480	0	i
New Homes Bonus	1,671,662	1,650,100	21,562	
Levy Account Surplus Return	86,600	0	86,600	ii
Total Government Funding	7,602,742	7,494,580	108,162	

Notes

- (i) *Settlement Funding Assessment is made up of Revenues Support Grant (£199,691) and retained rates (£5,644,789).*
- (ii) *The levy account surplus return is a 'one-off' return of surplus resources to local government reflecting the monies which the Government has received from levying rates growth which exceed the amounts they have paid out in respect of business rates safety net payments.*

2.3 As table one shows, the provisional settlement allocates £108k more resources than anticipated and this effectively reduces the gap for the 2019/20 revenue budget, as reported to 4 December Cabinet, from £895k to £787k. This revised gap was the effective starting point for the budget considerations.

- 2.4 The Government is currently undertaking a Fair Funding review which will look at how Government Funding is distributed from 2020/21 onwards. Although the Government has not yet released definitive control totals for local government funding from 2020/21, the Treasury's 2018 budget indicated modest planned increases in public spending. However, significant increases in NHS and defence spending are likely to mean that local government might expect a 'cash flat' settlement. Furthermore, it is probable that district councils will receive a decreased share of available funding as social care pressures are prioritised over other areas of local government expenditure.

3 COUNCIL TAX

- 3.1 As part of the provisional finance settlement, the Government published its referendum criteria for council tax. As expected district councils will be permitted to raise their council tax by 2.99% of £5, whichever is higher, without reference to a referendum. Table two below considers the following two options for council tax:

- Option one – an annual 2.99% increase in council tax
- Option two – no increase in council tax

Year	Taxbase (% Annual Increase)	Option One: Annual 2.99% increase in Council Tax		Option Two: No annual increase in Council Tax		Additional Income from 2.99% increase
		Band D	Income	Band D	Income	
2018/19	41,200 (2.23%)	220.36	9,078,832	220.36	9,078,832	0
2019/20	41,400 (0.49%)	226.95	9,395,679	220.36	9,122,904	272,826
2020/21	41,814 (1.00%)	233.73	9,773,376	220.36	9,214,133	559,471
2021/22	42,232 (1.00%)	240.72	10,166,256	220.36	9,306,244	860,266
2022/23	42,654 (1.00%)	247.92	10,574,929	220.36	9,399,235	1,175,971
2023/24	43,081 (1.00%)	255.33	11,000,031	220.36	9,493,329	1,506,973

- 3.2 The budget proposals have assumed an increase of 2.99% in Council Tax. This will raise an additional £272,826. An additional £44,072 will be raised from an increase in the number of properties in the district. The table above also shows the difference, in terms of income, between a 2.99% tax increase and no increase which, over five years, amounts to an additional £1.5m in income if option one, an annual 2.99% increase, is adopted.
- 3.3 Taxbase growth of 0.49% in 2019/20 is lower than was forecast in the MTFs. This has resulted in an additional net budget pressure of £91k.
- 3.4 **The Cabinet recommendation arising from this report is that the Council agree a 2.99% increase (option one) to level of 2019/20 council tax for the Lancaster City Council element of council tax.** This translates to an annual increase of £6.59 on a Band D property. It is also recommended that option one is selected for the purposes of completing estimates in the Medium Term Financial Strategy.

4 BUDGET PROPOSALS

- 4.1 The December Cabinet report set the approach for considering proposals for a balanced revenue budget for 2019/20. Since the report, a number of informal meetings were held with the Cabinet to develop proposals. Additionally, emerging proposals and detailed information on growth bids and savings plans have been discussed with all three political groups. All Councillors received, before Christmas, a pack of information containing growth bids and savings plan proposals.
- 4.2 The Cabinet proposal for closing the budget gap of £787k is shown in table three below and more detail is provided in appendix one.

Table Three Cabinet's Revenue Budget Proposals – 2019/20

	From MTFS	Proposed Changes	Budget Proposal
General Fund Revenue Budget	16,664	-653	16,011
<i>Funded by:</i>			
Revenue Support Grant	-200		-200
Net Business Rates Income	-6,328	-87	-6,415
Council Tax Requirement	-9,487	91	-9,396
Total Funding	-16,015	4	-16,011
Deficit for 2019/20	649	-649	0

Changes

Lower Council Tax Income than forecast in MTFS	91	Slow down in property growth
Levy Account Surplus Return (see para. 2.2)	-87	See para 2.2
Lower NHB than forecast in MTFS	133	Slow down in property growth
Non staff savings	-855	} See appendix one
Planned staff savings	-240	
Reduced income	131	
Staff growth	142	
Non staff growth	36	
Growth funded by reserves	360	
Contributions from reserves	-360	
Budget Gap	0	

- 4.3 The proposals set out in the table above produce a balanced revenue budget for 2019/20, which forms part of the recommendations of this report. Cabinet agreed this proposal on 15 January 2019 and it will be considered by the Budget Scrutiny Panel on 22 January 2019. If the recommended budget proposal is agreed by Council then it will form part of the Budget and MTFS report to the Budget Council Meeting on 27 February 2019.

5 CAPITAL PROGRAMME

- 5.1 A full review of the General Fund Capital Programme has been undertaken, at officer level, covering both schemes within the existing programme and new capital project proposals.
- 5.2 Officers have put together summary business cases for all new capital bids, which looked at outcomes, risks and link to the Council's corporate ambitions. Schemes were appraised by officers using a scoring matrix which took into consideration:
- Statutory and regulatory background
 - Contextual fit against key corporate priorities
 - Contribution to the key principles of the 'Funding the Future' Strategy
 - Risk profile
 - Impact of project outcomes on key stakeholders

The results of this exercise are shown at appendix two.

- 5.3 The scores in appendix two are indicative only in order to give members an initial relative assessment of the strength of each bid. A low score might indicate a bid which is not yet fully complete. In some cases, low scoring bids have been returned to their sponsor to seek more information which might enable a higher score to be assessed.
- 5.4 It is proposed to undertake some informal sessions with Cabinet in order to more closely consider the capital programme for 2019/20 and a Capital Strategy to cover the next five years and beyond prior to bringing specific recommendations to the February Cabinet ahead of the Budget Setting Council on 27 February 2019.

6. MEDIUM TERM FINANCIAL STRATEGY

- 6.1 The revision of the Medium Term Financial Strategy is progressing well and will be considered at the Budget Setting Council. The revision of the MTFs will be important and timely in order to provide sound financial planning processes to underpin the new Council's ambitions following the May election. Key considerations of the MTFs include:
- Balancing a positive outlook in supporting Council ambitions with the requirement to secure long term financial resilience of the organisation. The incorporation of the Funding the Future Strategy and associated plans will ensure that the Council can seek returns from capital investment and new ways of working whilst managing risk and promoting good governance.
 - Incorporation of recent CIPFA guidance in respect of Capital Strategies and prudential borrowing so that the Council makes affordable, prudent and sustainable capital investment decisions to support ambitions.
 - A thorough review of the Reserves Strategy to ensure an adequate level of reserves to balance longer term financial sustainability with the deployment of surplus reserves towards Council ambitions. Specific consideration will be given to the Business Rates Reserve to ensure that balance is sufficient to manage future system risks but that any surplus balances are identified for members to consider how they might be deployed.
- 6.2 A full update on the Housing Revenue Account budget and financial outlook will be considered alongside the revenue budget including options to ensure that the

service's 30-year business plan is viable and that its ongoing budget is balanced, whilst delivering value for money to tenants.

7 DETAILS OF CONSULTATION

- 7.1 Cabinet's General Fund revenue budget proposals for 2019/20 are to be considered by Budget and Performance Panel at its open meeting on 22 January 2019. Any feedback will be incorporated into February's Cabinet and Budget Council reports.

8 OPTIONS AND OPTIONS ANALYSIS (INCLUDING RISK ASSESSMENT)

- 8.1 Options are very much dependent on Council's views regarding spending priorities balanced against council tax levels.
- In respect of the proposed 2019/20 revenue budget (set out in section 4 of the report and Appendix 1), the recommendation reflects the culmination of work completed to date, and so no alternative options are put forward.
 - In respect of council tax, the main options are set out at section 3 of the report.
 - In respect of the Capital Programme (section 5 of this report) and MTFs (section 6 of this report), Council is requested to give feedback and no final decisions are sought at this stage.
- 8.2 In terms of the actual budget position, the Cabinet recommendations produce a balanced revenue budget for 2019/20. The Cabinet proposal is to be considered by Budget Scrutiny Panel on 22 January 2019 and any feedback from this event will be considered prior to the agreement of a final budget proposal for Budget Council on 27 February 2019.
- 8.3 Depending on the nature of any alternative proposals put forward by Council, Officers may need additional time to assess them fully prior to detailed consideration by Members. This is to ensure that relevant considerations are taken into account, to support informed and lawful decision-making.

RELATIONSHIP TO POLICY FRAMEWORK

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

CONCLUSION OF IMPACT ASSESSMENT

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

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

FINANCIAL IMPLICATIONS

As set out in the report.

SECTION 151 OFFICER'S COMMENTS

The section 151 Officer (as Interim Head of Financial Services) has produced this report as part of his responsibilities.

LEGAL IMPLICATIONS

Legal Services have been consulted, but at this stage there are no legal implications arising.

MONITORING OFFICER'S COMMENTS

The Monitoring Officer has been consulted and has no comments to add.

BACKGROUND PAPERS

Cabinet reports on budget proposals on 4 December 2018 and 15 January 2019

Medium Term Financial Strategy 2018 to 2022

Contact Officer: Daniel Bates

Telephone: 01524 582117

E-mail: dbates@lancaster.gov.uk

Appendix One – Cabinet’s Revenue Budget Proposals – 2019/20

Budget Gap		787	As set out in paragraph 2.3
Savings			
MRP savings	(310)		Lower level of capital expenditure to be funded from borrowing.
Refuse / Recycling	(203)		Additional round budgeted for 2019/20 not yet needed.
Inflation Savings	(213)		Removal of annual inflationary allowance from multiple non-staff budgets.
Additional Car Parking Income	(35)		Extra car parking income due to increased activity.
Reduction in R&M expenditure	(39)		Reduction in repairs and maintenance expenditure.
Other savings	(55)		Number of small savings.
Total Non Staff Savings		(855)	
Planned staff savings		(241)	To be delivered by increasing the vacancy allowance (£111k) and via restructures (£130k)
Reduced Income			
Car Park / Garden Waste Charges Freeze		131	No increases to car park fees or garden waste collection fees in 2019/20.
Staff Growth			
Legal	47		More legal support particularly in the area of property and planning.
ICT	22		Two new apprentices to cover service desk and project support.
HR	20		Temporary support to undertake a number of HR / restructure projects.
Health & Housing	34		Staff support to co-ordinate Council's approach to food and fuel poverty
Marketing	19		Staff support to economic development marketing initiatives.
Total Staff Growth		142	
Non-Staff Growth			
Fibre Network	10		To commission work alongside partners to significantly improve broadband coverage in the district.
CCTV	23		Extend CCTV service beyond initial pilot stage.
ASB team	3		To extend the Anti Social Behaviour Service beyond its original two year pilot (part funded by HRA).
Total Non Staff Growth		36	
Growth to be funded from Reserves			
Economic Growth Initiatives	145		Including Business and Skills support (£40k), Place Marketing (£75k), Local Wealth Building (£10k) and contribution to LSCER (£20k).
Zoo extension	25		Upfront investment to extend and enhance zoo facilities – payback period under 4 years.
Bin Sensor Pilot	11		To implement bin sensors so bins only emptied when full reducing costs – payback period under 2 years.
Grassland Management Study	35		Review of 3,500 areas of grass to inform more effective ways to manage grass cutting – payback period under 4 years.
Lancaster VIC	69		Move Lancaster VIC to Museum – payback period under 3 years.
Friend of Parks	75		Support to groups to assist with projects in local parks.
Total Growth to be funded from Reserves		360	
Contribution from Reserves		(360)	
Budget Gap if all proposals accepted		0	

Appendix Two – Capital Bids with officer group scores

New (N) / Existing (E)	Scheme	Score	Cost	Source of funding
N	Caton Road Flood Relief Scheme	62.0	847	unsupported borrowing
E	Vehicle Replacement Programme	55.0	4,991	unsupported borrowing
N	Vehicle Maintenance Unit Plant	45.0	75	reserves
E	ICT Infrastructure	44.5	285	reserves/unsupported borrowing
E	ICT Desktop Renewals	44.5	258	reserves/unsupported borrowing
N	Williamson Park	41.0	1,000	unsupported borrowing
E	ICT Telephony	39.0	200	unsupported borrowing
E	MAAP - Improving Streets	39.0	124	reserves/unsupported borrowing
E	City Museum Boiler	37.5	125	unsupported borrowing
E	Queen Victoria Memorial	37.5	250	unsupported borrowing
E	ICT Civica Financial & Civica Pay	37.0	258	unsupported borrowing
N	Canterbury Avenue Flood Relief Scheme	37.0	0	grant
E	Canal Quarter	34.5	550	unsupported borrowing
E	Energy Efficiency - Williamson Park Boiler	34.0	311	unsupported borrowing
E	Hale Carr Cemetery	33.0	132	unsupported borrowing
E	Empty Homes	33.0	101	reserves
N	Solar Installation SALC Phase 1	33.0	685	unsupported borrowing
N	Structural Repairs to 1 Lodge Street	31.5	358	unsupported borrowing
E	Royal Albert Playing Field Pavilion	30.0	82	unsupported borrowing
E	Demolition of Outbuildings at Edward Street	28.0	109	unsupported borrowing
E	Cable Street Christmas Lights	27.5	24	reserves/unsupported borrowing
E	Lancaster Town Hall Second Lift	25.0	622	unsupported borrowing
E	Happy Mount Park Pathways	25.0	112	reserves
E	Half Moon Bay Car Park	22.5	60	unsupported borrowing
E	Palatine Recreation Ground	22.0	125	unsupported borrowing
N	Parks & Open Spaces	20.5	150	unsupported borrowing
E	Lancaster Town Hall Phase 3	19.0	485	unsupported borrowing
E	Palatine Hall	19.0	122	unsupported borrowing
E	Heysham Gateway – Tanks Demolition/Removal	15.0	479	reserves/unsupported borrowing

MRP Savings	£310k saving
The minimum revenue provision is the amount charged to the revenue account each year in order that sufficient provision is made for the repayment of long term borrowing for capital expenditure. A review of the MRP for 2019/20 reveals a lower than originally expected charge as a greater proportion of capital expenditure will be funded through other sources of finance.	
Refuse / Recycling	£203k saving
This was an amount added to the 2019/20 budget anticipating sufficient housing growth to necessitate an additional refuse and recycling round. A review of rounds has concluded that no new rounds will now be required in 2019/20 and so the budget provision has been removed.	
Inflation Savings	£213k saving
The removal of the annual inflation uplift across a large number of mainly supplies and services budgets requiring budgetholders to manage expenditure at the same level as 2018/19.	
Additional Car Parking Income	£35k saving
A review of car park income in 2018/19 reveals increased activity resulting in increased estimates for future income in spite of no annual uplift in charges in 2019/20.	
Reduction in R&M expenditure	£39k saving
There has been careful scrutiny of the R&M budgets for this and previous years. As a result of capital investments, planned maintenance and a team restructure, £39k in savings are possible. Consideration for unforeseen circumstances has been built into the budget; however, should any major repair issues arise, a request for funds from the reserves will be made.	
Planned Staff Savings	£241k saving
To be achieved by an increase by 1% in the vacancy allowance rate to 3.5% (£111k). This will be achieved by pro-active management of vacancies ensuring a robust challenge of all vacancies and seeking alternatives to simple like for like recruitment. An addition £130k target to be achieved from Directorate reorganisations. Wherever possible staff savings will be achieved from vacant posts.	
Car Park / Garden Waste Charges Freeze	£131k reduction in income
The 2019/20 budget assumed inflationary increases in car park and waste management fees. The proposal is to freeze charges in 2019/20 which will result in a reduction in income.	
Friends of Parks Growth Bid	£75k expenditure
A 'one-off' provision for grants to voluntary and community organisations which undertake improvements to small parks in the district .	

2019 to 2023 BUDGET PROCESS GROWTH/REDIRECTION PROPOSAL

SERVICE: Governance

PROPOSAL: Increase budget for Legal Assistant post

Legal Assistant post (extra funding for Standards investigations)

Over the last two years the Council has spent £36,617 on standards investigations with external consultants.

In order to reduce the expenditure on external consultants, the Council has since recruited a new Legal Assistant, an ex Police Officer, who has assisted the Monitoring Officer with various investigations (including standards investigations) as well as on litigation matters. This has meant that the Council has not had to out-source its standards investigation work and has resulted in significant savings to the Council over the last 4 months. The use of this internal resource in 2018/19 has saved the Council an estimated £20k when compared to out sourcing the work.

If the Council deals with just one substantive investigation a year, the use the Legal Assistant, as opposed to an external appointment, should save the Council £9-£10k a year. This does not include the additional savings to be made from the minor investigative work/involvement in standards matters.

The Legal Assistant is currently contracted to work 2 days a week and the growth bid is for a further two days per week.

**ESTIMATED REVENUE
COSTS/(SAVINGS)**

	2019/20	2020/21	2021/22	2022/23
	£	£	£	£
Legal Assistant Increased Hours	10,200	10,500	10,700	10,900
Total	10,200	10,500	10,700	10,900

FOLLOWING BUDGET COUNCIL – 28 FEB 2019

ESTIMATED LEAD-IN: None

IMPLEMENTATION DATE: March 2019

PERFORMANCE MEASURES/OUTPUTS (e.g. what key performance improvements will be achieved / what measurable outputs will be achieved):

The provision of 2 extra days will create savings for the Council in efficiency and in external costs. Based on the assumption that the Council normally deals with at least one large standards enquiry a year, the Council should save £9-10k per annum.

Without the extra provision, it is likely that the Council will have to outsource some of its major standards investigations work.

**2019 to 2023 BUDGET PROCESS
GROWTH/REDIRECTION PROPOSAL**

SERVICE: Governance

PROPOSAL: Increase budget for Property and Planning Solicitor posts

Planning and Property Lawyers post – market supplements / new post

The Council's planning solicitor left the authority in March 2018 and the Council's Property Lawyer left in October 2018. The Authority has sought to recruit both of these posts but have been unable to find suitable candidates to take up the roles. In addition to this, an additional planning solicitor's post was also identified as needed to support the Regeneration and Planning Service. Regeneration and Planning have provided legal services with the budget to recruit the additional planning lawyer from June 2018.

Over the last couple of years the Legal Services' team has changed. The Legal Services Manager, retired in 2014 and Chief Officer (Governance) retired in 2016. The position of Legal Services' Manager was deleted and was offered up, to an extent, as a saving to the Council. Line management responsibilities for all staff was moved to the Senior Solicitor post and a new legal assistant position was created.

The post of Chief Officer (Governance) has been deleted under the Council's recent restructure. Many of the responsibilities of the Chief Officer's post will come under the oversight of the Council's new Director of Corporate Services. The Head of Legal Services position will sit under the new director.

In consequence of the recent restructure and creation of the new director posts, it is understood that one of the planning positions has been deleted. This appears to be in consequence of the removal of the Chief Officer (Governance) role and the consequent need to use one of the planning solicitor post to cover the Acting Head of Legal Service's position.

The Council had until very recently been recruiting two planning solicitors. It now appears that there is only one post available. This needs to be corrected to ensure that the Council has a sufficient resources to deal with planning matters and to grow commercially. This is a need that has specifically been identified by Planning and Regeneration department.

Bearing in mind the need to resurrect the grade 6 planning solicitor post, Legal Services needs to obtain and fill the following posts: one commercial property lawyer post and two planning solicitor posts.

Unfortunately, there is a high demand for planning and commercial property lawyers. Given the high demand, they can both command a greater level of pay. This is driven by the lack of lawyers specialising in these areas and the salary levels being offered in other areas of the country.

In order to attract the level of expertise that the Council requires it is thought that it should raise the pay scale in respect of one of the planning posts from Grade 6 to Grade 7. This is to incorporate line management responsibility for our land charges officer and to increase salary levels generally. In addition to this, it is thought that the second planning solicitor and the commercial property lawyer's posts should be given a market supplement. The Council's HR department has carried out research into market supplements and it is thought that a commercial

lawyer's market supplement should be £2,500 and that a planning solicitor's market supplement should be £2,500.

It is proposed that:

- (1) the deleted planning post be resurrected
- (2) the Property Lawyer post be given a market supplement of £2,500
- (3) One of the Planning Solicitors' post be upgraded from pay scale 6 to pay scale 7 – incorporating some line management responsibility
- (4) The second Planning Solicitor post be given a market supplement of £2,500

ESTIMATED REVENUE COSTS/(SAVINGS)

	2019/20	2020/21	2021/22	2022/23
	£	£	£	£
Lawyer Market Supplements	4,200	5,000	5,000	5,000
Increase pay scale from grade 6 to 7	-1,000	0	1,000	2,500
Resurrected planning post	33,600	43,400	45,600	48,100
Total	36,800	48,100	51,600	55,600

FOLLOWING BUDGET COUNCIL – 28 FEB 2019

ESTIMATED LEAD-IN: 3 months

IMPLEMENTATION DATE: June

2019

PERFORMANCE MEASURES/OUTPUTS (e.g. what key performance improvements will be achieved / what measurable outputs will be achieved):

The Council is entering to a new phrase in which issues of commercialisation, asset realisation, property acquisition and investment are key. To achieve these outcomes it important to ensure that the Council's legal services recruits lawyers with specialist knowledge and expertise. This will include both a skilled commercial lawyer and a specialist planning solicitor.

Without recruitment of a skilled commercial property/planning lawyers, the Council will have to continue employing locum staff which is both expensive and less than ideal. The hourly rates for locums is far higher than that of an employee and their position and commitment to on-going work is uncertain (given their ability to give short notice to cease the working relationship).

The recruitment of specialist lawyers should reduce the amount of work outsourced and should save the Council monies.

2019 to 2023 BUDGET PROCESS GROWTH/REDIRECTION PROPOSAL

SERVICE: ICT

PROPOSAL: Increase in staffing by 2 people to improve service offering

Due to the increase of ICT systems in use in the organisation, tied in to most projects and work plans, an increase in the size of the ICT department is required to meet service expectations and provide adequate support for projects. The need for two roles has been identified to support the organisation in the coming years:

Service Desk Assistant

The Service Desk is the first point of contact and customer facing function for all of the Council's ICT incident reporting, requests for service and enquiries. First line resolution is key to all ICT customers as it enables the fix or delivery of a service in the quickest amount of time possible. Handling over 10,000 communications a year, the Service Desk team provide all 1st line ICT end user and device support as well as administration for all fixed and mobile telephony, printing and multifunction device recharging, and the procurement of all ICT equipment and services. The Service Desk aim for a 95% resolution within service level agreement (SLA) target for all incidents and service requests. At the current capacity, the Service Desk is only able to achieve 70-75% within SLA, which is having a detrimental effect on the operation of Council services, which rely on ICT systems and support.

Project Support Assistant

The ICT department are constantly involved in projects. Some of these will be mainly using ICT resources but having a major impact on the organisation, such as the Windows 10 rollout; others involve cross council working groups, such as the Customer Experience Platform. With each project there is a certain amount of paperwork and reporting to be done, and across the teams there is also a requirement for resource planning to ensure that the required team members are available for the projects. This work is currently undertaken by the project managers, which distracts from the high level oversight of the project, and the tasks needing to be completed to progress the project. The recruitment of a Project Officer, who could undertake project support and the required documentation, would free Project Manager resources which could then be better utilised.

Recruitment method

Given the previous positive results of using the apprenticeship scheme (with 4 of the 21.5 posts in the department filled by former or current apprentices) it is envisaged that the Service Desk Assistant and Project Support Assistant roles would be apprenticeships (levels 2 and 3 respectively).

ESTIMATED REVENUE COSTS/(SAVINGS)

	2019/20	2020/21	2021/22	2022/23
	£	£	£	£
Service Desk Assistant	11,100	22,700	23,600	24,600
Project Support Assistant	11,100	17,600	23,200	24,100
Total	22,200	40,300	46,800	48,700

FOLLOWING BUDGET COUNCIL – 28 FEB 2019

ESTIMATED LEAD-IN: 3 months
2019

IMPLEMENTATION DATE: June

PERFORMANCE MEASURES/OUTPUTS *(e.g. what key performance improvements will be achieved / what measurable outputs will be achieved):*

The impact of the Service Desk Assistant will be measurable via the Service Level Agreements for call response time, and feedback gathered from periodic user satisfaction surveys conducted by the department.

A qualitative approach will be taken for the Project Support Assistant to check that services have seen an improvement in ICT support for projects. Key corporate projects, such as the Customer Experience Platform, are the most difficult to administer as they require input from multiple departments and a number of third parties. The role will reduce project overruns/overspends on these key projects. No time recording is currently undertaken within ICT so we do not have a measure of time spent on project administration but there are hopes to introduce this which will give a quantitative measure of officer time transferred to this post.

2019 to 2023 BUDGET PROCESS GROWTH/REDIRECTION PROPOSAL

SERVICE: Office of the Chief Executive

PROPOSAL: Extend Temporary HR Partner

To extend the current fixed term contract of one of the current HR Business Partners for a further two-year period, beyond their current end date of employment of 30th September 2019, to 30th September 2021.

This request for a two year fixed term contract extension is made within the context of an impending period of significant change for the Council, for employees, for structures and for processes, and follows on from the decision to introduce the new Directorate structure and is set within the context of the financial challenges ahead.

The HR Team will play a central role implementing the new structures, working closely with senior officers to deliver timely, solution-focused outcomes to ensure that restructures and other change management activities are successfully completed, so that the Council has the right staff in the right roles to deliver its services. The retention of the existing post holder is crucial to enabling the HR Team to accommodate the increase in workload and to be able to manage this within reasonable timescales.

Inevitably, restructuring and change management activities will involve contentious staffing reductions, as well as other associated people management issues, and it is essential that those activities are managed in an effective and timely manner. Ensuring that these activities are carried out in an appropriate manner, in consultation with our recognised Trade Unions, will form a key part of the Council's approach to reducing overall staff costs. The HR Team's involvement in these activities will protect the Council from employee relations difficulties, legal challenge and negative publicity, whilst seeking to maintain levels of employee engagement at what will be a difficult time for the organisation and its employees.

The current post holder is an experienced HR practitioner who has developed a wealth of knowledge of service areas and who will positively contribute to all necessary activities that will arise from restructures, etc. and will ensure that change is effectively implemented.

NB – as the post will exceed two years duration in total, a small redundancy payment will be due to the post holder at the point of termination of employment.

ESTIMATED REVENUE COSTS/(SAVINGS)

	2019/20	2020/21	2021/22	2022/23
	£	£	£	£
2 Year Extension – HR Partner	19,500	40,200	20,400	0
Potential Redundancy	0	0	4,800	0
Total	19,500	40,200	25,200	0

FOLLOWING BUDGET COUNCIL – 28 FEB 2019

ESTIMATED LEAD-IN: None

IMPLEMENTATION DATE: Immediate

PERFORMANCE MEASURES/OUTPUTS (e.g. what key performance improvements will be achieved / what measurable outputs will be achieved):

This post will contribute to a range of change management activities and restructures, which will result in changes to the shape of Council by the point of termination of contract.

2019 to 2023 BUDGET PROCESS GROWTH/REDIRECTION PROPOSAL

SERVICE: Health & Housing

PROPOSAL: Public Health Project Coordinator (1 year fixed-term)

Healthy & Happy Communities, the third area of Ambitions in the corporate plan includes several priorities around public health – health inequalities, food & fuel poverty, mental health and social isolation. There is some expertise and existing community engagement within the Directorate for Communities and the Environment to help take forward this area of work. However there is no existing staffing capacity to coordinate and deliver reductions in food and fuel poverty, social isolation or health inequalities.

This growth proposal is offered to coordinate and deliver of public health project work over a 12 month period:

- Coordinating the council's support to tackle food poverty and fuel poverty within our communities
- Researching and identifying priorities / scope for tangible improvement on health inequalities where the council can make a positive and rapid impact
- Attracting partner support and external funding to help to deliver this area of the corporate plan

During this time it will become clear how far the council can impact on key detrimental factors affecting the most vulnerable in our communities. Priority attention would be given to attracting external funding both improves health outcomes for local people whilst – if possible – covering part of the costs of this post.

The dedicated public health coordinator working to the Public Health & Protection Manager in Health & Housing would offer the capacity to coordinate a range of projects (including researching, designing, planning, delivering, evaluating and reporting) demonstrating the council's commitment. It would make a real and measurable impact on these public health priorities. It would also identify external funding sources and opportunities, making the case for and maximising prospects of grant funding for health improvement in the Lancaster district. Finally, the coordinating role would involve a significant element of partnership working with public, private and voluntary sector bodies along with the ability to negotiate and influence decision makers across a range of organisations.

It might be possible to attract a graduate at a lower grade, however that would limit the potential of this temporary role and reduce the potential impact over this short period.

ESTIMATED REVENUE COSTS/(SAVINGS)

	2019/20	2020/21	2021/22	2022/23
	£	£	£	£
1.0 FTE at Grade 5	34,000	6,900	0	0
Total	34,000	6,900	0	0

FOLLOWING BUDGET COUNCIL – 28 FEB 2019

ESTIMATED LEAD-IN: 3 months

IMPLEMENTATION DATE: June 2019

PERFORMANCE MEASURES/OUTPUTS (*e.g. what key performance improvements will be achieved / what measurable outputs will be achieved*):

It is difficult at this stage to detail specific quantitative performance measures, however the demonstrable outputs in community-based working and health project working will immediately offer tangible evidence. Each project area will involve the delivery of several projects that will have formalised monitoring and evaluation processes in place.

The main performance improvement will be that there is a dedicated results-focussed project-working capacity to work on corporate public health priorities.

2019 to 2023 BUDGET PROCESS GROWTH/REDIRECTION PROPOSAL

SERVICE: Regeneration & Planning

PROPOSAL: Economic Growth Initiatives

In 2016/17 and 2018/19 initial funding was provided from the Economic Growth Reserve to re-establish and develop business and skills services; to raise the profile of the district as a place for business and investment, to study, live and visit; and to develop a range of approaches to local Wealthbuilding. This request is for the budgets required to maintain current level of capacity so that economic growth services can be delivered in 2019/20 and future years.

A strong start has been made. During 2017 and 2018, although there were some challenges, a successful recruitment drive into the Business and Skills and Marketing teams took place. With capacity in place reserve funds were used to deliver a range of services. Key activities during the last year include:

- Economic Growth Plan developed in partnership (draft Plan due January)
- Investment in sub regional business support services via Growth Lancashire
- Developed and launched the Lancaster Story
- Developed the Place brand, website and social media platforms
- Developed (with partners) the Place social media reach at over 3.6m (865% increase)
- Developed the council's social media reach to almost 1.6m (310% increase)
- Established the Place Board
- Showcased the district at the national MIPIM investment exhibition
- Supported delivery of the North Lancs Expo and 100 plus exhibiting businesses
- Business directory and guide to the district developed (due for publication January 2019)
- Property register and agents network developed
- The council's business gateway and web pages established
- Direct engagement with 309 local businesses
- Business survey undertaken with 179 responses
- District Skills Forum established
- Sub regional Energy Sector Partnership established
- The Employment and Skills Supplementary Planning document developed and agreed
- Coastal Communities Team established and their Economic Plan agreed
- City of Culture research undertaken
- Baseline data established for local spend by the Council
- Local community economic projects supported benefitting 30 local people
- Funding achieved for the Coop building in Morecambe
- Lune Industrial Estate businesses supported
- Major investors supported (GVS, Veolia, Eden)
- Local economic partners supported including Business Improvement Districts, Chamber, Lancaster Vision, Universities
- Worked with the Lancaster and South Cumbria Local Authorities to develop arrangements for a new economic region, prospectus and strategic investment requirements

The Council's more recent approach to economic growth has been strongly welcomed and supported by economic partners and stakeholders, including the Chamber of Commerce, the BID's, the Universities, Lancaster and Morecambe College and a large number of businesses, all of which have generated strong, positive feedback and support relating to economic initiatives enabled by the Council including, for example, the Lancaster story and Place Board, the district

Skills Forum, the Coastal communities Team, City of Culture discussions and the Lancaster and South Cumbria Economic Region.

The economic growth initiatives and marketing services that require support provide the Council's primary and direct contribution to its Priority: A Thriving and Prosperous Economy, to:

- Create strong conditions for growth so that businesses thrive and jobs are created
- Support development of new skills and improved prospects for our residents
- Ensure that growth is good for all and increased wealth benefits our local communities
- Work with partners to drive growth and achieve major investment across the Lancaster and South Cumbria Economic Region

Building on work so far, the next stage will direct activities to deliver against Council Plan Success Measures to significantly improve the profile and perceptions of the Lancaster region, generating confidence and investment; encourage business growth and start ups; create and safeguard local jobs; improve skills and prospects for local people, increase visitor numbers and spend.

Planned economic growth activities have recurring costs that are not currently included in annual budgets. Funds are now requested to support developments planned for 2019/20 and beyond, as follows:

Business and Skills: Business enquiries, advice and support services working with Growth Lancashire, the Chamber and other partners; business events programme; local business exhibitions and sponsorship (such as EXPO); monitoring the local economy; business information and communications; support for the district Skills Forum; skills development projects; trade and investment activities particularly following Brexit; external funding for key projects; Coastal Communities Team developments; specific support for major local initiatives, for example jobs and supply chain development for Eden North.

Place marketing: Significantly raise the national and international profile of the area, achieve new investment in the district and increase numbers of businesses and jobs by providing support for development of the Place Board and Place Champions programme; development of Place brand products including website, comprehensive social media strategy and marketing tools; delivery of planned PR and marketing campaigns, showcasing the district nationally and globally.

The temporary marketing capacity that has been brought in is only funded until late 2019/20 and to deliver the council's element of the ambitious marketing and promotion plan for the district, working with the Place Board and Place Champions, this resource needs to be secured. This includes a Place Marketing Manager and a Marketing and Communications Assistant (currently apprentice). The Place Marketing manager had had a huge impact on delivery of the place work so far and the Marketing and Comms Assistant is majoring on digital marketing, which is extremely cost effective and hugely increases audiences for all Council services with the potential to lead to significant additional commercial income. For example, global reach following the Lancaster story launch reached 3.7m within less than 24 hours. Overall social media reach is projected to increase by 225% to 8 million by March 2020.

Within the Council, there has been a significant increase in demand from the corporate Marketing and Communications team for marketing services, development of commercial services, public relations support, internal and external communications. These two posts are also making a contribution to these areas of work, including increasing income generation via commercial services.

Local Wealthbuilding: support for Wealthbuilding projects led by local leaders and community groups particularly those excluded from mainstream funding and programmes, such as small business start-ups, micro businesses, the independent business sector, women entrepreneurs, local skills development initiatives.

Lancaster and South Cumbria Economic Region: Additional resource to part finance a shared officer post for one year to support development of the partnership and to coordinate delivery of joint projects.

ESTIMATED REVENUE COSTS/(SAVINGS)

	2019/20	2020/21	2021/22	2022/23
	£	£	£	£
Business and Skills activities	40,000	40,000	40,000	40,000
Place Marketing activities	75,000	45,000	45,000	45,000
Marketing Manager	15,700	48,800	49,800	50,800
Marketing and Comms Assistant	3,100	23,100	24,100	25,100
Local Wealthbuilding	10,000	10,000	10,000	10,000
LSCER	20,000	0	0	0
Total	163,800	166,900	168,900	170,900

FOLLOWING BUDGET COUNCIL – 28 FEB 2019

ESTIMATED LEAD-IN:

IMPLEMENTATION DATE:

REDIRECTION FROM OTHER BUDGETS – *Where else from within the Services could this proposal be funded from?* None identified. Economic development services have managed efficiency savings over a number of years. The services discussed in this document have been recently re-established in line with Council priorities.

PERFORMANCE MEASURES/OUTPUTS (*e.g. what key performance improvements will be achieved / what measurable outputs will be achieved*):

The following measures underpin delivery of the Council Plan Success Measures

Performance Measure	Achievements 2018/19 (to date)	Expected achievement 2019/20	Council Plan Success Measures
Business exhibitions	2	3	Growing local economy
Businesses directly engaged with the council	309	600	
Businesses supported	94	300	
New businesses created	5	12	More local jobs and people in employment
Jobs created	34.5	90	
Jobs safeguarded	-	550	
Investment enquiries	12	20	
Investment in the district	-	£262m	More new businesses and investment in our district
Skills sector Action Plans developed	1	4	
People accessing work or training opportunities	40	320	
			More successful businesses

Local businesses accessing support re Council procurement opportunities	23 +	150	More visitors and greater spend Increased perception of the district as a place to visit
Total digital audiences (Place)	3.6m	8m	
Total digital audiences (Council)	1.6m	3.5m	
Visitor numbers (lagging data)	7.55 million	7.8 million	More of the Council's services being sourced locally
Visitor spend (lagging data)	£476m	£500m	
People benefitting from Local Wealthbuilding initiatives supported by the Council	30	50	Increased level of public sector spend retained in the district
Council spend within the district	14% (£m)	16%	
Sq. ft. business space created / improved	-	50,000	
External funding brought into the district	£50,000	£200,000 (est)	

Services/ products	2019/20 (£'s)	2020/21 (£'s)	2021/22 (£'s)	2022/23 (£'s)
Place marketing				
Place Board contribution	5,000	5,000	5,000	5,000
Place Champions programme	5,000	2,000	1,000	2,000
Place promotion campaigns, PR, media	25,000	20,000	20,000	20,000
Creative brand products, including images	10,000	5,000	5,000	5,000
Place website and content development	10,000	-	2,000	-
"Invest in Lancaster" web pages	5,000	-	2,000	-
Business and community brand/ place engagement	5,000	3,000	-	3,000
Exhibitions and events e.g. Northern Powerhouse Expo, MIPIM	10,000	10,000	10,000	10,000
Total	75,000	45,000	45,000	45,000
Business and Skills				
Business support services (e.g. Growth Lancashire)	15,000	15,000	15,000	15,000
Local business events and sponsorship	5,000	5,000	5,000	5,000
Skills Forum activities/Education and Business links	3,000	3,000	5,000	5,000
Business communications and information	2,000	2,000	2,000	2,000
Destination/ Place/ Coastal Communities team projects	5,000	5,000	5,000	5,000
Support for key sector developments, trade and investment activities (e.g. Irish and Isle of man trade links)	10,000	10,000	10,000	10,000
Total	40,000	40,000	40,000	40,000

2019 to 2023 BUDGET PROCESS GROWTH/REDIRECTION PROPOSAL

SERVICE: Regeneration and Planning

PROPOSAL: Lancaster Full Fibre Network Development Funding

In 2017 the Government launched the Local Full Fibre Network Programme (LFFN) – a competitive, exclusively capital, grant scheme to help local bodies deliver fast and reliable digital communications networks. The aim is to harness public sector connectivity and aggregate private sector demand to stimulate improvements in broadband connectivity. In August 2018 the Government issued revised LFFN guidance. There is now no fixed date for future submissions - an iterative approach to project selection has been initiated where:

- Local bodies with an interest in bidding to the LFFN are invited to submit an informal expression of interest (EoI) to the programme.
- A dialogue will take place to assess the project.
- A full proposal would be invited when the strategic approach is deemed satisfactory by Government.

While stated as being "informal", the EoI has a series of DCMS specific requirements to allow them to make an initial comparative analysis and initiate pre-dialogue. Bidders are expected to have a good idea of the coverage, project cost, funding required, delivery method and likely impact of the proposed investment. In its simplest form the project as a basic utility infrastructure project - like any other electricity/gas/water project. The bulk of the cost is digging trenches and laying broadband capable fibre the ownership of which is then invested in an independent management organisation which rents access and communication capacity to broadband providers. Costs are related to how far and how easy it is to dig and reinstate across any particular ground (highway/grass verge/footpaths/city centre pedestrianised areas and so on). The more money the further the network can go / or harder areas you can reach. Successful bids to the LFFN are usually in the order of a few million pounds.

Officers are working in partnership with the Lancaster Digital and other stakeholders – NHS, Lancaster University and County Council on the development of proposal. There is a need for expert input to assist in bringing together key information which will allow the partnership to understand what can reasonably be achieved and to give an idea of the broad shape and costs of a proposal. The group is in the process of commissioning work which will: provide a sound basis on which to make a proposal under the EoI terms; gives stakeholders a clear understanding of the resources required to develop and agree a full proposal through the DCMS's full dialogue stage and Investment Panel requirements. The work should allow the Council to understand its own potential resource commitments required in engaging in a "full dialogue" with DCMS and the likely costs and benefits of developing and delivering any proposal.

The proposal secured is attached and comes in at a cost of £8.4k which the group is hoping to finance in the current financial year from current council and partner resources. The outcome of this work will lead to more resource requirement for further development work needed next financial year to get through DCMS full dialogue stage and to agree a capital project. It is difficult to estimate the costs of work required to progress through DCMS dialogue but a contribution of £10K should generate similar partner resources to cover any information needs.

While officers are looking to the Government's capital LFFN Grant Fund, there is scope for something to be delivered outside the Government's Capital scheme given the amount of strategic infrastructure and funds / projects being proposed at the current time– Eden, Bailrigg Garden Village, HIF, Canal quarter are all relevant. There is also, according to IT services, scope for some significant savings in Council broadband costs by implementing a capital fibre project

connecting our (and other) public buildings – although at the moment it’s hard to define exactly what these be in real terms.

Councillor Nathan Burns is supportive of this proposal as Portfolio Holder for IT Services

**ESTIMATED REVENUE
COSTS/(SAVINGS)**

	2019/20	2020/21	2021/22	2022/23
	£	£	£	£
Design development contribution	10,000	0	0	0
Total	10,000	0	0	0

FOLLOWING BUDGET COUNCIL – 28 FEB 2019

ESTIMATED LEAD-IN: 6 months

IMPLEMENTATION DATE: May 2019

PERFORMANCE MEASURES/OUTPUTS (e.g. what key performance improvements will be achieved / what measurable outputs will be achieved):

- Additional public buildings expected to be provided with Fibre to the Premises
- increase the number of premises likely to be connected to the gigabit capable infrastructure as a result of the build (either premises passed or premises closer to fibre by type; business / public sector / home)
- Locally specific economic and other benefits of the project e.g. regeneration areas and projects connected
- Improvements in backhaul availability (decreased distance to existing gigabit capable broadband services)
- Cost savings on IT / Broadband support

2019 to 2023 BUDGET PROCESS GROWTH/REDIRECTION PROPOSAL

SERVICE: Environmental Services

PROPOSAL: CCTV – Extend Funding

The existing 18 month pilot is due to end on 30th June 2019. The pilot has proved successful and has supported the police with serious investigations on 18 occasions from March – November 2018, whilst delivering savings over the previous, manned system.

Due to the success of the pilot, the proposal is to extend the funding and retain the system. Further work is scheduled to take place with the Council's Antisocial Behaviour Team, Environmental Enforcement and Civil Contingencies Officer to explore how the system can help tackle antisocial behaviour, assist with fly tipping investigations and provide support for local emergencies and large-scale events.

Explanation of Costs

Service (Data) Package: The Service Package is the data package provided by Vodafone. Each of the cameras operates using a 4G sim card. Recordings are then transferred to the 'cloud' over Vodafone's 4G network. Vodafone estimated the annual aggregated data package that would be needed for the public space cameras. This equated to £26.8k p/a (excluding inflation).

Maintenance Contract: Estimated £10k p/a for ongoing maintenance of the system. This verbal estimate was provided by the current maintenance contractor. Once the system is officially handed over from Cloudview/Vodafone to LCC, we'll be fully responsible for basic maintenance *i.e. Repairs to cameras, columns, electricity boxes, lens cleaning, call-out's etc.*

Camera Renewals: A renewal reserve is required, to cover the cost of replacing the cameras at the end of their life. Camera warranties expire in two years, so this should be factored in and considered when profiling the replacement year.

Funding – Annual Contributions: Contributions have been made by Lancaster and Morecambe BID's, as well as Morecambe Town Council.

Estimated costs listed below. Estimates include inflation.

ESTIMATED REVENUE COSTS/(SAVINGS)

	2019/20	2020/21	2021/22	2022/23
	£	£	£	£
Service (Data) Package	26,800	36,400	37,100	37,800
Maintenance Contract	10,000	10,200	10,400	10,600
Camera Renewals	0	0	55,700	0
Annual Contributions (L&M BID's, MTC) (tbc)	(14,000)	(14,000)	(14,000)	(14,000)
Total	22,800	32,600	89,200	34,400

FOLLOWING BUDGET COUNCIL – 28 FEB 2019

ESTIMATED LEAD-IN: N/A

IMPLEMENTATION DATE: 1st July 2019

PERFORMANCE MEASURES/OUTPUTS (*e.g. what key performance improvements will be achieved / what measurable outputs will be achieved*):

The system has a deterrent effect which is difficult to measure. Since implementation it has proved invaluable in terms of allowing the Police to investigate serious crimes and providing evidence when the public realm has been vandalised

2019 to 2023 BUDGET PROCESS GROWTH/REDIRECTION PROPOSAL

SERVICE: Health & Housing

PROPOSAL: Anti-Social Behaviour Team

The council introduced a dedicated Anti-Social Behaviour team in 2017-18, bridging prior gaps between council services on anti-social behaviour (ASB) and bringing them together. As mentioned in Member briefings, the council's Anti-Social Behaviour team has made a major positive impact with communities, key partner agencies and as a key part of the Community Safety Partnership.

Existing funding

The formation of the ASB team was made possible by Transformational Challenge Award funding over a two year period, coming to an end early in 2019-20. Some additional funding was provided over a two year period extending into early 2019-2020 under a growth bid drawing on the Housing Revenue Account. The balance of existing funding has come from the city council's single permanent part-time post of 1 x Anti-Social Behaviour Officer*. Finally, Morecambe Town Council has provided some single-year funding towards ASB service delivery in the previous and current financial years.

Mainstreaming the Anti-Social Behaviour team

Securing continued Anti-Social Behaviour service through 2019-20 and beyond, along its existing lines, will require growth funding as previously advised. A separate growth bid now proposes £50k per year funding of the ASB team from the Housing Revenue Account. The balance of existing funds* means that only a half year of funding is required in 2019/20 (commencing October 2019) as outlined in the table below. From 2020/21 onwards there will be the need for full-year funding.

(* This growth proposal is for the balance of funding, as there is permanent funding already of 1 x Grade 4 post 0.4FTE. There is also a corresponding growth bid proposing that the Housing Revenue Account provides continued funding towards the Anti-Social Behaviour team and this has been accounted for in the balance of funding requirement shown below)

What the funding will cover

Full Anti-Social Behaviour team staffing based on the existing delivery model, together with all existing provision relating to transport, equipment and training.

ESTIMATED REVENUE COSTS/(SAVINGS)

	2019/20	2020/21	2021/22	2022/23
	£	£	£	£
Balance of funding required to mainstream the Anti-Social Behaviour team from September 2019 onwards	53,200	132,700	137,400	140,800
Contribution from HRA (as per Growth proposal)	(50,000)	(51,000)	(52,000)	(53,000)
Total	3,200	81,700	85,400	87,800

FOLLOWING BUDGET COUNCIL – 28 FEB 2019

ESTIMATED LEAD-IN: 6 months

IMPLEMENTATION DATE: Sep 2019

PERFORMANCE MEASURES/OUTPUTS *(e.g. what key performance improvements will be achieved / what measurable outputs will be achieved):*

The Anti-Social Behaviour team is performing well with high-profile presence and impact. A number of successful enforcement interventions have been made including community protection warnings/notices, prosecutions and formal closure orders. A number of specific Initiatives have been delivered to prevent, minimise and tackle anti-social behaviour. Some have been timed for school holidays and mischief/bonfire night. Others have targeted specific community concerns and lessened the local geographical impact of for example youth ASB. Local communities have reported favourably on the impact made by the council's ASB team working closely with other services and partners. We will develop further key indicators of anti-social behaviour service impact and community reassurance.

2019 to 2023 BUDGET PROCESS GROWTH/REDIRECTION PROPOSAL

SERVICE: Directorate for Communities and the Environment

PROPOSAL: Mini-Zoo Development

It is proposed to further develop the mini-zoo area located in Williamson Park. Over the last 3 years the area has seen small, but effective redevelopment within budget, resulting in significant increase in visitor numbers and popularity.

In Feb 2016, the Meerkat exhibit was opened and early 2018 the common marmoset exhibit. Both developments paid back their investment within two years and have led to a rise in visitor numbers, revenue through admissions and secondary spend in the gift shop and café. Out turn in admissions alone has risen from £104,840 in 16/17 to a predicted £135,012 by the end of March 2019 whilst net income through the gift shop has risen from £50,744 in 16/17 to a predicted £62,657 by March 2019. Developments have assisted in the following increase in visitor numbers:

2015/16 – 38,593 2016/17 – 43,236 2017/18 – 50,604

It is requested that consideration is taken to continue to further develop the zoo area to enable momentum to continue, otherwise the collection will stagnate and visitor numbers will decrease.

An investment of £30,000 is required to develop the small mammal area further, to improve the standard and increase the value to our visitors. The proposed development would see the inclusion of a mixed exhibit, of which would house animals within the Mustelid family (Racoon, skunk, porcupine) to enable the further study of the post grad employee which would continue to increase the reputation of the collection within the zoo world, BIAZA (British and Irish Association of Zoos and Aquaria), EAZA (European Association of Zoos and Aquaria) and ZSL (Zoological Society of London) but would also be a popular addition to the visiting public.

The funds would also be used to further improve interpretation, lighting, and interactive displays for visitors. We would also look to develop the disused habitat trail area and build a raised wildlife pond that will contribute to educational sessions and assist in income generation for the park.

This investment will assist the facilities achieve the targets set as part of the Council Ambitions to be self financing by 2022 and recognised at a regional and national visitor attraction

ESTIMATED REVENUE COSTS/(SAVINGS)

	2019/20	2020/21	2021/22	2022/23
	£	£	£	£
Upfront Investment	30,000	0	0	0
Additional Vets Fees, Food etc	1,500	1,500	1,500	1,500
Net Income (of materials for resale)	(6,500)	(10,000)	(10,000)	(10,000)
Use of Invest to Save Reserve	(25,000)	8,500	8,500	8,000
Total	0	0	0	(500)

FOLLOWING BUDGET COUNCIL – 28 FEB 2019

ESTIMATED LEAD-IN: 3 months

IMPLEMENTATION DATE: 1st July 2019

PERFORMANCE MEASURES/OUTPUTS *(e.g. what key performance improvements will be achieved / what measurable outputs will be achieved):*

Visitor Numbers/Income Generation are currently monitored to a high standard and the continuation of this would happen.

2019 to 2023 BUDGET PROCESS GROWTH/REDIRECTION PROPOSAL

SERVICE: Environmental Services

PROPOSAL: Bin Sensor Technology Trial

It is proposed that consideration is taken to use a bin sensor trial in conjunction with Vodafone and to assist us become more streamlined with collection of pedestrian bins in the Lancaster City area of the district. Bins are currently emptied on a traditional cyclical basis, rather than based on the need of it to be emptied.

Should the trial be successful then we would look to roll-out to the rest of the district from 2020/21 onwards.

ESTIMATED REVENUE COSTS/(SAVINGS)

	2019/20 £	2020/21 £	2021/22 £	2022/23 £
Upfront Investment	26,300	0	0	0
Annual Subscription	9,000	9,200	9,400	9,600
Salary Savings	(19,400)	(23,100)	(24,100)	(25,100)
Vehicle Savings	(5,000)	(5,000)	(5,000)	(5,000)
Use of Invest to Save Reserve	(10,900)	10,900	0	0
Total	0	(8,000)	(19,700)	(20,500)

FOLLOWING BUDGET COUNCIL – 28 FEB 2019

ESTIMATED LEAD-IN: 1 month

IMPLEMENTATION DATE: 1/4/19

PERFORMANCE MEASURES/OUTPUTS (e.g. what key performance improvements will be achieved / what measurable outputs will be achieved):

See attached business case.

2019 to 2023 BUDGET PROCESS GROWTH/REDIRECTION PROPOSAL

SERVICE: Environmental Services

PROPOSAL: Grassland Management Study

The current way Public Realm manage grass around the district is dated and potentially inefficient. The current way of working doesn't take into account modern management techniques which will improve the aesthetics of the district and improve areas of biodiversity and sustainability.

The project is to review over 3,500 different areas of grass within the district. The aspiration for the study is to offer 3 key outcomes, which will help us to deliver on the council's ambitions:

- financial saving (which is yet to be fully worked up),
- increase efficiency,
- Improve the public realm in terms of amenity, aesthetics and biodiversity.

The one off consultancy costs will be to undertake the study for us and offer recommendations for how we manage grassland in the future. Areas the consultants will undertake will include:

- Draft management development (inc financial inputs)
- Consultations with key stakeholders
- Site work and surveys
- GIS gap analysis
- Assisting with implementation

Other Authorities have been through this process and have gained positive operational/financial rewards.

ESTIMATED REVENUE COSTS/(SAVINGS)

	2019/20	2020/21	2021/22	2022/23
	£	£	£	£
One-Off Consultancy Costs (per quote)	35,000	0	0	0
Ongoing Savings	0	(10,000)	(15,000)	(15,000)
Use of Invest to Save Reserve	(35,000)	10,000	15,000	10,000
Total	0	0	0	(5,000)

FOLLOWING BUDGET COUNCIL – 28 FEB 2019

ESTIMATED LEAD-IN: N/A

IMPLEMENTATION DATE: 1st July 2019

PERFORMANCE MEASURES/OUTPUTS (e.g. what key performance improvements will be achieved / what measurable outputs will be achieved):

Would lead to more effective management information and invariably operating/financial savings,

Appreciating that financial savings are the priority, this would also complement area based working and would allow for savings in capacity, allowing us to signpost staff to other areas of resident need e.g. weeding, graffiti, cleansing, parks etc.

2019 to 2023 BUDGET PROCESS

SAVINGS PROPOSAL

SERVICE: REGENERATION & PLANNING

PROPOSAL: LANCASTER VIC MERGER WITH CITY MUSEUM

Following the successful transfer of the City Council's Museums from County Council control to City Council control, officers are now exploring the potential merger of Lancaster Visitor Information Centre (VIC) with Lancaster City Museum.

Benefits include increased visitors (local and from outside the district) to both the City Museum and Lancaster VIC, increased income from retail sales and new opportunities such as catering, a more central and accessible location for the VIC, efficiency savings and wider economic impact by signposting more people to other attractions, events, cafes, restaurants and accommodation providers within the District. The proposal also creates the opportunity to develop a wider cultural offer around Lancaster and Morecambe, helping to display museum collections beyond the walls of the museums, as well as to develop work with other cultural partners.

During 2019/20 investment will be required to relocate and merge Lancaster VIC with Lancaster City Museum. Towards the end of 2019/20 and future years there will be a return on this investment.

The investment/relocation cost is circa £69K, are based on the original cost to move the VIC from its Castle Hill premises to The Storey back in 2001, and knowledge of more recent museum reception/shop refits in Doncaster of a similar scale to what is being proposed. The recurring savings will include rent, service charges and potentially staffing, however this will be considered at a later date as it is too early to determine the overall staffing requirements across the Council's museums following the transfer. This merger will create opportunities to increase income from catering and retail sales as footfall will significantly increase.

The catering offer will be of good quality but basic to start with, administered by the reception/VIC staff, with the potential to be developed and expanded in the future subject to demand and additional resources. In terms of retail sales, the expertise and quality of the existing VIC offer, combined with specific museum related products will result in an increase in spend per head at the City Museum from £0.06p per head to £0.20p per head (net profit).

The VIC currently achieves 50,000 (in person) visits per annum, it's acknowledged that some (estimated at 30,000) will visit both the City Museum and VIC. The City Museum achieves 54,000 per annum. Therefore a conservative estimate of annual visits to the combined VIC/City Museum could be in the region of 74,000 from 2020/21. We calculate therefore that income will increase from £0.06 per head to £0.20 per head for around 24,000 visitors who currently will visit the City Museum but not the VIC in any single year – representing a net increase (profit) of £0.14 per head for these visitors. We anticipate this growth based on the wider and more successful offer of the VIC offer.

As the new VIC/Museum reception will be located on the ground floor in part of the temporary exhibition space, it is proposed that some additional small-scale exhibition space be created on the first floor. The Storey and other cultural venues will also be used for larger scale temporary exhibitions, some of these could be ticketed events.

The table below shows the investment required and minimum net savings to the VIC /City Museum, further savings should be achieved.

Please refer to growth/reduction proposal 'Morecambe VIC TUPE' as this will also impact on Lancaster VIC/City Museum in future years.

Efficiency Saving Service Reduction Income Generation Invest to Save

BREAKDOWN OF ESTIMATED COSTS/(SAVINGS)

	2019/20	2020/21	2021/22	2022/23
	£	£	£	£
Lancaster VIC rent & service charge	-6,300	-30,700	-30,900	-31,100
Storey temporary loss of rent	6,300	0	0	0
Make good vacated space at Storey for letting	10,000	0	0	0
Design, relocation, equipment and contingency costs	50,000	0	0	0
Additional temporary exhibition space at City Museum	9,000	0	0	0
Cultural venue hire (exhibitions)	1,000	4,000	4,000	4,000
Additional net income (shop)	-800	-3,400	-3,400	-3,400
Additional net income (catering)	-300	-1,300	-1,300	-1,300
Use of Invest to Save Reserve	-68,900	31,400	31,600	6,900
Total	0	0	0	-24,900

TIMESCALE FOR COMPLETION FROM BUDGET COUNCIL 27 FEB 2019: Relocation of VIC to City Museum, target date December 2019. Ongoing savings in late 2019 and future years.

POTENTIAL RISKS INHERENT IN THE PROPOSAL:

Relocation costs require further detailed consideration. There could be a short-term impact on The Storey (loss of rent) due to vacated space. However there is unfulfilled demand for digital and creative business space within the city so this is likely to be a short term issue. Future income from the current VIC accommodation will be genuine additional income for the council. A strong cultural programme developing from a council and partners cultural and arts offer can create additional footfall in Storey and other venues if spaces are available for museums and arts exhibitions, events and performances.

COUNCIL**Property Investment Strategy
30 January 2019****Report of Cabinet****PURPOSE OF REPORT**

To consider the Property Investment Strategy for approval.

This report is public.

RECOMMENDATIONS OF COUNCILLOR WHITEHEAD

- (1) That Council approves the Property Investment Strategy included as Appendix A.

1.0 Introduction

- 1.1 The Cabinet meeting on 4 December 2018 approved the principles of the overarching financial resilience strategy, *Funding the Future* and their incorporation into the Medium Term Financial Strategy. On from this on 18 December, Cabinet approved the key principles of the Property Investment Strategy.
- 1.2 One of the key pillars of the financial resilience strategy is 'investing for a return or to reduce costs' which looks to careful risk managed investment in commercial property in order to make a net yield which contributes to the net revenue budget. This reports sets out the principles that will be included in the Council's Property Investment Strategy.
- 1.3 A number of informal sessions on the Property Investment Strategy have been held with members and, on 11 January 2019, a workshop testing out the key strategy principles was well attended by members.
- 1.4 A separate paper covering the Governance arrangements for the Property Investment Strategy is included on this Council agenda.

2.0 Proposal Details

- 2.1 The Property Investment Strategy is included as Appendix A to this report.
- 2.2 A separate report on the governance arrangements for this strategy is considered on this agenda and if agreed, these arrangements will be included within and appended to the strategy.

3.0 Details of Consultation

- 3.1 Officers have provided a series of briefing sessions on the *Funding the Future* strategy which have been open to all members. In respect of the Property Investment Strategy, briefings have been made available to Cabinet and Scrutiny before Christmas with an

invitation to all members. A workshop open to all members was held on the 11 January 2019, after which the strategy was updated.

- 3.2 At the workshop on the 11 January 2019 members had the opportunity to work through the investment matrices and scoring systems. In general members indicated they approved the approach of a scoring matrix to assess the viability of any proposal, the yield matrix to confirm the likely return and the social value scoring to give clarity over any benefits to the district.
- 3.4 Members also made a number of suggestions for additional information and changes to the matrix. The feedback was recorded but of particular note was the desire to have clarity that the proposal was within the framework, e.g. ethical, geographical and environmental. Members also requested additional evidence to be provided in the matrices in respect to particular market segments. This included information of wider sector performance, local and national competition, and for retail product lines/market and exit proposals.
- 3.5 Members also requested the yield and social value documents provided greater clarity on additional benefits that may accrue such as business rates, impact on a high street frontage, detail on any social impact such as employment and how this would be measured.
- 3.6 Member feedback has been incorporated into the appended documents.

4.0 Options and Options Analysis [including risk assessment]

	Option 1: Approve	Option 2: Not Approve
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 hard and unpalatable decisions will need to be taken on cuts and service reductions.
Risks	Commercial property investment brings some risks and these are covered in some detail in this report.	Potential financial instability delivery of services being reduced.

5.0 Officer Preferred Option (and comments)

- 5.1 Option 1 Is the preferred option as the development of a robust Property Investment Strategy is the next logical step following the agreement by Cabinet to the principles of the *Funding the Future* Financial Resilience Strategy

6.0 Appendices

- 6.1 The strategy document and appendices are appended to this report as follows:

- Appendix One – Property Investment Strategy
- Appendix Two – Yield Calculator
- Appendix Three – Risk Matrix
- Appendix Four – Outcomes Matrix

RELATIONSHIP TO POLICY FRAMEWORK

This is design to facilitate the implementation of the Medium Term Financial Strategy and to facilitate *Funding the Future*.

CONCLUSION OF IMPACT ASSESSMENT

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

None

LEGAL IMPLICATIONS

The Council has the legal power to acquire, use and dispose of land principally under the Local Government Act 1972 and other Acts which give the Council powers to acquire land for a particular purpose. In accordance with section 120(1), Local Government Act 1972, the Council has the power to acquire any land where it is for the purposes of (a) any of its statutory functions or (b) for the benefit, improvement or development of its area.

If the Council decides to dispose of land, there is a legal requirement to obtain best value (with very limited exceptions)

Depending on the nature of the particular type of property concerned, there may be other statutory requirements or procedures to be undertaken before any acquisition, appropriation or disposal of land.

FINANCIAL IMPLICATIONS

Property investments will require borrowing and will make a financial return. The yield calculation within the strategy is designed to ensure that all financial implications from any property investment are captured.

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

This policy will be developed and led by the Regeneration Team

SECTION 151 OFFICER'S COMMENTS

The Section 151 Officer is the author of this report.

MONITORING OFFICER'S COMMENTS

The Monitoring Officer has been consulted in the drafting of this report and has no further comments

BACKGROUND PAPERS

Cabinet paper (18 December 2018) on property investment principles.

Contact Officer: Dan Bates

Telephone: 01524 58 2000

E-mail: dbates@lancaster.gov.uk

COUNCIL

**Proposals for the Governance Arrangements for
Investment Decisions
30 January 2019**

Report of Cabinet

PURPOSE OF REPORT

To provide a proposal for the governance of investment decisions for Council to consider for approval.

This report is public.

RECOMMENDATIONS OF Councillor Whitehead

- (1) Council approves the delegation of investment decisions to the leader in accordance with the policy framework set out in the Medium Term Financial Strategy.
- (2) Council notes the further proposed Constitutional change to allow delegations to Cabinet Member and Officers.
- (3) Council approves the principles and outline process in Appendix A, B, C and D.
- (4) Council requires Scrutiny Committee to consider and approve the detailed scrutiny process and recommend any changes to the procedure rules.
- (5) Council requires the Overview and Scrutiny Committee to consider a work programme to include i) review the effectiveness and outcomes of any individual decision ii) carry out a review of the investment portfolio. Such review to make any recommendations for improvement to the decision making or governance by January 2020.

1.0 Introduction

- 1.1 The City Council has a key decision limit of £50,000. The effect of this is to allow a key decision to be 'called in' by members through the route of scrutiny.
- 1.2 The City Council has delegated amounts in excess of this limit to the Leader and to officers to facilitate the daily activities of the council. These decisions are made in accordance with policy and budget set by full council. To permit this for commercial property investment, Council will need to be confident the approach is appropriate and then agree to amendment of Article 7 at paragraph 7.09 to allow key decisions to be taken by an individual cabinet member. Council is asked to note this in anticipation of a future paper which may amend the constitution.
- 1.3 The commercial investment strategy will be undertaken in accordance with the policy set by council. This paper is to approve the delegation to the Leader to act in accordance with the investment strategy contained within the Medium Term Financial Strategy, as and when it is approved by full Council and to require the creation of the detailed process and to consider any changes need to the procedure rules of any relevant committee.

2.0 Proposal Details

- 2.1 Full council will set a policy framework for the delegation of decision making. This will be set out in the Medium Term Financial Strategy (MTFS). The Property Investment Strategy will be considered and approved by Council as part of the MTFS.
- 2.2 The Leader will have delegated authority to make these decisions.
- 2.3 This sits within the existing constitutional framework but Council will be aware that operationally it reduces the length of the processes we have adopted. The most significant proposal does not require any amendment of the constitution but a change in methods of working between Cabinet and Scrutiny. In the event this process is impacted by some constitutional limitation subsequent changes that can be addressed as the process develops.
- 2.4 The delegation to the leader will be exercised by Cabinet, which will be the decision making body for all decisions.
- 2.5 It is proposed in the future the Leader will (subject to Council decision in the future) delegate to the Cabinet Portfolio Holder for Finance, in consultation with the Chief Executive and agreement of the Section 151 Officer and Monitoring Officer, authority to approve decisions up to £5 million. This will require amendment to Article 7.09 of the Constitution to allow individual cabinet members to make property investment decisions.
- 2.6 If this is successful, the Leader will consider future policy proposals to Council for the delegation to the Chief Executive, in agreement with the Section 151 Officer and the Monitoring Officer, any decision up to £1 million.

3.0 Details of Consultation

- 3.1 Officers have provided a series of briefing sessions on the *Funding the Future* strategy which have been open to all members. In respect of the commercial investment strategy, briefings have been made available to Cabinet and Scrutiny before Christmas with an invitation to all members. A workshop open to all members was held on the 11 January 2019, after which this report was updated. A questionnaire was also provided to all members and announced at the 19 December 2018 council meeting. Analysis on the 7 January 2019 indicated only 3 responses.
- 3.2 The briefing sessions, workshop and survey all indicated a desire for early involvement of scrutiny (pre-decision) as members indicated they could add value by informing a decision rather than an after-the-event critique.
- 3.3 At the workshop on the 11 January 2019 members had the opportunity to work through the investment matrices and scoring systems. In general, members indicated they approved the approach of a scoring matrix to assess the viability of any proposal, the yield matrix to confirm the likely return, and the social value scoring to give clarity over any benefits to the district.
- 3.4 Members also made a number of suggestions for additional information and changes to the matrix. The feedback was recorded but of particular note was the desire to have clarity that the proposal was within the framework, e.g. ethical, geographical and environmental. Members requested additional evidence to be provided in the matrices

in respect to particular market segments. This included information of wider sector performance, local and national competition, and for retail product lines/market and exit proposals.

- 3.5 Members also requested the yield and social value documents should provide greater clarity on additional benefits that may accrue such as business rates, impact on a high street frontage, employment, skills creation, community impact and how this would be measured.
- 3.6 When considering the use of Scrutiny, there were no unanimous views but some areas of consensus emerged. Firstly, in respect of any individual investment proposal, the need to act within a market, it was felt the early involvement of scrutiny in the process could be helpful. This may involve the chairman or other members of scrutiny being consulted at early stages of any proposal. It was also suggested for an investment decision, that a Cabinet and Scrutiny briefing could be combined and members could be free to ask officers questions allowing for the Scrutiny perspective to be incorporated prior to any individual decision being made by Cabinet. Scrutiny will need to consider the appropriate person to put forward to engage with this process.
- 3.7 Some members felt the matrix scoring system was positive and fact-led, therefore the reasons for just checking the scoring were limited and the use of call- in would have limited value, and Scrutiny members could be better engaged earlier in the process rather than causing delay. There was no clear consensus for removing call-in for any individual decision, but there were proposals which, when scrutiny had been properly consulted and involved, the prospect of 'call-in' in any particular case was reduced and in cases of urgency may be waived. (Constitution part 4, Rules of Procedure, Section 5 (17))
- 3.8 This approach was closely linked to members indicating that risk for a proposal eg voids, retail sector, needed to be clearly articulated and the mitigation of those risk made clear for Scrutiny.
- 3.9 It was also clear from the workshop that members felt the opportunity to review actual performance on any decision and the overall performance of any investment portfolio was extremely important. Scrutiny will have a clear role in that process of review which is why inclusion in the work programme is suggested. This will inevitably lead to proposals to sell investments and that procedure will also need to be considered.
- 3.10 The principles set out in Appendix A are based upon the responses and feedback of members who have participated in the consultation. If Council is minded to agree those principles it will be for Cabinet and Scrutiny to developed the detailed policy and rules of procedure to give effect to those principles.

4.0 Options and Options Analysis [including risk assessment]

	Option 1: agree the approach	Option 2: Do nothing
Advantages	Allow the investment policy to be implemented.	No increase in risk.
Disadvantages	Investments can be volatile.	The <i>Funding the Future</i> gap is not met.
Risks	The Council may not make the expected return and may place capital at risk.	Managed decline in service provision.

- 4.1 The overall policy framework will be included in the Medium Term Financial Strategy and will be set by Council and the investment decisions will be made within that framework. The purpose of this is to ensure the resources allocated by Council are used for their intended purpose, are properly accounted for, achieve best value and are within the risk profile agreed by Council. The decision must be evidence-led and members must approve the investment strategy and the assessment tools, yield calculator, assessment matrix, social outcome matrix.
- 4.2 The future proposal for the transactions to be delegated to the Cabinet member is designed to allow for flexibility in decision making. The delegation is permissive, meaning that, where appropriate, the Cabinet Member may wish to refer the matter to Cabinet.
- 4.3 The values attached to the future policy proposals to delegate decision making are suggested at a level to allow for a realistic valuation and progress on smaller proposals, as these investments will usually involve a land transaction in a commercial setting and the values are usually higher. The proposal for a lower limit of £1 million will ensure only the most modest proposals are delegated to officers in the future, limiting risk and liability on officer only decisions.

5.0 Officer Preferred Option (and comments)

- 5.1 If Council wishes to pursue the investment strategy it will need a method of implementing that policy.

<p>RELATIONSHIP TO POLICY FRAMEWORK</p> <p>This is design to facilitate the implementation of the Medium Term Financial Strategy and to facilitate <i>Funding the Future</i>.</p>
<p>CONCLUSION OF IMPACT ASSESSMENT (including Health & Safety, Equality & Diversity, Human Rights, Community Safety, Human Resources, Sustainability and Rural Proofing)</p> <p>None</p>
<p>LEGAL IMPLICATIONS</p> <p>The proposals are within the Constitution, and will require procedures to be refined by the relevant Committees. Any additional proposed delegations to individual Cabinet Member or Officers will require Constitutional amendments to Article 7.</p>
<p>FINANCIAL IMPLICATIONS</p> <p>There are no direct financial implications associated with the governance process. However, property investments will require borrowing in order to make a financial return. The yield calculation within the Property Investment Strategy is designed to ensure that financial implications from any property investment are captured.</p>
<p>OTHER RESOURCE IMPLICATIONS, such as Human Resources, Information Services, Property, Open Spaces:</p> <p>This policy will be developed and led by the Regeneration Team</p>

SECTION 151 OFFICER'S COMMENTS

The Section 151 Officer has been involved in the drafting of this paper.

MONITORING OFFICER'S COMMENTS

The Monitoring Officer has been involved in the drafting of this paper.

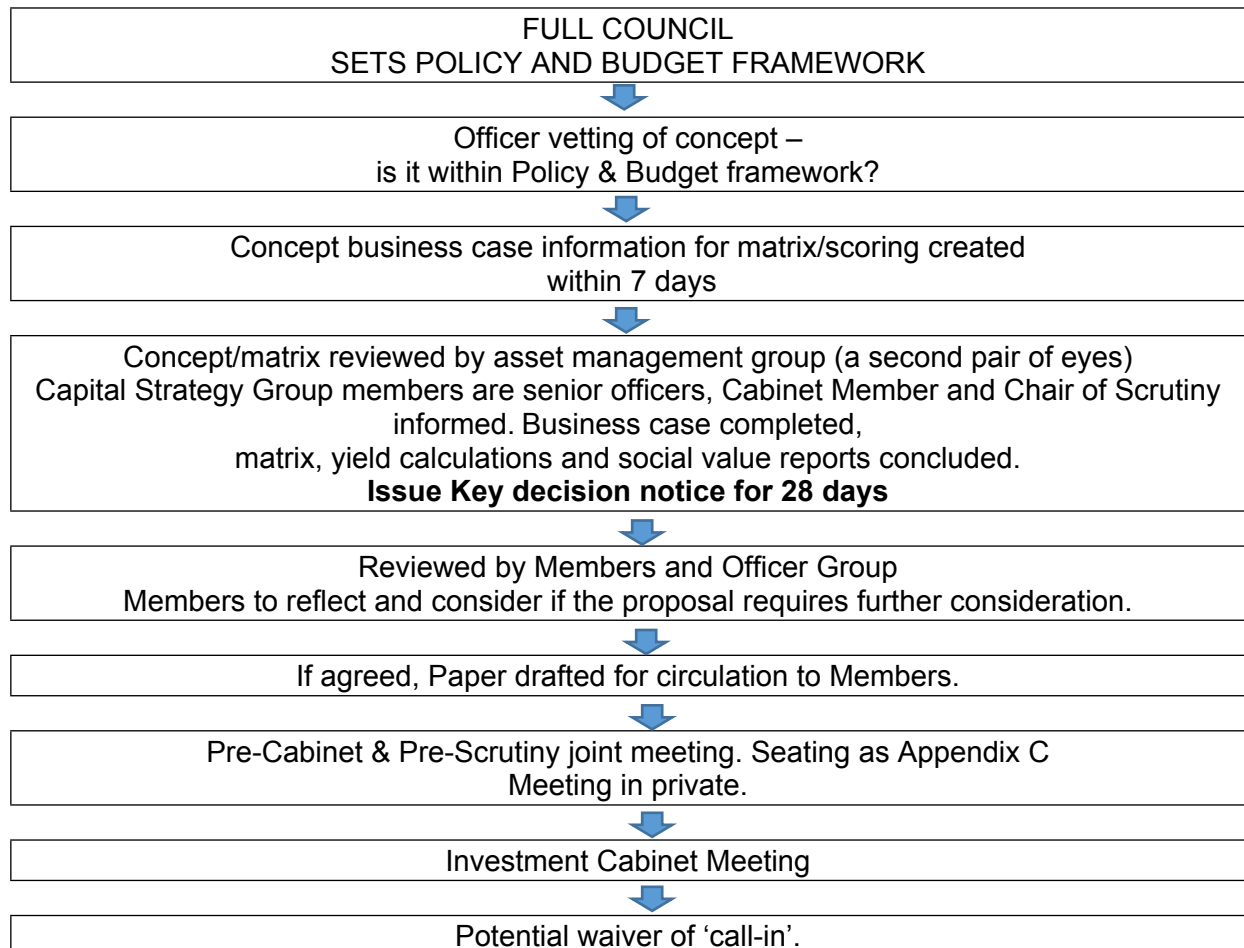
BACKGROUND PAPERS

Contact Officer: Monitoring Officer
Telephone: 01524 58 2000
E-mail: dbrown@lancaster.gov.uk

Governance Principles

1. Cabinet and Scrutiny will work within the existing constitutional arrangements and make such future recommendation for amendments as required.
2. Cabinet will take all reasonable steps to ensure the process in Appendix B, which is designed to operate within the existing Constitutional framework, is used.
3. Key Decision notices will be issued as soon as reasonable practicable, however this recognises that some proposals and Key Decision may be withdrawn before a decision is required.
4. Cabinet and Scrutiny will hold meetings in a timely manner and, if necessary, outside of the scheduled meetings.
5. The Portfolio Member or Leader and/or other Members of Cabinet will attend and participate in early business case meetings to assist in developing the scoring matrices for any individual investment decision. The Cabinet Members will work with any Scrutiny Members attending.
6. Cabinet will facilitate the engagement of Scrutiny in joint pre-Cabinet/Scrutiny briefing sessions on investment proposals. The meetings will be in private and will allow sufficient time for the merits of the investment proposal to be considered.
7. The subsequent Cabinet report will state if the proposal has been supported at pre-scrutiny.
8. Cabinet and Portfolio Members will give serious and proper consideration to references, reports and recommendations from Scrutiny. In particular recommendations for amendments to the scoring matrices and investment strategy, which will be properly considered when the decision is made.
9. The objective of Cabinet is to work within the policy framework and make robust evidence-led decisions. To achieve this, Cabinet will develop a process and amend any procedure rules necessary to facilitate a robust independent, flexible and timely process for investment decisions.
10. Scrutiny has no executive powers. It must therefore work by probing, investigating, enquiring, encouraging, persuading, reporting and recommending. The relationship between Scrutiny and the Cabinet is not adversarial. Council has set the policy (and where the decision is clearly within the policy framework) the role of Cabinet and Scrutiny is to facilitate the decisions. To this end the scrutiny of individual decisions to invest on any individual proposal may be less helpful than a scrutiny role of reviewing performance over time and suggesting improvements to scoring and strategy. Scrutiny may choose to waive 'call in' in cases of urgency and if it considers any individual decision has been appropriately considered.
11. The functions of Scrutiny in the investment process are to:
 - i) contribute to the development of policies and strategies of the Council.

- ii) ensure the implementation of best value including the programme of individual investment reviews, and investment portfolio review.
 - iii) to suggest improvements to the governance and management of individual decisions and the investment portfolio.
 - iv) to facilitate the will of Council by ensuring the best investment decisions are made.
12. Scrutiny should not be used to block, delay or frustrate the legitimate will of the Council or Cabinet.
13. Scrutiny recommendations to Cabinet must be supported with evidence.
14. Scrutiny Chairmen and/or other Members will attend and participate in early business case meetings to assist in developing the scoring matrices for any individual investment decision. They will work with any Cabinet or Portfolio Members attending. Scrutiny and B&PP will consider the most appropriate members to attend.
15. Scrutiny will engage in pre-cabinet/scrutiny briefing sessions on investment proposals where Scrutiny committee can test the proposal against the background of the information they have already seen and their knowledge of local circumstances and they are also able to bring a cross party perspective to investment issues. The result of this process is more likely to be a soundly based proposal, which has the support of Scrutiny and can then be reported to the Cabinet with a recommendation for approval. This significantly reduces the risk of conflict and delay.
16. Scrutiny will consider performance information, such as how does the matrix scoring relate to actual outcome? It will assist Cabinet in setting performance indicators. The role of Scrutiny is to expose poor performance in the investment, to celebrate excellent performance and to challenge targets which are either unrealistic or not sufficiently ambitious by reference to the matrices or *Funding the Future* proposals.
17. The objective of Scrutiny should always be to identify opportunities for improvement beyond what is already planned. To achieve this, Scrutiny will develop a process and amend any procedure rules necessary to facilitate a robust independent, flexible and timely process.

Draft Process chart

Time elapsed between proposal and decision 35 days. Additional time depending on call-in.

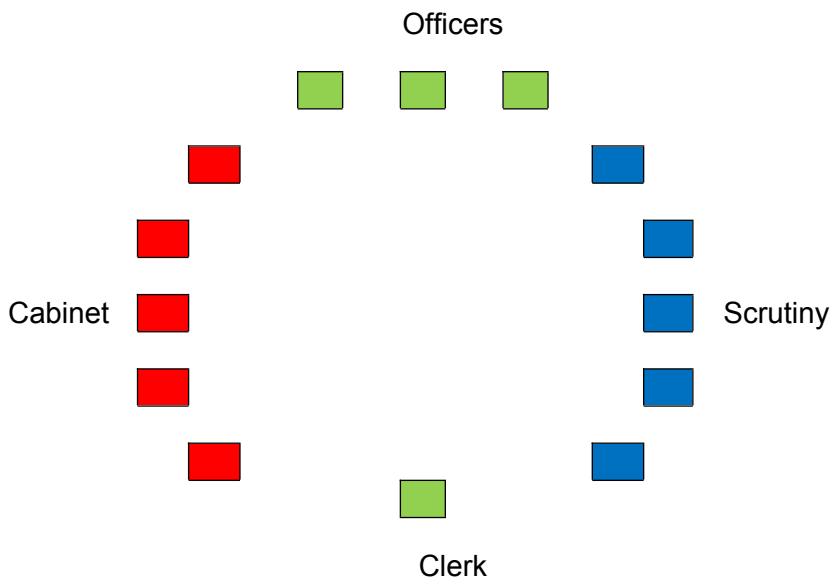
INVESTMENT CABINET AND SCRUTINY BRIEFING

Principles for scrutiny to be effective – must have relevant information and must be sufficiently engaged to add value.

Suggestions for the round table Cabinet/Scrutiny Briefing :

1. This pre-briefing must be sufficiently in advance to make any meaningful changes to the proposal.
2. Cabinet and Scrutiny members to sit at the same time in private.
3. Cabinet receives the paper. Officers are present to answer questions and inform debate.
4. Leader invites Scrutiny to ask questions of officers and debate issue. Leader asks Scrutiny if they wish to make any observations.
5. Cabinet, having considering their own questions and having listened to Scrutiny questions and debate and having considered any representations from Scrutiny, make a decision whether this should go forward and whether any changes need to be made.
6. Scrutiny indicates if it are content and call-in waived – officers may proceed and Cabinet report will state Scrutiny engagement.

Layout



	Option 1: Asset acquisition/disposal	Option 2: Do nothing
Advantages		
Disadvantages		
Risks		

RELATIONSHIP TO POLICY FRAMEWORK	
[Not an excluded investment or similar]	
CONCLUSION OF IMPACT ASSESSMENT (including Health & Safety, Equality & Diversity, Human Rights, Community Safety, HR, Sustainability and Rural Proofing)	
[Insert conclusion of impact assessment]	
LEGAL IMPLICATIONS	
[Insert Legal Implications before submitting to Legal Services]	
FINANCIAL IMPLICATIONS	
[Insert Financial Implications]	
OTHER RESOURCE IMPLICATIONS, such as Human Resources, Information Services, Property, Open Spaces:	
[Insert Other Resource Implications]	
SECTION 151 OFFICER'S COMMENTS	
[Insert Section 151 Officer comments prior to Management Team]	
MONITORING OFFICER'S COMMENTS	
[Insert Monitoring Officer comments prior to Management Team]	
BACKGROUND PAPERS	Contact Officer: Richard Crompton
Framework for Budget and Policy	Telephone: 01524 582000
	E-mail: rcrompton@lancaster.gov.uk
	Ref:

Motion on Notice – Climate Change and the Lancaster District

To be proposed by Councillors Kevin Frea, Andrew Kay, Caroline Jackson and Tim Hamilton-Cox;

“Full Council Notes:

Lancaster City Council has already committed to reducing carbon emissions to zero by 2050, but the recent IPCC Report¹ shows it is imperative that this target is reached much sooner. Lancaster City Council can play its role. Business as usual is clearly no longer an option. We need local wisdom to increase our resilience and to prepare for the climate changes already in the system.

According to the Intergovernmental Panel on Climate Change 1.5°C report, published in October 2018², humanity has 12 years for “ambitious action from national and sub-national authorities, civil society, the private sector, indigenous peoples and local communities” to deliver the “rapid and far-reaching transitions in land, energy, industry, buildings, transport, and cities” needed to turn this around, so we can avoid reaching tipping points where we no longer have the ability to avoid extreme weather events.

It is vital that rural communities play their part in reducing carbon emissions.

Bold climate action can deliver economic benefits in terms of new jobs, new income streams, and localising wealth generation; as well as improved well-being for people locally and worldwide.

Our inspiration:

A number of City & District Councils, together with the Mayor of London, have passed motions declaring a ‘Climate Emergency’³.

We, the undersigned, therefore call on Lancaster City Council to

1. *Declare a ‘Climate Emergency’;*
2. *Support the setting up of a Climate Change Advisory Board immediately, involving Councillors, residents, businesses, experts from the two Universities and other relevant parties. Over the following 6 months, the Board will revisit and update the 2010 Lancaster City Council Climate Change Strategy⁴ and help the Council develop a new carbon budget taking into account both production and consumption emissions (scope 1, 2 and 3)⁵ and set a target date of 2030, to:*
 - *make the Council’s activities net-zero carbon;*
 - *Consider systematically the climate change impact of each area of the Council’s activities;*
 - *increase local resilience to climate impacts already in the system;*
 - *maximise local benefits of these actions in other sectors such as health, agriculture, transport and the economy;*
 - *support and work with all other relevant agencies towards making the Lancaster District zero carbon within the same timescale.*

We recognize the current financial constraints that the Council faces and expect that both the development and implementation of a carbon budget are likely to need a significant measure of additional external funding. Some of the potential actions may have a positive or neutral financial impact.

¹ World Resources Institute: <https://www.wri.org/blog/2018/10/8-things-you-need-know-about-ipcc-15-c-report>

² <https://www.ipcc.ch/report/sr15/>

³ <https://www.climateemergency.uk>

⁴ <https://committeeadmin.lancaster.gov.uk/documents/s21567/Climate%20Change%20Strategy%20Update.pdf>

⁵ <https://www.carbontrust.com/resources/faqs/services/scope-3-indirect-carbon-emissions>

Actions that could be recommended include: increasing the energy efficiency of buildings; prioritizing these measures for council housing and private sector housing to address fuel poverty; building solar and other renewable energy generating and storage plant; requiring all new housing and commercial developments to be low carbon; replacing the vehicle fleet with electric and/or hydrogen powered vehicles; switching to 100% renewable energy; setting up a council run energy company (eg. Robin Hood Energy) and adapting the Council's purchasing policy.

3. *Prepare a report on methods for conducting a consultation with young people and creating a young people's climate panel.*
4. *Task a director level officer with responsibility for reducing, as rapidly as possible, the carbon emissions resulting from the Council's activities;*
5. *Call on the UK Government to provide the powers, resources and help with funding to make this possible;*
6. *Work with partners across the district, county and region to help deliver this new goal through all relevant strategies, plans and shared resources;*
7. *Require all officer reports to Cabinet and Full Council to contain Impact assessments on Climate Change that include Carbon Emission Appraisals, including presenting alternative approaches which reduce emissions wherever possible;*
8. *Produce a report to the next Full Council on the level of investment in the fossil fuel industry that our pensions plan and other investments have;*
9. *Amend the Council's Investment Strategy to give due weight to climate change targets in the portfolio of investments⁶.*
10. *Report to full Council by the end of 2019 with a fully costed action plan to address this emergency."*

Officer Briefing

Current Position

At its meeting on 18th July 2018 Council debated a motion relating to climate change and then resolved to –

- *match the ambitions of the UK100 Agreement by pledging to achieve 100% clean energy across Lancaster City Council' full range of functions by 2050.*
- *work in partnership with our residents and business community to deliver against the commitments made nationally and internationally at the 2015 Paris Summit;*
- *turn these commitments into reality through developing a 'route map' to a sustainable future, working together with the business, educational and residential communities of Lancaster and Morecambe as part of an integrated approach to a shared sustainable future.*

The Council plan also agreed at the same meeting (18th July 2018) commits to 'contribute to tackling climate change by joining the UK100 network of local government leaders committed to transitioning towards 100% clean energy by 2050'. The plan also commits the Council to a 'detailed plan for achieving the aims of the Climate Change motion adopted in July 2018 to be in place and initial action to have been taken to progress it'.

⁶ <https://www.local.gov.uk/sites/default/files/documents/download-potential-energy-9f8.pdf>

Already the Council has demonstrably made great strides to mitigate and adapt to climate change across its range of activities (the Appendices provide evidence of this).

The strategies, policies and resources of the Council will be aligned to delivering the commitments already agreed by the Council in its Plan. To aid in this a report to Cabinet (Feb 12th, 2019) will seek approval to form a climate change Cabinet Liaison Group to assist the portfolio holder to develop the necessary plans, establish the supporting resource requirements and consider how to best gain the support of our communities and stakeholders.

Climate Change Emergency

The motion and petition presented to Full Council (30th Jan 2019) goes far beyond this in seeking the declaration of a climate emergency. Furthermore the motion prescribes a comprehensive set of actions that are considered necessary to address this emergency within 11 years.

It is noteworthy that the idea of moving forward from the Council agreed date of 2050 to 2030 was already been discussed by Council during the last motion on climate change (*from the Council minutes 18th July 2018- After a short debate, an amendment to the motion was moved by Councillor Hamilton-Cox, to change the date of 2050 to 2030. He asked that this be considered as a friendly amendment. Councillor Frea was happy to accept this as a friendly amendment, however Councillor Clifford, his seconder, was not.*)

A number of other Councils have already declared climate change emergencies and now Lancaster City Council has to decide whether to do the same. The starting position, context and intended outcomes of each Council will obviously vary greatly.

In any context the declaring of an emergency requires immediate action from the responders and significant reallocation of plans and resources.

A meaningful response to the declaration of a climate change emergency would require an immediate shift of the Council's strategic focus and resources to addressing the requirements, at a corporate level.

The Council ambitions are currently focussed on four key areas. In practical terms to respond to the emergency the Council would need to choose to reduce current and planned activities so that it can reallocate resource to its response.

In dealing with any emergency the cooperation of those affected is vital as is the full commitment of other responders.

The Council's plan has been developed following extensive consultation with residents, businesses, partners and Elected Members. Any shift in strategic direction will need a clear communication plan to ensure all understand what they can now expect the Council to deliver. To provide a meaningful response at a District Council level will also require the full commitment of local, regional, national and international responders.

The starting point, therefore, if this motion / petition is agreed will be reprioritisation of the Council's ambitions and resources. The Council must then decide which services and parts of the Corporate Council Plan it no longer wishes to deliver to allow resources to be diverted to this task. This will require communication to citizens of the District. Effective communication of this change is essential as the council is moving from a plan crafted through consultation and citizen engagement to a directly imposed plan.

Specific Points

The motion besides declaring a climate change emergency prescribes a set of actions to address the emergency.

- **Setting up of a Climate Change advisory board / Consulting with Young People-** response to climate change already falls within the portfolio of a Cabinet member. As stated a report is already scheduled for Feb 12th Cabinet requesting approval to set up a Cabinet Liaison Group. The purpose of a CLG is to share information about a particular topic and develop effective consultation and communication links with community groups and other bodies with an interest in the subject area. In this way, individual Cabinet members will have a wider information and advisory platform to inform executive decision-making and policy effectiveness. Subsequent recommendations to amend strategy will be made to Cabinet and then Full Council.
- **Director to reduce carbon emissions-** the Council's Chief Officers already work with Cabinet Portfolio holders to deliver the Council's Plan. Each action in the Plan is 'owned' by a Cabinet Member/ Chief Officer. Declaring an emergency would mean that the allocated Chief Officer would have to allocate more time more on this activity and therefore less on others- as previously stated.
- **Call on the UK Government to provide the powers, resources and help with funding-** this could be done without or without the declaration of a climate change emergency at any point. Obviously Council would need to be clear on what it was calling for.
- **Work with Partners-** this already happens and there are examples of good work with Lancaster University, Environment Agency, Lancashire County Council etc. Lancaster City Council declaring an emergency would not mean that partners would accelerate their activities.
- **Impact Assessments-** reports do provide impact assessments. Where appropriate the assessment of carbon emissions could be made. Clearly though the extent to which this was required may create resource implications.
- **Report in investment in fossil fuel industry-** providing such a report is in the gift of the pension fund who have their own statutory obligations.
- **Amend the Council's investment strategy-** Elected Members have already been consulted in the weighting of the Council's investment strategy and it will be considered elsewhere on this agenda.
- **Action plan-** see above.

Mark Davies- Director for Communities and the Environment

STATUTORY OFFICER COMMENTS

Monitoring Officer

This proposal alters the objectives of the council and reprioritises the allocation of resources. The Council Plan adopted in July 2018 appears to have undergone extensive consultation with the citizens of the district and presumably reflected the balance of service provision sought by local citizens at the time. The climate change date of 2050 appeared to be consistent with that plan. The impact of the alteration to priorities is clear, the impact on services is unclear and the Chamber may require officers to report on the impact climate change motion, if passed, to allow members the opportunity to explain the need for this alteration at this time.

Deputy Section 151 Officer

The financial implications resulting from undertaking some, or all of the actions outlined in the petition would need to be considered as part of the normal Council budget framework. This would allow for due consideration by Members, and assessment against the Councils priorities.

APPENDIX

Lancaster City Council- Climate Change Mitigation and Adaptation Actions

COUNCIL PROPERTY AND OPEN SPACE

- New Combined Heat Power unit at Salt Ayre Leisure Centre
- New energy efficient lighting at SALC
- The Council's 16 solar installations have to date generated 1,487,541 kwh of electricity and saved 806,597kg of CO2 emissions.
- In Council building light fittings are replaced with LED's whenever and wherever possible i.e. when a room is refurbished we replace light fittings.
- Renewing service building lighting such as VMU, FESTIVAL MARKET and STORES with updated LED HALO lights to provide safer brighter working environments and daily lower costs.
- Currently replacing 16 emergency lights in LTH for LEDs.
- Replaced the boiler at Ryelands House making this whole system more efficient with less emissions as the previous boiler was at least 25 years old.
- Replacing the boiler at City Museum this spring with a new efficient one.
- Reroofed The Dukes and the City Museum – both improving the insulation and heat retention for those buildings.
- Williamson Park all lights in the memorial, and in the park are replaced with LEDs.
- The Ashton Memorial lights are now all LED with the exception of the existing portico lighting.
- Wildflowers –creating 'Wild' corridors throughout the park. In summer 2018 we began raising the cut of our mowing to leave daisy heads on where appropriate and leaving areas uncut with managed perimeters and pathways through, where possible, in the less formal areas.
- Power tools – replacing petrol fuelled gardening equipment for electric.- where appropriate
- In café there is a 'latte levy' to reduce single use plastics. We have also stopped ordering plastic bottles of water, with the look to sell reusable bottles and stock recyclable cans of water by the summer. We also hold paper straws and biodegradable take-out food and drink containers.
- Water fountains located across District
- Recycling bin network to be supplemented by recycling bins in Williamson park by May.
- Large events on public land have been provided with recycling facilities.
- Wildflowers / perennial and more drought resistant planting schemes
- Tree management policy
- Grassland management review due to start
- Masterplans for main parks
- Green Flag awards recognise contributions to bio- diversity
- Continued investment in parks and open space

WASTE / RECYCLING

- Ongoing campaigns to based around waste hierarchy
- Regular monitoring of and then assistance provided to residents in low recycling yield areas
- Feasibility of electric / hydrogen fleet replacement being assessed as technology mainstreams
- All wheeled bins and recycling boxes are composed of between 30-100% recycled plastic.
- Recycling of all redundant and unusable plastic and metal containers

COUNCIL HOUSING

- Districtwide LEDS - Replaced old external lighting in the district with newer LED lighting – better cleaner light with a lower cost. Ongoing works. Also now Introducing 'dimming' microwave sensor LED light fittings to installations in general lets from now on. Changes in technology since initial LED lighting installed.

- Hot water- installing energy efficient QUANTUM boilers in flat blocks to reduce energy costs for tenants and provide better more efficient hot water supply and automated legionella countermeasures.
- Tools - In the process of organising the restoration and redistribution of old power tool stocks for charity re-distribution.
- Solar panel installations in the district to help with communal energy costs. Also offered PV systems to all rural 'off-gas' council owned domestic properties
- Energy creating lifts fitted to sheltered schemes to provide electricity for the scheme, along with installation of LED lighting throughout with automatically dimming microwave sensor fittings to overall reduce usage and cost when used. Installation of Solar Thermal water heating system to Ripley Ct.
- Fencing - Plastic fencing products used, constructed from recycled materials.
- Appointment planning - Better, more efficient work processes being implemented throughout RMS to provide more efficient journeys to and from jobs, and less trips overall reducing fuel usage across the fleet.
- Alerts- Currently looking to implement new systems to reduce outgoing letters to residents – allowing SMS and EMAIL to take their place. Thus reducing plastic and paper usage.
- Time clocks – removal of time clocks from council residential areas to reduce the wasted hours which lighting is provided – now PHOTOCELL controlled by LUX levels.
- Bike racks – have been introduced to communal areas of flat blocks where possible (ie where will not cause an issue with fire egress)
- Increased insulation – all re-roofing and major void projects have loft insulation 'topped-up' to 300mm.
- Reduction of plastic waste – looked at waste collection from kitchen and bathroom renewals on planned works and reduced the use of plastic refuse sacks by approx. 70%
- 'A' rated boiler installations – majority of council owned dwellings have 'A' rated boilers (some properties cannot have them fitted – solid fuel or elec only)
- Increased thermally efficient components – implementation of advancements in building technology (improved efficiency double glazed windows, composite doors)

TRANSPORT

- **42** of our vehicles are fitted with EURO 6 engines.
- **6** of our EURO 6 RCV's are now fitted with '*Eco Delta Valves*' designed to allow the bin lifter to operate when the vehicle is on tick over, rather than with the engine revving.
- In 2018/19 we also purchased **5 electric vehicles** and installed double socket charge points at White Lund Depot and Lancaster Town Hall. These have the capability of charging up to 8 vehicles at once, so can accommodate extra vehicles as and when we buy them.
- Further reviews are planned for 19/20, when we have **72 vehicles** due to be replaced. We'll be looking at EV options for each of these on a case-by-case basis;
- We also make regular use of our *vehicle telemetry software* (C-Track) and *fuel management system* (Triscan) to gather data on routes, mileage, MPG and emissions (Co2). These system are used to help us understand how our vehicles are used, help us build an understanding of the whole-life-costs and the environmental impact.
- Road diesel consumption is reported quarterly through our internal monitoring arrangements.
- Council cycle to work scheme
In May 2015, the council undertook a major review of it's business travel arrangements and acquired a pool of 6 ultra-low emission cars on a flexible agreement. This was to get staff to use the pool cars to travel around different sites instead of using their own vehicles in an attempt to reduce CO2 emissions being emitted and to also save money for the council.

AIR QUALITY

- Progress towards the delivery of the Transport Master Plan for Lancaster incorporating the Air Quality Action Plan for the district/AQMA's (Masterplan adopted October 2016)

- Grant funding to reduce emissions from buses in Lancaster (emission reducing equipment now due to be installed to buses in Spring 2019).
- Provision of 34 electric vehicle charge points across the Lancaster district due to be delivered by the end of March 2019
- Work to review local/regional taxi licensing policies (ongoing October 2018).
- Completion and activation of automatic vehicle number plate recognition system in central Lancaster (first used Sept 2017).
- Electric taxi event (coordinated by CENEX) on national clean air day (21 June 2018). Further follow up event on 27 September 2018.
- Working with Lancaster University to investigate the impact of greening measures (at Cable Street, Lancaster).

- Public exposure to air pollution at roadside (microgrammes of pollutant per metre cubed): A reduction in the number indicates an overall reduction in pollution levels at roadside locations where people are living within the district. The number shown is lowest value over recent years (see previous years below). Actions, such as the opening of the Bay Gateway, have contributed to the notable reduction in 2017. The result for the reported year (2017/18) show a reduction on the previous year.
Previous years results are as follows :- 2014/15 - 41.9, 2015/16 - 38.3, 2016/17 - 37.2, 2017/18 - 34.2.

- Public exposure to air pollution away from roads (microgrammes of pollutant per metre cubed): A reduction in the number indicates a reduction in pollution levels at urban locations where people are living in positions away from main roads. The number shown is lowest value over recent years and indicates an improving position (see previous years below). The result for the reported year (2017) show a reduction on the previous year and indicates an improving trend.
Previous years results are as follows :- 2014/15 - 17.7, 2015/16 - 16.4, 2016/17 - 16.5, 2017/18 - 15.1.

PLANNING

- 23 applications approved for renewable energy projects since 2015. These include minor schemes for householder microgeneration through to solar farms to major strategic projects (such as Walney)

COUNCIL

**GAMBLING ACT 2005
STATEMENT OF GAMBLING LICENSING POLICY
2019– 2022**

30th January 2019

Report of Director for Communities and the Environment

PURPOSE OF REPORT

To seek Council's approval of the Council's Statement of Gambling Licensing Policy for 2019-2022.

THIS REPORT IS PUBLIC.

Recommendations

Council is requested to approve the draft Statement of Gambling Licensing Policy 2019-2022 appended to this report for publication in accordance with the requirements of the Gambling Act 2005.

1.0 Report

1.1 Section 349 of the Gambling Act 2005 provides that each licensing authority shall, before each successive period of three years, prepare a statement of the principles that they propose to apply in exercising their functions under the Act during that period, and, publish that statement. The function of approving the statement of policy is a function of full Council and cannot be delegated.

1.2 The policy was last updated in January 2016 and is, therefore, due to be updated in January 2019.

2.0 Details of Consultation

2.1 The Act provides that, before determining the policy, a Licensing Authority must consult with:-

- The Chief Officer of Police for the area

- One or more persons who appear to the authority to represent the interests of persons carrying on gambling businesses in the authority's area
- One or more persons who appear to the authority to represent the interests of persons who are likely to be affected by the exercise of the authority's functions under the Gambling 2005.

2.2 Lancaster City Council have consulted directly with the following;

- All holders of gambling premises licences and permits issued by the Council
- All premises licensed under the Licensing Act 2003 where gaming machines are provided
- All members of Lancaster City Council
- All Parish councils within the Lancaster City Council area
- Lancashire Constabulary
- Lancashire Fire and Rescue Service
- Lancashire Safeguarding – Adults and Children's Board
- Lancashire County Council - Children's Integrated Services
- Lancashire County Council - Public Health
- H M Revenues and Customs
- Lancaster City Council - Regeneration and Planning
- The Gambling Commission
- British Beer and Pub Association
- British Institute of Inn-keeping
- Disability Rights Commission Helpline
- Equity Head Office
- Gamcare
- Gamblers Anonymous
- Money Advice Trust
- Stepchange Debt Charity

2.3 The consultation on a revised draft Statement of Gambling Licensing Policy was held from 21st December 2018 until 18th January 2019. In addition to the consultation as outlined above, the following steps were taken to ensure the consultation has been as effective as possible:-

- The revised draft Statement of Gambling Licensing Policy was made available on the Council's website
- Copies of the above document were made available at the Council's offices.

2.4 No responses to the consultation were received on the review of the Statement of Gambling Licensing Policy. Therefore, no further amendments have been made to the draft Policy.

3.0 Options and Options Analysis (including risk assessment)

3.1 The Policy has been drafted in accordance with legal constraints and Gambling Commission guidance. Not to approve a policy is not an option, as it is a statutory requirement that a policy be in place in January for the next three years.

4.0 Conclusion

4.1 Council is requested to consider the draft Statement of Gambling Licensing Policy, and to approve the publication of the new policy to take effect from 1st March 2019, in accordance with statutory timescales.

<p>CONCLUSION OF IMPACT ASSESSMENT (including Diversity, Human Rights, Community Safety, Sustainability and Rural Proofing)</p> <p>Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support to crime is one of the statutory licensing objectives, and this is reflected in the draft Policy, as is the requirement that all cases should be considered on their individual merits.</p>	
<p>FINANCIAL IMPLICATIONS</p> <p>There are no direct financial implications arising from this report.</p>	
<p>LEGAL IMPLICATIONS</p> <p>The Council's statutory obligations as Licensing Authority are reflected in the report.</p>	
<p>OTHER RESOURCE IMPLICATIONS</p> <p>Human Resources:</p> <p>Information Services:</p> <p>Property:</p> <p>OpenSpaces:</p>	
<p>SECTION 151 OFFICERS COMMENTS</p> <p>The Section 151 Officer has been consulted and has no further comments.</p>	
<p>MONITORING OFFICERS COMMENTS</p> <p>The Monitoring Officer has been consulted and has no further comments.</p>	
<p>BACKGROUND PAPERS</p> <p>None.</p>	<p>Contact Officer: J CURTIS Telephone: 01524 582732 E-mail: jcurtis@lancaster.gov.uk Ref: JC</p>



Promoting City, Coast & Countryside

Gambling Act 2005

Statement of Gambling Policy

January 2019 - 2022

Lancaster City Council has completed this document. If you would like a copy of it in another language, in large print or audio tape please contact us by calling 01524 582000 or email us at licensing@lancaster.gov.uk.

Any queries regarding this policy should be addressed to:-

**Licensing Manager
Lancaster City Council
Morecambe Town Hall
Marine Road
Morecambe LA4 4AF**

E-mail: licensing@lancaster.gov.uk

Further copies may be obtained from the above address or from the council's website:-

www.lancaster.gov.uk

This Statement of Gambling Licensing Policy was approved by Lancaster City Council on XX
XX XXXX

Statement of Licensing Policy

Gambling Act 2005

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Preface

Under the Gambling Act 2005, a new regime for regulating gambling and betting was introduced throughout the United Kingdom from 1 September 2007. Apart from the National Lottery and spread betting, gambling and betting will be regulated by the Gambling Commission, whose duties include licensing the operators and individuals involved in providing gambling and betting facilities.

In addition, the Gambling (Licensing and Advertising) Act 2014 came into force on 1 November 2014 and amends the Act. It requires gambling operators that transact with or advertise to British consumers to obtain a licence from the Commission. The Act (as amended) has implications for remote operators and does not impact the powers or authority of licensing authorities. For further information, please refer to the [Commission guidance on implementing the Gambling \(Licensing and Advertising\) Act](#).

Gambling can be a source of pleasure for many people. However, some of the more vulnerable people in society use gambling as a means to improve their financial position but often find that the losses incurred provide very little pleasure and actually cause a great deal of harm. At a population level there are a lot of people who experience a small amount of harm from gambling and a small number of people who experience a great deal of harm from gambling, for example gambling addiction.

Gambling is associated with stress, anxiety, depression and is linked to alcohol and substance misuse. The harm does not only affect the individual – families and society in general are harmed by the effects of gambling. Family problems usually start with money troubles which can then lead to domestic abuse and neglect. Children are particularly affected by the impacts of gambling and this can lead to Adverse Childhood Experiences which last into adulthood.

The harms from gambling to wider society include fraud, theft, loss of productivity in the workforce and the cost of treating gambling addiction.

Regard will be had to these considerations when the Council is fulfilling its obligations under the Gambling Act 2005. Consideration will also be given towards a number of the priorities included in the Council Plan 2018- 2022, in particular to create a thriving and prosperous economy, to create clean and safe neighbourhoods and to create healthy and happy communities.

Lancaster City Council, along with other local licensing authorities, has a duty under the Gambling Act 2005 to license premises where gambling is to take place and to license certain other activities (such as registering small society lotteries). This document sets out how the council intends to approach this task.

Part A

1. The Licensing Objectives

- 1.1 In exercising most of their functions under the Gambling Act 2005 (“the Act”), licensing authorities must have regard to the licensing objectives as set out in section 1 of the Act. The licensing objectives are:
- Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime
 - Ensuring that gambling is conducted in a fair and open way
 - Protecting children and other vulnerable persons from being harmed or exploited by gambling
- 1.2 It should be noted that the Gambling Commission has stated: “The requirement in relation to children is explicitly to protect them from being harmed or exploited by gambling”.
- 1.3 This licensing authority is aware that, in making decisions about premises licences and temporary use notices it should aim to permit the use of premises for gambling in so far as it thinks it:
- in accordance with any relevant code of practice issued by the Gambling Commission
 - in accordance with any relevant guidance issued by the Gambling Commission
 - reasonably consistent with the licensing objectives and
 - in accordance with the authority’s statement of licensing policy

Authorised Activities

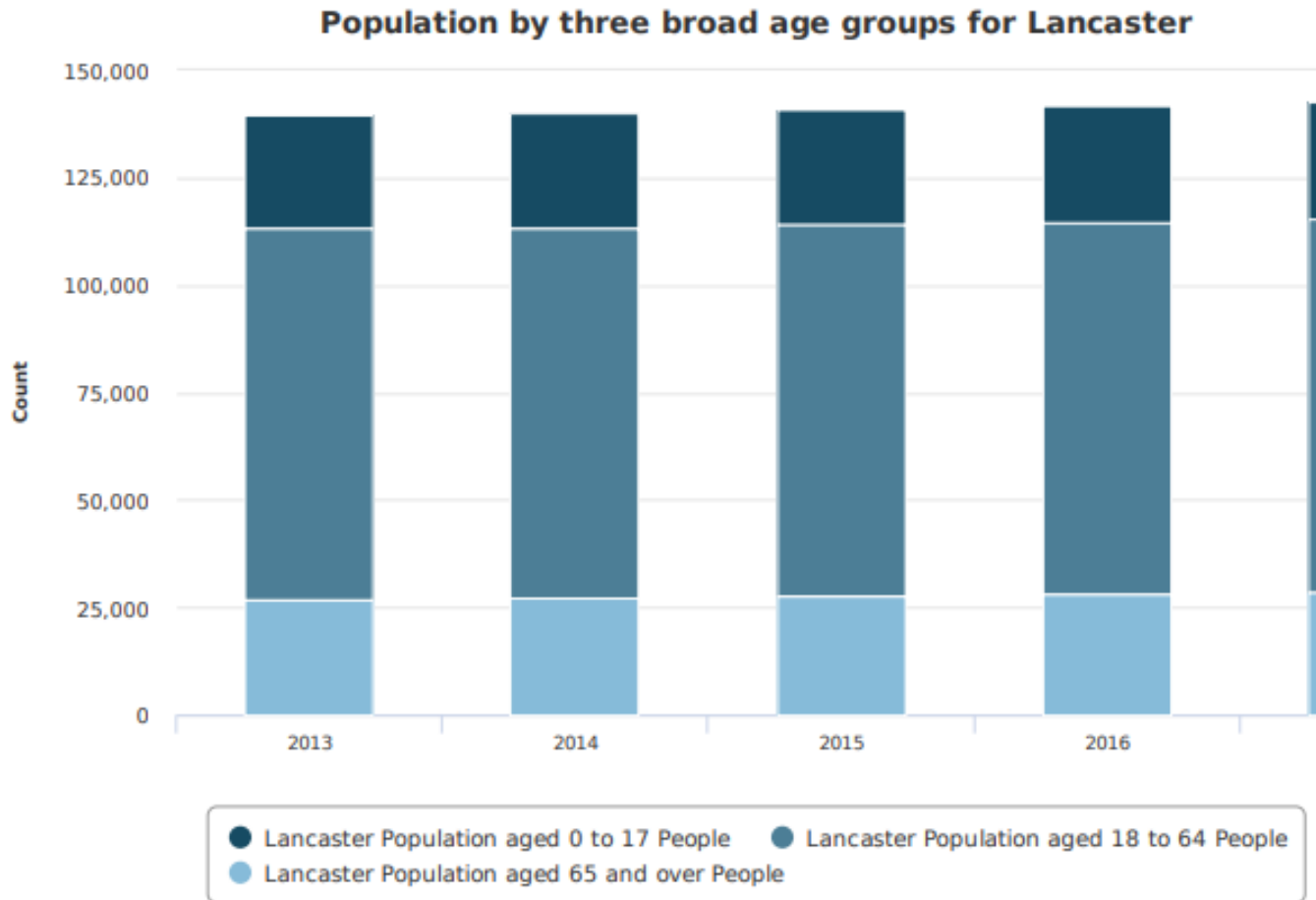
- 1.4 ‘Gambling’ is defined in the Act as either gambling, betting or taking part in a lottery:
- ‘gaming’ means playing a game of chance for a prize;
 - ‘betting’ means making or accepting a bet on the outcome of a race, competition, or any other event; the likelihood of anything occurring or not occurring; or whether anything is true or not true;
 - a ‘lottery’ is where persons are required to pay in order to take part in an arrangement, during the course of which one or more prizes are allocated by a process which relies wholly on chance.

- 1.5 Private gaming in private dwellings and on domestic occasions is exempt from licensing or registration providing that no charge is made for participating; only equal chance gaming takes place; and it does not occur in a place to which the public have access. Domestic betting between inhabitants of the same premises or between employees of the same employer is also exempt.
- 1.6 Non-commercial gaming and betting (where no parts of the proceeds are for private gain) may be subject to certain exemptions. Further advice should be sought from the council's Licensing Team where appropriate.

2.0 Introduction

- 2.1 In terms of area, Lancaster is the second largest district council in Lancashire, covering a total of 576 square kilometres. The boundaries extend to Cumbria and South Lakeland District in the North, North Yorkshire and Craven District in the East, and Wyre Borough in the South.
- 2.2 There are two large urban centres of population, at Lancaster and Morecambe, and a smaller town, Carnforth, to the north, together with an extensive rural area. The district has an estimated total population of 142,500 (mid-2017 estimate). This makes Lancaster City Council the second largest district council, in terms of population, in Lancashire. An influx of tourists, to the seaside resort of Morecambe and to the historic city of Lancaster, increases this population further, especially during the summer months.

About the population of Lancaster



- 2.3 A map of the council’s area is included at Appendix 5. The key provided identifies the urban/rural areas.
- 2.4 Licensing authorities are required by the Gambling Act 2005 to publish a statement of the principles which they propose to apply when exercising their functions. This statement must be published at least every three years. The statement must also be reviewed from “time to time” and any amended parts re-consulted upon. The statement must be then re-published.
- 2.5 Lancaster City Council is consulting widely upon this statement before finalising and publishing it. A list of those persons consulted is included at Appendix 1.
- 2.6 The Gambling Act requires that the following parties are consulted by Licensing Authorities:

- The Chief Officer of Police;
- One or more persons who appear to the authority to represent the interests of persons carrying on gambling businesses in the authority's area;
- One or more persons who appear to the authority to represent the interests of persons who are likely to be affected by the exercise of the authority's functions under the Gambling Act 2005.

2.7 Lancaster City Council's consultation took place between 21st December 2018 and 18th January 2019 and followed the HM Government Code of Practice on Consultation (published July 2008) which is available at:
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/100807/file47158.pdf

2.8 The full list of comments made and the consideration by the council of those comments is available by request to the person named below.

2.9 The policy was approved at a meeting of the Full Council on xxxxxxxx 2019. It was published in draft via website on xxxxxxxx 2019. Copies were placed in the public libraries of the area as well as being available in the Council Offices. Please contact the person named below for more information.

2.10 Should you have any queries regarding this policy statement please send them via e-mail or letter to the following contact:

The Licensing Manager, Lancaster City Council, Morecambe Town Hall, Marine Road,
Morecambe LA4 4 AF
E-mail: licensing@lancaster.gov.uk
Tel: (01524) 582732

2.11 It should be noted that this policy statement will not override the right of any person to make an application, make representations about an application, or apply for a review of a licence, as each will be considered on its own merits and according to the statutory requirements of the Gambling Act 2005.

3.0 Declaration

3.1 In producing the final statement, this licensing authority declares that it has had regard to the licensing objectives of the Gambling Act 2005, the Guidance to the Licensing Authorities issued by the Gambling Commission, and any responses from those consulted on the statement.

4.0 Responsible Authorities

4.1 The licensing authority is required by regulations to state the principles it will apply in exercising its powers under Section 157(h) of the Act to designate, in writing, a body which is competent to advise the authority about the protection of children from harm. The principles are:

- the need for the body to be responsible for an area covering the whole of the licensing authority's area; and
- the need for the body to be answerable to democratically elected persons, rather than any particular vested interest group.

4.2 In accordance with the suggestion in the Gambling Commission's Guidance to local authorities, this authority has consulted with both the Lancashire Safeguarding Children Board and County Council Children's Integrated Services. This Authority considers that the Lancashire Safeguarding Children Board is best able to fulfil the role of advising the Authority about the protection of children from harm for the purposes of Section 157(b) of the Act.

4.3 The contact details of all the Responsible Authorities under the Gambling Act 2005 are available via the council's website at: www.lancaster.gov.uk and are listed at Appendix 2

5.0 Interested Parties

5.1 Interested parties can make representations about licence applications, or apply for a review of an existing licence. These parties are defined in the Gambling Act 2005 as follows:

"For the purposes of this Part a person is an interested party in relation to an application for or in respect of a premises licence if, in the opinion of the licensing authority which issues the licence or to which the applications is made, the person:

- a) lives sufficiently close to the premises to be likely to be affected by the authorised activities;
- b) has business interests that might be affected by the authorised activities, or
- c) represents persons who satisfy paragraph (a) or (b)"

5.2 The licensing authority is required by regulations to state the principles it will apply in exercising its powers under the Gambling Act 2005 to determine whether a person is an interested party.

- 5.3 This authority will not apply a rigid rule to its decision making and each case will be decided upon its merits. It will consider the examples of considerations provided in the Gambling Commission's Guidance for local authorities at Paragraphs 8.11 to 8.18.
- 5.4 It will also consider the Gambling Commission's Guidance that "has business interests" should be given the widest possible interpretation and include partnerships, charities, faith groups and medical practices.
- 5.5 The Gambling Commission has recommended that the licensing authority states that interested parties may include trade associations and trade unions, and residents' and tenants' associations. This authority will not however generally view these bodies as interested parties unless they represent a member who can be classed as an interested person under the terms of the Gambling Act 2005 i.e. lives sufficiently close to the premises to be likely to be affected by the activities being applied for.
- 5.6 Interested parties can be persons who are democratically elected such as councillors and MP's. No specific evidence of being asked to represent an interested person will be required as long as the councillor/MP represents the ward likely to be affected. Likewise, parish councils likely to be affected will be considered to be interested parties. Other than these however, this authority will generally require written evidence that a person/body (eg an advocate/relative) 'represents' someone who either lives sufficiently close to the premises to be likely to be affected by the authorised activities and/or has business interests that might be affected by the authorised activities. A letter from one of these persons, requesting the representation is likely to be sufficient.
- 5.7 If individuals wish to approach councillors to ask them to represent their views then care should be taken that the councillors are not a Member of the Licensing Committee dealing with the licence application. If there are any doubts then please contact the council's Licensing Department.

6.0 Exchange of Information

- 6.1 Licensing Authorities are required to include in their statements the principles to be applied by the authority in exercising the functions under sections 29 and 30 of the Act with respect to the exchange of information between it and the Gambling Commission, and the functions under section 350 of the Act with respect to the exchange of information between it and the other persons listed in Schedule 6 to the Act.
- 6.2 The principle that this licensing authority applies is that it will act in accordance with the provisions of the Gambling Act 2005 in its exchange of information which includes the provision that the Data Protection Act 1998 will not be contravened. The licensing authority will also have regard to any Guidance issued by the Gambling Commission on this matter,

as well as any relevant regulations issued by the Secretary of State under the powers provided in the Gambling Act 2005.

- 6.3 Should any protocols be established as regards information exchange with other bodies then they will be made available. This authority will normally share the information it holds about licensed premises with the Gambling Commission, the police and other responsible authorities.

7.0 Enforcement

- 7.1 Licensing authorities are required by regulation under the Gambling Act 2005 to state the principles to be applied by the authority in exercising the functions under Part 15 of the Act with respect to the inspection of premises; and the powers in the Act to institute criminal proceedings in respect of the offences specified.

- 7.2 This licensing authority's principles are that:

It will be guided by the Gambling Commission's Guidance for local authorities and will endeavour to be:

- Proportionate: regulators should only intervene when necessary: remedies should be appropriate to the risk posed, and costs identified and minimised;
- Accountable: regulators must be able to justify decisions, and be subject to public scrutiny;
- Consistent: rules and standards must be joined up and implemented fairly;
- Transparent: regulators should be open, and keep regulations simple and user friendly; and
- Targeted: regulation should be focused on the problem, and minimise side effects.

- 7.3 As per the Gambling Commission's Guidance to Licensing Authorities, this licensing authority will endeavour to avoid duplication with other regulatory regimes so far as possible.

- 7.4 This licensing authority has adopted and implemented a risk-based inspection programme, based on;

- The licensing objectives
- Relevant codes of practice

- Guidance issued by the Gambling Commission, in particular at Part 36
- The principles set out in this statement of licensing policy

7.5 The main enforcement and compliance role for this licensing authority in terms of the Gambling Act 2005 is to ensure compliance with the premises licences and other permissions which it authorises. The Gambling Commission will be the enforcement body for the operating and personal licences. It is also worth noting that concerns about manufacture, supply or repair of gaming machines are not dealt with by the licensing authority but should be notified to the Gambling Commission.

7.6 This licensing authority also keeps itself informed of developments as regards the work of the Better Regulation Executive in its consideration of the Regulatory functions of local authorities.

7.7 Bearing in mind the principle of transparency, this licensing authority's enforcement protocol is available upon request to the licensing department. Our risk based inspection is also available upon request.

8.0 Licensing Authority Functions

Local Authorities

8.1 Licensing Authorities are required under the Act to:

- Be responsible for the licensing of premises where gambling activities are to take place by issuing Premises Licences
- Issue Provisional Statements
- Regulate members' clubs and miners' welfare institutes who wish to undertake certain gaming activities via issuing Club Gaming Permits and/or Club Machine Permits
- Issue Club Machine Permits to Commercial Clubs
- Grant permits for the use of certain lower stake gaming machines at unlicensed Family Entertainment Centres
- Receive notifications from alcohol licensed premises (under the Licensing Act 2003) for the use of two or fewer gaming machines
- Issue Licensed Premises Gaming Machine Permits for premises licensed to sell/supply alcohol for consumption on the licensed premises, under the Licensing Act 2003, where there are more than two machines

- Register small society lotteries below prescribed thresholds
- Issue Prize Gaming Permits
- Receive and Endorse Temporary Use Notices
- Receive Occasional Use Notices
- Provide information to the Gambling Commission regarding details of licences issued (see section above on 'information exchange')
- Maintain registers of the permits and licences that are issued under these functions
- Exercise its powers of compliance and enforcement under the Act, in partnership with the Gambling Commission and other relevant responsible authorities.

It should be noted that licensing authorities are not involved in licensing remote gambling at all, which is regulated by the Gambling Commission via operating licences.

The Gambling Commission

- 8.2 The Gambling Commission regulates gambling in the public interest. It does so by keeping crime out of gambling; by ensuring that gambling is conducted in a fair and open way; and by protecting children and vulnerable people. The Commission provides independent advice to the Government about the matter in which gambling is carried out, the effects of gambling and the regulations of gambling generally.
- 8.3 The Commission has issued guidance under Section 25 of the Act about the manner in which licensing authorities exercise their licensing functions under the Act and, in particular, the principles to be applied.
- 8.4 The Commission has also issued Codes of Practice under Section 24 about the way in which facilities for gambling is provided, which may also include provisions about the advertising of gambling facilities.
- 8.5 The Gambling Commission can be contacted at:

Gambling Commission
Victoria Square House
Victoria Square
Birmingham
B2 4BP

Website: www.gamblingcommission.gov.uk

Email: info@gamblingcommission.gov.uk

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Part B

Premises Licences

9.0 General Principles

- 9.1 Premises licences are subject to the requirements set-out in the Act and regulations, as well as specific mandatory and default conditions which will be detailed in regulations issued by the Secretary of State. The licensing authority is able to exclude default conditions and also attach others, where it is believed to be appropriate.
- 9.2 Conditions beyond the mandatory and default conditions will only be imposed where there is evidence of a risk to the licensing objectives that requires the mandatory and default conditions to be supplemented
- 9.3 This licensing authority is aware that in making decisions about premises licences it should aim to permit the use of premises for gambling in so far as it thinks it:
- in accordance with any relevant code of practice issued by the Gambling Commission;
 - in accordance with any relevant guidance issued by the Gambling Commission;
 - reasonably consistent with the licensing objectives; and
 - in accordance with the authority's statement of licensing policy.

This authority will not regard moral objections to gambling as a valid reason to reject applications for premises licences (except as regards any 'no casino resolution' - see section on Casinos below) and also acknowledges that unmet demand is not a criterion for a licensing authority to consider. Issues of nuisance and the likelihood of planning permission or building regulations are not issues that can be taken into account when considering an application for a premise licence.

- 9.4 Licence conditions are one method by which it is possible to mitigate risks associated with a particular premises. The imposition of licence conditions might be prompted by locality specific evidence based risks. If additional conditions are to be imposed, they will be imposed following evidence heard of risk to the licensing objectives not already addressed by the mandatory and default conditions
- 9.5 Wherever possible and where there are justifiable concerns the licensing authority will have a proactive engagement with local operators to mitigate risks to the licensing objectives. Such engagement could facilitate an open and constructive partnership which, in turn would aim to improve compliance and reduce regulatory costs.

- 9.6 The Gambling Commissions Licensing Conditions and Code of Practice (LCCP) document contains two types of code provisions:
- Social responsibility code provisions: compliance with these is a condition of licences
 - Ordinary code provisions: These do not have the status of operator licence conditions but set out good practice. Operators may adopt alternative approaches to those set out in ordinary code provisions if they have actively taken account of the ordinary code provisions and can demonstrate that an alternative approach is reasonable in the operator's particular circumstances; or that to take an alternative approach would be acting in a similar effective manner.
- 9.7 To improve the exchange of information between licensing authorities and operators, the Commission has introduced social responsibility code provisions that require operators of premises-based businesses to conduct local risk assessments (SR 10.1.1), and an ordinary code provision that says licensees should share their risk assessments with licensing authorities in certain circumstances (OC 10.1.2).
- 9.8 SR 10.1.1 which will come into force on 6th April 2016 applies to non-remote licensees who hold or are applying for premise licences. The provision requires licensees to assess and have policies, procedures and control measures to mitigate local risks to the licensing objectives, taking account of the licensing authority's statement of licensing policy. It goes on to require local risk assessments to be reviewed when there are significant changes in local circumstances or at the premises, or when applying for a new licence or a variation of a licence. The risk assessments should be carried out to identify specific risks to the licensing objectives in the local area and to assess whether control measures going beyond standard control measures are needed.
- 9.9 The licensing authority when considering an application in relation to the grant or variation of the premise licence will expect to see a risk assessment that has been carried out as per the above provision and will give consideration to that risk assessment before making a decision.
- 9.10 **Definition of "premises"** – In the Act, premises is defined as including "any place". Section 152 therefore prevents more than one premises license applying to any place. But a single building could be subject to more than one premises licence, provided they are for different parts of the building and the different parts of the building can be reasonably regarded as being different premises. This approach has been taken to allow large, multiple unit premises such as a pleasure park, pier, track or shopping mall to obtain discrete premises licences, where appropriate safeguards are in place. However, licensing authorities should pay particular attention if there are issues about sub-divisions of a single building or plot and should ensure that mandatory conditions relating to access between premises are observed.

- 9.11 The Gambling Commission states in the latest edition of its Guidance to Licensing Authorities that: “In most cases the expectation is that a single building/plot will be the subject of an application for a licence, for example, 32 High Street. But, that does not mean 32 High Street cannot be the subject of separate premises licences for the basement and ground floor, if they are configured acceptably. Whether different parts of a building can properly be regarded as being separate premises will depend on the circumstances. The location of the premises will clearly be an important consideration and the suitability of the division is likely to be a matter for discussion between the operator and the licensing officer. However, the Commission does not consider that areas of a building that are artificially or temporarily separated, for example by ropes or moveable partitions, can properly be regarded as different premises.”
- 9.12 This licensing authority takes particular note of the Gambling Commission’s Guidance to Licensing Authorities which states that: “licensing authorities should take particular care in considering applications for multiple licences for a building and those related to a discrete part of a building used for other (non gambling) purposes. In particular they should be aware of the following:
- The third licensing objective seeks to protect children from being harmed by gambling. In practice that means not only preventing them from taking part in gambling, but also preventing them from being in close proximity to gambling. Therefore premises should be configured so that children are not invited to participate in, have accidental access to or closely observe gaming where they are prohibited from participating.
 - Entrances to and exits from parts of a building covered by one or more premises licences should be separate and identifiable so the separation of different premises is not compromised and people do not ‘drift’ into a gambling area. In this context it should normally be possible to access the premises without going through another licensed premises or premises with a permit.
 - Customers should be able to participate in the activities named on the premises licence.

The Guidance also gives a list of factors which the licensing authority should be aware of, which may include:

- Do the premises have a separate registration for business rates
- Is the premises’ neighbouring premises owned by the same person or someone else?
- Can each of the premises be accessed from the street or a public passageway?
- Can the premises only be accessed from another gambling premises?

This authority will consider these and other relevant factors in making its decision, depending on all the circumstances of the case.

9.13 Licensing authorities are subject to some specific constraints in exercising their functions. s.153 of the Act provides that licensing authorities shall aim to permit the use of premises for gambling in so far as the application is in accordance with the principles set out in s.153(a) to (d).

- (a) in accordance with any code of practice under section 24,
- (b) in accordance with any relevant guidance issued by the Commission under section 25
- (c) reasonably consistent with the licensing objectives (subject to paragraphs (a) and (b)), and
- (d) in accordance with the statement published by the authority under section 349 (subject to paragraphs (a) to (c)).

Therefore a licensing authority has no discretion to grant a premises licence where that would mean taking a course which it did not think accorded with the Commissions Guidance, any relevant Commission code of practice, the licensing objectives or the licensing authority's own policy statement.

In addition, the Act makes specific reference to factors that must **not** be considered by a licensing authority in exercising its functions under s.153:

- the expected demand for facilities (s.153)(2)
- whether the application is to be permitted in accordance with law relating to planning or building (s.153)(1).

9.14 **The Gambling Commission's relevant access provisions for each premises type are reproduced below:**

Casinos

- The principal access entrance to the premises must be from a street (as defined at 7.23 of the Guidance).
- No entrance to a casino must be from premises that are used wholly or mainly by children and/or young persons.
- No person must be able to enter a casino directly from any other premises which holds a gambling premises licence.

Adult Gaming Centre

- No customer must be able to access the premises directly from any other licensed gambling premises.

Tracks

- No customer should be able to access the premises directly from:

- a casino
- an adult gaming centre

Bingo Premises

- No customer must be able to access the premises directly from:
 - a casino
 - an adult gaming centre
 - a betting premises, other than a track

Family Entertainment Centre

- No customer must be able to access the premises directly from:
 - a casino
 - an adult gaming centre
 - a betting premises, other than a track

Part 7 of the Gambling Commission's Guidance to Licensing Authorities contains further guidance on this issue, which this authority will also take into account in its decision-making.

- 9.15 **Premises "ready for gambling"** – The Guidance states that a licence to use premises for gambling should only be issued in relation to premises that the licensing authority are satisfied will be ready to be used for gambling in the reasonably near future, considering the scale of the building works or alteration required before the premises are brought into use.
- 9.16 If the construction of a premises is not yet complete, or if they need alteration, or if the applicant does not yet have a right to occupy them, then an application for a provisional statement should be made instead.
- 9.17 In deciding whether a premises licence can be granted where there are outstanding construction or alteration works at a premises, this authority will determine applications on their merits, applying a two stage consideration process:-
- First, whether the premises ought to be permitted to be used for gambling
 - Second, whether appropriate conditions can be put in place to cater for the situation that the premises are not yet in the state in which they ought to be before gambling takes place.
- 9.18 Applicants should note that this authority is entitled to decide that it is appropriate to grant a licence subject to conditions, but it is not obliged to grant such a licence.
- 9.19 **Location** - This licensing authority is aware that demand issues cannot be considered with regard to the location of premises but that considerations in terms of the licensing objectives are relevant to its decision-making. As per the Gambling Commission's Guidance to Licensing Authorities, this authority will pay particular attention to the protection of children and vulnerable persons from being harmed or exploited by gambling, as well as issues of crime and disorder. Should any specific policy be decided upon as regards areas where

gambling premises should not be located, this statement will be updated. It should be noted that any such policy does not preclude any application being made and each application will be decided on its merits, with the onus upon the applicant showing how potential concerns can be overcome.

9.20 **Planning** – The Gambling Commission Guidance to Local Authorities states:

7.59 – In determining applications the licensing authority has a duty to take into consideration all relevant matters and not to take into consideration irrelevant matters, i.e. those not related to gambling and the licensing objectives. One example of an irrelevant matter would be the likelihood of the applicant obtaining planning permission or building regulations approval for their proposal.

This authority will not take into account irrelevant matters as per the above guidance. In addition this authority notes the following excerpt from the guidance:

7.66 – When dealing with a premises licence application for finished buildings, the licensing authority should not take into account whether those buildings have or comply with the necessary planning or building consents. Those matters should be dealt with under relevant planning control and building regulation powers, and not form part of the consideration for the premises licence. Section 210 of the Act prevents licensing authorities taking into account the likelihood of the proposal by the applicant obtaining planning or building consent when considering a premises licence application. Equally the grant of a gambling premises licence does not prejudice any action that may be appropriate under law relating to planning or building.

9.21 **Duplication with other regulatory regimes** - This licensing authority will seek to avoid any duplication with other statutory/regulatory systems where possible, including planning. This authority will not consider whether a licence application is likely to be awarded planning permission or building regulations approval, in its consideration of it. It will though, listen to, and consider carefully, any concerns about conditions which are not able to be met by licensees due to planning restrictions, should such a situation arise.

When dealing with a premises licence application for finished buildings, this authority will not take into account whether those buildings have to comply with the necessary planning or building consents. Fire or health and safety risks will not be taken into account, as these matters are dealt with under relevant planning control, buildings and other regulations and must not form part of the consideration for the premises licence.

Licensing Objectives

- 9.22 Premises licences granted must be reasonably consistent with the licensing objectives. With regard to these objectives, this licensing authority has considered the Gambling Commission's Guidance to local authorities and some comments are made below.
- 9.23 **Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime** - This licensing authority is aware that the Gambling Commission will be taking a leading role in preventing gambling from being a source of crime. The Gambling Commission's Guidance does however envisage that licensing authorities should pay attention to the proposed location of gambling premises in terms of this licensing objective. Thus, if an area should have known high levels of organised crime this authority will consider carefully whether gambling premises are suitable to be located there and whether conditions may be suitable such as the provision of door supervisors. This licensing authority is aware of the distinction between disorder and nuisance and will consider factors such as whether police assistance was required and how threatening the behaviour was to those who could see it, so as to make that distinction. Issues of nuisance cannot be addressed via the Gambling Act provisions.
- 9.24 **Ensuring that gambling is conducted in a fair and open way** - This licensing authority has noted that the Gambling Commission states that it generally does not expect licensing authorities to become concerned with ensuring that gambling is conducted in a fair and open way as this will be addressed via operating and personal licences issued by the Gambling Commission. There is however, more of a role with regard to tracks which is explained in more detail in the 'tracks' section below at Paragraph 15.
- 9.25 **Protecting children and other vulnerable persons from being harmed or exploited by gambling** - This objective means preventing children from taking part in gambling (as well as restriction of advertising so that gambling products are not aimed at or are, particularly attractive to children). The licensing authority will therefore consider, whether specific measures are required at particular premises, with regard to this licensing objective. Appropriate measures may include supervision of entrances/ machines, segregation of areas etc.

This licensing authority is also aware of the Gambling Commission Codes of Practice as regards this licensing objective, in relation to specific premises.

- 9.26 As regards the term "vulnerable persons" it is noted that the Gambling Commission does not seek to offer a definition but states that "it will for regulatory purposes assume that this group includes people who gamble more than they want to; people who are gambling beyond their means; and people who may not be able to make informed or balanced decisions about gambling due to a mental impairment, learning disabilities, alcohol or drugs. This licensing authority will consider this licensing objective on a case by case basis.

Conditions

- 9.27 Any conditions attached to licences will be proportionate and will be:
- relevant to the need to make the proposed building suitable as a gambling facility;
 - directly related to the premises and the type of licence applied for;
 - fairly and reasonably related to the scale and type of premises; and
 - reasonable in all other respects.
- 9.28 Decisions upon individual conditions will be made on a case by case basis, although there will be a number of measures this licensing authority will consider utilising should there be a perceived need, such as the use of door supervisors, appropriate signage for adult only areas etc. There are specific comments made in this regard under some of the licence types below. This licensing authority will also expect the licence applicant to offer his/her own suggestions as to the way in which the licensing objectives can be met effectively.
- 9.29 This licensing authority will also consider specific measures which may be required for buildings which are subject to multiple premises licences. Such measures may include the supervision of entrances; segregation of gambling from non-gambling areas frequented by children; and the supervision of gaming machines in non-adult gambling specific premises in order to pursue the licensing objectives. These matters are in accordance with the Gambling Commission's Guidance.
- 9.30 This authority will also ensure that where category C (for information about the different categories of machine, please see appendix 3) or above machines are on offer in premises to which children are admitted:
- all such machines are located in an area of the premises which is separated from the remainder of the premises by a physical barrier which is effective to prevent access other than through a designated entrance;
 - only adults are admitted to the area where these machines are located;
 - access to the area where the machines are located is supervised;
 - the area where these machines are located is arranged so that it can be observed by the staff or the licence holder; and
 - at the entrance to and inside any such areas there are prominently displayed notices indicating that access to the area is prohibited to persons under 18.

These considerations will apply to premises including buildings where multiple premises licences are applicable.

- 9.31 This licensing authority is aware that tracks may be subject to one or more than one premises licence, provided each licence relates to a specified area of the track. As per the Gambling Commission's Guidance this licensing authority will consider the impact upon the objective to protect children and other vulnerable persons from being harmed or exploited by gambling and the need to ensure that entrances to each type of premises are distinct and that children are excluded from gambling areas where they are not permitted to enter.
- 9.32 It is noted that there are conditions which the licensing authority cannot attach to premises licences which are:
- any condition on the premises licence which makes it impossible to comply with an operating licence condition;
 - conditions relating to gaming machine categories, numbers, or method of operation;
 - conditions which provide that membership of a club or body be required (the Gambling Act 2005 specifically removes the membership requirement for casino and bingo clubs and this provision prevents it being reinstated; and
 - conditions in relation to stakes, fees, winning or prizes.
- 9.33 **Door Supervisors** – The Gambling Commission advises in its Guidance to Licensing Authorities that if a licensing authority is concerned that a premises may attract disorder or be subject to attempts at unauthorised access (for example by children and young persons) then it may require that the entrances to the premises are controlled by a door supervisor, and is entitled to impose a premises licence condition to this effect.
- 9.34 Where it is decided that supervision of entrances/machines is appropriate for particular cases, a consideration of whether these need to be SIA licensed or not will be necessary. It will not be automatically assumed that they need to be licensed, as the statutory requirements for different premises vary (as per Guidance, Part 33).
- 9.35 It should be noted that the above paragraphs relate to door supervisors only in relation to premises licences granted under the Gambling Act 2005. Where a premises licence has also been granted under the Licensing Act 2003 in relation to the same premises, there may also be conditions on that licence which relate to door supervisors. The premises licence holder should ensure compliance with those conditions.

10.0 Adult Gaming Centres

- 10.1 This licensing authority will specifically have regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the authority that there will be sufficient measures to, for example, ensure that under 18 year olds do not have access to the premises.

10.2 This licensing authority will expect applicants to offer their own measures to meet the licensing objectives however appropriate measures/licence conditions may cover issues such as:

- Proof of age schemes
- CCTV – this should be of sufficient quality that it will be of use in evidence
- Supervision of entrances/machine areas
- Physical separation of areas
- Location of entry
- Notices/signage
- Specific opening hours
- Self-exclusion schemes – these are schemes whereby individuals who acknowledge they have a gambling problem ask to be barred from certain premises.
- Provision of information leaflets/helpline numbers for organisations such as GamCare.

10.3 This list is not mandatory, nor exhaustive, and is merely indicative of example measures which applicants can consider implementing.

11.0 (Licensed) Family Entertainment Centres

11.1 This licensing authority will specifically have regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the authority, for example, that there will be sufficient measures to ensure that under 18 year olds do not have access to the adult only gaming machine areas.

11.2 This licensing authority will expect applicants to offer their own measures to meet the licensing objectives however appropriate measures/licence conditions may cover issues such as:

- Proof of age schemes
- CCTV – this should be of sufficient quality that it will be of use in evidence
- Supervision of entrances/machine areas
- Physical separation of areas

- Location of entry
- Notices/signage
- Specific opening hours
- Self-exclusion schemes– these are schemes whereby individuals who acknowledge they have a gambling problem ask to be barred from certain premises
- Provision of information leaflets/helpline numbers for organisations such as GamCare.
- Measures/training for staff on how to deal with suspected truant school children on the premises

11.3 This list is not mandatory, nor exhaustive, and is merely indicative of example measures which applicants can consider implementing.

11.4 This licensing authority will refer to the Gambling Commission's website to see any conditions that apply to operating licences covering the way in which the area containing the category C machines should be delineated. It will normally impose conditions on granting licences which accord with the above. This licensing authority will also make itself aware of and impose any mandatory or default conditions on these premises licences.

12.0 Casinos

12.1 *No Casinos resolution* - This licensing authority has not passed a 'no casino' resolution under Section 166 of the Gambling Act 2005, but is aware that it has the power to do so. Should this licensing authority decide in the future to pass such a resolution, it will update this policy statement with details of that resolution. Any such decision will be made by the Full Council.

12.2 *Casinos and competitive bidding* - This licensing authority is aware that where a licensing authority area is enabled to grant a premises licence for a new style casino (ie the Secretary of State has made such regulations under Section 175 of the Gambling Act 2005) there are likely to be a number of operators who will want to run the casino. In such situations the local authority will run a 'competition' under Schedule 9 of the Gambling Act 2005. Should the Secretary of State's approval be given for this licensing authority to grant a premises licence for a casino, the authority would run such a competition in line with the Gambling (Inviting Competing Applications for Large and Small Casino Premises Licences) Regulations 2008, as well as following the procedure set out in Part 17 of the Guidance.

12.3 *Licence considerations/conditions* – This licensing authority will attach conditions to casino premises licences according to the principles set out in the Gambling Commission's Guidance at paragraph 9, bearing in mind the mandatory conditions listed in paragraph 17 of

the Guidance, and the Licence Conditions and Codes of Practice published by the Gambling Commission.

- 12.4 *Betting machines* - This licensing authority will, as per the Gambling Commission's Guidance, take into account the size of the premises, the number of counter positions available for person-to-person transactions, and the ability of staff to monitor the use of the machines by children and young persons (it is an offence for those under 18 to bet) or by vulnerable people, when considering the number/nature/circumstances of betting machines an operator wants to offer.

13. Bingo Premises

This licensing authority notes that the Gambling Commission's Guidance states:

- 13.1 Licensing Authorities will need to satisfy themselves that bingo can be played in any bingo premises for which they issue a premises licence. This will be a relevant consideration where the operator of an existing bingo premises applies to vary their licence to exclude an area of the existing premises from its ambit and then applies for a new premises licence, or multiple licences, for that or those excluded premises.
- 13.2 Licensed bingo premises in existence before 13th July 2011 are entitled to make available eight category B gaming machines or 20% of the total number whichever is the greatest. Any bingo premises licences granted after 13th July 2011 are entitled to make available eight category B gaming machines or 20% of the total number but only until 1st April 2014 when they will be entitled to 20% of the total number of gaming machines only.
- 13.3 This authority also notes the Guidance at para. 18.8 regarding the unusual circumstances in which the splitting of pre-existing premises into two adjacent premises might be permitted, and in particular that it is not permissible to locate all gaming machines to which each of the licences brings an entitlement within one of the licensed premises (with none in the other one), as the gaming machine entitlement for that premises would be exceeded.
- 13.4 Children and young people are allowed into bingo premises; however they are not permitted to participate in bingo and if category B or C machines are made available for use these must be separated from areas where children and young people are allowed.
- 13.5 Amusement arcades providing prize bingo will require a prize gaming permit from the Council.

Members' Clubs and Commercial Clubs

- 13.6 Bingo may be provided at clubs and institutes either in accordance with a permit or providing that the limits in Section 275 of the Act are complied with. These restrictions limit the aggregate stake or prizes within any seven days of £2,000, and require the Commission to be notified as soon as is reasonably practicable if that limit is breached. Stakes or prizes above that limit will require a bingo operators' licence and the corresponding personal and premises licences.

14.0 Betting Premises

- 14.1 Anyone wishing to operate a betting office will require a betting premises licence from the Council. Children and young persons will not be able to enter premises with a betting premises licence.
- 14.2 Betting premises will be able to provide a limited number of gaming machines and some betting machines.
- 14.3 *Betting machines* - This licensing authority will, as per the Gambling Commission's Guidance, take into account the size of the premises, the number of counter positions available for person-to-person transactions, and the ability of staff to monitor the use of the machines by children and young persons (it is an offence for those under 18 to bet) or by vulnerable people, when considering the number/nature/circumstances of betting machines an operator wants to offer.

15.0 Tracks

- 15.1 Only one premises licence can be issued for any particular premises at any time unless the premises is a 'track'. A track is a site where races or other sporting events take place.
- 15.2 Track operators are not required to hold an 'operators licence' granted by the Gambling Commission. Therefore, premises licences for tracks, issued by the Council are likely to contain requirements for premises licence holders about their responsibilities in relation to the proper conduct of betting. Indeed, track operators will have an important role to play, for example in ensuring that betting areas are properly administered and supervised.
- 15.3 Although there will, primarily be a betting premises licence for the track there may be a number of subsidiary licences authorising other gambling activities to take place. Unlike betting offices, a betting premises licence in respect of a track does not give an automatic entitlement to use gaming machines.
- 15.4 This licensing authority is aware that tracks may be subject to one or more than one premises licence, provided each licence relates to a specified area of the track. As per the

Gambling Commission's Guidance, this licensing authority will especially consider the impact upon the third licensing objective (ie the protection of children and vulnerable persons from being harmed or exploited by gambling) and the need to ensure that entrances to each type of premises are distinct and that children are excluded from gambling areas where they are not permitted to enter.

- 15.5 This authority will therefore expect the premises licence applicant to demonstrate suitable measures to ensure that children do not have access to adult only gaming facilities. It is noted that children and young persons will be permitted to enter track areas where facilities for betting are provided on days when dog-racing and/or horse racing takes place, but that they are still prevented from entering areas where gaming machines (other than category D machines) are provided.
- 15.6 This licensing authority will expect applicants to offer their own measures to meet the licensing objectives, however appropriate measures/licence conditions may cover issues such as:
- Proof of age schemes
 - CCTV– this should be of sufficient quality that it will be of use in evidence
 - Supervision of entrances/machine areas
 - Physical separation of areas
 - Location of entry
 - Notices/signage
 - Specific opening hours
 - Self-exclusion schemes– these are schemes whereby individuals who acknowledge they have a gambling problem ask to be barred from certain premises.
 - Provision of information leaflets/helpline numbers for organisations such as GamCare
- 15.7 This list is not mandatory, nor exhaustive, and is merely indicative of example measures which applicants can consider implementing.
- 15.8 *Gaming machines* -□ Where the applicant holds a pool betting operating licence and is going to use the entitlement to four gaming machines, machines (other than category D machines) should be located in areas from which children are excluded.
- 15.9 *Betting machines* - Licensing authorities have a power under the Gambling Act 2005 to restrict the number of betting machines, their nature and the circumstances in which they

are made available, by attaching a licence condition to a betting premises licence.

Similar considerations apply in relation to tracks, where the potential space for such machines may be considerable, bringing with it significant problems in relation to the proliferation of such machines, the ability of track staff to supervise them if they are scattered around the track and the ability of the track operator to comply with the law and prevent children betting on the machines.

This licensing authority will, as per Part 6 of the Gambling Commission's Guidance, take into account the size of the premises and the ability of staff to monitor the use of the machines by children and young persons (it is an offence for those under 18 to bet) or by vulnerable people, when considering the number/nature/circumstances of betting machines an operator wants to offer.

- 15.10 *Condition on rules being displayed* - A condition will normally be attached to track premises licences requiring the track operator to ensure that the rules relating to tracks which are contained in the Act are prominently displayed in or near the betting areas, or that other measures are taken to ensure that they are made available to the public. For example, the rules could be printed in the race-card or made available in leaflet form from the track office.
- 15.11 *Applications and plans* – The Act (s51) requires applicants to submit plans of the premises with their application, in order to ensure that the licensing authority has the necessary information to make an informed judgement about whether the premises are fit for gambling. The plan will also be used for the licensing authority to plan future premises inspection activity (See Guidance, para 20.28).
- 15.12 Plans for tracks do not need to be in a particular scale, but should be drawn to scale and should be sufficiently detailed to include the information required by regulations (see Guidance, para 20.29).
- 15.13 Some tracks may be situated on agricultural land where the perimeter is not defined by virtue of an outer wall or fence, such as point-to-point racetracks. In such circumstances, where an entry fee is levied, track premises licence holders may erect temporary structures to restrict access to premises (See Guidance, para 20.31)
- 15.14 In the rare cases where the outer perimeter cannot be defined, it is likely that the track in question will not be specifically designed for the frequent holding of sporting events or races. In such cases betting facilities may be better provided through occasional use notices where the boundary premises do not need to be defined (See Guidance, para 20.32).
- 15.15 This authority appreciates it is sometimes difficult to define the precise location of betting areas on tracks. The precise location of where betting facilities are provided is not required to be shown on the track plans, both by virtue of the fact that betting is permitted anywhere on the premises and because of the difficulties associated with pinpointing exact locations

for some types of track. Applicants should provide sufficient information that this authority can satisfy itself that the [plan indicates the main areas where betting might take place. For racecourses in particular, any betting areas subject to the “five times rule” (commonly known as betting rings) must be indicated on the plan (See Guidance, para 20.33).

16.0 Travelling Fairs

16.1 This licensing authority is responsible for deciding whether, where category D machines and/or equal chance prize gaming without a permit is to be made available for use at travelling fairs, the statutory requirement that the facilities for gambling amount to no more than an ancillary amusement at the fair is met.

16.2 The licensing authority will also consider whether the applicant falls within the statutory definition of a travelling fair:

For the purposes of this Act –

(a) “fair” means a fair consisting wholly or principally of the provision of amusements, and

(b) a fair held on a day in a calendar year is a “travelling fair” if provided-

(i) wholly or principally by persons who travel from place to place for the purpose of providing fairs, and

(ii) at a place no part of which has been used for the provision of a fair on more than 27 days in that calendar year.

16.3 It is noted that the 27-day statutory maximum for the land being used as a fair, is per calendar year, and that it applies to the piece of land on which the fairs are held, regardless of whether it is the same or different travelling fairs occupying the land. This licensing authority will work with its neighbouring authorities to ensure that land which crosses our boundaries is monitored so that the statutory limits are not exceeded.

17.0 Provisional Statements

17.1 Developers may wish to apply to this authority for provisional statement before entering into a contract to buy or lease property or land to judge whether a development is worth taking forward in light of the need to obtain a premises licence. There is no need for the applicant to hold an operating licence in order to apply for a provisional statement.

17.2 S204 of the Act provides for a person to make application to the licensing authority for a provisional statement in respect of premises that he or she:

- Expects to be constructed;
- Expects to be altered; or
- Expects to acquire a right to occupy.

- 17.3 The process for considering an application for a provisional statement is the same as that for a premises licence application. The applicant is obliged to give notice of the application in the same way as applying for a premises licence. Responsible authorities and interested parties may make representations and there are rights of appeal.
- 17.4 In contrast to the premises licence application, the applicant does not have to hold or have applied for an operating licence from the Gambling Commission (except in the case of a track) and they do not have to have a right to occupy the premises in respect of which their provisional application is made.
- 17.5 The holder of a provisional statement may then apply for a premises licence once the premises are constructed, altered or acquired. The licensing authority will be constrained in the matters it can consider when determining the premises licence application, and in terms of representations about premises licence applications that follow the grant of a provisional statement, no further representations from responsible authorities or interested parties can be taken into account unless they:
- concern matters which could not have been raised by objectors at the provisional licence stage; or
 - reflect a change in the operator's circumstances.
- 17.6 In addition the licensing authority may refuse the premises licence (or grant it on terms different to those attached to the provisional statement) only by reference to matters:
- Which could not have been raised by objectors at the provisional statement stage;
 - Which in the authority's opinion reflect a change in the operator's circumstances; or
 - Where the premises has not been constructed in accordance with the plan submitted with the application. This must be a substantial change to the plan and this licensing authority notes that it can discuss any concerns it has with the applicant before making a decision.

18.0 Reviews

- 18.1 Requests for a review of a premises licence can be made by interested parties or responsible authorities, however, it is for the licensing authority to decide whether the review is to be carried-out. This will be on the basis of whether the request for the review is relevant to the matters listed below:
- in accordance with any relevant code of practice issued by the Gambling Commission;
 - in accordance with any relevant guidance issued by the Gambling Commission;
 - reasonably consistent with the licensing objectives; and
 - in accordance with this authority's statement of licensing policy.
- 18.2 The request for a review will also be subject to the consideration by the licensing authority as to whether the request is frivolous, vexatious, or whether it will certainly not cause this

authority to wish to alter/revoke/suspend the licence, or whether it is substantially the same as previous representations or requests for review.

- 18.3 Once a valid application for a review has been received by the licensing authority, representations can be made by responsible authorities and interested parties during a 28 day period. This period begins 7 days after the application was received by the licensing authority, who will publish notice of the application within 7 days of receipt.
- 18.4 The licensing authority must carry out the review as soon as possible after the 28 day period for making representations has passed.
- 18.5 The purpose of the review will be to determine whether the licensing authority should take any action in relation to the licence. If action is justified, the options open to the licensing authority are:
- Add, remove or amend a licence condition imposed by the licensing authority;
 - Exclude a default condition imposed by the Secretary of State (e.g. opening hours) or remove or amend such an exclusion;
 - Suspend the premises licence for a period not exceeding three months; and
 - Revoke the premises licence.
- 18.6 In determining what action, if any, should be taken following a review, the licensing authority must have regard to the principles set out in s153 of the Act, as well as any relevant representations.
- 18.7 In particular, the licensing authority may also initiate a review of the premises licence on the grounds that a premises licence holder has not provided facilities for gambling at the premises. This is to prevent people from applying for licences in a speculative manner without intending to use them.
- 18.8 Once the review has been completed, the licensing authority must, as soon as possible, notify its decision to:
- The licence holder;
 - The applicant for review (if any);
 - The Gambling Commission;
 - Any person who made representations;
 - The chief officer of police or Chief Constable;
 - Her Majesty's Commissioners for Revenues and Customs.

Part C

Permits/Temporary & Occasional Use Notice

19.0 Unlicensed Family Entertainment Centre Gaming Machine Permits (Statement of Principles on Permits - Schedule 10 paragraph 7)

- 19.1 Where a premises does not hold a premises licence but wishes to provide gaming machines, it may apply to the licensing authority for this permit. It should be noted that the applicant must show that the premises will be wholly or mainly used for making gaming machines available for use (s238 of the Act).
- 19.2 The Act states that a licensing authority may prepare a *statement of principles* that they propose to consider in determining the suitability of an applicant for a permit and in preparing this statement, and/or considering applications, it need not (but may) have regard to the licensing objectives and shall have regard to any relevant guidance issued by the Commission under section 25. The Gambling Commission's Guidance also states "In their three year licensing policy statement, licensing authorities may include a statement of principles that they propose to apply when exercising their functions in considering applications for permits, licensing authorities will want to give weight to child protection issues" (para, 24.6).
- 19.3 Guidance also states: "... An application for a permit may be granted only if the licensing authority is satisfied that the premises will be used as an unlicensed FEC, and if the chief officer of police has been consulted on the application....Licensing authorities might wish to consider asking applications to demonstrate:
- a full understanding of the maximum stakes and prizes of the gambling that is permissible in unlicensed FECs;
 - that the applicant has no relevant convictions (those that are set out in Schedule 7 of the Act; and
 - that staff are trained to have a full understanding of the maximum stakes and prizes. (para. 24.7)
- 19.4 It should be noted that a licensing authority cannot attach conditions to this type of permit.

- 19.5 This licensing authority will expect the applicant to show that there are policies and procedures in place to protect children from harm. Harm in this context is not limited to harm from gambling but includes wider child protection considerations. The efficiency of such policies and procedures will each be considered on their merits, however, they may include appropriate measures/training for staff as regards suspected truant school children on the premises, measures/training covering how staff would deal with unsupervised very young children being on the premises, or children causing perceived problems on/around the premises.
- 19.6 This licensing authority will also expect, as per Gambling Commission Guidance, that applicants demonstrate a full understanding of the maximum stakes and prizes of the gambling that is permissible in unlicensed FECs; that the applicant has no relevant convictions (Sched. 7 of the Act) and that staff are trained to have a full understanding of the maximum stakes and prizes.

20.0 (Alcohol) Licensed Premises Gaming Machine Permits - (Schedule 13 paragraph 4(1))

- 20.1 *Automatic entitlement: up to 2 machines* - There is provision in the Act for premises licensed to sell alcohol for consumption on the premises, to automatically have 2 gaming machines, of categories C and/or D. The operator of the premises merely needs to notify the licensing authority and pay the prescribed fee. The licensing authority can remove the automatic authorisation in respect of any particular premises if:
- provision of the machines is not reasonably consistent with the pursuit of the licensing objectives;
 - gaming has taken place on the premises that breaches a condition of section 282 of the Gambling Act (ie that written notice has been provided to the licensing authority, that a fee has been provided and that any relevant code of practice issued by the Gambling Commission about the location and operation of the machine has been complied with);
 - the premises are mainly used for gaming; or
 - an offence under the Gambling Act has been committed on the premises.
- 20.2 *Permit: 3 or more machines* - If the operator of alcohol licensed premises wishes to have more than 2 machines, then an application must be made for a permit and the licensing authority must consider that application based upon the licensing objectives, any guidance issued by the Gambling Commission issued under Section 25 of the Gambling Act 2005, and “*such matters as they think relevant.*”

20.3 This licensing authority considers that “*such matters*” will be decided on a case by case basis but generally there will be regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the authority that there will be sufficient measures to ensure that under 18 year olds do not have access to the adult only gaming machines. Measures which will satisfy the authority that there will be no access may include the adult machines being in sight of the bar, or in the sight of staff who will monitor that the machines are not being used by those under 18. Notices and signage may also be a help. As regards the protection of vulnerable persons, applicants may wish to consider the provision of information leaflets/helpline numbers for organisations such as GamCare.

20.4 This licensing authority recognises that some operators of alcohol licensed premises may apply for a premises licence for their non-alcohol licensed areas. Any such application would most likely need to be applied for, and dealt with as an Adult Gaming Centre premises licence.

20.5 The licensing authority may decide to grant the application with a smaller number of machines and/or a different category of machines than that applied for. Conditions (other than these) cannot be attached.

20.6 The holder of a permit must comply with any Code of Practice issued by the Gambling Commission about the location and operation of the machine.

21.0 Prize Gaming Permits - (Principles on Permits - Schedule 14 paragraph 8 (3))

21.1 The Gambling Act 2005 states that a licensing authority may “prepare a statement of principles that they propose to apply in exercising their functions under this Schedule” which “may, in particular, specify matters that the licensing authority proposes to consider in determining the suitability of the applicant for a permit”.

21.2 This licensing authority has prepared a statement of principles which is that the applicant should set out the types of gaming that he or she is intending to offer and that the applicant should demonstrate:

- That they understand the limits to stakes and prizes that are set out in Regulations;
- That the gaming offered is within the law;
- Clear policies that outline the steps to be taken to protect children from harm.

21.3 Prize gaming may be provided in bingo premises as a consequence of their bingo operating licence. Any type of prize gaming may be provided in adult gaming centres and licensed family entertainment centres. Unlicensed family entertainment centres may offer equal chance prize gaming under a gaming machine permit. Prize gaming without a permit may be provided by travelling fairs, providing that none of the gambling facilities at the fair amount to more than an ancillary amusement. Children and young people may participate in equal chance gaming only.

21.4 In making its decision on an application for this permit the licensing authority does not need to have regard to the licensing objectives but must have regard to any Gambling Commission guidance (Sched. 14 para. 8(3) of the Act).

21.5 It should be noted that there are conditions in the Gambling Act 2005 by which the permit holder must comply, but that the licensing authority cannot attach conditions. The conditions in the Act are:

- the limits on participation fees, as set out in regulations, must be complied with;
- all chances to participate in the gaming must be allocated on the premises on which the gaming is taking place and on one day; the game must be played and completed on the day the chances are allocated; and the result of the game must be made public in the premises on the day that it is played;
- the prize for which the game is played must not exceed the amount set out in regulations (if a money prize), or the prescribed value (if non-monetary prize); and
- participation in the gaming must not entitle the player to take part in any other gambling.

22.0 Club Gaming and Club Machines Permits (Principles on Permits - Schedule 12)

22.1 Members Clubs and Miners' Welfare Institutes (but not Commercial Clubs) may apply for a Club Gaming Permit or a Clubs Gaming Machines Permit. The Club Gaming Permit will enable the premises to provide gaming machines (3 machines of categories B, C or D), equal chance gaming and games of chance. A Club Gaming Machine Permit will enable the premises to provide gaming machines (up to 3 machines of categories B, C or D).

22.2 Gambling Commission Guidance states: "Members clubs must have at least 25 members and be established and conducted "wholly or mainly" for purposes other than gaming, unless the gaming is permitted by separate regulations. The Secretary of State has made regulations and these cover bridge and whist, which replicates the position under the Gaming Act 1968. A members' club must be permanent in nature, not established to make commercial profit, and controlled by its members equally. Examples include working men's clubs, branches of Royal British Legion and clubs with political affiliations".

22.3 The Guidance also states that licensing authorities may only refuse an application on the grounds that:

- the applicant does not fulfil the requirements for a members' or commercial club or miners' welfare institute and therefore is not entitled to receive the type of permit for which it has applied;
- the applicant's premises are used wholly or mainly by children and/or young persons;

- an offence under the Act or a breach of a permit has been committed by the applicant while providing gaming facilities;
- a permit held by the applicant has been cancelled in the previous ten years; or
- an objection has been lodged by the Gambling Commission or the police.

22.4 There is also a 'fast-track' procedure available under the Act for premises which hold a Club Premises Certificate under the Licensing Act 2003 (Sched. 12 paragraph 10). As the Gambling Commission's Guidance for local authorities states: "Under the fast-track procedure there is no opportunity for objections to be made by the Commission or the police, and the grounds upon which an authority can refuse a permit are reduced." and "The grounds on which an application under the process may be refused are:

- a) that the club is established primarily for gaming, other than gaming prescribed under schedule 12;
- b) that in addition to the prescribed gaming, the applicant provides facilities for other gaming; or
- c) that a club gaming permit or club machine permit issued to the applicant in the last ten years has been cancelled".

22.5 There are statutory conditions on club gaming permits that no child uses a category B or C machine on the premises and that the holder complies with any relevant provision of a code of practice about the location and operation of gaming machines.

23.0 Temporary Use Notices (Principles on Permits - Schedule 12)

23.1 Temporary Use Notices allow the use of premises for gambling where there is no premises licence but where a gambling operator wishes to use the premises temporarily for providing facilities for gambling. Premises that might be suitable for a Temporary Event Notice, according to the Gambling Commission, would include hotels, conference centres and sporting venues.

23.2 The licensing authority can only grant a Temporary Use Notice to a person or company holding a relevant operating licence, i.e. a non remote casino operating licence.

23.3 The Secretary of State has power to determine what form of gambling can be authorised by Temporary Use Notices, and at the time of writing this statement the relevant regulations (The Gambling Act (Temporary Use Notices) Regulations 2007) state that temporary Use Notices can only be used to permit the provision of facilities or equal chance gaming, where the gaming is intended to produce a single winner, which in practice means poker tournaments.

- 23.4 There are a number of statutory limits as regards Temporary Use Notices. The meaning of “premises” in Part 8 of the Act is discussed in Part 7 of the Guidance. As with “premises”, the definition of “a set of premises” will be a question of fact in the particular circumstances of each notice that is given. In the Act “premises” is defined as including “any place”. In considering whether a place falls within the definition of “a set of premises”, licensing authorities will need to look at, amongst other things, the ownership/occupation and control of the premises.
- 23.5 This licensing authority will normally object to notices where it appears that their effect would be to permit regular gambling in a place that could be described as one set of premises, as recommended in the Guidance.

24.0 Occasional Use Notices

- 24.1 The licensing authority has very little discretion as regards these notices aside from ensuring that the statutory limit of eight days in a calendar year is not exceeded. This licensing authority will though consider the definition of a ‘track’ and whether the applicant is permitted to avail him/herself of the notice.

Part D

Licence Conditions and Codes of Practice (LCCP)

25.0 The Gambling Commission released an LCCP in February 2015 with a commencement date of May 2015. The code strengthened the social responsibility code (SR) requirements. Details regarding the LCCP and SR code can be accessed via the Gambling Commission website at www.gamblingcommission.gov.uk.

The code requires operators;

- To supervise customers effectively on gambling premises and identify customers who are at risk of gambling related harm;
- To have in place schemes to allow customers to self-exclude themselves from all operators of a similar type in the area where they live and work;
- To have a range of measures with regard to marketing to ensure social responsibility that are transparent and not misleading; and
- To produce a risk assessment on individual premises, and have policies and procedures and control measures in place to mitigate local risks to the licensing objectives.

25.1 Risk Assessments

Such risk assessments are required from new applicants, and from existing premises licensees seeking to vary a licence and are to be presented to the licensing authority upon application. The code requires all operators of; Casino's, AGC's, Bingo Premises, FEC's, Betting shops and remote betting intermediaries to assess local risks to the licensing objectives, and to have policies, procedures and control measures in place to mitigate those risks.

25.2 Operators are required by the SR code to make the risk assessment available to licensing authorities when an application is submitted either for new premises licence or variation of a premises licence, or otherwise on request, and this will form part of the council's inspection regime and may be requested when officers are investigating complaints.

25.3 The code requires the Council to set out matters they expect the operator to take account of in the risk assessment in its statement of policy and this council expects the following matters to be considered by operators when making their risk assessment.

- Information held by the licensee regarding self-exclusions and incidences of underage gambling;
- Gaming trends that may reflect benefit payments;

- Arrangement for localised exchange of information regarding self-exclusions and gaming trends;
- Urban setting such as proximity to schools, commercial environment, factors affecting footfall;
- Range of facilities in proximity to the licensed premises such as other gambling outlets, banks, post offices, refreshment and entertainment type facilities; and
- Known problems in the area such as problems arising from street drinkers, youths participating in anti-social behaviour, drug dealing activities, etc.

25.4 The council expects the following matters to be considered by operators when making their risk assessment.

Matters relating to children and young persons, including;

- Institutions, places or areas where presence of children and young persons should be expected such as schools, youth clubs, parks,
- playgrounds and entertainment venues such as bowling allies, cinemas etc.;
- Any premises where children congregate including bus stops, café"s, shops, and any other place where children are attracted;
- Areas that are prone to issues of youths participating in anti-social behaviour, including such activities as graffiti/tagging, underage drinking, etc.; and
- Recorded incidents of attempted underage gambling.

Matters relating to vulnerable adults, including;

- Information held by the licensee regarding self-exclusions and incidence of underage gambling;
- Gaming trends that may mirror days for financial payments such as pay days or benefit payments;
- Arrangement for localised exchange of information regarding self-exclusions and gaming trends; and
- Proximity of premises which may be frequented by vulnerable people such as hospitals, residential care homes, medical facilities, doctor"s surgeries, council housing offices, addiction clinics or help centres, places where alcohol or drug dependant people may congregate, etc.

Other issues that may be considered could include:

- Matters of faith, including all religious or faith denominations including proximity to churches, mosques, temples or any other place of worship.

25.5 This list is not exhaustive and other factors not in this list that are identified must be taken into consideration.

26.0 Local Area Profile

26.1 The Council has considered the local area profile and feels the main issues will be covered by the risk assessments required under the LCCP.

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APPENDIX 1 – LIST OF CONSULTEES

All holders of gambling premises licences and permits issued by the council
All premises licensed under the Licensing Act 2003 where gaming machines are provided

All members of Lancaster City Council

All Parish councils within the Lancaster City Council area

Lancashire Constabulary ~ Lancashire Fire and Rescue Service

Lancashire Safeguarding Children Board

Lancashire County Council Children's Integrated Services

DRAFT

APPENDIX 2 - USEFUL ADDRESSES

Responsible Authorities

Application forms should be sent to the Licensing Manager

CONTACT DETAILS FOR LICENSING

AUTHORITY:

Licensing Manager
Lancaster City Council
Morecambe Town Hall
Marine Road
Morecambe LA4 4AF
Tel: (01524) 582033
Email: licensing@lancaster.gov.uk

CONTACT DETAILS OF OTHER RESPONSIBLE AUTHORITIES:

The Gambling Commission

Victoria Square House
Victoria Square
Birmingham B2 4BP
Tel: (0121) 230 6500
Fax: (0121) 237 2236
E-mail: info@gamblingcommission.gov.uk

Police Authority

The Licensing Officer
Lancaster Licensing Unit
West Division
Lancashire Constabulary
Thurnham Street
Lancaster LA1 1YB

Fire & Rescue Authority

Morecambe Community Fire Station
Westgate
Morecambe LA4 4TA

Lancashire County Council,
Public Health Licensing
Level 1
CCP Building
County Hall
Preston,
PR1 8XB

Directorate for Communities and Environment

Morecambe Town Hall
Morecambe LA4 5AF

Regeneration and Planning

Head of Regeneration and Planning
Town Hall
Dalton Square
Lancaster LA1 1PJ

Lancashire Safeguarding Children and Adults Board

Room D37/40
County Hall
Preston PR1 8RJ
E-mail: CYPsafeguarding@lancashire.gov.uk

H M Revenues and Customs

United Kingdom BX9 1AS
Tel: (0300 200 3300)

Other Useful Addresses

British Beer and Pub Association

Groundfloor
Brewer`s Hall
Aldermanbury Square
London
EC2V 7HR

Tel: 0207 627 9191
Email: contact@beerandpub.com
Web: www.beerandpub.com

British Institute of Innkeeping

Infor House
1 Lakeside Road
Farnborough
GU14 6XP

Tel: 01276 684 449
Email: enquiries@bii.org
Web: www.bii.org

Disability Rights Commission Helpline

Freepost MID01264
Stratford Upon Avon
CV37 9BR

Tel: 08457 622 633
Web: www.drc.org.uk

Equity Head Office

Guild house
Upper Martins Lane
London
WC2H 9EG

Tel: 0207 379 6000
Email: info@equity.org.uk
Web: www.equity.org.uk

Gamcare

1st Floor
CAN Mezzaine Old Street
London N1 6AH

Tel: 020 7378 5200
Helpline: 0808 8020 133
Email: info@gamcare.org.uk
Web: gamcare.org.uk

Gamblers Anonymous

The Wellness Centre
45 Montrose Avenue
Intake, Doncaster
DN2 6PL

www.gamblersanonymous.org.uk

Money Advice Trust

21 Garlick Hill
London EC4V 2AU

Tel: 020 7489 7796
Web: www.moneyadvicetrust.org/home.html

Stepchange Debt Charity

Wade House
Merrion Centre
Leeds LS2 8NG

Web: www.stepchange.org
Tel: 0800 138 1111

APPENDIX 3 - CATEGORIES OF GAMING MACHINES

Category of Machine	Maximum Stake	Maximum Prize
A	Unlimited- No category A machines are currently permitted	Unlimited
B1	£5	£10,000*
B2	£100 (in multiples of £10)	£500
B3A	£2	£500
B3	£2	£500
B4	£2	£400
C	£1	£100
D – non-money prize (other than a crane grab machine)	30p	£8
D – non-money prize (crane grab machine)	£1	£50
D – (money prize)	10p	£5
D – combined money and non-money prize (other than a coin pusher or penny falls machine)	10p	£8 (of which no more than £5 may be a money prize)
D – combined money and non-money prize (coin pusher or penny falls machine)	20p	£20 (of which no more than £10 may be a money prize)

***With the option of a maximum £20,000 linked progressive jackpot on a premised basis**

Premises Type	Machine Category						
	A	B1	B2	B3	B4	C	D
Large casino (machine/table ration of 5-1 up to maximum)		Maximum of 150 machines Any combination of machines in categories B to D (except B3A machines), within the total limit of 150 (subject to machine/table ratio)					
Small casino (machine/table ration of 2-1 up to maximum)		Maximum of 80 machines Any combination of machines in categories B to D (except B3A machines), within the total limit of 80 (subject to machine/table ratio)					
Pre-2005 Act casinos (no machine/table ratio)		Maximum of 20 machines categories B to D (except B3A machines), or any number of C or D machines instead					
Betting premises and tracks occupied by Pool Betting			Maximum of 4 machines categories B2 to D				
Bingo Premises				Maximum of 8 machines or 20% of total machines in category B3 or B4		No limit on category C or D machines	
Adult gaming centres				Maximum of 4 machines in category B3 or B4 or 20% of total machines		No limit on category C or D machines	
Family entertainment centre (with premises licence)						No limit on category C or D machines	
Family entertainment centre (with permit)							No limit on category D machines
Clubs or miners' welfare institutes with permits					Maximum of 3 machines in categories B3A or B4 to D*		
Qualifying alcohol licensed premises						1 or 2 machines of category C or D automatic upon notification	
Qualifying alcohol licensed premises with gaming machine permit						Number of category C-D machines as specified on permit	
Travelling fair							No limit on category D machines
	A	B1	B2	B3	B4	C	D

- It should be noted that members' clubs and miners' welfare institutes are entitled to site a total of three machines in categories B3A to D, but only one B3A machine can be sited as part of this entitlement. Commercial clubs are entitled to a total of three machines in categories B4 to D.

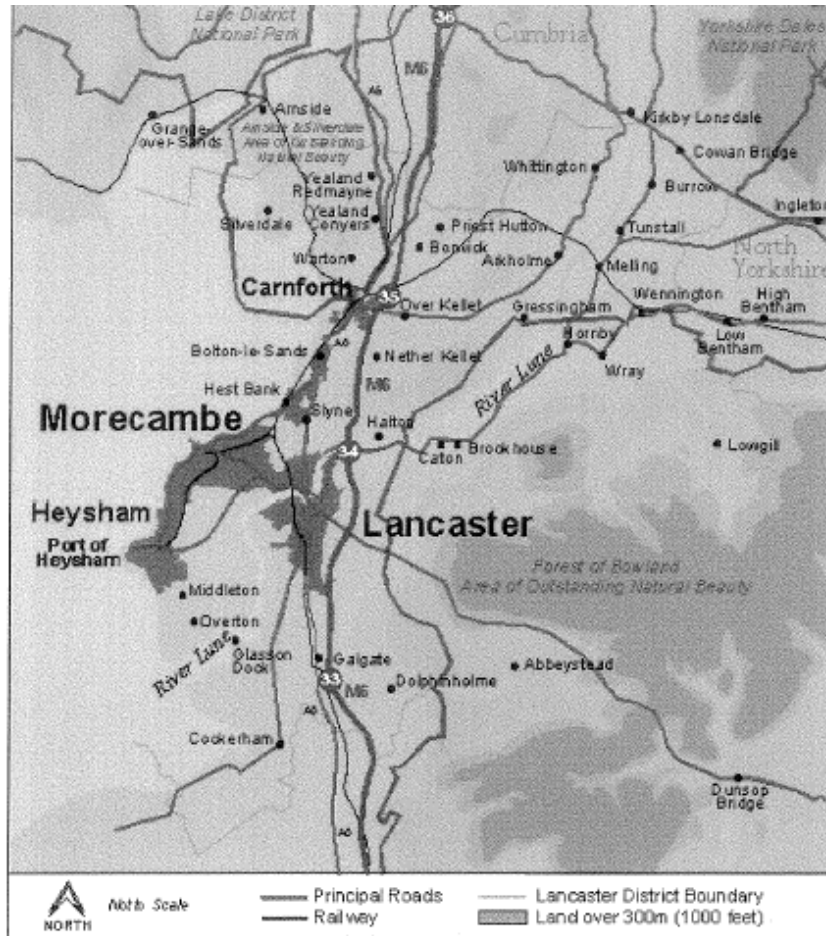
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APPENDIX 4 - DELEGATION OF FUNCTIONS

Matter to be dealt with	Full Council	Sub-committee of Licensing Committee	Officers
Final approval of three year licensing policy	X		
Policy not to permit casinos	X		
Fee setting (when appropriate)		X	
Application for premises licences		Where representations have been received and not withdrawn	Where no representations received/representations have been withdrawn
Application for a variation to a licence		Where representations have been received and not withdrawn	Where no representations received/representations have been withdrawn
Application for a transfer of a licence		Where representations have been received from the Commission	Where no representations received from the Commission
Application for a provisional statement		Where representations have been received and not withdrawn	Where no representations received/representations have been withdrawn
Review of a premises licence		X	
Application for club gaming/club machine permits		Where objections have been made (and not withdrawn)	Where no objections made/objections have been withdrawn
Cancellation of club gaming/club machine permits		X	
Applications for other permits		X (for more than 4 machines)	X (up to 4 machines)
Cancellation of licensed premises gaming machine permits			X
Consideration of temporary use notice			X
Decision to give a counter notice to a temporary use notice		X	

X - Indicates at the lowest level to which decisions can be delegated.

APPENDIX 5 - MAP OF THE DISTRICT



See UK Location Map for information about Ordnance Survey mapping

Equality Impact Assessment

This **online** equality impact assessment should:

An equality impact assessment should take place when considering doing something in a new way. Please submit your completed EIA as an appendix to your committee report. Please remember that this will be a public document – do not use jargon or abbreviations.

Service

Title of policy, service, function, project or strategy

Type of policy, service, function, project or strategy: Existing New/Proposed

Lead Officer

People involved with completing the EIA

Step 1.1: Make sure you have clear aims and objectives

Q1. What is the aim of your policy, service, function, project or strategy?

Q2. Who is intended to benefit? Who will it have a detrimental effect on and how?

Step 1.2: Collecting your information

Q3. Using existing data (if available) and thinking about each group below, does, or could, the policy, service, function, project or strategy have a negative impact on the groups below?

Group	Negative	Positive/No Impact	Unclear
Age	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Disability	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Faith, religion or belief	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Gender including marriage, pregnancy and maternity	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Gender reassignment	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Race	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sexual orientation including civic partnerships	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Other socially excluded groups such as carers, areas of deprivation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Rural communities	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Step 1.3 – Is there a need to consult!

Q4. Who have you consulted with? If you haven't consulted yet please list who you are going to consult with? Please give examples of how you have or are going to consult with specific groups of communities

Equality Impact Assessment

No specific groups - Consultees listed within report

Step 1.4 – Assessing the impact

Q5. Using the existing data and the assessment in questions 3 what does it tell you, is there an impact on some groups in the community?

Age: Click here to enter text.

Disability: Click here to enter text.

Faith, Religion or Belief: Click here to enter text.

Gender including Marriage, Pregnancy and Maternity: Click here to enter text.

Gender Reassignment: Click here to enter text.

Race: Click here to enter text.

Sexual Orientation including Civic Partnership: Click here to enter text.

Rural Communities: Click here to enter text.

Step
1.5
–
What
are
the
diff

References?

Q6. If you are either directly or indirectly discriminating, how are you going to change this or mitigate the negative impact?

Click here to enter text.

Q7. Do you need any more information/evidence eg statistic, consultation. If so how do you plan to address this?

Click here to enter text.

Step 1.6 – Make a recommendation based on steps 1.1 to 1.5

Q8. If you are in a position to make a recommendation to change or introduce the policy, service, function, project or strategy, clearly show how it was decided on.

The Policy has been drafted in accordance with legal constraints and latest Gambling Commission guidance

Q9. If you are not in a position to go ahead, what actions are you going to take?

Click here to enter text.

Q10. Where necessary, how do you plan to monitor the impact and effectiveness of this change or decision?

The policy will be kept under review and amended as necessary

COUNCIL**Appointment of the Returning Officer and Electoral
Registration Officer****30 January 2019****Report of the Chief Executive****PURPOSE OF REPORT**

To detach the role of Returning Officer from the post of Chief Executive in order to consider the appointment of the Director for Corporate Services, whose directorate includes Democratic Services/Elections, as the Council's Returning Officer and Electoral Registration Officer from 1st March 2019.

This report is public

RECOMMENDATION

- (1) **That Members detach the role of Returning Officer from the post of Chief Executive.**
- (2) **That Council appoints Mr Dan Bates, who will take up the post of Director of Corporate Services on 1st March 2019, to the role of Returning Officer and Electoral Registration Officer for Lancaster City Council from the same date.**

1.0 Background

1.1 On 16 May 2016, Council resolved:

- (1) That Susan Parsonage be formally appointed to the role of Electoral Registration Officer effective from 1 July 2016.
- (2) That Council re-confirms that the role of Returning Officer be attached to the post of Chief Executive.

1.2 The role of a Returning Officer (RO) is enshrined in law. It can fall automatically upon the holder of specific job, as is currently the case at the City Council, or it can be applied to an individual appointed by Council. Similarly, every district council is required to appoint an Electoral Registration Officer (ERO) with personal responsibility to maintain the register of electors, conduct the annual canvass and encourage electors in the electoral process. Performance standards are set by the Electoral Commission. The ERO also discharges the responsibilities of the Acting Returning Officer at a UK Parliamentary election.

2.0 Reasons for the Appointment

- 2.1 As Members are aware, the current Chief Executive will leave the authority in March. With preparations for local elections on 2nd May already underway, it will be necessary to appoint a RO for those elections – and any other unscheduled elections, by-elections or referenda which may arise - as swiftly as possible.
- 2.2 The City Council is required to have a RO in place and the role usually rests with a permanent member of staff. Council made a decision to attach that role to the Chief Executive’s post and, now that there is to be period without a permanent Chief Executive, the role will need to be detached from that post. If and when a new Chief Executive is appointed, the Council can then re-consider where, or with whom, the roles of RO/ERO will sit.
- 2.3 The current RO, and the previous Chief Executive/RO, routinely appointed two Deputy Returning Officers with full powers (the Democratic Services Manager and the Elections Manager) to manage and oversee the work necessary to effect an efficient poll, postal voting and count process and it is not envisaged that this will change. The two Deputy Returning Officers, and the Council’s two Elections Officers, have many years’ experience of running elections and referenda and are fully qualified, each holding the Association of Electoral Administrators (AEA) Certificate. The team also carries out the day to day activities in promoting electoral registration and maintaining the register, as well as managing the annual canvass process, engagement activities and specific campaigns to encourage electors to register.
- 2.4 The new post of Director of Corporate Services is responsible for Democratic Services, which includes Electoral Services. As such, the post is the most appropriate to oversee and take responsibility for elections and electoral registration. The staff managing and directing the poll and the count will be staff from Democratic Services who work for Mr Bates. However, it should be noted that elections, by their nature and scale, are corporate events. Staff from all directorates take up roles in polling stations and at the count and the election could not run without their assistance and willingness to take part.

3.0 Conclusion

- 3.1 Council is asked to appoint the Director of Corporate Services as RO and ERO from 1 March 2019.

<p>CONCLUSION OF IMPACT ASSESSMENT (including Health & Safety, Equality & Diversity, Human Rights, Community Safety, Sustainability and Rural Proofing) None directly arising from this report.</p>

<p>LEGAL IMPLICATIONS As set out above in 2.1. The Council must have both a RO and an ERO in place.</p>
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<p>FINANCIAL IMPLICATIONS The budget for the City Council elections is in place and fees for the RO for the Council’s local elections on 2 May 2019 will be covered within that existing budget. RO fees for external elections are set, and paid for, by the party requesting the election (a fees and charges order is produced for Parliamentary elections, for example, which sets the fees for all ROs).</p>
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OTHER RESOURCE IMPLICATIONS

None.

DEPUTY SECTION 151 OFFICER'S COMMENTS

The Deputy S151 Officer has been consulted and has no further comments

MONITORING OFFICER'S COMMENTS

The Monitoring officer has been consulted and has no further comments

BACKGROUND PAPERS

None

Contact Officer: Debbie Chambers

Telephone: 01524 582057

E-mail: dchambers@lancaster.gov.uk

Ref:

COUNCIL**Appointment to an Outside Body –
Morecambe FC Community Sports Charity****30 January 2019
Report of the Chief Executive****PURPOSE OF REPORT**

To consider making a nomination for appointment to the role of Trustee at Morecambe FC Community Sports.

This report is public

RECOMMENDATION

- (1) That Members note that the City Council is now able to appoint a Trustee to the Morecambe FC Community Sports Charity.**
- (2) That Council considers making a nomination for appointment at this meeting.**

1.0 Introduction

- 1.1 The Chairman of Morecambe FC Community Sports wrote to the Chief Executive at the end of October, to inform her that the Charity Commission had agreed to modify the constitution of Morecambe FC Community Sports to broaden the experience and diversity of its trustee body.
- 1.2 Lancaster City Council is now able to appoint one trustee. The other trustees are appointed by Morecambe football club (3), the MP for Morecambe and Lunesdale (1) and The Shrimps Trust (1).

2.0 About the Charity

- 2.1 Morecambe FC Community Sports is a charity which works alongside Morecambe FC to deliver a diverse range of activities throughout the district with other partners. Further details are attached.

3.0 Conclusion

- 3.1 Council is asked to consider making a nomination for a trustee of Morecambe FC Community Sports.

CONCLUSION OF IMPACT ASSESSMENT

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

None directly arising from this report.

LEGAL IMPLICATIONS

None directly arising from this report.

FINANCIAL IMPLICATIONS

Members of outside bodies are entitled to travel expenses. Costs resulting from any appointment should be minimal and would be met from existing democratic representation budgets.

OTHER RESOURCE IMPLICATIONS**Human Resources:**

None

Information Services:

None

Property:

None

Open Spaces:

None

SECTION 151 OFFICER'S COMMENTS

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

MONITORING OFFICER'S COMMENTS

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

BACKGROUND PAPERS

None

Contact Officer: Debbie Chambers

Telephone: 01524 582057

E-mail: dchambers@lancaster.gov.uk

Ref:

CABINET

6.00 P.M.

18TH DECEMBER 2018

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

Apologies for Absence:-

Councillors Darren Clifford and Andrew Warriner

Officers in attendance:-

Kieran Keane	Assistant Chief Executive
Daniel Bates	Interim Financial Services Manager/Section 151 Officer
David Brown	Interim Head of Legal and Democratic Services and Monitoring Officer
Rephael Walmsley	Acting Head of Legal Services
Liz Bateson	Principal Democratic Support Officer

62 MINUTES

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

63 ITEMS OF URGENT BUSINESS AUTHORISED BY THE LEADER

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

64 DECLARATIONS OF INTEREST

No declarations were made at this point.

65 PUBLIC SPEAKING

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

66 INVESTMENT STRATEGY

(Cabinet Member with Special Responsibility Councillor Whitehead)

Cabinet received a report from the Interim Head of Financial Services, which provided an update in relation to the principles that will underpin the Property Investment Strategy.

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

	Option 1: Develop the Investment Strategy principles into a Property Investment Strategy	Option 2: Discontinue work on the Property Investment 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 hard and unpalatable decisions will need to be taken on cuts and service reductions.
Risks	Commercial property investment brings some risks and these are covered in some detail in this report.	Potential financial instability delivery of services being reduced

Option 1 is the officer preferred option as the development of a robust Property Investment Strategy is the next logical step following the agreement by Cabinet to the principles of the *Funding the Future* Financial Resilience Strategy.

Councillor Whitehead proposed, seconded by Councillor Hughes:-

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

Councillors then voted:-

Resolved unanimously:

- (1) That the key principles to be adopted in a Property Investment Strategy as set out in the report be approved, and that the Strategy be further developed for consideration at Cabinet on 15 January 2019.

Officer responsible for effecting the decision:

Interim Head of Financial Services

Reasons for making the decision:

The development of a Property Investment Strategy will provide a process through which the Council can seek to achieve a positive financial return from property investment to contribute towards the revenue budget in order to protect service delivery and pursue Council priorities.

67 EXCLUSION OF THE PRESS AND PUBLIC

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

“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.

68 LAND AT SCOTFORTH (Pages 5 - 6)

(Cabinet Member with Special Responsibility Councillor Blamire)

Cabinet received a report from the Monitoring Officer, 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 Hughes:-

“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:

The Interim Head of Legal & Democratic Services/Monitoring Officer

69 PROPOSALS FOR THE REDEVELOPMENT OF THE FORMER BRITISH HOME STORES RETAIL SITE

The meeting were advised that this item had been withdrawn from the agenda.

Chairman

(The meeting ended at 6.12 p.m.)

Any queries regarding these Minutes, please contact

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

MINUTES PUBLISHED ON THURSDAY 27TH DECEMBER 2018.

**EFFECTIVE DATE FOR IMPLEMENTING THE DECISIONS CONTAINED IN THESE MINUTES:
MONDAY 7TH JANUARY , 2019.**

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

Document is Restricted

CABINET**6.00 P.M.****15TH JANUARY 2019**

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:-

Susan Parsonage	Chief Executive
Kieran Keane	Assistant Chief Executive
Daniel Bates	Interim Financial Services Manager/Section 151 Officer
David Brown	Interim Head of Legal and Democratic Services and Monitoring Officer
Mark Davies	Director for Communities and the Environment
Jason Syers	Director for Economic Growth and Regeneration
Richard Crompton	Interim Regeneration Manager
Paul Rogers	Senior Regeneration Officer
Liz Bateson	Principal Democratic Support Officer

70 MINUTES

The minutes of the meeting held on Tuesday 18 December 2018 were approved as a correct record.

71 ITEMS OF URGENT BUSINESS AUTHORISED BY THE LEADER

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

72 DECLARATIONS OF INTEREST

No declarations were made at this point.

73 PUBLIC SPEAKING

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

74 BUDGET & POLICY FRAMEWORK UPDATE 2019-23**(Cabinet Member with Special Responsibility Councillor Whitehead)**

Cabinet received a report from the Interim Head of Financial Services, which provided an update on the Council's budget strategy for 2019/20, and financial outlook up to 2023/24. Specifically the report considered budget and council tax proposals for 2019/20.

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 in the report, 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 ambitions. The proposed approach is in line with that broad aim and any changes that Cabinet puts forward should also be framed in that context.

In term of the actual budget position, this report puts forward a balanced budget. If Cabinet agrees the budget then it will form their proposal to Budget Scrutiny Panel on 22 January 2019 and to Council on 30 January 2019. These meetings, in turn, will inform the final budget proposal to be considered by Council on 27 February 2019.

Councillor Whitehead proposed, seconded by Councillor Burns:-

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

Councillors then voted:-

Resolved unanimously:

- (1) That Cabinet recommends to Council a 2.99% increase in the Lancaster City Council element of the Council Tax as set out in paragraph 3.4 (option 1) of the report attached to the agenda.
- (2) That the initial budget proposals as set out in paragraph 4.3 and Appendix 1) of the report be recommended to Council.
- (3) That the recommendations and proposals in this report be referred to Council on 30 January for initial consideration as well as being presented for scrutiny by Budget and Performance Panel on 22 January, in order that any feedback can be provided to Cabinet at its 12 February meeting.

Officer responsible for effecting the decision:

Interim Head of Financial Services

Reasons for making the decision:

The budget represents in financial terms what the Council is seeking to achieve through its Framework. The decision enables Cabinet to make recommendations back to Council in order to complete the budget setting process for 2019/20.

75 PROPOSED GOVERNANCE ARRANGEMENTS FOR INVESTMENT STRATEGY

(Cabinet Members with Special Responsibility Councillors Blamire & Hanson)

Cabinet received a report from the Monitoring Officer, which provided a proposal for the governance of investment decisions for Cabinet to consider and refer to full Council, if appropriate.

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

	Option 1: Approve	Option 2: Not Approve
Advantages	Creates the opportunity for commercial investment decisions to be made	No change
Disadvantages	None	No change
Risks	New system of working which may increase risk	No effective commercial investment occurs

The officer preferred option is that the paper attached to the report be approved and referred to full Council.

Councillor Blamire proposed, seconded by Councillor Hanson:-

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

Councillors then voted:-

Resolved unanimously:

- (1) That the draft Council report in Annex A to the report be referred to full Council for approval.

Officer responsible for effecting the decision:

Interim Head of Legal & Democratic Services

Reasons for making the decision:

The City Council is proposing considering opportunities for commercial investments. The commercial timetable for investments is often competitive and fast moving. The proposals provide for much earlier engagement between Officers, Cabinet Members and Scrutiny and will allow for sufficient flexibility in respect of delegated authority to enable proper evidence led scrutinised decisions to be made in a timely manner.

76 DETAILED INVESTMENT STRATEGY PROPOSALS

(Cabinet Members with Special Responsibility Councillors Hanson & Whitehead)

Cabinet received a report from the Interim Financial Services Manager to consider the Property Investment Strategy and refer to full Council, if appropriate.

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

	Option 1: Approve	Option 2: Not Approve
Advantages	The prospect of long term financial resilience to help	None

	maintain the provision of good quality council services	
Disadvantages	New ways of working and adapting reasonably quickly to new approaches.	A series of hard and unpalatable decisions will need to be taken on cuts and service reductions.
Risks	Commercial property investment brings some risks and these are covered in some detail in this report.	Potential financial instability delivery of services being reduced.

Option 1 is the officer preferred option as the development of a robust Property Investment Strategy is the next logical step following the agreement by Cabinet to the principles of the *Funding the Future* Financial Resilience Strategy. Cabinet is asked to consider the paper attached to the report and refer to full Council for approval.

Councillor Whitehead proposed, seconded by Councillor Hanson:-

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

Councillors then voted:-

Resolved unanimously:

- (1) That the draft Council report as set out in Appendix 1 to the report be referred to full Council for approval.

Officer responsible for effecting the decision:

Interim Financial Services Manager

Reasons for making the decision:

Cabinet approved the principles of the Property Investment Strategy in December 2018. The Property Investment Strategy has been developed to reflect the aspiration in *Funding the Future* and Medium Term Financial Strategy to seek a return from commercial property investments in order to contribute to the revenue budget and protect service provision.

77 DISCRETIONARY RATE RELIEF POLICY UPDATE - RETAIL DISCOUNT (BUSINESS RATES)

(Cabinet Member with Special Responsibility Councillor Whitehead)

Cabinet received a report from the Interim Financial Services Manager, which sought approval of a draft Discretionary Retail Discount Scheme, designed in line with MHCLG guidance and financed by Government grant, to provide financial support to occupied ‘retail’ businesses for a two year period from April 2019, in recognition of changing consumer behaviour in the high street.

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

Option 1 – Agree to the proposal as recommended

This policy sets out a formal approach to distributing this new discretionary retail relief, providing guidance for officers and a consistent platform in dealing with applications. The approach adopted seeks to maximise use of the grant in an open and equitable way, drawing on Government guidance, and therefore risks associated with any challenge are considered small and manageable.

Option 2 – Suggest amendments to the proposed policy

Any such amendments would need to have regard to statutory requirements, and therefore should this option be chosen, extra time will be needed to consider the full implications prior to the re-consideration of an amended policy. There is some reputational risk associated with further delay as the Government are keen for billing authorities to have their scheme up and running in time for annual billing.

Option 3 – Do nothing and refuse all applications.

A blanket policy of refusal leaves the Council vulnerable to an appeal to the Local Government Ombudsman, which could result in a charge of maladministration.

The officer preferred option is that Option 1 be approved. The policy enables a formal approach to decision making, with criteria in line with Government guidance, benefiting small to medium retail businesses on the high street.

Councillor Whitehead proposed, seconded by Councillor Pattison:-

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

Councillors then voted:-

Resolved unanimously:

- (1) That the Discretionary Retail discount Scheme as set out at Appendix A to the report (and as per option 1 in the report) be approved, effective from April 2019.

Officer responsible for effecting the decision:

Interim Financial Services Manager

Reasons for making the decision:

The decision is consistent with the Council Plan ambition of a thriving and prosperous economy, creating strong conditions for growth so that businesses thrive and jobs are created. The proposals are considered to be a fair and reasonable way to distribute available funds, drawing on Government guidance.

78 EXCLUSION OF THE PRESS AND PUBLIC

In order to enable Cabinet to refer to the exempt appendix if necessary, it was moved by Councillor Clifford and seconded by Councillor Pattison and resolved unanimously:-

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.

79 LANCASTER CATON ROAD (PHASE 3) FLOOD RISK MANAGEMENT SCHEME**(Cabinet Member with Special Responsibility Councillor Hanson)**

Cabinet received a report from the Assistant Chief Executive to update Members on the design phase of the proposed River Lune flood defence scheme and to consider the current scheme costs and status of all secured and potential match-funding contributions from external sources. The report considers the council's funding position on the basis that there are currently insufficient external resources available to fund the estimated construction cost. On the information presented on scheme costs and funding, Members are asked whether to fund the projected balance of scheme costs and whether to proceed towards a construction contract and project implementation.

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

	Option 1:	Option 2:	Option 3:
	Members accept there is insufficient funding to enable the project to proceed.	Members agree: a) a contribution of £847K towards the capital costs of the scheme; b) to accept an offer of ERDF funding and for officers to formally secure the anticipated business contributions; c) Officers complete the design/target cost package and agree a contract for Stage 2 capital works with VBA Joint Venture Limited (subject to the approval of enough funding to meet scheme costs).	Members agree: a) A lower council contribution and ask officers to secure additional private contributions and/or cost savings to meet the balance of scheme costs. b) Officers report to February Cabinet on the cost / funding position.
Advanta	No further direct capital cost / project delivery risk to the council.	Provides a comprehensive solution to fluvial / pluvial flood risk on the Caton Road industrial estates.	Potential to deliver same advantages as Option 2. Sets out a level of financial commitment the

	<p>Gives certainty on the council's position.</p> <p>Scheme design completed to take advantage of any future funding opportunities.</p>	<p>Provides a range of economic, investment and environmental benefits.</p> <p>Sets out a clear council commitment to businesses/asset holders in the area and incentive for private contributions to be secured.</p> <p>Demonstrates delivery to Government and EA boosting chances for future scheme funding.</p> <p>Potential indirect future benefit to Council's "bottom line" budget in increased rate retention.</p>	<p>council is willing to make to businesses / asset holders in the area.</p> <p>Ensures a focussed negotiation.</p> <p>Lower additional growth to be absorbed by the council's budget.</p>
Disadvantages	<p>Business, investment, economic and environmental benefits may not be realised for some time, if at all.</p> <p>Area continues to be vulnerable to severe flooding impacts with implications for commercial interests and the public.</p> <p>Loss of current funding opportunities.</p>	<p>Involves the council taking the delivery/funding risks on a major project.</p> <p>Additional cost to the General Fund revenue budget of £17K per annum for 50 years.</p> <p>Completion of construction contract details and funding package must be undertaken to meet ERDF and Government deadlines as well as meeting practical "tree felling" window. (refer to para 3.7)</p> <p>Maintenance of the proposed flood defence will be with the council as Risk Management Authority (Refer to Financial Implications)</p> <p>Disruption in the area during construction – particularly to amenity of Lune cycle path.</p>	<p>Disadvantages are as Option 2 and:</p> <p>Makes securing a funding package to meet ERDF / Government deadlines more difficult.</p> <p>While at a lower amount a certain level of growth will still need to be absorbed in the budget.</p> <p>The project will not be contracted in time to meet the "tree-felling" window delaying a practical start to construction and increasing costs (refer to para 3.7)</p>
Risks	Reputational risks of being unable to	In terms of delivering a construction contract all	Risks are as Option 2 and:

	<p>proceed with a scheme.</p> <p>Construction cost increases over time.</p> <p>Leaves an unacceptably high level of flood risk leading to the likelihood of businesses closing or moving away and impacts on the city in terms of accessibility during flood events.</p>	<p>additional resource requirements have been costed into the scheme and the council is experienced in managing major flood defence scheme with complex funding packages.</p> <p>Construction risks minimised through costed risk register.</p> <p>Private sector funding needs to be formally secured via contract.</p>	<p>On current information the private sector contributions outlined in the report represent the maximum officers believe can be secured.</p>
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Officer Preferred Option (and comments)

In Option 1 Members accept there is insufficient funding to enable the project to proceed, it should be noted that major businesses have for some time been encouraged to consider the major benefits of investing in the scheme and Members have previously noted that there may be insufficient funding to enable the project to proceed. However, the private sector response means the funding gap cannot be bridged. Even with additional business contributions there would still be a shortfall, and, if the scheme is to proceed the only realistic option is for the city council to provide funding.

If Members wish to proceed the critical question is the affordability and scale of the council's contribution. The preferred option is Option 2: Members agree: a contribution of £847K towards the capital costs of the scheme; to accept an offer of ERDF funding and for officers to formally secure the anticipated business contributions; officers complete the design/target cost package and agree a contract for Stage 2 capital works with VBA Joint Venture Limited (subject to the approval of enough funding to meet scheme costs).

Option 2 will result in an additional cost of £17K per annum to the council's challenging budget profile but allows officers to progress the construction contract details, bring more certainty to funders/deliverability and ensures the challenging contracting deadlines have the best prospect of being achieved. It provides an incentive to secure private sector contributions – which are still “at risk” and challenging to secure - and savings can be driven through the construction period. There is also a “back-stop” of February Cabinet should any issues arise prior to contract that require Member input.

Should Members consider a contribution of this scale unaffordable Option 3 Members agree: a lower council contribution and ask officers to secure additional private contributions and/or cost savings to meet the balance of scheme costs can be considered. However, this imposes additional pressure on timescales and would also mean that the “tree-felling” window was missed increasing costs as no substantive work

could be done over summer. Officers would report back to February Cabinet.

Under Stage 1 officers, with EA approval, have to date spent £550K (comprising £200K FDGiA and £350K North West Regional Flood and Coastal Committee (RFCC)) on design development. A further £133K FDGiA funds will be required to take the scheme to the full details for Stage 2 construction contract. These funds have been approved (refer to Financial Implications).

Councillor Hanson proposed, seconded by Councillor Clifford:-

“That the revised recommendations, as set out below, be approved:-

- (1) That Members note that spend to date on Stage 1 is £550K (comprising £200K FDGiA and £350K North West Regional Flood and Coastal Committee funds) and that a further £133K FDGiA funds will be expended to develop the detail required for the Stage 2 construction contract.
- (2) That Cabinet agree a contribution of up to £847K towards the capital costs of the scheme, and growth of £17K per annum revenue costs of this capital investment should the scheme proceed to contract;
- (3) That in order to ensure major construction work can proceed over the spring/summer period and avoid the need for contractual stand-still to account for nesting birds, a sum of £92K of the council’s approved capital funding is used to undertake tree felling, site-clearance and other preparatory works in anticipation of the main contract being agreed.
- (4) That on receipt of a formal letter the council accepts an offer of up to £3.85M ERDF funds for the scheme, formal acceptance of the offer being delegated to the Section 151 Officer.
- (5) That Officers move to formally secure the anticipated business contributions via contract deed;
- (6) That Officers complete the design/target cost package and a contract is agreed for Stage 2 capital works with VBA Joint Venture Limited (subject to securing the funding to meet scheme costs as set out in the table in paragraph 2.17 of this report and acceptance of this by Section 151 Officer)
- (7) That delegated authority be given to the Section 151 Officer to update the General Fund Revenue Budget and Capital Programme to reflect the decisions as set out in the above recommendations.”

Councillors then voted:-

Resolved unanimously:

- (1) That Members note that spend to date on Stage 1 is £550K (comprising £200K FDGiA and £350K North West Regional Flood and Coastal Committee funds) and that a further £133K FDGiA funds will be expended to develop the detail required for the Stage 2 construction contract.

- (2) That Cabinet agree a contribution of up to £847K towards the capital costs of the scheme, and growth of £17K per annum revenue costs of this capital investment should the scheme proceed to contract;
- (3) That in order to ensure major construction work can proceed over the spring/summer period and avoid the need for contractual stand-still to account for nesting birds, a sum of £92K of the council's approved capital funding is used to undertake tree felling, site-clearance and other preparatory works in anticipation of the main contract being agreed.
- (4) That on receipt of a formal letter the council accepts an offer of up to £3.85M ERDF funds for the scheme, formal acceptance of the offer being delegated to the Section 151 Officer.
- (5) That Officers move to formally secure the anticipated business contributions via contract deed;
- (6) That Officers complete the design/target cost package and a contract is agreed for Stage 2 capital works with VBA Joint Venture Limited (subject to securing the funding to meet scheme costs as set out in the table in paragraph 2.17 of this report and acceptance of this by Section 151 Officer)
- (7) That delegated authority be given to the Section 151 Officer to update the General Fund Revenue Budget and Capital Programme to reflect the decisions as set out in the above recommendations.

Officers responsible for effecting the decision:

Assistant Chief Executive
Interim Financial Services Manager

Reasons for making the decision:

The proposals provide a comprehensive solution to fluvial/pluvial flood risk and will provide a range of economic, investment and environmental benefits, setting out a clear council commitment to businesses/asset holders in the area and incentive for private contributions to be secured. There remains an acute need to promote this scheme to help secure its delivery and the proposed course of action represents the most appropriate route towards achieving a positive outcome, both meeting the council's regeneration objectives and having wider social, economic and environmental impacts.

Chairman

(The meeting ended at 6.20 p.m.)

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

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**EFFECTIVE DATE FOR IMPLEMENTING THE DECISIONS CONTAINED IN THESE MINUTES:
TUESDAY 29 JANUARY, 2019.**