



COUNCIL MEETING

Wednesday, 13 November 2019 - 6.00 p.m. Morecambe Town Hall

Lancaster City Council welcomes members of the public to attend meetings. However, space in the public gallery is limited to 30 seats due to Fire Regulations. The seats are allocated on a first come, first served basis and no standing is permitted. If you require support in accessing the building, please contact Democratic Services on 01524 582132, or email democracy@lancaster.gov.uk

Kieran Keane, Chief Executive, Town Hall, Dalton Square, LANCASTER, LA1 1PJ





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, 13 November 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 25th September 2019 (previously circulated).

3. **DECLARATIONS OF INTEREST**

To receive declarations by Councillors of interests in respect of items on this Agenda.

Councillors 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, Councillors 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, Councillors 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. **LEADER'S REPORT** (Pages 1 - 2)

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

MOTIONS ON NOTICE

9. **MOTION ON NOTICE - COMMITTEE SYSTEM** (Pages 3 - 6)

To consider the motion proposed by Councillor Tim Dant. Seconded by Richard Austen-Baker, Stephie Barber, Tim Hamilton-Cox and Tricia Heath.

"This council believes that it could make better use of the skills of all its councillors and improve the democratic accountability of decision making by ceasing the current leader and cabinet model of governance and implementing a committee system. Council requires the Overview and Scrutiny Committee in conjunction with Cabinet to investigate the best way to introduce a committee system of governance, taking into account the experiences of other councils. The investigation will lead to a detailed, legally and constitutionally sound proposal, including a programme for implementation, to be presented to full Council for consideration on or before its Annual Meeting in May 2020."

An officer briefing note is attached.

10. MOTION ON NOTICE - CHAMPION FOR THE DISABLED (Pages 7 - 8)

To consider the motion to be proposed by Councillor Mel Guilding. Seconded by Councillors Stephie Barber, Keith Budden, Mike Greenhall, Alan Biddulph and Peter Yates.

"This Council believes it could better support and therefore enhance the services provided by this Council for the disabled communities and their families by re-instating the position of Champion for the Disabled."

An officer briefing note is attached.

11. **MOTION ON NOTICE - RECYCLING** (Pages 9 - 11)

To consider the motion to be proposed by Councillor Paul Stubbins. Seconded by Councillors Mandy Bannon and Tim Dant.

"Purpose:

- To increase the proportion of local household waste that is recycled and to minimise residual waste (which cannot be recycled).
- To achieve this through greater collaborative work between Lancaster City Council and its residents by raising awareness of recycling issues, sharing targets and consulting widely on how best to facilitate this.

Recommendations

Full Council, welcomes the progress that is being made to reduce residual waste per household and to increase the scope of plastic that can be recycled.

Council recognises that there is a pressing need however to improve recycling efforts within our City and with the support of County. Council aims to achieve this by putting recycling high on our agenda and committing to share the responsibility and actions needed to be taken.

Full Council therefore:

- Commits to being active in promoting waste prevention, reduction and reuse activities in all wards across our City.
- Requests that Overview and Scrutiny committee investigates best practice in achieving higher recycling rates by consulting with other councils, residents and City Councillors. For example asking residents and members what they want to know about recycling, how this might be presented and how they wish to be kept informed.
- Requests County provides the necessary local recycling information needed to support our aim to substantially increase public engagement and outcomes for recycling.
- Requests that better, more meaningful targets for recycling be set and progress reported at least quarterly on the Council Website, annually on the recycling guidance cards that are posted to residents, and by any other means that Overview and Scrutiny may recommend.
- Requests that more detailed information be provided on the Council's website of the ways materials can be recycled in our own district particularly where materials might be reused by local organisations.
- Encourages individuals and community groups to create specialist reuse or recycling projects for their areas.

Notes

There are many effective ways to reduce the generation of greenhouse gases such as carbon dioxide and methane. Composting reduces anaerobic decomposition of organic waste at landfill, whilst reducing waste and increasing recycling saves energy that would have been used in the production of materials.

Using recycled materials, instead of trees, metal ores, minerals, oil and other raw materials harvested from the earth, also conserves the world's scarce natural resources.

Whilst the majority of Household Waste is derived from households, it also includes waste from street bins, street sweepings, parks and grounds.

Lancaster is making progress in reducing residual waste per household. In 2017/18 residual waste per household was 482.9kg, the 6th best in Lancashire. We continued to reduce that figure in 2018/19, achieving the biggest in-year improvement in Lancashire.

In the financial year 2017/18, **35.64%** of household waste was recycled in Lancaster, which fell below the North West and England rates of 44.7% and 43.2% respectively. At the district/unitary level, recycling, reuse and composting rates varied between a low of

29.8% in Preston to 47.5% in Fylde, with the best achieving local authority in the North West Region being Trafford at 59%. Our target in Lancaster this year was 45% but we have achieved just 36%. With the City Council set to adopt the EU target of 50% of household waste to be recycled by 2020, it is clear that we need to make huge strides to achieve this.

Although targets are being set and monitored by Lancaster City Council for the percentage of household waste recycled and residual waste collected, this information is not widely shared with residents. This is a lost opportunity to develop awareness amongst the public and to share the challenges that we face. Detailed recycling information is collected and reported by County for DEFRA and so this could be accessed and presented for local use.

Greater support is required to let people know what can and cannot be recycled, in particular, awareness of types of plastics that can be recycled and how food residue contaminates recycling. In doing so, Council needs to support elderly and transient populations on an ongoing basis, without expecting such residents to be proactive in accessing the internet."

An officer briefing note is attached.

OTHER BUSINESS

12. **DESIGNATION OF MONITORING OFFICER** (Pages 12 - 13)

Report of the Chief Executive

13. **TREASURY MANAGEMENT OUTTURN 2018/19**

Report of the Chief Finance Officer

Report to follow

APPOINTMENTS AND CHANGES TO COMMITTEE MEMBERSHIP 14.

Group Administrators to report any changes to Committee Membership.

15. **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.

16. MINUTES OF CABINET (Pages 14 - 28)

To receive the Minutes of the Meeting of Cabinet held 1st October 2019.

Chief Executive

Town Hall, Dalton Square. LANCASTER LA1 1PJ

Published on Tuesday 5th November 2019.



Leader's Report

13 November 2019

Report of the Leader of the Council

PURPOSE OF REPORT

To present the Leader's report to Council.

This report is public.

RECOMMENDATIONS

To receive the report of the Leader of Council.

REPORT

1.0 Cabinet

Information on Cabinet matters is provided in the minutes from the Cabinet meeting held on 1 October 2019. The minutes of the Cabinet meeting held on 5 November 2019 were not available at the time of publication of the agenda and will be tabled at the December Council meeting.

2.0 Decisions required to be taken urgently

There are no decisions to report since the last Leader's Report on 25 September 2019.

3.0 Leader's Comments

Pennine Lancashire Unitary

Correspondence has now been sent to the Secretary of State from councils in Pennine Lancashire seeking an invitation to present a proposal for a unitary Pennine Lancashire Council. The leader of Lancashire County Council has also written to the Secretary of State asking that they consider other possible arrangements for unitary councils in Lancashire.

Boundary Commission

The Boundary Commission came to meet with the Chief Executive, staff from Democratic Services, and myself, for the surprising reason that we are going to have our boundaries reviewed again. Usually reviews happen about every 10 years, but although we had new boundaries in 2015, more than a third of our wards are more than 10% over or above target, and two are more than 30% over or under, which are two of the grounds for early review.

The Boundary Commission would like to come and brief both group leaders, and all councillors in the Spring. The first part of the review looks at numbers both in terms of projected numbers of voters, and how many councillors we believe our council should have. The second part will be the process of redistricting.

Advisory Groups

Most of our Advisory Groups have now begun meeting, with a wide variety of participants from across our communities and partner organisations. Due to pre-election period requirements, the groups are currently on hiatus until after the election, but conversations will be resuming shortly afterwards. The first steps for these groups are to agree their Terms of Reference and establish a focused work plan. The discussions are in part shaped by the people in the room, so if one of the topics is of particular interest to you, please contact chiefexecutive@lancaster.gov.uk and the team will ensure you are kept informed. Thank you to those councillors who have already participated.

Eden

As many will be aware Eden ran consultations in Morecambe in late October which had involved more than 1200 people when I attended. I have asked Eden to come back to brief councillors on the outcomes of their consultation once they have had a chance to analyse the information received.

4.0 Key Decisions

The following Key Decisions were taken by Cabinet on 1 October 2019:

- (1) Reserves Policy
- (2) Digital Strategy
- (3) Eden Project North
- (4) Sale of Wood Street Car Park

Background Papers

Cabinet agenda and minutes of the meeting held on 1 October 2019.

Governance System - Briefing Note

Motion submitted by Councillor Tim Dant as proposer.

Seconders are Councillors Richard Austen-Baker, Stephie Barber, Tim Hamilton-Cox and Tricia Heath.

"This council believes that it could make better use of the skills of all its councillors and improve the democratic accountability of decision making by ceasing the current leader and cabinet model of governance and implementing a committee system. Council requires the Overview and Scrutiny Committee in conjunction with Cabinet to investigate the best way to introduce a committee system of governance, taking into account the experiences of other councils. The investigation will lead to a detailed, legally and constitutionally sound proposal, including a programme for implementation, to be presented to full Council for consideration on or before its Annual Meeting in May 2020."

Officer Comments:

The Motion

This briefing note will set out the background relating to governance arrangements and the process of changing those arrangements.

However, regarding the wording of the motion, members should note that requiring the Overview and Scrutiny committee to work in conjunction with Cabinet to carry out investigative work would run contrary to the roles of both bodies. Overview and Scrutiny (O&S) and Cabinet cannot join forces to carry out inquiry work. Whilst it would be appropriate for O&S members to invite Cabinet Members to give their views as 'evidence' to the O&S Committee or an O&S Task Group, or be otherwise consulted, that should be the limit of Cabinet Members' input to any O&S work.

Officers would suggest that an appropriate mechanism for carrying out the investigative work might be to establish a new, politically proportionate, Committee of Council – in the way that the Constitutional Working Group was established last year, for example– with terms of reference as set out in the motion. This approach could be proposed, if Members so wish, by way of amending the motion submitted.

Background

Prior to the introduction of the Local Government Act 2000, local authorities had taken decisions through a committee-based structure whereby most policy and many operational decisions were taken by service-based committees.

The decision-making process via these arrangements was considered to be slow, with two stages to go through to get the most important decisions made. Representation on the committees was on a politically proportionate basis. Some decisions were reserved for full Council; in such circumstances, the role of a committee was to make a recommendation to Council for subsequent decision.

The current Leader and Cabinet system of governance, with overview and scrutiny committees is the most widely adopted process across local government as it provides all of the mechanisms needed to enable full and robust pre-decision and post scrutiny of decisions.

<u>Decision making structures available under current legislation</u>

The Localism Act 2011 gives Councils much more freedom to choose their decision-making structure. The purpose and objective of any decision-making structure is to ensure effective decision making.

Under current legislation, the following types of decision-making structures are available:

Leader and Cabinet – this is the system operated by most local authorities, and this Council. The Leader appoints a Cabinet of at least 2 and up to 9 Councillors. These Councils must have Overview and Scrutiny arrangements.

Directly Elected Mayor and Cabinet – this system allows a directly elected executive mayor with wide decision-making powers. The Mayor appoints a Cabinet made up of other Councillors, who may have decision making powers. These Councils must have Overview and Scrutiny arrangements.

Committee system – in this arrangement, most decision are made in committees, which are made up of a mix of Councillors from across all political groups. Council appoints Members to the committees on a politically proportionate basis, and sets their terms of reference. These arrangements may also include overview and scrutiny, but there is no requirement for this.

If the local authority determined not to have overview and scrutiny committees, it would still need to make appropriate arrangements for the scrutiny of crime and disorder, either by full Council or one of its Committees [under S19 of the Police & Justice Act 2006]

Under the committee system, a local authority is able to decide how its functions are delivered. It is possible for full Council to make all decisions; or to delegate decisions to a committee, sub-committee or officer. However, some functions must still be delivered by full Council (e.g. the Budget and Policy Framework).

The Council currently operates under a Leader and Cabinet model. Cabinet comprises of a Leader and nine Portfolio Holders. There are two Overview and Scrutiny bodies; an Overview and Scrutiny Committee and a Budget and Performance Panel. Members have full access to the list of forthcoming decisions and it is for these committees to select meaningful issues to consider in advance of decisions being made.

The power of "call-in" is available to members, whereby Cabinet decisions can be challenged before implementation.

Any proposed change to the current arrangements must be able to demonstrate substantial improvements and that it is made for the benefit of the Council and its residents. The benefits of changing must outweigh the time and costs associated with making fundamental changes to the current embedded system.

Change of Governance - The Procedure

The Council may change its governance arrangements to a different type (*section 9K, LGA 2000*). However, a resolution is required before the Council is able to do so. A notice must also be published informing the public:

- That the Council intends to change its governance arrangements and a council resolution has been passed in support of this.
- The date that it intends to change its governance arrangements.
- What the main features of the change will be.

 Where copies of any documents detailing the changes can be found, this should be at the Council's principal office and the address of its principal office should also be provided.

(Section 9KC, LGA 2000.)

Once the Council has passed a resolution to change its governance arrangements then it is prevented from doing so again for the next five years (unless a second resolution is approved following a referendum) (<u>Schedule 2</u>, Localism Act 2011 (section 9KC(4), LGA 2000).

Moving to a new system can only take place at an Annual Meeting of Council in any particular year. If it was proposed that the Council's governance arrangements should change in the way suggested in the Notice of Motion, the earliest date that change in governance could take effect would be from May 2021. There would be insufficient time between this meeting and the Annual Council meeting in 2020 for the work necessary to design and put in place a new governance framework.

There is no requirement for specific consultation under the Localism Act 2011 or to consider any responses that are received in response to the public notice given.

Steps Prior to Change

Prior to the above decision, there would need to be a detailed period of preparation to address costings and other resources required, composition of a new constitution, a complete review of the member allowances scheme and possible changes to staffing structures.

Legal Implications

The statutory background which applies to a proposal to change a local authority's governance arrangements is set out within the body of this note.

The outline principles for the new system would have to be considered and agreed and, alongside that process, a new constitution would need to be developed. An appropriate timeline would need to be established for developing a new constitution culminating in its adoption at the same annual meeting considering the adoption of the new governance arrangements.

The draft constitution would need to set out the format of the new arrangements and, if moving to a committee system, appropriate delegations and the terms of reference of committees drawn up, together with other necessary changes for recommendation to Council. The new constitution would need to be complete in terms of including overview and scrutiny terms of reference (if any), and a new suite of procedure rules. The actions set out above in terms of statutory process would also need to be undertaken.

The full implications will be explored if a decision is made to move towards alternative governance arrangements.

Finance Implications

There may be financial implications of returning to a committee system and additional ongoing costs. These will be established if a decision is made to change governance arrangements. It is not possible to make an accurate assessment of the costs of a committee system, because there are many variables, dependent upon the numbers of committees chosen, information which is not known at this time e.g. the committee briefings and the additional call upon officer time in servicing an unknown model.

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Should Council agree to change governance arrangements any increase in costs occurred in the current budget would have to be agreed by Council in consultation with the Section 151 Officer.

Section 151 Officer comments:

Members will need to be aware such a significant change to the Councils governance structure as outlined within the motion will inevitably have financial implications. In the short term in regard to officer capacity and the ability to support the initial feasibility and exploratory work but also longer term support for any additional committees, as well as the need to review key documents such as the Councils constitution and supporting policies, which may require specialist external assistance.

Deputy Monitoring Officer comments:

The Deputy Monitoring Officer would draw attention to the first paragraph of this briefing note regarding the appropriate member body to take this motion forward, should it be passed by Council.

Champion for the Disabled - Briefing Note

Motion submitted by Councillor Mel Guilding as proposer.

Seconders are Councillors Stephie Barber, Keith Budden, Mike Greenhall, Alan Biddulph and Peter Yates

"This Council believes it could better support and therefore enhance the services provided by this Council for the disabled communities and their families by re-instating the position of Champion for the Disabled."

Officer Comments:

Background

A Champion for the Disabled was created as a result of a motion to Council on 15 July 2015. This followed on from other champion roles being created, the first being for Older People, followed by Children and Young People and a Veterans' Champion.

The resolution in July 2015 was:

Resolved:-

- (1) That the role of Champion for the Disabled be created.
- (2) That Councillors Cozler and Guilding both be appointed as Champions for the Disabled for 2015-19.

As part of the review of the Constitution in 2018/19, the Constitutional Working Group considered the non-executive champion roles which had been created over time and recommended that the section relating to Member Champions in the old Constitution (Part 6 - Appointments & Designations, Section 5 - Member Champions Protocol and Role Definition) should be deleted from the new Constitution. The Working Group wished to see all champion roles incorporated into roles within Cabinet portfolios, except the Veterans Champion.

This was accepted by Council in approving the revised Constitution. The Cabinet portfolio for Communities and Social Justice, held by Councillor Sinclair, includes disability ("Equalities & Social Justice Initiatives including age; disability; race; religion or belief; sex, gender or gender identity.")

As further background, the role of Champion for Older People was removed when a Cabinet Portfolio was revised to include Older People. Members may wish to consider whether an area of special interest which is included in a Cabinet portfolio should also be covered by a non-executive Campion and if that can be achieved without duplication of effort.

Legal Implications

There are no legal implications as a result of this motion.

Finance Implications

The City Council's disabled champion roles did not attract any special responsibility allowance. Any travelling costs in the course of the champions' duties were met from existing budgets.

Section 151 Officer comments:

The Section 151 officer has been consulted and has no comments.

Deputy Monitoring Officer comments:

It should be noted that the wording of the motion as submitted will elicit a decision from Council about whether it believes that re-instating the position of Champion for the Disabled will bring the benefits stated in the motion. It is not asking Council directly to re-instate the position of Champion for the Disabled, and would need to be amended if that is the intention of the proposer and seconders. Similarly, if Council does intend to re-instate the role then it might be useful to indicate how that would be filled, for example, that the role be filled by nomination and voting at this, or some future, council meeting.

Improving Recycling of Household Waste - Briefing note

Motion on notice submitted by Councillor Paul Stubbins as proposer.

Seconders are Councillors Mandy Bannon and Tim Dant.

Purpose:

- To increase the proportion of local household waste that is recycled and to minimise residual waste (which cannot be recycled).
- To achieve this through greater collaborative work between Lancaster City Council and its residents by raising awareness of recycling issues, sharing targets and consulting widely on how best to facilitate this.

Recommendations

Full Council, welcomes the progress that is being made to reduce residual waste per household and to increase the scope of plastic that can be recycled.

Council recognises that there is a pressing need however to improve recycling efforts within our City and with the support of County. Council aims to achieve this by putting recycling high on our agenda and committing to share the responsibility and actions needed to be taken.

Full Council therefore:

- Commits to being active in promoting waste prevention, reduction and reuse activities in all wards across our City.
- Requests that Overview and Scrutiny committee investigates best practice in achieving higher recycling rates by consulting with other councils, residents and City Councillors.
 For example asking residents and members what they want to know about recycling, how this might be presented and how they wish to be kept informed.
- Requests County provides the necessary local recycling information needed to support our aim to substantially increase public engagement and outcomes for recycling.
- Requests that better, more meaningful targets for recycling be set and progress reported at least quarterly on the Council Website, annually on the recycling guidance cards that are posted to residents, and by any other means that Overview and Scrutiny may recommend.
- Requests that more detailed information be provided on the Council's website of the ways materials can be recycled in our own district particularly where materials might be reused by local organisations.
- Encourages individuals and community groups to create specialist reuse or recycling projects for their areas.

Notes

There are many effective ways to reduce the generation of greenhouse gases such as carbon dioxide and methane. Composting reduces anaerobic decomposition of organic waste at landfill, whilst reducing waste and increasing recycling saves energy that would have been used in the production of materials.

Using recycled materials, instead of trees, metal ores, minerals, oil and other raw materials harvested from the earth, also conserves the world's scarce natural resources.

Whilst the majority of Household Waste is derived from households, it also includes waste from street bins, street sweepings, parks and grounds.

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Lancaster is making progress in reducing residual waste per household. In 2017/18 residual waste per household was 482.9kg, the 6th best in Lancashire. We continued to reduce that figure in 2018/19, achieving the biggest in-year improvement in Lancashire.

In the financial year 2017/18, **35.64%** of household waste was recycled in Lancaster, which fell below the North West and England rates of 44.7% and 43.2% respectively. At the district/unitary level, recycling, reuse and composting rates varied between a low of 29.8% in Preston to 47.5% in Fylde, with the best achieving local authority in the North West Region being Trafford at 59%. Our target in Lancaster this year was **45%** but we have achieved just **36%.** With the City Council set to adopt the EU target of 50% of household waste to be recycled by 2020, it is clear that we need to make huge strides to achieve this.

Although targets are being set and monitored by Lancaster City Council for the percentage of household waste recycled and residual waste collected, this information is not widely shared with residents. This is a lost opportunity to develop awareness amongst the public and to share the challenges that we face. Detailed recycling information is collected and reported by County for DEFRA and so this could be accessed and presented for local use.

Greater support is required to let people know what can and cannot be recycled, in particular, awareness of types of plastics that can be recycled and how food residue contaminates recycling. In doing so, Council needs to support elderly and transient populations on an ongoing basis, without expecting such residents to be proactive in accessing the internet.

OFFICER COMMENTS

The Government's 'Resources and Waste Strategy' sets out plans to overhaul the waste system, cut plastic pollution, and move towards a more circular economy. At the time of writing the Environment Bill (of which this is part) had moved a step closer to becoming law following its second reading by MPs on 28th October. It will now progress to the Committee stage for further scrutiny and onto the next stages of the Parliamentary process for becoming law.

The Resources and Waste Strategy will inform how Councils provide household waste collection and recycling in the future. Of particular interest are the range of materials that Council's will have to recycle and the funding for this.

In this area Lancashire County Council are the Waste Disposal Authority and Lancaster City Council are the Waste Collection Authority. The County Council have statutory duties with regards to making suitable provision for disposal of the waste (including recycling) collected by the District Councils.

The recent Climate Change emergency is a major factor in how the City Council plans its waste collection services in the future. Particularly there is a need to reduce the overall amount of household waste produced, further encourage re-use, design the service in way that positively drives residents make full use of the recycling service and minimise the environmental impact of the collection operation.

Work is already taking place, involving the County Council, to establish how we might deliver the service in the future in a way that will achieve the above.

Successful introduction of any significant changes to the waste collection / recycling service requires Elected Members to contribute to the development of polices and strategies that will provide the steer Officers need to design operations in a way that deliver the intended outcomes..

The intended outcome of the motion would seem to be very much aligned to the above.

However, the motion prescribes a number of very specific recommendations which will require significant time and effort to implement.

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If approved the resource needed to be allocated to it would slow down the greater goal of a systematic review of the way we deliver the service, and the positive outcomes that would produce.

Officer advice can be summarised as-

- There is a clear need to review the waste / recycling service, within the context of Government Strategy, Lancashire's strategy and the climate change emergency.
- Elected Members have a key role in this process. Particularly with regard to the development of the policies and strategies that Officers will then use to design the operation.
- The approval of the specific recommendations in this motion would mean allocating resources to a series of operational actions as opposed to development of policy and strategy that allow Officers design operations in a way the delivers the intended outcomes.

SECTION 151 OFFICER COMMENTS

Any additional Council resource required to deliver the recommendations outlined in this motion would need to be considered in accordance with the Council's budgetary framework.

DEPUTY MONITORING OFFICER COMMENTS

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



Designation of Monitoring Officer 13 November 2019

Report of the Chief Executive

PURPOSE OF REPORT

To enable the Council to designate an officer to be Monitoring Officer with immediate effect.

This report is public

RECOMMENDATIONS

(1) That the Acting Head of Legal Services, Mr Luke Gorst, be designated as the Council's Monitoring Officer with immediate effect.

1.0 Introduction

- 1.1 The Council has a duty under Section 5(1) of the Local Government and Housing Act 1989 to designate one of its officers as the Monitoring Officer. The Monitoring Officer may not be the Head of Paid Service or the Section 151 Officer.
- 1.2 Section 5(7) provides for the duties of the Monitoring Officer to be performed by that officer personally or, where he/she is unable to act owing to absence or illness, personally by such member of his/her staff as he/she has for the time being nominated as their deputy.
- 1.3 The Monitoring Officer has a duty under Section 5(4) of the Act to report to Council if it appears that any proposal, decision or omission by the Council constitutes, has given rise to, or is likely to give rise to a contravention of the law or maladministration.
- 1.4 Under the Localism Act 2011, the Monitoring Officer has statutory duties in respect of the registration of Members' interests.
- 1.5 Further, the Council's Constitution provides for the Monitoring Officer to support the work of the Standards Committee, to maintain the Constitution, to ensure that agendas and decisions are published, to advise whether Cabinet decisions fall within the budget and policy framework, and to provide advice to all councillors.
- 1.6 Mr Rephael Walmsley, the Council's current Monitoring Officer, has stepped down from that role and it is necessary for the Council to appoint a Monitoring Officer with immediate effect.

1.7 Mr Luke Gorst has worked in the Legal Services Department with Lancaster City Council since April 2006, when he was appointed to the post of Solicitor. Luke is currently the Acting Head of Legal Services, and therefore the most appropriate member of staff to take on the duties of Monitoring Officer.

2.0 Proposal Details

2.1 It is proposed therefore that Mr Luke Gorst be designated as the Monitoring Officer with immediate effect.

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)

None

LEGAL IMPLICATIONS

The legal background is set out in the body of the report.

FINANCIAL IMPLICATIONS

No financial implications

OTHER RESOURCE IMPLICATIONS

Human Resources:

There is a statutory requirement for the role of the Monitoring Officer to be filled.

SECTION 151 OFFICER'S COMMENTS

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

DEPUTY MONITORING OFFICER'S COMMENTS

The Deputy Monitoring Officer has drafted this report. The legal background is set out in the body of the report.

BACKGROUND PAPERS	Contact Officer: Debbie Chambers
	Telephone: 01524 582057
None	E-mail: dchambers@lancaster.gov.uk
	Ref:

CABINET

6.00 P.M. 1ST OCTOBER 2019

PRESENT:- Councillors Erica Lewis (Chair), Kevin Frea (Vice-Chair), Dave Brookes,

Tim Hamilton-Cox, Janice Hanson, Caroline Jackson, Jean Parr,

John Reynolds, Alistair Sinclair and Anne Whitehead

Officers in attendance:-

Kieran Keane Chief Executive

Daniel Bates Director of Corporate Services

Mark Davies Director for Communities and the Environment
Jason Syers Director for Economic Growth and Regeneration
Paul Thompson Chief Financial Officer (Head of Finance & Section

151 Officer)

Debbie Chambers Democratic Services Manager and Deputy

Monitoring Officer

Luke Gorst Solicitor and Deputy Monitoring Officer Liz Bateson Principal Democratic Support Officer

22 MINUTES

The minutes of the meeting held on Tuesday 3 September 2019 were approved as a correct record.

23 ITEMS OF URGENT BUSINESS AUTHORISED BY THE LEADER

The Chairman advised the meeting that the proposed item of urgent business with regard to establishing a Local Plan Review Advisory Group had been withdrawn.

24 DECLARATIONS OF INTEREST

No declarations were made at this point.

25 PUBLIC SPEAKING

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

At this point the Chair moved that standing order 17 (Cabinet Procedure Rule 17) be suspended to allow for questions to be taken from all members as the reports were introduced. The proposal was seconded by Councillor Whitehead and unanimously agreed.

Resolved unanimously:

(1) That standing order 17 (Cabinet Procedure Rule 17) be suspended.

26 RESERVES POLICY

(Cabinet Member with Special Responsibility Councillor Whitehead)

Cabinet received a report from the Director of Corporate Services to consider and approve an updated Reserves Strategy and Action Plan.

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

Option 1: Adopt the Strategy

Advantages

- Improved clarity with respect to the use of reserves.
- Greater assurance that reserves expenditure fits with corporate priorities and is appropriately authorised and monitored.

Disadvantages

• None

Risks

 The agreement of principles for the use of reserves reduces the risk that reserves expenditure is not adequately controlled which in turn might result in reduced financial resilience.

Option 2: Do not adopt the Strategy

Advantages

None

Disadvantages

• Lack of clarity with respect to using reserves and processes for authorisation and monitoring of reserves will remain unclear.

Risks

• The lack of an updated Reserves Strategy increases the risks that reserves expenditure is not adequately controlled.

The officer preferred option is Option 1. This option is designed to clarify how reserves are managed and utilised in order to balance the delivery of council priorities with securing financial resilience. In accordance with Part 3 Section 5 Paragraph 2(d) of the Constitution, the Overview and Scrutiny Committee or the Budget and Performance Panel would have the opportunity to comment on the proposals prior to the revised Reserves Strategy being considered at full Council.

Councillor Whitehead proposed, seconded by Councillor Parr:-

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

Councillors then voted:-

Resolved unanimously:

- (1) That the revised Reserves Strategy and Action Plan set out in Appendices One and Two be approved.
- That full Council amend the Budget & Policy Framework to incorporate the amendment to the Reserves Strategy.

Officer responsible for effecting the decision:

Director of Corporate Services

Reasons for making the decision:

The report and appendices provide an update to the Council's Reserves Strategy to clarify how reserves are managed and utilised in order to balance the delivery of council priorities with securing financial resilience. Any decision to amend the Budget Framework is a function of full Council. Overview and Scrutiny/Budget & Performance will be consulted on the proposals in accordance with the Constitution prior to their submission to full Council.

27 DIGITAL STRATEGY (Pages 9 - 15)

(Cabinet Members with Special Responsibility Councillors Hanson & Hamilton Cox)

Cabinet received a report from the Director of Corporate Services to consider and approve the Council's Digital Strategy.

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

Option 1: Adopt Digital Strategy

Advantages

- Significant support to the Council's economic prosperity plan by providing first class digital infrastructure such as full fibre and 5G to support a growing tech sector in the district which promotes high value and green jobs.
- Focus on partnerships which will enable stakeholders to come together to deliver enhancements in health, innovation, nature and knowledge and tackle issues of social exclusion.
- The use of digital methodologies at the Council will make it easier for residents to access services whilst making the Council more efficient and agile in order to better utilise its properties and reduce carbon emissions through route optimisation, reduced travel and paperless.

Disadvantages

• None.

Risks

• There are risks associated with delivering complex technology projects in order to meet digital ambitions. These risks will be managed as part of the programme and project management processes.

Option 2: Do not adopt the Digital Strategy

Advantages

More resource available for other areas of ambition.

Disadvantages

- The Lancaster district, which has a significant reliance of the technology sector, might fall behind other areas without a current strategy covering digital infrastructures and partnerships.
- Council services might remain relatively less accessible and the Council would find it more difficult to drive efficiencies without coherent and integrated digital plans.

Risks

There are risks that the Lancaster economy and the Council itself will 'fall

behind' if it is not able to adequately respond to the opportunities provided via digital technology in an organised manner.

The officer preferred option is Option 1.

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

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

Councillors then voted:-

Resolved unanimously:

- (1) That the Digital Strategy as set out in the report and Appendix 1, appended to the minutes, be approved.
- That Cabinet pre-approve the principle of funding for infrastructure works in Dalton Square, the establishment of a mechanism for delivering a full fibre network to the Lancaster district and the establishment of a collaborative workspace in Lancaster subject to reserves and capital funding bids being made in accordance with the budget framework.

Officer responsible for effecting the decision:

Director for Corporate Services

Reasons for making the decision:

The Digital Strategy underpins all of the Council's Ambitions via the delivery of excellent digital infrastructure, partnership and change plans. The strategy sets out an ambition to work towards a smart district utilising technology to become a clean, green and healthy district that benefits all residents and businesses.

28 HACKNEY CARRIAGE FARE REVIEW 2019

(Cabinet Member with Special Responsibility Councillor Brookes)

Cabinet received a report from the Director for Communities and the Environment to consider introducing a new fare tariff in relation to licensed hackney carriages operating in the Lancaster district. At a meeting on 29 August 2019 the Licensing Committee had, in its capacity as an advisory committee recommended Cabinet's approval of the new tariffs.

The options, options analysis, including risk assessment and officer preferred option, were set out in a report to the Licensing Committee, appended to the agenda, as follows:

Option 1: Maintain	Option 2: Apply	Option 3: Apply 20p
current table of fares	retail price index	increase to flag fall
approved in 2017.	(RPI) to current flag	_
	fall.	

Advantages	Public are aware of expected fares when hiring a hackney carriage.	This seems to be a general approach across County and Country, although not a common approach to all.	the trade supported this approach when
Disadvantages	The current table of fares has not been reviewed since 2017.	Allows for a minimal increase only (2.1%).	The increase is not supported by an agreed or common methodology that reflects the cost of owning and operating a hackney carriage in the District.
Risks	Drivers may decide to leave the trade, if they decide that the profit is marginal.	Drivers may decide leave the trade, if they decide that the profit is marginal.	business for

The Officer preferred option is Option 3 to apply an increase of 20p to the initial flag fall. Applying the tariff increase would seem appropriate so as to help ensure that hackney carriage proprietors receive a reasonable increase in fare income. The increase reflects necessary and proportionate adjustments, given that there were no increases in fares last year (2018) and the increase in the previous year was marginal, based on the annual RPI. Any concerns from members of the public will be addressed through the consultation process by placing a notice in the local press proposing the revised tariff. An amended table of fares, that reflected option 3, was appended to the agenda as Appendix 3.

It was reported that there was an error in Appendix 3 and that the tariff 3 should read £5.20 and not £5.00 and this would be amended prior to going out to consultation.

Councillor Brookes proposed, seconded by Councillor Parr:-

"That the recommendations, as set out in the report subject to the amendment to tariff 3 in Appendix 3, as set out above, be approved."

Councillors then voted:-

Resolved unanimously:

- (1) That the new table of fares as recommended by Licensing Committee on 29 August 2019 be approved subject to a revision to Tariff 3, Appendix 3 to read £5.20 and not £5.00.
- (2) That the Licensing Manager be authorised to advertise the new table of fares as required by legislation.

Officer responsible for effecting the decision:

Corporate Director for Communities and the Environment

Reasons for making the decision:

The setting of fares is an Executive function as it is not one that is listed in the Local Authorities (Function and Responsibilities) (England) Regulations 2000 and therefore falls to the Cabinet to make the final decision whether to approve the increase in charges recommended by Licensing Committee on 29 August 2019. The decision enables the proposed fares to be published in the local paper and allow for any objections to be considered prior to coming into effect.

29 EXCLUSION OF THE PRESS AND PUBLIC

It was moved by Councillor Lewis and seconded by Councillor Reynolds:-

"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 paragraphs 1 and 2 of Schedule 12A of that Act.

30 EDEN PROJECT NORTH (Pages 16 - 17)

(Cabinet Members with Special Responsibility Councillors Lewis and Hamilton-Cox)

Cabinet received a report from the Chief Executive to progress arrangements with Eden Projects International Ltd. The report 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.

It was proposed by Councillor Hamilton-Cox, seconded by Councillor Lewis and resolved unanimously:-

Resolved unanimously:

(1) The resolution is set out in a minute exempt from publication by virtue of paragraph 3 of Schedule 12A of the Local Government Act 1972.

Officer responsible for effecting the decision:

Chief Executive

Reasons for making the decision:

Eden Project North provides an opportunity to deliver considerable social and economic benefits for Morecambe and the wider area and the decision is consistent with the Council's Economic development intentions. Advice will be taken from the Council's specialist legal advisors to ensure state aid and procurement rules are adhered to as well as seeking assistance in the negotiation and drafting of key legal documents that will comply with the law and fully protect the Council's position.

31 SALE OF WOOD STREET CAR PARK (Pages 18 - 20)

(Cabinet Member with Special Responsibility Councillor Hamilton-Cox)

Cabinet received a report from the Interim Regeneration Manager to consider the disposal of a short-term stay surface car park for redevelopment.

The options, options analysis, including risk assessment and officer preferred option were set out in a report exempt from publication by virtue of paragraph 3 of Schedule 12A of the Local Government Act 1972.

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

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

Councillors then voted:-

Resolved unanimously:

(1) The resolution is set out in a minute exempt from publication by virtue of paragraph 3 of Schedule 12A of the Local Government Act 1972.

Officer responsible for effecting the decision:

Director for Economic Growth and Regeneration

Reasons for making the decision:

The decision is consistent with all of the Council's four priorities in the Council Plan. Exactly how the decision fitted with those priorities was set out in the exempt report.

 Chair	

(The meeting ended at 6.43 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 7 OCTOBER 2019

EFFECTIVE DATE FOR IMPLEMENTING THE DECISIONS CONTAINED IN THESE MINUTES: TUESDAY 15 OCTOBER 2019.



Lancaster District Digital Strategy

Tech Health Innovation Nature Knowledge

The THINK Vision

- 1. We aim to make the Lancaster district the best it can be by using digital methodologies and best practice in order to deliver transformation at the Council and throughout the whole district in Technology, Health, Innovation, Nature and Knowledge.
- 2. We aim to be a Gigabyte district which supports and benefits all of its citizens and businesses; including the growing technology sector through key partnerships between universities, health, councils, voluntary sector and private sector.
- 3. We will also transform our own service provision in order to meet rising demands and expectations by using data to improve services, widen access, tackle exclusion and save money through more efficient processes.
- 4. Over the next ten years, working with partners and using the THINK methodology and strategy, the Lancaster district will be:

A smart district

World Class Connectivity – a Gigabyte region with a full fibre network and 5G
throughout which will be the best place for start-ups whilst maintaining and growing
our existing digital businesses and supporting all businesses and organisations in
the area. We will do this through collaboration with all our stakeholders to continually
improve the area for the benefit of all.

A green district

• Striving to address the climate emergency by using technology to reduce carbon emissions in the district.

A healthy district

 Working with the Health Innovation Centre and NHS anchor institutions to develop technology for health and promote healthier lifestyles.

A clean district

 Using digital technology to improve emptying bins, measure air quality and provide citizens with easy ways to report issues with public realm.

A fair district

• Using technology to better understand our customers, improve community engagement, address exclusion and deliver community wealth and social value.

THINK Tech

We will use technology as a catalyst to enable change and inform and deliver best practice in all the council's key areas of delivery. Technology around the district will be used to improve our citizens' well-being.

THINK Health

We will ensure that digital best practice, partnerships with e.g. the Health Innovation Campus and use of modern technologies move us towards becoming a beacon of ever improving health outcomes.

THINK Innovation

We will ensure that we enable digital innovation in our district through visionary digital leadership, collaboration with the community and business, and developing deeper relationships with education providers.

THINK Nature

To counter the climate emergency, we will use cutting edge and innovative solutions to encourage green thinking and develop green technologies to reduce the district's carbon emissions.

THINK Knowledge

We will ensure that we become a knowledge organisation in order to better serve our customers and meet increasing demands and expectations.

THINK at the Council

To deliver our transformational vision, we need great digital connectivity and a strong and improving culture of collaboration, but we also need to change our work and working practices at the council to become more agile and more efficient at service delivery.

The **THINK** Vision is a bold one, capable of making significant changes to the Council, the district and to the well-being of all our citizens.



The vision is built on three building blocks. These are the things we will need to focus on to deliver the above outcomes. We need to work on **connectivity** and make Lancaster a gigabyte district. We need to **collaborate** with all those with a stake in the future of the district's success and we need to **change** the way the Council delivers its services focussed around our customers' needs. These building blocks form the basis of our digital strategy.

Connectivity

Why is it important?

6. Digital transformation requires excellent connectivity in the form of full fibre broadband and 5G mobile technology. This will create the conditions for transformational change and assist the Lancaster district to become a place of choice for digital and high tech businesses. High speed broadband across the region will also assist the Council and other partners to improve well-being of citizens through more accessible services and projects which promote innovative, healthier, greener and fairer outcomes.

What have we done already?

- We are working to create a definitive fibre map covering the whole district in order to understand where we have good connectivity and where it needs improving.
- We have commissioned a 'Creating Infrastructure' report which sets outs our connectivity requirements to act as a specification for work required to establish a vehicle to provide a full fibre network for the district.
- We have been working to improve our existing Wi-Fi network, providing new Wi-Fi
 hotspots at our Museums with a view to creating a Wi-Fi corridor from the train station to
 Dalton Square where the Council's City, Coast and Countryside service is freely available.
- We have started planning for Dalton Square connectivity improvement to include a new digital exchange and possibility of new fibre ducts extending past the Dukes and onto the Canal Quarter site.
- We have established a good working relationship with Lancaster University with a view to sharing connectivity ambitions. The University has gifted us their e-campus software which will allow us to provide real time content and information on screens throughout the district. This is already installed in Salt Ayre and will be rolled out more widely over the next year.

What will we deliver?

- Completion of infrastructure works in Dalton Square and the Canal Quarter site to include ducts and chambers in order to extend full fibre from a Digital Exchange delivering data centre capacity for the public and private sector with high speed resilient fibre broadband.
- A procurement process which will deliver an open access network, giving us the conditions for a more than gigabit 5G city via broadband, full fibre and 5G.
- A One Dig policy to ensure that we consider connectivity alongside all of our own and our partners' infrastructure projects.
- Full deployment of the e-campus screens coupled with the re-development of the iLancaster app in order to provide easy access to real time, quality information from the Council and partners throughout the district.
- Once full connectivity is achieved, we will work on plans to utilise this technology to
 provide best outcomes in health, innovation, nature and knowledge as set out on the
 previous page.
- We will sign the Government's Local Digital Declaration which affirms our commitment to harness digital technologies to improve the lives of our citizens.

Collaboration

Why is it important?

- 7. If the Lancaster district is to become a Gigabyte region which attracts high value businesses and delivers benefits to all citizens, then we will need to work closely with our key stakeholders to make this happen. The universities in particular but also businesses, health, transport and the third sector have a stake in delivering and utilising great connectivity and it is important that we work together to achieve this.
- 8. The Digital Strategy and the THINK brand provide a focus around which we will work with all our stakeholders to drive forward our digital and technological ambitions. A number of key partnerships have already been formed but we will continue to work to make this Strategy one which is adopted by all of our partners.

What have we done already?

- We have developed the THINK brand and principles and have received widespread support from key partners including both universities as well as representatives from the Health Service, the business community and local organisations.
- We have established a LUCID (Lancaster's Universities and Council Infrastructure and Digital) Working Group which meets regularly and has already resulted in the sharing of Lancaster University's e-campus system which is being rolled out through the district.
- We have started working on Memorandums of Understanding with key partners including the universities and Digital Lancashire in order to ensure that we work to the same vision.
- We are working with over a dozen councils sharing digital and agile knowledge and best practice. Locally, we are working with Wyre, Blackpool and Lancashire Councils on areas of joint interest.
- Our first THINK event will take place in Lancaster Town Hall on 28 November 2019 where
 we will meet with members of the business community to launch our digital vision and
 seek their input and support.

What will we deliver?

- Creation of a THINK Board with membership from all key stakeholders representing all sectors to drive forward this strategy as a shared ambition for the district.
- Regular THINK Tank workshops with all partners to tackle shared issues and ambitions including sessions on the digital economy, digital inclusion, health outcomes and green technology.
- Development of a collaborative workspace in Lancaster open to all stakeholders, possibly using the area of the Storey to be vacated by the Visitor Information Centre for which a capital bid will be made.
- Development, with partners, of our e-campus system in order to provide prominent digital signposting to services, information, promotion and support.
- Working with relevant partner organisations (such as CAB and CVS) and taking account
 of the Government's digital inclusion strategy, we will create an action plan for using digital
 technologies to improve well-being amongst excluded and vulnerable communities.
- We are aiming to host a Smart Cities Conference during 2020.

Change

Why is it important?

- 9. The Strategy seeks to use digital methodologies to implement significant change at the Council in order to meet rising demands and expectations from citizens at a time of reducing finances. This change will focus around our customers in order that they can easily connect with the Council at time and place of their choosing enabling them to tell us once and expect us to get it right first time. In order to deliver such change we will use technology such as the internet to transform our services and ensure that we promote more and better community participation and engagement.
- 10. Digital technologies will allow the Council to work in a more agile way which has the capacity to deliver significant savings from rationalisation of office space. It will also provide opportunity to reduce carbon emissions via reducing unnecessary travel, optimising routes for waste collection and litter bins and using digital technologies around paperless working.

What have we done already?

- Set up a Customer Service Strategy Board to evaluate the best way to meet citizens' needs for interacting with the Council.
- Appointed Community Connectors who, using agile technology, are able to respond to individual citizen and community organisations' needs face to face.
- Working with community interest groups to tackle digital exclusion through support and mentoring.
- We are rolling Wi-Fi out across Council buildings to support staff mobility and agile working as well as improving coverage of the free City, Coast and Countryside network.
- We are updating and improving our mobile device offering and implementing agile software such as Microsoft Teams to support mobile working and paperless initiatives.
- We are about to launch a new intranet and are working towards a self-serve portal which enables most frequently undertaken activities to be automated freeing up officer time.

What will we deliver?

- Improving the ability for customer to self-serve via a web portal to provide interaction with the Council at a time and place which suits the customer.
- Further expansion of the Wi-Fi capability in order to provide social outcomes such as providing subsidised coverage in social housing schemes.
- Digital impact assessment on all council documents.
- Widen access to mobile technology to all officers and members.
- Working with Lancaster University's research ethics team to develop a framework to ensure that any data collection undertaken on public land is transparent and open and that results are anonymised and re-usable for community benefit.
- Develop a Council digital task group to consider ideas to overcome organisational challenges.

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11. A full digital action plan which will be regularly updated is included on our website at www.lancaster.gov.uk/digital