



LANCASTER
CITY COUNCIL

Promoting City, Coast & Countryside

COUNCIL MEETING

**Wednesday, 16 March 2022 –
6.00 p.m.
Morecambe Town Hall**

*Lancaster City Council welcomes members of the public to attend meetings. However, seating is limited. We intend to live stream the meeting over MS Teams and a link to the meeting is [HERE](#). If you wish to ask a question at the meeting, or make an address to Council, please send your question or speech to Democratic Services by the **deadline of 12 noon on Friday 11th March 2022** to democracy@lancaster.gov.uk*

Kieran Keane,
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, 16 March 2022 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 23 February 2022 (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 5 - 7)

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

REPORTS REFERRED FROM CABINET, COMMITTEES OR OVERVIEW AND SCRUTINY

9. **APPOINTMENT OF THE CHIEF EXECUTIVE**

Report of the Chief Executive Recruitment Committee *(to follow)*.

10. **PAY POLICY STATEMENT 2022/23** (Pages 8 - 16)

Report of the Personnel Committee *(This report was marked "to follow" and was published on 14 March 2022)*.

OTHER BUSINESS

11. **HONORARY RECORDER** (Pages 17 - 18)

Report of the Chief Executive.

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

Group Administrators to report any changes to Committee Membership.

13. **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.

14. **MINUTES OF CABINET** (Pages 19 - 40)

To receive the Minutes of Meeting of Cabinet held 8 February 2022.



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Chief Executive

Town Hall,
Dalton Square,
LANCASTER,
LA1 1PJ

Published on Tuesday 8 March, 2022.



Leader’s Report

16 March 2022

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

1.1 Information on Cabinet matters is provided in the minutes from the Cabinet meeting held 8th February 2022, later in this agenda.

2.0 Decisions required to be taken urgently

2.1 No urgent Cabinet decisions had been taken in this period.

3.0 Leader’s Comments

3.1 The background to this month’s report has been the increasing tension over Ukraine and finally the Russian invasion and terrible scenes of destruction. Lancaster district is linked to Ukraine in many ways through historic links, our twin town and our many residents with family members and friends in Ukraine and also in the countries around which have taken in refugees in huge numbers. We share in the support of Ukraine and a renewed sense of how far our community extends.

3.2 **Cabinet and the Budget** - Cllr Whitehead’s budget was given strong support at budget council and we all acknowledge the time and expertise that has gone into its creation from officers, from Cllr Whitehead and from cabinet. The extent of

financial hardship likely to be facing many of our poorest residents as a result of inflation linked to energy prices was recognised in budget provision. Cabinet also approved the the dedication of residual Covid and new funds to support vulnerable residents through the Household Support Fund system. Cabinet set up a new advisory group to involve and support the Voluntary, Community and Social Enterprise sector. A number of cabinet members joined others recently to attend a meeting on the uses of data gained on travel and spend during lockdown. The material provided by Insights and Analytics was of use to council and partners – the data looks to be an important decision- making tool and we expect to explore further how it might be used. As Leader I met with our LGA support to discuss ways to increase the effectiveness of cabinet work and I am implementing some of their suggestions with members and officers.

- 3.3 **County Deal** - Since the publication of the Levelling Up white paper, District leaders have met twice to consider how to proceed on the agreement that went through all councils involved in January/February. All councils were asked to present the opinions of their groups based on papers sent out by Chief Executives. All groups in our council were asked for their views on the white paper and how we should proceed. Predictably we held a wide range of views that are still coming in as I write this and the final notes will be passed to the meetings on 9th March. I have also attended several meetings of the LGA Independent group convened by Marianne Overton to discuss the effect of the white paper on authorities across the country.
- 3.4 **Chief Executive Recruitment** - The Recruitment committee has continued to meet frequently, consulted with Tile Hill our consultants and has attended training. I have been in attendance at all meetings. By the time of the Full Council, this recruitment will be completed and hopefully we will know who the new Chief Executive will be.
- 3.5 **Eden** - Following the Convention of the North at which the Eden partners met Michael Gove, we arranged to meet Alistair Burt Pro Chancellor for Lancaster University. We had a wide ranging conversation on the matter of Eden and implications for the area and for Lancaster University. Wee also discussed Lancaster University's place in the development of skills relating to local and wider needs for medical, energy, construction, flooding and water management and the electech sector.
- 3.6 **Community meetings, arts, culture and events** - This month we have had a large number of community events. We restarted our community conversations with a meeting on community safety and now have a programme of meetings going forward, the next of which will be for and run by young people. The community network meetings in Lancaster Morecambe and the Rural areas have taken place and through one of those regular attenders we were asked to convene a community meeting on Ukraine. This was well attended and explored in particular our relationship with Lublin our twin town and how we might give practical support. We have set up a fund to support Lublin and all members are asked for their support especially by sharing details through your own social networks. There will also be a peace vigil on Thursday 10th March in Dalton Square.

- 3.7 In addition a number of councillors met with Lancaster Medical Practice and local NHS managers to receive a presentation on how the GP practice was developing following concerns raised by ward members. Statistics were share on improvements in appointments, wait times and access to GPs and other services both face to face and by phone. Members of cabinet were also invited to meet involved both in the Escape2Make conference at the Castle and to view the progress made on Queen’s Market in Morecambe.

4.0 Decisions

The following decisions were considered by Cabinet on 1st March 2022:

Viability Protocol Supplementary Planning Document
Covid 19 Additional Relief Fund (CARF)
Covid 19 Lancaster District Hardship Fund (Use of Residual Funds)
Delivering our priorities Q3 2021/22
VCSE Advisory Group
Lancaster City Council Corporate Branding
Land forming part of Lancaster Leisure Park, off Wyresdale Road

No Officer Delegated Key Decision has been taken since the last Leaders report.

The following Individual Cabinet Member Decisions were taken since the last Leader’s report:

ICMD16	Slate Purchase for 1 Lodge Street, Lancaster	Cllr Caroline Jackson Published on 11.2.22

Background Papers

Cabinet agendas of the meetings held on 8th February 2022 & 1st March 2022.

COUNCIL

Pay Policy Statement 2022-2023

16 March 2022

Referral from Personnel Committee

PURPOSE OF REPORT

To ask that Council consider and agree the Personnel Committee's recommendation for the Pay Policy Statement for 2022 – 2023 as required by the Localism Act 2011.

This report is public.

RECOMMENDATIONS

(1) To consider and agree the Pay Policy Statement 2022-23.

1.0 Introduction

1.1 Section 38 of the Localism Act 2011 places a requirement on local authorities to publish a Pay Policy Statement by the 31st March in each year. This includes the remuneration of its Chief Officers. This Statement must be approved by resolution of Council, and this function may not be delegated. The Statement sets out the Council's arrangements relating to:

- the remuneration of its Chief Officers;
- the remuneration of its lowest-paid employees, and
- the relationship between the remuneration of its Chief Officers and the remuneration of its employees who are not Chief Officers.

1.2 The Pay Policy Statement has been prepared in accordance with the requirements of the Localism Act 2011 and having regard to the guidance issued by the Department for Communities and Local Government (DCLG) under Section 40 of the Act.

2.0 Proposal Details

2.1 During the course of the year, if the Authority makes any determination relating to the remuneration or any other terms and conditions of a Chief Officer, it must comply with its Pay Policy Statement.

2.2 It is recommended that the revised Pay Policy Statement be effective from 1st April 2022.

3.0 Details of Consultation

There has been no consultation, but in preparing the revised Statement, regard has been made to Government guidance and national negotiations and consultations.

4.0 Options and Options Analysis (including risk assessment)

In order to comply with the Localism Act 2011, it is necessary for Council to approve a Pay Policy Statement.

5.0 Conclusion

Council is requested to approve and recommend to Full Council the Pay Policy Statement for 2022-2023

**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

The Council has a statutory obligation, pursuant to s38 of the Localism Act 2011 to approve annually a Pay Policy Statement.

FINANCIAL IMPLICATIONS

This year the pay settlements for the Green Book (1.75%) and Chief Officers (1.5%) have been received much later than is usually the case. The revenue budget for 2021-22 included no inflation in line with the government announcement on a public sector pay freeze. Once it was known that a pay award was being offered, an estimated 2.0% was included for 2021-22 in the calculation of the base budget for 2022-23 (alongside a 2.0% increase for that year too). The impact of this has been included within quarterly monitoring throughout the year.

With regard to 2022-23, discussions regarding the pay award have not yet taken place. However, as outlined above, the calculated budget now includes a further tolerance of 0.25% for Green Book employees and 0.5% for Chief Officers. These budgets will be monitored as part of the Council's usual monitoring arrangements and any variances will be highlighted at the earliest opportunity prior to inclusion in the budget as part of the 2023-24 budget setting process.

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

The Pay Policy Statement 2022-2023 has been prepared by HR.

SECTION 151 OFFICER'S COMMENTS

The s151 Officer has been consulted and has no additional comments.

MONITORING OFFICER'S COMMENTS

The Monitoring Officer has been consulted and has no further comments

BACKGROUND PAPERS

Pay and Grading Structure
Guidance issued by the Department for
Communities and Local Government (DCLG)
under Section 40 of the Localism Act 2011.

Contact Officer: Sarah Davies
Telephone: 01524 582009
Email: sdavies@lancaster.gov.uk
Ref:

Lancaster City Council Pay Policy Statement 2022-23

1. Introduction and Purpose

- 1.1 In accordance with the requirements of Section 38 of the Localism Act 2011, this Pay Policy statement has been produced to reflect the Council's approach to pay policy for the year 2021/2022.
- 1.2 This statement sets out the Council's policies in relation to the remuneration of our Chief Officers and all other employees. It also clarifies the relationship between Chief Officer remuneration and the remuneration of our lowest paid employees.
- 1.3 The purpose of this statement is to demonstrate transparency with regard to setting the pay of Council employees.

2. Setting Terms and Conditions

- 2.1 The Council's Chief Officers, including the Chief Executive, are employed under the nationally agreed Joint Negotiating Committee (JNC) terms and conditions. All other employees are employed under the nationally agreed National Joint Council (NJC) terms and conditions.
- 2.2 Pay increases relating to cost of living are agreed nationally by the NJC and JNC negotiating bodies.

3. Definitions of Chief Officers within Lancaster City Council

- 3.1 Chief Officers (in senior positions) within this Council are currently defined as the Chief Executive, and:
 - Director for Communities and the Environment
 - Director of Corporate Services
 - Director for Economic Growth and Regeneration
 - Deputy Director for Communities and the Environment
 - Chief Finance Officer (S151)
 - Monitoring Officer
- 3.2 In addition to the above, the Council has a number of posts which may fall into the wider statutory definition of Chief Officer posts via reporting lines, although they are not designated as such within this Council. These other posts are as follows
 - Head of Community Involvement & Leisure
 - Head of Democratic Services
 - Head of Economic Development
 - Head of Financial Services
 - Head of Housing
 - Head of HR
 - Head of ICT
 - Head of Legal Services
 - Head of Planning & Place
 - Head of Property, Investment & Regeneration
 - Head of Public Protection
 - Head of Public Realm
- 3.3 All the posts named at 3.2 have been evaluated to fall into a pay grade which currently starts from £53,633 up to a maximum pay point of £67,296 (Grade 14). The terms of service for these posts are governed by the National Joint Council for Local Government National Agreement on Terms and Conditions of Service (the NJC Green Book) and accordance with the pay and grading structure introduced in 2020.

- 3.4 The Monitoring Officer role attached to the Head of Legal Services role, and 151 Officer role attached to the Head of Financial Services post are paid an Allowance. For 2022/23 onwards to ensure that appropriate skills, capacity and resilience arrangements are in place an allowance of £9,000 is made for the Monitoring Officer and 151 Officer roles and an allowance of £6,000 is made to be divided up and awarded pro rata to Deputies carrying out these statutory functions (e.g. 1 deputy for each role would attract £6,000, 2 Deputies £3,000 each). Note, where the statutory function is carried out by a Director or Deputy Director of the Authority, it is expected that the existing roles are remunerated at a sufficient level to accommodate the Allowance and no further payment would be made.

4. Remuneration of the Chief Executive

- 4.1 The post of Chief Executive (which also acts as Head of Paid Service) has been paid on a fixed salary of £118,433 as at 1 April 2021. The Chief Executive Recruitment Committee has met and set a salary expectation for appointments to this role from 1st April 2022 onwards at £120,000 (plus latest pay award) effective from that date. This was agreed for the Interim Chief Executive post at Council on 23rd February 2022 and will be included in the permanent appointment report to Full Council expected to take place on 16th March 2022.
- 4.2 The Council's Head of Paid Service is appointed for a defined term through to 31 March 2022. This role is incorporated into the Chief Executive post and its remuneration arrangements are described in 4.1.

5. Remuneration of other Chief Officers

- 5.1 The 3 Director roles are paid within a band which starts from £85,102 up to a maximum of £93,611, with the band maximum being set at 10% higher than the minimum. These amounts are inclusive of the 1.5% pay award effective from 1 April 2021. There has not been an agreement of pay award for 2022-2023, therefore the salary will remain the same as 2021, pending any national pay award agreement. These Chief Officers will move up the band through incremental progression, linked to the achievement of objectives, following approval from Personnel Committee. Appraisals will be conducted after the end of the financial year in order to ensure that a whole years' performance is taken into account. A decision whether to award the increment or not will then be applied as a pay adjustment approved by Personnel Committee.

Deputy Directors are paid within a band which starts at £69,145 and has a maximum of £76,060, which again provides for 10% progression. Deputy Directors will move up the band through incremental progression, linked to the achievement of objectives, following approval from Personnel Committee. Appraisals will be conducted after the end of the financial year in order to ensure that a whole years performance is taken into account. A decision whether to award the increment or not will then be applied as a pay adjustment approved by Personnel Committee.

Statutory Chief Officers are remunerated in accordance with their technical expertise and background.

6. Policy on Other Aspects of Chief Officer Remuneration

- 6.1 Aside from 'pay' there are other aspects of Chief Officer remuneration which are outlined below:
- 6.1.1 **Travel and other expenses:** reimbursed through normal Council policies and procedures in the same way for all staff.

- 6.1.2 **Bonuses:** The terms of employment do not provide for the payment of any bonuses.
- 6.1.3 **Performance Related Pay:** There is an element of performance related pay applicable to Chief Officers and the Head of Paid Service, in the form of incremental progression.
- 6.1.4 **Honoraria:** Honoraria payments do not apply to Chief Officer posts.
- 6.1.5 **Severance arrangements (for Chief Officers ceasing to hold office):**

The Council's normal policies in relation to redundancy and early retirement apply to these posts, in line with relevant regulations. Arrangements are the same for all employees of the Council.

Any payments falling outside the provisions above or the relevant periods of notice within the contract of employment shall be subject to formal decision made by Personnel Committee.

- 6.2 There are no provisions for any other increases or additions to Chief Officer remuneration, other than as outlined in this policy.

7. Returning Officer Fees

- 7.1 Fees for Returning Officers and other electoral duties are identified and paid separately for local government elections, elections to the UK Parliament and EU Parliament and other electoral processes such as referenda. As these relate to performance and delivery of specific election duties as and when they arise, they are distinct from the process for the determination of pay for Chief Officers.

8 Other Chief Officer Conditions of Service

- 8.1 The other terms and conditions of service are set out in the relevant conditions of service handbooks, as follows:

Chief Executive: The Joint Negotiating Committee for Local Authority Chief Executives – Conditions of Service

All other Chief Officers: The Joint Negotiating Committee for Chief Officers in Local Authorities – Conditions of Service

9. Pension Contributions

- 9.1 For all employees, including Chief Officers, where employees have exercised their right to be a member of the Local Government Pension Scheme, the Council will make contributions to the Pension Fund in line with the Employer contribution rates determined by the Actuary.

10. Recruitment of Chief Officers

- 10.1 The Council's policy and procedures in relation to the recruitment of Chief Officers is set out within the Council's Constitution.
- 10.2 When recruiting for all posts, the Council will take full and proper account of all provisions of employment legislation and its own agreed policies.
- 10.3 The remuneration offered to any newly appointed Chief Officer will be in accordance with the pay structure and relevant policies in place at the time of recruitment. New appointments for staff up to and including Chief Officers are normally made at the minimum of the grade for the post, although this can be varied if necessary, to ensure the best candidate can be appointed.

10.4 Where the Council is unable to recruit Chief Officers, or there is a need for interim support to provide cover for a substantive Chief Officer post, the Council will, where necessary, consider engaging individuals under a 'contract for service' (rather than them being direct employees of the Council). These will be sourced through a relevant recruitment process, under relevant Officer delegations, ensuring the Council is able to demonstrate the maximum value for money from securing the service.

11. Approval of Salary Packages in Excess of £100K

11.1 Before any offer of appointment is made, the Council will ensure that salary packages in excess of £100,000 will be considered by full Council. This salary package will be defined as base salary, bonuses, fees, routinely payable allowances and any benefits in kind which are due under the contract.

12. Re- Employment of Former Chief Officers

12.1 Former Chief Officers who were in receipt of redundancy, or other severance payments, may only be considered for re-employment with the Council (which includes engagement through a contract for services) after a period of 12 months has elapsed since their termination date.

13. Publication and Access to Information regarding Chief Officer Remuneration

13.1 Upon approval by Council, the Pay Policy Statement will be published on the Council's website. In addition, relevant information will be reported in the Council's annual Statement of Accounts.

14. Payment of Lower Paid Employees within the Council

14.1 The Council uses the NJC negotiated pay spine (i.e. a nationally agreed and defined list of salary points) as the basis for its local pay structure, which determines the salaries for most of its workforce. The Council uses the NJC payspine SCP 3-49. In April 2020 the grades within the payspine were renamed, but the SCP's within them remain the same.

14.2 The Council operates a Job Evaluation Scheme to determine the pay grade for posts below Chief Officer level and uses the Willis Towers Watson Global Grading Scheme.

14.3 The Council ensures that all staff (aside from Apprentices) are paid at least the 'Real Living Wage' rate. Spinal Column Point (SCP) 3 automatically defaults to the Living Wage on 01 April each year and the Council uses this to define its 'lowest paid' employees.

14.4 The Council employs Apprentices who are not considered within the definition of 'lowest paid employees'. They are paid under the separate Apprentice Pay Rates, the highest of which equates to the real Living Wage rate.

14.5 The Council does not have a policy on maintaining a specific pay ratio between its Chief Officers and its lowest paid staff, although it is conscious of the need to ensure that Chief Officer salaries are not excessive.

14.6 The nationally negotiated pay settlements have not yet been made for the JNC, however an interim settlement has been reached. We are ensuring that we are compliant with their requirement for an uplift in Grade 2 (Building Labourer) pay to ensure ongoing compliance with the statutory National Living Wage and are prepared to further review this for relevant grades and salaries once a final settlement is agreed.

15. Pension Contributions

- 15.1 Where employees have exercised their right to join the Local Government Pension Scheme, the Council agrees to contribute to the Scheme at rates set by Actuaries.

16. Payments on Termination

- 16.1 The Council's approach to statutory and discretionary payments on termination of employment of Chief Officers, prior to retirement, is set out within its policy statement and in accordance with:

- Local Government (Early Termination of Employment Discretionary Compensation) (England and Wales) Regulations 2006.
- Local Government Pension Scheme (Benefits, Membership and Contributions) Regulations 2007.
- Local Government Pension Scheme (Admin) Regulations 2008 (regulation 66).
- The Local Government Pension Scheme Regulations 2013.
- The Local Government Pension Scheme (Transitional Provisions, Savings and Amendment) Regulations 2014.

17. Changes to Pay Policy

- 17.1 Should any amendments be required to this policy during the year, then matters will be reported to the Personnel Committee for consideration, for subsequent referral to Council.

18. Accountability and Decision Making

- 18.1 In accordance with the Constitution of the Council, the Personnel Committee is responsible for developing and reviewing Council policy in respect of human resources, staff and conditions of service and HR matters pertaining to Chief Officers. They also consider and deal with voluntary severance and other personnel or HR matters that are not delegated to officers.
- 18.2 The Chief Executive, in accordance with the Council's constitution, is able to determine Chief Officer applications under the Family Leave Scheme and Flexible Working Hours Scheme. They also deal with disciplinary matters of staff below Chief Officer level and can approve acting up and honorarium payments and severance payments up to £50,000.
- 18.3 Head of Service, in accordance with the Council's scheme of delegation are responsible for personnel or HR matters pertaining below Chief Officer level.

01 April 2020			01 April 2020	
New Global Grading System Grade (GGS)	Annual £	New SCP	Development Points	
G5	18562	3		
	18933	4	GG5-6	
G6	19312	5		
	19698	6		
	20092	7		
	20493	8	GG6-7	
	20903	9		
	21748	11		
	22183	12		
	23080	14		
	23541	15		
	G7	24491	17	
25481		19	GG7-8	
25991		20		
27041		22		
27741		23		
28672		24		
29577		25		
30451		26	GG8-9	
31346		27		
32234		28		
G8	32910	29		
	33782	30		
	34728	31	GG9-10	
	35745	32		
	36922	33		
	37890	34		
	38890	35		
	39880	36	GG10-11	
	40876	37		
	41881	38		
G9	42821	39	GG11-12	
	43857	40		
	44863	41		
	45859	42		
	46845	43		
	47837	44	GG12-13	
	48843	45		
	49869	46		
	50773	47		
	52711	48	GG13-14	
G10	53777	49		
	55391	50		
	57052	51		
	58764	52		
	60527	53		
	62343	54		
	64213	55		
	66139	56		
	68123	57	GG14-15	
	68804	58		
G11	69486	59		
	70167	60		
	70848	61		
	71529	62		
	72211	63		
	72892	64		
	73573	65		
	74254	66		
	74936	67		
	83444	68		
G12	84682	69		
	85521	70		
	86359	71		
	87198	72		
	88036	73		
	88875	74		
	89713	75		
	90552	76		
	91390	77		
	92228	78		
G13	92228	79		
	116683	80		
G14				
G15				
G16				
G17				
G18				

01 April 2021 pay award			01 April 2021	
Global Grading System Grade (GGS)	Annual £	New SCP	Development Points	
G5	18887	3		
	19264	4	GG5-6	
G6	19650	5		
	20043	6		
	20444	7		
	20852	8	GG6-7	
	21269	9		
	22129	11		
	22571	12		
	23484	14		
	23953	15		
	G7	24920	17	
25927		19	GG7-8	
26446		20		
27514		22		
28226		23		
29174		24		
30095		25		
30984		26	GG8-9	
31895		27		
32798		28		
G8	33486	29		
	34373	30		
	35336	31	GG9-10	
	36371	32		
	37568	33		
	38553	34		
	39571	35		
	40578	36	GG10-11	
	41591	37		
	42614	38		
G9	43570	39	GG11-12	
	44624	40		
	45648	41		
	46662	42		
	47665	43		
	48674	44	GG12-13	
	49698	45		
	50742	46		
	51662	47		
	53633	48	GG13-14	
G10	54718	49		
	56360	50		
	58050	51		
	59792	52		
	61586	53		
	63434	54		
	65337	55		
	67296	56		
	69145	57	GG14-15	
	69836	58		
G11	70528	59		
	71220	60		
	71911	61		
	72602	62		
	73294	63		
	73985	64		
	74677	65		
	75368	66		
	76060	67		
	85102	68		
G12	85952	69		
	86804	70		
	87654	71		
	88506	72		
	89357	73		
	90208	74		
	91059	75		
	91910	76		
	92761	77		
	93611	78		
G13	93611	79		
	118433	80		
G14				
G15				
G16				
G17				
G18				

COUNCIL**Honorary Recorder
16 March 2022****Report of Chief Executive****PURPOSE OF REPORT**

To obtain the approval of the City Council for the appointment of His Honour Judge John Altham as the Honorary Recorder of Lancaster, at Annual Council in May 2022.

This report is public.

RECOMMENDATION

That His Honour Judge John Altham be appointed Honorary Recorder of Lancaster at the Annual Meeting of the City Council scheduled for 16 May 2022.

1.0 Introduction

- 1.1 As part of the Golden Jubilee Celebrations of the City in 1987, the City of Lancaster appointed His Honour Judge Sir Sanderson Temple MBE QC as the first Honorary Recorder of Lancaster.
- 1.2 Following Judge Temple's death in 2000, the Council then appointed Judge Anthony Proctor as his replacement. Judge Proctor resigned the position in 2005 and His Honour Judge Phillip Sycamore was appointed. Judge Phillip Sycamore has now retired from the role.

2.0 Proposal Details

- 2.1 His Honour Judge John Altham is a Senior Circuit Judge based at Preston Combined Courts Centre and was born in Lancashire. Judge Altham is the Honorary Recorder for City of Preston and has indicated that he is happy to take up the position of Honorary Recorder for Lancaster, should the Council agree to his appointment.
- 2.3 If the appointment of Judge Altham is approved by the Council, his Court commitments would remain his priority and his Honorary commitments to the City would fit around these, which is the usual practice. The Honorary Recorder usually attends Annual Council (by invitation of the Mayor), Mayor's Sunday (where they take a part in the Service) and usually attends the Shield Hanging Ceremony at the invitation of the incoming High Sheriff each year. There may be other events to which the Honorary Recorder is invited but it would be a personal decision to attend.

3.0 Support for the Appointment

- 3.1 The City Council has received a letter of support for the appointment of His Honour Judge Altham as Honorary Recorder from the Senior Presiding Judge for England and Wales, the Rt Hon Lord Justice Haddon-Cave.

4.0 Options and Options Analysis (including risk assessment)

- 4.1 Option 1 – That the City Council agree to the appointment of His Honour Judge John Altham as Honorary Recorder of Lancaster at the Annual Council Meeting in May 2022.
- 4.2 Option 2 – That the City Council decline to agree to the appointment of His Honour Judge John Altham and identify an alternative candidate for the position.
- 4.3 Option 3 – That the City Council declines to appoint an Honorary Recorder at this time and that the post remains vacant.

5.0 Conclusion

- 5.1 Although a relatively new position in the history of this City, it would seem appropriate to appoint a person to the position of Honorary Recorder who has a wish to see this new tradition for the City maintained. Judge Altham meets these criteria and has the willingness to demonstrate his commitment to the City of Lancaster by taking this post if agreed by the City Council.

<p>CONCLUSION OF IMPACT ASSESSMENT (including Diversity, Human Rights, Community Safety, Sustainability and Rural Proofing) None.</p>	
<p>FINANCIAL IMPLICATIONS His Honour Judge John Altham been advised that as this is an Honorary position, no expenses for his attendance at events will be paid. The cost of his attendance at established Civic Events can be met from within existing budgets.</p>	
<p>SECTION 151 OFFICER’S COMMENTS The Section 151 Officer has been consulted and has no further comments.</p>	
<p>LEGAL IMPLICATIONS Section 54 of the Courts Act 1971 gives the council power to appoint His Honour Judge John Altham as Honorary Recorder of Lancaster.</p>	
<p>MONITORING OFFICER’S COMMENTS The Monitoring Officer has been consulted and has no further comments.</p>	
<p>BACKGROUND PAPERS Letter from The Rt Hon Lord Justice Haddon-Cave to the Chief Executive dated 15/12/21</p>	<p>Contact Officer: Debbie Chambers Telephone: 01524 582057 E-mail: dchambers@lancaster.gov.uk Ref:</p>

CABINET

6.00 P.M.

8TH FEBRUARY 2022

PRESENT:- Councillors Kevin Frea (Vice-Chair), Dave Brookes, Gina Dowding,
Tim Hamilton-Cox, Tricia Heath, Erica Lewis, Cary Matthews,
Sandra Thornberry and Anne Whitehead

Apologies for Absence:-

Councillor Caroline Jackson (Chair)

Also in attendance: Councillor Colin Hartley

Officers in attendance:-

Kieran Keane	Chief Executive
Mark Davies	Director for Communities and the Environment
Jason Syers	Director for Economic Growth and Regeneration
Luke Gorst	Head of Legal Services and Monitoring Officer
Paul Thompson	Chief Financial Officer (Head of Finance & Section 151 Officer)
William Griffith	Head of Public Realm
Joanne Wilkinson	Head of Housing
Jennifer Curtis	Licensing Manager
Liz Bateson	Principal Democratic Support Officer

In the absence of the Leader, the Deputy Leader took the Chair

71 MINUTES

The minutes of the meeting held on Tuesday 18 January 2022 were approved as a correct record.

72 ITEMS OF URGENT BUSINESS AUTHORISED BY THE LEADER

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

73 DECLARATIONS OF INTEREST

No declarations were made at this point.

74 PUBLIC SPEAKING

Members were advised that there had been a request to speak at the meeting from a member of the public in accordance with Cabinet's agreed procedure, as set out in Cabinet Procedure Rule 19, with regard to Hackney Carriage Fare Review 2022 (Minute 75 refers).

Mr Kay addressed the meeting, outlined his concerns with regard to the proposals as set out in the referral report, suggested alternative proposals and responded to questions. The Chair thanked Mr Kay for participating in the meeting.

75 HACKNEY CARRIAGE FARE REVIEW 2022**(Cabinet Member with Special Responsibility Councillor Brookes)**

Cabinet received a report from the Director for Communities & the Environment to approve the recommendation from the Licensing Committee with regard to a new Hackney Carriage Fare Tariff. Councillor Hartley, the Chair of the Licensing Committee had been invited to the meeting to hear the discussions and participate in the meeting and with the agreement of the meeting, the Chair suspended standing orders (Rule 18) to enable Councillor Hartley to respond to any questions from Cabinet members.

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

Officers have calculated average 1-, 5- and 10-mile journeys using a variety of uplift options, including increasing rolling charges. (A rolling charge is a charge that is applied for distance travelled, eg, for every 330yards 20p is applied to the fare) By increasing the rolling charges by a marginal amount (10p) over these distances creates a significant raise in fare costs between 20-30% for the travelling public, this option is therefore not proposed.

It is thought more appropriate to increase waiting times, by increasing this to 20p per 40 seconds or uncompleted part thereof. There is no suggestion that the maximum soiling charge (£75.00) need adjustment, as it is comparable with neighbouring authorities and would reflect the cost of a valet/time spent off the road through a soiling incident. The additional passenger and luggage costs should remain at 20p, respectfully.

Option 1: Maintain current table of fares approved in 2019.
--

Advantages:

Public are aware of expected fares when hiring a hackney carriage.

Disadvantages:

The current table of fares does not represent rising fuel and insurance costs.

Risks:

Drivers may decide to leave the trade, if they decide that the profit is marginal.

Option 2: Apply retail price index (RPI) to current flag fall.

Advantages:

This seems to be a general approach across County and Country, although not a common approach to all.

Disadvantages:

Allows for a minimal increase.

Risks:

Drivers may decide to leave the trade, if they decide that the profit is marginal.

Option 3: Apply uplift to flagfall across 3 tariffs. Suggested 50p and apply 10p uplift to waiting charges

Advantages:

Trade receives an uplift, proportionate to current climate

Disadvantages:

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:

Decrease in business for hackney carriages due to fare adjustments.

Option 4: Deregulate fare setting

Advantages:

Allows licensed trade to calculate their own fares, they may be best placed to calculate costs.

Disadvantages:

Licensing Authority has no control on charges passed to the public.
May create confusion as fares could vary across the trade.

Risks:

Lack of public confidence in use of Hackney Carriages due to unknown charges. Varying charges between proprietors creating confusion.

The officer preferred option is Option 3: Apply uplift to flag fall across 3 tariffs, suggested 50p and apply 10p uplift to waiting charges. Applying the tariff increase as proposed in option 3, 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 has been no increases in fares since 2019 and the increase was marginal, based on the annual RPI.

Any concerns from members of the public or licensed trade would be addressed through the consultation process by placing a notice in the local press proposing the revised tariff. An amended table of fares that reflects Option 3 was attached at Appendix 2 to the report.

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

“(1) That Cabinet notes the proposal to apply uplift to flag fall across 3 tariffs by 50p and apply 10p uplift to waiting charges but does not approve advertisement of the updated table of fares at this time.

(2) That Cabinet asks officers to carry out an immediate informal consultation exercise with hackney carriage drivers to gather feedback on options for increasing fares, taking into account the need to increase the rate earned per mile, and the policy position on RPI.

(3) That Cabinet refers the matter back to Licensing Committee for reconsideration following the consultation exercise, including consideration of any proposals arising from hackney carriage drivers.

(4) That Cabinet asks that a further report on the Hackney Carriage Fare Review be brought back to April 12th Cabinet for decision.”

Councillors then voted:-

Resolved unanimously:

- (1) That Cabinet notes the proposal to apply uplift to flag fall across 3 tariffs by 50p and apply 10p uplift to waiting charges but does not approve advertisement of the updated table of fares at this time.
- (2) That Cabinet asks officers to carry out an immediate informal consultation exercise with hackney carriage drivers to gather feedback on options for increasing fares, taking into account the need to increase the rate earned per mile, and the policy position on RPI.
- (3) That Cabinet refers the matter back to Licensing Committee for reconsideration following the consultation exercise, including consideration of any proposals arising from hackney carriage drivers.
- (4) That Cabinet asks that a further report on the Hackney Carriage Fare Review be brought back to April 12th Cabinet for decision.

Officer responsible for effecting the decision:

Director for Communities & the Environment

Reasons for making the decision:

The pandemic has brought about many challenges for the licensed trade, with many choosing not to renew licenses and seek alternative employment. The licensing service are working with internal and external partners to support the trade and encourage new applicants into the profession through funding. It is therefore important the fares represent the living wage locally. In addition, any uplift would need to be balanced in terms of public expectation, anything too great would face criticism and potentially result in less work for the hackney carriage trade. The decision enables officers to undertake an immediate consultation exercise to ensure the fare review is fair and sustainable.

76 CAR PARKING FEES & CHARGES

(Cabinet Member with Special Responsibility Councillor Dowding)

Cabinet received a report from the Director for Communities & the Environment that set out options arising from the review of the Council's wider parking policies. The options were modelled so they could be presented to Council as part of the wider budget proposals.

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

Option 1: Retention of current complex tariff structure with 50p per tariff band incremental increase

Advantages: A larger increase in pricing could assist in achieving the structural deficit.

Disadvantages: The Council retains a complex tariff structure which doesn't work towards addressing Council ambitions as outlined within this report.

The tariff structure would become further complicated and unclear for users with potential regeneration development such as Eden and Canal Quarter as outlined within the report.

Reputational risk with business community and users feeling this is not an attractive alternative.

Risks: None.

Option 2: The terms of the proposed parking fees & charges amendments is endorsed.

Advantages: Creates additional revenue to meet budget aspirations and provides a shift towards climate change modes of transport aspirations.

Disadvantages: None.

Risks: The signage and software changes exceed budget estimates.

Revenue budget expectations are not met due to a combination of macroeconomic or externalised factors.

Option 3: Support retention of current complex tariff structure with 10p per tariff band incremental increase

Advantages: No advantages identified.

Disadvantages: The Council retains a complex tariff structure which doesn't work towards addressing Council ambitions or structural deficit.

The tariff structure would become further complicated and unclear for users with potential regeneration development such as Eden and Canal Quarter as outlined within the report.

Risks: None.

Option 4: The terms of the proposed parking fees & charges amendments are not agreed.

Advantages: No advantages identified.

Disadvantages: A financial budget gap may become apparent which may result in a

reduction of council services.

Risks: None.

The Officer Preferred Option is option 2.

Councillor Dowding proposed, seconded by Councillor Brookes:-

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

During the debate concern was raised at the possible impact the proposals might have on arts and culture in Lancaster and whether some re-modelling could be undertaken to address this within the context of the draft budget.

By way of an amendment, that was accepted as a friendly amendment by the proposer and seconder, Councillor Thornberry proposed and Councillor Lewis seconded :-

“that the following wording be inserted at the end of recommendation (2) : *with further modelling to look at an extra tariff to support art and culture organisations and that further tariff to be agreed in consultation with the Leader and Cabinet Members with responsibility for Planning & Place Making and Arts, Culture, Leisure & Wellbeing.*

Councillors then voted:-

Resolved unanimously:

- (1) That as the option most consistent with Council’s priorities, Option 2 be included in Cabinet’s budget proposals.
- (2) That Subject to Council approval these tariffs are adopted from April 1, 2022 with further modelling to look at an extra tariff to support art and culture organisations and that further tariff to be agreed in consultation with the Leader and Cabinet Members with responsibility for Planning & Place Making and Arts, Culture, Leisure & Wellbeing.

Officer responsible for effecting the decision:

Director for Communities & the Environment

Reasons for making the decision:

Effectively managed car parking makes a significant strategic contribution to a number of agreed Council outcomes including:

Strategy- Climate Emergency. Outcomes- net zero by 2030, transition to an accessible and low carbon transport system.

Strategy- Community Engagement, Power and Resilience. Outcomes- innovative public services, providing value for money.

The request that officers undertake further modelling of the Lancaster tariff will ensure that concerns surrounding any adverse impact on the entertainment industries is

addressed.

77 BUDGET & POLICY FRAMEWORK UPDATE 2022/23

(Cabinet Member with Special Responsibility Councillor Whitehead)

Cabinet received a report from the Chief Finance Officer that provided information on the Council's latest General Fund Revenue budget proposals for 2022/23, the resulting Council Tax requirement and the Section 151 Officer's statement on the adequacy of reserves. The report addressed the actions required to complete the budget setting process for 2022/23, and for updating the Council's associated financial strategy and sought Cabinet's approval and recommendations to Full Council.

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

Revenue Budget

Council may adjust its revenue budget proposals, so long as the overall budget for 2022/23 balances and fits with the proposed Council Tax level.

Other Budget Framework Matters (Reserves and Provisions)

Given known commitments, risks and Council Tax restrictions there is little flexibility in financial terms, but Council could consider different budget strategies to be appraised for future years, or alternative arrangements for approving the use of various reserves, or different virement and/or carry forward limits. Overall, however, previous arrangements have worked reasonably well, and so no other fundamental changes are proposed.

Section 151 Officer's Comments and Advice

Council is required to note this formally in the minutes of the meeting, hence it is reflected in the recommendations.

Depending on the nature of any alternative proposals put forward, Officers may need time to assess the risks and implications. This is to ensure that relevant considerations are taken into account, to support informed and lawful decision making.

Revenue Budget 2022/23 and Reserves Position

To agree the recommendations as presented as the proposals to be put forward by Cabinet should fit with any external constraints and the budgetary framework already approved. The recommendations as set out meet these requirements; the detailed supporting budget proposals are then a matter for Members.

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

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

Councillors then voted:-

Resolved unanimously:

(1) That Cabinet recommends the following for approval to Budget Council:

- The 2022/23 General Fund Net Revenue Budget and resulting Council Tax

Requirement excluding parish precepts (Appendix A to the report) and supporting budget proposals (Appendix B to the report).

- The Section 151 Officer's statement on the adequacy of reserves and advice that the minimum level of balances remains at £3.5M, subject to annual review.
 - the resulting position on reserves (Appendix C to the report).
 - the updated position on budget transfers (Appendix D to the report)
- (2) That the Finance Portfolio Holder be given delegated authority to finalise the General Fund Revenue budget 2022/23 as updated for Cabinet's final budget proposals, and outcomes of the Final Local Government Settlement for referral on to Council.

Officer responsible for effecting the decision:

Chief Finance Officer

Reasons for making the decision:

The budget framework in general sets out a financial plan for achieving the Council's corporate priorities which incorporate the above cross cutting themes. The decision enables Cabinet to make recommendations back to Full Council in order to complete the budget setting process for 2022/23.

78 CAPITAL PROGRAMME & CAPITAL STRATEGY 2022-23 TO 2025-26 - (INCLUDING INVESTING IN THE FUTURE)

(Cabinet Member with Special Responsibility Councillor Whitehead)

Cabinet received a report from the Chief Finance Officer to present Cabinet's final budget proposals in order that the Council can approve a General Fund Capital Programme for 2022/23 to 2024/25 and a Capital Strategy 2022/23 as required by regulation. The proposed Capital Programme and supporting Strategy, entitled 'Investing in the Future' (contained at Appendix B to the report), set out the relevant context and a proposed framework to support the Council's approach to capital investment over the medium term.

The programme and strategy aligned capital investment to the Council's four overall priorities and proposed a consistent 'lifecycle' for the development and delivery of capital investment activities, including the transparent, accountable democratic decision process. The strategy also set out the proposed approach to risk management as well as the monitoring and evaluation of capital projects.

No options were presented as Cabinet originally considered the strategy at its meeting of 7 December 2021 when it was agreed that further reference be made regarding the potential for investment to create social value through culture and heritage assets. The updated draft included at Appendix B to the report contained additional content in section 1.1 and Investment Streams 2 and 3 to reflect this. The strategy was considered by Budget & Performance Panel at its meeting of 14 December 2021 when the Panel noted the report and draft strategy without suggesting further amendments.

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

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

Councillors then voted:-

Resolved unanimously:

- (1) That Cabinet recommends the following for approval to Budget Council 23 February 2022:
 - the updated Capital Programme covering financial years 2022/23 to 2025/26 • the Capital Strategy (Investing in the Future) 2022/23
- (2) That the Finance Portfolio Holder be given delegated authority to finalise the Capital Programme and associated Capital Strategy, as updated for Cabinet’s final budget proposals, and outcomes of the Final Local Government Settlement.

Officer responsible for effecting the decision:

Chief Finance Officer

Reasons for making the decision:

Capital and Investment Strategies form part of the Budget Framework and their adoption is a function of Full Council.

79 TREASURY MANAGEMENT STRATEGY 2022-23

(Cabinet Member with Special Responsibility Councillor Whitehead)

Cabinet received a report from the Chief Finance Officer to present to Cabinet the draft Treasury Management Strategy and associated documents for 2022/23 and to provide an opportunity for final consideration and comment ahead of formal presentation to Council for approval, in accordance with the Council’s constitution.

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

Cabinet may put forward alternative proposals or amendments to the proposed Strategy, but these would have to be considered in light of legislative, professional and economic factors, and importantly, any alternative views regarding the Council’s risk appetite. As such no further options analysis is available at this time.

Furthermore, the Strategy must fit with other aspects of Cabinet’s budget proposals, such as deposit interest estimates and underlying prudential borrowing assumptions, feeding into Prudential and Treasury Management Indicators. There are no options available regarding other components of the overall framework.

The officer preferred option is to approve the framework as attached to the report, allowing for any amendments being made under delegated authority prior to referral to Council. This is based on the Council continuing to have a comparatively low risk

appetite regarding the security and liquidity of investments particularly, but recognising that some flexibility should help improve returns, whilst still effectively mitigating risk. It is stressed that in terms of treasury activity, there is no risk free approach. It is felt, however, that the measures set out above provide a fit for purpose framework within which to work, pending any update during the course of next year.

If Cabinet or Budget Council changes its Capital Programme from that which is proposed in this report then this would require a change in the prudential indicators which are part of the Treasury Management Strategy. Delegation to the Finance Portfolio Holder is therefore requested in order to ensure that Cabinet's final capital programme proposals are reflected in the Treasury Management Strategy.

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

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

Councillors then voted:-

Resolved unanimously:

- (1) That the Treasury Management Strategy 2022/23 along with Appendices A to C, as appended to the report, be recommended to Council for formal approval.

Officer responsible for effecting the decision:

Chief Finance Officer

Reasons for making the decision:

Treasury Management forms part of the Council's budget framework. The Council is required through regulations supporting the Local Government Act 2003 to 'have regard to' the Prudential Code and to set Prudential Indicators for the next three years to ensure that the Council's capital investment plans are affordable, prudent and sustainable. It is also required to produce an annual Treasury Strategy for borrowing and for managing its investments and for giving priority to security and liquidity of those investments. The report satisfied these requirements and sought Cabinet's approval and recommendation to Full Council for formal adoption.

80 MEDIUM TERM FINANCIAL STRATEGY UPDATE 2022/23 - 2025/26

(Cabinet Member with Special Responsibility Councillor Whitehead)

Cabinet received a report from the Chief Financial Officer that provided an update on the Council's general budgetary position for current and future years. Given that at the time of writing, the Final Local Government Settlement had not been laid before Parliament estimates might be subject to change.

The risks to the Council are contained throughout the report and as the report is for noting, no alternative proposals have been put forward.

There remain significant uncertainties in terms of Local Government funding over the next couple of years. These have been exacerbated by national circumstances such as

COVID19 and Brexit, but also by local issues around decommissioning plans for the Heysham power station. These have severely hampered the degree of confidence with which we can forecast with many key estimates and assumptions likely to change in the coming months. Despite the work to date to realise the Funding the Future Strategy the budget gap has remained.

It must be recognised that the overall size of the challenge the Council faces in addressing its underlying structural deficit is significant and the formulation of a balanced budget over the medium and longer term will require the delivery of considerable savings.

Continued focus on delivering the Funding the Future Strategy and the application of Outcomes Based Resourcing principles such as strategic prioritisation, service transformation and continuous improvement will play a significant part in achieving the level of savings required. The Council must recognise that it will face a number of key decisions over the next financial year which will affect the manner in which it delivers its services.

Councillor Whitehead 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 draft future years budget estimates as set out in the report be noted as the latest information available.
- (2) That the update be referred on to Council 23 February 2022 for information.

Officer responsible for effecting the decision:

Chief Finance Officer

Reasons for making the decision:

Performance, project, and resource monitoring provides a link between the Council Plan and operational achievement, by providing regular updates on the impact of operational initiatives against strategic aims.

81 HOUSING REVENUE ACCOUNT AND CAPITAL PROGRAMME

(Cabinet Member with Special Responsibility Councillor Matthews)

Cabinet received a report from the Director for Communities & the Environment that sought Cabinet’s decisions on Council housing rent setting proposals and HRA revenue and capital budget proposals for referral on to Budget Council in order to complete the HRA budget setting process for 2022/23.

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

The options with regards to rent setting are set out under section 3, the maximum permitted increase being CPI+1%. By applying this increase, it allows for a budget that can deliver on the Council's ambitions on improving housing standards and addressing the climate change emergency, whilst adhering to the Rent Standard and legislative requirements.

In relation to garage rents, the previous decision was to freeze rents for 2021/22. In order to protect current occupancy and income levels, and inline with sector benchmarking, a further 12-month freeze is recommended. Garage rents and occupancy will remain under review.

With regard to the revenue budget generally, Cabinet could consider other proposals that may influence spending in current and future years, as long as their financing is considered and addressed.

The options available in respect of the minimum level of HRA balances are to retain the level at £500K in line with the advice of the Section 151 Officer, or adopt a different level. Should Members choose not to accept the advice on the level of balances, then this should be recorded formally in the minutes of the meeting and it could have implications for the Council's financial standing, as assessed by its external auditor.

With regards to the additional budget proposals as set out in section 8 of the report, Cabinet should consider the costs and benefits of the proposals and whether they are affordable, in particular, over the medium to longer term.

The options available in respect of the Capital Programme are:

- i) To approve the programme in full, with the financing as set out;
- ii) To incorporate other increases or reductions to the programme, with appropriate sources of funding being identified.

Any risks attached to the above would depend on measures Members proposed, and their impact on the council housing service and its tenants. As such, a full options analysis could only be undertaken once any alternative proposals are known, and Officers may require more time in order to do this.

Option 1: Set housing and garage rent levels as set out in this report and approve the provisions, reserves and balances position (and their use); the revenue budgets and capital programme; and the additional budget proposals as set out

Advantages: Increased rental income allows the Council to deliver towards its climate ambitions and provide an ambitious housing service which places people and place at the heart of its offer.

Disadvantages: Increased rent levels for tenants.

Risks: The HRA budget set out in this report is sustainable in the long term. The risk associated with Option 1 relates to any future Mainway project (as referred to in section 9, above) and any borrowing or use of reserves in relation to this.

Option 2: Set housing and garage rent levels as detailed in this report and approve the provisions, reserves and balances position (and their use) as set out, and the revenue budgets and capital programme, but allowing for Cabinet's recommendations regarding specific additional budget proposals.

Advantages: Increased rental income allows the council to deliver towards its ambitions. Non-approval of additional budget proposals would lead to greater HRA surpluses over the life of the 30-year business plan.

Disadvantages: Non-approval of additional budget proposals would cause a scaling back of ambitions.

Risks: Inability to maximise service provision and deliver on Council, and housing related ambitions.

Option 3: To propose alternatives to those outlined in Section 11 above.

Advantages: Unknown

Disadvantages: Would require further options analysis

Risks: Impact on housing service and council housing tenants unknown.

The Officer Preferred Option is Option 1: Set housing and garage rent levels as set out in this report and approve the provisions, reserves and balances position (and their use); the revenue budgets and capital programme; and all additional budget proposals as set out.

Councillor Matthews proposed, seconded by Councillor Heath:-

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

Councillors then voted:-

Resolved unanimously:

- (1) That the Housing Revenue Account Revised Budget for 2022/23, as set out at Appendix A to the report, together with the resulting Capital Programme as set out at Appendix C to the report, be referred on to Council for approval.
- (2) That the minimum level of HRA unallocated balances be retained at £500,000 from 01 April 2022, and that the full Statement on Reserves and Balances as set out at Appendix F to the report, be endorsed and referred on to Budget Council for approval.
- (3) That council housing rents be set in accordance with statutory requirements as follows:
 - for general properties let as at 01 April 2022, average rent be set at £78.24 for 2022/23;

- for sheltered and supported housing properties let as at 01 April 2022, average rent be set at £73.49 for 2022/23;
 - for any relevant property becoming vacant the following policy be reaffirmed: that they be re-let at the higher 'formula rent'.
- (4) That garage rents be frozen for a 12-month period (rather than increased by CPI, as per the rent setting policy established by Cabinet in January 2017) in order to protect income levels currently achieved, and in line with benchmarking across the sector.
 - (5) That a delegated decision to approve the tender of 6 programmes of work (over £200k and key decisions over £250k) during 2022/23 can be made by the Chief Executive (as per 7.4 in the report) and in line with procurement rules.
 - (6) That the additional budget proposals as set out at Appendix E to the report be included in Cabinet's budget proposals for referral on to Council, noting that any approvals be met from unallocated balances.
 - (7) That subject to the above, the resulting Housing Revenue Account budget for 2022/23 onwards, as set out at Appendix A to the report, together with the resulting Capital Programme as set out at Appendix C to the report, be referred on to Budget Council for approval.
 - (8) That the redirection of funds within the 2021/22 HRA Capital Programme, as described in 7.3 in the report be approved.

Officers responsible for effecting the decision:

Director for Communities & the Environment

Reasons for making the decision:

The Council is required under statutory provisions to maintain a separate ring-fenced account for all transactions relating to the provision of local authority housing, known as the Housing Revenue Account (HRA). This covers the maintenance and management of the Council's housing stock. The decision ensures there are sufficient resources to maintain and manage the Council's Housing Revenue Account (HRA) assets.

82 BAILRIGG GARDEN VILLAGE - VISION MASTERPLAN

(Cabinet Member with Special Responsibility Councillor Dowding)

Cabinet received a report from the Director for Economic Growth & Regeneration to determine whether the Vision Masterplan for the Bailrigg Garden Village prepared for the council in 2021 by JTP consultants and informed by extensive community engagement and close working with stakeholders would be the basis for the council's planning of the garden village and specifically work to prepare the Lancaster South Area Action Plan.

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

Option 1: To endorse the Vision Masterplan as the basis for the council's planning

of the Bailrigg Garden Village and specifically in work to prepare the Lancaster South Area Action Plan.

Advantages: This will help give certainty as to the council's ambitions for growth in South Lancaster with the community and stakeholders and with the county council with whom the city council is collaborating closely to realise these growth ambitions. The option will provide robust directions for and very significantly inform the statutory planning work required going forward to prepare the Lancaster South Area Action Plan.

Disadvantages: None.

Risks: None.

Option 2: Not to endorse the Vision Masterplan as the basis for further planning work

Advantages: No advantages are identified.

Disadvantages: This option would mean that the Vision Masterplan is either set aside, reviewed or work on such start afresh. This will make for many significant uncertainties. It will not inform, support or assist the statutory planning work necessary going forward to prepare the Lancaster South Area Action Plan, will undermine the credibility of the council in its ambitions for sustainable growth in South Lancaster and further will render largely void many months of work and so make costs incurred abortive.

Risks: This option means delay and risks further costs to the council if further work on the Vision masterplan is sought or the work is to be re-done. The uncertainties attendant with this option will undermine the council's growth ambitions for South Lancaster and make for uncertainties with how the council is to progress in preparing the Lancaster South Area Action Plan. Further, it may risk the collaborative work by the two councils to secure major government investments into South Lancaster and for the city via the Housing Infrastructure Fund.

The officer preferred option is Option1 for the reasons in the analysis above.

Councillor Dowding proposed, seconded by Councillor Heath:-

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

By way of an amendment Councillor Lewis proposed, seconded by Councillor Whitehead:

"That Cabinet requests that the Director for Economic Regeneration & Planning write to all landowners who are intended to be caught within the roof tax, highlighting Lancaster City Council's desire to partner with them to meet the strategic priorities of the council, while respecting the financial imperatives landowners may be operating within."

This was not accepted as a friendly amendment and Cabinet then voted on the amendment.

3 Members (Councillors Lewis, Thornberry & Whitehead) voted for the amendment and

6 Members against (Councillors Brookes, Dowding, Frea, Hamilton-Cox, Heath & Matthews) whereupon the Chair declared the amendment to be lost.

Councillors then voted on the original proposal:

Resolved unanimously:

- (1) That the Vision Masterplan be endorsed as the basis for the council's planning of the Bailrigg Garden Village and specifically in work to prepare the Lancaster South Area Action Plan.
- (2) That Cabinet acknowledge that the Vision Masterplan is a material consideration in the determination of planning proposals.

Officer responsible for effecting the decision:

Director for Economic Growth & Regeneration

Reasons for making the decision:

The Vision Masterplan anticipates a very high standard of urban design and development attaining to the latest thinking meeting best practice standards. Certain aspects will be substantively worked through at plan authorisation and construction stages.

The decision is consistent with all key elements of the councils Policy Framework including for

- A Sustainable District
- An Inclusive and Prosperous Local Economy
- Healthy and Happy Communities
- A Cooperative, Kind and Responsible Council

Further it is in full alignment with the Local Plan and local plan policy including policy for the Broad Area for Growth in South Lancaster.

83 EXCLUSION OF THE PRESS AND PUBLIC

It was moved by Councillor Hamilton-Cox and seconded by Councillor Matthews:-

"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.

84 MAINWAY PROJECT REPORT

(Cabinet Member with Special Responsibility Councillor Matthews)

Cabinet received a report from the Director for Communities & the Environment which sought approval for the next steps for the future of Mainway.

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

In respect of the recommendations:

Option 1: Acquire the redundant parts of the former Skerton High School site; undertake combined site master planning; commence a pilot scheme

Advantages:

Integrating the redundant parts of the school site into the Mainway proposals, increases housing numbers; improves housing mix; delivers community amenity; provides playing fields for wider community and sports group use; improves access to and from Mainway for pedestrian / cycle and vehicles – linking the riverside to Ryelands and beyond. Enhanced placemaking and creates a real opportunity to reverse the cycle of decline and make Skerton East a place to live with one of aspiration.

Acquiring the site establishes the control needed to deliver this transformational opportunity rather than allowing the site to go to a third party who may not deliver anything on the site that meet the core priorities of the Council.

Undertaking a co-ordinated masterplan and early phase detailed design for planning approval, will ensure how core design principles will flow through the combined site; provide improved permeability, connectivity, construction materials, etc that underpins how the new development would function and enrich the lives of residents and the wider community. The early establishment of the design team and development partner for phase 1 is key to meet timeline expectations.

Accelerating an early phase, provides clarity and assurity as to the proposed strategy of retaining the core buildings on Mainway. It communicates the vision of the Council to the community after some perceived delays in progressing the scheme. It sets the stall out as to how the regeneration of the area will come forward and delivers on site examples of the wider masterplan vision. The strategy of retaining the core buildings, is important from a viability and zero carbon objective for Mainway.

Disadvantages:

The cost of delivering a combined Mainway & school site programme is significant and prohibitive to the resources and capacities of the Council based on the current Treasury parameters that dictate borrowing capacity. Dependent on the review and adoption of potential different Treasury strategies, funding 100% of the Mainway development could restrict wider Council priorities.

The school site will have holding costs to be allowed for until developed through.

The masterplan will take into account that a S77 approval may not be granted, but in that instance whilst a portion of that work would be wasted expense, every effort will be to minimise that element.

There is no disadvantage in accelerating an early phase of the Mainway work. The worst scenario that that exercise might realise, is that the existing blocks are not suitable for long term retention and need to be demolished. This is highly unlikely – but the earlier this is known the better and the delivery strategy can then switch to looking a new build options.

Risks:

Whilst detailed due diligence has been undertaken on the title and the physical nature of the site, such as voids in the ground, asbestos, covenants etc. it is believed all identified risks have been assessed and mitigated, all development comes with some risk, and this should be noted.

A delay in pursuing the school purchase may lead to Lancashire County Council deciding on a different course of action and even a sale to a third party.

The school transfer will be subject to Secretary of State approval – which is not guaranteed.

The proposals laid out are based on the premise that the Mainway blocks can be completely stripped back to their concrete structure, reconfigured and then refurbished – assessed from the independent advice thus far received. The rationale of accelerating a limited initial phase is to ensure this strategy is robust. Should it prove not to be, then a demolition and new build plan will need to be pursued. Results from the initial phase will be reported back to Cabinet, as soon as the concrete structures have been completely exposed and assessed.

All social housing has the opportunity for tenants with 'rights' to exercise their 'Right-to-Buy', as the pilot blocks (and any subsequent blocks) are modernised there is a risk of such applications being received. However, there is protection of around 15 years for this where the Council would be able to recoup money spent through the 'cost-floor' plan.

A delay in procuring and appointing a design team and development partner for phase 1 will lead to a further delay in the submission and approval of planning consent; start on site and the key understanding of the refurbishment strategy. The Mainway blocks continue to deteriorate and represent sub-standard living for most residents. Community expectation of action by the Council will again be questioned.

Option 2: Do Not Acquire the School site; do not pursue a combined masterplan; do not undertake a pilot phase.

Advantages:

Not pursuing the acquisition will mean no further cost implications for the Council.

Disadvantages:

Leaving the site as a redundant site, should Lancashire County Council not do anything

with it, will impact on the ambitious and huge place making investment being proposed for Mainway, threatening the wider regeneration opportunity.

Should the County Council decide to dispose of the site on the open market, the City Council is then open to the risk of who buys it, what they might seek to deliver on it and how that may well significantly reduce the social, environmental and community benefits, that having control over the site would provide. An independent development turning its back on Mainway would not deliver the wider opportunity that an inclusive, co-ordinated development would.

A redesign of Mainway alone, can only reflect the area in question and cannot anticipate what may or may not happen on the adjacent school site by a third party. Mainway would have to continue to rely on an inferior access and could be isolated from wider regeneration.

Delaying an initial phase, increases overall risk; decreases confidence by the community and would lead to residents spending longer in substandard housing than they need to.

Risks:

Not having control of the redundant elements of the school site directly undermines the significant investment in Mainway.

Creating a single Mainway masterplan cannot utilise and draw in the wider Skerton community. It would remain an isolated estate which, would not make the most of the capital employed and continue to result in similar problems already experienced with this type of estate.

Not pursuing a pilot scheme increases risk and cost of the overall scheme. It delays establishing a clear strategy for how we best bring forward this key regeneration project. Further delay in pursuing the scheme increases the risk of Right to Buy being exercised which will push the overall future costs of a project up.

The advantages / disadvantages / risks of acquiring the redundant elements of the school site, seeking to pursue a masterplan of the entire site, and accelerating an early phase are outlined above. It should be noted that other combinations than those outlined above could be explored although the advantages, disadvantages, and risks would remain the same.

The officer preferred option is Option 1. This is the only option that gives the City Council control over the wider site and allows the Council the opportunity to then influence the significant social, environmental and economic gains possible. It has the choice at that point to deliver development proposals directly or with chosen partners, who can meet the wider Council priorities and ensure any subsequent development maximise the opportunity this site provides for the community of Skerton East. The terms of purchase are considered fair and realistic in today's market.

The report seeks approval for the following next steps for the future of Mainway:

1. Undertake the full combined Master-planning/Regeneration of Mainway and Skerton High school, in readiness for a planning application in the Autumn (Q3) 2022.
2. An initial accelerated first (pilot) phase of the Mainway Masterplan proposals, that will

deliver a definitive decision as to the viability of the wholesale reconfiguration and refurbishment of the existing buildings on Mainway. To commence in the Summer (Q2) of 2022.

3. To establish a detailed cost budget and delivery programme to allow a clear Treasury paper to be brought back to Cabinet for approval, during Q2 2022, setting out the financing recommendations.

4. To seek approval for the acquisition the redundant elements of the former Skerton High School, subject to S77 Secretary of State approval. Cabinet are asked to authorise the exchange of contracts for the purchase of the Skerton School site for future housing development (conditional on a S77 approval from the Secretary of State) as per the Heads of Terms set out in Appendix 1 or other such improved terms – delegated to Officers.

In order to progress the above stages Cabinet is requested to endorse the use of Housing Revenue Account reserves for the following purposes. Costs with regards to these can be found within the exempt appendices:

- Procure a design, project and development management team to work up a masterplan to application stage on a co-ordinated masterplan of the Skerton High School and Mainway sites including a full detailed consent for an early pilot stage.
- Leaseholder buy back from Derby House (inc. fees).
- Home loss and disturbance payments to residents in Derby & Lune Houses.
- Procure a development partner to deliver the redevelopment of Derby and Lune House.

Councillor Matthews proposed, seconded by Councillor Brookes:-

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

Councillors then voted:-

Resolved unanimously:

- (1) That Officers be authorised to negotiate the final Heads of Terms for the purchase/transfer of the redundant area of the former Skerton High School that purchase/transfer as per the terms of purchase set out in exempt Appendix 1. That purchase being conditional on;
 - a) S77 approval by the Secretary of State
 - b) Satisfactory Legal title
 - c) Clarity/satisfaction on how the ongoing educational facility on the retained County Council land will operate and that all safeguarding measures have been addressed.
- (2) That, in line with the over-riding objective of regeneration for the Mainway District, Cabinet approves the commissioning and procurement of the detailed design and master-planning team to undertake the work required to submit a detailed planning application in late 2022. The detail of that work will build up from the indicative layout plans (exempt Appendix 3) currently worked up to date and a budget required to fulfil all the Local Planning Authority’s requirements is set out in exempt Appendix 3. Subsequent reports will be brought back to Cabinet to seek approval for a preferred option in order to implement the final scheme and proposed phasing.

- (3) That Cabinet approves the acceleration of a first phase of the Mainway Regeneration, including the procurement of a development design and build partner to reconfigure and completely refurbish two of the existing blocks (Derby & Lune) at an expected budget cost of £4m funded from Housing Revenue Account reserves. This cost plan and programme is set out in exempt Appendix 4.

Officer responsible for effecting the decision:

Director for Communities & the Environment

Reasons for making the decision:

The decision is consistent with the following Council Priorities:

- A Sustainable District –Climate Emergency: The design and master-planning will seek to ensure that the properties are resilient to a changing climate and are fit for a zero-carbon future
- An Inclusive and Prosperous Local Economy – through the creation of Jobs and training and opportunities for local companies. The reduction of blight key location, and provision of affordable, suitable housing which enables access to employment and reduces poverty, ensuring money is spent locally.
- Happy and Healthy Communities – proposals contribute to the well-being of tenants, tackle health inequalities and provide quality housing and green space.
- A Co-operative, Kind and Responsible Council – working in partnership and truly listening to tenant voices through consultation has supported the future designs of the estate.

The decision is consistent with the following policies/strategies:

- Local Plan – Delivers comprehensive place making regeneration to contribute towards the provision of housing to meet a locally identified need and opportunities to increase the choice and supply of social housing.
- Housing Strategy - The Regeneration of the estate will link directly to the Homes Strategy for Lancaster district 2020-2025

Chair

(The meeting ended at 8.06 p.m.)

**Any queries regarding these Minutes, please contact
Liz Bateson, Democratic Services - email ebateson@lancaster.gov.uk**

MINUTES PUBLISHED ON FRIDAY 11 FEBRUARY 2022,

**EFFECTIVE DATE FOR IMPLEMENTING THE DECISIONS CONTAINED IN THESE MINUTES:
MONDAY 21 FEBRUARY 2022**