



**LANCASTER**  
**CITY COUNCIL**

*Promoting City, Coast & Countryside*

# COUNCIL MEETING

**Wednesday, 24 April 2024 - 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. Meetings are livestreamed, please click [HERE](#) to watch using MS Teams. Please contact Democratic Support via email [democracy@lancaster.gov.uk](mailto:democracy@lancaster.gov.uk) if you wish to register to speak or ask a question at this meeting. The deadline to register is 12pm on Friday 19 April.

Mark Davies,  
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, 24 April 2024 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 13 March 2024 (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 - 8)

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

9. **MAYOR'S ANNUAL REPORT** (Pages 9 - 10)

To receive the annual report of the Mayor.

10. **CABINET ANNUAL REPORT** (Pages 11 - 44)

To receive the Cabinet's Annual Report containing the Business Progress Reports of the Leader and each Cabinet Member in accordance with Part 2, Section 4 of the Council's Constitution [paragraphs 3.1 (j) and 5.1(m)].

The reports of individual Cabinet Members are included in this agenda and will be presented at the meeting:

Leader of the Council (*Report to follow*).

Climate Action.

Communities, Wellbeing and Partnerships.

Corporate Services.

Environmental Services (published 17 April 2024).

Finance and Resources.

Housing & Homelessness.

Planning & Placemaking

Regeneration, Skills and Digital Innovation

Visitor Economy, Community Wealth Building & Culture.

11. **OVERVIEW AND SCRUTINY ANNUAL REPORT** (Pages 45 - 53)

To receive the Annual Report of Overview and Scrutiny.

12. **AUDIT COMMITTEE ANNUAL REPORT** (Pages 54 - 56)

To receive the Annual Report of the Audit Committee.

Published 18<sup>th</sup> April 2024

**OTHER BUSINESS**

13. **STATEMENT OF LICENSING POLICY 2023-2027 LICENSING ACT 2003** (Pages 57 - 90)

Report of Licensing Manager

14. **COUNCILLORS' CODE OF CONDUCT: REPORTING OFFERS OF GIFTS AND/OR HOSPITALITY** (Pages 91 - 94)

Report of the Monitoring Officer.

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


Group Administrators to report any changes to Committee Membership.

16. **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.

17. **MINUTES OF CABINET** (Pages 95 - 108)

To receive the Minutes of Meeting of Cabinet held 20 February 2024.



.....  
Chief Executive

Town Hall,  
Dalton Square,  
LANCASTER,  
LA1 1PJ

Published on, 16 April 2024.



## Leader's Report

24 April 2024

### 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 20 February later in this agenda.

##### 2.0 Decisions required to be taken urgently.

2.1 No urgent Cabinet decisions have been taken since the last Leader's Report.

##### 3.0 Leader's Comments

3.1 Firstly I'd like to extend a warm welcome to Councillor Isabella Metcalf-Riener, who was elected to Council at a by-election last month following the resignation of Shelagh McGregor, both of the Green Party.

##### Supaskip Emergency

3.2 I am delighted to share with members that an exceptional grant from the Government of £764,916 has been given to the Council in accordance with Section 31 of the Local Government Finance Act 2003 by the Government. These funds are support to Lancaster City Council's response to the waste fire as there was

clear partnership advice and agreement to a strategy to tackle the fire and reduce the impacts on public health and sensitive neighbouring natural environment involving demolition and waste removal. A specific limitation for the grant is that the DLUHC provided funding is specifically used to meet the incurred demolition and waste removal costs only, with Landfill Tax costs to be met by Lancaster City Council. Government have also asked (and indeed we were already exploring) that Lancaster City Council take steps to investigate bringing the site into public ownership, recognising that the legal position on site ownership is currently unclear. This grant constitutes a reimbursement of approximately half of the total expenditure from the Council in dealing with this emergency since December 2023.

- 3.3 Securing this exceptional funding from the Government is a significant accomplishment for this administration, and for the residents of our district. We have continually taken decisions to tackle this emergency effectively and protect residents, businesses, and the environment from the impact of so much harmful waste burning within the city. At times this has meant releasing funds from our reserves to act swiftly, even when there has been no statutory responsibility for the Council to do so, and no certainty that we would be able to recoup any of this sizeable expenditure. However, I have always believed that stepping forward and promptly taking action to meet the emergency was the right thing to do. I am delighted that retrospectively, other partners are beginning to help shoulder this financial burden.
- 3.4 It is said that success has many fathers, and that is certainly true on this occasion, and it has been heartening to coordinate a cooperative, cross-party effort. I would like to thank County Councillor Philippa Williamson and the officers of the County Council, local Green Ward Councillors and David Morris MP for all their support in working towards securing this grant. I would also like to thank Cat Smith MP for her tireless efforts to secure meetings and facilitate agreements with Ministers, and her continued effort to demand accountability from the EA (who have been aware of concerns about the Supaskips site for some time before the fire began). Thanks too to Ministers Hoare and Moore for hearing us out and agreeing the release of funds. Finally the greatest thanks go to our own Chief Executive Mark Davies. Throughout this emergency Mark has ensured that the Council's response was rapid and appropriate, helped to coordinate a multi-agency response, and tenaciously pursued fair and meaningful funding from Government. Together, Mark and I haven't taken no for an answer. I'm proud of both what we have done in responding to the emergency, and in ensuring that the impact to our budgets during a Local Government funding crisis has been significantly mitigated.

### **UK100 Pledge**

- 3.5 I have signed the UK100 Pledge for the 'Mission Zero Coalition'. The pledge reads as follows:

### **3.6 Taking the heat out of local climate action:**

As leaders, cabinet members, councillors, and candidates seeking election to local and regional authorities, we, the undersigned, in the interests of promoting healthy local democracies and collaborative climate policymaking, commit to:

- **Rise** above party politics when addressing the climate crisis, recognising that it transcends political divides and requires collaborative action.
- **Support** an evidence-based, rational climate conversation by resisting the urge to drag climate policies into culture wars or use misinformation as a tool for division. We call on national politicians to do the same.
- **Acknowledge** the dangers associated with a rising tide of climate misinformation and endeavour to counter it by providing accurate, accessible information about climate policies and the need for urgent local action. And proactively communicate the benefits of these measures while addressing legitimate concerns.
- **Champion** the role of local authorities in driving the transition to Net Zero, working in partnership with central government, businesses, and civil society to deliver inclusive, equitable place-based solutions.
- **Engage** residents, civil society and businesses in the co-design of local climate action plans, using best practice guidance to enable meaningful participation in shaping the future of our communities.
- **Recognise** that local authorities are constrained and will need to make difficult decisions. While accountability is essential to local democracy, we will scrutinise with an understanding that our shared goal is to learn from our mistakes and advance climate action by improving delivery.

**Deputy**

- 3.7 On 25<sup>th</sup> March Cllr Caroline Jackson deputised for the Leader at a meeting of the North West Regional Board. The agenda included an item on the use of AI in local authorities and have proved pertinent to discussions within our own council.
- 3.8 On 26<sup>th</sup> March Cllr Jean Parr deputised for the Leader in a meeting with the Lord Lieutenant of Lancashire (LLoL) at the town hall. Cllr Parr was struck by the LLoL’s commitment and passion in recognising the important contributions of volunteers to our county.

**4.0 Decisions**

The following decisions were scheduled to be considered by Cabinet on 16 April 2024:

Projects and Performance: Q3 2023-24
Review of the Consultation on Landlord Licensing and the enforcement of housing standards in the West End of Morecambe.

No Officer Delegated Key Decisions have been taken since the last Leaders report.

The following Individual Cabinet Member Decision has been taken since the last Leader’s report.

ICMD 26	Procurement of Planning and Building Control database , Gazetteer management and associated modules/add-ons via CCS	Taken by: Cllr Jean Parr Published on: 11.03.24
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	VAS Framework	
ICMD 27	Health and Safety Work to Former Ice-Cream Factory	Taken by: Cllr Tim Hamilton-Cox Published on: 21.03.24
ICMD 28	UK Shared Prosperity Fund (UKSPF), Grant Award: Visitor Economy, Community Wealth Building and Culture	Taken by: Cllr Catherine Potter Published on: 05.04.24
ICMD 29	UK Shared Prosperity Fund (UKSPF), Grant Award: Regeneration, Skills and Digital Innovation	Taken by: Cllr Nick Wilkinson Published on: 05.04.24
ICMD 30	UK Shared Prosperity Fund (UKSPF), Grant Award: Climate Action	Taken by: Cllr Gina Dowding Published on: 05.04.24

### Background Papers

Cabinet agenda of the meeting held on 16 April 2024.



The Mayor of Lancaster's Annual Report

The privilege to serve in this historic role has been a great honour.

This has been a year of major change and surprises. The first surprise was being asked to be Mayor following the 2023 Election.

The Shield Hanging Ceremony for the new High Sheriff at Lancaster Castle was on a warm day particularly so when wearing full regalia.

Our next change was the retirement of Lord Shuttleworth as Lord Lieutenant and his replacement with a new female Lieutenant incumbent Mrs Amanda Parker JP.

I was also honoured to be invited to a ceremony thanking Lord Shuttleworth for his many years of loyal service to the monarchy and Lancashire.

It was also an honour to be involved with the Armed Forces week events in June culminating in the Morecambe event involving the parade of cadets and veterans when I had the honour of being one of those receiving the salutes.



**Freemen's Court**

School visits have been a joy. I have visited several primary schools in the district including Warton, Morecambe Bay, Skerton St Lukes, Marsh to name a few.

I must express my admiration for all those involved with the Prince's Trust. We have attended a number of events and the work to assist young people in their future careers was inspiring.

A special thanks to the fire brigade and police and other blue light services for their involvement.

In January I visited County Hall for the King's Award for Voluntary Service ceremony when out of 8 awards, 4 were from within our district :

Halton Gardening Group

Morecambe Girl's Football Club

Morecambe Winter Gardens Preservation Trust

Neuro Drop-In Centre in Morecambe

A superb effort! Presented by the Lord Lieutenant of Lancashire Mrs Amanda Parker JP.

This year our district hosted the International Youth Games with representatives from our twinned towns of Rendsburg and Aalborg and from our associate town of Almere, competing in sporting events at Salt Ayre Leisure Centre and Lancaster University, which established friendships that will endure.

It was also my pleasure to be involved in two traditional Freeman Courts – the annual Court in the Summer and a further one for the two volunteer organisers of the Youth Games. The Mayor and the City's way of "saying thank you, much appreciated."

Other notable visits included Whinny Hall Farm who rehome former race horses – a remarkable organisation run by committed staff whose work with those with a disability is exemplary.

Visits to both Lancaster and Cumbria Universities for Graduations Ceremonies were also inspiring. Lancaster University has nearly 2000 students from China and visits to the Confucius Institute and given it is the year of the Dragon, a celebration of student performances and in the city itself joining the celebration of Chinese New Year were enjoyable.



**With Officers from HMS Lancaster on Remembrance Sunday.**

On a rather sad note, 2024 was the 20<sup>th</sup> Anniversary of the Morecambe Bay Cockling Tragedy when 23 individuals sadly lost their lives. A moving ceremony at the Lifeboat Station acknowledged this tragic event and was very well attended.

Visits to Veteran based organisations included :

Morecambe Football Club

The York

Bay Veterans

All showing active support for those who have served their country.

I have missed referring to many enjoyable visits made during our busy Mayoral year I must apologise but brevity requires some limitation including some wonderful musical events.

Finally, can I thank both Jenny Kay and Chris Clifford for their vital help. To Martin Bottoms my Deputy for providing essential back up. (He did have the honour of cutting the first Mayoral ribbon of the year.) Finally to Glenys without whose support none of the above would have been possible.

Thank you.

Cllr Roger Dennison Mayor of Lancaster 2023-24

Lancaster City Council has been at the forefront of the national and local climate action agenda throughout 2023/24. Our incredible achievements are testament to the collaborative work of officers and Members in making net zero a priority. Some bold decision-making and exciting projects have resulted in Lancaster earning a reputation as one of the national leaders regarding climate action. In addition to those national awards mentioned in the report, the City Council has just been shortlisted for the Municipal Journal achievement awards in the category of 'Leadership in responding to the Climate Emergency' and four other Local Government Chronicle awards.

**1. Mitigating, Adapting and Responding to Climate Change – Climate Emergency UK Scorecards 2023**

***In October 2023, Lancaster City Council was the top-performing district council in the country in terms of actions taken to achieve net zero.*** Climate Emergency UK (CEUK) recognised our work across all council services to meet the challenges of the climate emergency. The scorecards independently assessed seven areas impacting carbon emissions and biodiversity loss: buildings and heating; transport; governance and finance; planning; biodiversity; collaboration and engagement; waste reduction and food. CEUK's findings were audited to ensure scorecards were fairly and robustly marked.

**2. Climate Action – Energy Efficiency Standards**

***Responding to the Planning Inspector's decision regarding City Council's Climate Emergency Local Plan Review (CELPR), officers and Members spent much of 2023 challenging the Inspector's conclusions regarding the setting of energy efficiency standards for new housing.***

Our officers have appeared at several national events, have worked with other local authorities and MPs across the country, pushing for higher energy efficiency standards to be a cornerstone of national housing policy. Significantly, Lancaster featured in the Channel Four documentary *The Great Climate Fight* in Autumn 2023. The response to the programme was overwhelmingly positive, and shortly afterwards Government withdrew the 2015 Written Ministerial Statement (which had been fundamental to the Inspector's previous conclusions). A new Written Ministerial Statement was published, and whilst this is still not as proactive as it should be, it has allowed the Inspector to reconsider the City Council's issue and accept in principle, subject to consultation, Lancaster's proposed higher energy efficiency standards.

This achievement is not to be underestimated. Our officers' efforts in fighting for better will no doubt have influenced other councils to do the same. Unchallenged, it would have led to a poorer quality of housing in the Lancaster District compared to some other local authority areas, and it would have had a direct impact upon fuel poverty and health inequality in the district. This challenge has also led to one of our Principal Planning Officers being recognised by *The Planner Magazine* as one of this year's 'Women of Influence' in the UK.

**3. Local Area Energy Plan (LAEP)**

***The Council procured consultants Energy Catapult Systems (funded by the UK Shared Prosperity Fund) to produce a Local Area Energy Plan (LAEP) for the district.***

The LAEP will identify the most cost-effective pathway for our district to reach net zero, whilst also realising associated local co-benefits such as jobs and skills development. It addresses electricity generation, heat and gas networks, potential for hydrogen, the built environment (i.e. domestic, commercial and industrial), energy storage, decarbonisation of transport, and charging infrastructure. The LAEP project will be concluded in summer 2024.

**4. Renewable Energy Generation**

The City Council's planning application (23/01383/FUL) for the construction of a solar farm and associated infrastructure (substations, cables, CCTV and security fencing) at Burrow Beck, Lancaster will be considered by the Planning Regulatory Committee in due course.

5. **Funding bids for Buildings Decarbonisation and Climate Strategy**

***The Council has recently been successful in its bid for Phase 3c funding of the Public Sector Decarbonisation Scheme (PSDS)***, which was managed by Salix on behalf of the Government's Department for Energy Security and Net Zero. The grant of approximately £1.9m, will be used to decarbonise further council-owned buildings and provide energy efficiency measures (Williamson Park, CityLab and The Storey). Almost £10m of funding has now been secured in the last 3 years.

***A successful bid to UK Shared Prosperity Fund will allow the development of an overarching District Climate and Nature Action Framework (CANAF)*** This will bring all climate action activities together under a single, high-level framework/strategy, fund further public climate engagement and technical-economic modelling of projects identified by the LAEP.

6. **Monitoring Energy Usage: Show and Tell**

***The Council's previous award-winning efforts in decarbonising some of its buildings is now paying dividends.*** Officers have created a new dashboard, displayed at Salt Ayre Leisure Centre and on the Council's website, with live energy data (updated every 30 minutes) from Salt Ayre and from the solar array. It also provides a monthly energy breakdown. Accumulative financial savings were £376k. The Council has also saved in excess of 1,300 tonnes of CO2 from natural gas at Salt Ayre LC.

7. **Decarbonising our own Transport Emissions**

***The Co-Wheels Car Pool Scheme has provided staff with access to 14 electric vehicles during 2023/2024***, used by over 78 members of staff, for around 54k miles, saving the Council over £24,000 in mileage claims (based on 45p per mile). In total, 9.91 tonnes of CO2 have been saved by utilising using electric pool vehicles. The Car Pool provides public access to our vehicles, particularly at weekends, with over 19,000 miles over the course of the year.

8. **Biodiversity Net Gain**

***The Council's feasibility study, involving multiple services, for Council-owned sites to support BNG, will be published in April 2024.*** This year Biodiversity Net Gain (BNG) became a national mandatory requirement for development. Developers who cannot secure the necessary 'biodiversity unit' shortfall on their own site may instead secure an alternative site for local net gain. BNG units will be sold on the open market. There is currently a wide range of predicted values for a single BNG unit, but a low estimate is around £20,000. Under the Environment Act 2021 habitat bank landowners enter into a legal agreement that is binding for 30 years. In response to this, the Council is exploring how it could use its own land for habitat banking (other landowners are already offering this). The cost of establishing and managing the new habitats over the 30 year period will need to be offset against the sale of BNG units.

So far, the Council's study, informed by the Grassland Management Strategy, has identified 11 sites ranging in size from 0.5ha to 3.5ha. The larger sites could potentially provide 20 BNG units. Land east off Middleton Road, between Heysham and Middleton Village (1.39ha) has been selected as a preferred pilot site. A Management Plan has been prepared, which may deliver 11 BNG units through transforming the current scrub and grassland to wildflower meadow, with opportunities for wetland improvement, which would become accessible to the public.

9. **Community Engagement**

***The Climate Team has run a grant funded climate engagement project on active and sustainable travel which concluded this year, as well as continuing engagement around the climate emergency at a wide range of events and venues.***

The Local Climate Engagement Programme (run by Involve; UK100; the Democratic Society; Shared Future CIC and Climate Outreach) provided funding for training and delivering a series of public engagement projects around the theme of 'What is needed for the residents of Lancaster District to move to more active and sustainable travel'. The programme built on the work of the People's Jury from 2020 with Jury members becoming actively involved. Officers ran three engagement strands: Pol.is which had 524 participants engaging in an online platform; Training Community Explorers who then collected 135 in depth interviews; and deliberative workshops with the People's Jury which delivered 21 Ideas for Action. The report is imminent.

**10. Looking Ahead**

By this time next year, the Climate Emergency Local Plan Review will be complete; the Local Area Energy Plan will have identified the most cost-effective pathway to net zero; Burrow Beck Solar Farm planning application will be known, alongside the business plan, and if successful work will started; and the impact of work resulting from successful funding bids listed in this report will be felt.

Lancaster City Council aims to maintain and enhance its position as a trusted and innovative local authority in tackling the climate emergency.

**Councillor Gina Dowding**  
**Cabinet Portfolio Holder for Climate Action**  
**April 2024**

**Portfolio Holder Annual Report 2023-24 – Wellbeing, Communities and Partnerships**

**Portfolio Holder – Cllr Peter Jackson**

I hold a wide-ranging portfolio which touches on many areas of interest and concern.

**SALT AYRE LEISURE CENTRE**

In social value and financial scale, this is the largest responsibility in the portfolio. SALC is an exceptional facility of which we should be extremely proud. It delivers services to about 1 million visitors per year, including school swimming lessons, hosting indoor and outdoor sports clubs, sessions for SEN children and for adults with additional needs, healthy weight services, services for Community Midwives, Holiday Activities and Food programme. There is a (new) link to the centre on the landing page of the City Council's website, I recommend browsing the different links to the Centre's services to see the breadth and quality of what we offer.

In the current financial climate officers and the portfolio holder have been strongly focussed on reducing the level of subsidy that SALC needs. In January the monthly cost of Gym membership was increased from £34 to £40 (for comparison, 3-1-5 gym charges £65). The effect of this change has been a short-term drop in membership from 3700 to 3500. However, even at this level the financial impact is likely to be an increase in revenue of over £125,000. A membership drive to recruit new members is in place.

Even with the benefit of power from our solar farm, increased electricity costs have impacted the balance sheet. Electricity use is monitored in detail by our team, and falling costs are beginning to have a positive impact. Further ways of reducing these costs are being explored.

**UKSPF and REPF**

Applications to the UKSPF and its rural counterpart, the REPF, have greatly exceeded the level of available funding. The process we follow to allocate funds involves assessment of applications by officers and by an external assessment team (Growth Lancashire). This is then followed by careful and detailed consideration by cabinet, leading to funding decisions which are in line with previously set targeted areas for intervention. All decisions for funding in the 2024-25 financial year have now been made, and officers are working with grant recipients to confirm details. This funding has been of great value to our district, and the loss of it for future years, when it is being centralised to the new CCA (Combined County Authority) under a process called "devolution", is greatly to be regretted. Perhaps the CCA could be persuaded to devolve it back to us?

**Yorkshire Dales National Park**

Since the park was extended in August 2016 it now includes the most northern part of our district, the villages of Ireby, Leck and Cowan Bridge. As a result, we appoint one member to the National Park authority, and I have held this role this year. I attended full authority meetings (quarterly) and served on the Finance and Resources committee. The YDNPA is the planning authority in the park, and I also twice attended its planning committee to substitute for other members.

**COMMUNITY CONNECTORS**

Our Community Connectors team works with organisations across the district, often at a grassroots level. This report cannot cover all the varied work of the connectors, but some highlights are given below:

HAF (Holiday activities and food) 2500 children attended events delivered by 20 providers. 4 events within this programme were held, supported by Lancs Fire and Rescue, SALC, LDCVS, L&M College, NHS and the Police.

PASTA – Play and Skills at Tea-time ran at 4 primary schools: St.Lukes, Sandylands, Ryelands and West End. L&M College provided training in cooking skills.

Summer playschemes attracted over 1500 children.

The connectors offered funding advice to a range of organisations, as varied as Warton Cricket Club, Unique Kidz and Morecambe Riso Press, and many more, often resulting in successful funding bids. The connectors sit on the funding panel of the Walney fund, over £650k of funding delivered for our district.

The Community Connectors facilitate “Communities Together” where varied ethnic and faith groups meet. They held a very successful Festival of Culture based at Lancaster University.

Community connectors were involved also with International Women’s Day, Disability Access Rights, The Armed Forces Covenant, Ryelands Residents Group and are involved in the work of our strong local network of Food clubs and Food banks.

## **PARTNERSHIPS**

I attend meetings of several groups which seek to coordinate activity in our district.

**ICC – Integrated Care Community** is a group where health bodies share information about their services. This helps each group to know where to refer patients for their specific issues and simplify the healthcare process. Council is developing an overview of our wellbeing offer which could be made available through this group.

### **H&WBP – Health and Wellbeing Partnership.**

A mixture of a wide range of public service and voluntary sector bodies which has set three priorities for its ongoing work.

Adults – focus on Cardiovascular, COPD and Mental Health

Children and Young People with a focus on prevention of health issues through early intervention.

Communities – building community resilience.

Priority wards, the six wards which produce the most presentations at A+E, have been identified.

### **CSP – Community Safety Partnership**

The partnership looks at specific areas of crime including serious violence and anti-social behaviour. Thorough statistics are provided by the Police statistician, and educational, health, fire and rescue representatives, as well as City and County Councils, contribute to considering measures to improve outcomes. As an example, the partnership was able to fund closed circuit cameras on the Lancaster to Morecambe cycle path and at Salt Ayre to cut crime and ASB in those areas.

### **LDFJP – Lancaster District Food Justice partnership**

This group coordinates much of the activity of the voluntary sector in supporting those in food poverty. We have a strong group of dedicated organisations working in this area, supported by the expertise of LDCVS (Lancaster District Community Voluntary Solutions) who help with

fundraising and organisational support. The partnership works to minimise food waste and make surplus food available, through food clubs and food banks, to those who need it.

**And there's more.**

I have also contributed to workshops developing our LAEP (local Area Energy Plan), meetings of the Lancaster District Strategic Partnership, Healthy Weight initiative meetings, and the Frontierland Project board of 6 cabinet members.

**Household Support Fund**

Council uses this government fund to support residents who present with issues of debt, fuel poverty, food poverty and are struggling with everyday life issues. The fund can offer grants for the purchase of white goods, food bank vouchers, and refers, where appropriate, people to Citizen's Advice for debt counselling and benefits advice. It represents a good example of cooperation between Council and our voluntary sector. Funding has been continued by government for the first 6 months of the new financial year.

**Peter Jackson 15.04.2024**



# Corporate Services portfolio – Annual Report April 2024

## Cllr Jason Wood

### 1. Introduction

Welcome to the Annual Report for the Corporate Services portfolio April 2024. This portfolio includes responsibilities for:

- Facilities Management (Operational),
- Legal Services,
- Democratic Services (Democratic Support, Civic, Mayoral & Elections),
- Customer and Advice Services,
- Governance,
- Fair Work Charter, Equalities and Social Justice, and
- Human Resources

Like all Cabinet members, each of us have been involved in the Outcomes Based Resourcing (OBR) process which involved an intensive period of meetings and deliberations from October 2023 to February 2024 to deliver the Budget which Council approved. OBR/Fit-for-the-Future work for future budgets is getting underway from now. However, the focus of this report is the work in Corporate Services over the previous year.

### 2. Facilities Management (FM) – Operational

#### 2.1 Office Buildings

- Prepared Palatine Hall for a commercial letting, included relocation of all staff, furniture and storage.
- Office relocations delivered for Cemeteries, Public Realm, Assets and Compliance, Legal and Housing Customer services.
- All facilities requirements arranged for White Lund Depot temporary Portakabin office solutions, including desk, welfare and storage provision, as well as scheduling of relocation and ICT requirements.
- Interior redecoration works completed to x5 office spaces.
- 15,141kg estimated carbon saving to date for office refits and staff relocations since the pandemic, due to purchase of quality used office furniture for all projects.
- 65 statutory checks each week across 13 buildings including fire alarms testing,

legionella flushing, firefighting equipment and escape route checks.

- Assumed responsibility for CityLab reception function, a key supporting element of the council's wider focus on compliance activity across the property portfolio.
- Delivered a c£120K revenue saving in Building Cleaning through restructure and scheduling efficiencies.
- 16,679sq/m cleaned each day across corporate and commercial properties, supporting core council administration and income generation through events and commercial tenancies.

#### 2.2 Events

- £8,500 income generated from venue hire facilitating filming of Robin and the Hood, sky movies production.
- Remembrance Sunday, Staff Conference, Christmas Quiz and Annual Council all successfully delivered.
- MTH Livestream solution – FM led project completed in June 23. FM worked with key stakeholders in ICT and Democratic Services to deliver £140,000 (government funded) live streaming solution for MTH Council Chamber.

### 3. Legal Services

- The team supports the good governance of the Council, providing legal and procedural advice to Services in their operational activities, and to officers and members in the decision-making process.
- Involved with projects undertaken by officers in all services in the Council and played key roles in contract drafting and negotiation; and providing advice on strategy, risk and statutory compliance.
- Eden project administration around new Subsidy Control (previously State Aid) legislation. Report produced for submission to the new Subsidy Advice Unit at the Competitive Markets Authority to evidence compliance with the new legislation. Learning curve for City Council as an accountable body to absorb the requirements of a new regime and provide the most robust report possible to be

assessed by SAU. We are delighted with the outcome of the referral and in achieving this milestone.

- The Procurement function has recently moved from Finance to Legal Services and a full review of processes and procedures is scheduled to take place as well as making arrangements for the implementation of new legislation in this area.
- In supporting other services of the Council, Legal Services have undertaken successful prosecutions for Food Hygiene and planning matters.
- Recently appointed a Housing and Anti-Social Behaviour solicitor with a focus on litigation and regulatory compliance in the sector.
- The day-to-day legal work incorporating debt collection, rating cases, recovery of rent arrears, council house sales and other property transactions, including sales and leases, has continued, as has the provision of a local land charges service, and the licensing and information governance functions.

## 4. Democratic Services (Democratic Support, Civic, Mayoral & Elections)

### 4.1 Civic

A full programme of Mayoral and Civic Events has taken place as usual supported by the team. Please refer to the Mayor's annual report for more detail.

### 4.2 Democratic Support

- Livestreaming of Council meetings using new equipment has had a few teething problems and delays to introducing e-voting, but now all seems to be working well. 44 people viewed the February meeting remotely for budget setting. Only 8 people viewed the March meeting remotely, so, just like attendance in person, the items on the agenda attract different audiences and we would expect the Budget to be of great interest to many residents.
- New Councillors induction programme took place following the May 2023 elections and a survey of Councillors views about that and other services provided by Democratic Support was sent out. Results will be circulated to help the team formulate a plan for future training and the induction in 2027. Already there are plans to use filmed clips to explain procedures and how to find your way around the two Town Halls, as these

may be more popular than the documentation that is currently sent out.

### 4.3 Elections

- The Elections Act 2022 not only introduced the Photo ID requirement to vote in a polling station – which came into effect last year, it contained a number of challenging new requirements to be implemented by the elections team in 2023/24, including changes to postal and proxy voting and to overseas voters.
- Following the May 2024 PCC election, we anticipate a General Election in the autumn and an additional challenge will be the new boundaries.
- Mark Davies, our Chief Executive, remains the Returning Officer for two constituencies, but the areas covered have changed. In the new Lancaster & Wyre constituency takes in additional wards from Wyre. In Morecambe & Lunesdale will be taking in wards from Westmorland and Furness for the first time. We have worked with Wyre many times on general elections but will partner with Westmorland and Furness for the first time. Working together in this way takes close communication, meticulous planning and preparation and the development of protocols. All this work has been underway for some time.
- The team have moved to new offices in the basement of Lancaster Town Hall which are more easily accessible for deliveries and can house all their equipment, such as ballot boxes, polling screens, counting trays, Polling Office sundries, etc all in one place rather than being scattered across several locations in the building. This has created a much more cohesive and secure working environment which is fit for the future, with space to fill ballot boxes in situ instead of taking out the Ashton Hall for days for that purpose.

## 5. Customer and Advice Services

- Administered the Household Support Grant: (round 4) £1.2m of funding has supported over 4,000 households in our district with food and other essentials such as utilities, household appliances and other household essentials.
- Administered the UKSPF funded project in partnership with Home Improvement Agency, through this we have awarded 30

households with essential energy efficient white goods and heaters.

- 1500 households received a leaflet detailing top energy saving tips to assist with keeping utility costs affordable. Leaflets have also been provided to key partners: Lancaster District Food Justice Partnership, Greenrose and Citizens Advice to provide to households who need this support.
- TCA funding has been used to provide support to 875 of local schools deprived families comprised of 967 children at primary school age, 341 at high school age to provide a family day at Salt Ayre Leisure Centre to take part in 2 activities and have a meal free of charge.
- Granicus project continues to be developed to support with our Digital First Approach. By increasing our online traffic this ensures the resources we have available to us can be used to support our most in need residents who need more intensive support on the phone or face to face.
- Successes this year include:
  - Over 80% of residents signing up for Garden Waste online, an increase on last year.
  - Self-service across all online services has risen from 48% to 82% over the last year.
  - New Complaints process form has been developed and due to launch April 24
  - New request forms created to request a food hygiene re-inspection, appeal food hygiene rating and request removal of wasps.
- Increased availability of digital services and other improvements to service delivery have reduced demand for our phone lines from over 2,000 calls a week to an average of 1,750.
- Customer Services has been shortlisted for a 'Digital Impact' award at the 2024 Local Government Awards
- Introduction of a new online 'Contact Us' form triages queries direct to services throughout the council. All queries sent to Customer Services receive a 24hr response.
- Town Halls are open to the public 9am – 1pm Monday to Friday seeing on average 350 customers a week between Morecambe and Lancaster Town Hall. These venues are

due to increase their opening hours from Monday 15th April, 9am – 4:30pm.

## 6. Governance

- This council's Constitution, sets out how the council conducts its business, including who is responsible for making decisions and how decisions are made.
- Most decisions are capable of challenge by way of an appeal mechanism and, failing that, judicial review. However no public body wants to bear the expense and uncertainty of challenges in courts and tribunals. More importantly, we want to make sure that we get our processes right, so we can make robust and lasting decisions.
- The Monitoring Officer will monitor and review the operation of the Constitution on a regular basis, in order to ensure that it is up-to-date and is empowered to make changes to ensure that:
  - (a) legislative references are updated;
  - (b) it reflects the Council's structures and decision-making requirements;
  - (c) consequential amendments are made as a result of Council decisions; and
  - (d) any other required changes are made as appropriate.

## 7. Fair Work Charter, Equalities and Social Justice

Responsibly for Fair Work Charter implementation has moved from policy to Sustainable Growth and continues to be rolled out.

Much of 2023 was about getting our own house in order with Living Wage Foundation accreditation an important step before asking other employers in the district to do the same.

Significant work has progressed on our own internal Equalities, Diversity and Inclusion policies and practices to be in a better position to provide advice and guidance to other employers on how they can improve their practices.

## 8. Human Resources

- 8.1 HR policies, strategies and programmes
- HR dashboard developed and phase two of HR Policy review complete

- People Plan co-created and launched
- Learning and Development Strategy launched with supporting training
- Lancaster People Manager Essentials Programme launched, comprising of HR workshops on key topics for all managers, Institute of Leadership & Management programmes at Levels 3 and 5, e-learning packages, Aspiring Leaders programme in partnership with Lancaster and Morecambe College, manager network, top leadership team development
- Wellbeing Strategy with a suite of trained Mental Health First Aiders
- Engagement Strategy with supporting Staff Conferences and Staff Ambassadors (staff network)
- Overhaul of recruitment process to create a seamless and digital first for applicants
- Refresh of values, co-created with employees and cross referenced with Council plan
- Performance Management Framework, including Annual Conversations as an updated version of a performance appraisal
- Employee benefits platform introduced with employee assistance programme

### 8.2 OBR and Restructures

Through the OBR proposals 43 employees were identified as potentially at risk of redundancy.

Following consultations and the organisational change process, in total 33 employees received Voluntary Redundancy in 2023. The number of redundancies was less than first anticipated, contributing factors include counter proposals and redeployments.

There were no compulsory redundancies.

### 8.3 External achievements and awards

- Investors In People (IIP) established Silver status achieved

Investors in People is the international standard for people management, defining what it takes to lead, support and manage people effectively.

It enables organisations to benchmark themselves against the best in the business. Silver is a fantastic achievement and something that only 15% of organisations assessed are able to achieve.

Highlights from the IIP report include:

- The council's new organisational structure, where Chief Officers have more collective responsibility and accountability, is more agile, improves opportunities for collaboration, and has strengthened systems thinking and strategic focus
- A behaviours framework supports the values and sets out clear expectations for staff and makes clear what people can expect in terms of organisational support
- A comprehensive and well-formed People Plan is aligned to the council's vision, purpose and values
- Key priorities over the next 12-18 months include a Learning and Development Strategy, leadership and management development, developing coaching and mentoring capability and continuing to support wellbeing

- Foundation (Real) Living Wage (RLW) accreditation

City council has long been a living wage paying employer – but finally received accreditation from the Foundation in 2023.

Current rate (from April 2024) is set at £12.00 per hour.

The RLW is calculated annually according to what people need to make ends meet. It provides a voluntary benchmark for employers can choose to pay to ensure their staff earn a wage that meets the costs and pressures they face in their everyday lives. It is set each year by the Living Wage Foundation and is calculated based on living costs.

## **Portfolio Report - Environmental Services 2023-2024**

It's been a whirlwind of a year, learning to be both a Councillor and Cabinet member as well as developing an understanding of just how large the scope of the Environmental Services Portfolio is. I've lost count of the many times that I've asked the question "Is this us?" to Will and his team and the answer has been invariably "Yes, that's us".

There is an incredible amount of work being done every day by a dedicated team, it is a portfolio that touches everyone's life in the district, every single day, much of it unseen and not noticed because when it's working well, it just happens. So much so, that the smallest problem can often be magnified exponentially as it's so far from the norm. Even then the team will go out of their way to get things back on track as quickly as possible.

We can't however rest on our laurels, financial constraints and additional demands on our services are pushing us to constantly evolve. Embracing the use of data and digitalisation allows us to drive improvements across the whole service.

The following is a comprehensive review of just what we have achieved over the last year in the areas of waste & recycling, street cleansing, parks & open spaces, and public protection.

My thanks go to my predecessor for all the work he did as a portfolio holder and to the hard work, professionalism, and dedication of all the officers within the Environmental Services portfolio.

### **Waste & Recycling:**

- Collected over 3.5 tonnes of batteries since introducing their collection in 22-23.
- Introduction of a coffee pods recycling scheme in partnership with Podback to allow residents to recycle their coffee pods at the kerbside.
- Green Waste Subscriptions equalled 22,163 for the April 23 to March 24 period.
- Lancaster District Recycling figure is 36.2% for the 2022/23 period. As ever what we can recycle is constrained by what County allows us to recycle.
- Bulky Waste Collections equated to over 283 tonnes.
- Working with County on a cradle-to-grave review of the total cost of waste in anticipation of government waste strategy, the first phase of which is expected to be in place by 31 March 2025, covering non-domestic waste streams followed by full implementation across the whole district at the end of March 2026.
- Windermere Park Morecambe 1,000 residents placed on wheelie bin recycling and optimised collection profile with a monthly collection of recycling streams and fortnightly residual.
- 240-litre recycling bins have been delivered to over 3,000 residents.
- Worked in partnership with Lancaster University to audit the successful implementation of wheelie bins in Windermere Park and to review the quality of the recycling carried out by residents as part of research undertaken with the PPIPL project team.

## **Street Cleansing:**

- 2,884 fly-tipping incidents in the period from April 2023 to March 2024. Resulting in over 611 tonnes of waste collected, a reduction of 20% vs the previous year.
- Working in partnership with Keep Britain Tidy to develop fly-tipping process improvements including a fly-tipping strategy and action plan due May 2024.
- Working in partnership with Keep Britain Tidy and other authorities to develop a values-based comms strategy.
- Bin sensor technology is to be deployed across the district from May 24, this will improve the operational efficiency of the service through digitalisation. Sensors will be able to report the fill levels of bins, this will allow us to plan the most efficient collection route for front-line operatives.

## **Public Protection:**

- Submission of a draft Air Quality Action Plan to Defra.
- About to revoke 2 Air Quality Management Area Orders in Carnforth and Galgate because of year-on-year reductions in NO<sub>2</sub> which are now falling well below government targets. In addition will be reviewing and amending the remaining AQMA in Lancaster as hourly mean levels in NO<sub>2</sub> now fall well below those stipulated in the current order.
- Imminently due to complete the review of the Contaminated Land Strategy in draft form which will be sent out for consultation.
- There have been 1156 interventions in respect of service requests (letters/warnings)
- 438 Visits carried out to premises/complainants.
- We have responded to 1814 service requests.
- Noise App 2 relaunched with 202 cases dealt with during the period. Members of the team were instrumental in assisting RIAMS with fine-tuning as they uncovered lots of hiccups.
- Complete overall of bodycams and software – updated and repaired fit for use
- Successfully launched online booking for pest control wasp treatments, with 43% of requests last summer being submitted and paid for via the website.
- A total of 2215 service requests were received and dealt with by the pest control team.
- The food and safety team held a food forum for local businesses to attend and receive advice and support at The Storey Lancaster. We had 64 people come to listen to presentations by the team and partner agencies.
- The team were involved in a multi-agency operation which helped disrupt an illegal food and cigarette smuggling operation from China. Seized products were brought to Heysham Port Border Control Post for processing by the Port/Food team and border force.

## **Friends of Parks Updates:**

- Establishment of multiple new friends' groups: We now have a total of 34 active groups across the district.
- Greaves Park: Raised £10,000 for a zip wire to be installed in 2024, added a wildflower area and a tree trail map for public use.
- Ryelands Park: Replaced 28 cherry trees damaged by criminal activity, also replaced a small-leaved lime tree and held a bulb planting community day.
- Scotch Quarry: Achieved funding target of £35k for new play equipment and surfacing, installation to be completed by November 2024.
- Fairfield Community Park: Raised £66k for new play equipment and surfacing, works underway, expected to finish by the end of April 2024.
- Regent Park: Made improvements with funds of £774, including returfing goal mouths and planting a magnolia tree.
- Miss Whalley's Field: Organized volunteer events including litter picks and tree maintenance, developing an interactive map.
- Storey Gardens: Raised over £15,000 to replace artwork, collaborating with Food Futures and Closing Loops on a composting demonstration site.
- Clay Pitts Park: Installed notice board, raised planters, and planted trees, also installed picnic benches with funding from Groundworks UK.
- The Roods: Planted new trees and hedges, fundraising for new play equipment and football goals.
- Winchester Field and Nature: Utilizing S106 money for field improvements, raised funds for bridge replacement and notice board.
- Happy Mount Park: Received funding for a sensory garden, Friends group actively fundraising for an extension to the toddler play area and wheelchair-accessible facilities. This will complement the changing places (CPT) facility that opened in June 2023 providing essential facilities to a wider range of visitors to the park.
- Various parks participated in Love Parks Week and volunteer activities like balsam bashing.

### **District Biodiversity and AS & L Updates:**

- Administration of £126,800 of grant funding through the Farming in Protected Landscapes Programme, supporting landowners and land managers to deliver benefits for nature, climate, people and place. This included projects improving accessibility for trampers, providing training on carbon and regenerative farming, the development of The Growing Station wildflower nursery, historic boundary work, and delivering habitat management work.
- Grew 8363 plug plants, bolstering biodiversity throughout the National Landscape, managed local nature reserves, and facilitated over 100 volunteer tasks.
- Supported Butterfly Conservation, removed invasive species, and conducted habitat management activities.
- Engaged in community programs like Dementia Friendly Walks and Into the Woods.
- Collaborated with schools and delivered educational workshops.
- Hosted events like Woodland Fun Days and guided walks.
- Reviewed planning applications and supported local projects through grants.

- Conducted litter picks, installed waymarker posts, and organized BioBlitz and Family Fun-gi Day events.

### **Events:**

- Over 120 events were held in the district on Council land, contributing to community well-being.

### **Parks & Open Space:**

- 5x Green flag and 2x seaside resort awards retained for another year. Happy Mount Park received one of its highest scores to date.
- Williamson Park also retains its Green Flag Heritage Status.

### **Other:**

- Public Realm received over 5000 service requests from residents regarding our services.
- Successful multi-agency response to supa skips incident.
- Delivery of in-cab devices to front-line operatives to improve service response and promote paperless working through digitalisation.
- Ongoing allotment review draft report due May 2024. This is a full district review looking at aspects of the service provision.
- Continuing to fund the food futures coordinator post which has supported the organisation receiving a silver award for sustainable food places.
- UKSPF/Streets are Ours (Sun Square improvement project) this is funded by year 2 UKSPF. Work is due to be completed in May 2024.

**Cllr Joanne Ainscough**

**Cabinet Member for Environmental Services**

**April 2024**



## **Annual Report 2023-24 – Finance and Resources**

### **Portfolio Holder – Cllr Tim Hamilton-Cox**

#### **Prologue**

- 1) ‘Delivering the keynote speech of the conference was Clive Betts, chair of the Levelling Up, Housing and Communities Committee. Betts warned that the next parliament will be “challenging”, suggesting that in the Spring Budget, announced earlier this month, the Department for Levelling Up, Housing and Communities’ (DLUHC’) spending profile did not increase, which will have “ramifications” for councils including real terms cuts.’
- 2) From the best value report in to the operation of the now defunct Northamptonshire CC after it had been the first council, in 2018, to issue a s.114 notice for nearly two decades: ‘In local government there is no substitute for doing boring really well. Only when you have a solid foundation can you innovate.’

Portfolio responsibilities are:

‘Strategic Control of Financial Resources  
Treasury Management  
Procurement and Fair Trade  
Audit and Risk Register  
Financial Services  
Revenues and Benefits  
Property and Assets (Commercial and Investment)  
ICT’

#### **Strategic Control of Financial Resources**

It is a council-wide achievement to have responded so effectively to the very difficult budgetary situation in February 2023 and to have delivered well over 90% of budgeted savings of £2.4m in 23/24. (The value of savings increase to £3.3m in 24/25, illustrating the importance of the decisions made by the previous administration to achieve budgetary stability.) As of Q3 the council was expecting an overspend of £677k in 23/24. Given the budgeted use of reserves of £577k, this would mean a total draw on reserves of £1.254m. But that figure includes the full cost of the savings programme – ‘service transformation’ - and in any case is likely to be lower at out-turn.

The 24/25 budget includes increases in income lines and a significant forecast increase in the value of its share of business rates revenues on larger properties. Nevertheless, the deficit in 26/27 is still forecast to be £4.5m so the Outcomes-Based Resourcing process – now branded as ‘Fit for the Future’ faces significant challenge to achieve a balanced budget by then. The Medium-Term Financial Strategy presented to full council on 13<sup>th</sup> March is the councillors’ essential guide to the scale of the challenge and the assumptions being made to define it.

#### **Treasury management**

The council budgeted in Feb. '23 to borrow £15.5m externally in order to fund capital expenditure and replenish its working capital to pay for day-to-day expenditure. In practice, higher than expected grant income and a reduced capital programme has meant no new borrowing took place. The saving in interest cost will be over £1m and since not all that saving was factored in to the Q3 projection, there is another £400k-plus to reduce the year-end draw on reserves.

Optimising the use of the council's cash balances through the flow and ebb of the financial year is an under-recognised skill and it is at this point I thank Elaine, the officer in charge of this function (and of the devilishly complicated calculation of the council's share of business rates income) council as she retires in the summer. (See the prologue!)

### **Procurement and Fair Trade**

The Council's procurement function moved to Legal Services in November 2023 following the retirement of the council's previous procurement manager. It is acknowledged that there are areas for improvement and efficiencies but progress is taking time as resources are limited to effect change whilst at the same time providing support to procurement currently underway.

The Council procurement online portal known as 'the Chest' records that in 2023/24 twenty procurements exercises were carried out. These procurement exercises include significant projects such as work on the SupaSkips site, Council Housing works and the Mellishaw Lane Traveller Site.

The requirements on local authorities are changing with the Procurement Act 2023 and it is currently anticipated that the new regulations will take effect in full in October 2024. The effects should include providing full access to public procurement data and simplifying the process of working with the public sector, thereby supporting more SMEs to bid for contracts.

On the promotion of fair trade, I defer to my colleague Cllr Abi Mills who has continued to champion the cause as the councillor link to the local Fairtrade group; and who helped to organise a 20<sup>th</sup> anniversary event in Lancaster town hall in March.

### **Audit and Risk Register**

The chair of audit will be reporting in detail on the excellent work of both the committee and internal audit contractors, MIAA. I would merely add here that one of the sticking points hindering completion of statements of accounts going back to 2019-20 has been over the contingent liability represented by development of Luneside East. This is now unstuck thanks to a resolution with Homes England, which has taken a tremendous effort. Over to the external auditor to expedite its tasks.

From 23/24 there is a very significant increase in the cost of external audit, which all councils are bearing as it is argued that low audit fees have compromised timeliness and effectiveness.

As I see it, the regular reporting of the risk register is one of the (albeit necessary) stand-out achievements of the council over the last two years and credit is due to the officers who have made it so.

## **Financial Services**

I may be biased but this is a great, really conscientious, team of people. But a point that I have been making is that Financial Services is the collator/rapporteur, and not the controller, of service budgets. In other words, service budget queries do need to be directed to the service in the first instance.

I'm aware of the CFO's conscious approach to succession planning and trying to 'grow our own', especially with the appointment of two graduate apprentices. Q3 shows that Financial Services expects to come in at around 8% below budget, largely because of the vacancies it is carrying.

I am also very supportive of the conscious guarding against optimism bias when Financial Services assesses projects and their business cases; first championed explicitly (at least so far as I'm aware) by a distinguished predecessor CFO.

Finally, I want to repeat a 'shout-out' for the officer (Lesley) who invigilated the relevant insurance policy and identified extra years of compensation payable for lost rent caused by the fire at the Gateway building on White Lund in 2022, resulting in an additional 6-figure payment to the council.

## **Revenues and Benefits**

The Preston city council-hosted shared service was established in 2011 and continues to provide a highly efficient but approachable service. (My experience of Andrew, the service manager.) A notable element of the modest fee increase for 24/25, and significant cost in absolute terms, is for postage. There is going to be a concerted effort to persuade billpayers to switch to e-billing. I would ask members to set an example in this respect.

There is a move to increase use of chatbots to triage enquiries: this allows staff to focus more of their time resolving complex cases.

The KPI which is used to measure effectiveness of the service is 'Average time taken to process new Housing Benefit claims' and this returned to within target in Q3.

The other measure which members will be aware of is the collection rate for council tax. At 94.1%, the rate is below the median for a district authority. There is a particular effort in train to increase the rate but it undoubtedly faces a strong headwind from the 'Cost of Living' crisis. By contrast the business rates collection rate is above median and in terms of council income is now the larger contributor to the council's finances.

## **Property and Assets (Commercial and Investment)**

Well done to the Property team for all their work over the past year, not least for significantly improving regulatory compliance and for starting to tackle an intimidating property maintenance task: their durability may (need to) be greater than the assets they manage.

Occupancy levels of the commercial property estate remain very good overall at 97.4% of tenanted property, down just a percentage point on a year ago.

The net income from commercial land and properties in 23/24 was budgeted at £1.625m. There will be a shortfall on that because of the impact of the fire at Gateway, White Lund; the administration of the tenant at 17-21, Penny St; and the business rates liability at Hilmore Way. In all three cases it is expected that the revenue situation will improve in 24/25. In particular, the fire damage reinstatement works at Gateway have concluded.

NHS tenants vacated Ryelands House during the year ahead of leases ending and there is community-led interest in occupying the grade II listed building.

Palatine Hall transferred from the municipal estate to the commercial estate during the year as a tenant concluded a lease arrangement for the whole building.

The stabilisation of energy costs does mean that service recharges are less of an acute problem than was anticipated 15 months ago, though gas and electricity are still significantly more expensive than two years ago.

As condition surveys across both the commercial and corporate estate are completed, it is likely that hard decisions will need to be made on the future roles of individual assets given the looming budget deficit and the need to protect core services against the financial impact of significant capital and revenue expenditure on property maintenance.

### **ICT operations**

I've selected a few of the team's visible accomplishments over the past 12 months, provided by Joe, the ICT manager. We cannot under-estimate the role played in the background to enable so much in the council to function without a second thought. (To paraphrase the current prime minister: is there anything that doesn't involve ICT?)

The team has secured a silver award for the council's Local Land and Property Gazetteer (LLPG) data. Two years ago this data was below the national standard and the team now has ambitions for gold.<sup>1</sup>

The team has implemented a new service desk ticketing system called 'Freshservice' that will allow ICT to become more efficient in the handling of incidents and service requests.

It has led on the implementation of interactive display screens for residents and visitors to access. Screens are in place at Williamson Park, the city's museums, The Platform, and The Storey. Lancaster Bus Station is the next location planned to receive an interactive display.

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<sup>1</sup> LLPG is a central database that contains accurate and up-to-date address details of all the properties within Lancaster district, collated according to the national standard BS7666:2006. Functions within the council, such as planning, council tax, non-domestic rates and electoral registration, use the data. The database is also linked to the National Land and Property Gazetteer, a national address database for England and Wales that drives applications and services at a regional and national level.

Wi-Fi upgrades have been implemented at The Storey, Lancaster Town Hall, and Williamson Park. The Platform is also planned to receive an upgrade to Wi-Fi access on-site.

So in a way it's no surprise, but really gratifying, that the ICT team is a finalist in the Local Government Chronicle Awards 2024 in the category for 'Digital Impact'. The team worked closely with departments to map processes in order to use the Granicus software platform to develop a new digital reporting system. This makes it easier for residents and businesses to contact the council, report issues, and conduct transactions. This is the kind of 'channel shift' or digitalisation the council is looking to implement more widely as part of OBR.

Well done ICT; and indeed to all the other teams whose work I've pickpocketed for this annual report.

## Annual Report of portfolio holder for Housing and Homelessness

This portfolio area faced multiple and excessively heavy demands over 2023/2024. Onerous government regulation, an acknowledged housing crisis and legacy rebuilding requiring new skills. In addition the Chief Officer took on leading wider OBR assets work. I must acknowledge the Housing team's resilience, continued ambition and notable successes amid much critical challenge.

The report below gives a very brief overview of the huge amount of work done by this portfolio area. Further details can be found [here](#) (P71-77) and in other links within the report.

Council housing: managing the assets:

- Outstanding development of passivhaus family home for a tenant with severe disability
- Marsh scheme house plot currently being built out as four apartments with community room. Pioneering [MMC](#) project in partnership with a local firm upskilling staff
- Dorrington Road garage site development at financial viability stage.
- Skerton site planning permission for 135 high thermal efficiency houses/apartments awaits Highways finalising vehicle access. Consultation carried out by event, door-knocking and letter. Government Brownfield Release Funding reduced demolition costs: site clearance virtually complete
- Residents in Bridge House, Mainway currently supported by officers to move to adjacent apartments or wider council housing due to building deterioration. Monitoring of Mainway continues
- Delays occurred to timelines on both Mainway and Coopers Field development plans but these should now be back on track
- Housing and Property Climate Strategy and Decarbonisation Action Plan is currently at redraft stage

### Council Housing service development

The [Social Housing Regulation Act 2023](#) introduced an inspection regime for social housing providers to ensure compliance with consumer standards with the power to issue unlimited fines. A yearly Tenant Satisfaction Measure (TSM) provides data to compare landlords and judge performance.

The act covers all aspects of Housing, in particular safety inspections, repairs and maintenance and complaints (especially damp and mould),

- Complete review of all systems and procedures being carried out
- Identified priorities: repairs and maintenance, ASB, Complaints, Tenant Voice and community engagement rapidly progressed.
- The Social Housing Regulation cabinet member advisory group involving tenants, stakeholders, members and officers now scrutinises social housing

The [TSM](#) This year was just below national average. Extensive work continues in order to prepare for inspection from April 2024 onwards.

In addition all work was done to ensure compliance with new [Fire Regulations](#).

## **Homelessness/Housing Options service**

A new [Homelessness Strategy](#) was completed a year ahead of schedule

- New council-owned provision at Jubilee Court opened ([move on accommodation](#) for rough sleepers).
- Excellent partnership between organisations supporting homeless in the district means all street homeless are met with and offered assistance

Families presenting as homeless increased significantly in year with more [Section 21 evictions](#), families who are victims of domestic violence and asylum seeker families given leave to remain. With little council or housing association property available and few affordable private rentals we acquired hotel or hostel accommodation, but this can be very expensive and unsuitable. Negotiations are ongoing to lease properties for this purpose. To increase efficiency, the Housing Options and Choice Based Lettings Teams have successfully replaced the outdated computer system for applications.

## **Private and Strategic Housing and other matters**

Support continued for asylum seekers and refugees in district, including from Ukraine and Afghanistan, in partnership with agencies and third sector. Consultation was undertaken on Selective Landlord Licensing in West End Morecambe. Greater contact with landlords recreated the Morecambe Landlords' Forum, discussion begun on developing a district Social Lettings Agency. A Housing Taskforce advisory group of local stakeholders meets to consider innovative ways to leverage housing. Energetic officer support for Community-led housing aided the successful completion of the [award winning passivhaus scheme at Lune Walk](#) and the establishment of Lapwing Housing.

Finally the refurbishment of the [Mellishaw Traveller site](#) is final weeks of completion. Substantial grant funding reduced costs for the day room units. Huge credit to officers involved and highly appreciated by our traveller community.





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**Annual Report - 2023/24**

**Cabinet Member for Planning and Place Making**

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The first year of a new administration is always challenging, and this year was no exception. The Climate Change Local Plan Review was initially rejected and is now subject to a further report. The Local Plan Review Group continues to work on an updated plan, and a new parking strategy for the city is now subject to a public consultation.

May I take this opportunity to thank our fantastic officers for all their hard work in this past year, and I look forward to working with them in 2024/25.

Here are the highlights of the last 12 months:

**1. Local Government Association (LGA)/Planning Advisory Service (PAS) - Planning Peer Challenge**

Following the successful peer review of the Council's planning functions in November 2022, the local planning authority welcomed back the Peers from the LGA/PAS in January 2024 to evaluate the progress that has been made.

The Progress Review was again very encouraging. The Review noted that:

*"It is very apparent that during the time since the review team were originally at the Council it has responded to the recommendations from the peer challenge along with new challenges for the Council and the service" and that "significant progress has been made across all of the recommendations".*

This external evaluation of the good service offered across all our planning functions is welcome.

**2. Progressing the Climate Emergency Local Plan Review (CELPR)**

I am pleased to report progress regarding the Climate Emergency Local Plan Review (CELPR). As some Members might recall, the Examination in Public sessions had concluded, but the Government's Planning Inspector did not accept the ambitions of the Council relating to the localised setting of higher energy efficiency standards.

During 2023, officers and Members pushed back on this issue, including appearing at a number of national events to highlight the matter. At the end of 2023 the Government withdrew the 2015 Written Ministerial Statement (WMS), which the Inspector had cited as being a key informant of her opinion and replaced it with a new WMS. Subsequently, the Inspector accepted the Council's position regarding energy efficiency standards, subject to consultation. Once this consultation has concluded, the Inspector will at last provide her written report regarding the 'soundness' of the CELPR.

**3. Other plan-making activity**

In June 2023 Lancashire County Council announced the suspension of work on the South Lancaster to M6 transport proposals that were to be part-funded by the Housing Infrastructure Fund. This was predominantly due to rising construction costs, and the decision was supported by the City Council and by Homes England.

It enabled the City Council to trigger an 'early review mechanism' of its Local Plan (adopted July 2020). This decision to review the Plan across the whole district was approved by

Cabinet in September 2023, and the decision to amend the plan-making timetable, known as the Local Development Scheme, was approved by Council later that month.

The scoping of the new Local Plan is ongoing, and the timetable will be regularly updated at the Local Plan Review Group meetings. In readiness for the public stages of the process, the Service has prepared a more accessible explanation of the plan-making process, which is available at

<https://local-plan-review-lancaster.hub.arcgis.com/>

It has also been another positive year for Neighbourhood Planning, with Caton-with-Littledale and Slyne-with-Hest successfully adopting their Neighbourhood Plans during the last 12 months. They join Carnforth, Aldcliffe-with-Stodday, Wray-with-Botton and Wennington as areas with Neighbourhood Plans, which are now a material consideration in planning application decisions. Other parishes/areas are also progressing their Neighbourhood Plans. Details are available here:

<https://www.lancaster.gov.uk/planning/planning-policy/neighbourhood-planning>

#### **4. Development Management (DM)**

In January 2024 the Planning Regulatory Committee approved the Council's new Local Planning Enforcement Plan (LPEP). The LPEP includes a flow-chart explaining the circumstances where the local planning authority will pursue enforcement action and those where it will not. It also includes new service standards that have taken effect in the DM Planning Enforcement Team.

The DM Planning Applications Team continue to have a good track record in terms of national planning performance measurement. At the time of compiling this report, the national 2-year rolling statistics (against which Government measure performance) indicates that between January 2022 and December 2023:

- 85.9% of Major planning applications were determined within the statutory timeframe or within a mutually agreed time limit.
- 90.2% of Non-Major planning applications were determined within the statutory timeframe or within a mutually agreed time limit.

The Government's data regarding the quality of decisions, which is measured as a percentage of decisions that are overturned at appeal, is currently measured on 2-year data between April 2021-March 2023. This indicates:

- Only 2.4% of Major planning application decisions were overturned at appeal; and,
- Only 0.9% of Non-Major planning application decisions were overturned at appeal.

These statistics indicate a good level of service in terms of speed and quality of planning decision-making within the district.

The Service's pre-application advice offer continues to be popular and is out-performing budgetary expectations (see Financial Overview, overleaf), whilst providing developers with the on-site service that they had previously requested.

The DM Building Control service continues to be provided by Capita. As well as winning work (see Financial Overview), they provide excellent support in terms of responding to major incidents and dangerous structures. This includes the former SupaSkips incident, which required significant financial resources and officer time/input across all council disciplines.

## 5. Developer Forum

In December 2023 the local planning authority held their first Developer and Agents' Forum since Covid. This was a popular event, with approximately 100 developers/agents in attendance. The Forum provided an overview of service activity, including topics such as the Local Plan, housing need, and planning application advice. The Forum also welcomed a couple of external speakers to talk about good housing development examples (Lune Walk, Halton) and matters affecting Electricity North West. It is the intention to run this Forum twice every year (June and December).

## 6. Financial Overview

Fee income across the three fee-earning areas is predominantly uncontrollable, as the delivery of third-party development proposals will always depend upon numerous external factors, including the national economic context, the availability of the construction workforce (to build out domestic extensions and commercial projects), house prices, and the cost of building materials.

The current fee income headlines across the three fee-earning areas are:

	Budget (£)	Actual (£)	Variance (£)
<b>Building Regulation Fees 2023-24</b> (to March 31st)	120,088	143,621	+23,533
<b>Planning Application Fees 2023-24</b> (to March 31st)	825,030	761,459.50	- 63,570.50
<b>Pre-Planning Advice Fees 2023-24</b> (to March 31st)	35,751	43,587.43	+7,836.43

The two areas where the Council are able to set their own local fees are the areas where we are exceeding budgetary expectations.

Planning application fees are set nationally and, up until December 2023, they had not increased for 5 years. In future years the national fees will also rise linked to inflation (but capped at 10%) from April 2025. The economic downturn has clearly curtailed some developers' ambitions for the time being. But when confidence in the market does improve, planning application fee income is expected to rise sharply.

## 7. Looking Ahead on Planning

The next 12 months will witness more intense work across all Service areas. By this time next year, the Climate Emergency Local Plan Review will be complete; the district-wide Local Plan Review will be considerably advanced; and more progress will have been made on strategic developments, including the New Hospitals Programme, Health Innovation Campus and, hopefully, a start on site for Eden Morecambe. It promises to be another exciting year for the district.

## 8. Draft Lancaster City Centre Parking Strategy

A huge amount of work from Officers and Cabinet members has gone into producing a draft Parking Strategy. The draft was approved for consultation purposes at Cabinet in March 2024. The strategy was produced to provide actions for the provision of parking in the short medium and long term and address concerns raised by the local business community and also to assist in the delivery of the Canal Quarter. At the time of writing this report consultation on the draft is underway.

## 9 Parking Performance

Occupancy levels in all car parks are stabilised since the previous year. Within Lancaster occupancy levels average at around 70% with a peak of 95% in the run up to Christmas. In Morecambe the average occupancy levels are 49% with a peak of 78% in August.

## 10. Parking Income

For the budget year 23/24 at the end of March the income target was £3,303,600 and actual income was £3,306,598. Income is therefore around the forecast with a very minor positive variance of 0.09%.

A review of parking fees has also been undertaken as part of the budget setting process. Whilst the fees have increased overall by 10% some tariffs and time periods have been altered to better address parking needs in the area and provide a fairer tariff structure. These will come in to force in April 2024. It is worth noting that this is the first increase in parking fees for two years and has been benchmarked against other local authorities' tariffs.

## 11. Challenges

During the past year the key challenge has been the temporary closure of the Castle Car Park due to water ingress and impact on structural condition. A decision was taken to shut the car park for safety reasons until full engineers reports and proposed remedial works had been identified. The car park lease is complex with the landlord, and this is slowing down the progress on bringing the car park back into use. The aim is to reopen Castle Car Park as soon as possible.

Work continues on the Eden Project Morecambe transport & parking strategy between officers, members, County and other stakeholders.

The National Parking Platform (NPP) is an emerging innovation which is being studied closely and a committee report will be distributed as soon as possible to enable decisions to be made in time for the proposed October 2024 launch.

## 12. Key Aims 2024/25

For the forthcoming year key aims for the Parking Portfolio are:

- Complete the consultation and full adoption of the Lancaster city centre parking strategy.
- Commence work on the implementation of Lancaster city centre car parking strategy actions.
- Introduce the new fees & permits structure.
- Bring the Castle car park back in to use.
- Resolve the National Parking Platform matter. The NPP is a DfT initiative to introduce from October 2024 a cross platform parking sector app/telephone payments platform which is vendor & operator agnostic, i.e. any app from any operator can work in any car park across the country. We have expressed an interest, and we are working with the NPP to enable the parking team to create a detailed feasibility report (and with other services such as legal) that the NPP is a credible and robust entity to which we can recommend to members to join.
- Complete the Eden transport strategy to enable the planning permission to be signed-off.

**Councillor Jean Parr**

**Cabinet Portfolio Holder for Planning and Place Making**

**April 2024**

## **Annual Report of the portfolio holder for Visitor Economy, Community Wealth Building and Culture**

### **1. Introduction**

It has been an immense privilege this past year to have been the portfolio holiday for these important responsibilities of the Council. It has also involved a very considerable learning curve, getting to know all the key protagonists and partner organisations across the district.

A vibrant and successful visitor economy brings wealth, jobs, opportunities and a great sense of pride in place. A deep and broad cultural sector enhances quality of lives, educates, inspires, entertains and also adds to a love of where we live. And community wealth building should work towards enabling the wealth of our district to be more evenly spread, reducing inequalities and permeating every layer of society. Planning, environmental services and housing might be the bread and butter of the Council but my portfolio is the cherry on the cake!

Before outlining some of the achievements of the Council and the District of the past year, I would like to pay credit to the dedication, creativity and sheer hard work of the Council officers with whom I have worked – they span primarily three different service areas. There is Jonathan Noad and team, notably Richard Hammond, Carolyn Dalton and Tom Fitton who between them look after Eden, cultural strategy and the museums on our behalf. I also work with Alex Kinch and team, notably Alison Gardner, Damian Woolf and Caroline Addison who are responsible for all aspects of marketing, including tourist information and the visitor and inward investment web pages. Then there is Will Griffith whose team includes Richard Hammond and Tom Fitton (again) and Tara Stapleton who look after all our performance and hireable venues and our role in the district's festivals. Thank you all.

The remainder of this report outlines the headline achievements of the past 12 months and the broad intentions of the year ahead.

### **2. Visitor Economy**

A successful visitor economy isn't just about people from elsewhere dipping into our district, enjoying themselves, spending a bit of money and then leaving. It is also about what we residents do on our days off. We are visitors and consumers ourselves. We also benefit from the injection of that visitor spend into our local economy, creating business opportunities, wealth and jobs.

The primary visitor economy project of Lancaster City Council is clearly the development of Eden Project Morecambe. However, over the next three years, we need to ensure that Morecambe, Lancaster and the wider district are ready for the 740,000 expected visitors annually that Eden will generate. So, once the Eden development is underway, our attention needs to turn to everything else that we offer from a tourism and culture perspective and make sure that the whole district is Eden-ready.

#### **2.1 Eden Project Morecambe**

Significant progress has been made with Eden over the past year. The following has been achieved:

- Set up formal governance structures for the Eden Partnership and commencement of formal meetings of the Programme Board and Sponsor Group
- Completion of additional evidence base to support the Levelling Up Fund (LUF) including primary tourism market research and a red book valuation of the proposal

- Preparation and submission of an Assessment of Compliance for Subsidy Control for consideration by the Competition and Markets Authority, the positive outcome of which was issued in January 2024
- Undertaken due diligence checks and set up audit and claim processes
- Undertaken an “Impact Review” to re-baseline construction costs and delivery programme
- Commencement of work through 11 workstreams to secure delivery, outputs and outcomes
- Eden Project Ltd have almost completed their negotiations to secure match funding
- The draft and negotiation of a Memorandum of Understanding with govt to secure LUF
- The drafting and negotiation of a Grant Fund Agreement with Eden Project Ltd to provide the structure for claims and use of LUF
- The securing of £2.5 million of development funds from Government, enabling design and development works to continue whilst the final terms are agreed and signed off

A massive amount of Council officer resource has been invested in Eden and we expect that very soon the finer details of all the funding agreements will have been signed off and put to bed. However, in the meantime, the £2.5million of development funds that have been secured by the Council have allowed the preparatory work behind the project to proceed according to plan and we still expect construction works to commence by the end of 2024, a soft opening for locals of Eden by the end of 2026 and the full opening in Spring 2027.

## 2.2 Museums

The museums are both a tourism and a cultural asset. Due to the 23/24 OBR process the Museums Service underwent a significant re-structure, reducing opening times by around half and staffing from 15.6 FTE to 9.1 FTE. However, despite this reduced service, the staff remain very motivated and work has commenced on ‘Reimagining the Museums’ so that they are ‘fit for the future’ with workshops held and a funding bid submitted for a service improvement study. We have big ambitions for the museums over the years ahead. We recognise that it is several decades since they had any significant investment and redevelopment, whilst the museums of other cities and towns have been comprehensively brought up to date in recent years. We feel it is our turn next. With the very significant influx of new visitors to the district in the coming years, generated by Eden Morecambe, we wish to enhance our visitor experience, encourage visitors to stay longer and appreciate the whole of what our district has to offer. The modernisation of our museum offering has a key role to play in this. In the meantime, some minor works are underway with improvements to entrances, the Maritime café, and retail areas – using a mix of UKSPF and Council capital funding.

**Some facts and stats about the museums from 23/24:** The museums are becoming more inclusive with 16-34 year olds making up 29% of visitors and 11.3% of visitors being Asian/Asian British or Black/Black British. 16.2% of visitors identify as having a disability. The museum service partnered with several local organisations on projects during the year. Here are but a few examples. 124 young people aged 10-19 took part in the Escape2Make Heritage Market Festival run in partnership with the museums using £75,600 funding from National Lottery Heritage Fund. 98% of young people who took part felt that they had experienced very positive wellbeing and 95% made a new friend. The Touch & See project to increase accessibility for those with sight loss was shortlisted for 3 national awards. The project is run as a partnership between the Museums, the School of Engineering at Lancaster University and Galloways Society for the Blind. The Museums were instrumental in securing £53,000 for the King’s Own Royal Regiment Museum Trustees to undertake the Abyssinia Project, exploring the regiment’s colonial era legacy and objects in their collection. This project has

already attracted international interest. 2023 saw the 100<sup>th</sup> anniversary of the opening of the City Museum and the 100 podcast series has been downloaded more than 16,500 times from around the world. Altogether the museums have leveraged in £223,600 during 2023/24 to support the museums and local communities.

### **2.3 Marketing and Tourism Marketing**

An Initial Tourism Strategy was written and presented to Senior Leadership as a foundation for the Tourism Partnership Group to build upon. Following this, the inaugural gathering of the Tourism Partnership Group took place, with a view to continuing to develop the reputation of the district.

The team attended the British Tourism & Travel Show with partners to promote the wider area to the travel trade.

It is very positive news that new STEAM (Tourism Economic Activity Monitor) data shows that the district's visitor economy has almost fully recovered from the pandemic with an economic impact of £542 million in 2022. Visitors were up 37% on the year before and our district accounted for 11% of all tourism visits to Lancashire in 2022.

The team has broadened its role by now providing more Council venues and activities with marketing assistance. This includes the rebrand of the Storey with a new logo and signage, and improvements for the building's accessibility are underway.

A wedding website is being built to promote the Council's venues and a Conferencing brochure is underway to promote our venues' hireable spaces.

Now that the Platform, Storey and Ashton Hall are all managed by the same team, supported by the Council's marketing function and with a very clear remit to be run as commercially as possible, I believe that this is a very exciting time for the venues, especially for conferences and national gatherings. Lancaster's geographical location at the very centre of Britain, and its accessibility by rail and car, and being able to provide venues of different types and sizes, we really do have a lot to offer the conference market and we intend to promote this further over the period ahead.

Following the OBR decision to close the VICs, UKSPF funding was secured to deliver a digital transformation project. This initiative includes the development of a completely new tourism website, the contract for which was awarded to a local web developer and is well underway with a target launch in Q1 2024/25. Alongside the new website, six digital tourism touch screens have been installed, aiding the transition to accessible visitor information. A further five digital touch screens will be rolled out in the first quarter of 24/25, to include major transport hubs and high footfall areas. We have secured 20 new partnerships, including County libraries and local heritage centres to become tourist information points (TIPs) and have an additional 78 outlets across the district which display tourism brochures and leaflets. So, whilst some residents are disappointed that the two major visitor information centres are no longer open, the creation of several tourist information points will ensure that visitors can access many places throughout the district to find out more information about what to visit and what's going on.

### **3. Community Wealth Building**

This in some ways is less tangible than the visitor economy and culture parts of my portfolio. It is more an underlying theme in everything that we as a Council should be doing. As we play our role in the regeneration of the district and its economy, it is our responsibility to do everything we can to ensure that the benefits of regeneration permeate through every layer of society - that new jobs are created, that average wages rise, that local businesses are

successful and that the economic benefits are spread as widely and evenly as they can be. It is fundamental that we don't want to see sections of our community looking on hopelessly whilst others are seen to reap all the rewards.

My colleague Cllr Jason Wood has been the architect of a Fair Work Charter for the Council and we are seeking support from the Morecambe Bay Anchor collaborative to encourage employers to adopt our Charter and pay at least the Real Living Wage. I have started asking questions about the Council's procurement policy and how it can be targeted to favour local employers and also how better it can favour the values that we wish to promote. I hope to spend more time on this in my second year in this role.

## **4. Culture**

The third area of my portfolio is that of culture. This is a wide-ranging area of responsibility, embracing the venues and facilities that the council owns and operates, third party cultural organisations that we support with grant funding and organisations in the wider community that the Council supports or enables but doesn't directly contribute to in financial terms. Culture, the arts and heritage stimulate the senses and give meaning to life beyond the mundane. Some might consider arts and culture to be nice-to-have add-ons to the primary and statutory roles of a local authority, however those engaged in this sector would argue that culture, the arts and heritage are fundamental to our local identity, core to place-making, pivotal to enhancing the lives of residents, deliver very positive mental health benefits and, equally importantly, contribute significantly to the economic success of our district, stimulating both the visitor and the local economy.

### **4.1 Culture & Heritage Strategic Vision**

At the beginning of the year the Council approved the Strategic Vision for Creativity, Culture and Heritage that sets out the importance of culture and heritage to the local economy and communities and provides a clear vision for what the Council would like to achieve in the district. In summary the vision is for a significantly raised national and international creative and cultural profile; a strong commitment to environmental responsibility and net zero carbon pathways; the maximisation of local and inward investment for creativity and culture; the development of local creative and cultural activity and talent; a strong innovative heritage offer reflecting the diverse histories of our communities; broad, deep engagement, participation and inclusion in creativity and culture across all our neighbourhood communities; the year-round delivery of a compelling creative and cultural offer for local people and visitors. Our next challenge is to translate this vision into a plan of action.

### **4.2 Platform**

Part-way through the year the decision was made to keep the Platform in-house but to make it more commercially viable in part through the establishment of a Friends group and membership scheme. The Friends of the Platform group has now been established and has over 35 members. Its main purpose is to secure funding to support The Platform and to provide volunteers. The Platform, previously within the Sustainable Growth Service area has now been transferred to the Environment & Place team and is managed alongside the Storey and the Ashton Hall, bringing all our bookable venues under one team.

Key Platform statistics for 23/24: 96 professional shows will have taken place by the end of the year, 16,872 tickets sold, 90 community bookings, 2 conferences and 6 festivals hosted (Food Future, Comic Con, Vegan Fair, Vintage by the Sea, Baylight and Catch the Wind).

Needless to say, the people of Morecambe are delighted that the Platform continues to entertain us.



## **4.3 The Storey and the Ashton Hall**

From April 2023 the team were told to stop taking bookings for Ashton Hall as hospitality was going through an OBR review. Bookings didn't resume until June 2023 so a few events were missed. However, 26 event bookings did take place, notably the 32<sup>nd</sup> Lancaster Beer Festival. The Ashton Hall's end of year income was circa 96k across room hire and bar sales (the previous closest to this was 2019/2020 where the total income was £65k).

The Storey hosted seven festivals (Litfest, Light Up Lancaster, Jazz Fest, Lancaster Music Festival, Witches Revival, Fashion Revolution Week with the Sewing Café and Pint of Science), 10 exhibitions in the main gallery and 28 free small exhibitions by local artists in The Thomas Storey Room.

The Council's Lancaster venues are increasingly being used for wedding receptions and ceremonies, something we intend to promote further across all venues. In 23/24 we hosted 3 ceremonies and 8 receptions at the Storey and 7 ceremonies and 1 reception at Lancaster Town Hall, helping 19 couples celebrate their big day.

## **4.4 Arts investments - local arts organisations in receipt of grants from the Council:**

### **The Dukes**

Last year The Dukes had a total throughput in excess of 66,000 people across all its productions and events, making it the theatre's most successful year since the pandemic. The Jungle Book production also took place at Williamson Park, with every ticket sold and overwhelmingly positive feedback from audiences.

### **Ludus Dance**

Last year, Ludus moved to The Storey building in Lancaster, creating a dance hub and office base. Ludus also delivered the 'Alien Needs Our Help' project working with 24 Primary Schools reaching more than 3,600 participants over the duration of the project which highlighted the importance of vaccination against various illnesses.

### **Litfest**

In 2023/24 Litfest once again hosted their Spring and Autumn festivals. The Autumn festival took place in October for the second time and has grown significantly since year one. Over both festivals Litfest attracted more than 1,500 people.

### **More Music**

The More Music team delivered several large-scale events, including the Catch the Wind kite festival, the Winter Lantern Parade, Holocaust Memorial Day and a Commemoration of the 2004 cockling disaster, these events being attended by over 20,000 people. This is in addition to the venue's music and community workshops, work with young people and its performance programme running throughout the year.

## **4.5 Festivals and Events**

### **Event Safety Advisor Group**

The council supports the district's Event Safety Advisory Group in the form of chair and secretary. This year more than 25 mid to large scale outdoor events have presented their plans and have received valuable advice and feedback from members which include the Police, NWAS, Fire Service, Highways, Licencing, Legal and Public Realm.

Council Officers have also directly supported 6 local event organisers with the writing and preparation of event safety plans and risk assessments, directly contributing to safer events taking places across the district. This includes both **Pride** events, the **Bay Health Festival**, **Highest Point Festival** and **Baylight**.

And of course there are those events where we play a much more hands on role, providing officer time, stewards and funding. These include:

### **Brass Bands season at Happy Mount Park**

An ever-popular Sunday season of performances across the Spring and Summer from brass bands across Lancashire, consisting of 14 performances during 2023.

### **Catch the Wind**

Two days of kite flying, and diverse entertainment brought thousands of people to Morecambe Promenade. Catch the Wind It is the longest running festival in the district and remains one of the most popular. Unfortunately, this festival will not take place in 2024.

### **Vintage by the Sea**

This year, the Vintage by the Sea Festival celebrated its 10<sup>th</sup> Anniversary and its busiest year to date. With classic vehicles, live music, vintage crafts and a marketplace, dance classes and dazzling performance pieces, the festival once again continued to be the jewel in Morecambe's festivals crown. The *Vintage by the Sea* festival is a national finalist in the Visit England Tourism Awards, following winning the Lancashire Event of the Year award. The festival, which is organised by Deco Publique and Hemingway Design in partnership with the Council, attracted over 50,000 people into Morecambe over two days in September 2023, its economic impact being estimated at over £1.5M.

### **Light Up Lancaster**

For the first time Light Up Lancaster grew to a full three evening event of Light Art. The festival showcases some of the city's iconic venues and open spaces and attracts a huge audience of 72,215 people from both the district and further afield. This year, the event did not incorporate a Firework display, however economic impact increased from 924K in 2022 to £2.3M in 2023.

### **Remembrance Sunday**

In both Lancaster and Morecambe this year, a service of remembrance took place to commemorate those lost in conflict around the globe. These events attract large audiences of ex and current servicemen and women, as well as a large number of the general public. These events also incorporate a parade, and veterans reception following the service.

## **5. In conclusion**

To conclude, I would like to repeat my thanks to the Chief Officers and their teams who contributed much of the content of this report and whose hard work and dedication every day helps to make this district and all its constituent parts a truly great place to live and to visit.

**Cllr Catherine Potter**

**Portfolio Holder for Visitor Economy, Community Wealth Building and Culture**

**April 2024**

## **Annual Portfolio Review Regeneration, Skills**

### **Lancaster City Centre**

The masterplan for the Canal Quarter was adopted in July 2023 and provides a framework for the future vision and development of the area.

Proposals for the development of the Nelson Street Car Park site have also been out to tender twice. The first round of tender did not meet the aspirations of the Cabinet therefore a further round of tender was undertaken. This has resulted in the identification of a preferred development partner which looks to maximise social housing and energy efficient development opportunities. This development partner was approved at Cabinet in March 2024.

The regeneration function has also contributed to the drafting of a parking strategy for Lancaster City Centre which was approved for consultation purposes in March 2024. Resolving car parking concerns is a keystone to unlock development of the area.

The regeneration team has also been supporting housing colleagues in the proposals for Coopers Field and working with other land owners and interested parties to bring forward their sites within the Canal Quarter.

During 2023/24 final approvals were granted for the refurbishment and bringing back in to use of 1 Lodge Street with the Lancaster Musicians Coop. The project is around £1 million and is funded by the City Council, UKSPF, DLUHC Community ownership Fund and Historic England through the HAZ Programme. Work is currently on site and due to be completed in 2024.

The Mill Race Heritage Action Zone project was completed at the end of March 2024. This resulted in 8 buildings being restored, 235 square metres of public realm improved (with a further 160 sqm due in 2024). Alongside this various guides, tours and training sessions; various elements of heritage interpretation delivered in the built environment including 5 elements of artwork.

### **Morecambe Town Centre**

Attention is being directed to looking at regenerating Morecambe outside of the Eden site. A consultation has been undertaken on the vision and objectives for Frontierland which closed in January 2024. The next steps are to go formally to the market.

A key aim for Morecambe is to provide a Regeneration and Investment Strategy. Draft scope for this has been prepared and funding has been secured from the County Council's Local Economic Regeneration Growth Fund. This will be tendered and underway during 2024/25.

A project to bring back in to use Centenary House is also underway with funding from the Brownfield Land Release Fund of £749,000. Working with PlaceCapital the project will deliver affordable housing and ancillary commercial space.

### **Economy and Skills**

In the middle of 2023-24 this service was restructured around a UKSPF funded project focused on business support and skills. The project is proving very successful and the new staff are making great progress on key outcomes supporting our businesses and training providers. Two provides forums have been established for business support services and skills and training providers. In the first quarter of the UKSPF project 43 businesses were supported by the project. This is significantly ahead of the forecast. The team has also provided significant support to the businesses affected by the Supaskips Fire.

Work on the development of local green construction skills has been progressing, directed by the green skills group, which has been meeting quarterly. The group look forward to one of our local contractors, Baldwins Building Services, becoming the first company in the district to gain Trust mark Accreditation status for both the installation of internal wall insulation and air source heat pumps. This will allow them to complete work using government subsidised schemes. It should be noted that the governments change in timescales for the gas boiler 'phase out' and the pushing back of the need for all rented properties need to attain an EPC rating of 'C' has slowed the desire for local contractors to engage with the green skills training. However we are hoping to increase training through the use of the UKSPF grants to support a more targeted and 'on-site training' approach to bolster local green skills training.

## **Digitalisation**

Work has been on-going to deliver the district digital strategy. This has included the development of the local full fibre network. A review of the digital strategy is planned to be undertaken with an initial meeting scheduled for 18<sup>th</sup> April.

## **Markets**

Occupancy levels at the Charter Market and Assembly Rooms are around 90% whereas for the Festival Market it is around 75%. A programme for improvement of the markets is currently being devised. Additional marketing and publicity for the markets is also being undertaken and participation in the Love Your Local Market national event is being prepped.

## **Key Issues for 2024/25**

In the forthcoming year key focus of work will be the following:

- Bringing forward the development of the Canal Quarter including Nelson Street development
- Supporting the Parking portfolio delivering actions in the parking strategy
- Commissioning and completing a Morecambe Town Centre Regeneration and Investment Strategy
- Developing a Lancaster City Centre visions and investment strategy
- Review of the councils digital strategy
- Ensuring continued success of the Economy and Skills UKSPF project with a view to ensuring sustainability of the team moving forward
- Delivering improvements to the markets service

# OVERVIEW AND SCRUTINY

## ANNUAL REPORT 2023/24



## **Overview and Scrutiny Committee**

The Overview and Scrutiny Committee has overall responsibility for the performance of all Scrutiny functions (under the Local Government Act 2000) on behalf of the City Council.

## **Budget and Performance Panel**

The Budget and Performance Panel has specific responsibility for providing overview and scrutiny to issues regarding the City Council's performance, budget and financial issues.

## **Holding Cabinet Members to Account**

Overview and Scrutiny Members continue to hold Cabinet Members to account. This takes place through the Call-in process and considering items of business at scrutiny meetings and also through arranging for Cabinet Members to come to meetings to discuss issues and developments within Cabinet portfolios.

# COMMUNITY SAFETY

Each year a Community Safety meeting is arranged.

This year the Chair welcomed Councillor Caroline Jackson, Inspector James Martin, the Chief Officer for People and Policy and the Resilience and Community Safety Officer.



The Committee was advised that since the last Crime and Disorder meeting in November 2022, the Serious Violence Duty had come into force and amendments had been made to Section 6 of the Crime and Disorder Act 1998 which made preventing and reducing serious violence a priority for all Community Safety Partnerships.

Serious violence consisted of the following crime types; Homicide, Knife Crime, Gun Crime, Assault resulting in injury, rape, robbery, aggravated burglary, domestic abuse and violence, child exploitation (criminal and sexual.)

It was reported that data produced for the Lancaster District Needs Assessment had indicated that the Lancaster District had the 5th highest rate of serious violence in Lancashire, with Lancaster City Centre having the highest volume within the district.

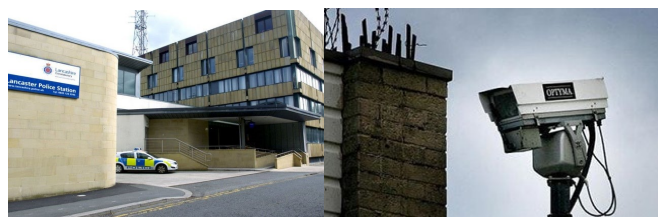
The Committee noted the current priorities from the Strategic Needs Assessment were; domestic abuse, violence, anti-social behaviour, road safety, serious & organised crime and exploitation (criminal and sexual).

It was also noted that the Lancaster District Community Safety Partnership had identified three issues to concentrate on. These were; anti-social behaviour, violence and road safety.

The Committee was informed that anti-social behaviour data provided by both Lancashire Police and Lancaster City Council indicated a decrease in the number of ASB incidents reported over the last 12 months, however Lancashire Fire and Rescue Service continued to experience an increase in deliberate secondary fires.

The Committee was advised that the Lancaster District Public Space Protection Order that had been made in December 2021 was working well.

Members were given details of several funding streams which had been used to address local issues such as CCTV on the cycle path between Morrisons in Morecambe and Lancaster city centre. Funding had also been successfully gained by the Community Safety Partnership across the district. In Poulton Ward, a bid to the Police Crime Commissioner's Safer Neighbourhood Fund for £10,000 had been successful and match funded by Morecambe BID to install additional CCTV cameras covering areas that had been identified as hot-spot locations for both incidents of antisocial behaviour and serious violence.



The Committee went on to discuss Community Triggers and how they worked. Members also asked a number of questions covering issues including Public Space Protection Orders, Anti-Social Behaviour and the work of the Community Safety Partnership.

Members also discussed the use and legality of E-bikes and E-scooters as there had been issues with fake batteries setting on fire. It was reported that it was not illegal to sell these items and also the law regarding such vehicles was in need of updating.



## PEER REVIEW CHALLENGE—PLANNING

The Committee received updates throughout the year on the LGA Peer Review Challenge regarding Planning.

The aim of the Peer Challenge was to independently review the local planning authorities operations and performance and consider how it can respond to present and future challenges.

As a result of the Peer Challenge the Council has produced an Implementation Plan 2023/24 to address issues raised.

## DRAFT PRE-DECISION SCRUTINY PROTOCOL

In September the Committee considered the introduction of a Pre-Decision Scrutiny Protocol.

The Committee felt that it would be useful to have a protocol on how senior officers and Cabinet keep Scrutiny informed of major decisions as they are developed with the potential to allow Scrutiny members some involvement in policy development. The Committee recognised that this would have to involve building in safeguards to mitigate risks around the sharing of sensitive information with Scrutiny members.

The Committee discussed whether a formal protocol or a more inform approach should be taken.

It was agreed that the Pre-Scrutiny Champion would meet regularly with Democratic Support Officers to consider Forthcoming Key Decisions. This would be done on an informal basis.

The Committee will consider the draft Protocol again in the new Municipal Year.

## DISCUSSIONS WITH CABINET MEMBERS

Throughout the year the Committee has invited members of Cabinet to attend meetings and provide updates on their portfolios.

In September the Leader of the Council provided an update on the policies and objectives for the district and advised that the LGA had been invited to work with the new Cabinet to focus on priorities and the Corporate Plan. An update was provided on Frontierland. Members also discussed Canal Quarter and White Lund Depot.

In October the Cabinet Member with Responsibility for Housing and Homelessness provided an overview on, amongst other things, the Council's Housing stock, private rented accommodation, affordable housing and the Homelessness and the Housing Task Force. A Homeless Strategy had just been approved by Cabinet and the Housing Strategy was due to be updated.

It was reported that there had been an increase in homelessness due to s.21 evictions, lack of rented properties and raising rent costs. The Council has introduced support to combat this. Updates were given on Skerton High School, Mainway, Mellishaw and the Co-op Building.

The Cabinet Members with responsibility for Environmental Services attended the December meeting and provided updates on the Grassland Management Strategy, Green Bins and the work of the Recycling Working Group.

The Committee was also updated on the Council's work with Keep Britain Tidy to tackle fly tipping which had resulted in a significant reduction in fly tipping across the district.

In January the Cabinet Member for Housing and Neighbourhoods attended to discuss the Tenants Satisfaction Survey 2023. The Cabinet Member for Property also attended to provide and discuss a Property Group update.



## OTHER ISSUES CONSIDERED BY OVERVIEW AND SCRUTINY

### EDEN PROJECT MORECAMBE UPDATE

At the March 2024 meeting the Committee received an update on the Eden Project.

### FLY TIPPING

Also at the March meeting the Committee received an update on the development of a Council-wide Fly Tipping Strategy.

### TENANTS SATISFACTION SURVEY 2023

At the January 2024 meeting Members were given details of the outcomes from the recent Tenants' Satisfaction Survey. It was reported that as part of the new housing regulation regime that had been introduced after the Grenfell Tower fire and recent deaths due to mould, all registered social housing providers would be required to submit data about their performance alongside the outcome of a tenant satisfaction survey each year from 2024. This information would be used to benchmark housing providers across the UK to provide a national picture.

The Council Housing Team had undertaken the survey over the Summer in 2023.

The survey revealed that seven out of ten residents who completed the survey were satisfied with the overall service provided by Lancaster City Council (71%), with tenants being considerably more satisfied (72%) than leaseholders (51%). It was noted that year on year, the National satisfaction rates reduced and the results for the Lancaster district mirrored this.

The Committee was advised that the housing service had been restructured and had increased its focus on safety in homes, conditions surveys and neighbourhoods including tackling anti-social behaviour.

Members went on to discuss the impact anti-social behaviour had on residents and how important it was to tackle those few who caused it to create happier neighbourhoods.

### PROPERTY GROUP UPDATE

Also at the January 2024 meeting Members were given an overview of the Council's diverse non-housing portfolio of over 1,300 assets, ranging from car parks, corporate operational buildings, land of varying sizes, retail units and other non-housing properties with a value in the region of £90million. As part of the Outcome Based Resourcing (OBR) process in 2022/23 a full review of the Council's asset base resulted in the identification of several assets which were considered appropriate for disposal.

It was reported that within the service, there were three main areas of activity:

- (1) Asset Maintenance,
- (2) Property Compliance and
- (3) Estate Management.

Approval for a full stock condition survey had been gained and an interim capital/revenue programme developed. Alongside this work part of the White Lund Depot redevelopment had been prioritised.

Also discussed was the Asset Management Strategy that had been approved by Cabinet in October 2022. With changes to management over the past few years and the OBR process, Cabinet had used the Strategy as a framework to focus resources on priorities but it was in need of a refresh. Work identified within the Strategy had been undertaken such as the leasing of Palatine Hall and work was underway to dispose of identified assets.

The Committee also discussed the future of Ryelands House and how the problems that existed there could be overcome.

## BUDGET AND PERFORMANCE PANEL

Throughout the year the Panel has undertaken scrutiny on various reports including quarterly, Treasury Management Mid-Year Reviews, Outturn and MTFS.

The Cabinet Member with responsibility for Finance and Resources has attended meetings to present reports and answer questions from the Panel. A number of other Cabinet Members attended the Annual Stakeholder meeting.

The Panel has also received reports and presentations on the following.

### TREASURY MANAGEMENT STRATEGY

The Treasury Management Strategy (TMS) for 2024/25 which included the Annual Investment Strategy was presented to the Panel in February 2024. A the Mid-Year Review had also been submitted for scrutiny to the Panel in December 2023. The Panel considered and noted the Strategy.

### BUDGET CONSULTATION

In January 2024 the Panel held its annual Stakeholder meeting. A presentation from Councillor Tim Hamilton-Cox, Cabinet Member with responsibility for Finance, and Resources was provided on the City Council's Budget and Policy Framework Proposals for 2024/25. The presentation contained details regarding:

- Public Finances

- Changes in core spending
- 2024/25 General Fund Budget (Draft)
- Provisional Settlement allocations for Lancaster City Council 2024/25 vs 2023/24
- 2024/25 General Fund Budget (Draft)
- General Fund - Capital Program
- Fit for the Future

Councillor Hamilton-Cox also responded to questions. Other Cabinet Members and City Council officers in attendance also assisted with responses to queries.

The Panel raised a number of issues including:

- Business Rates income and Heysham Power Station
- The Platform
- Car parking charges
- Homelessness and temporary accommodation
- Section 21 evictions
- New homes bonus
- Possible future charges for fly tipping and the forthcoming review of a

The Panel also considered information provided by the County Council and the Lancashire Combined Fire Authority as part of their budget consultations.

Recommendations were submitted to the County Council. Please see recommendations on the next page.

### STRATEGIC RISK REGISTER

In December 2023 and March 2024 the Panel received reports on the Strategic Risk Register. This had been considered by Audit Committee who recommended it be reported to the Panel quarterly.

The Panel considered whether going forward it would review all risks or just certain categories such as financial risk.

The Panel asked a number of questions relating to actions and completion dates, action plans, cyber security, and risk associated with commercial properties.

### CAPITAL PROGRAMME 2023/24—2032/33—CAPITAL STRATEG (INVESTING IN THE FUTURE)

In February the Panel considered Cabinet's final budget proposals in order that the Council can approve a General Fund Capital Programme for 2023/24 to 2028/29 and a Capital Strategy 2024/25 as required by regulation.

The report addressed the actions required to complete the budget setting process for its Capital Programme and Capital Strategy.

The Panel noted the report.

## ANNUAL BUDGET CONSULTATION

In January 2024 the Budget and Performance Panel held its annual stakeholder meeting.

Councillor Tim Hamilton-Cox, Cabinet Member with Responsibility for Finance and Resources, presented the Council's Budget and Policy Framework report and responded to question

The Panel also considered budget reports from Lancashire Combined Fire Authority and Lancashire County Council. Neither sent a representative to the meeting to present their budget proposals or to answer any questions.

### LANCASHIRE COUNTY COUNCIL

The Panel requested that the County Council consider the Panel's response to the budget consultation.

**GET005** - We are proposing a saving of £150k in the cost of clearing vegetation from walking and cycling routes across Lancashire through the implementation of more effective and efficient working practices.

#### **Budget and Performance Panel response:**

The Panel requested clarification regarding this proposal.

City Councillors receive plenty of adverse feedback on the state of footpaths and cycleways and are worried that 'efficiency gains' will, as usual, actually simply mean a reduced service.

**GET009** - A saving of £239k is proposed through the withdrawal of the £1 concessionary travel fare option for those with a disabled person's NoWcard, English National Concessionary travel pass, who travel by bus before 9.30 Monday to Friday.

#### **Budget and Performance Panel response:**

The Panel was concerned that the report does not consider the impact on disabled residents and would seem to discriminate against disabled people who are working and doubles the costs.

**GET011** - A saving of £6.3m is proposed by reducing the cost of treating collected food waste compared to existing waste disposal methods. This will be done through the installation and modification of facilities at Farington Waste Recovery Park. The change will also have the benefit of producing electricity which can be used to offset energy costs. This proposal is the subject of a more detailed report on this agenda.

#### **Budget and Performance Panel response:**

As the City Council will be incurring increased costs in the collection of food waste the Panel wishes to see some of the County Council's cost savings being passed to the City Council to help with the cost of collection of food waste in this district.

**GET019** – Introduce pay and display parking machines at Lancaster Park and Ride. This will require an initial investment to cover the cost of installation (£60k) but will save the authority an estimated £10k each year.

#### **Budget and Performance Panel response:**

The Panel do not want to see the introduction of park and ride pay and display parking costs as this will have a significant impact on sustainable transport in the district.

## PRE-DECISION SCRUTINY

Pre-Scrutiny is the process mainly based on Cabinet reports and the study of the City Council's published 'Key Decisions' contained in the List of Forthcoming Key Decisions. The List is made available at each meeting. With this information the Overview and Scrutiny Committee can select issues that add value and may consider before a decision is taken.

This process can help to add value to decisions at the pre-decision stage, can widen consultation to include Non-Executive Councillors and it can also help to minimise the use of Call-in.

The Committee's Pre-Scrutiny Champion is Councillor Gawith.

Overview and Scrutiny welcomes the opportunity to submit a response during the consultation phase of a decision.

## OUTSIDE BODIES

At the request of Council the Overview and Scrutiny Committee has made the following appointments to outside bodies.

Representatives are asked to report back, if necessary, to the Overview and Scrutiny Committee on the work of these bodies.

<b>OUTSIDE BODY</b>	<b>OVERVIEW AND SCRUTINY MEMBERSHIP</b>
Homelessness Forum	Councillor Chris Hanna
Lancaster, Morecambe and District Fairtrade Group	Councillor Abi Mills

## ACKNOWLEDGEMENTS

The Overview and Scrutiny Committee and Budget and Performance Panel would like to thank the following for their contribution to the Scrutiny process during 2023/24:

- Cabinet Members who have appeared before Overview and Scrutiny bodies;
- Representatives from organisations, which have delivered presentations and provided information to the Committee/Panel this year;
- Officers who have attended meetings and participated in the work of scrutiny.

**COUNCIL****Audit Committee Annual Report 2023/24****24 April 2024****Report of the Audit Committee Chairman****PURPOSE OF REPORT**

To inform the Council of the current position on issues being dealt with by the Audit Committee.

**This report is public.**

**1.0 Introduction**

- 1.1 I am pleased to present my Annual Report to Council on the work of the Audit Committee since it was last reported to Council on the 26 April 2023
- 1.2 The Terms of Reference of the committee are set out in Part 3, Section 8 of the Council's Constitution. The scope of its activity is summed up in the statement of purpose:

*The audit committee is a key component of Lancaster City Council's corporate governance. It provides an independent high-level focus on the audit, assurance and reporting arrangements that underpin good governance and financial standards.*

*The purpose of an audit committee is to provide those charged with governance, independent assurance of the adequacy of the risk management framework and the internal control environment. It provides independent review of Lancaster City Council's governance, risk management and control frameworks and oversees the financial reporting and annual governance processes. It oversees internal and external audit, helping to ensure efficient and effective assurance arrangements are in place"*

**2.0 Audit Committee Meetings**

- 2.1 The Audit Committee has met 4 times during the financial year 2023/24. A link to the website for further details on the reports and minutes is included here:

[Browse meetings - Audit Committee - Lancaster City Council](#)

- 2.2 In summary, the following areas have been considered by the Committee:

## 24<sup>th</sup> May 2023

- Risk Management Update
- Internal Audit Progress Report
- Statement of Accounts Update
- Training & Work Programme

## 26<sup>th</sup> July 2023

- Internal Audit Progress Report
- Internal Audit Annual Report 2022/23
- Counter Fraud Annual Report 2022/23
- CIPFA Financial Management Code
- Risk Management Update Q1
- Annual Governance Statement 2022/23
- Audit Committee Assurances in Relation to the Financial Reporting Process
- Statement of Accounts Update

## 22nd November 2023

- Risk Categories and Risk Appetite
- Update of the Regulation of Investigatory Powers Act 2000 (RIPA) Policy
- Strategic Risk Management Update
- Internal Audit Progress Report
- Review of Internal Audit Effectiveness
- Annual Review of Audit Committee Performance
- Statement of Accounts Update
- AGS Action Plan Monitoring

## 20<sup>th</sup> March 2024

- Updated Risk Management Policy
- Strategic Risk Management
- Internal Audit Progress Report
- Internal Audit Charter
- Internal Audit Plan 2024/25
- AGS Action Plan Monitoring
- Statement of Accounts Update
- Proposed Accounting Policies and Critical Judgements used in the Preparation of the Statement of Accounts 2023/24

### **3.0 Key Activities**

- 3.1 The three main documents considered by the Audit Committee annually are the Annual Governance Statement (AGS), the Statement of Accounts and the report to those charged with governance (ISA 260).
- 3.2 In preparation for the 2022/23 Statement of Accounts, the Councils AGS was reviewed by the Audit Committee at its meeting 26<sup>th</sup> July 2023 prior to signing by the Leader of the Council and Chief Executive and formal inclusion in the draft financial statements.
- 3.3 The requirements and timeline for the approval of the Statement of Accounts have changed in accordance with the amended Regulations. The Councils draft 2022/23 Accounts were published on the Council's website and submitted for audit by 30<sup>th</sup> July 2023 and the timeline for the conclusion of the audit was 30<sup>th</sup> September 2023. These revised deadlines have impacted both Council and the external auditors. Whilst both the audits of the 2019/20 and 2020/21 Statement of Accounts are still on-going, audit work on the 2021/22 and 2022/23 is

yet to commence.

**4.0 Conclusion**

- 4.1 The organisation and operation of the Audit Committee is considered as part of the external auditor's annual value for money opinion. Although the audit of the 2019/20 and 2020/21 financial statements are yet to be concluded, no issues have been brought to the attention of the s151 Officer, or Committee Chair that would suggest an adverse opinion is expected, or deterioration in performance of the Audit Committee.
- 4.2 I would like to take this opportunity to thank each member of the Audit Committee and also, each and every elected member and council officer who has assisted in providing effective systems of corporate governance and internal control and have continued to make an important contribution to the standing and achievements of the Council.
- 4.3 Over the next 12 months, the Audit Committee will be focusing on addressing the areas identified in the Internal Audit Annual Report. I would particularly like to maintain the momentum in respect of embedding Risk Management within Lancaster City Council, as an integral part of strategic and operational management, and to properly inform risk based Internal Audit planning.

<p><b>CONCLUSION OF IMPACT ASSESSMENT</b>  <b>(including Health &amp; Safety, Equality &amp; Diversity, Human Rights, Community Safety, Sustainability and Rural Proofing):</b>                  None directly arising from this report.</p>	
<p><b>LEGAL IMPLICATIONS</b>                  None directly arising from this report.</p>	
<p><b>FINANCIAL IMPLICATIONS</b>                  None directly arising from this report.</p>	
<p><b>OTHER RESOURCE IMPLICATIONS, such as Human Resources, Information Services, Property, Open Spaces</b>                  None directly arising from this report.</p>	
<p><b>SECTION 151 OFFICER'S COMMENTS</b>                  The s151 Officer has been consulted and has no additional comments.</p>	
<p><b>MONITORING OFFICER'S COMMENTS</b>                  The Monitoring Officer has been consulted and has no further comments</p>	
<p><b>BACKGROUND PAPERS</b>   <a href="#">Browse meetings - Audit Committee - Lancaster City Council</a></p>	<p><b>Contact Officer:</b> Paul Thompson  <b>Telephone:</b> 01524 582603  <b>Email:</b> pthompson@lancaster.gov.uk  <b>Ref:</b></p>



**COUNCIL**

## **Statement of Licensing Policy 2023-2027 Licensing Act 2003**

**24 April 2024**

### **Report of Licensing Manager**

#### **PURPOSE OF REPORT**

To present Full Council with the revised Statement of Licensing Policy 2023-2027 with a view to approving the recommendation of the Councils Cabinet and adopt the updated policy.

**This report is public.**

#### **RECOMMENDATIONS OF COUNCILLOR WOOD**

- (1) **On the recommendation of Cabinet and Licensing Committee, for Full Council adopt the revised Statement of Licensing Policy (2023-2027), with immediate effect.**

#### **1.0 Introduction**

- 1.1 The Licensing Authority is required, every 5 years, to review, consult and publish a Statement of Licensing Policy setting out its policy for the exercise of its functions under the Licensing Act 2003.
- 1.2 The Licensing Act 2003 came into effect on 24 November 2005. It covers the following licensable activities:
- Sale or supply of alcohol
  - Provision of regulated entertainment
  - Provision of late-night refreshment
- 1.3 The policy sets out a general approach to how licensing decisions are made; how representations are considered, and conditions imposed, while also acting as a guide for applicants. The licensing authority must carry out its functions with a view to promoting the licensing objectives and this policy is framed around those objectives.
- 1.4 Members will be aware the 4 licensing objectives are as follows:
- The prevention of crime and disorder
  - Public safety
  - The prevention of public nuisance

- The protection of children from harm

These four objectives will be the paramount considerations when determining a course of action in relation to the Licensing Authority's licensing functions. Each objective will be given equal importance.

## **2.0 Proposal Details**

- 2.1 The revised Statement of Licensing Policy (2023-2027) is attached at **Appendix 1**.
- 2.2 The policy review has been carried out in line with the Home Office revised guidance issued under section 182 of the Licensing Act 2003 (August 2023), the Licensing Act 2003 and other relevant legislation.
- 2.3 The revised policy is specific to the Lancaster district, including local priorities and highlighting areas of concern, this places a requirement on applicants for licences and current licence-holders to consider how their business or premises will mitigate the impact of their operation on not only the licensing objectives, but specific local areas of concerns.
- 2.4 Additionally, the revised policy includes model licence conditions, this will assist applicants with the operating schedule of their application and Licensing Committee members when considering those application(s) or when reviewing premises licences.

## **3.0 Details of Consultation**

- 3.1 The draft statement of licensing policy was published on the Council's website for consultation for a period of 6 weeks. (From Monday 18th September 2023 – Monday 30th October 2023)
- 3.2 In accordance with s5(3) of the Licensing Act, we consulted with:
  - The Chief Officer of Police for Lancashire
  - Lancashire Fire and Rescue Authority
  - Director of Public Health for Lancashire
  - Persons/bodies representative of local premises licence holders
  - Persons/bodies representative of local club premises certificate holders
  - Persons/bodies representative of local personal licence holders
  - Persons/bodies representative of business and residents in the licensing authority area.
- 3.3 Additionally, the consultation was also publicised on the Council social media channels and the following individuals/groups with a particular interest in development of the policy were alerted to the consultation.
  - Responsible Authorities as defined in the Licensing Act 2003
  - Representatives of Licence Holders e.g. Licensing Solicitors
  - Business Improvement Districts (Morecambe and Lancaster)
  - Pubwatch Representatives (Morecambe and Lancaster)
  - All Councillors of Lancaster City Councillor
  - Students Union Chief Executive

- 3.4 Licensing Officers also attended local meetings, including Pubwatch to highlight the key changes the policy, explaining the reasoning for those changes and answering any questions or concerns licence-holders had.
- 3.5 Consultation responses have been considered by members of Licensing Committee, no amendments were noted by Licensing Committee prior to consideration of the policy by Cabinet.

## **Options**

- 4.1 Options available to members are.
  - a) Adopt the Statement Of Licensing Policy (2023-2027) with or without amendment.
  - b) It is recommended that the updated policy will take immediate effect.

## **5.0 Officers preferred option**

- 5.1 The Officers preferred option would be for Full Council to adopt the revised Statement of Licensing Policy for 2023-2027 and for the policy to take immediate effect.

## **6.0 Conclusion**

- 6.1 Lancaster City Council must review, update and publish its Statement of Licensing Policy every 5 years. A thorough review has been undertaken and a draft subject to public consultation. The consultation period lasted 6-weeks, 2 responses were received and have been considered by the Councils Licensing Committee.
- 6.2 The policy sets out a general approach to how licensing decisions are made; how representations are considered, and conditions imposed, while also acting as a guide for applicants, elected members, responsible authorities and council officers.
- 6.3 The Councils Constitution sets out the decisions making process for policy matters, in the instance of the Statement of Licensing Policy (2023-2027). Licensing Committee make recommendations to Cabinet to consider before adoption of the policy by Full Council.

**CONCLUSION OF IMPACT ASSESSMENT**

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

Each application made under the terms of the revised policy will be determined on its own merits, with the 4 licensing objectives of paramount consideration.

**LEGAL IMPLICATIONS**

Section 5 of the Licensing Act 2003 requires that a Licensing Authority publish a Statement of Licensing Policy for a five-year period, although current policy expired in January 2021 it has been used as a basis for decision-making since that time.

The revised policy sets out the general approach of how the Licensing Authority will determine applications made under the Licensing Act 2003 for the next 5 years, the policy will be kept under review and changes made as required during that period.

**FINANCIAL IMPLICATIONS**

None Identified.

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

Internal departments of the City Council and external partners will be informed of the updated policy following adoption.

**SECTION 151 OFFICER'S COMMENTS**

None

**MONITORING OFFICER'S COMMENTS**

By law, the Council must have a Policy Framework. This is a list of plans and strategies which are relevant to the Council's functions and are required by law to be decided by the Full Council, usually on the recommendation of the Cabinet. The Statement of Licensing Policy forms part of the Council's Policy Framework. The Licensing Committee's terms of reference include the following: - "To develop Licensing and Gambling Policies for consideration by the Cabinet and Full Council;"

**BACKGROUND PAPERS**

**Contact Officer:** Jennifer Curtis  
**Telephone:** 01524 582732  
**Email:** jcurtis@lancaster.gov.uk  
**Ref:** SOLP202327

# Statement of Licensing Policy 2023-2027



**Author: Licensing Manager**

**Document Name: Statement of Licensing Policy 2023 - 2027**

**Approved by Full Council:**

**Date due for review: January 2028**

**Responsible for review: Licensing Manager**



The Lancaster district is one of 12 local authority areas in Lancashire and is the most northerly within the County. The district shares its borders with both Cumbria and Yorkshire. Lancaster City Council covers the historic University City of Lancaster, the coastal resort of Morecambe, the town of Carnforth as well as the surrounding rural areas.

The premises within the district that are required to be licensed are many and varied, catering for diverse tastes and consumer demands. Several open-air events and festivals take place annually in the district further enhancing the offer of cultural activities.

The Licensing Authority recognises that the entertainment, hospitality and leisure industry within its authority area is a major contributor to the local economy. It attracts tourists and visitors, makes for vibrant towns and communities, and is a major employer.

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# 1 Introduction

## 1.1 Background

1.1.1 Lancaster City Council (the Council) is the Licensing Authority under the Licensing Act 2003 (the 2003 Act). It is empowered to administer the following in respect of the sale and/or supply of alcohol and the provision of regulated entertainment and late-night refreshment within the district:

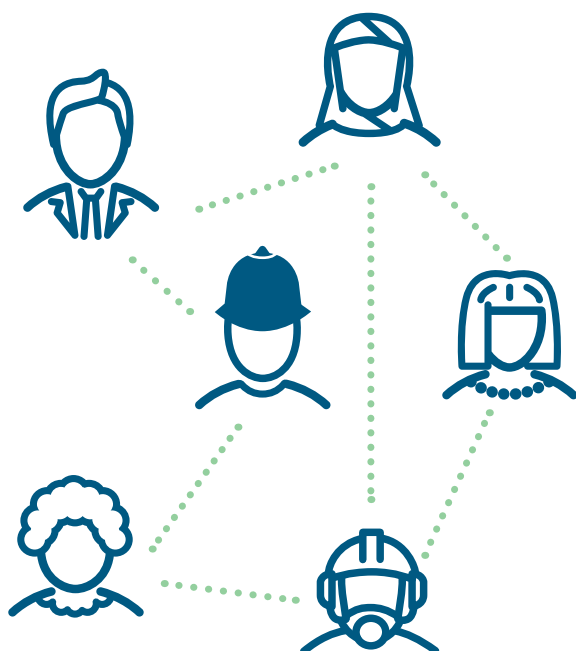
- premises licences including provisional statements, full and minor variations, transfers, interim authorities, and reviews
- club premises certificates
- temporary event notices
- personal licences

1.1.2 The Licensing Act 2003 requires a Licensing Authority to prepare and publish a statement of its Licensing Policy before the Authority can carry out any licensing or regulatory functions under the terms of the Licensing Act 2003. This Policy must be kept under review and the Licensing Authority may make any revisions to it, as it considers appropriate. In any event the Licensing Authority is required to review their Statement of Licensing Policy every 5 years, the previous policy ran from 2016 - 2021.

1.1.3 This Licensing Policy sets out the issues that the Licensing Authority will consider when determining licences throughout the district and encompasses experience gained in the implementation and regulation of the Licensing Act 2003.

1.1.4 In determining this Policy the Licensing Authority has had regard to the Guidance issued under Section 182 of the Licensing Act 2003. In determining applications under the 2003 Act the Licensing Authority shall consider:

- the promotion of the four licensing objectives
- representations and evidence presented by all parties, together with any relevant supporting documentation
- the latest guidance issued by the government
- the licensing authority's own Statement of Licensing Policy



## 1.2 Aim

1.2.1 The 2003 Act requires the Licensing Authority to carry out its various licensing functions to promote the four licensing objectives.

1.2.2 The aim of this Licensing Policy is to set out how the Licensing Authority seeks to promote the four licensing objectives, which are:

- the prevention of crime and disorder
- public safety
- the prevention of public nuisance
- the protection of children from harm

1.2.3 These four objectives will be the paramount considerations when determining a course of action in relation to the Licensing Authority's licensing functions. Each objective will be given equal importance.

## 1.3 Purpose

1.3.1 The main purpose of this Policy is to provide clarity to applicants, other persons and Responsible Authorities on how the Licensing Authority will determine applications to supply alcohol, provide regulated entertainment and operate late night refreshment. As the 'vicinity' test has now been removed, the Licensing Authority will consider all representations from any person however, the Licensing Authority shall apportion the weight of the representation between those persons immediately affected by the premises and its operation and those persons who may have a lack of knowledge of the area or of personal experience.

1.3.2 Where revisions are made to the Guidance there may be a period when this Policy is inconsistent with the Guidance. In these circumstances the Licensing Authority shall have regard, and give appropriate weight, to the revised Guidance in conjunction with this Licensing Policy.

## 1.4 Consultation

1.4.1 Before determining its policy for any five-year period, the Licensing Authority will consult the following:

- the Chief Officer of Police
- the Fire and Rescue Authority
- the Director of Public Health
- persons/bodies representative of local holders of premises licences
- persons/bodies representative of local holders of club premises certificates
- persons/bodies representative of local holders of personal licences
- persons/bodies representative of businesses and residents in the district

The Licensing Authority may consult beyond the statutory requirements, and seek comments from additional bodies, groups or individuals as appropriate.



## 1.5 Fundamental Principles

1.5.1 This Policy sets out the Licensing Authority's general approach to the making of licensing decisions and is consistent with the provisions of the 2003 Act. Nothing in the Policy will undermine the right of any individual to apply for authorisations and to have any such application considered on its individual merits. Similarly, nothing in the Policy will override the right of any person to make representations on an application or to seek a review of a Licence or Certificate in accordance with the provisions of the 2003 Act.

1.5.2 This Policy recognises that the Equality Act 2010 places a legal obligation on public authorities to have due regard to the need to eliminate unlawful discrimination, harassment and victimisation; to advance equality of opportunity; and to foster good relations, between persons with different protected characteristics. The applicant must give due consideration to disabled persons under this Act for access and egress so that they are not at a substantial disadvantage.

1.5.3 The introduction of the Policing & Crime Act 2009 extends Police closure powers. The Licensing Authority further acknowledges and supports that this legislation has been introduced against the background of increasing alcohol-related anti-social behaviour and subsequent hospital admissions that has led to criticism due to the increased cost to local residents. This Act signifies a shift back from deregulation towards offering greater support for communities being adversely affected.

1.5.4 The Licensing Authority may recommend actions over and above the requirements of a licence/certificate and applicants are asked to give these recommendations serious consideration, as adoption of best practice may be considered in the investigation of complaints if they arise in connection with the premises in the future.

1.5.5 The Licensing Authority may only impose conditions on a premises licence if they are consistent with the operating schedule or after receiving relevant representations and only if a Licensing Committee or Licensing Sub-Committee determines the matter. Any conditions attached to the licence must relate to the promotion of the Licensing Objectives.

1.5.6 The Licensing Authority acknowledges that the Government believes that in some circumstances flexible hours for the sale of alcohol can help to ensure that the concentrations of customers leaving premises simultaneously are avoided.

1.5.7 Where licensed premises are surrounded by housing, unrestricted extensions of hours could extend the time of disturbance to later in the night; therefore, the Licensing Authority acknowledges that tighter control may be justified in residential areas always however having regard to the individual merits of any application.



1.5.8 In general terms the Licensing Authority will closely scrutinise applications for premises licences showing a late terminal hour so as to be satisfied that they will have no adverse impact on the Licensing Objectives.

1.5.9 Once people are beyond the control of the individual, club or business holding the relevant authorisation, licensing law is not the primary mechanism for the general control of nuisance and anti-social behaviour. Licensing law will always be part of a holistic approach to the management of the evening and night-time economy in the district.

1.5.10 The Licensing Authority expects every licence holder or event organiser to minimise the impact of their activities on the surrounding area and any anti-social behaviour created by their customers in and within the vicinity of their premises by taking appropriate measures and actions consistent with that responsibility. Whether or not incidents can be regarded as being in the vicinity of the licensed premises is recognised as a question of fact and will depend on the specific circumstances in each case. In cases of dispute, the question will ultimately be decided by the courts, where an appeal is heard by them. In addressing this matter, the Licensing Authority will primarily focus on the direct impact of the activities taking place at the licensed premises on members of the public living, working or engaged in normal activity in the area concerned.

1.5.11 The type of entertainment offered on licensed premises and the closing hour of premises permitted to provide alcohol to the public often have a direct link to crime and disorder, public nuisance and public safety issues. For example, there is generally more likelihood of crime and disorder and public safety problems occurring in a music and dance venue permitted to sell alcohol and open until 3am than there is in a well-managed public house located in a quiet back street that provides limited regulated entertainment and closes at 11pm.

# 2.0 General Principles

## 2.1 Legislation

2.1.1 In undertaking its licensing function under the Act, the Licensing Authority is also bound by other legislation, including:

- Section 17 of the Crime and Disorder Act 1988;
- Human Rights Act 1998, with regard being given to Article 6, Article 8 and Article 1 of the first Protocol
- Equalities Act 2010
- Policing & Crime Act 2009
- Business and Planning Act 2020

2.1.2 In all applications relating to premises, applicants should specify methods by which they will promote the four Licensing Objectives in their operating schedules.

## 2.2 Revisions to Policy

2.2.1 The Policy shall be subject to periodic reviews and further consultation as and when required. The Licensing Authority may revise this Policy following changes to, for example:

- Local circumstances;
- The Licensing Act, associated regulations or statutory guidance;
- Other national legislation; or
- The policies and practices of a Responsible Authority

## 2.3 Areas of Concern

2.3.1 Specific areas of concern include:

- Sales of alcohol to under 18s, directly and by-proxy
- Noise nuisance caused by regulated entertainment
- Nuisance caused by hot-food take-aways, particularly parking of delivery vehicles
- Dispersal of patrons from licensed premises
- Drink and needle spiking
- Sexual harassment and violence towards women and girls
- Detailed door security operating procedures and risk assessments

2.3.2 Applicants for a premises licence are advised to include in their Operating Schedule, (where applicable) specifically how they will approach the areas of concern highlighted. Including how they will prevent the sale of alcohol to minors, what measures are implemented by the premises to minimise any reports of noise nuisance caused by regulated entertainment, to manage the threat of spiking in their premises, policies on how reports of violence or sexual harassment of women will be handled by the premises, How the premises will disperse customers, minimising the impact on local residents and parking provision for delivery-drivers operating for late night refreshment venues.

2.3.3 Experience indicates that a last time of entry condition assists in the promotion of the licensing objectives. It is therefore expected that applicants for late licensed premises will detail in their operating schedules that there will be no new entry or re-entry to the premises after 1am.

## 2.4 Children

2.4.1 The 2003 Act requires applicants for premises licences and club premises certificates to copy details of their applications to a body which:

- a) represents those who, in relation to any such area, are responsible for, or interested in, matters relating to the protection of children from harm, and
- b) is recognised by the Licensing Authority for that area for the purposes of this section as being competent to advise it on such matters.

2.4.2 The Licensing Authority's policy is that the Responsible Authority in relation to the protection of children from harm is Lancashire County Council, Children's Safeguarding team.

2.4.3 The Licensing Authority will expect licensees of premises giving film exhibitions to include, in their operating schedules, arrangements for restricting children from viewing age restricted films. Such premises will be subject to a mandatory condition requiring that access will be restricted to only those who meet the required age limit in accordance with any certificate granted by the British Board of Film Classification (BBFC), or in specific cases where such certificates have not been granted, the Licensing Authority.



2.4.4 The Licensing Authority does not intend to adopt its own system of film classification but reserves the right to impose different age restrictions on admittance to film exhibitions from those imposed by BBFC classifications.

2.4.5 If the Licensing Authority attaches an age-restriction to any film that differs from the BBFC classification or attaches one to an unclassified film, the information about the Licensing Authority's classification will be published at the venue.

2.4.6 The Licensing Authority shall not seek to limit the access of children to any licensed premises unless it is necessary for the prevention of physical, moral or psychological harm. In all other cases it will be left to the discretion of the Licensee but the Licensing Authority shall expect that the licensee shall give full consideration of access by children at all times and ensure that there is a policy in place to promote this licensing objective.

2.4.7 However, the following are examples of issues that are likely to raise concern: -

- Where entertainment or services of an adult or sexual nature are common thereby likely to undermine the licensing objectives;
- Where relevant premises are known to allow unaccompanied children;
- Where the applicant has described in the Operating Schedule that 'no adult or similar entertainment shall take place on the premises' but intends to hold an event liable to compromise the protection of children from harm licensing objective;
- Where there has been early indication and subsequent evidence of poor management of the premises leading to undermining of the licensing objectives;
- Where the premises have a known association with drug taking or dealing;
- Where the current staff have received convictions or cautions for serving alcohol to minors or where the premises has a reputation for underage drinking or failures in test purchasing;
- Where there is a strong element of gambling on the premises;
- Where there is likely to be underage events with the intention of selling or exposing alcohol for sale or where the intention is to permit adults to this event;
- Where the supply of alcohol for consumption on the premises is the exclusive or primary purpose of the services provided at the premises.

2.4.8 Examples of entertainment likely to cause concern are entertainment or services of an adult or sexual nature including topless bar staff, striptease, lap, table or pole dancing, performances involving feigned violence or entertainment involving strong or offensive language.

2.4.9 This Licensing Authority strongly advises that where music and alcohol sales are the main reasons for the event taking place, that persons under 18 years are not admitted unless the organisers have extremely robust procedures for ensuring those under 18 years do not have access to any alcohol – this includes sales, proxy sales, and bringing it onto the event.

2.4.10 Where there are events solely provided for young people, for example an Under 18's disco in a nightclub or similar relevant premises, the Licensing Authority strongly advises that adequate and sufficient measures are put in place so that young people cannot gain access to alcohol or energy drinks and further that no alcohol is served to any supervising adults at such events. The management of the premises should also ensure that measures are taken to prevent alcohol being brought onto those premises.

2.4.11 In particular, the Licensing Authority will consider what conditions are offered in the Operating Schedule. The applicant in completing the Operating Schedule is required to describe the steps they intend to take to promote this Licensing Objective and highlight any adult entertainment or services, etc. that may give rise to concern in respect of children. However, where the applicant does not state the steps they intend to take to promote this Objective but does state that 'no adult or similar entertainment shall take place on the premise', the Licensing Authority shall consider this restriction to be a condition on the Licence/certificate from the publication of this Policy.

## 2.5 Licensing Hours

2.4.1 With regard to licensing hours the Licensing Authority will consider each application on its individual merits.

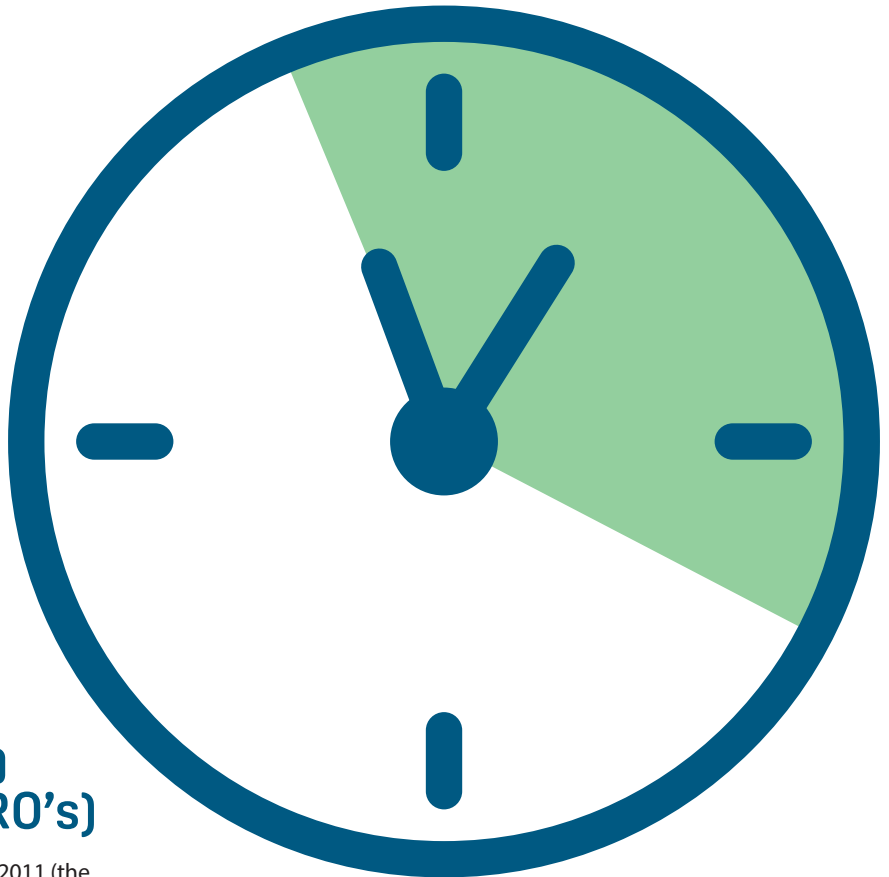
2.5.2 Applications for premises licences with a terminal hour later than 12 midnight where the sale or supply of alcohol for consumption on the premises is the main activity or where the sale or supply of alcohol is accompanied by musical entertainment, will be subject to close scrutiny by the Responsible Authorities to ensure that there will be no adverse impact on the Licensing Objectives. Specifically, the applicant should ensure that the operating schedule for such premises demonstrates how the Licensing Objectives will be met. This is a general policy and does not automatically mean that all applications will result in licences being granted until midnight or that no applications will be granted with a closing hour after midnight.

2.5.3 In considering these issues the Licensing Authority will give careful consideration to the nature of the venue proposed. For example, the Council is keen to promote establishments at which the service and consumption of alcohol is not the primary activity. These may include restaurants, theatres, cinemas, comedy clubs, galleries, museums, and similar venues. The Licensing Authority's experience is that such venues are liable to give rise to fewer public concerns in relation to later closing hours.

2.5.4 The Licensing Authority will pay special regard to the proximity of residential properties to the proposed premises. Consideration will be given to the imposition of stricter noise control conditions, if representations are received in areas with a concentration of residential properties.

2.5.5 The Licensing Authority will expect premises to be cleared of patrons within a reasonable time of the terminal hour set for licensable activities.

2.5.6 Shops, stores and supermarkets will generally be free to provide sales of alcohol for consumption off the premises at any times when the retail outlet is open for shopping, unless there are good reasons for restricting those hours. An example would be where the Police make representations that the premises are a focus of disorder and disturbance.



## 2.6 Late Night Levies (LNL) and Early Morning Restriction Orders (EMRO's)

2.6.1 The Police Reform and Social Responsibility Act 2011 (the PRSRA) has introduced the power for the Licensing Authority to charge a late-night levy to all premises within the Lancaster City Council District. The late night levy is a discretionary power allowing Councils to collect an annual fee from all licensed premises in the district that are authorised to sell alcohol between the hours of midnight and 6am as a means of raising a contribution towards the costs of policing the night time economy. The decision to introduce, vary or cease the levy will be made by Full Council in conjunction with the Police and Crime Commissioner and Lancashire Constabulary. However, any decision in relation to the administration and design of the levy will be delegated to the Licensing Committee.

2.6.2 The Licensing Authority recognises that this levy would cover the whole of the district and not just those premises that are causing problems or those premises within any cumulative impact area. Therefore, serious consideration would be given to the introduction of the levy in light of this. Furthermore, the Licensing Authority would give serious consideration as to whether or not the levy is a viable proposal.

### EARLY MORNING RESTRICTION ORDERS (EMRO)

2.6.3 An EMRO enables a licensing authority to prohibit the sale of alcohol for a specified time period between the hours of 12am and 6am in the whole or part of its area, if it is satisfied that this would be appropriate for the promotion of the licensing objectives.

2.6.4 EMROs are designed to address recurring problems such as high levels of alcohol related crime and disorder in specific areas at specific times; serious public nuisance; and other instances of alcohol-related anti-social behaviour which is not directly attributable to specific premises.

2.6.5 The licensing authority will review the need for an EMRO at least every five years in line with the review of this policy to see if circumstances have changed and any are needed. In addition to the review each five years the licensing authority may consider an EMRO at any time if circumstances changed and evidence supported this course of action. No area of the District is covered by an EMRO at present.

2.6.6 As an EMRO is a powerful tool and a very stringent approach in tackling issues, the Licensing Authority will first consider whether other measures may address the problems and achieve the same goal. These could include: -

- Taking a robust multi-agency approach to tackling problem premises;
- Prior to reviewing a licence/certificate, meeting with the DPS and licence/certificate holder to ensure a Premises Improvement Plan.
- Using other mechanisms to control the cumulative impact, e.g. planning controls;
- Using other mechanisms to control noise and anti-social behaviour;
- Police powers to closure premises;
- Providing powers to designate parts of the local authority area as places where alcohol may not be consumed publicly;
- Police enforcement of the general law concerning disorder and anti-social behaviour, including the issuing of fixed penalty notices;
- Provision of CCTV;
- Provision of night marshals and street pastors;
- Introduction of a late-night levy.

The above is not an exhaustive list of possible measures.

## 2.7 Late Night Refreshment

2.7.1 The Licensing Authority will expect applicants for licences in respect of late-night refreshment premises to detail in their operating schedules how they intend to promote the licensing objectives and in particular how they intend to address queue management, litter, noise and delivery vehicle disturbance.

2.7.2 Where appropriate, and, in line with the Public Nuisance and Public Safety Licensing Objectives, the Licensing Authority may recommend that applicants display their company name on containers and packaging; this will enable the Licensing Authority to identify any premises causing concern.

2.7.3 The Licensing Authority expects that any premises providing late night refreshment will have a responsible policy for regularly clearing litter from outside their premises and for 25 metres along the pavement in either direction as necessary, whilst the premises are open and at the end of the working day. Such Policy could also include the display of notices advising customers to use the

bins provided. In addition, where there is evidence that grease and food, etc. has emanated from the premises, the Licensing Authority recommends that the highway in the vicinity of the premises is swilled or scrubbed so as not to attract seagulls, pigeons and vermin. The Licensing Authority recommends that all such inspections and action taken be recorded in the Premises Log Book.

2.7.4 Where an applicant wishes to sell alcohol either on or off the premises in such an establishment or provide an alcohol delivery service, the Licensing Authority recommends that the Operating Schedule sets out specific measures to ensure the prevention of Crime and Disorder and Public Nuisance in the vicinity of the premises. Existing premises that seek to provide an alcohol delivery service are expected to notify the Licensing Authority that they are operating such a service setting out specific measures they intend to take to promote the licensing objectives.

2.7.5 The Authority has considered the relaxation of controls suggested through the Deregulation Act 2015 and has decided that it would not be appropriate to do so. There is no evidence base to suggest that such action would be beneficial to local residents.



# 3.0 Licensing Approach

## 3.1 Partnership Working

3.1.1 The Council recognises that Licensing functions under the 2003 Act are not the only means of promoting the principles behind the Licensing Objectives. Delivery includes working with Planning, Environmental Health, the Police, the Fire Authority, the Crime Reduction Partnerships, Town Councils, Pubwatch, local businesses and residents, Lancashire County Council, transport operators and those involved with child protection.

3.1.2 The Council recognises that co-operation across services within the Council and with our external partners remains the best means of promoting the Licensing Objectives.

3.1.3 The Licensing Authority seeks to encourage and support the night-time economy by providing a vibrant and safe town centre experience. It shall work closely with the Responsible Authorities to promote the Licensing Objectives, including the licensed trade, local people and businesses. The Licensing Authority will continue to work closely as part of these groups to promote the common objectives and shall recognise its duty under Section 17 of The Crime and Disorder Act 1998 when carrying out its functions under the 2003 Act. In addition, the Licensing Authority will seek to support strategies where they are allied to the Licensing Objectives such as the National Alcohol Harm Reduction Strategy and any other relevant strategies and policies.

3.1.4 The Licensing Authority recognises that the private sector, local residents and community groups in particular have a vital role to play in promoting the licensing objectives. The Licensing Authority shall work closely with other enforcement agencies in the management of the nighttime economy, particularly relating to the tackling of underage sales and proxy sales of alcohol and drunkenness or disorder on or in the immediate vicinity of the licensed premises.

## 3.2 Cumulative Impact Policy

3.2.1 A cumulative impact policy creates a rebuttable presumption that applications within a particular area of the District for new premises licences or club premises certificates or material variations thereto will normally be refused if relevant representations are received about the cumulative impact on the four licensing objectives.

3.2.2 The Licensing Authority will review the need for a special policy on cumulative impact at least every five years in line with the review of this policy to see if circumstances have changed and one is needed.

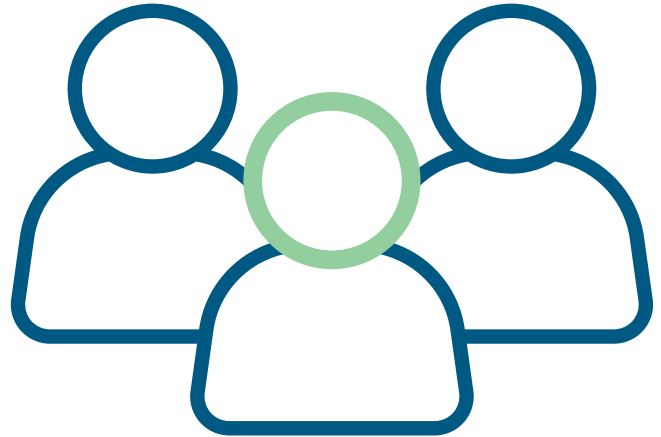
3.2.3 In addition to the review each five years the Licensing Authority may consider a special policy on cumulative impact at any time if circumstances changed and evidence supported this course of action.

3.2.4 No area of the District is currently covered by a special policy on cumulative impact.

## 3.3. Local Strategies and Policies

3.3.1 Where appropriate, the Committee will take into account local strategies and policies. These will include: -

- Community Alcohol Partnership (CAP)
- Community Safety Partnership (CSP)



## 3.4 Integrating Strategies

3.4.1 There are many stakeholders involved in the leisure industry and many are involved in the promotion of the licensing objectives. A number of stakeholders' plans and strategies deal with matters related to the licensing function. Where this is the case the Council will aim, as far as possible, to coordinate them.

3.4.2 Where appropriate, the Licensing Authority will also have regard to:

- local crime prevention strategies;
- needs of the local tourist economy;
- employment situation in the area and the need for new investment and employment where appropriate;
- needs of the local community
- the duty on Public Authorities to eliminate unlawful discrimination;
- the policy on cumulative impact.

## 3.5 Avoiding Duplication

3.5.1 The Licensing Authority recognises the need to avoid, so far as possible, duplication with other regulatory regimes such as health and safety at work, fire safety, building control and planning. Conditions will not be imposed if the matters concerned are already provided for sufficiently in other legislation. However, other legislation may not always cover the unique circumstances that arise in connection with licensable activities and in such cases tailored conditions may be necessary but only if relevant representations are received.

3.5.2 The Licensing Authority recognises that in accordance with Section 43 of the Regulatory Reform (Fire Safety) Order 2005, any conditions imposed by the Licensing Authority that relate to any requirements on prohibitions that are or could be imposed by that Order, shall have no effect. The Licensing Authority shall therefore not seek to impose fire safety conditions where the Order applies.

3.5.3 In much the same way, the Indecent Displays Act 1981 prohibits the public display of indecent matter and the Licensing Authority shall therefore not seek to impose conditions concerning such displays inside or outside the premises. The existing laws governing indecency and obscenity are adequate to control adult entertainment of this nature. However, the Licensing Authority shall, if it considers necessary in certain premises, consider attaching conditions following a hearing addressing the exclusion of minors.

3.5.4 Non-compliance with other statutory requirements may be considered in reaching a decision about whether or not to grant or vary a licence but only if relevant representations are received.

3.5.5 The Licensing Authority recognises that the existence of planning permission, building regulation approval or pavement licences must be properly separated from licensing applications to avoid duplication and inefficiency. Similarly, the existence of a Premises Licence shall not prejudice the consideration of any planning, building regulation approval or pavement licence applications. However, the Licensing Authority shall expect applicants to have obtained the appropriate consents or licences prior to operation.

3.5.6 Where premises have not obtained such consents or licences, they will be liable to enforcement action under the appropriate legislation. There may be circumstances when as a condition of planning permission a terminal hour is set for the use of commercial premises. Where these hours are different to the licensing hours, the applicant must observe the earlier closing time to ensure that they are not in breach. Premises operating in breach of their Planning Permission or their premises licence/certificate may be liable to enforcement action by the Planning Authority or the Licensing Authority as appropriate.

## 3.6 Representations

3.6.1 Under the 2003 Act both Responsible Authorities and 'other persons' may make representations on licence/certificate applications and review existing premises licences/certificates.

3.6.2 Other persons are defined as any individual, body or business that may be affected by the operation of a licensed premise regardless of their geographical location. Although the other person may be in any geographical location, any representation they make must be relevant to one or more of the licensing objectives. In addition, the other person is encouraged to provide evidence supporting their representation or review. This may be for example by way of recording dates where noise nuisance or anti-social behaviour occurs. Any representation however must be specific to the premises in question and not to the area in general. The representation should also detail how the granting of the application is likely to affect the person making it.

3.6.3 The Licensing Authority will however consider the geographical location of the other person who has made the representation in their consideration of their evidence.

3.6.4 In addition all representations must be relevant relating to the likely effect of the grant of the licence/certificate on the promotion of at least one of the licensing objectives. The Licensing Authority will determine whether a representation from an individual, body or business is relevant, frivolous, repetitive or vexatious. If appropriate, the benefit of the doubt will be given to the person or body making that representation.

## 3.7 Conditions

3.7.1 Where conditions are imposed at a licensing hearing, they shall be appropriate and proportionate and shall be tailored to the size, style, characteristics and activities that take place at the premises concerned. However, the Licensing Authority accepts that Responsible Authorities may suggest conditions following negotiation with the applicant when completing their Operating Schedules.

3.7.2 In addition conditions imposed by a Licensing Authority shall be precise and enforceable, clear in what they intend to achieve, should not duplicate other statutory requirements or other duties or responsibilities placed on the employer by other legislation, shall not replicate offences set out in the 2003 Act or other legislation, shall be justifiable and capable of being met and shall not seek to manage the behaviour of customers once they are beyond the direct management of the licence/certificate holder and their staff.

3.7.3 The Licensing Authority recommends that conditions volunteered in the Operating Schedule should be:

- Targeted on the deterrence and prevention of crime and disorder
- Appropriate for the promotion of the licensing objectives;
- Proportionate and enforceable;
- Consistent and not conflicting;
- Relevant, clear and concise;
- Not duplicating other legislation; and
- Expressed in plain language capable of being understood by those expected to comply with them.

3.7.4 The Licensing Authority when preparing the licences/certificates will replicate the wording from an applicant's Operating Schedule, it is therefore recommended that applicants seek suggested condition wording from this policy by way of model conditions (amended as appropriate) or from the relevant responsible authorities.

## 3.8 Enforcement

3.8.1 The Licensing Authority has adopted a Licensing Enforcement Policy, available on the Council's web site.

3.8.2 Enforcement action will be:

- Targeted toward those premises presenting the highest risk;
- Proportional to the nature and seriousness of the risk those premises present;
- Consistent, so that the Licensing Authority takes similar approaches in similar situations;
- Transparent, so those who are subject to enforcement action know what to expect; and
- Accountable, so that the Licensing Authority and its officers take responsibility for their actions.

3.8.3 The Council intends to use appropriate enforcement to promote the licensing objectives. Once licensed, it is essential that premises are monitored to ensure that they are run in accordance with their operating schedules, in compliance with the specific requirements of the 2003 Act and any licence conditions. It will also monitor the District for unlicensed activities that may or may not require authorisation.

3.8.4 The Licensing Authority has established protocols with Lancashire Police Authority, Lancashire County Council Trading Standards and Lancashire Fire and Rescue Service on enforcement issues to ensure an efficient deployment of Police and Council Officers. Where official warnings are given prior to any decision to prosecute for an offence, the Licensing Authority shall ensure that these enforcement authorities are informed of these warnings and the result of any action taken.

3.8.5 In order to ensure compliance with the law and licensing conditions, the Licensing Authority will also carry out whenever possible unscheduled 'non routine' evening inspections with Lancashire Constabulary. After each visit, the Designated Premises Supervisor and Premises Licence Holder shall be notified of any concerns and be given an opportunity to rectify any issues.



3.8.6 The Licensing Authority recognises that most Licence Holders seek to comply with the law and any enforcement action will normally follow a graduated approach and in the first instance will include education and support. Where licence holders continue to flout the law or act irresponsibly action will be taken.

3.8.7 The Licensing Authority may seek to meet with the licence or certificate holder and/or DPS working closely with them and relevant Responsible Authorities in implementing a Premise Improvement Plan where appropriate.

3.8.8 Where the premise does not comply with an agreed Improvement Plan and continues to breach the licensing laws and/or licence conditions, the Responsible Authority or Licensing Authority can consider further sanctions, either by way of a review, formal caution or prosecution. In any event, the Licensing Authority will have regard to the Regulators' Compliance Code and the Council's Licensing Enforcement Policy.

3.8.9 Where one-off events are taking place, the Licensing Authority may also carry out inspections to ensure the Licensing Objectives are being promoted. Inspections shall be carried out in accordance with the principles of risk assessment and targeting problem premises.

3.8.10 In addition, the Licensing Authority will conduct checks to ensure that official notices for new applications, varied applications, reviews and minor variations are accurate and clearly displayed. Notices for reviews shall be displayed at or near the site of the premises, and where there are concerns these shall be regularly checked and recorded.

3.8.11 Any decision to instigate legal proceedings will take account of principles set out in the Licensing Enforcement Policy.



## 3.9 Complaints Against Licensed Premises

3.9.1 Complainants are advised, whenever possible, in the first instance to raise their complaint directly with the licensee in order to resolve the matter. The Licensing Authority, however, recognises that it is not always possible or practical for complaints to be raised directly. In such circumstances, complaints in the first instance should be addressed to the most appropriate body. For example, crime and disorder related issues should be raised with the Police.

3.9.2 All noise-related complaints are investigated by the Council's Environmental Protection Service and complaints regarding unlicensed activities and operating outside the permitted hours are investigated by the Licensing Team. There will be collaboration between the two teams to assist in reaching effective and appropriate outcomes for noise related matters.

3.9.3 On receipt of a complaint, the Authority shall investigate the circumstances, discussing the complaint with the Designated Premises Supervisor of the licensed premises, the Premises Licence Holder, any Relevant Responsible Authority and the complainant. Where it is a valid complaint, the Licensing Authority shall endeavour to seek a resolution through informal means prior to taking any legal action.

3.9.4 The Licensing Manager is responsible for considering complaints in the context of this Policy and will determine whether or not it is a relevant complaint. They will authorise suitably qualified officers to discharge enforcement duties as appropriate to their seniority, professional qualifications and/or experience in order to resolve any complaint.

3.9.5 Where there is a serious complaint, the Licensing Manager shall ensure that it is investigated, and enforcement action taken where necessary. The Licensing Authority shall act in accordance with its own Licensing Enforcement Policy available on the Council's web site.

3.9.6 The Licensing Authority recognises that this Policy and the promotion of the Licensing Objectives relies on partnership between all the parties. Therefore, where there are any concerns identified at the premises, or there is need for improvement, the Licensing Authority shall work closely with the parties at an early stage to address these concerns.



## 3.10 Live Music, Dancing and Theatre

3.10.1 The Council recognises the need to encourage and promote a broad range of entertainment, particularly live music, dancing and theatre for the wider cultural benefit of the community and in particular for children and young people.

3.10.2 When considering applications for such events and the imposition of any conditions if representations are received on licences or certificates, the Licensing Authority will carefully balance the need to promote the licensing objectives against these wider cultural benefits.

3.10.3 When considering whether an activity constitutes the provision of regulated entertainment each case will be treated on its own merit.



# 4.0 Administrative Issues

4.0.1 As the Regulations require advertising of all new and variation applications, the Licensing Authority recommends that the applicant contact them prior to displaying the statutory notice or advertising the application in a local paper circulating in the vicinity of the premises. This will ensure that an accurate consultation date will be given which will avoid any errors and the potential of a breach of the regulations that would result in the application being rejected or delayed.

## 4.1 Premises Licence

4.1.1 The Premises Licence application outlines the operating conditions and the Operating Schedule that will form the basis of conditions that will be attached to the Licence. It should include information that is necessary to enable any Responsible Authority or other person to assess whether the steps to be taken to promote the licensing objectives are satisfactory. The Licensing Authority shall expect the applicant to have carefully considered the promotion of all four Licensing Objectives in their Operating Schedule.

4.1.2 It is recommended that applicants liaise with neighbours and/or any relevant community group such as a local residents association, or other such groups, as may be appropriate prior to submitting an application.

4.1.3 The Licensing Authority especially recommends that applicants liaise with the Relevant Authorities prior to submitting their applications, e.g. Police or Fire Authority, when compiling their Operating Schedules and the local Pubwatch if one operates in that area.

4.1.4 In completing their Operating Schedule the Licensing Authority suggests the applicant considers the following: -

### General

- Premises log book
- Management and staff training and awareness of duties under the 2003 Act
- Policies and procedures relating to e.g. age restricted sales, capacity, noise monitoring, dispersal, queuing, etc.
- Safe capacities
- Evidence of competent management procedures

### Prevention of Crime and Disorder

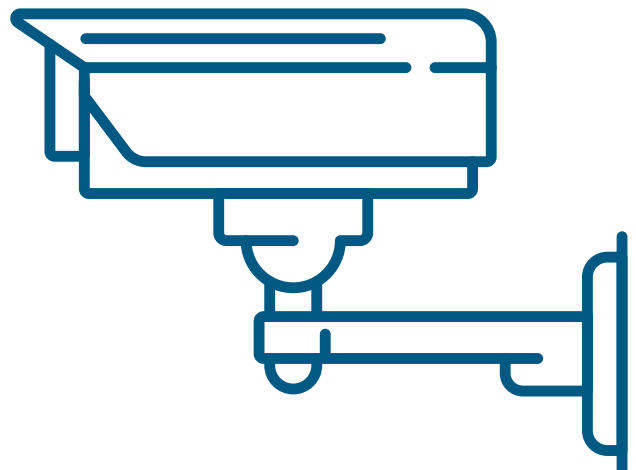
- Drugs policy
- CCTV
- Pub Watch and Radio links with other licensed premises
- Security Industry Authority Door supervisors and Approved Contractor Scheme
- Polycarbonate or shatterproof vessels
- Frequency of glass bottle disposal and provision of secure storage before collection
- An appropriate ratio of tables and chairs to customers
- Management of outside areas
- Use of 'spikeys' or similar anti drink spiking device
- Policy for reporting of sexual harassment/ violence towards women
- Calming atmosphere at close of business/event
- Safe capacities
- Queuing policy
- Stewards for events and event plan Public Safety

### Public Safety

- Health and Safety and Fire Safety risk assessments and staff training
- Safeguarding measures
- Use of CCTV in and around the premises
- Safe capacities and monitoring procedures
- Provision of local taxi companies who can provide safe transportation home
- Procedures to control access to and egress from premises
- Patrolling of premises
- Glass clearance policy
- Control of ventilation
- Control of litter immediately outside the premises
- The presence of trained first aiders and appropriate & sufficient first aid kits
- Adequate external lighting
- Consideration of the safety of performers appearing at any premises
- Indoor sporting events: medical practitioner; flame retardant material, location of public to wrestling ring; water sports events – lifeguards
- Stewards for events and event plan; and regard to standards of the National Sporting Body
- Ensuring appropriate access for emergency services

### Prevention of Public Nuisance

- Control of general noise, disturbance, light, odour, litter and anti-social behaviour
- Whilst regulated entertainment taking place, management of noise disturbance
- Control of litter (e.g. cigarette ends, rubbish, etc.), vomiting, urinating and anti-social behaviour in the vicinity of the premises
- Dispersal policy to ensure customers respect their neighbours
- Delivery vehicle management, ensuring no obstructions are caused in the vicinity of the premises.
- Removal of persons causing disturbance
- Management of outside areas, e.g. pub gardens, smokers, etc.
- Control of deliveries in early hours
- Queuing policy
- Winding down period





#### Protection of Children from Harm

- Refusals book
- Consideration of access to premises where adult entertainment may take place
- Consideration to proximity of premises to schools and youth clubs
- Restriction on hours when children under a specified age can be present and whether they should be accompanied by a responsible adult
- Clarity on activities and times at which events take place to determine whether or not it is appropriate to allow access to children
- Challenge 21 or 25 policy
- Prompting mechanism on tills at retail outlets
- Measures to control access to hotel minibars
- Operational measures to avoid proxy purchases
- How to prevent children from being exposed to alcohol sales at underage events, gambling, incidents of violence and disorder and drugs or drug taking
- Consideration of safeguarding issues
- Consideration of children as performers where relevant
- Supervision of children
- Under 18 event Code of Conduct, for example: searches, ticketed event, door supervisors, DBS checks, stewards monitoring event, set hours for event, restricted event, policy to ensure young people leave premise safely, etc.

These lists are not exhaustive, and advice can be obtained from the relevant responsible authorities. However, applicants are reminded again to contact the relevant Responsible Authorities to seek their expert advice before an application is submitted to the Licensing Authority.

## 4.2 Garages

4.2.1 With regard to the licensing of garages, and/or filling stations, Section 176 of the 2003 Act prohibits the sale or supply of alcohol from premises that are used primarily as a garage. However, the Licensing Authority will use the court's approach based on intensity of use, to establish primary use. Where such applications are submitted, the Licensing Authority will expect sufficient relevant evidence to accompany the application form to prove the issue of primary use.

## 4.3 Mobile Premises

4.3.1 Where licensable activities take place in mobile vehicles, a Premises Licence will be required for the land upon which the vehicle operates. The Operating Schedule must indicate the specific pitch from where trading is to take place.

4.3.2 As this type of premises is likely to cause people to congregate, the Licensing Authority shall expect applicants to demonstrate specific measures to prevent Crime and Disorder and Public Nuisance. In addition, the Licensing Authority shall expect the applicant to consider specific measures to ensure that litter from such premises is regularly disposed of and that the licensee has adopted a Litter Policy as set out above.

## 4.4 Temporary Event Notices

4.4.1 The 2003 Act states that the premises user must give the Licensing Authority a minimum of 10 working days notice for a standard temporary event notice and between 5 and 9 working days for a late temporary event notice. The 'working day' requirement means that the day of receipt of the notice, Saturdays or Sundays, Bank Holidays, or the day of the event are not included as a working day.

4.4.2 Premises users are advised to submit their TENS well before the date of the event (ideally 28 days beforehand), using our online service. When serving TENS in a hard copy format, the premises user must serve the notice on the Licensing Authority, Lancashire Police and the "local authority exercising environmental health functions" ("EHA") at the same time to avoid a situation where one of the bodies does not receive their copy within the statutory timescale, which could mean that the event cannot proceed even if the other bodies have received their copy in time.

4.4.3 It is a legal requirement for all organisers to carry out Health and Safety and Fire Safety Risk Assessments with regards to their event. Guidance on how to conduct such risk assessments may be obtained from the relevant enforcing authority. The Licensing Authority may notify the Fire Authority of any TENS submitted so that they can offer advice to event organisers if necessary. Members of any relevant Event Safety Advisory Group may also be notified of any TENS for similar reasons. Organisers are recommended to give thought to the provision of first aid at such events. It should be noted that if the Fire Authority is of the opinion that the use of premises/venue involves, or will involve, a risk to relevant persons so serious, including anything affecting their escape from the premises in the event of fire, the Fire Authority may prohibit or restrict premises use without notice.

4.4.4 Those intending to serve a TEN are strongly advised to consider whether their proposals should be considered by a Event Safety Advisory Group (ESAG) and ensure they follow the advice given, this is particularly relevant for small scale festivals and/ events that take place over more than 1 day.

4.4.5 Finally, the Authority strongly recommends that premises users address the following issues: -

- Applicants are strongly advised to consider and mitigate the potential impact in terms of public nuisance, i.e. noise, vehicle parking of attendees, traffic.
- Seek relevant professional advice on public liability insurance.
- Seek relevant professional advice on noise, public safety, sanitation, food hygiene, health & safety and fire safety matters.
- Liaise with local residents and businesses that may be affected by the event, to raise awareness of the nature and duration of the event.
- Seek relevant professional advice on medical provision.
- Ensure that the event site and environs are maintained free of litter to a reasonable extent during an event and completely cleared following an event. This includes the removal of all advertising material used to promote events, within a reasonable period.
- Consider the conditions attached to a Premises Licence or Club Premises Certificate and manage the event in accordance with such conditions, where appropriate. (This is to mitigate the potential for adverse impacts on the promotion of the Licensing Objectives and/or complaints).

4.4.6 Payments for temporary event notice(s) are made upon application and are non-refundable.



## 4.5 Personal Licences & Exemption of the Requirement for a Designated Premises Supervisor

4.5.1 The Licensing Authority places particular emphasis on the role of Designated Premises Supervisors (DPS) and Premise Licence Holder and where the Police object on the grounds of prevention of crime and disorder there will be a presumption against issuing a personal licence to any applicant with an unspent conviction for a relevant offence. If the applicant can demonstrate exceptional and compelling reasons for disregarding the conviction, this will be taken into consideration.

4.5.2 The Licensing Authority advises that it is good practice for the Personal Licence Holder to give specific written and dated authorisation to individuals to demonstrate due diligence. Whilst the DPS and Personal Licence Holder may authorise sales in their absence, they remain responsible for those sales. Similarly, the Premises Licence Holder also remains responsible for ensuring that the licensing law and conditions are complied with at that premises. Any authorisations should be meaningful and properly managed.

4.5.3 Where a Premises Licence is in force authorising the supply of alcohol, a DPS will need to be nominated. The main purpose of the DPS is to ensure that there is always one specified individual who can be readily identified by Responsible Authorities as the individual who has day-to-day responsibility for running the business and who can therefore ensure that any problems are dealt with swiftly. As such the DPS will occupy a pivotal position. Experience has proved that in some cases the Premises Licence Holder has employed a DPS who is remote from the premises and therefore not involved in the day-to-day running of that premise; the Licensing Authority will therefore pay particular attention to those premises.

4.5.4 Whilst the Licensing Authority recognises that a DPS may supervise more than one premise, the DPS must be able to ensure that the four Licensing Objectives are promoted and that the licensing law and licensing conditions are complied with. Where the DPS is not available at the premises for whatever reason, the Licensing Authority recommends a responsible individual is nominated who can deal with matters in the absence of the DPS. In addition, the Licensing Authority recommends that a notice is displayed prominently indicating the name and position of that nominated person. Whenever alcohol is to be sold it is recommended that written and dated consent be given to that nominated person.

4.5.5 Experience has indicated that a number of Personal Licence Holders have failed to produce their Personal Licence to the court in accordance with Section 128 of the 2003 Act. In view of this the Licensing Authority will take appropriate action against those who continue to fail to notify the courts and/or provide notification of their change of address in accordance with their statutory duty.

#### EXEMPTION OF THE REQUIREMENT FOR A DPS

4.5.6 Where a community premises applies for an exemption from the requirement to have a DPS, the Licensing Authority must be satisfied that arrangements for the management of the premises by their Committee or Board of individuals are sufficient to ensure the adequate supervision of the supply of alcohol on the premises. The applicant will be required to set out how the premise is managed, its committee structure and how the supervision of alcohol sales is conducted. Copies of the Constitution and other management documents must be submitted. The management committee is strongly encouraged to notify the Licensing Authority if there are any key changes in the committee's composition as this committee will collectively be responsible for ensuring compliance with licence conditions and licensing law. Where management arrangements are unclear, the Licensing Authority may seek further details to confirm that the management board or committee is properly constituted and accountable. While overall responsibility lies with the management committee where premises are hired out, the hirer will be clearly identified as having responsibilities falling within their control. Community premises are encouraged to check with the Licensing Authority before making any application.

## 4.6 Large Scale Events

4.6.1 Lancaster and the surrounding area is a popular location for a wide range of cultural and entertainment events, these range from village days to small scale one-day events and weekend festivals.

4.6.2 Such events can involve considerable and complex planning and management. This involves a high level of competency from those involved with organising and managing such events.

4.6.3 The Authority is aware of the potential for varied and extreme impacts on the promotion of the Licensing Objectives, where such events take place. Organisers of such events are advised to contact the Licensing Service in the planning stages to discuss the event and application.

4.6.4 The Authority has a general statutory duty under section 4 of the 2003 Act to promote the Licensing Objectives. The legislation does not refer to the special circumstances and sometimes very different issues that can be relevant to these types of application. However, the Authority has taken all reasonable endeavours to balance the demands and aspirations of the event industry against the protection of the local communities and the attendees that may be adversely affected by or at such events.

The Authority believes that the risk associated with large scale events can only be adequately mitigated by the submission of an up to date, relevant, detailed and complete operating schedule that is specific to the proposed event.

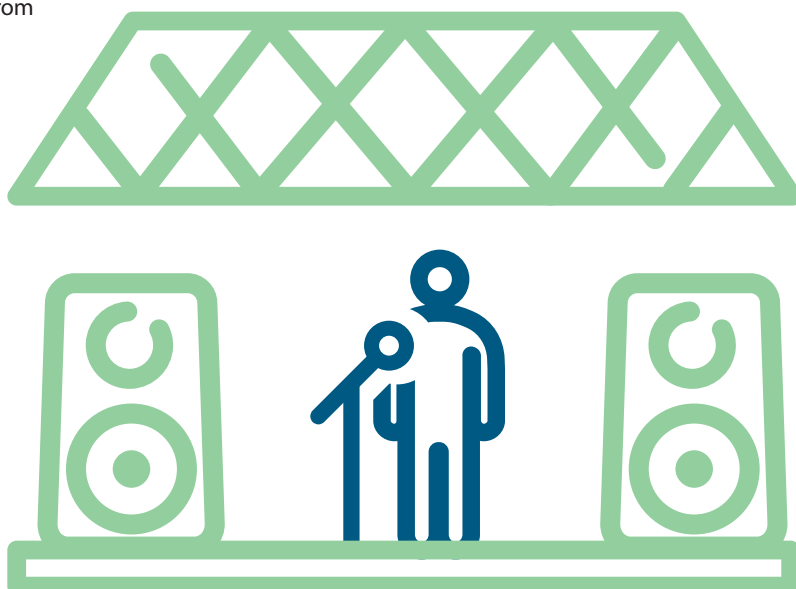
4.6.5 The enforcement policies of the Council may be significantly undermined by the short duration and potentially occasional nature of these events. This is because the Council's graduated response to problems arising may not be as effective in responding to these issues on an occasional and irregular basis, particularly with different event organisers.

4.6.6 Sites for large occasional events are not usually entirely purpose built for the proposed licensable activities to take place. Therefore, there is considerable work involved in planning and organising these events. The Authority believes that this is only achievable by ongoing involvement of the Authority and Responsible Authorities in dealing with such events, as far as is reasonable and appropriate.

4.6.7 It is clear that Responsible Authorities (and sometimes Other Persons) may often engage with applicants prior to submission of an application. This notion is referred to in the Statutory Guidance, as it promotes the Licensing Objectives by fostering a partnership approach; and is supported by the Authority (where appropriate), but with an additional caveat.

4.6.8 Applicants are expected to rely most heavily on their own competence and knowledge or that of persons/ bodies that they employ in making their plans. They cannot and should not rely on the input of the Responsible Authorities to ensure that detailed and comprehensive plans for their event are produced.

The demands on the Responsible Authorities can be disproportionate to their resources, This might place undue pressure on such bodies, undermining the level of scrutiny of such applications. It must be considered that the legal responsibilities connected to holding such events primarily rest with the event organiser and landowner.



## 4.7 Sustainable Event Management

4.7.1 Events can impact heavily on our resources, society, and the environment, as they can generate significant waste, put a strain on local resources like water or energy, and generate large volumes of traffic. It is, therefore, important that event organisers are taking the right steps to integrate sustainability into their event management and ensure that they are organised responsibly. As such, the Council encourages event organisers to take the necessary steps to develop proposals that are conscious of the Council's Climate Emergency Commitments, by way of demonstrating what steps will be taken to ensure the environmental impacts of the event are kept to a minimum.

4.7.2 It is highly recommended that event organisers consider the following points:

- Banning single use plastic glasses/cups in the bars and look to use reusable receptacles.
- Encourage non fossil fuel powered events, including any caterers.
- Alcohol sourced from local brewers/suppliers to keep bars with a lower carbon footprint.
- High recycling rates, a target of 70% plus, which could be evidenced from weighbridge tickets provided by recycling transfer stations.

## 4.8 Event Safety Advisory Groups (ESAGS)

4.8.1 The Authority acknowledges the benefits of working closely with Responsible Authorities and other statutory bodies in supporting event organisers in operating safe and well managed events. Event Safety Advisory Groups or 'multi agency meetings' are one means of promoting such partnership working.

4.8.2 The Authority will facilitate and host such meetings from time to time to assist applicants and those organising events that do not require an authorisation under the 2003 Act, where appropriate.

4.8.3 All applicants should consider whether to attend such a meeting before they apply, as failure to do so could undermine the promotion of Licensing Objectives.

## 4.9 Reviews of Licence or Club Premises Certificate

4.9.1 The Licensing Act 2003 details that where a premises licence or club premises certificate has effect, a Responsible Authority or other person may apply to the relevant Licensing Authority for a review of the licence. Nothing in this Policy shall restrict their right to apply for a review of a licence or make relevant representations in accordance with the 2003 Act, however the Licensing Authority may, at any time, reject any ground for review specified in an application under this section if it is satisfied that the ground is not relevant to one or more of the licensing objectives, or in the case of an application made by a person other than a Responsible Authority, that the ground is frivolous or vexatious, or the ground is a repetition.

4.9.2 Where a person or body is considering making an application for a review, they are advised to contact the Licensing Service. This is so that Officers may provide some initial feedback on the matter and then, if appropriate, attempt to facilitate a meeting or a series of meetings between relevant persons and bodies to consider alternative solutions and/or discuss the review process.

4.9.3 Applicants should make all reasonable efforts to set out their concerns regarding an authorisation concisely and clearly and ensure that these concerns are relevant to a failure to promote the Licensing Objectives.

4.9.4 Examples of triggers for a review may be:

- continual complaints of noise from or in the vicinity of the premises;
- continual complaints of noise or intimidation from customers outside the premises;
- an accumulation of breaches of licensing conditions;
- poor management where the licensing objectives are undermined;
- underage sales of alcohol (persistent or otherwise); crime-related activity; anti-social behaviour;
- sales of alcohol outside of the permitted hours, etc.

4.9.5 The Licensing Authority shall expect applicants for a review to gather sufficient and relevant evidence relating to the specific premises that is subject to the review. This may include a diary of events and any potential witnesses. Regarding reviews on noise complaints, applicants are encouraged to liaise with the Council's Environmental Protection Service who may be able to assist with and support the review process.

4.9.6 Prior to a review, however, Lancashire Police, other Responsible Authorities or the Licensing Authority may seek to meet with the licence/certificate holder to address issues through a Premises Improvement Plan.

## 4.10 Administration, Exercise and Delegation of Functions

4.10.1 The Council has a Licensing Committee, consisting of 10 elected members, to carry out its licensing functions and to make licensing decisions, except those functions relating to the making of a Statement of Licensing Policy.

4.10.2 In the interests of speed, efficiency and cost-effectiveness the Committee will delegate certain decisions and functions to Sub-Committees and officers.

4.10.3 For example, where there are no relevant representations on an application for the grant of a premises licence or club premises certificate or Police objection to an application for a personal licence, these matters should be dealt with by officers.

4.10.4 The table attached at Appendix X sets out the agreed delegation of decisions and functions to the Licensing Committee, Sub-Committees and officers.

4.10.5 This scheme of delegation does not prevent the referral of matters to a higher authority if considered appropriate in the circumstances of any particular case.

4.10.6 Members of the Licensing Committee will comply with the Lancaster City Council Code of Conduct for Councillors and will declare any personal or prejudicial interest in any matter coming before them in accordance with the Code. Members with a prejudicial interest will have the opportunity to speak as any member of the public (i.e. only where they make relevant representations) is permitted but will withdraw from the room in which the meeting is being held immediately after speaking and will not seek to improperly influence the decision.

4.10.7 Members of the Licensing Committee who make representations on behalf of any Other Person or in their own right as a member of the Licensing Authority will not sit on any hearing or Sub-Committee making any decision in relation to the matter in question, nor take any other part in the decision-making process.

4.10.8 Members will not sit on any Sub-Committee dealing with a matter in relation to premises in his or her ward, or any person living in that Ward.

# Contact



If you wish to make comments on this Licensing Policy or if you want further information regarding the Licensing Act 2003 please contact:

**The Licensing Department**

Morecambe Town Hall  
Marine Road Central  
Morecambe  
Lancashire  
LA4 4 AF

**T:** 01524 582033

**E:** [licensing@lancaster.gov.uk](mailto:licensing@lancaster.gov.uk)

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The Licensing Act 2003 can be viewed at:

[www.legislation.gov.uk/ukpga/2003/17/contents](http://www.legislation.gov.uk/ukpga/2003/17/contents)

The Statutory Guidance can be found at:

[www.gov.uk/government/publications/explanatory-memorandum-revised-guidance-issued-under-s-182-of-licensing-act-2003](http://www.gov.uk/government/publications/explanatory-memorandum-revised-guidance-issued-under-s-182-of-licensing-act-2003)

Lancaster City Council website:

[www.lancaster.gov.uk](http://www.lancaster.gov.uk)

Event Safety Advisory Group:

[www.lancaster.gov.uk/information/event-safety](http://www.lancaster.gov.uk/information/event-safety)

Events on Council Land, Guidance and Application Procedures: Events on council land - Lancaster City Council

[www.lancaster.gov.uk/parks-and-open-spaces/events-on-council-land](http://www.lancaster.gov.uk/parks-and-open-spaces/events-on-council-land)

Lancaster City Council's Pavement Licence Policy and Application Procedures:

[www.lancaster.gov.uk/sites/business/licences-and-permissions/alcohol-and-entertainment/pavement-licences](http://www.lancaster.gov.uk/sites/business/licences-and-permissions/alcohol-and-entertainment/pavement-licences)





# Appendices

**Appendix 1:** Responsible Authorities Contact List inc Email/Postal

**Appendix 2:** Model Conditions

- General
- Prevention of Crime and Disorder
- Public Safety
- Prevention of Public Nuisance
- Protection of Children from Harm

**Appendix 3:** Scheme of Delegation

# Appendix 1 :

## Responsible Authorities - Consultee Contact Details

### Licensing Authority

Licensing  
Morecambe Town Hall  
Marine Road  
Morecambe  
LA4 5AF

licensing@lancaster.gov.uk

### Home Office

Alcohol Licensing : Home Office  
15th Floor Long Corridor  
Lunar House  
40 Wellesley Road  
Croydon  
CR9 2BY

alcohol@homeoffice.gov.uk

### Public Protection

(incl Community Protection and Health and Safety Officers)

Public Protection  
Morecambe Town Hall  
Marine Road  
Morecambe  
LA4 5AF

environmentalhealth@lancaster.gov.uk

### Lancashire Safeguarding (Children)

PO Box 78  
County Hall  
Fishergate  
Preston  
PR1 8XJ

JPBU@lancashire.gov.uk

### Lancashire Police

Licensing Department  
West Division  
Lancaster Police Station  
Thurnham Street  
Lancaster  
LA1 1YB

westlicensing@lancashire.police.uk

### Planning/Development Control

PO Box 4  
Lancaster Town Hall  
Dalton Square  
Lancaster  
LA1 1QR

planningenforcement@lancaster.gov.uk

### Lancashire Fire and Rescue Service

Business Fire Safety Advisor  
Lancaster Fire Station  
Cable Street  
Lancaster  
LA1 1HH

licensing@lancsfireandrescue.org.uk

### Trading Standards

Trading Standards Service  
Lancashire County Council  
Level 4 - Lancashire Point  
County Hall  
Preston  
PR1 0LD

intelligence.management@lancashire.gov.uk

### Director of Public Health

Lancashire County Council Licensing  
Level 1 Christ Church Precinct  
County Hall  
Preston  
PR1 8XB

phlicensing@lancashire.gov.uk

# Appendix 2 :

## Model Conditions

### Introduction

#### How to use this document

Model conditions are all set out in the pages of this document as a template for you or your representative to copy for your own application. We have given instructions for you to add details for certain elements, according to your specific licence application. Where bespoke detail is needed, we have used a bracket and the word "Insert:" for example [Insert: the total number of staff.]

#### What we mean by Conditions

The conditions on a premises licence or club premises certificate set the parameters within which premises can lawfully operate. Conditions are attached to licences and certificates in three ways:

1. Mandatory conditions, as set out in the Licensing Act 2003, which must be included on all licences and certificates.
2. Applications for new premises licences or club premises certificates, as well as variations, must include a completed operating schedule that is translated into conditions on any licence or certificate granted.
3. Once the application is made, where relevant representations have been made by the Responsible Authorities (such as the police, Environmental Health and Trading Standards, or other parties such as local residents), the licensing authority may impose such conditions it considers appropriate for the promotion of the licensing objectives.

These model conditions were approved by Full Council on XXXX and are intended to provide a consistent approach for all parties by specifying appropriate conditions that could be included on any licence or certificate granted; this could be by the applicant in designing the operating schedule, by other parties in seeking to address concerns associated with the application, or ultimately, by the licensing authority when imposing conditions considered appropriate for the promotion of the licensing objectives.

The model conditions should not be regarded as standard conditions that apply in all cases. They should be tailored as appropriate to the size, type, location and characteristics of – and activities taking place at – the premises concerned. Where a condition includes any [Insert: bracketed content] these variable details should be completed accordingly.

Conditions are not limited to only addressing the licensing objective they are titled under and it is recognised that some conditions may be relevant to more than one objective. The conditions are not intended to be, nor can they be, an exhaustive list, and they do not restrict the ability of any party to propose, or the Committee to impose, any reasonable or proportionate condition they consider appropriate for the promotion of the licensing objectives.

### The Prevention of Crime and Disorder

When copying the content on this page into your own document you'll need to insert certain details that are relevant for your licence. Where these are required the need for specific information is marked in brackets and leads with the word 'Insert' eg: [Insert: specific days and times]

#### CCTV

- The premises shall operate a CCTV system that complies with the minimum requirements of Lancashire Police.
- The premises licence holder must ensure that:
  - CCTV cameras are located within the premises to cover all public areas including all entrances and exits [Insert: The location of cameras could also be specified on the plan attached to the premises licence]
  - The system records clear images permitting the identification of individuals
  - The CCTV system is able to capture a minimum of 24 frames per second and all recorded footage must be securely retained for a minimum of 28 days
  - The CCTV system operates at all times while the premises are open for licensable activities [Insert: or specify timings]
  - All equipment must have a constant and accurate time and date generation
  - The CCTV system is fitted with security functions to prevent recordings being tampered with, i.e. password protected
  - There must be at least one member of trained staff at the premises during operating hours able to provide viewable copies on request to police or authorised local authority officers as soon as is reasonably practicable in accordance with the Data Protection Act 1998 (or any replacement legislation).

## Public safety

When copying the content on this page into your own document you'll need to insert certain details that are relevant for your licence. Where these are required the need for specific information is marked in brackets and leads with the word 'Insert' eg: [Insert: specific days and times]

### Staff training (alcohol and vulnerability welfare)

- All staff authorised to sell alcohol shall be trained in (delete as appropriate):
  - Relevant age restrictions in respect of products
  - Prevent underage sales
  - Prevent proxy sales
  - Maintain the refusals log
  - Enter sales correctly on the tills so the prompts show as appropriate
  - Recognising signs of drunkenness and vulnerability
  - How overservice of alcohol impacts on the four objectives of the Licensing Act 2003
  - How to refuse service
  - The premises' duty of care policy, understanding and dealing with situations involving vulnerable people, and incidents of harassment; and how to report issues of modern slavery and trafficking
  - Action to be taken in the event of an emergency, including the preservation of a crime scene and reporting an incident to the emergency services
  - The conditions in force under this licence.
- Training must include evidence that the trainee has gained knowledge and understanding of the training, which may consist of a test or quiz, completed by the trainee.
- Documented records of training completed shall be kept for each member of staff. Training shall be regularly refreshed and at no greater than 6 [Insert: or specify] monthly intervals. Training records shall be made available for inspection upon request by a police officer or an authorised officer of Lancaster City Council.

### Preventing and dealing with drunkenness and vulnerability

- The premises shall have a documented Duty of Care policy for managing intoxicated and vulnerable customers and dealing with incidents of harassment at the premises. The policy shall also include provision for persons refused entry to the premises who are also considered vulnerable by staff.
- The premises shall display prominent signage indicating [Insert: at any point of sale, at the entrance to the premises, in all areas where alcohol is located] that it is an offence to sell alcohol to anyone who is drunk.
- A Personal Licence holder must be present at the premises to supervise all sales of alcohol.
- A minimum of [Insert: specify number] persons must be employed and on duty at the premises between [Insert: specify days/hours] who are specifically tasked to maintain the safety of customers who may be vulnerable, ill or in distress as a result of alcohol and/or drug-related intoxication. Such persons must be trained on drunkenness, vulnerability, and drugs awareness in the night-time economy; and responding to these matters.
- The premises shall provide facilities for customers to securely recharge their mobile phones.

### Glassware and use of ice fountains / bottle sparklers

- Drinks must only be served in polycarbonate/plastic containers [Insert: on specified days or events] [Insert: upon reasonable notice by Lancashire Police].
- Customers will not be permitted to remove from the premises any drinks supplied by the premises (alcoholic or otherwise) in open containers [Insert: except for consumption in any delineated external area as shown on the plan attached to the licence].
- Spirit, Champagne and all other glass bottles greater than [Insert: specify measurement eg 70cl] are restricted to customers seated at a [Insert: either table or booth] in the delineated area(s) as shown on the plan attached to the licence. These bottles must be secured to the table or ice bucket and must only be dispensed by a member of staff who is trained in the responsible service of alcohol. Customers must not be permitted to leave their table carrying any such bottle or be permitted to drink directly from the bottle.

### Ice fountains or similar products (which are classed as HT4 explosives):

- Must be kept in their original packaging and only stored in a secure store room or fire-resistant cabinet that the public have no access to. The room/cabinet must be kept locked, except for the depositing or removal of products but must be locked immediately thereafter.
- Their use must be risk assessed in advance and appropriate control measure put in place to reduce the risk to staff and customers, which must include (but is not limited to):
  - i. staff training in their safe use and dispersal
  - ii. the provision of appropriate first aid training and equipment
  - iii. suitability of areas of the premises where the products will be used
- The risk assessment and control measures identified must be documented, kept on the premises and made available for inspection to a police, fire or authorised officer upon request.

### Martyn's Law

1. At all times that the premises are open to the public for licensable activities, all staff on-duty at the premises, including all door supervisors, and all on-duty managers must have completed Action Counters Terrorism (ACT) Awareness e-learning training. All training should be documented and evidence of this produced if requested by a police officer or authorised officer of the licensing authority.
2. There must be a documented security assessment, which must incorporate counter terrorism measures for the premises. The assessment shall be routinely reviewed and must be reviewed following the elevation of the change of the national threat level. All reviews shall be documented.
3. Within 28 days of the grant or variation of the licence, the premises licence holder shall evaluate any risks identified through the security assessment and take prompt steps to eliminate them or to reduce the risk as far as is reasonably practicable. A documented record must be maintained of any remedial action implemented and made available upon request to any police officer or an authorised officer of Lancaster City Council.
4. The premises must have a documented security plan, which sets out counter measures to be implemented in response to a terrorist attack that incorporates the principles of 'Guide', 'Shelter' and 'Communicate' as appropriate in conjunction with relevant National Counter Terrorism Security Office (NACTSO) / Centre for the Protection of National Infrastructure (CPNI) guidance, and the purposes of those procedures and the necessity of following them

must be understood by those carrying them out:

- Guide – Direct people towards the most appropriate location (in vacuaction, evacuation, hide)
- Shelter – Understand how your place or space might be able to lock-down and shelter people within it for several hours
- Communicate – Have a means of communicating effectively and promptly with users of your place and have staff capable of giving clear instructions. Also have the capability of integrating with any response or rescue operation by providing things like building plans.

### Door Supervisors and Body-Cams

1. Door supervision must be provided on [Insert: specify days / circumstance]. Door supervisors must be on duty from [Insert: specify hours] and must remain on duty until the premises are closed and all the customers have left.
2. On [Insert: specific days and hours], at least [Insert: number] of Security Industry Authority (SIA) registered door supervisors must be on duty at the premises [Insert: either i) specify location at the premises or ii) as shown on the plan].
3. Door supervisors shall be employed at the ratio of [Insert: number] door supervisor for every 100 customers (or part thereof).
4. Door supervisors shall be employed by the premises based upon a risk assessment carried out in relation to the following factors:
  - Size of the venue
  - Expected attendance
  - Type of event taking place
  - Location of the premises
  - Time of year
  - Special occasion (New Year, Halloween, Local events etc.)
  - Premises Licence Conditions
5. At least [Insert: number] female door supervisor(s) shall be on duty at the premises at such times as door supervisors are required to be provided.
6. All door supervisors, and other persons engaged at the premises for the purpose of supervising or controlling queues or customers, must wear [insert: any or all of: high visibility jackets, vests, armbands]
7. Any door supervisors on duty at the premises must be supplied by an SIA-Approved Contractor Scheme company.

**Body-worn video**

1. On [Insert: specify days/hours], [Insert: either i) all or ii) at least [Insert: number]] of SIA registered door supervisors on duty at [Insert: either i) specify location at the premises or ii) as shown on the plan] must wear working body-worn video devices (body cams) that comply with the minimum requirements of Lancashire Police.
2. A record must be kept of the SIA registration number of the door supervisor and the ID of bodycam worn by them.
3. Bodycam images must be stored so that they are retrievable and accessible for replay and viewing and kept in an environment that will not be detrimental to the quality or capacity for future viewing. They should be appropriately labelled to enable identification and retrieval and kept for a minimum of 28 days. No recording must be deleted within this period from when it is recorded.
4. The premises licence holder must ensure at least one member of trained staff at the premises during operating hours able to provide viewable copies on request to police or authorised local authority officers as soon as is reasonably practicable in accordance with the Data Protection Act 1998 (or any replacement legislation).
5. The Designated Premises Supervisor or on-duty manager must ensure that all door supervisors on duty at the premises are correctly displaying their current SIA accreditation and are briefed on their responsibilities and relevant company operating procedures before they commence duty.
6. Door supervisors must be provided with radios to enable them to contact each other and the duty manager at the premises.
7. Where SIA registered door supervisors are used at the premises, a record must be kept of their SIA registration number and the dates and times when they are on duty.

**Emergencies**

- The premises licence holder shall ensure that at all times when the public is present there is [Insert either: at least one, or an appropriate number of] competent person(s) able to administer first aid, that an adequate and appropriate supply of first aid equipment and materials is available on the premises, and that adequate records are maintained in relation to the supply of any first aid treatment.
- The premises licence holder shall ensure that at all times when the public is present there is an appropriate level of medical care for all persons present. The level of provision should be determined by a medical needs assessment.
- All external emergency exit doors shall be fitted with sensor alarms and visible indicators to alert staff when the doors have been opened.
- All staff on duty at the premises shall be trained in the Emergency and Evacuation procedures for the premises and aware of their individual responsibilities. This includes any door supervisors. Documented records of training completed shall be kept for each member of staff. Training shall be regularly refreshed and at no greater than [Insert: specify number] monthly intervals. Training records shall be made available for inspection upon request by a police officer or an authorised officer of Lancaster City Council.
- The premises shall have a minimum 20m rescue throwline available on the premises for emergency use. All on-duty staff (including security) shall be knowledgeable of its location and the manufacturer's instructions for use.
- [Insert: Staff to be specified] must hold a valid Emergency First Aid at Work qualification or equivalent qualifications that complies with the relevant guidance from the Health and Safety Executive (GEIS3)
- A member(s) of staff qualified to a minimum Level 3 Certificate in First Response Emergency Care must be on duty, with appropriate medical equipment, at the premises when licensable activities are carried out [Insert: or at specified days/times]
- All door supervisors must have emergency first aid at work training.

**Promotional activity**

- The premises licence holder must submit to [Insert: contact details for Responsible Authority] a completed risk assessment form as prescribed at least 28 days before any event that is carried on by any person not affiliated with the venue; and promoted / advertised to the public.
- No promotional social media communication may be carried on for the purpose of encouraging the sale or supply of alcohol at the premises, which can reasonably be considered to condone, encourage or glamorise antisocial behaviour or to refer to the effects of drunkenness in any favourable manner.

## Restricting alcohol sales in relation to designated special events, eg. football matches

Prior to any [Insert either: designated special event by Lancashire Police, or 'designated sporting event' (as defined in the Sporting Events Control of Alcohol Act 1985)] the premises licence holder shall ensure that:

- Alcohol sales in respect of cans of beer or cider are limited to no more than four cans per person for a minimum of four hours before the commencement of the relevant designated [Insert either: special or sporting] event
- No sales of alcohol in bottles or glass containers are made in the period four hours before the commencement of the designated [Insert either: special or sporting] event
- Alcohol sales cease for a period of one hour immediately before the commencement of the relevant designated [Insert either: special or sporting] event
- On any day where there is a relevant designated [Insert either: special or sporting] event taking place, the premises will not externally advertise as a result of a local store promotion the availability of beer or cider in such a way as to be likely to be the sole inducement to attract persons to the premises who are either attending the designated [Insert either: special or sporting] event or in the vicinity of the premises as a result of the designated [Insert either: special or sporting] event
- All members of staff working at the premises are informed of this condition prior to taking up employment
- On the day of the relevant designated [Insert either: special or sporting] event, upon the direction of a police officer, using the grounds of the prevention of crime and disorder or public safety, the premises will immediately cease to sell alcohol until further directed.

## Use of special effects

Any special effects or mechanical installations shall be arranged and stored so as to minimise any risk to the safety of those using the premises. The following special effects will only be used if 10 days' prior notice is given to the licensing authority where consent has not previously been given:

- Dry ice and cryogenic fog
- Smoke machines and fog generators
- Pyrotechnics, including fireworks
- Firearms (eg. Blank firing pistols)
- Lasers
- Explosives and highly flammable substances
- Real flame
- Strobe lighting.

## Large events

- The Premises licence Holder must comply with the Event Management Plan submitted to and approved by the Licensing Authority and no changes will be made to the Event Management Plan without the prior written consent of the Licensing Authority.

## Boxing and wrestling (including MMA and other combat sports)

The Premises licence Holder must comply with the Event Management Plan submitted to and approved by the Licensing Authority and no changes will be made to the Event Management Plan without the prior written consent of the Licensing Authority. The Plan must set out (but is not limited to):

- how fighters will be matched
- the measures that will be in place to ensure the safety and welfare of competitors; including medical facilities and qualified staff provision
- fighter details
- layout of the venue
- competition rules
- referee details including qualifications.

## Adult entertainment

The premises may not show R18 films without the benefit of a sex cinema licence.

No person under the age of 18 will be permitted to enter or remain on the premises when any "relevant entertainment" (as defined in Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982) is taking place.

For reference:

- Relevant entertainment is 'Any live performance or any live display of nudity, which is of such a nature that, ignoring financial gain, it must reasonably be assumed to be provided solely or principally for the purpose of sexually stimulating any member of the audience (whether by verbal or other means).
- Display of nudity means: in the case of a woman - exposure of her nipples, pubic area, genitals or anus; and - in the case of a man - exposure of his public area, genitals or anus.
- The audience can consist of one person.

# The Prevention of Public Nuisance

When copying the content on this page into your own document you'll need to insert certain details that are relevant for your licence. Where these are required the need for specific information is marked in brackets and leads with the word 'insert' eg: [insert: specific days and times]

## Preventing noise and other public nuisances

- All external windows and doors must be kept shut at all times when regulated entertainment is being provided. Doors may be opened for normal entrance and egress of people but must be shut immediately thereafter.
- No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises that gives rise to a nuisance.
- A noise limiting device must be installed and must operate at all times regulated entertainment takes place at the premises. The device must be of a type, in a location and set at a level [insert: specify if known or approved in writing by the appropriate officer of the Council].
- The location and orientation of loudspeakers must be as specified on the attached premises plan.
- An [insert: acoustic lobby / acoustic door / acoustic curtains / acoustic door seals / automatic door closer] must be installed [insert: specify the location or define on plan].
- There shall be no noise or odours caused by the kitchen extraction equipment that gives rise to a nuisance.

## Alcohol deliveries

The premises licence holder shall provide the following information in writing to the licensing authority before any sale of alcohol is carried out (and notify change to this information to the licensing authority within 7 days):

- The trading name of any company that will operate under the licence
- All telephone numbers that will be used to accept orders
- The URL/website address that will be used to accept orders.

Any promotional material and/or any website home page used as part of the business operating under this licence will clearly state the premises licence number. For the avoidance of doubt, this includes flyers, leaflets and business cards promoting the business.

All deliveries of alcohol shall only be delivered to a premises address with a valid postcode and will only be delivered directly to that property.

Sales of alcohol for consumption off the premises shall only be supplied with, and ancillary to, a takeaway meal.

## Smoking and other external areas

- Customers permitted to temporarily leave and then re-enter the premises to smoke must be restricted to a designated smoking area defined as [insert either: specify location / mark on plan]. No more than [insert: number] of customers will be permitted to remain in the designated smoking area at any one time.
- Clear and legible notices must be prominently displayed at any area used for smoking requesting customers to respect the needs of local residents and use the area quietly.
- No more than [insert: number] customers will be permitted to enter or remain in [insert: define outdoor area(s)] of the premises at any one time, between the hours of [specify].

## Litter and cleansing

- At [insert: specify times] [insert: specify areas] outside the premises, including [insert: specify areas] must be swept and/or washed, and litter and sweepings collected and stored [insert: specify storage and collection].
- All takeaway packaging and wrappers shall clearly identify the premises, ie. by way of company logo or name.
- Where the premises provide late night refreshments for consumption off the premises sufficient waste bins must be provided at or near the exits, to enable the disposal of waste.
- Empty bottles which have been collected must be placed into locked bins when deposited outside.
- All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
- Between the hours of [insert: specify hours] no waste/glass bottles will be moved or deposited outside.

## Delivery Vehicles

- Delivery vehicles utilised by the premises will not park or wait in such a place that causes an obstruction to other road users.
- Drivers of the delivery vehicles will be informed of this requirement prior to employment or undertaking deliveries on the premises behalf, regular reminders will be provided.



# The Protection of Children from Harm

When copying the content on this page into your own document you'll need to insert certain details that are relevant for your licence. Where these are required the need for specific information is marked in brackets and leads with the word 'Insert' eg: [Insert: specific days and times]

- No person under the age of [Insert: age] years of age is permitted to enter or remain on the licensed premises when alcohol is being sold or supplied.
- Where children are allowed on the premises, information shall be displayed [Insert: location] on what to do if there is a cause for concern regarding a lost child.

## Preventing underage sales

- The Challenge [Insert: either 21 or 25] scheme must be operated to ensure that any person who appears to be under the age of [Insert: either 21 or 25] shall provide documented proof that he/she is over 18 years of age. Proof of age shall only comprise a passport, photo card driving licence, an EU/EEA national ID card or similar document, an HM Forces warrant card, a card bearing the PASS hologram, or any electronic or biometric age verification technology approved by the licensing authority.
- The premises shall display prominent signage indicating [Insert either: at any point of sale, at the entrance to the premises, or in all areas where alcohol is located] that the Challenge [Insert: either 21 or 25] scheme is in operation.
- The premises shall display prominent signage indicating [Insert either: at any point of sale, at the entrance to the premises, or in all areas where alcohol is located] that it is an offence to buy or attempt to buy alcohol for a person who is under 18 and for a person under the age of 18 to buy or attempt to buy alcohol.
- A refusals record must be kept at the premises which details all refusals to sell alcohol. This record must include the date and time of the incident, the name of the staff member who refused the sale, and the reason the sale was refused. All entries must be made within 24 hours of the refusal. The record must be made available for inspection and copying within [Insert: specify days / hours or a reasonable time] of a request by an officer of a Responsible Authority.

# Appendix 3 :

## Scheme of Delegation

The following table sets out the delegation arrangements established under Section 10 of the Licensing Act 2003:

Matter to be dealt with	Sub-Committee	Officers
Application for Personal Licence with relevant unspent Convictions	If a Police representation made	If no Police representation made
Application for premises Licence/club premises certificate	If a representation made	If no representation made
Application for Provisional statement	If a representation made	If no representation made
Application to vary premises licence/club premises certificate	If a representation made	If no representation made
Application to vary Designated premises supervisor	If a police objection	All other cases
Request to be removed as designated premises supervisor	x	All cases
Application for transfer of premises licence	If a police objection	All other cases
Applications for interim authorities	If a police objection	All other cases
Application to review Premises Licence/club premises certificate	All cases	x
Decision on whether a complaint is irrelevant frivolous vexatious etc	x	All cases
Determination of Police objection to a Temporary event notice.	All cases	x
Determination of film classification	x	Licensing Manager in consultation with Chairman of Licensing Committee
Determination of minor variation	If a representation made	If no representation made
Disapplication of the S19 requirement to have a designated premise supervisor in Community Premise	x	All cases
Decision to object when Local Authority is a Consultee and not the relevant authority considering the application.	All cases	x

<b>COUNCIL</b>
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## **Councillors' Code of Conduct: Reporting Offers of Gifts and/or Hospitality**

**24 April 2024**

### **Report of the Monitoring Officer**

<b>PURPOSE OF REPORT</b>
<p>For all Councillors to note the new requirements in the Councillor Code of Conduct to register offers of gifts and/or hospitality, which were recommended by the Standards Committee and approved by Council Business Committee on 29 February 2024.</p>
<p><b>This report is public.</b></p>

#### **RECOMMENDATIONS**

- (1) That Council notes the revisions to the Councillors' Code of Conduct set out in paragraph 1.1 of this report, particularly the requirement to report offers of gifts/hospitality, whether accepted or refused.**

#### **1.0 Introduction**

- 1.1 The Standards Committee has responsibility for advising Council on the adoption or revision of its Code of Conduct for Councillors. At the Committee's meeting on 11 January 2024 Members considered a revision to the Code regarding gifts and hospitality. The revisions had been requested by the internal auditors following an audit of interests. The Committee resolved:

- (1) That the Standards Committee recommend that the Council Business Committee approve the following revision to the Constitution with a new paragraph 13 titled "Offers of Gifts and Hospitality":

*"Councillors should not normally accept gifts or hospitality. While gifts or hospitality can be offered for benign reasons it is important for your reputation, the reputation of the City Council and for the reassurance of the public that decision-making is not being improperly influenced, that you do not routinely accept gifts or hospitality offered to you as a Councillor.*

*You must notify the Monitoring Officer in writing of details of any gift or hospitality with an estimated value of at least £50 that you have received in connection with your role as a Councillor, and details of the donor. Forms are on the Intranet [HERE](#). However, simply accepting gifts or hospitality and then registering it does not mean that it may be seen as reasonable. Accepting an*

*expensive meal from somebody who is negotiating for a contract with the council, for example, is not 'made right' by being recorded on a public register.*

*There will be times when turning down hospitality or gifts could be seen as causing unnecessary offence. For example, if you have been invited as a ward councillor to a local festival or faith celebration along with other members of the community then it may be entirely appropriate to accept the hospitality. However, you should always exercise particular caution if the organisers are involved in ongoing negotiations with the City Council on a particular matter.*

*Where you are offered a gift or hospitality but decline it you should nevertheless notify the Monitoring Officer. That helps the Monitoring Officer to identify if there are any patterns which indicate that some person or organisation might be seeking to influence Councillors.*

*Even for gifts or hospitality under £50 you should always notify the Monitoring Officer if the gift/hospitality could be perceived as something given to you because of your position. This is especially relevant where the gift or hospitality is from somebody who you know has put in an application, or is about to put in an application, to the City Council, even where that hospitality falls below £50. While that would not be a matter for the public register it again allows the Monitoring Officer to be aware of any patterns. Any accumulation of small gifts you receive over two to three months from the same person or organisation that add up to £50 or over should also be registered, in the interests of transparency.”*

- (2) That the Standards Committee recommend that the revised declaration form appended to the report be adopted and linked to the Code online.
- (3) That having approved the revisions to the Code of Conduct the Council Business Committee be recommended to report the decision to full Council for noting to ensure that all Councillors are aware of the revisions.

1.2 On 29 February 2024, Council Business Committee approved the changes to the Councillor Code of Conduct recommended by the Standards Committee. The Committee agreed that the decision should be reported to full Council for noting, to ensure that all Councillors are aware of the revisions.

## **2.0 Proposal**

2.1 The Monitoring Officer has brought this report to Council as requested by both the Standards and the Council Business Committees to highlight the changes to the Councillor Code of Conduct to all Councillors as well as the new form to record offers of gifts or hospitality. The form is now available via a link on the front page of the 'for Councillors' section of the intranet. A copy is also appended to this report for Members' information.

## **3.0 Conclusion**

3.1 Councillors are asked to have regard to the new requirements in the Councillor Code of Conduct relating to offers of gifts and hospitality.

**CONCLUSION OF IMPACT ASSESSMENT**

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

None identified.

**FINANCIAL IMPLICATIONS**

None identified.

**LEGAL IMPLICATIONS**

None identified.

**SECTION 151 OFFICER'S COMMENTS**

The Section 151 Officer has no comments.

**MONITORING OFFICER'S COMMENTS**

The Monitoring Officer has contributed to the drafting of this report in his name.

**BACKGROUND PAPERS**

None

**Contact Officer:** Debbie Chambers

**Telephone:** 01524 582057

**E-mail:** dchambers@lancaster.gov.uk

**Ref:**

## COUNCILLORS REGISTRATION OF GIFTS AND HOSPITALITY

NAME OF COUNCILLOR OFFERED THE GIFT/HOSPITALITY		
DATE GIFT/HOSPITALITY OFFERED		
WAS THE GIFT HOSPITALITY ACCEPTED OR DECLINED? (PLEASE TICK THE RELEVANT BOX)	<b>ACCEPTED</b>	<b>DECLINED</b>
WHO OFFERED THE GIFT/HOSPITALITY?		
WHAT WAS THE NATURE OF THE GIFT/HOSPITALITY?  PLEASE GIVE DETAILS INCLUDING APPROXIMATE VALUE		
5. COUNCILLOR SIGNATURE		
7. DATE		

**PLEASE RETURN THE COMPLETED FORM TO:  
DEMOCRATIC SUPPORT, TOWN HALL, LANCASTER.**

**CABINET****6.00 P.M.****20TH FEBRUARY 2024**

**PRESENT:-** Councillors Phillip Black (Chair), Caroline Jackson, Joanne Ainscough, Gina Dowding, Tim Hamilton-Cox, Jean Parr, Catherine Potter and Jason Wood

Apologies for Absence:-

Councillors Peter Jackson and Nick Wilkinson

Officers in attendance:-

Mark Davies	Chief Executive
Luke Gorst	Chief Officer - Governance and Monitoring Officer
Paul Thompson	Chief Officer - Resources and Section 151 Officer
Joanne Wilkinson	Chief Officer - Housing and Property
Liz Bateson	Principal Democratic Support Officer

**69 MINUTES**

The minutes of the meeting held on Tuesday 6 February 2024 were approved as a correct record.

**70 ITEMS OF URGENT BUSINESS AUTHORISED BY THE LEADER**

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

**71 DECLARATIONS OF INTEREST**

No declarations were made at this point.

**72 PUBLIC SPEAKING**

Members were advised that there had been no requests from the public to speak at the meeting in accordance with Cabinet's agreed procedure. Councillor Stubbins had requested to speak as Ward Councillor with regard to Agenda Item 15 Commercial Property Sale.

**73 HACKNEY CARRIAGE FARE REVIEW 2024****(Cabinet Member with Special Responsibility Councillor Wood)**

Cabinet received a report from the Licensing Manager that sought Cabinet approval of the recommendation from Licensing Committee to maintain the current table of fares for Hackney Carriages operating in the district for the coming year.

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

	Option 1: Maintain	Option 2: Apply retail	Option 3: Deregulate	Option 4: In addition to	Option 5: Maintain
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	current table of fares implemented in April 2023.	price index (RPI) across the tariff. (6.1%)	fare setting	option 1 or 2, apply an additional charge for fares taken after a set time. Eg 20.00, 21.00 or 22.00	flagfall, amend rolling rate to 25p per 176 yards (1/10th mile).
Advantages	Public are aware of expected fares when hiring a hackney carriage.	Drivers income is increased in line with rising cost of living.  The licensed profession may be perceived as a career option for local people.	Allows licensed trade to calculate their own fares, they may be best placed to calculate costs.	It would encourage more drivers to work in the evening when there are limited vehicles available.  Regular daytime users of licensed vehicles will not be affected by the introduction of the charge.  The council is responding to local pubwatch and business improvement district requests for assistance with the recruitment and availability of licensed vehicles in the nighttime	This would work out as a 5.3% increase for a 2-mile journey.  Allows for an increase representative of the approved methodology.



				economy.	
Dis-advantages	The current table of fares may not represent current cost of living.	A further increase in quick succession is laborious procedurally and in terms of administration, as one update takes effect, it is time to calculate further change.  Annual cost of calibration to drivers.	Licensing Authority has no control on charges passed to the public.  May create confusion as fares could vary across the trade.	It may have a negative reaction, resulting in the public using licensed vehicles less.	Results in fares amounting to 5p. (always been in multiples of 10p)
Risks	Not consistently applying the methodology approved by Cabinet.  Drivers may decide to leave the trade, fares do not meet the demands of the rising costs of living.	Increase too much for service users. Drivers may see reduced income due to lack of public use.	Lack of public confidence in use of Hackney Carriages due to unknown charges.  Varying charges between proprietors creating confusion.	The public do not utilise the services of hackney carriages in the nighttime economy and take risks to get home. i.e. walking.	Amending yardage will increase rolling rate in a shorter distance, it may cause confusion for regular service users.

Members of Licensing Committee voted unanimously in maintaining the current table of fares for 2024/25 and have referred their recommendation to Cabinet for approval.

In 2022 Cabinet agreed a methodology for fare reviews in relation to hackney carriages operating in the district. The review had been undertaken, and options presented to Licensing Committee. Members of the Licensing Committee considered the views of the local licensed trade on those options prior to making their recommendations to Cabinet. The majority of the local licensed trade who responded to the consultation were satisfied with the current table of fares and did not wish to see an increase in fares in the coming year and the Licensing Committee felt the lack of appetite for an increase was enough to

make that recommendation to the Council's Cabinet for decision.

Councillor Wood 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 accept the recommendations of the Council's Licensing Committee and approve that the table of fares will be maintained for 2024/25.
- (2) That approval be given to the Licensing Manager to advertise the table of fares as required by Section 65 of the Local Government (Miscellaneous Provisions) Act 1976.

**Officer responsible for effecting the decision:**

Chief Officer Governance

**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 decision.

Lancaster City Council set the fares for Hackney Carriages operating in the district, in determining the charges for time/distance it must consider the impact on setting fares too low/too high on both the licensed trade and public who use Hackney Carriages, whilst balancing the rising cost of living and building a sustainable trade; one capable of earning a fair salary.

**74 LICENSING ACT 2003 - REVISED STATEMENT OF LICENSING POLICY (2023-2028)**

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

Cabinet received a report from the Licensing Manager to consider the revised Statement of Licensing Policy for 2023-2028 and refer to Full Council for adoption.

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

Options available to members are.

- a) Recommend to Full Council the revised Statement of Licensing Policy as drafted, or
- b) Make further changes to the revised Statement of Licensing Policy, before making recommendations to Full Council for adoption.

The Officer preferred option would be for Cabinet members to recommend the revised Statement of Licensing Policy for 2023-2028 as drafted to Full Council for adoption.

Lancaster City Council must review, update and publish its Statement of Licensing Policy every 5 years. A thorough review has been undertaken and a draft subject to

public consultation. The consultation period lasted 6-weeks, 2 responses were received and have been considered by the Councils Licensing Committee. The policy sets out a general approach to how licensing decisions are made; how representations are considered, and conditions imposed, while also acting as a guide for applicants, elected members, responsible authorities, and council officers.

Councillor Wood 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 revised Statement of Licencing Policy be referred to Full Council for adoption.

**Officer responsible for effecting the decision:**

Chief Officer Governance

**Reasons for making the decision:**

The Statement of Licensing Policy forms part of the Council’s Policy Framework. The Council’s Constitution sets out the decision-making process for policy matters, in the instance of the Statement of Licensing Policy (2023-2028) Licensing Committee make recommendations to Cabinet to consider before adoption of the policy by Full Council.

**75 GENERAL FUND BUDGET & POLICY FRAMEWORK 2024/25**

**(Cabinet Member with Special Responsibility Councillor Hamilton-Cox)**

Cabinet received a report from the Chief Finance Officer that set out the latest position in respect of the budget and policy framework and Cabinet’s proposed General Fund revenue budget for 2024/25.

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 2024/25 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.

The officer preferred option with regard to the Revenue Budget 2024/25 and Reserves Position is for Cabinet 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 Hamilton-Cox proposed, seconded by Councillor Potter:-

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

Councillors then voted:-

***Resolved unanimously:***

That Cabinet recommends the following for approval to Budget Council on 28 February:

- (1) That the General Fund Revenue Budget of £25.008M for 2024/25 be approved, resulting in a Council Tax Requirement of £10.928M, excluding parish precepts, and a Band D basic City Council tax rate of £256.63.
- (2) That the supporting General Fund Revenue Budget proposals be approved, as summarised at Appendices A, B, B1 and B2 to the report.
- (3) That the budget transfer (virements and carry forwards) limits be approved as set out in Appendix D to the report.
- (4) That Council notes the Section 151 Officer’s advice regarding robustness of budget estimates, the adequacy of reserves and balances, specifically the advice that the minimum level of balances be retained at £5.0M, to provide for added uncertainty.

**Officer responsible for effecting the decision:**

Chief Officer Resources

**Reasons for making the decision:**

Cabinet has responsibility for developing corporate planning proposals and a balanced budget for Council’s consideration. The proposed budget incorporates measures to address the climate emergency and digital improvements as well as activities to address wellbeing, health, and community safety. The decision enables Cabinet to make recommendations back to Full Council in order to complete the budget setting process for 2024/25.

**(Cabinet Member with Special Responsibility Councillor Hamilton-Cox)**

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 2023/24 to 2032/33 and a Capital Strategy 2024/25 as required by regulation.

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 ahead of consideration by Full Council. For capital, Council may adjust its capital investment and financing proposals taking account of spending commitments and priorities, but its proposals for 2024/25 must balance.

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.

The officer preferred option is for Cabinet to consider the Capital Programme and Strategy as attached allowing for any amendments being made under delegated authority prior to referral to Council.

This report addresses the actions required to complete the budget setting process for its Capital Programme and Capital Strategy.

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.

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

"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 updated Capital Programme covering financial years 2023/24 to 2032/33
  - the Capital Strategy (Investing in the Future) 2024/25
- (2) That delegated authority be given to the Portfolio Holder for Finance & Resources to amend change in the prudential indicators should Cabinet or Full Council make any revisions to the Capital Programme.

**Officer responsible for effecting the decision:**

Chief Officer Resources

**Reasons for making the decision:**

The Council's revenue and capital budgets should represent, in financial terms what the Council is seeking to achieve through its Policy Framework. The proposed capital programme and supporting strategy is part of the Council's budget and policy framework, and fits into the Medium-Term Financial Strategy.

**77 TREASURY MANAGEMENT STRATEGY 2024/24****(Cabinet Member with Special Responsibility Councillor Hamilton-Cox)**

Cabinet received a report from the Chief Finance Officer to present to Cabinet the draft Treasury Management Strategy and associated documents for 2024/25 and to provide an opportunity for consideration and comment ahead of formal presentation to Full Council 28 February 2024 for approval .

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 ahead of consideration by Full Council, 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 currently. 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 for Cabinet to approve the framework as attached to the report, allowing for any amendments being made under delegated authority prior to referral to Council.

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

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

Councillors then voted:-

***Resolved unanimously:***

- (1) That the Treasury Management Strategy 2024/25 and Appendices A to C to the report be forwarded to Full Council for approval.
- (2) That delegated authority be given to the Portfolio Holder for Finance & Resources to amend change in the prudential indicators should Cabinet or Full Council make any revisions to the Capital Programme.

**Officer responsible for effecting the decision:**

Chief Officer Resources

**Reasons for making the decision:**

Treasury Management forms part of the Councils budget framework. Effective Treasury Management and use of the Councils' resources is fundamental to the delivery of its priorities and outcomes.

## 78 MEDIUM TERM FINANCIAL STRATEGY UPDATE

### **(Cabinet Member with Special Responsibility Councillor Hamilton-Cox )**

Cabinet received a report from the Chief Finance Officer to provide an update on the Council's Medium Term Financial Strategy (MTFS) forecasts for 2024/25 to 2028/29.

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

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

The Council continues to face unprecedented levels of financial and economic uncertainty as a result of National and International concerns. Local Government funding remains a key challenge for the Council as well as local issues such as those surrounding decommissioning plans for Heysham power station do hamper the degree of confidence with forecasts can be made and inevitably some key estimates and assumptions are likely to change in the coming months.

Despite the work to date by Officers and Members to deliver on the Council's OBR programme, a significant budget gap remains which cannot be met from Council reserves. The overall size of the challenge the Council faces in addressing its underlying structural deficit and in formulating a balanced budget over the medium and longer term must be recognised as does the need to deliver considerable future savings.

The Council continues to deliver high-quality frontline services to the District's residents. Continued focus on 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, however, 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 Hamilton-Cox proposed, seconded by Councillor Parr:-

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

Councillors then voted:-

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

- (1) That Cabinet considers the draft future years budget estimates as set out in the report as the latest information available.
- (2) That the update be referred on to Council 28 February 2024 for information.

**Officer responsible for effecting the decision:**

Chief Officer Resources

**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.

**79 HOUSING REVENUE ACCOUNT AND CAPITAL PROGRAMME**

**(Cabinet Member with Special Responsibility Councillor Caroline Jackson)**

Cabinet received a report from the Chief Officer for Housing & Property and the Chief Officer Resources (Section 151 Officer) that sought Cabinet decisions on Council Housing rent setting proposals and HRA revenue and capital budget proposals.

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

	Option 1: That the Housing Revenue Account budget as laid out in the report is referred to Budget Council and Cabinet approve the provisions, reserves and balances position (and their use); the revenue budgets and capital programme	Option 2: To propose alternatives to those outlined in Section 11 above.
Advantages	That the Housing Revenue Account is able to deliver it's set out requirements as laid out in the report.	Unknown
Disadvantages	Increased rent levels for tenants.	Would require further options analysis
Risks/ Mitigation	The HRA budget set out in this report is sustainable in the long term. The risks associated with Option 1 are outlined in Appendix F – Risks and Assumptions.	Impact on housing service and council housing tenants unknown. Potential for housing service to fall foul of legislative and regulatory requirements, leading to unlimited fines and being 'named and shamed' by government.

The officer preferred option is Option 1: Approve the budget as laid out in this report and approve the provisions, reserves and balances position (and their use); the revenue budgets and capital programme; as set out and refer onto full Council.

The Tenant Voice group were consulted on 1st February at their bi-monthly meeting, where budget headlines, including the proposed rent increase and significant areas of spend and investment, were presented by the Neighbourhood and Support Services



Manager. The Tenant Voice expressed their concern about the impact of the rent increase on tenants but understood and agreed that this was appropriate in order for continued delivery of services and future ambitions. They endorsed the rent setting proposal and other key areas within the budget.

Cabinet have been consulted on the budget and confirmed rent setting proposals and other budgetary matters at 6th February 2024 meeting.

Cabinet agreed that some clarification was required with regard to Mainway with minor revisions to sections in the report to Budget Council to reflect this.

Councillor Caroline Jackson proposed, seconded by Councillor Ainscough:-

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

Councillors then voted:-

***Resolved unanimously:***

- (1) That the minimum level of HRA unallocated balances be retained at £750,000 from 01 April 2024, as approved at 6th February 2024 Cabinet, and that the full Statement on Reserves and Balances as set out at Appendix E to the report, be endorsed and referred on to Budget Council for approval.
- (2) That further to consideration on 6 February, the Housing Revenue Account budget for 2024/25 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.

**Officers responsible for effecting the decision:**

Chief Officer Housing & Property  
Chief Officer Resources

**Reasons for making the decision:**

The budget represents, in financial terms, what the Council is seeking to achieve through its approved Housing Strategy in relation to council housing. Whilst the report highlights challenges faced within the current economic environment, Lancaster City Council's Housing Service continues to operate a sensible but forward-looking approach, seeking to meet Regulatory requirements and deliver safe and decent homes.

The decision is consistent with the Council Plan. The proposals set out in the report impact positively on residents within Council Housing dwellings specifically in relation to climate change, wellbeing / social value, health and safety and community safety.

**80 EXCLUSION OF THE PRESS AND PUBLIC**

It was moved by Councillor Wood and seconded by Councillor Parr:-

“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.

**81 COMMERCIAL PROPERTY SALE, LANCASTER (Pages 14 - 15)**

**(Cabinet Member with Special Responsibility Councillor Hamilton-Cox)**

Cabinet received a report from the Chief Officer Housing & Property with regard to a commercial property sale. 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.

In accordance with the Constitution (Cabinet Procedure Rule 18) Councillor Stubbins had requested to address Cabinet on this issue as Ward Councillor and spoke against the proposal.

After a lengthy debate the proposal to sell the commercial property was lost and Cabinet agreed not to proceed with the sale at this time.

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Chair

(The meeting ended at 7.38 p.m.)

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

**MINUTES PUBLISHED ON WEDNESDAY 28 FEBRUARY 2024**

**EFFECTIVE DATE FOR IMPLEMENTING THE DECISIONS  
CONTAINED IN THESE MINUTES: THURSDAY 7 MARCH 2024**



Document is Restricted