

CABINET

6.00 P.M.

22ND OCTOBER 2024

PRESENT:- Councillors Joanne Ainscough, Tim Hamilton-Cox, Peter Jackson, Jean Parr (Chair), Catherine Potter, Paul Stubbins and Jason Wood

Apologies for Absence:-

Councillors Phillip Black (Chair), Caroline 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
Mark Cassidy	Chief Officer - Planning and Climate Change
Elliott Grimshaw	Business Imp & Project Delivery Lead
Michael Hall	Public Realm Supervisor
Liz Bateson	Principal Democratic Support Officer

In the absence of the Leader and Deputy Leader the Chief Executive opened the meeting and called for nominations for a Chair.

It was proposed by Councillor Peter Jackson and seconded by Councillor Ainscough "That Councillor Parr be appointed to chair the meeting."

There being no further nominations Councillor Parr was invited to take the chair.

Councillor Parr in the chair.

33 MINUTES

The minutes of the meeting held on Tuesday 10 September 2024 were approved as a correct record.

34 ITEMS OF URGENT BUSINESS AUTHORISED BY THE LEADER

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

35 DECLARATIONS OF INTEREST

No declarations were made at this point.

36 PUBLIC SPEAKING

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

With the agreement of the meeting the Chair advised of a revision to the order of the agenda and that item 10 Lancaster City Centre Draft Car Parking Strategy would be considered first.

37 LANCASTER CITY CENTRE DRAFT CAR PARKING STRATEGY - CONSULTATION REPORT UPDATE AND STRATEGIC PARKING NUMBERS

(Cabinet Member with Special Responsibility Councillor Parr)

Cabinet received a report from the Chief Officer Sustainable Growth to consider an initial specific issue of parking space numbers and policy implications arising from the public consultation on the Lancaster City Centre Draft Car Parking Strategy 2024.

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

	Option 1: Progressing Lancaster city centre parking policy options within the context of providing between 1400 and 1500 council operated car parking spaces	Option 2: Progressing Lancaster city centre parking policy options with the intention of retaining the Draft Strategy recommendation of between 1300 and 1400 council operated car parking spaces
Advantages	<p>Provides additional comfort, in terms of the ongoing maintenance of city centre economic health, city centre accessibility and car user utility, for the release of the Nelson street car park for housing to be progressed.</p> <p>Provides a more flexible benchmark for future specific policy considerations to inform decisions on the city council’s car parking portfolio.</p> <p>Regarded as an optimal number of city centre parking spaces provided by the city council to continue to meet general and peak demand periods for the immediate future.</p> <p>Provides further comfort to business and community stakeholders that the council impacts from any current and future proposed</p>	<p>Provides some certainty and a as benchmark for future specific policy considerations to inform decisions on the city council’s car parking portfolio</p>

	<p>surface car park disposal policies.</p> <p>Provides critical context, certainty, and impetus to improve and develop the council's asset management strategy and future car parking portfolio.</p>	
Disadvantages	<p>Requires increased mitigation and planning for additional car parking numbers when considering future strategy and any proposed surface car park disposal decisions.</p>	<p>Provides less comfort to business and community stakeholders that accessibility and car user utility can be delivered.</p> <p>Regarded by officers as a sub1optimal number of city centre parking spaces provided by the city council to meet general and peak demand periods for the immediate future.</p>
Risks/Mitigation	<p>Officers are dealing with imperfect information and future demand and supply variables are hard to predict.</p> <p>Ongoing and improved monitoring of car park usage to inform future decisions is essential to mitigate and review any impacts on car parking portfolio decisions</p>	<p>As Option 1.</p> <p>Potential future issues in managing car parking demand in terms of highway and other impacts.</p>

Following Members' consideration and confirmation that the increase in strategic parking numbers meets the council's objectives and its wider policy aspirations, Option 1 is preferred by officers.

Concerns from the business community, about the long-term provision of public parking, and general parking are understood. Through the draft Lancaster City Centre Car Parking Strategy and Action Plan, alongside ongoing work with county council, the issue will be addressed at a strategic city-wide level, with appreciation of the statutory strategic policy imperatives the city council is working within.

Principally these are: its declared Climate Emergency, the Lancaster Highways and Transport Masterplan 2016, and the need to promote modal shift towards sustainable forms of transport such as cycling, walking and public transport. All of these matters have to be balanced pragmatically with the need to maintain sufficient car parking for general city centre economic health and accessibility.

Councillor Parr proposed, seconded by Councillor Wood:-

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

By way of an amendment, Councillor Hamilton-Cox proposed that ‘*subject to confirmation of that requirement when evidenced by data garnered from a proposed investment in ANPR technology in the council's car parks.*’ be added to the end of recommendation (1).

It was noted that ANPR had not been agreed yet and clarification was sought from the Monitoring Officer. As a result of this clarification the amendment was subsequently re-worded to read ‘*subject to satisfactory evidence being collated of need.*’ The re-worded amendment was accepted as a friendly amendment by the proposer and seconder of the original motion.

Councillors then voted:-

Resolved unanimously:

- (1) That future car parking policy options for Lancaster city centre are developed within a strategic context of providing between 1400 and 1500 council operated car parking spaces, with an ambition to achieve the higher figure subject to satisfactory evidence being collated of need.
- (2) That the Lancaster City Centre Car Parking Strategy and Action Plan adopts this criteria and framework in any future Strategy iterations to be considered by Cabinet.
- (3) That maintaining an optimal and efficiently managed quantity of public car parking provision in and around Lancaster city centre is a key priority for the city council, and its long-term provision, location and typology should form an explicit part of the sustainable travel and transport policy agenda for the city.
- (4) That the increase in strategic numbers provides Cabinet with further comfort, in terms of the ongoing maintenance of city centre economic health, city centre accessibility and car user utility, for the progression of the planned release of Nelson street car park for affordable housing.

Officer responsible for effecting the decision:

Chief Officer Sustainable Growth

Reasons for making the decision:

The decision is consistent with the Council Plan:

A Sustainable District – car parking provision and car use is a consideration in meeting the challenges of the council's declared Climate Emergency and a range of other council objectives.

An Inclusive and Prosperous Local Economy – building a sustainable and just local economy that benefits people and organisations needs to consider car parking provision as a key feature of accessibility for certain groups and communities.

Healthy and Happy Communities – tackling car parking provision and some of the negative consequences inherent in the current portfolio will contribute to healthy and happy community objectives

A Co-Operative, Kind and Responsible Council – further consultation and ongoing discussion with stakeholders will achieve the best outcomes for in tandem with running efficient quality public services, of which car parking provision is a key service provision.

The council recognises that having an appropriate level of car parking in the city is important to support the economy and provide a range and choice of transport options and to ensure accessibility for the less mobile and populations underserved by public transport. An agreed increase in optimal strategic parking numbers to up to 1500 provides critical context and framing for the council’s ambitions to provide parking provision that is fit for purpose and fit for the future.

38 LOCAL AREA ENERGY PLAN (LAEP)

(Cabinet Member with Special Responsibility Councillor Stubbins)

Cabinet received a report from the Chief Officer – Planning and Climate Change that sought adoption of the Lancaster District Local Area Energy Plan.

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

	Option 1: Adopt LAEP and task officers to explore a Delivery Plan	Option 2: Do not adopt the LAEP
Advantages	<p>The LAEP can help the Council shape future Net Zero policies, strategies and guide efforts locally.</p> <p>It provides high-level cost estimates for large-scale energy decarbonisation and may be used to support any future funding opportunities.</p> <p>The LAEP provides a series of interventions needed to deliver Net Zero and allows the Council to better appreciate the pace and scale it needs to work at to deliver a 2040 target.</p> <p>Adoption of the LAEP and delivering the next phase of work will allow the Council to review delivery models, determine its future role and</p>	<p>A decision to not adopt the LAEP (and the subsequent Delivery Plan work) has little benefit. The only advantage would be that there would be no additional resource or funding requirements.</p>

	confirm ambition and appetite.	
Disadvantages	<p>The LAEP has quantified the investment needed to reach net zero and there will be significant costs, which at this stage cannot be fully evaluated.</p> <p>Current officer capacity is fully allocated on delivering the Council's own Net Zero 2030 target for Scope 1 emissions. Depending on the delivery vehicle chosen, additional resource in the longer-term may be needed to deliver the recommendations of the LAEP.</p>	<p>The Council has ambitions to support the net zero transition for other businesses, individuals and organisations across the district. This cannot be done effectively without a comprehensive energy decarbonisation strategy.</p> <p>The LAEP may act as an evidence base for future external funding opportunities. These may be missed if not adopted and resourced.</p>
Risks	<p>There are no direct risks arising from a decision to adopt the LAEP. Any risks will be associated with the costs of delivering (and resourcing) individual projects, which will be separately assessed as part of the eventual Delivery Plan. It will be for Cabinet to determine, on the basis of the more detailed work that follows, how to proceed with implementation.</p>	<p>There is a considerable risk that the absence of a LAEP will result in missed opportunities for financial funding (should opportunities arise).</p> <p>There is also reputational risk to the local authority for failure to advance proposals for decarbonising the district.</p> <p>The reputational risk pales into insignificance alongside the risks to residents and businesses within the district if the impacts of climate change cannot be mitigated. The LAEP is an example of how one district can make a difference.</p>

The officer preferred option is to adopt the LAEP, inform the Council's wider strategies and to task officers with exploring a Delivery Plan for implementation.

In choosing to adopt the LAEP, Cabinet will acknowledge the challenges, particularly regarding cost and scale, that will support the level of ambition. Resources will need to match these ambitions to enable delivery of the plan. External funding and private investment will inevitably be required to deliver capital projects to support residents and the wider community.

Officers agreed that a Member Briefing would be arranged to keep members fully informed.

Councillor Stubbins 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 Local Area Energy Plan be fully adopted to provide the necessary high level strategic direction for the Council’s wider strategy for net zero energy transition for the Lancaster District.
- (2) That following adoption of the LAEP, officers be subsequently tasked with exploring detailed delivery plan options, and to report these back to Cabinet for consideration.

Officer responsible for effecting the decision:

Chief Officer Planning and Climate Change

Reasons for making the decision:

The decision is consistent with the Council Plan: The adoption of the LAEP supports the themes within the Council Plan, particularly for the Council to be net zero carbon by 2030 while supporting other individuals, businesses, and organisations across the district to reach the same goal.

The decision also supports the Planning & Climate Change Service Business Plan 2024-2025 : The objectives of the report directly support and complement the Service Business Plan objectives which mirror the ambitions in the Council Plan, most notably 1.1 (Carbon Zero), 1.2 (Sustainable Energy), and 4.2 (Partnership).

The LAEP model identifies the most cost-effective and integrated plan for the Council to contribute to timebound national and local Net Zero targets whilst maximising co1 benefits to society. The work required is significant, but the LAEP provides the Council with a clear and well-defined roadmap to enable it to make a start on reducing district energy emissions.

Ongoing partnership with the key LAEP stakeholders will be essential to ensure plans are aligned and priority projects agreed. Following any decision to adopt, officers will report back to cabinet once detailed Delivery Plan work is completed.

39 RENEWAL OF PUBLIC SPACE PROTECTION ORDERS

(Cabinet Member with Special Responsibility Councillor Peter Jackson)

Cabinet received a report from the Chief Officer People & Policy that sought Cabinet approval for the renewal of the Public Space Protection Orders (PSPO) in relation to various types of anti-social behaviour for a period of three years. The existing PSPOs which cover Lancaster City Centre, Morecambe, Lower Heysham, Happy Mount Park and Williamson Park expire on 13th December 2024.

The options, options analysis, including risk assessment and officer preferred option,

were set out in the report as follows:

	Option 1: Adopt the PSPO as proposed in the consultation, with no amendments	Option 2: Adopt the PSPO as proposed in the consultation, but not in all the proposed locations	Option 3: Do not adopt the PSPO
Advantages	<p>Reflects the majority of representations made during the public consultation that the prohibitions outlined in the current PSPO order are types of behaviour not acceptable within the proposed areas.</p> <p>Anti-social behaviour is still being experienced in all the areas that the PSPO intends to cover (Appendix 3)</p> <p>Comment has been made in the PSPO consultation about ASB ruining lives and businesses.</p> <p>The conditions are identical for the proposed areas which makes for more consistent and less confusing enforcement.</p>	<p>Not all areas received the same level of concern in the consultation.</p> <p>Some members of the community could view the proposed restrictions in public parks as unnecessary.</p> <p>Less areas to enforce.</p>	<p>Minimal cost benefit of not paying for signage.</p>
Disadvantages	<p>Raises public expectation. The PSPO is only one of the tools that can be used by authorised officers. Lack of</p>	<p>Smaller communities feeling that their views have not been taken into consideration.</p>	<p>Going against majority of consultees</p> <p>Continued complaints received from the</p>

	enforcement could lead to a reduction in confidence in the Local Authority and Lancashire Police.	Potential displacement of the types of behaviour to other public spaces	public about not feeling safe in the public spaces of the district. Loss of confidence in the local authority and Lancashire Police
Risks	Reputational. Not listening to views of the public.	Reputational. Not listening to views of the public.	Reputational. Not listening to views of the public.

The officer preferred option is Option1. This option reflects the majority of the public comment arising from the consultation. It supports the council policy framework for Happy Healthy Communities and a Cooperative Kind and Responsible Council.

Councillor Peter Jackson proposed, seconded by Councillor Wood:-

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

Councillors then voted:-

Resolved unanimously:

- (1) That the Public Space Protection Orders (PSPOs) are made to cover the designated areas as set out in Appendix 2 to the report.

Officer responsible for effecting the decision:

Chief Officer People & Policy

Reasons for making the decision:

The decision is consistent with the Council Plan:

Healthy and Happy Communities : Keeping our district’s neighbourhoods, parks, beaches, and open space clean, well1maintained, and safe.

A Co-operative, Kind and Responsible Council : Listening to our communities and treating everyone with equal respect, being friendly, honest, and empathetic.

There is strong evidence to support the need of a PSPO in certain localities of the district. Police data is only one source of evidence that indicates what is taking place in the localities that the PSPO will cover. Elected members regularly report concerns of continued incidents of anti-social behaviour that is impacting on the lives of residents that they represent. It is a fair and balanced approach to address the issue that certain types of behaviour spoil the enjoyment of the public spaces of Lancaster District for our residents and visitors alike.

40 ADOPTION OF PUBLIC SPACE PROTECTION ORDERS (DOG CONTROL)**(Cabinet Member with Special Responsibility Councillor Peter Jackson)**

Cabinet received a report from the Chief Officer – Housing & Property that sought approval for the adoption of four Public Space Protection Orders (Dog Controls) for a period of 3 years.

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

Option 1: Adopt the PSPOs as proposed in the consultation, with no amendments

Advantages:

- Reflects the majority of representation made during the public consultation
- Enables less able-bodied people to continue to exercise dogs off leads on the flat hard surfaces of 'cycle ways'
- More consistent and less confusing enforcement
- More rapid, effective and efficient enforcement

Disadvantages:

- None identified

Risks:

- The decision concerning dogs on leads would not reflect the views of all consultees

Option 2: Do not adopt the PSPOs (Dog Control)

Advantages:

- Saving on staff time to implement new Dog Control Orders, and advertising for signage costs.

Disadvantages:

- Confusion from discontinuation of existing enforcement.
- Going against majority of consultees
- Return to a system of enforcement which is unclear and inconsistent
- Unnecessary expense and complications in having to prosecute for offences instead of issuing fixed penalty notices available under option 1 leading to delays, lower efficiency and cost-effectiveness
- The extent of land within the district on which regulatory dog controls apply would remain limited.

Risks:

- The decision not to introduce available dog-related regulatory measures for public protection would lead to criticism, particularly given the strength of public feeling about aspects of irresponsible dog ownership.

The officer preferred option is Option 1 to adopt the PSPOs (Dog Control) as consulted on. This option addresses needs for public protection, supports enforcement and most closely reflects the majority of public comment arising from the consultation.

From 2012 there has been a Dog Control Orders and since 2017 PSPO's, which have encouraged dog owners to take responsibility for their dogs appropriately. This has also given authorised officers appropriate powers should the owners choose not to. If there was no consequence for such offending then dog related problems will likely increase and thereby have a detrimental effect on the quality of life of those in the district, justifying the restrictions imposed by the Public Space Protection Orders (Dog Control).

Councillor Peter 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 four Public Space Protection Orders (Dog Control) be made, to include provisions set out in this report.
- (2) That authority be delegated to the Chief Officer – Housing and Property to designate in writing authorised officers for the purposes of issuing fixed penalty fines.

Officer responsible for effecting the decision:

Chief Officer – Housing & Property

Reasons for making the decision:

The decision is consistent with the Council Plan : Keeping our district's neighbourhoods, parks, beaches and open space clean, well-maintained and safe.

Adoption of the original Dog Control Orders has led to more straightforward and effective dog control and enforcement in the district. There continues to be considerable public support for enforcement, as confirmed by comments received in the recent consultation, but this is balanced with a fair approach towards responsible dog owners.

41 CAPITAL PROGRAMME MID YEAR REVIEW 2024/25

(Cabinet Member with Special Responsibility Councillor Hamilton-Cox)

Cabinet received a report from the Chief Finance Officer that provided information regarding the latest position regarding the delivery of the approved capital programme for 2024/25. It also set out information regarding any delays surrounding capital expenditure and other matters for Members' consideration.

As the report was for consideration and progressing to Full Council, no alternatives were put forward.

An amended Appendix D had been circulated and published prior to the meeting.

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 Cabinet endorses the adjustments to the capital programme as set out in Appendix C of the report and refers to Council for full approval.
- (2) That Cabinet notes that relevant revenue adjustments in respect of minimum revenue provision and future borrowing requirements will be built into projected revenue estimates and considered alongside future reports to Cabinet in respect of the budget and policy framework updates.
- (3) That Cabinet endorses the use of capital receipts to fund the acquisition of properties and other additional works identified within the Housing Revenue Account subject to it having a nil impact on the net position of the account.

Officer responsible for effecting the decision:

Chief Finance Officer

Reasons for making the decision:

The Capital and Revenue Programmes forms part of the Council budget framework.

Although the General Fund and Housing Revenue Account were able to respond to the financial challenges in 2023/24 and maintain balanced budget positions by utilising its reserves, this does not mean that the financial issues for the Council are resolved, it simply means that the in-year budget pressures were addressed. To put into context, a budget gap of £1.4M is still forecast for 2025/26 and this rises annually to £4.6M in 2028/29 for which the cumulative effect is not sustainable.

Reviewing the Capital Programme will allow for more robust revenue projections which in turn will improve financial planning. This will ensure that funds are allocated according to a set of predefined outcomes, or priorities to ensure that funds are directed toward the Council's key ambitions and statutory functions and away from areas which contribute less or not at all against the predetermined objectives.

42 TREASURY MANAGEMENT MID YEAR REVIEW 2024/25

(Cabinet Member with Special Responsibility Councillor Hamilton-Cox)

Cabinet received a report from the Chief Finance Officer which sought Cabinet's consideration of various matters in connection with the Treasury Management Mid-Year Review 2024/25.

As the report was for consideration and progressing to Budget and Performance Panel and Full Council, no alternative options were put forward.

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 various matters in connection with the Treasury Management Mid-Year Review 2024/25 be noted.
- (2) That the Mid-Year Review 2024/25 be forwarded on to Budget & Performance Panel and Full Council for consideration in accordance with CIPFA Code of Practice on Treasury Management (the Code) and the CIPFA Prudential Code for Capital Finance in Local Authorities (the Prudential Code) issued under the Local Government Act 2003.

Officer responsible for effecting the decision:

Chief Finance Officer

Reasons for making the decision:

Treasury Management forms part of the Councils budget framework.

Consideration of Treasury Management Mid-Year Review and presentation to Full Council will ensure the Council complies with CIPFA's Code of Practice on Treasury Management (the Code) and the CIPFA Prudential Code for Capital Finance in Local Authorities (the Prudential Code).

Chair

(The meeting ended at 7.10 p.m.)

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

MINUTES PUBLISHED ON FRIDAY 25 OCTOBER, 2024.

**EFFECTIVE DATE FOR IMPLEMENTING THE DECISIONS CONTAINED IN THESE MINUTES:
MONDAY 4 NOVEMBER, 2024.**