



Committee: CABINET

Date: TUESDAY, 22 OCTOBER 2024

Venue: MORECAMBE TOWN HALL

Time: 6.00 P.M.

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 access the meeting using Teams.

AGENDA

1. **Apologies**

2. **Minutes**

To receive as a correct record the minutes of Cabinet held on Tuesday, 10 September 2024 (previously circulated).

3. **Items of Urgent Business Authorised by the Leader**

To consider any such items authorised by the Leader and to consider where in the agenda the item(s) are to be considered.

4. **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.

5. **Public Speaking**

To consider any such requests received in accordance with the approved procedure.

6. **Reports from Overview and Scrutiny**

None.

Reports

7. **Local Area Energy Plan (LAEP) (Pages 4 - 9)**

(Cabinet Member with Special Responsibility Councillor Stubbins)

Report of Chief Officer - Planning and Climate Change

8. **Renewal of Public Space Protection Orders (Pages 10 - 49)**

(Cabinet Member with Special Responsibility Councillor Peter Jackson)

Report of Chief Officer People & Policy (report published on 15.10.24)

The report includes an exempt appendix, and Cabinet would need to exclude the press and public if minded to discuss the information within the exempt appendix.

9. **Adoption of Public Space Protection Orders (Dog Control) (Pages 50 - 82)**

(Cabinet Member with Special Responsibility Councillor Peter Jackson)

Report of Chief Officer – Housing and Property (report published on 16.10.24)

10. **Lancaster City Centre Draft Car Parking Strategy - Consultation Report Update and Strategic Parking Numbers (Pages 83 - 90)**

(Cabinet Member with Special Responsibility Councillor Parr)

Report of Chief Officer Sustainable Growth

11. **Capital Programme Mid Year Review 2024/25 (Pages 91 - 100)**

(Cabinet Member with Special Responsibility Councillor Hamilton-Cox)

Report of Chief Finance Officer (report published on 17.10.24).

12. **Treasury Management Mid Year Review 2024/25 (Pages 101 - 117)**

(Cabinet Member with Special Responsibility Councillor Hamilton-Cox)

Report of Chief Finance Officer (report published on 17.10.24).

ADMINISTRATIVE ARRANGEMENTS

(i) **Membership**

Councillors Phillip Black (Chair), Caroline Jackson, Joanne Ainscough, Tim Hamilton-Cox, Peter Jackson, Jean Parr, Catherine Potter, Paul Stubbins, Nick Wilkinson and Jason Wood

(ii) Queries regarding this Agenda

Please contact Liz Bateson, Democratic Support - email ebateson@lancaster.gov.uk.

(iii) Changes to Membership, substitutions or apologies

Please contact Democratic Support, telephone 582000, or alternatively email democracy@lancaster.gov.uk.

MARK DAVIES,
CHIEF EXECUTIVE,
TOWN HALL,
DALTON SQUARE,
LANCASTER, LA1 1PJ

Published on Monday 14 October, 2024.

CABINET

**Lancaster District
Local Area Energy Plan (LAEP)**

22 October 2024

Report of Chief Officer - Planning and Climate Change

PURPOSE OF REPORT			
To seek adoption of the Lancaster District Local Area Energy Plan			
Key Decision	<input checked="" type="checkbox"/>	Non-Key Decision	Referral from Cabinet Member
Date of notice of forthcoming key decision	13 September 2024		

RECOMMENDATIONS OF COUNCILLOR PAUL STUBBINS

- (1) To formally adopt the Local Area Energy Plan to provide the necessary high-level strategic direction for the Council’s wider strategy for net zero energy transition for the Lancaster District.**
- (2) Following adoption of the LAEP, to subsequently task officers with exploring detailed delivery plan options, and to report these back to Cabinet for consideration.**

1.0 Introduction

- 1.1 In 2019, the City Council declared a climate emergency with an ambition of reaching net zero by 2030 while supporting other individuals, businesses and organisations across the district to reach the same goal.
- 1.2 Whilst the Council has a target date commitment to net zero for its own corporate emissions by 2030, the Council has not yet set a target year for the wider district. It is important to do so; the Government’s 2021 Net Zero Strategy estimates that 82% of the UK’s emissions are “within the scope of influence of local authorities”. As such, the most responsible and forward-thinking local authorities are leading the way in terms of setting a long-term vision for energy decarbonisation within their own districts.
- 1.3 In June 2023, Energy Systems Catapult were appointed to work with relevant stakeholders and deliver a Local Area Energy Plan (LAEP) for the Lancaster District.
- 1.4 The LAEP aims to provide insights and an evidence base to enable a decision for the energy associated greenhouse gas emissions for the district. This LAEP builds on the

existing policies, strategies, and action plans that are relevant to the Lancaster District in pursuit of climate, net zero, energy ambitions and statutory duties.

- 1.5 The LAEP sets out the changes required to transition an area's energy system and built environment to net zero, detailing what changes are required, where, when and by whom. It also provides a high-level overview of the likely scale of investment that will be required to achieve net zero. The LAEP also identifies a series of priority projects that can deliver immediate progress and decarbonisation impact.
- 1.6 The LAEP was completed on 4 October 2024 and it sets out an ambitious roadmap to net zero. This report recommends that the LAEP be formally adopted, and that officers subsequently begin to create a Delivery Plan, which would then be reported back to cabinet for further consideration.

2.0 LAEP – Summary of Outcomes

- 2.1 The LAEP details the scale and cost of the key interventions that are needed to deliver the transition to net zero in the Lancaster District. These include building fabric upgrades, low carbon heating, electric vehicle infrastructure, local renewable generation and energy networks.
- 2.2 Scenario modelling provides a vision of the future energy system and is a common approach to establish an optimal Pathway for a local area. For the Lancaster District, four scenarios were modelled:
- (i) The 'Do Nothing' scenario;
 - (ii) Aim to achieve Net Zero by 2050;
 - (iii) Aim to achieve Net Zero via 'Local Innovation' by 2040;
 - (iv) Aim to achieve Net Zero via an 'Accelerated' route, by 2035.

The LAEP explores and models all of these scenarios in greater detail. It discounted scenario (i) on the basis that it would be irresponsible to fail to explore actions beyond those already committed. Progress towards decarbonisation would be piecemeal and peripheral and would fail to achieve the net zero ambitions that the Council has previously established. There are also significant costs associated with doing nothing, in terms of the need to maintain and upgrade existing infrastructure.

- 2.3 In respect of the remaining options (ii – iv), the draft LAEP attached to this report explains how these were modelled and evaluated, taking into account practicalities, energy demand, emissions targets and trajectories, and costs. Based on these scenarios, a final pathway has been devised to deliver net zero energy system for Lancaster District by 2040 (the 'Local Innovation' scenario). To achieve this pathway, the following interventions would be required:
- 2.4 **Domestic Fabric Upgrades:** 38,000 domestic properties (approximately 54% of all buildings) are recommended to be retrofitted with four main fabric upgrade measures. This includes: 14,000 cavity wall insulation measures; 22,000 – 26,000 loft insulation measures; 2,400 – 6,800 solid wall insulation measures; and 2,000 – 2,700 single glazing window replacements.
- 2.5 **Low Carbon Heating:** The most cost-effective net zero pathway is dominated by heat

pumps with 52,000 – 65,000 homes having heat pumps installed and approximately 75% of non-domestic building floorspace being heated by heat pumps in the future. The Net Zero transition allows smaller but equally important roles played by District Heat Networks and the emergence of clean gas – the latter primarily supporting non-domestic buildings.

- 2.6 **Electric Vehicle (EV) Charge Points:** The LAEP recognises the need to make public EV charging an inclusive resource across the Lancaster District. Modelling estimates that approximately 55% of households across the district will have access to an EV charger. The LAEP recommends the deployment of up to 1,250 public charge points to plug the gaps where residents do not have off-street parking.
- 2.7 **Local Renewable Generation:** The district has a significant opportunity to generate renewable energy locally from solar PV and onshore wind. Up to 575 GWh of annual generation is recommended as a cost-effective install by 2040. To provide an inset for residual emissions from hard to decarbonise energy demand, a further 1,400 GWh would be required.
- 2.8 **Energy Networks:** The plan illustrates the importance of investment in the electricity network to ensure there is capacity for the rapid growth of low carbon technologies. Electricity North-West has expressed a commitment to support transition to Net Zero and work with the district on priority projects. Opportunities for re-purposing the gas network appear to be limited, however several hard to decarbonise industrial and commercial sites may create a demand from clean gas in the future.

3.0 LAEP – Exploring the Options

- 3.1 Should the LAEP be formally adopted, the Council will need to precisely determine its wider role. As part of this officers will proactively engage with the comparatively few local authorities that have already progressed beyond the development of a Plan, in order to better understand the next steps. Areas of consideration would include resources, collaboration and partnerships, preparation, skills, key decisions, planning, policy engagement, investment, detailed design, business models and tracking methods for implementation.
- 3.2 Until the LAEP is adopted there is no fixed view on how the programme of work described in 3.1 above should evolve. However, it is likely that a LAEP Delivery Group will be formed with a mandate to focus on the Delivery Plan. Other workstreams could include ongoing work with the Distribution Network Operator (ENWL); the commissioning of further feasibility studies and outline business cases; the development of site decarbonisation plans for non-domestic buildings; and the quantifying of the skills gap for delivery. Other post-adoption key decisions will need to be made, including certainty regarding the scale of ambition; trade capacity; and the mix of renewable generation, including options to “net off” residual emissions.
- 3.3 To kick start the Council’s journey, three smaller pilot projects have been identified for near-term implementation and to provide measurable impacts against the district’s decarbonisation ambitions. These have been declared ‘Outline Priority Projects.’ Their commencement does not compromise decision-making regarding the LAEP.
- 3.4 The three Outline Priority Projects currently in progress are:
 - (i) An electric vehicle charge point strategy;

- (ii) An onshore-wind turbine feasibility assessment; and,
- (iii) A solar PV and battery storage project.

Officers intend to complete work regarding the above by March 2025. It is expected that the charge point and wind turbine feasibility assessment will lead to business cases and investment decisions in 2025/26.

3.5 The LAEP is expected to provide an appropriate evidence base for any future funding opportunities; however significant funding gaps are expected, and additional resource may be required. This will need to be considered and factored into any post-LAEP work.

4.0 Details of Consultation

4.1 The development of the LAEP has been overseen by a steering group formed of Lancaster City Council as the lead organisation, Electricity North-West Ltd, Cadent Gas, Lancashire County Council and United Utilities.

4.2 The steering group has been instrumental in shaping the LAEP by being accountable for decision making, supporting data gathering, providing local context and characteristics, defining modelling scenarios, examining assumptions and reviewing the LAEP.

4.3 Further support was provided by key local stakeholders who also contributed to the decision-making process, data gathering and understanding the local context and characteristics.

	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 confirm ambition and appetite.</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>
Disadvantages	<p>The LAEP has quantified the investment needed to reach net</p>	<p>The Council has ambitions to support the net zero transition for</p>

	<p>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>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>
<p>Risks</p>	<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>

5.0 Officer Preferred Option (and comments)

5.1 To adopt the LAEP, inform the Council's wider strategies and to task officers with exploring a Delivery Plan for implementation.

6.0 Conclusion

6.1 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 co-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.

6.2 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.

6.3 Ongoing partnership with the key LAEP stakeholders will be essential to ensure plans

are aligned and priority projects agreed.

- 6.4 Following any decision to adopt, officers will report back to cabinet once detailed Delivery Plan work is completed.

RELATIONSHIP TO POLICY FRAMEWORK

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.

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).

CONCLUSION OF IMPACT ASSESSMENT

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

The adoption of the LAEP itself does not immediately impact upon the sectors listed above. However the identification of priorities via a subsequent Delivery Plan is envisaged to have a positive impact in ensuring a more just net zero energy transition.

LEGAL IMPLICATIONS

There are no legal implications stemming from this report.

FINANCIAL IMPLICATIONS

There are no direct financial implications arising directly from this report. Should the plan be adopted any subsequent future decisions required will be subject to further reports to Cabinet and future implications will be considered at that time.

All officer time required to formulate the delivery plan can be managed from within existing resources. However, it should be noted that dependent on future decisions, additional resources may be required. Again, this would be presented to Cabinet at the appropriate time.

SECTION 151 OFFICER'S COMMENTS

The s151 Officer has been consulted and would draw Members attention to the comments presented within the Financial Implications

MONITORING OFFICER'S COMMENTS

The Monitoring Officer has been consulted and has no further comments, noting that further reports will be required for any decisions taken in accordance with the LAEP

BACKGROUND PAPERS

[Lancaster District Local Area Energy Plan](#)

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CABINET

Public Space Protection Orders

22nd October 2024

Report of Chief Officer People & Policy

PURPOSE OF REPORT			
To seek 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 13 th December 2024			
Key Decision	X	Non-Key Decision	Referral from Cabinet Member
Date of notice of forthcoming key decision	23 rd September 2024		
This report is public but Appendix 4 is exempt from publication by virtue of Paragraph 7 of Schedule 12A of the Local Government Act, 1972.			

RECOMMENDATION OF Councillor Peter Jackson

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

1.0 Introduction

- 1.1 Public Spaces Protection Orders (PSPO's) sit amongst a broad range of powers and tools to help tackle anti-social behaviour. They are aimed at ensuring public spaces can be enjoyed free from anti-social behaviour, and to help with persistent issues that are damaging their communities.
- 1.2 The power to make PSPO's rest with the local authorities. Enforcement can then be undertaken by Councils and the Police.
- 1.3 In December 2016 and April 2018 Cabinet approved PSPO's covering Lancaster City Centre (2016) and defined areas in Morecambe & Heysham (2018) These orders replaced designated Public Place Orders and were as a result of enacted powers from the Anti-Social Behaviour, Crime and Policing Act 2014.
- 1.4 The current PSPO expires on 13th December 2024. The test for extending a PSPO is set out in Section 60 of the Anti-Social Behaviour Crime & Policing Act 2024.

A Public Space Protection Order (PSPO) can be made for a maximum duration of up to three years. After which it may be extended if certain criteria under section 60 of the Act are met. This includes that the extension is necessary to prevent activity reoccurring and/or there has been an increase in frequency or seriousness of the activity.

Under Section 60, before the time when a public spaces protection order is due to expire, the local authority that made the order may extend the period for which it has effect if satisfied on reasonable grounds that doing so is necessary to prevent—

(a) occurrence or recurrence after that time of the activities identified in the order, or

(b) an increase in the frequency or seriousness of those activities after that time.

Under Section 72 of the Anti-Social Behaviour Crime & Policing Act 2014, a Local Authority must carry out the necessary consultation and necessary publicity when extending and varying a PSPO.

- 1.5 Although Since the PSPO was introduced in 2021 the recorded police data shows that in general terms anti-social behaviour has decreased but is still occurring in the areas that the PSPO covers. There are still concerns ~~are still~~ being raised by businesses, elected members, and members of the public in both Lancaster and Morecambe. Police data also indicates that Lancaster City Centre continues to be an anti-social behaviour hotspot and as a result have introduced Operation Paragon to address this issue.
- 1.6 In November 2022, the Police and Crime Commissioner announced his plans to tackle anti-social behaviour following an independent anti-social behaviour study and as a result, this has funded additional police patrols in an operation entitled 'Operation Centurion.' Police data was used to determine the hotspot locations, and additional police patrols have taken place in Happy Mount Pak and Poulton ward in Morecambe. In the last 12 months Happy Mount Park has seen an 85% reduction in reported incidents of ASB and Poulton Ward a reduction of nearly 24%.
- 1.7 Lancashire Fire and Rescue have also reported an increase in deliberate secondary fires in Lancaster City Centre. There is evidence that indicates that youth anti-social behaviour is a contributory factor.

2.0 Proposal Details

- 2.1 Approval is sought to renew the Public Space Protection Order (Appendix 2) in the areas defined in the attached maps. (Appendix 3)
- 2.2 In specific terms the PSPO will provide additional powers to deal with:
- Shouting, swearing, and behaviour causing annoyance, harassment, alarm, or distress.
 - A person ingesting, injecting, smoking or otherwise an intoxicating substance.
 - Prohibition of alcohol consumption
- 2.3 A Fixed Penalty Notice will carry a £100 penalty reduced to £65 for early payment. A discount exists for early payments due to difficulties experienced in obtaining payments.
- 2.4 Authorised officers of Lancaster City Council together with officers from Lancashire Police would have the powers to enforce the PSPO on behalf of

Lancaster City Council by the issuing of or requesting the issue of fixed penalties, but collection of fines and any potential prosecutions would be the responsibility of the council.

- 2.5 To issue a Fixed Penalty Notice the evidential test required will be the same for any court proceedings. There are a limited number of officers within Lancaster City Council who are responsible for a wide range of enforcement, and these officers are not routinely out and about in the hotspot areas to witness first hand any potential breaches of the PSPO. The police do assist in gathering the required evidence for breaches of the PSPO, but this is also dependent on the resource available and other policing responses required in Lancaster District.
- 2.6 The purpose of this report is solely to seek approval for the PSPO to be renewed. Consideration as to the resources attached to enforcing it may be considered by Cabinet. However, that will take place through discussions with the Police and other partners.

3.0 Details of Consultation

- 3.1 An online public consultation was held in July and August 2024 with hard copies of the survey available. This also included a question about the use of E-Scooters and E-cycles in Lancaster City Centre and the introduction of additional conditions for the PSPO. It has been determined that this issue requires further research and therefore is not included in this report. A summary of the responses is attached as Appendix 1.
- 3.2 87% of respondents stated that they have been affected by incidents of anti-social behaviour across the district with Lancaster and Morecambe being identified as the main location where this has occurred. A smaller number of respondents identified other locations across the district. The top locations for police reported incidents of anti-social behaviour correlate with the maps for the Lancaster City Centre PSPO and the Morecambe PSPO. The open spaces of Lower Heysham, Happy Mount Park and Williamson Park have historically experienced higher levels of youth related anti-social behaviour generally when the weather is warmer, and the evenings are lighter. The majority of respondents stated that the anti-social behaviour had taken place on the street. The top categories of ASB reported were alcohol, drug and youth related anti-social behaviour, with litter, graffiti and fly-tipping also being highlighted as causes of concern. 76% of respondents recorded that this had affected them – with 31% stating that it had affected them a lot.
- 3.3 Police data for the last 3 years (Sept 21- August 22, Sept 22 –August 23, Sept 23-August 24) show that reported incidents of ASB have decreased. Youth ASB accounts for approximately 25% of all reported incidents. Approximately 9% of incidents are alcohol related. Hotspot locations include Cheapside in Lancaster, Lancaster Bus Station, and Happy Mount Park. In November 2023 NOS (Nitrous Oxide) was categorised as a Class C drug but Lancaster City Council Public Realm staff are still receiving reports of both the small silver capsules of nitrous oxide to the bigger catering-sized cannisters.
- 3.4 The police report that the PSPO introduced in December 2021 has enabled them to make early interventions in terms of incidents of ASB. Under Section 60 of the Act, the test that needs to be met is that there are reasonable grounds to prevent an occurrence, or a recurrence of the activities identified in the order. Analysis of the police data for Poulton Ward, which is covered by the Morecambe map (Appendix 4) indicates there has been a 40% reduction in incidents when comparing the numbers of reported incidents

from September 21-August 22 against the number of reported incidents between September 23-August 24. The additional resources provided by the PCC funded Operation Centurion has assisted in this reduction. Displacement has been seen in other areas where the PSPO is in place. In Lancaster City Centre over the same period there has been only an 18 percent reduction. Where there have been additional resources provided to tackle incidents of anti-social behaviour the reduction is significant. Lancaster City Centre has experienced an increase in the number of incidents recorded in the last 12 months with displacement being an attributable factor. (Appendix 4 refers)

Incidents of anti-social behaviour are still being recorded in the other 3 areas defined in the maps in Appendix 3 and contained in the police report (Appendix 4)

- 3.5 With regards to the Human Rights Act 1988 Article 10 (Freedom of expression) and Article 11 (Freedom of assembly and association) a consultation has been carried out and publicised across the district.

The PSPO is not targeted at any individual or group but instead seeks to tackle defined anti-social behaviour in specified locations and the need to protect the public from harm outweighs the restrictions contained in this order.

- 3.6 The police and the PCC have been consulted with and district and town councillors notified.

4.0 Options and Options Analysis (including risk assessment)

	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</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>	Minimal cost benefit of not paying for signage.

	and businesses. The conditions are identical for the proposed areas which makes for more consistent and less confusing enforcement.		
Disadvantages	Raises public expectation. The PSPO is only one of the tools that can be used by authorised officers. Lack of enforcement could lead to a reduction in confidence in the Local Authority and Lancashire Police.	Smaller communities feeling that their views have not been taken into consideration. Potential displacement of the types of behaviour to other public spaces	Going against majority of consultees Continued complaints received from the 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.

5.0 Officer Preferred Option (and comments)

5.1 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.

6.0 Conclusion

6.1 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.

RELATIONSHIP TO POLICY FRAMEWORK

Healthy and Happy Communities

Keeping our district’s neighbourhoods, parks, beaches, and open space clean, well-maintained, and safe.

A Co-operative, Kind and Responsible Council

Listening to our communities and treating everyone with equal respect, being friendly, honest, and empathetic.

CONCLUSION OF IMPACT ASSESSMENT

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

When considering any proposed PSPOs, the authority must consider any equality issues pursuant to its duty under section 149 of the Equality Act 2010.

LEGAL IMPLICATIONS

Chapter 2 of Part 4 of the Anti-Social Behaviour, Crime and Policing Act 2014 deals with Public Spaces Protection Orders (PSPO). Sections 59 – 61 inclusive deal with the power to make such orders, their duration, and their variation and discharge.

Section 66 specifically provides an interested party (as defined in the Act) the ability to challenge the validity of a PSPO, or its variation, by application to the High Court. The grounds for such a challenge are that the local authority did not have the power to make or vary the order or include certain prohibitions/requirements, or that a requirement under the relevant part of the Act was not complied with. There is a 6-week time limit to make such an application from the date of the order or variation. Pending full determination, the High Court can suspend the operation of the order, or variation. Upon determining the application, the Court, if it finds that the authority did not have the power to do what it did/required under the order, or that the interests of the applicant have been substantially prejudiced by a failure to comply with a requirement of the Act in relation to PSPOs, can quash or vary the order or any prohibitions or requirements under it.

FINANCIAL IMPLICATIONS

Any costs associated with prosecutions against offenders who fail to discharge their criminal liability by paying the fixed penalty notice within the required time will be sought from that individual during the Court process. Whilst there is a risk not all costs will be recovered it is expected that this will be minimal and can be met from within existing resources.

With regard to signage, this can be funded from general fund revenue, utilising the Community Safety Partnership budget.

OTHER RESOURCE IMPLICATIONS

Human Resources/Information Services/Property/Open Spaces

No implications arising directly from this report.

SECTION 151 OFFICER'S COMMENTS

The s151 Officer has been consulted and has no further comments to add

MONITORING OFFICER'S COMMENTS

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

BACKGROUND PAPERS

LGA guidance on Public Space
Protection Orders [Public spaces protection
orders: guidance for councils \(local.gov.uk\)](#)

[Commissioner takes aim at anti-social behaviour -
Lancashire Police Crime Commissioner \(lancashire-
pcc.gov.uk\)](#)

[Nitrous oxide: Laughing gas possession becomes
illegal - BBC News](#)

Contact Officer: Kirstie Banks-Lyon
Telephone: 01524 582803
E-mail: klyon@lancaster.gov.uk

Public spaces protection orders (PSPO)

SURVEY RESPONSE REPORT

18 July 2024 - 26 August 2024

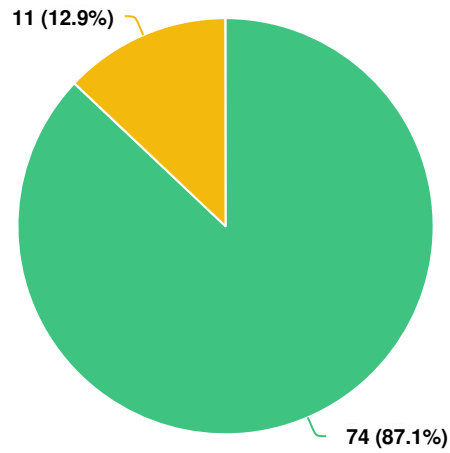
PROJECT NAME:

Public Spaces Protection Orders (PSPO) Consultation



SURVEY QUESTIONS

Q1 | In the last 12 months have you been witnessed incidents of anti-social behaviour in the public spaces of Lancaster District?

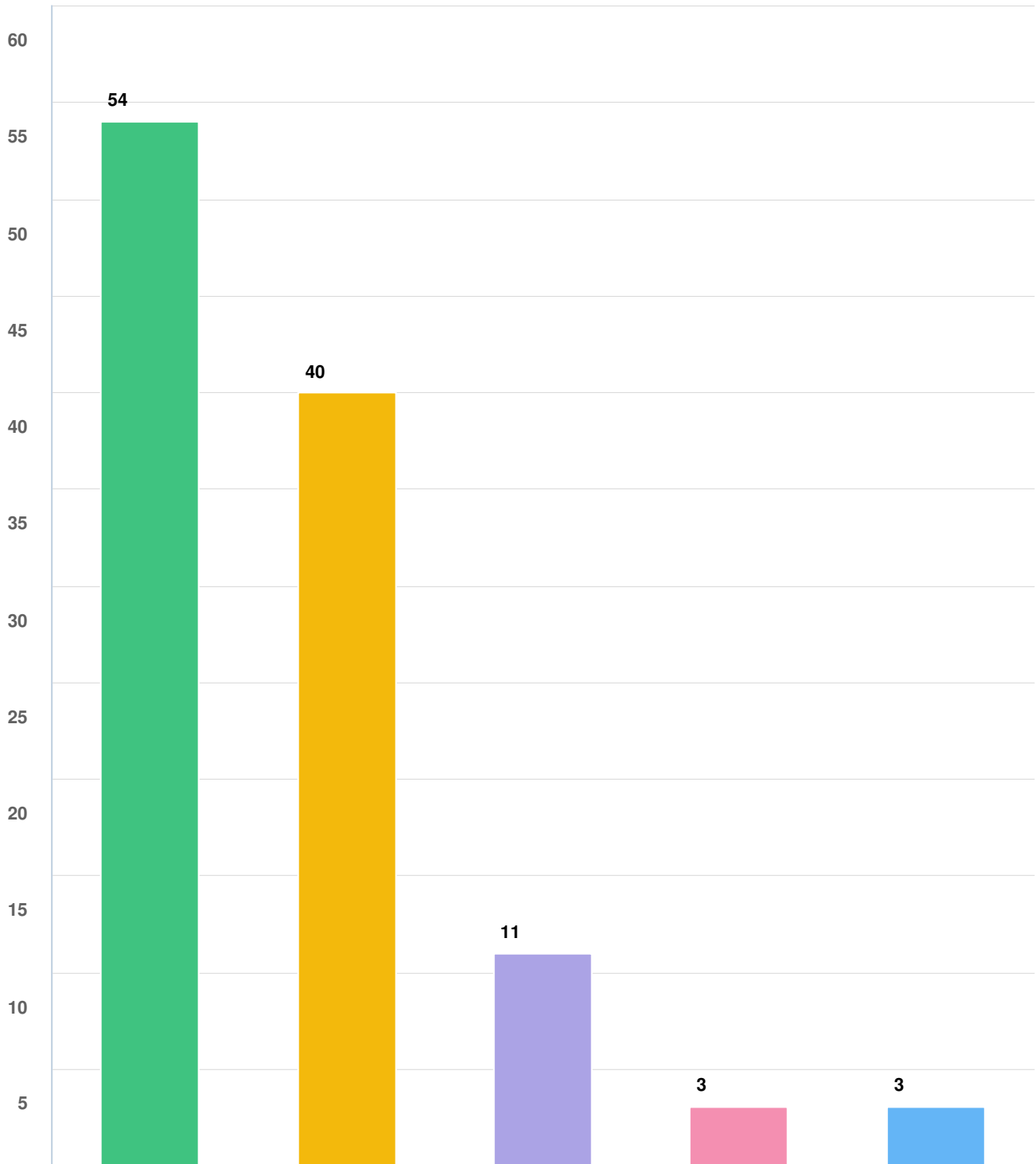


Question options

- Yes
- If no, choose this option and scroll to the bottom of the page and press save and continue

Optional question (85 response(s), 10 skipped)
Question type: Dropdown Question

Q2 If yes – whereabouts in the district was this?

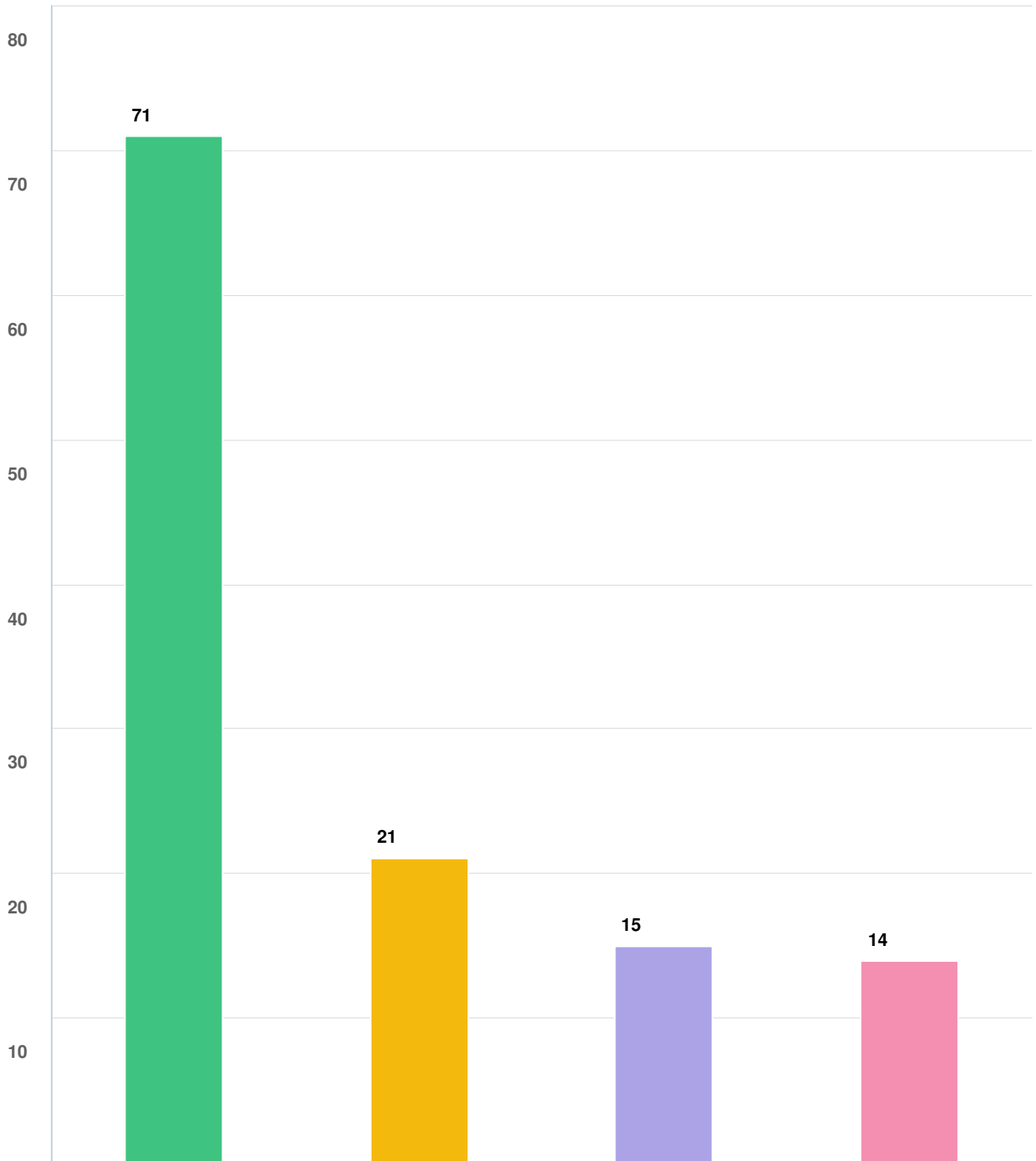


Question options

- Lancaster
- Morecambe
- Heysham
- Carnforth
- Other (please specify)

Optional question (86 response(s), 9 skipped)
Question type: Checkbox Question

Q3 And whereabouts was this?

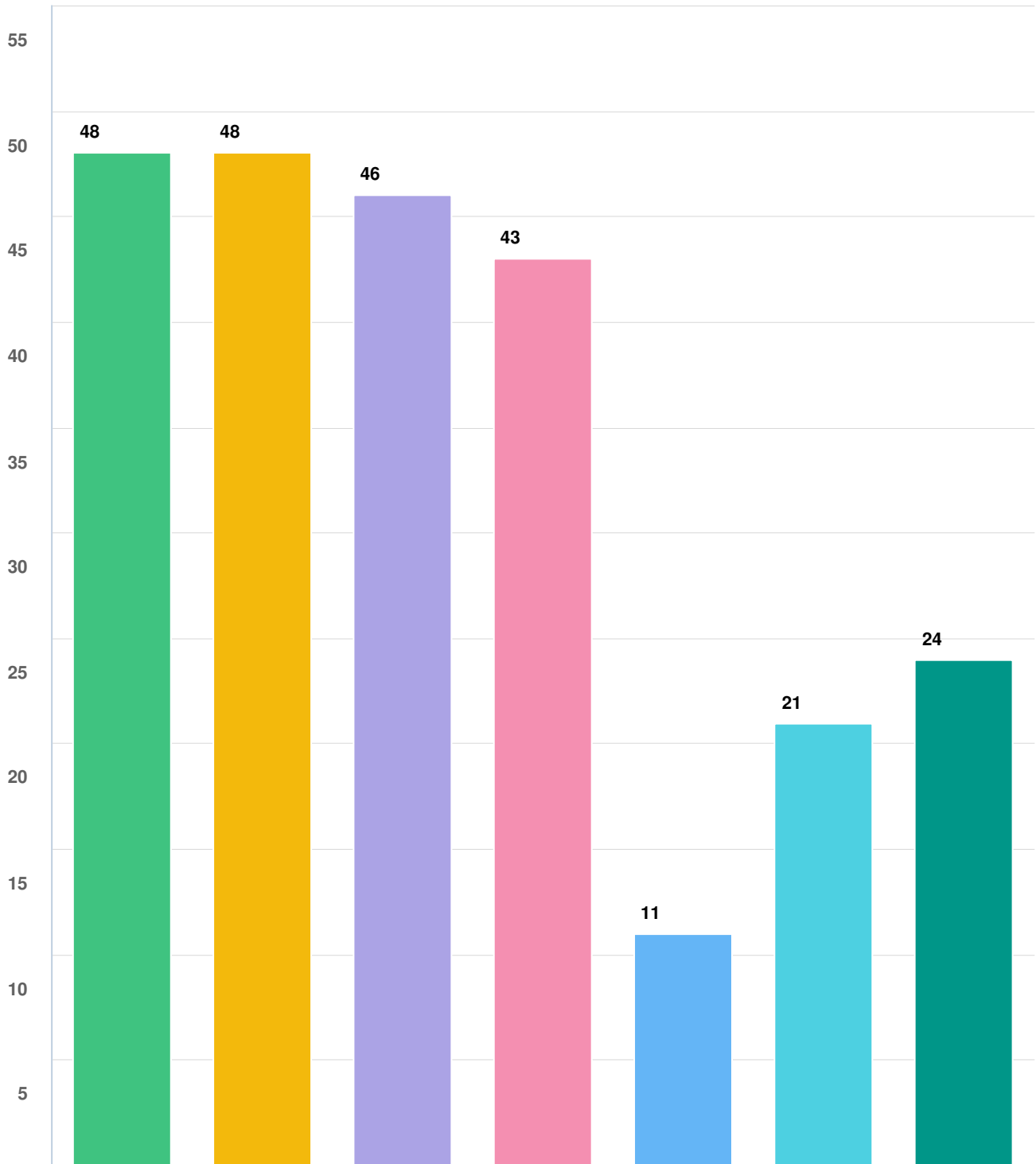


Question options

- On the street
- In the park
- On the beach
- Other (please specify)

Optional question (84 response(s), 11 skipped)
Question type: Checkbox Question

Q4 What type of anti-social behaviour was this? Specify all that apply

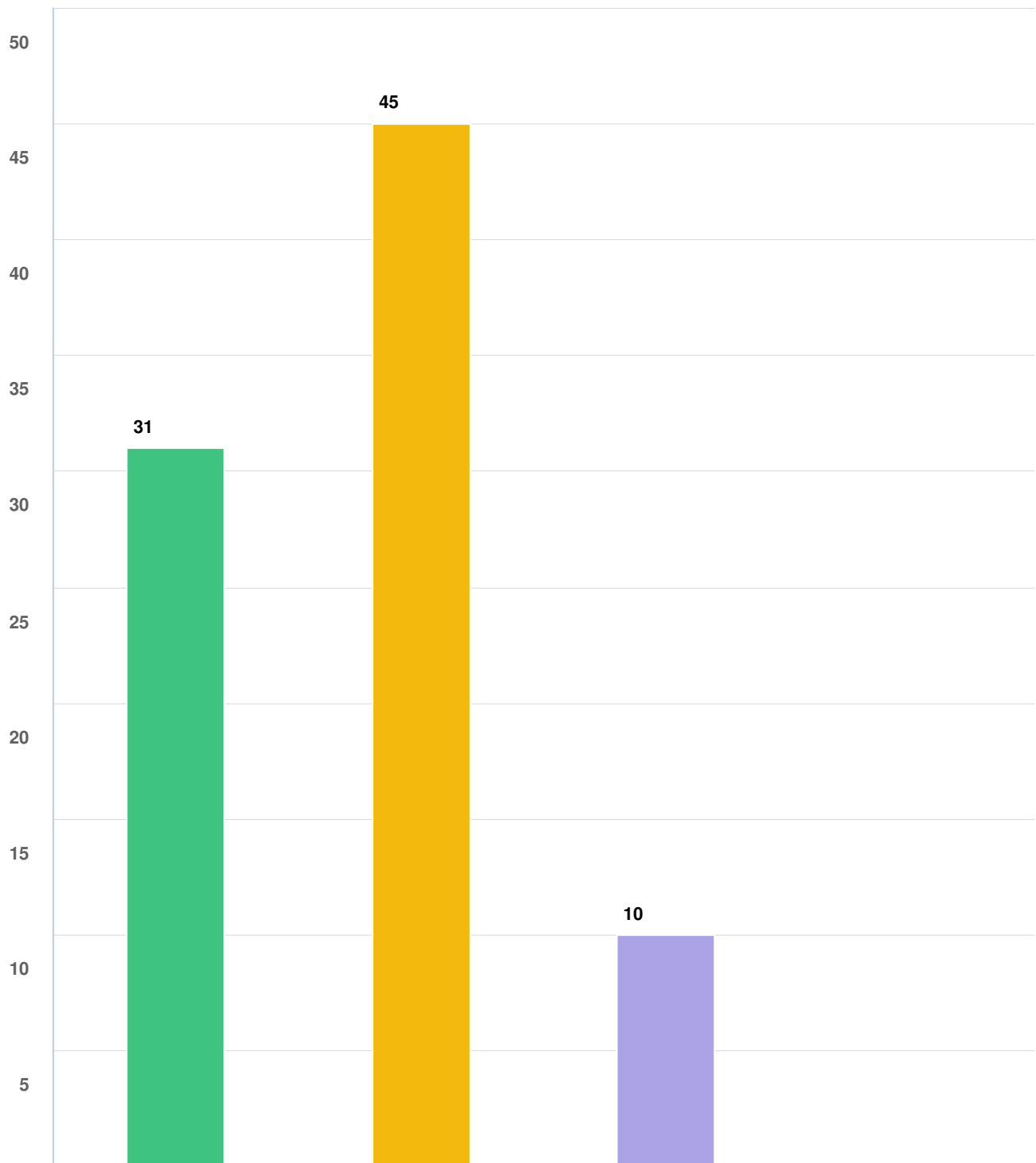


Question options

- Alcohol related
- Drug related
- Litter
- Youth related
- Graffiti
- Fly-tipping
- Other (please specify)

Optional question (84 response(s), 11 skipped)
Question type: Checkbox Question

Q5 To what extent has this affected you?

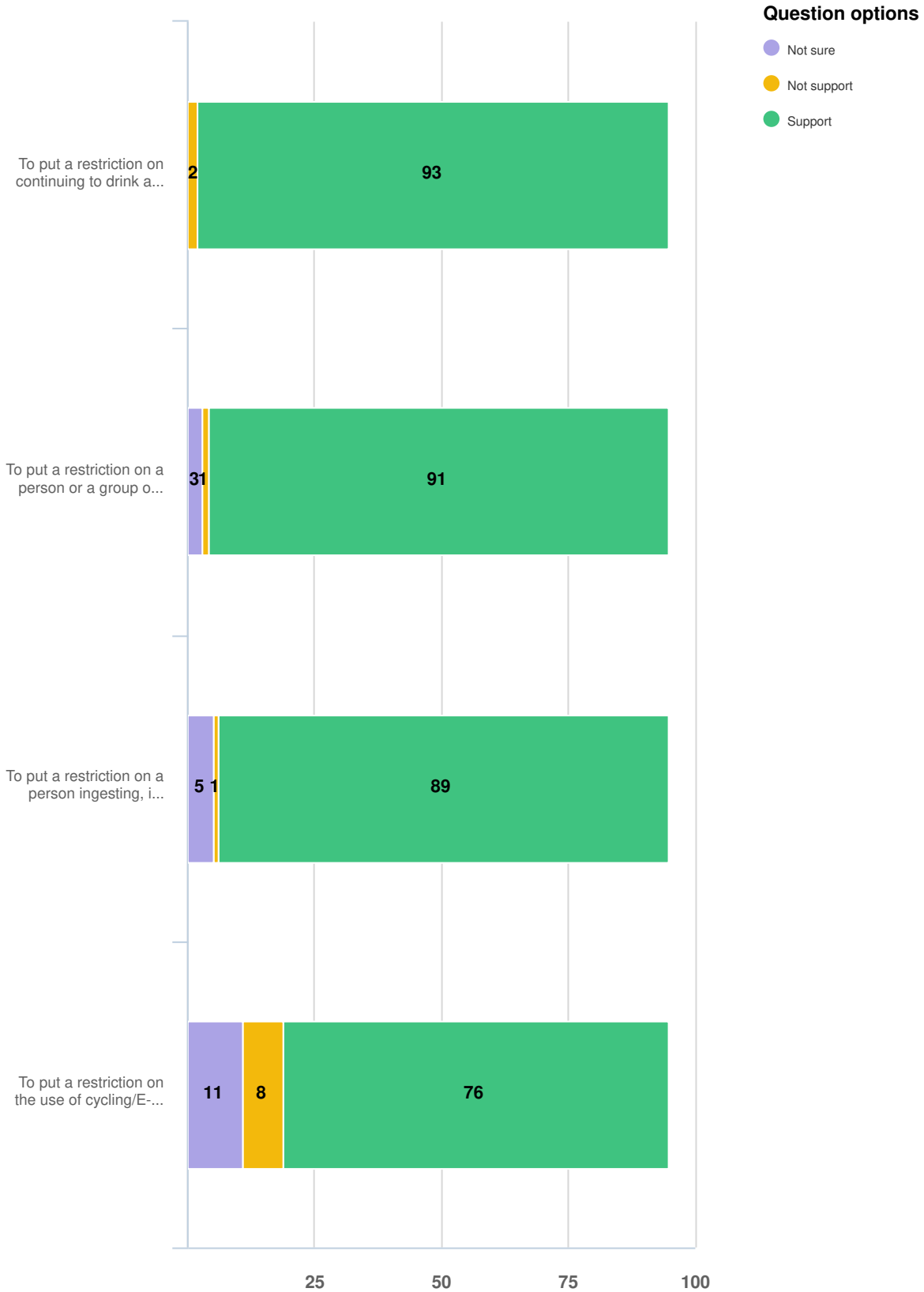


Question options

- A lot
- Some
- A little
- Not at all

Optional question (84 response(s), 11 skipped)
Question type: Checkbox Question

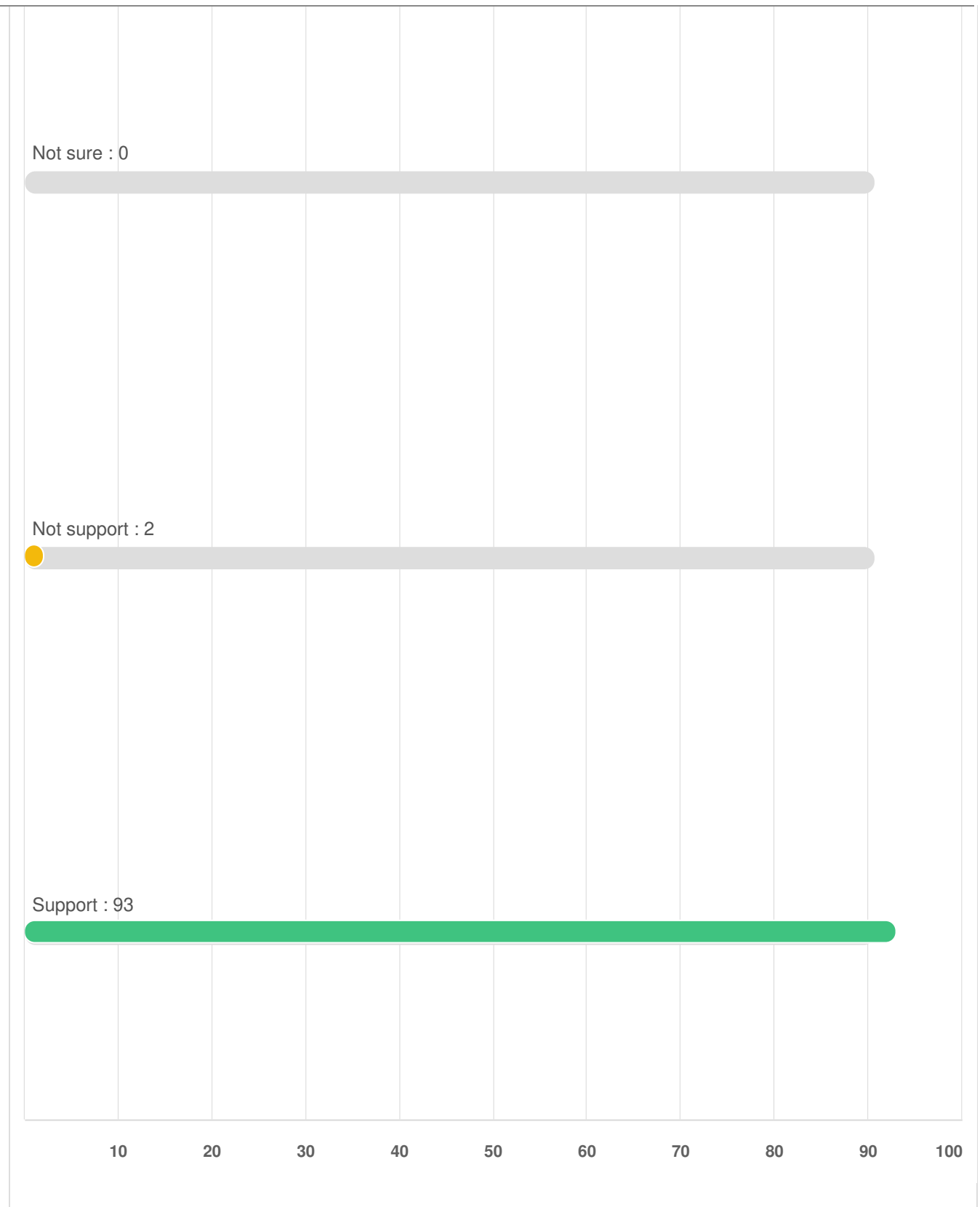
Q6 Please answer for the following recommendations if you would support/not support/have no opinion



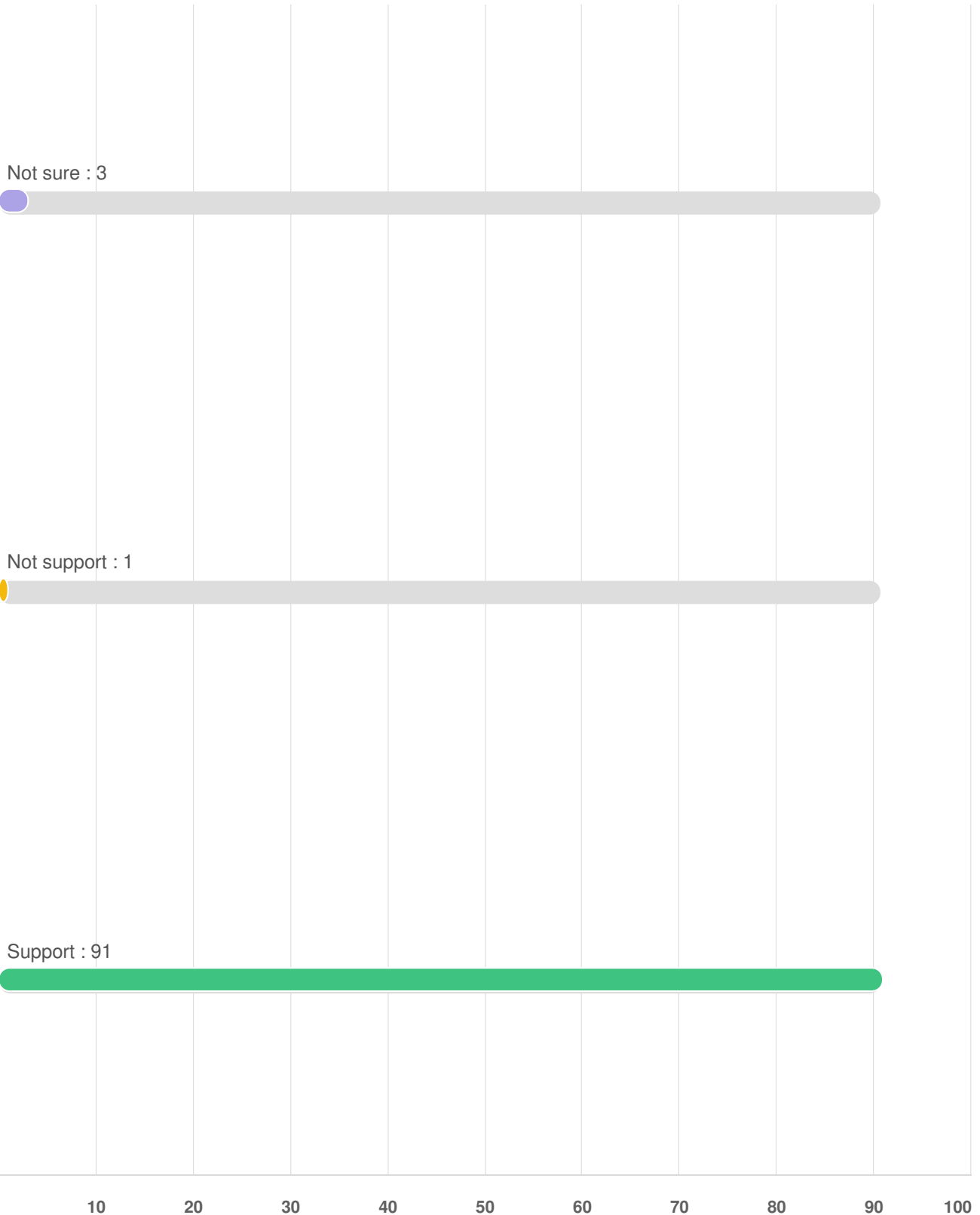
Optional question (95 response(s), 0 skipped)
Question type: Likert Question

Q6 | Please answer for the following recommendations if you would support/not support/have no opinion

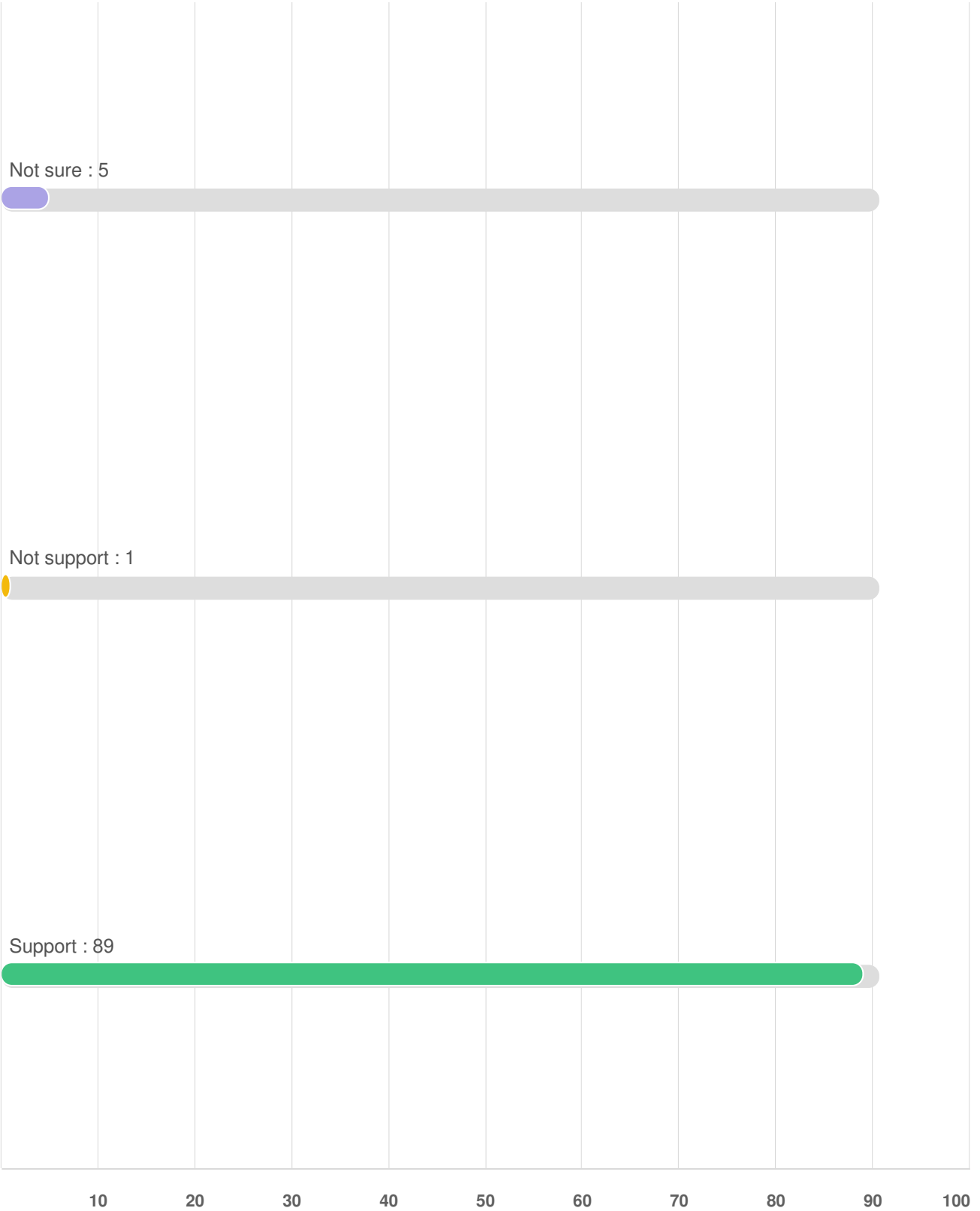
To put a restriction on continuing to drink alcohol in public, whilst behaving in an anti-social manner, when requested by the police or other authorised person not to do so.



To put a restriction on a person or a group of people behaving in an anti-social manner in the area covered by the order, or land next to the order or to a person living nearby.



To put a restriction on a person ingesting, injecting smoking or otherwise of an intoxicating substance.



To put a restriction on the use of cycling/E-bikes/scooters in the Lancaster City Centre pedestrianised area.



Q7 | Are there any other issues that you would like to be covered by the PSPO

Screen Name Redacted

7/18/2024 01:59 PM

I would like to see the use of e-scooters to be restricted on the promenade and in parks also.

Screen Name Redacted

7/18/2024 02:02 PM

The rise in the number of e-bikes and scooters in the city centre is alarming. Many belong to takeaway delivery drivers who simply drive them too fast in the pedestrianised area, I fear there could be a serious accident involving a pedestrian, esp a child, before long.

Screen Name Redacted

7/18/2024 02:16 PM

A crackdown on all illegal electric motorbikes and scooters before someone is seriously hurt

Screen Name Redacted

7/18/2024 02:45 PM

The use of cannabis is widespread and the smell of it is around all public areas at times . It needs challenging when spotted and the people told to smoke it in their own homes only if it is considered they are not committing an actual offence these days

Screen Name Redacted

7/18/2024 03:17 PM

General control of cycles being ridden on the footpath. Parking of vehicles on or partly on the footpath

Screen Name Redacted

7/18/2024 07:41 PM

Bicycles being ridden on pavements with lac of adherence to the Highway Code.

Screen Name Redacted

7/18/2024 07:46 PM

Walking street from town through Sainsbury's

Screen Name Redacted

7/19/2024 08:19 AM

Regarding E-bikes, e-scooters etc, a RESTRICTION is not the correct word, this is unlawful other than on private land. Takeaway delivery riders have powerful e-bikes and present a real danger to the public in Lancaster city centre. Police do NOTHING and rarely get out of their vehicles to confront offenders.

Screen Name Redacted

7/19/2024 09:24 AM

hampton road area we have drug dealing every day, granville alley rubbish and fly tipping, football is often played on street, children going into gardens stealing stuff and also on the street until late when residents are trying to sleep some of us have to be early for work

Screen Name Redacted

7/19/2024 11:31 AM

Market Square is much improved with the BID staff and theses restrictions, very important to carry on the good work.

Screen Name Redacted

7/19/2024 01:11 PM

Just the sheer ugliness of people lying in their own puke on the plinth. It's scary for kids

Screen Name Redacted

7/19/2024 02:04 PM

People opening they front door and letting they dogs out without a lead on Smoking cannabis outside they front door

Screen Name Redacted

7/20/2024 08:35 AM

More patrolling of the riding of cycles, ebikes and scooters especially in Cheepside, Market Street, Penny Street areas. There is a NO CYCLING notice at the junction of Cheepside and Church Street between 10am and 4pm but this is never patrolled and I've had near misses as a disabled pedestrian using a stick.

Screen Name Redacted

7/20/2024 08:47 AM

A boards in the middle of pedestrianised walkways. So difficult to navigate with pram, wheelchair etc

Screen Name Redacted

7/20/2024 02:15 PM

Crowds of youths

Screen Name Redacted

7/21/2024 03:17 PM

Parking on pavements and over dropped kerbs

Screen Name Redacted

7/21/2024 05:54 PM

Cars parked on pavements given a parking fine.

Screen Name Redacted

7/22/2024 08:49 AM

Busking with amplification and a limit on the time they can busk in one area.

Screen Name Redacted

7/23/2024 06:57 PM

Dog fouling

Screen Name Redacted

7/23/2024 07:51 PM

I am very aware, both as a cyclist and a pedestrian, of the issues regarding antisocial riding in pedestrian areas. However, there is a big difference between a push bike and an ebikes/scooter cycled at speed. Maybe a reassessment of timings allowed for riding in Lancaster town centre should be looked at. However, many cyclists choose to cycle through the pedestrian area due the unsafe nature of the ring road around town. Some better registration should also be

applied to cargo bikes to follow up aggressive riding in restricted and derestricted area . The dangerous riding on the main cycle track is also an issue.

Screen Name Redacted

7/24/2024 06:18 PM

Despite the PSPO the drunks in Lancaster City Centre continue to sit in Market Square shouting and swearing at each other. It makes Lancaster look like a rough place to visit and live and I am not sure why they are not being moved on if the PSPO is still in place.

Screen Name Redacted

7/24/2024 07:46 PM

Excessive noise - specifically late evening / night heavy bass Dog barking - dogs left home alone &or late night Dog fouling Public urination - we need more toilets, but too often see males just urinating Excessive use / speeding of disabled scooters, these can be more of an issue than&bike or e-scooters

Screen Name Redacted

7/24/2024 09:11 PM

Dog fouling

Screen Name Redacted

7/24/2024 11:25 PM

The residing of homeless people in doorways etc. They should be provided with some kind of housing/ hostel for hot meals and showering, and a ban on begging.

Screen Name Redacted

7/30/2024 09:30 AM

E scooters on morecambe promenade and town centre it's just not lancaster!

Screen Name Redacted

7/30/2024 01:48 PM

Tackle the drunkards layabouts on Alexandra Road and the amount of rubbish and disgraceful behaviour

Screen Name Redacted

7/30/2024 02:57 PM

A restriction on drinking beyond the external areas of drinking establishments, i.e. ban the groups drinking on the benches/steps in the town centre. A ban on begging as this seems to have a link with the town centre drinking.

Screen Name Redacted

7/30/2024 04:44 PM

Tougher measures needed please as this is what the public want. ASB is ruining lives and businesses.

Screen Name Redacted

7/31/2024 12:21 AM

Why only lancaster? Should enforce the use of e cycles/electric scooters is illegal everywhere. (Except private land). It is against the law. Its a contant threat and nuisance in morecambe, especially the prom. Also every single day of summer on the prom is a living hell

due to drunks, druggies, teens and joy boys/boy racers messing about after midnight. Just last night a car drove all over the beach at 430 am beeping its horn and the police did nothing. Absolute joke. Likewise just place the police in west end 24/7 you would see daily drug deals, violence, threats, dog fouling, inappropriate language and behaviour etc. its SO easy to catch and arrest the scum. But you wont. Its like the council and police are afraid of discovering the real west end

Screen Name Redacted

7/31/2024 06:09 PM

Not at this time.

Screen Name Redacted

7/31/2024 09:36 PM

Need support local small business in case emergency feel trust the police take to long so a shop watch especially in westend?

Screen Name Redacted

7/31/2024 09:40 PM

Give police more powers again more on the streets

Screen Name Redacted

7/31/2024 09:43 PM

Parking regulations lot park on double yellows keep clears plus smell weed on the streets giving bad name to area especially edan coming

Screen Name Redacted

8/01/2024 12:40 PM

Beggars sat out side shops puts of customers being asked money move them on get grief from them more come seat out side give them volunteer jobs get of streets I had elderly customers scared go bck out shop close up walk them home wesend especially

Screen Name Redacted

8/01/2024 01:24 PM

Busking - background high quality music adds to the atmosphere but many busjers go on for too long outside the doors of businesses who are trying to focus on work and / or are too loud making conversation in the street difficult. Condition should be similr to the one for street drinking - ie that it is restricted if deemed too loud or antisocial and an authorised officer asks you to reduce volume / move on.

Screen Name Redacted

8/03/2024 09:06 AM

Fine people who litter. There's literally amazon packages with people's addresses on clearly dumped on back streets.

Screen Name Redacted

8/04/2024 07:29 PM

Yes. Youth riding around in e scooters or scrambler bikes wearing balaclavas. St George's Quay area, town centre and also Ullswater Road and Ridge area.

Screen Name Redacted

8/04/2024 07:55 PM

Many venues in Lancaster with outside seating are encroaching further onto the highway than they did in the past. Very few of these have a pavement licence on display.

Screen Name Redacted

8/05/2024 06:29 PM

E scooters on Morecambe Promenade. Also E bikes travelling at excessive speed.

Screen Name Redacted

8/07/2024 06:18 AM

More policing of the canal. There's loads of drug dealing there and sometimes violence too.

Screen Name Redacted

8/10/2024 10:36 PM

Constant groups of alcoholics and drug users in the park on Alexander Road and milling about arguing and fighting. Also sat on the steps in a gang next to the last sweet shop. Also intoxicated women and men on drugs or drunk walking around Morecambe with out of control unmuzzled large dogs especially XL bullies I have seen three different people doing this in the last four weeks

Screen Name Redacted

8/13/2024 01:30 PM

Congregation of certain individuals on the concrete seating at the top of Pedder St car park. Can be 'loud' & could be off putting to visitors to the area. Lines St, facing Brown's furniture shop. What goes on there at night. Almost everyday there is litter & all sorts of rubbish strewn on pavement despite council regularly cleaning up. Is it residents in the flats over the tattoo shop, or people leaving the Bull hotel? Generally, lots of lads up & down with these big dogs. Not hot on breeds, but I'm not confident that they clean up properly after or treat the dogs properly. Local plumber leaves his rubbish outside his garage at the back of Lord St. Not seen by many, but still an eyesore!

Screen Name Redacted

8/13/2024 02:20 PM

Busking. Whilst we like busking in the city centre as it adds a vibe to it, we feel that on far to many occasions buskers are far to loud and stay in the same place for far too long. A simple measure of realistic sound levels and a time restriction of max 1 hour would seem a sensible restriction to us.

Screen Name Redacted

8/13/2024 04:45 PM

I would like a PSPO to cover buskers, rough sleepers and beggars.

Screen Name Redacted

8/14/2024 03:01 PM

Buskers and protestors

Screen Name Redacted

8/20/2024 07:08 AM

I support restricting the use of powered vehicles (e-bikes and scooters) which have higher speeds and generally poor control. I support a restriction on high speed cycling. I do not support a restriction on people using such devices and mobility aids, or careful cycling to get to the shops. I strongly support further restriction on the biggest public health hazard - motor vehicles

Screen Name Redacted

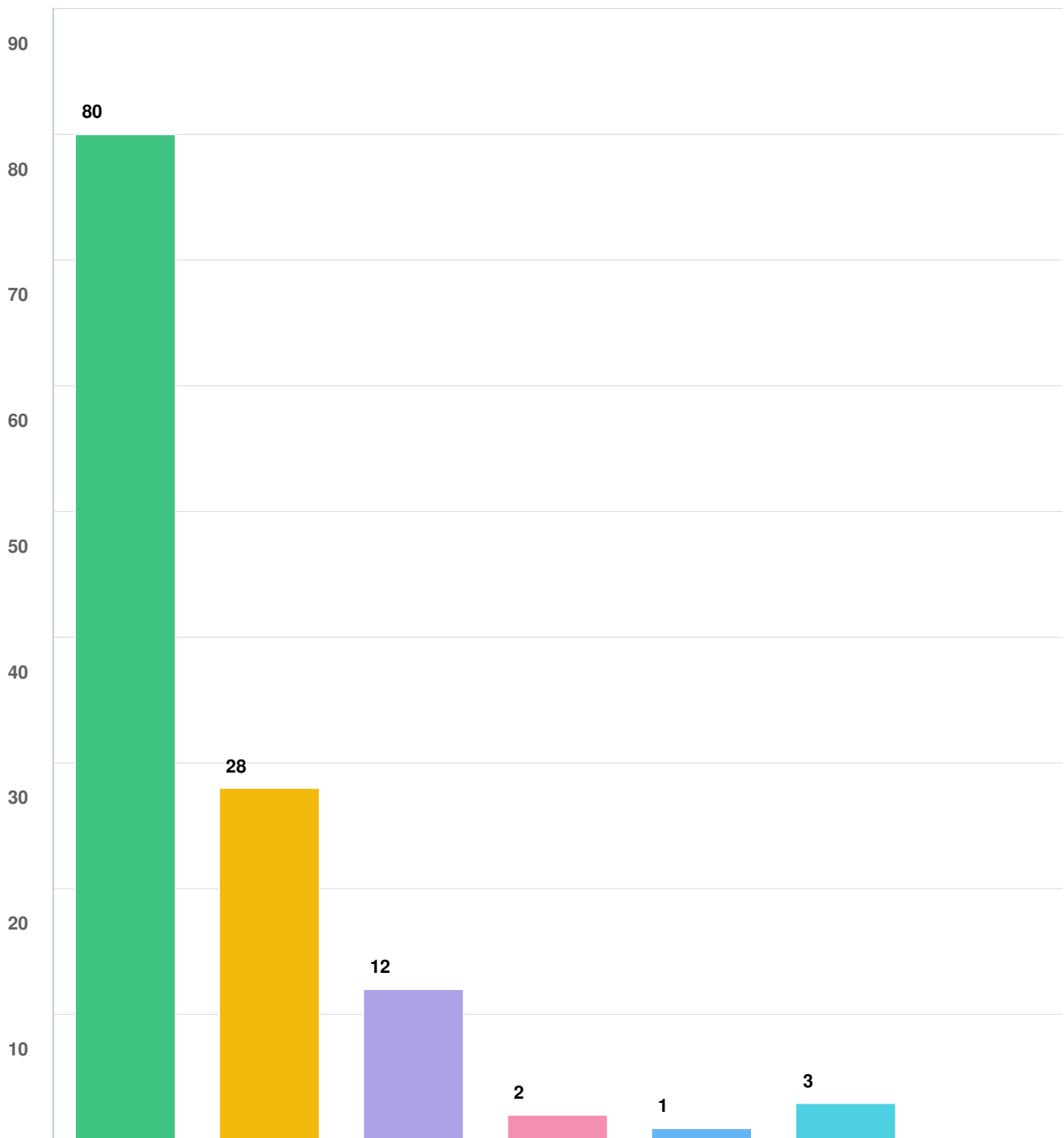
8/20/2024 01:34 PM

You have lumped on cycling (normally safe, responsible way to travel, as well as a healthy activity yo teach children) with e scooters etc which are very often used irresponsibly. This makes the survey less useful. Bad decision on how to ask this question, I think

Optional question (47 response(s), 48 skipped)

Question type: Essay Question

Q8 Are you responding to this consultation as (please select all that apply)



Question options

- Other (please specify)
- Representative of Community Group
- Local councillor (County, District, Town, Parish)
- Visitor to the district
- Local business owner/manager
- Someone who works in the district
- A local resident of the district

Optional question (95 response(s), 0 skipped)

Question type: Checkbox Question

DRAFT

Anti-Social Behaviour, Crime and Policing Act 2014

LANCASTER, MORECAMBE & HEYSHAM PUBLIC SPACES PROTECTION ORDER 2024

Lancaster City Council (“the Council” in exercise of its powers under Section 60(2) of the Anti-Social Behaviour, Crime and Policing Act 2014 (“the Act”) and of all other enabling powers and being satisfied that the requirements of the Act have been met hereby make the following Order :-

1. The Lancaster, Morecambe & Heysham Public Spaces Order 2021 (‘the 2021 order’) which took effect on 13th December 2021 be extended for a further three years from....
2. The ‘2024’ order applies to the land described by the maps in Schedule 1-5 being land in the area of the Council is land to which the Act applies and is protected by this Order (hereinafter called the “Designated Area”).
3. The effect of the 2024 Order will be to extend the 2021 Order to (date)

This Order may be cited as the Lancaster, Morecambe & Heysham Public Spaces Protection Order 2024. The Order shall take effect on (date) ~~came into force on ****~~ for the duration of 3 years subject to any variation or extension of this order.

The following prohibitions are imposed on the use of the Designated Area:-

SHOUTING, SWEARING AND BEHAVIOUR CAUSING ANNOYANCE HARRASSMENT ALARM OR DISTRESS

1. No person or groups of 2 or more persons shall allow their actions to cause annoyance, harassment, alarm or distress to any person within the Designated Area or on land adjacent to the Designated Area or to any person living nearby.

OFFENCE

2. It is a criminal offence for a person without reasonable excuse to breach this prohibition

PENALTY

3. On summary conviction, the court may impose a fine of up to £1,000 (Level 3 on the standard scale.)
A constable or an authorised person may issue a Fixed Penalty Notice (FPN) to anyone that they reasonably believe has committed an offence. The amount of the FPN is £100, which is to be paid within 14 days of being issued with the notice. This sum will be reduced to £65 if paid within 7 days.

PROHIBITION OF ALCOHOL CONSUMPTION

4. The Order prohibits the consumption of alcohol within the Designated Area so as to cause, or be likely to cause, nuisance or annoyance to any other person.
5. The Order excludes certain premises from the application of the prohibition where alcohol restrictions are already in place under licensing laws.
6. Where the constable or the authorised person who reasonably believes a person has been drinking alcohol, in breach of the prohibition, or intends to drink alcohol where to do so would be a breach, the officer may require the person: -
 - a. not drink any alcohol, or anything the officer reasonably believes to be alcohol in breach of the prohibition; and/or
 - b. to surrender anything in their possession which is, or which the officer reasonably believes to be, alcohol or a container for alcohol.
7. There are certain safeguards on the imposition of the requirements including
 - a. the person must be advised that failing without reasonable excuse to comply is an offence, and
 - b. if the authorised officer is not a constable, or police community support officer, the officer must produce evidence of their authority if requested.Anything surrendered may be disposed in whatever way the authorised person thinks appropriate.

The Breach of the prohibition on drinking is only an offence when an individual does not cease drinking, or surrender alcoholic drinks when required to do so, when challenged by an authorised constable or authorised person. In this way, officers can exercise discretion in each situation. Where there is no threat of anti-social behaviour, they need not challenge the individuals.

OFFENCE

8. It is a criminal offence for a person without reasonable excuse to fail to comply with a requirement to cease drinking or surrender alcohol in the Restricted Area.

PENALTY

9. On summary conviction, the court may impose a fine of up to £500 (Level 2 on the standard scale)
A constable or an authorised person may issue a Fixed Penalty Notice (FPN) to anyone that they reasonably believe has committed an offence. The amount of the FPN is £100, which is to be paid within 14 days of being issued with the notice. This sum will be reduced to £65 if paid within 7 days.

INGESTION, INHALATION, INJECTION, SMOKING, POSSESSION OR OTHERWISE USE OF A PSYCHOACTIVE SUBSTANCE (e.g. NITROUS OXIDE) CAUSING OR LIKELY TO CAUSE HARASSMENT, ALARM, DISTRESS, NUISANCE OR ANNOYANCE

10. The Order prohibits the consumption, or possession of, a psychoactive substance within the Restricted Area. These substances are often referred to as "legal highs" and include nitrous oxide.
11. Where a constable or authorised person reasonably believes a person is, or has been consuming, or is in possession of a psychoactive substance, in breach of the prohibition, or intends to consume a such substance where doing so would be a breach, the officer may require the person not to consume the psychoactive substance or anything which the officer reasonably believes to be such a substance; and/or to surrender anything in that person's possession which is, or which the officer reasonably believes to be, a psychoactive substance or a container for a psychoactive substance.
12. There are certain safeguards on the imposition of the requirements including
 - a. the person must be advised that failing without reasonable excuse to comply is an offence, and
 - b. if the authorised officer is not a constable, or police community support officer, the officer must produce evidence of their authority if requested.

Anything surrendered may be disposed in whatever way the authorised officer thinks appropriate.

OFFENCE


13. It is a criminal offence for a person without reasonable excuse to breach the prohibition or to fail to comply with a requirement to which is imposed.

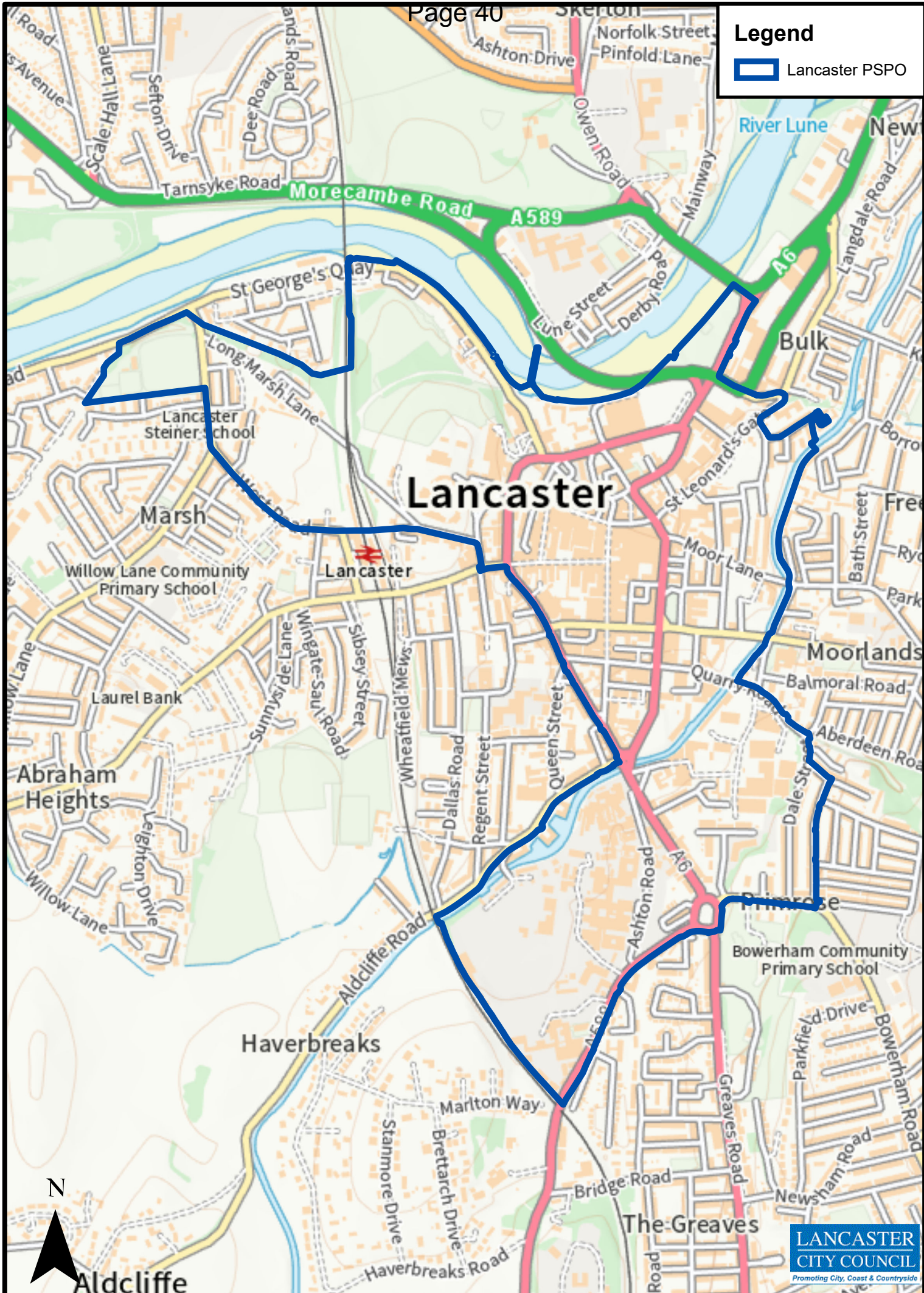
PENALTY

14. On summary conviction, the court may impose a fine of up to £1,000 (Level 3 on the standard scale)

A constable or an authorised person may issue a Fixed Penalty Notice (FPN) to anyone that they reasonably believe has committed an offence. The amount of the FPN is £100, which is to be paid within 14 days of being issued with the notice. This sum will be reduced to £65 if paid within 7 days.

Legend

 Lancaster PSPO





MORECAMBE

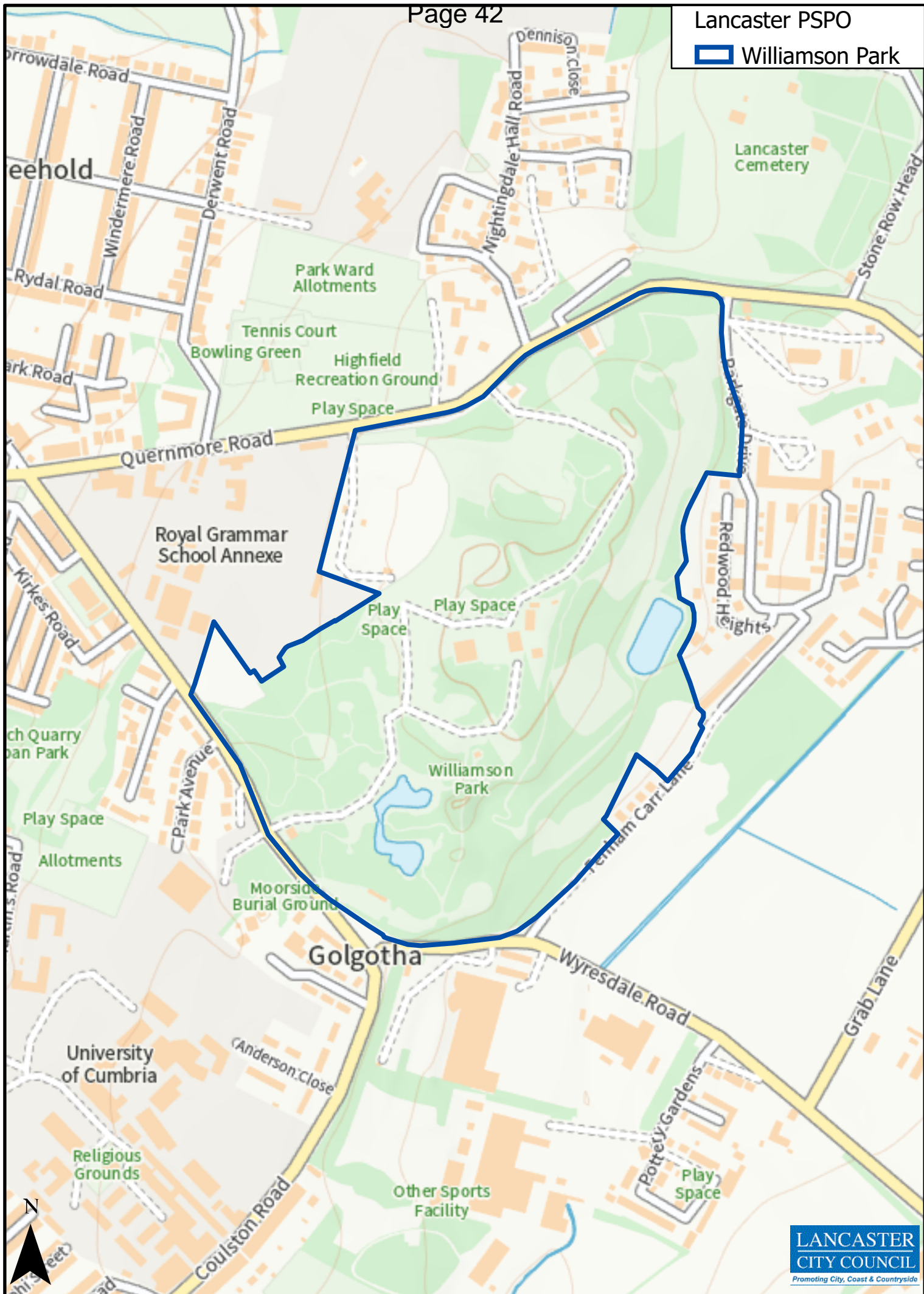
Morecambe Bay

Ring Sands

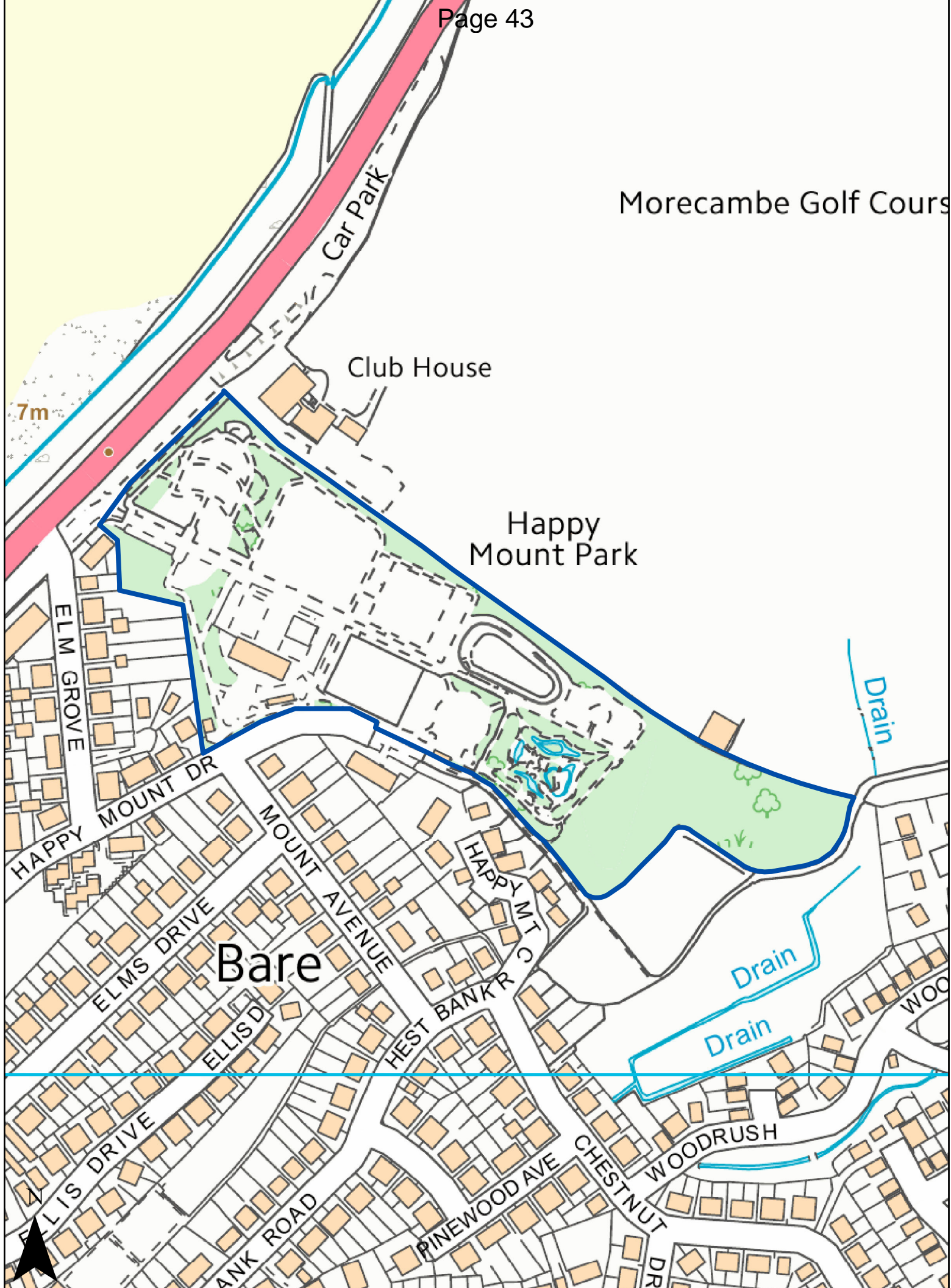
West End

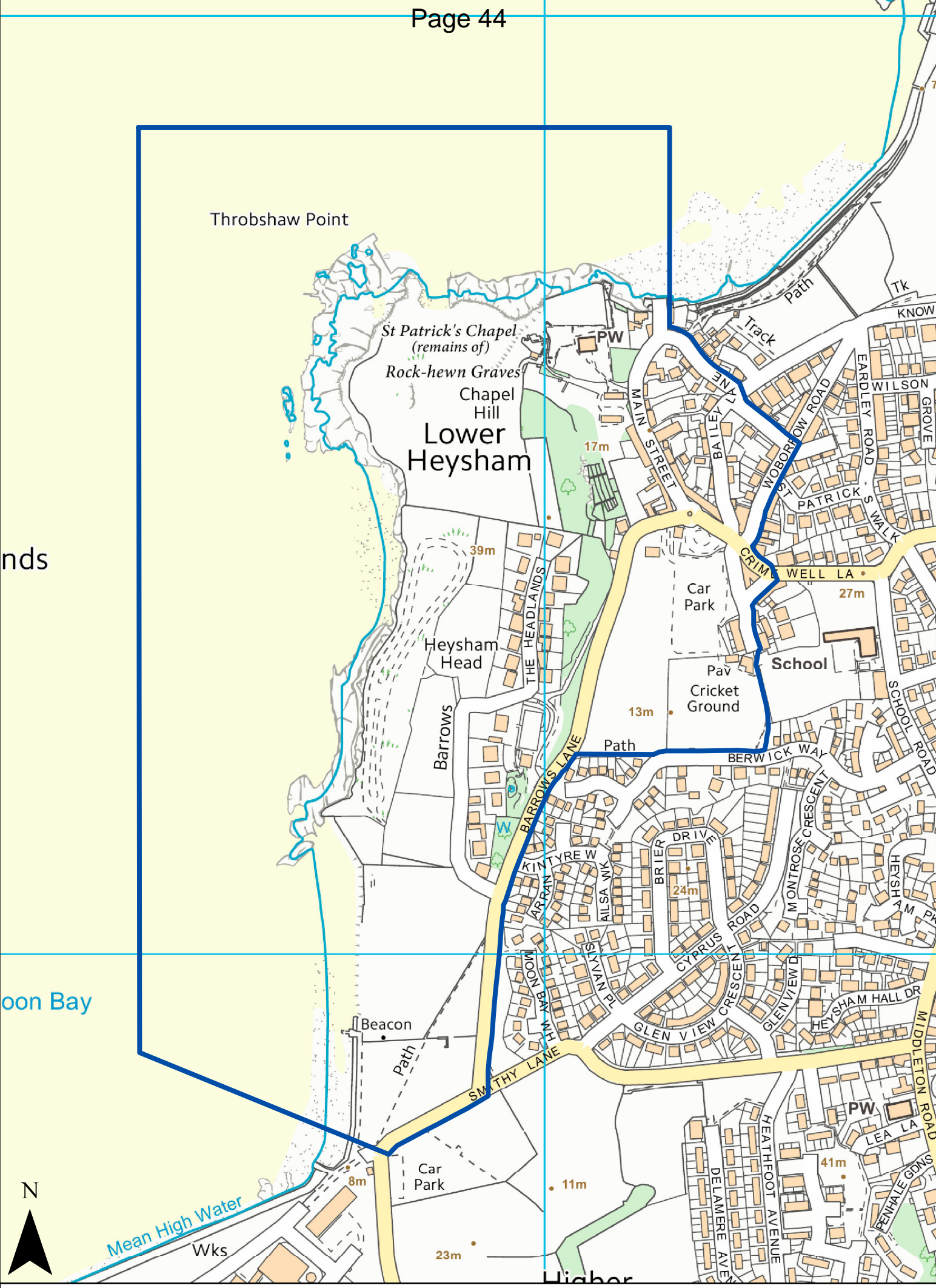
Sandylands





Morecambe Golf Course





nds

oon Bay

Higher



0 0.05 0.1 0.2 Kilometers

By virtue of paragraph(s) 7 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

Equality Impact Assessment

This **online** equality impact assessment should:

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

Service

Title of policy, service, function, project or strategy

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

Lead Officer

People involved with completing the EIA

Step 1.1: Make sure you have clear aims and objectives

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

Q2.

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

Step 1.2: Collecting your information

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

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

Equality Impact Assessment

Rural communities	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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Step 1.3 – Is there a need to consult!

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

The PSPO was consulted on in 2021 when it was re introduced and and also in July 2024 in preparation for the request to renew the order.

Step 1.4 – Assessing the impact

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

Age: Not all youths who gather together are committing acts of anti social behaviour and there is the possibility that groups of young people could be considered to be acting in such a manner when this is not the case.

Disability: None identified

Faith, Religion or Belief: None identified

Gender including Marriage, Pregnancy and Maternity: None identified

Gender Reassignment: None identified

Race: None identified

Sexual Orientation including Civic Partnership: None identified

Rural Communities: None identified

Step 1.5 – What are the differences?

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

There is the potential for indirect discrimination in relation to age, however this does not mean that all potential breaches of the PSPO result in a fixed penalty being issued. The presence of a PSPO allows for early intervention and education before enforcement is considered.

Q7.

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

No

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

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

Information from the consultation and also information from other surveys carried out about what concerns residents in the district supports that anti-social behaviour has a detrimental impact on residents, with requests that the issue can be dealt with.

Q9.

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

Click here to enter text.

Equality Impact Assessment

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

It is proposed to carry out more frequent surveys with residents, businesses and people who are enjoying the public spaces of Lancaster District.

CABINET

To Seek Approval for the Adoption of Public Space Protection Orders (Dog Control)

22nd October 2024

Report of Chief Officer – Housing and Property

PURPOSE OF REPORT				
To seek approval for the adoption of four Public Space Protection Orders (Dog Controls) as attached for a period of 3 years.				
Key Decision	x	Non-Key Decision		Referral from Cabinet Member
				N
Date of notice of forthcoming key decision		23 rd September 2024		
This report is public				

REPORT SUMMARY

In 2012 Cabinet approved four Dog Control Orders. In 2017 the legislation changed meaning the original dog control orders were adopted as Public Space Protection Orders (PSPOs) for a period of 3 years and were reviewed in 2020.

The PSPO's have expired and been reviewed, including a public consultation in July/August 2024. The proposed orders are attached to this report along with guidance on the purpose and scope of PSPOs.

RECOMMENDATIONS OF COUNCILLORS

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

1.0 Introduction

- 1.1 In November 2012 Cabinet approved four dog control orders that enabled the council to deal with issues such as dog fouling on our streets and parks, dogs off leads and dogs out of control, which can cause road traffic accidents, nuisance and aggression.
- 1.2 These orders were originally introduced under the Clean Neighbourhoods and Environment Act 2005 but were converted to become Public Space Protection

Orders (PSPOs) in 2017, following a change in legislation to the new Anti-social Behaviour, Crime and Policing Act 2014.

1.3 The Council is reviewing these PSPOs in order to implement them for another three-year period.

1.4 The test for making a PSPO is outlined in section 59 of the Anti-Social Behaviour Crime and Policing Act 2014. This says that a Local Authority may make a PSPO if satisfied on reasonable grounds that two conditions are met.

The first condition is that—

- (a) activities carried on in a public place within the authority's area have had a detrimental effect on the quality of life of those in the locality, or
- (b) it is likely that activities will be carried on in a public place within that area and that they will have such an effect.

The second condition is that the effect, or likely effect, of the activities—

- (a) is, or is likely to be, of a persistent or continuing nature,
- (b) is, or is likely to be, such as to make the activities unreasonable, and
- (c) justifies the restrictions imposed by the notice.

1.5 Under section 72 of the Act, a local authority must carry out the necessary consultation and necessary publicity and the necessary notification

1.6 A public consultation was held between June and August 2024 in the form of an online questionnaire. 67 Responses were received. A summary of the responses is included as Appendix 1.

1.7 Since the introduction of the previous PSPOs, dog ownership has increased nationally. This has led to a rise in complaints about barking and noise, fouling, bites, and attacks. Each of the proposed PSPOs is designed to address different aspects, and the considerations mentioned above have been taken into account for each

2.0 The Proposed PSPOs.

2.1 Public Space Protection Order - Removal of dog faeces

This would make it an offence to fail to remove dog faeces on any land which is open to the air on at least one side and to which the public are entitled or permitted to have access. It is proposed to apply a blanket designation across the entire district.

Dog fouling is a major issue for residents of the district as both a nuisance and for its association with various diseases. In 2023/24, the Local Authority received 91 complaints relating to dog fouling.

100% of respondents to the online consultation were in favour of this proposal, and there were no comments objecting to it being applied across the district.

From 2012 there has been a Dog Control Order and since 2017 a PSPO, which has encouraged dog owners to clean up after their dogs. If there was no consequence for such offenders then breaches are likely to increase and have a detrimental effect on the quality of life of those in the locality. Thereby justifying the restrictions imposed by the notice.

2.2 Public Space Protection Order – Dog Exclusion

There are certain places where dogs could present a particular risk, where it is prudent to ban them completely for all or part of the year. These are termed 'dog-exclusion areas' for the purposes of this PSPO proposal.

This order would make it an offence to permit a dog to enter defined areas of land from which dogs are to be lawfully excluded, and would apply to

- enclosed children's playgrounds, enclosed sports pitches, the splash-pool in Happy Mount Park.
- Morecambe's North and South beaches between 1 May and 30 September each year (this is also to meet requirements laid down in the "Clean Beach Award" criteria)

84% of respondents were in favour of these proposals, but there were 11 objections with 3 referencing the exclusion of dogs from beaches, feeling that responsible dog owners were being unfairly punished. A similar number of respondents supported the exclusion but commented that more enforcement was required to discourage potential offenders.

Implementation of this proposal is in accordance with the commitment in the Lancaster City Council Plan for 2024 – 2027 to keep the district's neighbourhoods, parks, beaches and open spaces clean, well-maintained and safe. It is also a requirement of the 'Clean Beach Award' bestowed on the district's beaches.

It is proposed that dog exclusion on Morecambe's North and South beaches be continued as a seasonal control between 1 May and 30 September each year.

From 2012 there has been a Dog Control Order and since 2017 a PSPO, which has encouraged dog owners to avoid "dog exclusion areas". If there was no consequence for such offenders, then breaches are likely to increase and have a detrimental effect on the quality of life of those in the locality. Thereby justifying the restrictions imposed by the notice.

2.3 Public Space Protection order – Dogs on leads under Direction

This order would make it an offence not to put and keep a dog on a lead when directed to do so by an officer authorised in writing by the council. This is intended to be used under exceptional circumstances where a dog is causing

a nuisance in an area where it would typically not have to be on a lead. It is proposed to apply a blanket designation throughout the district, enabling this power to be used as necessary, for example when a dog is running around out of control during a sporting event, or where lots of children are playing.

94% of respondents agreed with this proposal.

2.4 Public Space Protection Order – Dogs on Leads

This order would make it an offence not to keep a dog on a lead on defined areas of land. This would apply to :

- All public highways, footways and adjoining verges, including Morecambe Promenade, and pedestrianised areas
- Car parks and public vehicle parking areas maintained by the council:
- Cemeteries and churchyards
- Certain council parks and gardens.

It is not proposed to include canal towpaths, off-road cycle ways, or Williamson's Park.

97% of respondents supported these proposals.

Whilst no specific objections were raised during this consultation two issues have been raised previously are addressed at 2.4.1 and 2.4.2 below. The remaining areas proposed in the public consultation are listed at 2.4.3.

2.4.1 Off-road 'cycle ways'

In previous consultations, the observation was made that holding dogs on leads on cycle ways is unnecessary because most dog walkers, cyclists and other users are considerate and take steps to avoid obvious conflict with each other. Dogs on leads could be more hazardous to cyclists, particularly when extending type dog leads are used, because they are more likely to stretch across and block the path of cyclists, also they can be difficult for approaching cyclists to see.

Other concerns raised were that it could lead over time to such routes becoming viewed as cyclist-priority routes rather than multi-user routes, and that this could lead to a potential risk of cyclists travelling faster and less carefully. A concern that dogs could not receive sufficient exercise if they were not allowed off leads, and be less able to socialise, which could contribute to aggressive behaviour.

The Order implemented in 2012 did not require dogs to be held on a lead on off-road cycleways and only 9 (less than 1 a year) complaints have been received since the orders were introduced relating to incidents involving dogs on the cycleway.

After careful consideration the proposal is to allow dogs to continue to be walked off their lead on the Cycle Tracks and on the Canal tow path.

2.4.2 Williamson's Park.

In 2019 a public consultation was carried out on the proposal to introduce a new policy requiring dogs to be kept on leads in Williamson's Park. After reflection on the responses from this consultation, the decision was made not to take it any further.

The proposal is to allow dogs to continue to be walked off their lead in Williamson's Park.

2.4.3 Other areas proposed for 'dogs on leads' control

The other proposed areas and public consultation responses are outlined in the table below.

Car parks and public vehicle parking areas maintained by the council	No objections were received
pedestrianised areas of central Lancaster and central Morecambe	No objections were received
Cemeteries, graveyards and burial grounds, and the Lancaster and Morecambe Crematorium grounds	No objections were received
Certain public gardens: Dallas Road Gardens in Lancaster Regent Park, Happy Mount Park and Hall Park in Morecambe	No objections were received
Public Highways, including the adjoining footways and verges	No objections were received

From 2012 there has been a Dog Control Order and since 2017 a PSPO, which has encouraged dog owners to walk their dogs appropriately in "dogs on leads areas". If there was no consequence for such offenders then this problem is likely to increase and have a detrimental effect on the quality of life of those in the locality. Thereby justifying the restrictions imposed by the notice.

2.5 The Human Rights Act 1998

Particular regard has been given to the rights of freedom of expression and freedom of assembly set out in articles 10 and 11 of the Convention but it is considered that the proposed PSPOs will offer no restrictions.

3.0 Fixed Penalty Notice

- 3.1 It is proposed that PSPO (Dog Control) Fixed Penalty Notices will carry a similar penalty to other offences under the Anti-social Behaviour, Crime and Policing Act 2014 which are already enforced by the Council. A Fixed Penalty Notice will carry a £100 penalty reduced to £65 for early payment. A discount exists for early payment due to difficulties experienced in obtaining payments.

There were no objections to the penalty level in the consultation.

- 3.2 In accordance with the Act, fixed penalty notices may only be issued by “authorised officers”, and it is recommended that the Chief Officer – Housing and Property be able to designate such authorised officers.

4.0 Options and Options Analysis (including risk assessment)

Option 1: Adopt the PSPOs as proposed in the consultation, with no amendments
<p>Advantages:</p> <ul style="list-style-type: none"> • 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
<p>Disadvantages:</p> <ul style="list-style-type: none"> • None identified
<p>Risks:</p> <ul style="list-style-type: none"> • The decision concerning dogs on leads would not reflect the views of all consultees
Option 2: Do not adopt the PSPOs (Dog Control)
<p>Advantages:</p> <ul style="list-style-type: none"> • Saving on staff time to implement new Dog Control Orders, and advertising for signage costs.
<p>Disadvantages:</p> <ul style="list-style-type: none"> • 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.
<p>Risks:</p> <ul style="list-style-type: none"> • 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.

5.0 Officer Preferred Option (and comments)

- 5.1 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.

6.0 Conclusion

- 6.1 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.

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).

RELATIONSHIP TO POLICY FRAMEWORK

Keeping our district's neighbourhoods, parks, beaches and open space clean, well-maintained and safe.

CONCLUSION OF IMPACT ASSESSMENT

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

When considering any proposed PSPOs, the authority must consider any equality issues pursuant to its duty under section 149 of the Equality Act 2010.

An Equality Impact Assessment has been carried out and are appended to this report. Appendix 3.

LEGAL IMPLICATIONS

The PSPO's have been drafted in consultation with Legal Services and are appended to this report. Appendix 2.

The continuation of the PSPOs will allow officers to discharge offences with a Fixed Penalty Notice rather than prolonged legal proceedings.

Written authorisation will have to be given to the officers issuing Fixed Penalty Notices under the PSPOs.

FINANCIAL IMPLICATIONS

This is a continuation of an existing service and any costs relating to the fixed penalty system (including officer time) can be managed from within existing budgets.

There is currently no budgetary allowance for income raised from the issuing of fixed penalty notices (FPN's) relating to the four orders. However, any income raised is expected to be minimal and will be highlighted as part the Council's usual financial monitoring arrangements should it be significant.

OTHER RESOURCE IMPLICATIONS

Human Resources: None.

Information Services: None.

Property: None.

Open Spaces: None.

SECTION 151 OFFICER'S COMMENTS

No comments to add

MONITORING OFFICER'S COMMENTS

No comments to add

Links to Background Papers

LGA guidance on Public Space
Protection Orders -

https://www.local.gov.uk/sites/default/files/documents/10.21%20PSPO%20guidance_06_1.pdf

Map of Lancaster City Council district.

<https://lancaster.maps.arcgis.com/apps/mapviewer/index.html?webmap=cf92fb1402054b2581bedebce7333045>

Contact Officer:

Mark Woodhead

Telephone: 01524 582744

E-mail: mwoodhead@lancaster.gov.uk

Ref:

Proposed Dog Public Space Protection Orders

SURVEY RESPONSE REPORT

18 July 2024 - 05 September 2024

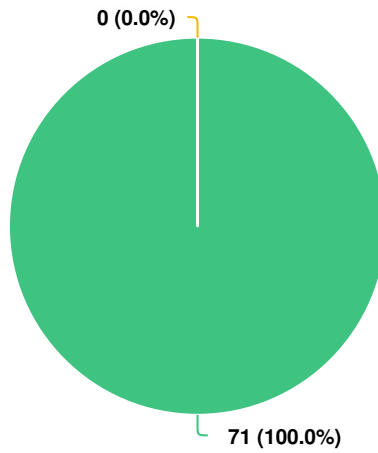
PROJECT NAME:

Public Spaces Protection Orders (PSPO) Consultation



SURVEY QUESTIONS

Q1 | Cleaning up after a dog on all land throughout the district which has public access (except Forestry Commission land).

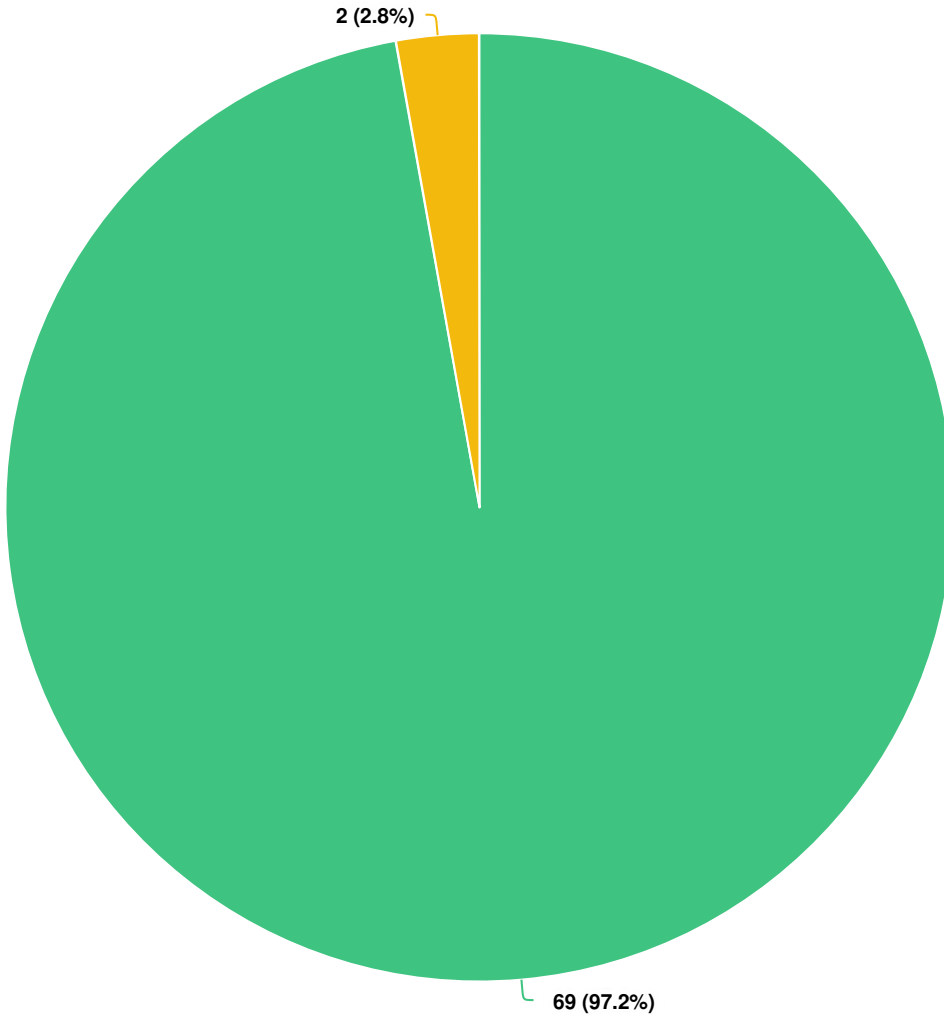


Question options

- Support
- Object

Optional question (71 response(s), 0 skipped)
Question type: Radio Button Question

Q2 Keeping a dog on a lead on highways, car parks, cemeteries and graveyards and designated parks and gardens.

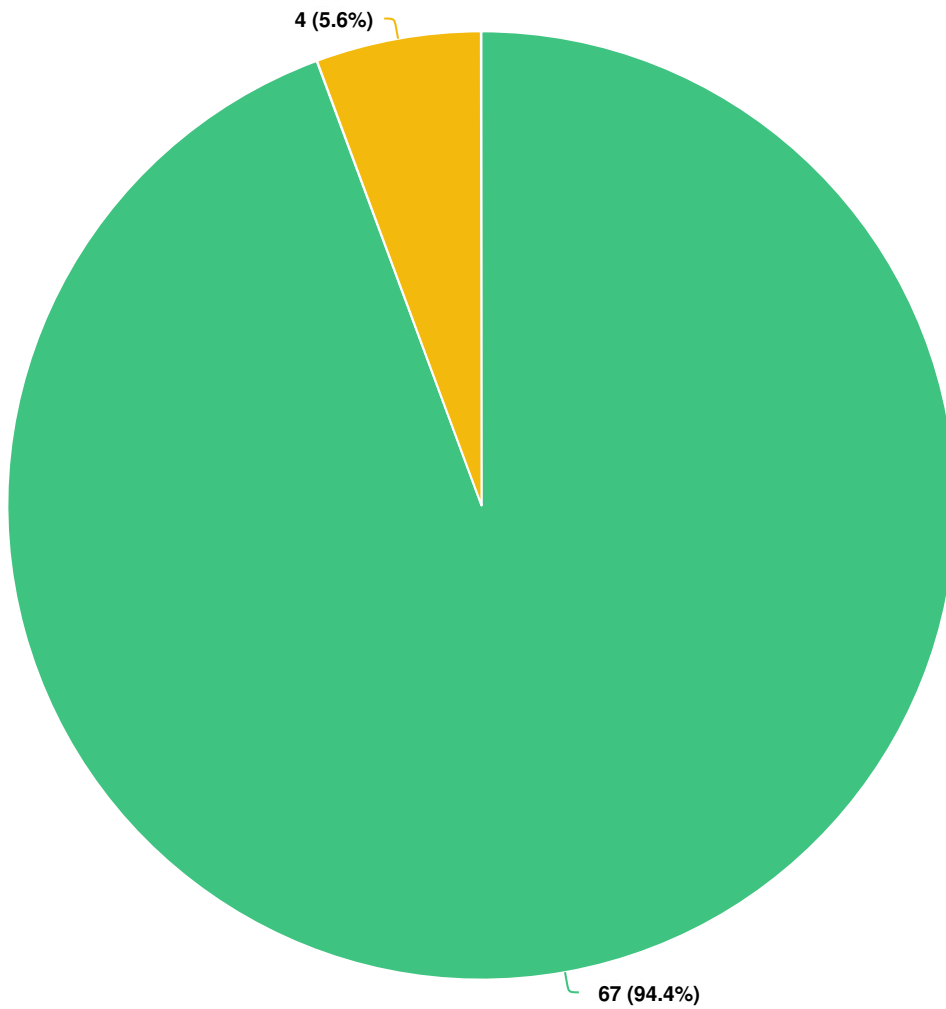


Question options

- Support
- Object

Optional question (71 response(s), 0 skipped)
Question type: Radio Button Question

Q3 Putting a dog on a lead when directed by a person authorised by the council. This would apply throughout the district and be used at events such as sports events on public playing fields.



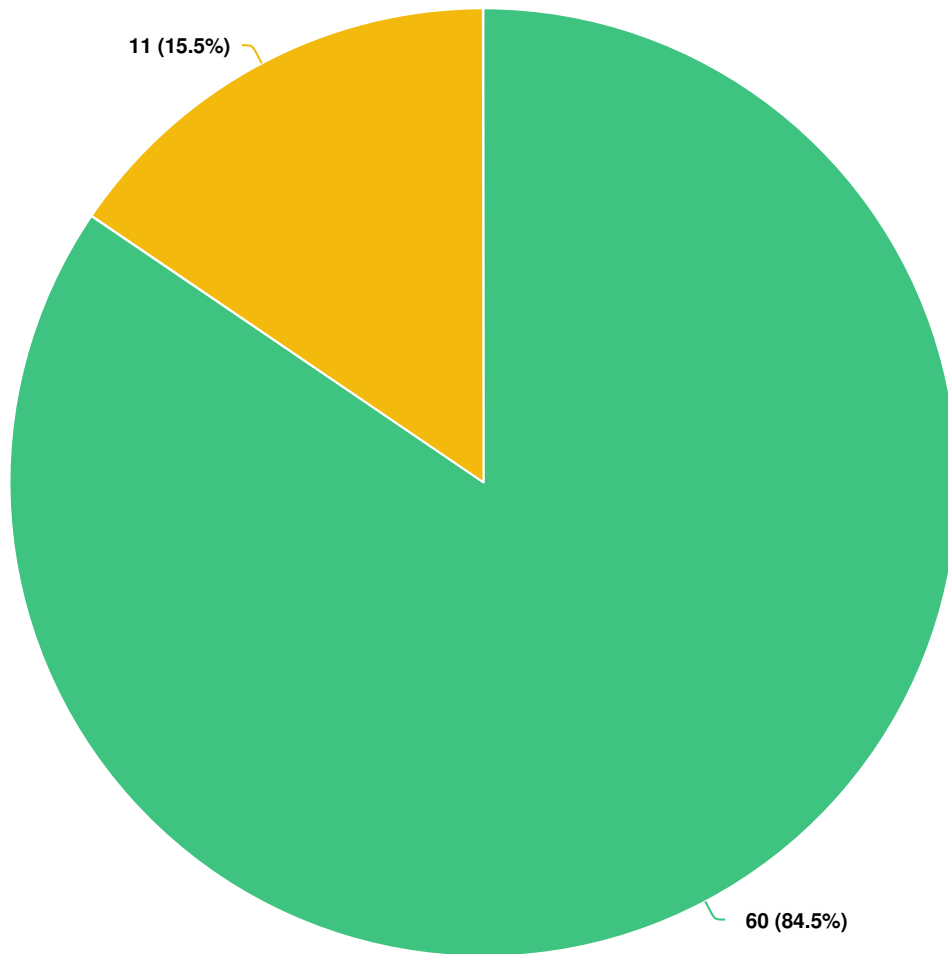
Question options

- Support
- Object

Optional question (71 response(s), 0 skipped)

Question type: Radio Button Question

Q4 Excluding dogs from designated areas, including a number of beaches during summer months, enclosed children’s play areas and enclosed sports pitches.



Question options

- Support
- Object

Optional question (71 response(s), 0 skipped)
Question type: Radio Button Question

Q5 | Do you have any comments on the proposed dog public space protection orders?

Screen Name Redacted

7/18/2024 02:04 PM

The production and erection of relevant signage for all areas covered would be useful.

Screen Name Redacted

7/18/2024 02:16 PM

Dogs should not be on extendable leads on the promenade. Owners extend the dog lead without checking behind. This is a massive danger to cyclists and runners who are unable to stop before making contact with the lead. This could lead to the death of the dog and the cyclist/runner being seriously hurt

Screen Name Redacted

7/18/2024 02:22 PM

Please review the beach exclusion areas the area near the Battery currently designated as all year dog friendly is full of families in the summer because of location near car parks and cafe whilst the beach between the midland hotel and before the battery car park is fairly empty I generally agree with the exclusion zones but this needs a review I would also like the length of the exclusion to be reviewed June, July and August would seem more reasonable

Screen Name Redacted

7/18/2024 02:35 PM

Much harsher punishments needed for irresponsible owners who can't control their dog and/or don't clean up after them. Maybe not financial but get them patrolling the district picking up dog mess with their bare hands...or dump the daily dog poo bin collections in their garden. Show them how disgusting it is to have to deal with faeces that's been left.

Screen Name Redacted

7/18/2024 02:44 PM

This only works if enforced. The existing orders are not effective as they are not enforced consistently

Screen Name Redacted

7/18/2024 02:59 PM

Dog fouling is needless and dog owners need to be held accountable when they don't clean up after their dog.

Screen Name Redacted

7/18/2024 03:13 PM

its all very well having these orders but they need enforcing.

Screen Name Redacted

7/18/2024 03:35 PM

Could dogs be banned from beaches at certain times and allowed at other times. i.e before 8am and after 7pm?

Screen Name Redacted

I do not support enforcing dog owners to put dogs on leads in

7/18/2024 04:43 PM

Williamson and Ryelands Parks. Not all dogs can be exercised properly if always on a a lead so there must be open spaces where dogs can run free.

Screen Name Redacted

7/18/2024 06:14 PM

Agree with all proposals but I am thinking they will be hard to enforce , would love for my dog to have space to run but realise if all dogs do this then it would be mayhem and dangerous . I am not happy with the amount of dog poo just left on prom and pathways , also canal and parks .

Screen Name Redacted

7/18/2024 06:31 PM

Good idea. There are lots of responsible dog owners, but those who are not need to be reprimanded.

Screen Name Redacted

7/18/2024 07:33 PM

To enforce this the work needs to be done early mornings and evenings not only through office hours to ensure all offensive behaviour is addressed.

Screen Name Redacted

7/18/2024 08:04 PM

So long as they're enforced. As a dog owner, it's even more infuriating to see people not control or pick up after them, but not once in any public space in/around Lancaster have I seen anyone fined or even approached by an official for doing so. Not once.

Screen Name Redacted

7/19/2024 08:26 AM

More people to enforce the rules, if members of public complain just Get abuse back usually

Screen Name Redacted

7/19/2024 09:18 AM

As long as the areas are patrolled regularly and fines issued. I own a dog and I get fed up of dodging mess left by in responsible owners

Screen Name Redacted

7/19/2024 09:27 AM

a lot of dog fouling on the granville alley, a dog owner on there allows 2 dogs to run around the streets

Screen Name Redacted

7/19/2024 11:53 AM

I disagree that dogs shouldn't be exercised off lead in public areas (playing fields) if it's safe to do so. Don't treat all dogs owners the same. Fine the irresponsible ones that don't control their dogs behaviour or clean up after them. I agree that other areas listed such as cemetery, play parks and some beaches should exclude dogs.

Screen Name Redacted

7/19/2024 02:01 PM

No

Screen Name Redacted

7/19/2024 04:20 PM

Dogs need to be under control or on short leads in all public areas. Otherwise they are dangerous to many groups of people, eg elderly, less mobile, runners and cyclists.

Screen Name Redacted

7/21/2024 03:20 PM

As a responsible dog owner no

Screen Name Redacted

7/21/2024 05:52 PM

Why are dogs allowed in cemeteries? Often not on a lead....

Screen Name Redacted

7/22/2024 08:53 AM

It would need more resources (staff) to enforce these PSPO's

Screen Name Redacted

7/23/2024 06:55 PM

Dog fouling is a persistent issue on the streets close to the seafront in Heysham e.g. Knowlys Road and any additional powers to prevent this should be taken up by the council.

Screen Name Redacted

7/24/2024 07:57 PM

Qualified support re exclusion: yes children's play area. BUT if you are excluding from a beach I would also like to see a specified dog friendly designated beach. Also, if you're going to ban dogs from a beach, you should also ban horses and other animals that are likely to need to relieve themselves!

Screen Name Redacted

7/24/2024 09:25 PM

The beach to the left of the Midland hotel has summer restrictions. It is hardly used by people as a place to spend time like the central beach. Also, for people living in central Morecambe the battery beach is a long way to walk especially if your mobility is restricted, I drive to let my dogs go on this beach, which is also an environmental issue. So, I would like this to be reviewed and the beach have the dog restrictions removed

Screen Name Redacted

7/24/2024 11:32 PM

Current legislation is not working. It is a disgrace on pedestrian walk ways/ pavements the amount of excrement to be avoided. When a bag is used by a dog owner, it is then left on the side or hanging from a bush/ tree.

Screen Name Redacted

7/25/2024 05:54 AM

There need to be people out there enforcing these rules - so many dog owners seem to be oblivious of the needs of others, and I am usually too afraid to challenge them when they let their dog behave badly. There are many places that I won't go to any more, such as the canal and Williamson Park, because of dogs that are running about.

The owners just seem to think this is funny/ cute, but my husband is not very steady on his feet and there have been several times when I have been frightened of him being knocked over by dogs running at him. We need stricter rules about keeping dogs on leads, and special areas where dogs can be let off the lead, so that people like me can enjoy public spaces.

Screen Name Redacted

7/25/2024 08:53 AM

I'm a dog owner, unfortunately many dog owners do not clean up after their dog and feel they have a right to let their dog off a lead without regards. I've seen a huge difference in attitudes these last few years and it shocks me, there is an entitlement. Very little manners or thought for children who fear dogs, or dogs who are nervous and reactive. It makes walking my dog very stressful and not a comfortable experience sometimes. I have had many piles of poo outside my drive/pavement to clean up which is grim. It's so easy to clean up after your own, it's sad a few spoil it for the many who are responsible. Notice signs would be good, so responsible owners would know where to take your dog for a walk or not.

Screen Name Redacted

7/30/2024 09:34 AM

Dog owners ignoring signs on the cliffs dogs roaming around and sometimes owners not always visible

Screen Name Redacted

7/30/2024 05:00 PM

More enforcement needed please. Ideally plain clothed officer as this will have more of an impact.

Screen Name Redacted

7/31/2024 11:42 AM

dogs and dog waste are a major problem

Screen Name Redacted

7/31/2024 09:38 PM

Not every dog why should they not be allowed on beaches as dog beach full people picnic etc and dog free beaches no one on them get full of rubbish beer cans etc

Screen Name Redacted

8/01/2024 12:42 PM

Not the animal it's owners fault properly they right walk play too

Screen Name Redacted

8/01/2024 12:46 PM

Yes make sure someone that can will enforce these laws sick dogs running off leads while there drunk or druggie owner chatting or scoring on streets especially dogs mussels now xlstaffies see them with out and off lead westend alot

Screen Name Redacted

In larger parks have designated spaces where dogs can be safely

8/01/2024 01:37 PM

taken off a leash which are clearly signed - this ensures dogs can be fully exercised but public who prefer not to be confronted by dogs can avoid these designated areas whilst still enjoying wider facilities.

Screen Name Redacted

8/01/2024 03:29 PM

Specifically for the beach restrictions, I think if dogs are banned from some beaches in the summer months, there needs to be provision in place to keep the space clean of human litter too, in order to preserve the cleanliness of the space. I do support dog-free beaches during summer as this protects children and vulnerable people from raucous dogs but believe the restrictions could be reduced slightly to cover a shorter space in the calendar, as the beaches are often unoccupied during rainy/cold season.

Screen Name Redacted

8/04/2024 02:55 PM

I am a responsible owner, with a well trained dog. The PSPOs are a hindrance to my movements and brand me as a nuisance. What is the council doing to encourage and support responsible dog ownership? Banning them from public areas means that responsible folk will obey and irresponsible owners will still flout the law. The wrong people suffer.

Screen Name Redacted

8/04/2024 07:52 PM

I assume highways includes cycle ways and footpaths. If not it should.

Screen Name Redacted

8/05/2024 06:33 PM

There has been a huge proliferation in the number of dogs on Morecambe Promenade, many of which the owners struggle to handle, and there has been an increase in the amount of excrement on the Promenade as a result. I would support increased enforcement of dog fouling legislation.

Screen Name Redacted

8/07/2024 06:15 AM

There need to be areas where dogs can run off lead. Fenham Carr is an important space for dogs to run. Often in Williamson Park we dog walkers are the only ones there, rainy wet February mornings for example - it's great to let the dog get exercise and run. Please don't stop that.

Screen Name Redacted

8/10/2024 10:40 AM

I'm a dog owner and I fully agree! 2 days ago there was a man with three huge dogs on the clock tower beach and they were unleashed. He looked like a local so would definitely know they are not allowed. More needs to be done the whole of the west end is covered in dog excrement that people don't pick up it's vile. Especially Alexander road

Screen Name Redacted

No

8/13/2024 04:47 PM

Screen Name Redacted

I like dogs but I thoroughly support them being restricted in areas of family leisure,sports matches,cycle paths etc

8/20/2024 01:37 PM

Screen Name Redacted

These all sound reasonable. Multiple times in the past year I have been run up to and jumped at by dogs off the lead in Williamson Park, with their owners not being able to recall the dog. This makes my experience of the Park slightly scary sometimes.

8/22/2024 10:22 AM

Optional question (44 response(s), 27 skipped)

Question type: Essay Question

Q6 | Do you have any ideas or suggestions that would encourage people to become responsible dog owners? Please be aware that we have limited resources to support this.

Screen Name Redacted

Not right now

7/18/2024 02:04 PM

Screen Name Redacted

Bring back the dog licence

7/18/2024 02:16 PM

Screen Name Redacted

On the spot fines for people not carrying poo bags; mandatory training/licensing before they get a dog in the first place.

7/18/2024 02:35 PM

Screen Name Redacted

Name offenders that are caught in public places (e.g. local press)

7/18/2024 02:44 PM

Screen Name Redacted

Tougher action on dog owners - could there ever be the equivalent of a speed awareness course type thing for owners who don't clean up after their dogs.

7/18/2024 02:59 PM

Screen Name Redacted

Why cannot temporary discrete cctv not be used to tackle bad spots of dog fouling with notices indicating that cameras are or might be in use.

7/18/2024 03:13 PM

Screen Name Redacted

Display signs defining acceptable behaviour to be made more prominent.

7/18/2024 04:34 PM

Screen Name Redacted

7/18/2024 06:14 PM

More bins that are emptied and kept clean

Screen Name Redacted

7/18/2024 06:31 PM

Compulsory dog training courses.

Screen Name Redacted

7/18/2024 06:43 PM

Enforcement of the things mentioned in this survey

Screen Name Redacted

7/18/2024 07:33 PM

Yes education and raised awareness through publicity for all groups.

Screen Name Redacted

7/18/2024 08:04 PM

You have a whole army of visible parking attendants - could you not turn a couple of those in to dog wardens? They could randomly patrol the parks etc, make their presence felt and hopefully modify behaviour.

Screen Name Redacted

7/18/2024 11:13 PM

more poop bins

Screen Name Redacted

7/19/2024 08:26 AM

Dog licence, make it law that dog walkers have to have poo bags with them, no excuse then for not picking it up

Screen Name Redacted

7/19/2024 09:18 AM

Heavy fines could deter people from leaving dog mess

Screen Name Redacted

7/19/2024 11:53 AM

This is beyond your control. Fines might help be would be next to impossible to enforce. I see dogs mess that's been left by irresponsible owners everyday on our dog walks but never actually catch them in the act.

Screen Name Redacted

7/19/2024 02:01 PM

Dog license

Screen Name Redacted

7/20/2024 08:49 AM

More dog waste bins Path that runs parallel with train line and Sibsey street is regularly covered with dog waste

Screen Name Redacted

7/20/2024 12:16 PM

Prosecute those who don't update dog chip details otherwise there is no point in the legislation being in place. Consider a system where

one offence of failing to update can be managed by No further action if the details are updated within a week otherwise a financial penalty would be applicable.

Screen Name Redacted

7/21/2024 03:20 PM

Maybe more designated enclosed areas for dogs to have good run around e.g. the dog field on heysham mossgate Road.

Screen Name Redacted

7/22/2024 08:53 AM

funding for awards / training to celebrate good behaviour to.

Screen Name Redacted

7/23/2024 06:55 PM

Work with residents to place and restock poo bag holders in relevant places. Local leafleting campaigns for dog walkers.

Screen Name Redacted

7/24/2024 07:57 PM

More dog wardens; Actually acting on reports of repeat irresponsible owners: e.g., those who allow fouling, dogs who repeatedly run loose, or whose dog 'threatens' other dogs Taking action on dogs who are persistent barkers: those left home all day & yap/bark continuously

Screen Name Redacted

7/24/2024 09:25 PM

If the area was better maintained and areas kept clean and tidy, I feel people would be more inclined to pick up after their dogs. When the areas look run down people take no pride or responsibility. When I travel around the eastern coastlines of England, the towns and beaches are generally better kept. Also, a lot of local bins have been removed. On Green street alone 2 bins have been removed.

Screen Name Redacted

7/24/2024 09:46 PM

Licensing and training for all dog owners

Screen Name Redacted

7/24/2024 11:32 PM

Increase the cost for dog ownership and that all dogs must be registered and micro chipped.

Screen Name Redacted

7/25/2024 05:54 AM

I think there should be a licensing and microchipping system for all dogs, which could fund enforcement officers so that dog owners would have a greater incentive to control their dogs properly. Owners should have their dogs taken away if they do not comply.

Screen Name Redacted

7/25/2024 08:53 AM

Not sure, it's peoples attitudes. We have a sign on a lamp post outside my home about dog fouling but some owners still don't clean up. Signage, poop bags get stolen and vandalised. Education, start

young, teaching responsibility, how can you change attitudes?

Screen Name Redacted

7/30/2024 09:34 AM

A check every now and again

Screen Name Redacted

7/30/2024 05:00 PM

Maybe you could have a 'dog fouling' section on your 'Love Clean Streets' app? Then the attending staff could use a quad bike with a suction pipe which sprays disinfectant on the patch after the faeces is removed.

Screen Name Redacted

7/31/2024 11:42 AM

fines

Screen Name Redacted

7/31/2024 09:38 PM

More bins to put dogwaste in more dog bag post and fill these up .
Check licence on certain dogs especially westend opened by druggies as always off the lead

Screen Name Redacted

8/01/2024 12:42 PM

Park parks spaces fenced off dogs play more rubbish bins one walking from morecambe town on shop sides after KFC only on prom

Screen Name Redacted

8/01/2024 12:46 PM

Better signage more bins some one patrolling areas who will fine not like traffic wardens who turn blind eye depending on who you are so don't get trouble. Encourage dog friendly business supply dog bags so no excuse for not picking it up

Screen Name Redacted

8/01/2024 01:37 PM

Dog walkers are creatures of habit and tend to go out at same time of day and similar routes each day. Inconsiderate owners therefore leave dog mess repeatedly in similar locations. Have a well publicised way for public to submit anonymous tipoffs to the council then take owners to court - one or two well publicised cases would go a long way to making many more dog owners think twice and act more considerately.

Screen Name Redacted

8/01/2024 03:29 PM

Public poo bag dispensers along problematic routes that often have dog waste left on them - this means there is less of an excuse to not clean up after their dogs.

Screen Name Redacted

8/04/2024 02:55 PM

Supply poop bags on gate posts. Sufficient bins. Posters describing what is expected from responsible owners. Agreement and consultation on what constitutes responsible ownership.

Screen Name Redacted

8/04/2024 07:52 PM

More signage, there is virtually non informing people of the current regs other than on the seafront in Morecambe.

Screen Name Redacted

8/05/2024 08:41 AM

More bins

Screen Name Redacted

8/07/2024 06:15 AM

More bins. Free bags in key places where poo isn't collected. Arrest irresponsible owners and remove their dogs from them

Screen Name Redacted

8/10/2024 10:40 PM

Put cameras up especially on Alexandra rd and threaten to go public with their photos to ascertain who they are

Screen Name Redacted

8/13/2024 04:47 PM

I really don't know. It is not dog's fault that the owners are not responsible and it is probably not practical to take the dogs away as then they would need re homing.

Screen Name Redacted

8/20/2024 01:37 PM

I'm not sure to be honest. It seems so simple to me that you should pick up dog poo,so.if people don't do it, I don't know how on earth to get them to o change their ways.

Screen Name Redacted

8/22/2024 10:22 AM

Dog licensing at a national level. Prominent signs on entry to Williamson Park (and other spaces) saying that dogs must be on a lead regardless of whether the owner thinks they're well behaved.

Optional question (44 response(s), 27 skipped)

Question type: Essay Question

Anti-Social Behaviour, Crime and Policing Act 2014

**MORECAMBE AND LANCASTER PUBLIC SPACES PROTECTION ORDER 2024
(THE FOULING OF LAND BY DOGS)**

Lancaster City Council ("the Council") has made the following Public Spaces Protection Order under section 59 of the Anti-Social Behaviour, Crime and Policing Act 2014 ("the Act"):

This Order applies to all land which is within the District of Lancaster (as outlined in the map attached at Appendix A), which is open to the air, including covered land which is open on at least one side, and to which the public are entitled or permitted to have access with or without payment. This Order does not apply to Forestry Commission land.

This Order may be cited as the Morecambe and Lancaster Public Spaces Protection Order (Fouling of Land by Dogs) 2024 and will be in force from 22nd October 2024 for a duration of 3 years.

In this Order an 'authorised officer of the Authority' means an employee of the Authority who is authorised in writing by the Authority for the purpose of giving directions under this order.

The following prohibitions are imposed on the use of the Designated Area:-

If a dog defecates at any time on land to which this order applies and a person in charge of the dog at that time fails to remove the faeces from the land forthwith, that person shall be guilty of an offence unless:

- He has a reasonable excuse for failing to do so; or
- the owner, occupier or other person or authority having control of the land has consented (generally or specifically) to his failing to do so.

Nothing in this order applies to a person who is in charge of:

- a dog which has been trained to guide a blind person.
- a dog which has been trained to assist a deaf person.
- a dog which has been trained by a prescribed charity to assist a disabled person who has a disability that consists of epilepsy or otherwise affects the person's mobility, manual dexterity, physical co-ordination, or ability to lift, carry or otherwise move everyday objects.
- a dog of a prescribed category which has been trained to assist a disabled person who has a disability of a prescribed kind.

For the Purpose of this Act

- a person who habitually has a dog in his possession shall be taken to be in charge of the dog at any time unless at that time some other person is in charge of the dog;
- placing the faeces in a receptacle on the land, which is provided for the purpose, or for the disposal of waste, shall be a sufficient removal from the land;
- not having a device for or other suitable means of removing the faeces shall not be a reasonable excuse for failing to remove the faeces

Penalty

Under Section 67 of the Act, it is an offence to fail to comply with this Order. A person guilty of an offence under this section is liable upon summary conviction to a fine not exceeding level 3 on the standard scale (currently £1000).

A constable or an authorised person may issue a Fixed Penalty Notice (FPN) to anyone that they reasonably believe has committed an offence. The amount of the FPN is £100, which is to be paid within 14 days of being issued with the notice. This sum will be reduced to £65 if paid within 7 days.

Anti-Social Behaviour, Crime and Policing Act 2014

**MORECAMBE AND LANCASTER PUBLIC SPACES PROTECTION ORDER 2024
(DOGS EXCLUSION)**

Lancaster City Council ("the Council") has made the following Public Spaces Protection Order under section 59 of the Anti-Social Behaviour, Crime and Policing Act 2014 ("the Act"):

This Dog Exclusion Order applies to Happy Mount Park splash pool in Morecambe, all enclosed children's play areas and all enclosed sports pitches within the Lancaster District.

Dogs are banned from Morecambe's North and South beaches between 1 May and 30

September each year. For details of the areas covered by the ban please see the following maps:

- **[Dog control North Beach \(PDF, 236KB\)](#)**
- **[Dog control South Beach \(PDF, 306KB\)](#)**

This Order may be cited as the Morecambe and Lancaster Public Spaces Protection Order (Dogs on Lead by Direction) 2024 and will be in force from 22nd October 2024 for a duration of 3 years.

Offence :-

A person in charge of a dog shall be guilty of an offence if at any time he takes the dog onto or permits the dog to enter or to remain on any land to which this order applies unless:

- He has a reasonable excuse for failing to do so; or
- the owner, occupier or other person or authority having control of the land has consented (generally or specifically) to his failing to do so.

Nothing in this order applies to a person who is in charge of:

- a dog which has been trained to guide a blind person.
- a dog which has been trained to assist a deaf person.
- a dog which has been trained by a prescribed charity to assist a disabled person who has a disability that consists of epilepsy or otherwise affects the person's mobility, manual dexterity, physical co-ordination, or ability to lift, carry or otherwise move everyday objects.
- a dog of a prescribed category which has been trained to assist a disabled person who has a disability of a prescribed kind.

For the Purpose of this Act

A person who habitually has a dog in his possession shall be taken to be in charge of the dog at any time unless at that time some other person is in charge of the dog.

Penalty

Under Section 67 of the Act, it is an offence to fail to comply with this Order. A person guilty of an offence under this section is liable upon summary conviction to a fine not exceeding level 3 on the standard scale (currently £1000).

A constable or an authorised person may issue a Fixed Penalty Notice (FPN) to anyone that they reasonably believe has committed an offence. The amount of the FPN is £100, which is to be paid within 14 days of being issued with the notice. This sum will be reduced to £65 if paid within 7 days.

Anti-Social Behaviour, Crime and Policing Act 2014

**MORECAMBE AND LANCASTER PUBLIC SPACES PROTECTION ORDER 2024
(DOGS ON LEADS BY DIRECTION)**

Lancaster City Council ("the Council") has made the following Public Spaces Protection Order under section 59 of the Anti-Social Behaviour, Crime and Policing Act 2014 ("the Act"):

This order applies to all land within the District of Lancaster (as outlined in the map attached at Appendix A), which is open to the air, including land which is open on at least one side and to which the public are entitled or permitted to have access with or without payment.

This Order may be cited as the Morecambe and Lancaster Public Spaces Protection Order (Dogs on Lead by Direction) 2024 and will be in force from 22nd October 2024 for a duration of 3 years.

In this Order an 'authorised officer of the Authority' means an employee of the Authority who is authorised in writing by the Authority for the purpose of giving directions under this order.

Offence :-

A person in charge of a dog shall be guilty of an offence if at any time, on any land to which this order applies he does not comply with a direction given to him by an authorised officer of the Authority to put and keep the dog on a lead of not more than 2 metres in length, unless he has a reasonable excuse for failing to do so.

For the Purpose of this Act

- A person who habitually has a dog in his possession shall be taken to be in charge of the dog at any time, unless at that time some other person is in charge of the dog and.
- An authorised officer of the Authority may only give a direction under this order to put and keep a dog on a lead if such restraint is reasonably necessary to prevent a nuisance or behavior by the dog likely to cause annoyance, fear or disturbance to any other person or the worrying or disturbance of any animal or bird.

Penalty

Under Section 67 of the Act, it is an offence to fail to comply with this Order. A person guilty of an offence under this section is liable upon summary conviction to a fine not exceeding level 3 on the standard scale (currently £1000).

A constable or an authorised person may issue a Fixed Penalty Notice (FPN) to anyone that they reasonably believe has committed an offence The amount of the FPN is £100, which is to be paid within 14 days of being issued with the notice. This sum will be reduced to £65 if paid within 7 days

Anti-Social Behaviour, Crime and Policing Act 2014

**MORECAMBE AND LANCASTER PUBLIC SPACES PROTECTION ORDER 2024
(DOGS ON LEADS)**

Lancaster City Council ("the Council") has made the following Public Spaces Protection Order under section 59 of the Anti-Social Behaviour, Crime and Policing Act 2014 ("the Act"), (Dogs On Leads):

This Order makes it an offence if a dog in your charge is not on a lead in designated areas, within the district of Lancaster as outlined on the attached map (appendix A).

These designated areas are;

- **All public highways excluding unclassified minor rural roads;**
- **Morecambe Promenade;**
- **All car parks and public vehicle parking areas maintained by Lancaster City Council;**
- **The pedestrianised areas within Lancaster city centre and Morecambe town centre;**
- **All cemeteries, graveyards, burial grounds and the grounds of Lancaster and Morecambe Crematorium;**
- **Dallas Road Gardens, Lancaster; Hall Park, Morecambe; Happy Mount Park, Morecambe; and Regent Park, Morecambe.**

This Order may be cited as the Morecambe and Lancaster Public Spaces Protection Order (Dogs on leads) 2024 and will be in force from 22nd October 2024 for a duration of 3 years.

In this Order an 'authorised officer of the Authority' means an employee of the Authority who is authorised in writing by the Authority for the purpose of giving directions under this order.

Offence :-

A person in charge of a dog shall be guilty of an offence if at any time, on any land to which this order applies he does not keep the dog on a lead, unless:

- (a) He has a reasonable excuse for failing to do so; or

(b) the owner, occupier or other person or authority having control of the land has consented (generally or specifically) to his failing to do so.

For the Purpose of this Act

A person who habitually has a dog in his possession shall be taken to be in charge of the dog at any time, unless at that time some other person is in charge of the dog.

Penalty

Under Section 67 of the Act, it is an offence to fail to comply with this Order. A person guilty of an offence under this section is liable upon summary conviction to a fine not exceeding level 3 on the standard scale (currently £1000).

A constable or an authorised person may issue a Fixed Penalty Notice (FPN) to anyone that they reasonably believe has committed an offence. The amount of the FPN is £100, which is to be paid within 14 days of being issued with the notice. This sum will be reduced to £65 if paid within 7 days.

Equality Impact Assessment

This **online** equality impact assessment should:

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

Service

Title of policy, service, function, project or strategy

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

Lead Officer

People involved with completing the EIA

Step 1.1: Make sure you have clear aims and objectives

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

Q2.

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

Step 1.2: Collecting your information

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

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

Step 1.3 – Is there a need to consult!

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

Equality Impact Assessment

The consultation took place online, following protocols advised by the Council's Consultation Officer.

Step 1.4 – Assessing the impact

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

Age: N/A
Disability: N/A
Faith, Religion or Belief: N/A
Gender including Marriage, Pregnancy and Maternity: N/A
Gender Reassignment: N/A
Race: N/A
Sexual Orientation including Civic Partnership: N/A
Rural Communities: N/A

Step 1.5 – What are the differences?

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

N/A

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

N/A

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

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

The PSPO's have been in force since 2012 and help authorised officers control dogs and dog owners in the District. The consultation showed on the whole that those commenting were agreeable with the proposals and felt that they had and will continue to benefit the wider community. This view was shared with feedback received by the authorised officers as they have carried out their day to day duties...

Q9.
If
you

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

Click here to enter text.

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

All complaints / enquiries / incidents are logged on a database where information is stored and can be extracted to help understand the effectiveness of the PSPO's.

CABINET

Lancaster City Centre Draft Car Parking Strategy - Consultation Report Update and Strategic Parking Numbers

22 October 2024

Report of Chief Officer Sustainable Growth

PURPOSE OF REPORT			
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.			
Key Decision		Non-Key Decision	Referral from Cabinet Member
Date of notice of forthcoming key decision	October 2024		
This report is public			

RECOMMENDATIONS OF Councillor Jean Parr

- (1) 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.
- (2) 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) 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) 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.

1.0 Introduction

1.1 At its meeting in March 2024 Cabinet considered a report on the draft Lancaster City Centre Car Parking Strategy and Action Plan 2024 (The Draft Parking Strategy) and the implications on achieving the city council's objectives as set out in the approved Council Plan 2024-27. Cabinet agreed that maintaining an optimal and efficiently managed quantity of public car parking provision in and around Lancaster city centre is a key priority, and its long-term provision, location and typology should form an explicit part of the sustainable travel and transport policy agenda for the city. It also resolved the following (in summary)

- The Draft Parking Strategy be issued for consultation with statutory and community stakeholders and a report on the outcomes presented to Cabinet.
- Development of a business case for introducing Automatic Number Plate Recognition (ANPR) across the city council's parking portfolio developed.
- A report on reopening of the city council's Castle car park is presented to Cabinet.
- The feasibility and implementation of temporary additional parking provision is undertaken at specific city council owned sites, to mitigate any short to medium term impacts arising from the potential disposal of the Nelson Street car park.
- £15,000 approved to fund the feasibility, design development and implementation of temporary car park provision and other short to medium term actions referred to in the Draft Parking Strategy.

1.2 Future proposed development/disposal of surface car parks for other use / development was to be considered against the objectives of the wider city council policy framework as well as the following specific matters:

- The aims and objectives of the Lancaster City Centre Draft Parking Strategy.
- The outcomes and direction of other related travel and transport policy and wider policy framework.
- Ongoing and improved monitoring of car park usage.
- Progress in design development and delivery of temporary and permanent parking provision.

1.3 Balancing the need and demand for accessible parking with the city's goals for sustainable transportation is a complex and multifaceted challenge. The Draft Parking Strategy sought to address business concerns, enable progress on and facilitate city council and wider public policy objectives, and to move the issue of car parking provision to the heart of the sustainable transport and travel discussion.

2.0 Consultation Report Update

2.1 The Draft Parking Strategy covered the following key elements:

- *Key Facts*: An overview of the evidence base on which the strategy relied.
- *Policy Framework*: An overview of national, regional, and local transport, travel, and movement policy impacting on the way car parking is provided currently and in the future.
- *Demand*: Recognising and assessing the drivers of future parking demand.
- *Supply*: Analysing current and future parking supply issues to balance demand.
- *Strategy Positioning*: Explaining the recognised approaches to setting car parking policy.
- *Key Aims*: What the strategy aims to achieve.
- *Action Plan*: The specific actions required in order to achieve the strategy aims.

2.2 A detailed report on the consultation outcomes will be available for consideration by Cabinet in December. The consultation received a significant number of responses from the community and stakeholders and demonstrates that local people have been informed about the issues. While most of the responses received were made online, there were several stakeholder in-person events/workshops.

2.3 Members have been briefed on the emerging outcomes of the feedback which, in summary, calls for:

- A clearer, phased, and pragmatic approach to provision of car parking if current car parking sites, particularly in the Canal Quarter, are to be released for housing and/or commercial uses.
- Improved data collection and analysis.
- Enhanced communication and transparency in the consultation process.
- Integration of parking strategy with broader city planning and transport initiatives.
- More certainty on location and feasibility of new parking provision and new green transport / Multi Storey Car Parking (MSCP) hubs if these are to play a role in future strategic parking provision.

3.0 Proposal Details

3.1 In order for officers to deliver against this call for certainty, the critical framing of strategic parking space numbers needs to be agreed. The Draft Parking Strategy issued suggested between 1300 and 1400 council operated off-street parking bays could be considered optimal provision to meet strategic general use and peak demand.

3.2 The evidence provided in the consultation has led to officers recommending consideration of increasing the strategic number of car parking spaces regarded as optimal for the city centre to between 1,400 and 1,500, with an ambition to achieve the higher number in the long-term. This arises from:

- Evidence / comment from the consultation around parking difficulties and space availability.
- The need to take account of parking permit current and future use.
- The lack of city council control over the major transport public improvement policy levers.
- Difficulty in judging timing and impact of future parking space demand drivers - either those potentially reducing demand (in the sense of policy action to mitigate number of car journeys) and those potentially increasing demand (for example general economic/housing growth and strategic interventions such as Eden Morecambe).

3.3 Following current approved policy, impacts on the Lancaster parking portfolio in 2025 are likely to be:

- *The Castle Car Park is brought back into use (reinstatement of 287 spaces):* Closed for some time due to defects, the council leases the car park from the Department of Work & Pensions who have responsibility for the structure. The landlord has undertaken initial assessment of the building condition and have now engaged technical engineering experts to investigate the works needed to bring the car park back into use. The city council is in continued dialogue with the landlord on programming the required works.
- *Nelson Street released for affordable housing development (loss of 120 spaces):* Following procurement phase the city council has appointed RP Tyson/South Lakes as its preferred housing developer partner and is working towards finalising a development agreement which could see a start on site during mid-2025.

If the above are progressed achieved the parking portfolio for general use would then stand at 1469 spaces. This is within the revised recommended optimal range and exceeding current space availability, which is 1302 spaces by 167 bays.

3.4 Agreement on the increase in numbers will provide the critical context for officers to further develop the options for delivering the short, medium, and long-term actions identified in the Draft Strategy and immediately addresses a key concern expressed in the consultation. It should also provide Cabinet with further comfort in terms of the ongoing maintenance of city centre economic health, city centre accessibility and car user utility, to continue to progress the release of the Nelson Street car park for affordable housing purposes.

4.0 Options and Options Analysis (including risk assessment)

4.1 A summary of the options and analysis is presented below:

	Option 1: Progressing Lancaster city centre parking policy options within the context of providing between 1400 and 1500 council	Option 2: Progressing Lancaster city centre parking policy options with the intention of retaining the Draft Strategy recommendation of between
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	operated car parking spaces.	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 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>	<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>
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 sub-optimal 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>

5.0 Officer Preferred Option (and comments)

5.1 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.

6.0 Conclusion

6.1 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.

6.2 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.

6.3 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.

RELATIONSHIP TO POLICY FRAMEWORK

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.

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

Asset health and safety and community safety should be improved with progression of the draft strategy Action Plan in the short, medium, and long-term. There are clear equity, sustainability, and rural proofing considerations when discussing elements of car park provision and the council's own car parking assets in particular given the intersection with public transport policy and issues with public transport availability and the sustainable travel and transport / Climate Emergency discussion.

LEGAL IMPLICATIONS

No specific legal implications or legal risk arising from the report.

FINANCIAL IMPLICATIONS

There are no other specific financial considerations arising from the adoption of this context for developing future options around the car parking portfolio at this stage.

The main future financial implications lie in managing the cost/income impacts on the General Fund arising from any decision to remove or add city council car park assets across the city centre area over the next 15 years – in effect the balance between capital and revenue implications of any reduced or increased provision.

The assumption in the report is that any potential negative impact on the General Fund of removing car parking assets will not be a short to medium term concern given that enough capacity is believed to exist in the council car parking portfolio to absorb current car park users for most periods of time across the year. This would mean broadly that net income would be maintained against fewer physical spaces. When combined with the impact of potential capital receipts and potential efficiency savings the General Fund position is likely to be cost neutral with some car parking space loss.

The longer-term net income position may, however, be affected as other car parks may be brought forward under development over the next 7 to 15 years. The financial impact of any future decisions within this timeframe will need to be considered on a case-by-case basis and this will be assisted by better information on use and turnover within the car parking asset portfolio.

The assumption in the report is that for any new (permanent or temporary) car parking provision a commercial business case would be put forward demonstrating that borrowing costs for capital expenditure and ongoing revenue running costs would be covered by gross income with the potential to also deliver a net surplus. Such future business cases would be a matter for consideration as part of the development of the council's future capital programme.

OTHER RESOURCE IMPLICATIONS

Human resources: No HR implications arising from this report.

Information Services: No Information Service implications arising from this report.

Property: No Property implications arising from this report.

Open Space Implications: No open space implications arising from this report.

SECTION 151 OFFICER'S COMMENTS

Within the 2024/25 General Fund Revenue Budget gross car parking income amounts to approximately £3.89M and represents the largest single item of council, excluding Core Funding at around 20% of the council's total Fees & Charges gross income. In addition, there would also be a reasonable expectation that this would increase as the charges are reviewed. Whilst noted that there are no specific financial implications arising from this report care needs to be taken when considering car parking across the district in the longer term and future decisions.

New or revised proposals will need to be carefully considered, not only from a financial perspective to maximise any future opportunities as they arise but also how it balances the various council priorities and objectives.

MONITORING OFFICER'S COMMENTS

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

BACKGROUND PAPERS

Contact Officer: Paul Rogers
Telephone: 01524 582334
E-mail: progers@lancaster.gov.uk
Ref:

CABINET

Capital Programme Mid Year Review 2024/25 22 October 2024

Report of Chief Finance Officer

PURPOSE OF REPORT			
This report provides information regarding the latest position regarding the delivery of the approved capital programme for 2024/25. It also sets out information regarding any delays surrounding capital expenditure and other matters for Members' consideration.			
Key Decision	<input type="checkbox"/>	Non-Key Decision	<input checked="" type="checkbox"/>
Date of notice of forthcoming key decision			N/A
This report is public.			

RECOMMENDATIONS OF COUNCILLOR HAMILTON COX:

- (1) That Cabinet endorse 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 note 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.

1. BACKGROUND

- 1.1. The latest 10 year capital programme as attached at **Appendix A** was approved by Council on 28 February 2024.
- 1.2. The provisional outturn position for 2023/24 was considered by Cabinet on 10 September 2024. As part of this report, the approval of slippage and accelerated expenditure was gained as attached at **Appendix B**.
- 1.3. This report provides Cabinet with an update of the latest position regarding the delivery of the approved capital programme for 2024/25 and requests a reprofiling of the current approved programme as appropriate. By doing this it will allow for more robust revenue estimates required and will be built into future projections as part of the 2025/26 budget process which is currently underway.

2. CHANGES TO THE GENERAL FUND CAPITAL PROGRAMME

2.1 The changes that this report is requesting to the programme with detailed explanations of the reasoning can be found at **Appendix C**.

2.2 To summarise, the following changes have been presented for consideration :-

- net slippage requests totalling £3.035M into future year projections
- £118K assumed inflation in relation to the vehicle replacement programme removed from budgets
- inclusion of £38K budget for the mayor's vehicle to be financed from capital receipts
- new externally funded grant schemes (DEFRA/LTA) totalling £156K
- accountable body request (externally funded) for a new play area in Warton £60K
- £380K moved out of the EGR Development Pool into the main capital programme for Coopers Field – BLRF as per ICMD 21 March 2024
- £200K moved from development pool to main Capital Programme and £400K bought forwards from 2025/26 for Burrow Beck Solar as per Cabinet 9 July 2024
- £345K moved from development pool to main Capital Programme as per ICMD 5 August 2024
- acceleration of expenditure relating to property decarbonisation works due to grant funding reprofiled as this will now be received in 2025/26

2.3 The proposed revised capital programme can be found at **Appendix D**.

3. GENERAL FUND REVENUE IMPLICATIONS

3.1 The above changes impact on minimum revenue provision (MRP) and will result in the following revenue budgetary adjustments :-

	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30
Movement in MRP	no change	(180,733)	(307,424)	90,850	98,850	105,850

It should be noted that brackets reflect an in-year saving and as per the table the revenue impact until 31 March 2027 is positive.

3.2 The monitoring information to be presented to Cabinet on 3 December 2024 as part of the Q2 Delivering Our Priorities 2024/25 report will be updated to include the decision to support/reject the recommendations of this report plus also the slippage agreed as part of the provisional outturn report presented to Cabinet on 10 September 2024 which is not included in the above information.

4. HOUSING REVENUE ACCOUNT

4.1 Members are requested to approve additional funding, utilising the balance held in the Major Repairs Reserve (due to increased depreciation charge) and accumulated useable capital receipts, with no direct impact on the revenue account, to allow the following changes to the HRA capital programme for 2024/25:

- to extend the current year’s boiler replacement programme to minimise the impact on revenue budgets and inconvenience for tenants due to increased failure of older gas boilers
- to achieve 10 year replacement cycle for smoke / heat / carbon monoxide detectors at agreed specification
- to continue whole house major void refurbishment programme to the end of the financial year to minimise rent loss
- to adjust the funding of the redevelopment scheme at Alder Grove to release HRA earmarked reserves to support revenue activities, and provide for additional costs relating to changes to specifications
- to seek to acquire a maximum of five leasehold properties on Mainway, Lancaster, and a single family home in Morecambe, to serve the purpose of increasing council housing stock.

5. OPTIONS AND OPTIONS ANALYSIS

5.1 As the report is for consideration and progressing to Full Council, no alternatives are put forward.

6. CONCLUSION

6.1 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.

6.2 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.

<p>RELATIONSHIP TO POLICY FRAMEWORK The Capital and Revenue Programmes forms part of the Council budget framework.</p>
<p>CONCLUSION OF IMPACT ASSESSMENT (including Health & Safety, Equality & Diversity, Human Rights, Community Safety, HR, Sustainability and Rural Proofing) Effective use of the Councils’ resources is fundamental to the delivery of its priorities and outcomes.</p>
<p>LEGAL IMPLICATIONS There are no legal implications directly arising.</p>
<p>FINANCIAL IMPLICATIONS As set out in the report.</p>
<p>OTHER RESOURCE IMPLICATIONS</p>

Human Resources / Information Services / Property / Open Spaces:

References and any related implications are contained within the report and related appendices.

SECTION 151 OFFICER'S COMMENTS

The report has been written by the Section 151 Officer.

MONITORING OFFICER'S COMMENTS

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

BACKGROUND PAPERS

None.

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General Fund Capital Programme

Table with columns for Service / Scheme, years 2024/25 to 2032/33, and TOTAL. Rows include categories like Communities & Leisure, Environment & Place, Housing & Property, People & Policy, Planning & Climate Change, Resources, Sustainable Growth, Schemes Under Development, and Financing. Includes a summary row for GENERAL FUND CAPITAL PROGRAMME.

Housing Revenue Account Capital Programme

Table with columns for Service / Scheme, years 2024/25 to 2032/33, and TOTAL. Rows include categories like HRA, Financing, and Increase/(Reduction) in Capital Financing Requirement (CFR).

Slippage and Accelerated Expenditure approved by Cabinet 10th September 2024

	Slippage £000	Reason for Slippage £000
Environment & Place		
Purchase of Vehicles	(172)	The lead times of some vehicles was longer than expected, these vehicles will be received in 2024/25
	<u>(172)</u>	
Housing & Property		
White Lund Depot - Offices	(838)	Project delayed awaiting revised plans to inform planning application
1 Lodge Street Urgent Structural Repairs	(422)	Project delayed
Disabled Facilities Grants	0	Marginally lower turnover (£76K) in grant applications in year than originally anticipated, however externally funded
Mellishaw Park	(73)	Scheme over ran due to delays with ENWL
	<u>(1,333)</u>	
Planning & Climate Change		
SALC Salix Funded Optimised Solar Farm	0	Required to cover contractor retention falling due in 2024/25. £10K slippage fully funded by Grant.
	<u>0</u>	
Resources		
ICT Systems, Infrastructure & Equipment including Lancaster Local Fibre Network	(862)	Changing corporate needs during 2023/24 including changes to staff working locations and new 5 year replacement cycle led to delays in expenditure
	<u>(862)</u>	
Sustainable Growth		
Lancaster Heritage Action Zone	(373)	net of £24K income requested to be slipped
Caton Road Flood Relief Scheme	0	£95K slippage requested, externally funded scheme
Lawson's Bridge S106 Scheme	(63)	
Coastal Revival Fund - Morecambe Co-Op Building	0	£11K required for planned final works in 2024/25, externally funded
	<u>(436)</u>	
Other Items		
REPF & UKSPF Schemes	0	Projects totalling £225K did not progress in line with original plans and will now take place in 2024/25. This has nil cost as fully financed from REPF/UKSPF funding
	<u>0</u>	
Schemes Under Development		
Our Future Coast	0	£283K slippage requested. Projects within the scheme did not progress in line with original plans. Will now commence in 2024/25, externally funded
	<u>0</u>	
Housing Revenue Account		
Housing Renewal & Renovation	(574)	Alder Grove development due to complete January 2025; works on major voids ongoing at year end
Energy Efficiency/Boiler Renewals	(425)	Match funding for Social Housing Decarbonisation Fund, committed at year end
Re-roofing/Window Renewals	(289)	Reroofing contract, committed at year end
Environmental Improvements	(128)	Works completed during the first quarter of 2023/24
Fire Precaution Works	(94)	Smoke alarm replacement contract, committed at year end
Rewiring	(22)	Consumer unit replacement contract, committed at year end
External Refurbishment	(21)	Door replacement contract, committed at year end
	<u>(1,553)</u>	
	<u><u>(4,356)</u></u>	

	Accelerated Expenditure £000	Reason for Accelerated Expenditure £000
Environment & Place		
Purchase of Vehicles	351	Lead in times of some vehicles was shorter than anticipated meaning vehicles were delivered in 2023/24 that were not expected until 2024/25
	<hr/>	351
Housing & Property		
HIA Purchase of Vehicles	0	Vehicles acquired earlier than originally anticipated at cost of £87K. However, vehicles were fully funded from external contributions.
Coopers Fields - BLRF	0	Expenditure incurred of £83K in advance of fully grant funded project being included in Capital Programme
	<hr/>	0
	<hr/>	351
Total Net Slippage & Accelerated Expenditure	<hr/> <hr/>	(4,005)

CAPITAL PROGRAMME MID YEAR REVIEW 2024/25 (REQUESTED CHANGES)

GENERAL FUND	£'000	£'000	Reason for Change/Slippage
Environment & Place			
Vehicle Renewals	(577)		£118K assumed inflation removed from budgets, £497K of vehicle replacements are not expected to complete in 2024/25 slipped into 2025/26. £38K for the purchase of the mayor's car is now included in this budget to be finance from the capital receipt achieved from the sale of the private registration
Salt Ayre Asset Management Plan	(976)		Salt Ayre moveable pool floor replacement to be slipped into 2025/26 as condition survey shows full replacement not yet needed
AONB Capital Access Works	0		DEFRA grant of £76K accepted to improve footpaths and accessibility
LTA Tennis Court Refurbishment	0		LTA grant of £80K accepted to improve outdoor tennis courts
The Roods Playground - Warton	0		Accountable Body form received to accpet £60K external funding to create a new playground
		(1,553)	
Housing & Property			
Home Improvement Agency Vehicles	(40)		Additional vans for the Home Improvement Agency slipped into 2025/26 due to uncertainty around how this will be delivered in future years
1 Lodge Street Urgent Structural Repairs	(172)		Time restricted funding has been prioritised to ensure maximum use of external funding available to Lancaster Musicians Co-op resulting in a delay to LCC funded works at 1 Lodge Street
Gateway Solar Array	(974)		Majority of budget to slip into 2025/26 in order to tie these works in with Burrow Beck Solar Farm
Property - Capital Works	(70)		Slip £70K relating to Williamsons Park Butterfly House into 2025/26. Project on hold to assess impact of decarbonisation programme
Coopers Fields - BLRF	0		£380K moved out of the EGR Development Pool as per ICMD 21 March 2024. £180K to slip into 2025/26 as project now stalled. These works are fully grant funded so net nil
		(1,256)	
Planning & Climate Change			
Burrow Beck	600		£200K moved from development pool to main Capital Programme and £400K bought forward from 2025/26 as per Cabinet 9 July 2024
Property De-carbonisation Works	260		Grant funding reprofiled as this will now be received in 2025/26. Accelerated expenditure of City Council Funds
		860	
Resources			
ICT Systems, Infrastructure & Equipment including Lancaster Local Fibre Network	(106)		Change in renewals schedule means some desktop equipment renewals will slip into 2025/26
		(106)	
Sustainable Growth			
Lancaster Heritage Action Zone	(200)		This is not needed in 2024/25, slip into 2025/26 to support Northern Gateway aspect of Canal Quarter scheme
Our Future Coast	0		Budget moved out of Development Pool as per ICMD 5 August 2024. Fully grant funded so net nil
		(200)	
Schemes Under Development			
EGR Development Pool	(200)		£380K moved into the main capital programme for Coopers Fields as per ICDM 21 March 2024 (fully grant funded so net nil). £200K moved into the main capital programme for Burrow Beck as per Cabinet 9th July 2024. £345K moved into the main capital programme for Our Future Coast as per ICMD 5 August 2024 (fully grant funded so net nil)
		(200)	
TOTAL GENERAL FUND		(2,455)	

CAPITAL PROGRAMME MID YEAR REVIEW 2024/25 (REQUESTED CHANGES)

	£'000	£'000	Reason for Change/Slippage
HOUSING REVENUE ACCOUNT			
Housing & Property			
Energy Efficiency / Boiler Replacement	220		Extend the current year's boiler replacement programme to minimise impact on revenue budgets
Fire Precaution Works	85		Achieve 10 year replacement cycle for smoke / heat / carbon monoxide detectors at agreed specification
Housing Renewal and Renovation	1,000		£200K to continue whole house major void refurbishment programme, £700K to seek to acquire a maximum of 6 properties to serve the purpose of increasing council housing stock, £100K to adjust the funding of the redevelopment scheme at Alder Grove to release HRA earmarked reserves to support revenue activities, and provide for additional costs relating to changes to specifications
TOTAL HOUSING REVENUE ACCOUNT	<hr/>	1,305	
TOTAL REQUESTED CHANGES	<hr/>	(1,150)	

Cabinet Report

Treasury Management Mid-Year Review 2024/25 22nd October 2024

Report of Chief Finance Officer

PURPOSE OF REPORT				
This report seeks Cabinet's consideration of various matters in connection with the Treasury Management Mid-Year Review 2024/25.				
Key Decision	<input type="checkbox"/>	Non-Key Decision	<input checked="" type="checkbox"/>	Referral from Cabinet Member
Date of notice of forthcoming key decision				
This report is public				

RECOMMENDATIONS:

That Cabinet

- (1) Consider the various matters in connection with the Treasury Management Mid-Year Review 2024/25
- (2) Forward the Mid-Year Review 2024/25 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

1.0 INTRODUCTION

- 1.1 The Council's Treasury Management Activities are regulated by the 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
- 1.2.1 During 2024/25 the minimum reporting requirements are that Full Council should receive the following reports:
 - an annual treasury strategy in advance of the year (Council 28 February 2024)
 - a mid-year (minimum) treasury update report (this report).
 - an annual review following the end of the year describing the activity compared to the strategy

- 1.3 In addition, Members will receive treasury management update reports on which are presented to Cabinet and Budget and Performance Panel.

2.0 BACKGROUND

- 2.1 The Mid-Year Review (Appendix A) sets out the performance of treasury operations for the first six months of the 2024/25 financial year in terms of long and short-term borrowing, investment activities and relevant borrowing limits and prudential indicators.
- 2.2 Under CIPFA's Code of Practice on Treasury Management (the Code) and the CIPFA Prudential Code for Capital Finance in Local Authorities (the Prudential Code) it is a requirement that an information report on these matters be presented to Cabinet and full Council.

3.0 MID YEAR REVIEW SUMMARY DETAILS

Mid-year quarter 2 position incorporates the amended indicators set out in the amended TM strategy

Investments

- 3.1 The average level of funds available for investment purposes over the six-month period was £25.0M (2023/24 £32.9M). These funds were available on a temporary basis, and the level of funds available was mainly dependent on the timing of precept and business rate related payments, the receipt of grants and progress on the Capital Programme.
- 3.2 The Council's investments returned a weighted average rate of 5.19% on deposit generating £667K of interest against a profiled budget of £273K.

Borrowing

- 3.3 The Capital Financing Requirement (CFR) measures the Council's underlining need to borrow for capital purpose, i.e., its borrowing requirement. The CFR is the amount of capital expenditure that has not yet been financed by capital receipts, capital grants or contributions from revenue.
- 3.4 The Council's capital financing requirement (CFR) for 2024/25 was forecast as £103.52M the current forecast CFR at quarter 2 is, however, £101.13M. This is principally due to the impact of slippage of expenditure funded by unsupported borrowing into future years.
- 3.5 If the CFR is positive the Council may borrow from the PWLB, or the market (external borrowing) or from internal balances on a temporary basis (internal borrowing). The balance of external and internal borrowing is generally driven by market conditions. The Council currently has borrowings of £57.97M and has utilised £43.06M of cash flow funds in lieu of borrowing and with current forecasts estimating new borrowing of up to £9M later in the financial year. However, the potential for further slippage & uncertainty of large cashflows relating to the Eden Project make this difficult to quantify with certainty and the actual amount of borrowing may be lower.
- 3.6 Consideration also needs to be given to the recent volatility in the markets leading to high PWLB interest rates. In light of this it may be prudent to delay borrowing or consider the use of short-term borrowing as an interim measure.

Prudential Indicators

- 3.7 In compliance with the Prudential Framework the Council sets an annual Treasury Management Strategy including key indicators, determined under regulation, to assist Members in assessing the affordability of borrowing and in determining that it is prudent and sustainable.

The indicators are set out in **Annex A** of The Mid-Year Report at **Appendix A**

4.0 OPTIONS AND OPTIONS ANALYSIS

- 4.1 As the report is for consideration and progressing to Budget and Performance Panel and Full Council, no alternative options are put forward.

5.0 CONCLUSION

- 5.1 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).

RELATIONSHIP TO POLICY FRAMEWORK

Treasury Management forms part of the Councils budget framework

CONCLUSION OF IMPACT ASSESSMENT

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

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

LEGAL IMPLICATIONS

None directly arising from this report.

FINANCIAL IMPLICATIONS

There are no financial implications arising directly from this report.

However, due to the financial pressures faced by the Council, and the significant increase in interest rates and borrowing costs areas of capital investment may be delayed, reprofiled or stopped. Financial due diligence and assessment will ensure that all the appropriate costs are considered for each proposal and external advice considered ahead of any borrowing being incurred.

OTHER RESOURCE IMPLICATIONS

There are no additional resource or risk implications

SECTION 151 OFFICER'S COMMENTS

The s151 Officer has written this report in his role as Chief Finance Officer

MONITORING OFFICER'S COMMENTS

The Monitoring Officer has been consulted and has no further comments

BACKGROUND PAPERS

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**Treasury Management Strategy Statement and Annual
Investment Strategy**

Mid-Year Review 2024/25

Report of Chief Finance Officer

1. Background

Capital Strategy

In December 2021, the Chartered Institute of Public Finance and Accountancy, (CIPFA), issued revised Prudential and Treasury Management Codes. These require all local authorities to prepare a Capital Strategy which is to provide the following:

- a high-level overview of how capital expenditure, capital financing and treasury management activity contribute to the provision of services
- an overview of how the associated risk is managed
- the implications for future financial sustainability

A report setting out our Capital Strategy was taken to Council on 28 February 2024.

Treasury Management

The Council operates a balanced budget, which broadly means that cash raised during the year will meet its cash expenditure. Part of the treasury management operations ensure this cash flow is adequately planned with surplus monies being invested in low-risk counterparties, providing adequate liquidity initially before considering optimising investment return.

The second main function of the treasury management services is the funding of the Council's capital plans. These capital plans provide a guide to the borrowing need of the Council, essentially the longer-term cash flow planning to ensure the Council can meet its capital spending operations. This management of longer-term cash may involve arranging long or short-term loans, or using longer term cash flow surpluses, and, on occasion any debt previously drawn may be restructured to meet Council risk or cost objectives.

Accordingly, treasury management is defined as:

“The management of the local authority's borrowing, investments and cash flows, its banking, money market and capital market transactions; the effective control of the risks associated with those activities; and the pursuit of optimum performance consistent with those risks.”

2. Introduction

This report has been written in accordance with the requirements of CIPFA's Code of Practice for Treasury Management (revised 2021).

The primary requirements of the Code are as follows:

- (i) Creation and maintenance of a Treasury Management Policy Statement which sets out the policies and objectives of the Council's treasury management activities.

- (ii) Creation and maintenance of Treasury Management Practices which set out the manner in which the Council will seek to achieve those policies and objectives.
- (iii) Receipt by full Council of an annual Treasury Management Strategy Statement – including the Annual Investment Strategy and Minimum Revenue Provision Policy – for the year ahead, a Mid-year Review Report and an Annual Report, covering activities during the previous year.
- (iv) Delegation by the Council of responsibilities for implementing and monitoring treasury management policies and practices and for the execution and administration of treasury management decisions.
- (v) Delegation by the council of the role of scrutiny of treasury management strategy and policies to a specific named body. For this Council the delegated body is Budget and Performance Panel.

This mid-year report has been prepared in compliance with CIPFA's Code of Practice on Treasury Management, and covers the following:

- An economic update for the first part of the 2024/25 financial year
- A review of the Treasury Management Strategy Statement and Annual Investment Strategy
- The Council's capital expenditure, as set out in the Capital Strategy, and prudential indicators
- A review of the Council's investment portfolio for 2024/25
- A review of the Council's borrowing strategy for 2024/25
- A review of any debt rescheduling undertaken during 2024/25
- A review of compliance with Treasury and Prudential Limits for 2024/25

3. Economics update (provided by Link Asset Services)

- *The third quarter of 2024/25 (July to September) saw:*
 - *GDP growth stagnating in July following downwardly revised Q2 figures (0.5% q/q)*
 - *A further easing in wage growth as the headline 3myy rate (including bonuses) fell from 4.6% in June to 4.0% in July;*
 - *CPI inflation hitting its target in June before edging above it to 2.2% in July and August;*
 - *Core CPI inflation increasing from 3.3% in July to 3.6% in August;*
 - *The Bank of England initiating its easing cycle by lowering interest rates from 5.25% to 5.0% in August and holding them steady in its September meeting;*
 - *10-year gilt yields falling to 4.0% in September.*
- ❖ *The economy's stagnation in June and July points more to a mild slowdown in GDP growth than a sudden drop back into a recession. Moreover, the drop in September's composite activity Purchasing Managers Index, from 53.8 in August to 52.9, was still consistent with GDP growth of 0.3%-0.4% for the summer months. This is in line with the Bank of England's view, and it was*

encouraging that an improvement in manufacturing output growth could be detected, whilst the services PMI balance suggests non-retail services output grew by 0.5% q/q in Q3. Additionally, the services PMI future activity balance showed an uptick in September, although readings after the Chancellor's announcements at the Budget on 30th October will be more meaningful.

- ❖ The 1.0% m/m jump in retail sales in August was stronger than the consensus forecast for a 0.4% m/m increase. The rise was reasonably broad based, with six of the seven main sub sectors recording monthly increases, though the biggest gains came from clothing stores and supermarkets, which the ONS reported was driven by the warmer-than-usual weather and end of season sales. As a result, some of that strength is probably temporary.
- ❖ The government's plans to raise public spending by around £16bn a year (0.6% GDP) have caused concerns that a big rise in taxes will be announced in the Budget, which could weaken GDP growth in the medium-term. However, if taxes are raised in line with spending (i.e., by £16bn) that would mean the overall stance of fiscal policy would be similar to the previous government's plan to reduce the budget deficit. Additionally, rises in public spending tend to boost GDP by more than increases in taxes reduce it. Our colleagues at Capital Economics suggest GDP growth will hit 1.2% in 2024 before reaching 1.5% for both 2025 and 2026.
- ❖ The further easing in wage growth will be welcomed by the Bank of England as a sign that labour market conditions are continuing to cool. The 3myy growth rate of average earnings fell from 4.6% in June to 4.0% in July. On a three-month annualised basis, average earnings growth eased from 3.0% to 1.8%, its lowest rate since December 2023. Excluding bonuses, the 3myy rate fell from 5.4% to 5.1%.
- ❖ Other labour market indicators also point to a further loosening in the labour market. The 59,000 fall in the alternative PAYE measure of the number of employees in August marked the fourth fall in the past five months. And the 77,000 decline in the three months to August was the biggest drop since November 2020. Moreover, the number of workforce jobs fell by 28,000 in Q2. The downward trend in job vacancies continued too. The number of job vacancies fell from 872,000 in the three months to July to 857,000 in the three months to August. That leaves it 34% below its peak in May 2022, and just 5% above its pre-pandemic level. Nonetheless, the Bank of England is still more concerned about the inflationary influence of the labour market rather than the risk of a major slowdown in labour market activity.
- ❖ CPI inflation stayed at 2.2% in August, but services inflation rose from a two-year low of 5.2% in July to 5.6%, significantly above its long-run average of 3.5%. Food and fuel price inflation exerted some downward pressure on CPI inflation, but these were offset by the upward effects from rising furniture/household equipment inflation, recreation/culture inflation and a surprisingly large rise in airfares inflation from -10.4% in July to +11.9% in August. As a result, core inflation crept back up from 3.3% to 3.6%. CPI inflation is also expected to rise in the coming months, potentially reaching 2.9% in November, before declining to around 2.0% by mid-2025.
- The Bank initiated its loosening cycle in August with a 25bps rate cut, lowering rates from 5.25% to 5.0%. In its September meeting, the Bank, resembling the ECB more than the Fed, opted to hold rates steady at 5.0%, signalling a preference for a more gradual approach to rate cuts. Notably, one Monetary Policy Committee (MPC) member (Swati Dhingra) voted for a consecutive 25bps cut, while four

members swung back to voting to leave rates unchanged. That meant the slim 5-4 vote in favour of a cut in August shifted to a solid 8-1 vote in favour of no change.

- Looking ahead, CPI inflation will likely rise in the coming months before it falls back to its target of 2.0% in mid-2025. The increasing uncertainties of the Middle East may also exert an upward pressure on inflation, with oil prices rising in the aftermath of Iran's missile attack on Israel on 1 October. China's recent outpouring of new fiscal support measures in the latter stages of September has also added to the upshift in broader commodity prices, which, in turn, may impact on global inflation levels and thus monetary policy decisions. Despite these recent developments, our central forecast is still for rates to fall to 4.5% by the end of 2024 with further cuts likely throughout 2025. This is in line with market expectations, however, although a November rate cut still looks likely, December may be more problematic for the Bank if CPI inflation spikes towards 3%. In the second half of 2025, though, we think a more marked easing in inflation will prompt the Bank to speed up, resulting in rates eventually reaching 3.0%, rather than the 3.25-3.50% currently priced in by financial markets.
- Our forecast is next due to be updated around mid-November following the 30 October Budget, 5 November US presidential election and the 7 November MPC meeting and the release of the Bank of England Quarterly Monetary Policy Report.
- Looking at gilt movements in the first half of 2024/25, and you will note the 10-year gilt yield declined from 4.32% in May to 4.02% in August as the Bank's August rate cut signalled the start of its loosening cycle. Following the decision to hold the Bank Rate at 5.0% in September, the market response was muted, with the 10-year yield rising by only 5bps after the announcement. This likely reflected the fact that money markets had priced in a 25% chance of a rate cut prior to the meeting. The yield had already increased by about 10bps in the days leading up to the meeting, driven in part by the Fed's "hawkish cut" on 18 September. There is a possibility that gilt yields will rise near-term as UK policymakers remain cautious due to persistent inflation concerns, before declining in the longer term as rates fall to 3.0%.
- The FTSE 100 reached a peak of 8,380 in the third quarter of 2024, but its performance is firmly in the shade of the US S&P500, which has breached the 5,700 threshold on several occasions recently. Its progress, however, may pause for the time being whilst investors wait to see who is elected the next US President, and how events in the Middle East (and Ukraine) unfold. The catalyst for any further rally (or not) is likely to be the degree of investors' faith in AI.

MPC meetings: 9 May, 20 June, 1 August, 19 September 2024

- On 9 May, the Bank of England's Monetary Policy Committee (MPC) voted 7-2 to keep Bank Rate at 5.25%. This outcome was repeated on 20th June.
- However, by the time of the August meeting, there was a 5-4 vote in place for rates to be cut by 25bps to 5%. However, subsequent speeches from MPC members have supported Governor Bailey's tone with its emphasis on "gradual" reductions over time.
- Markets thought there may be an outside chance of a further Bank Rate reduction in September, following the 50bps cut by the FOMC, but this came to nothing.
- Nonetheless, November still looks most likely to be the next month to see a rate cut to 4.75% but, thereafter, inflation and employment data releases, as well as geo-political events, are likely to be the determinant for what happens in the remainder of 2024/25 and into 2025/26.

4. Interest Rate Forecast

The Council's treasury advisors, Link Group, provided the following forecast on 28 May 2024. This sets out a view that, short, medium and long-dated interest rates will fall back over the next year or two, although there are upside risks in respect of the stickiness of inflation and a continuing tight labour market, as well as the size of gilt issuance.

The PWLB rate forecasts below are based on the Certainty Rate (the standard rate minus 20 bps) which has been accessible to most authorities since 1st November 2012.

Link Group Interest Rate View	28.05.24									
	Dec-24	Mar-25	Jun-25	Sep-25	Dec-25	Mar-26	Jun-26	Sep-26	Dec-26	Mar-27
BANK RATE	4.50	4.00	3.50	3.25	3.25	3.25	3.25	3.00	3.00	3.00
3 month ave earnings	4.50	4.00	3.50	3.30	3.30	3.30	3.30	3.00	3.00	3.00
6 month ave earnings	4.40	3.90	3.50	3.30	3.30	3.30	3.30	3.10	3.10	3.20
12 month ave earnings	4.30	3.80	3.50	3.40	3.40	3.40	3.40	3.20	3.30	3.40
5 yr PWLB	4.50	4.30	4.10	4.00	3.90	3.90	3.90	3.90	3.90	3.80
10 yr PWLB	4.60	4.40	4.30	4.10	4.10	4.10	4.00	4.00	4.00	3.90
25 yr PWLB	5.00	4.80	4.70	4.50	4.50	4.40	4.40	4.40	4.30	4.30
50 yr PWLB	4.80	4.60	4.50	4.30	4.30	4.20	4.20	4.20	4.10	4.10

5. Treasury Management Strategy Statement and Annual Investment Strategy Update

The Treasury Management Strategy (TMS) for 2024/25, which includes the Annual Investment Strategy was approved by Council on 28 February 2024. There are no policy changes to the TMS; the details in this report update the position in light of the updated economic position and budgetary changes already approved or considered in the Capital Programme Mid-Year Review

6. Investment Portfolio

In accordance with the CIPFA Treasury Management Code of Practice the Council's investment priorities are set out as being:

- Security of capital
- Liquidity
- Yield

The Council will aim to achieve the optimum return (yield) on its investments commensurate with proper levels of security and liquidity and with the Council's risk appetite. In the current economic climate it is considered appropriate to keep investments short term to cover cash flow needs, but also to seek out value available in periods up to 12 months with high credit rated financial institutions, using the Link suggested creditworthiness approach, including a minimum sovereign credit rating and Credit Default Swap (CDS) overlay information.

The UK's sovereign rating has proven robust through the first half of 2024/25. The new Labour Government is expected to outline in detail its future fiscal proposals in the Budget scheduled for 30 October 2024.

The current investment counterparty criteria selection approved in the TMSS is meeting the requirement of the treasury management function.

It is noted that sentiment in the current economic climate can easily shift, so it remains important to undertake continual monitoring of all aspects of risk and return in the current circumstances.

The average level of funds available for investment purposes during the period was **£25.0M**. These funds were available on a temporary basis, and the level of funds available was mainly dependent on the timing of precept and business rate related payments, the receipt of grants and progress on the Capital Programme.

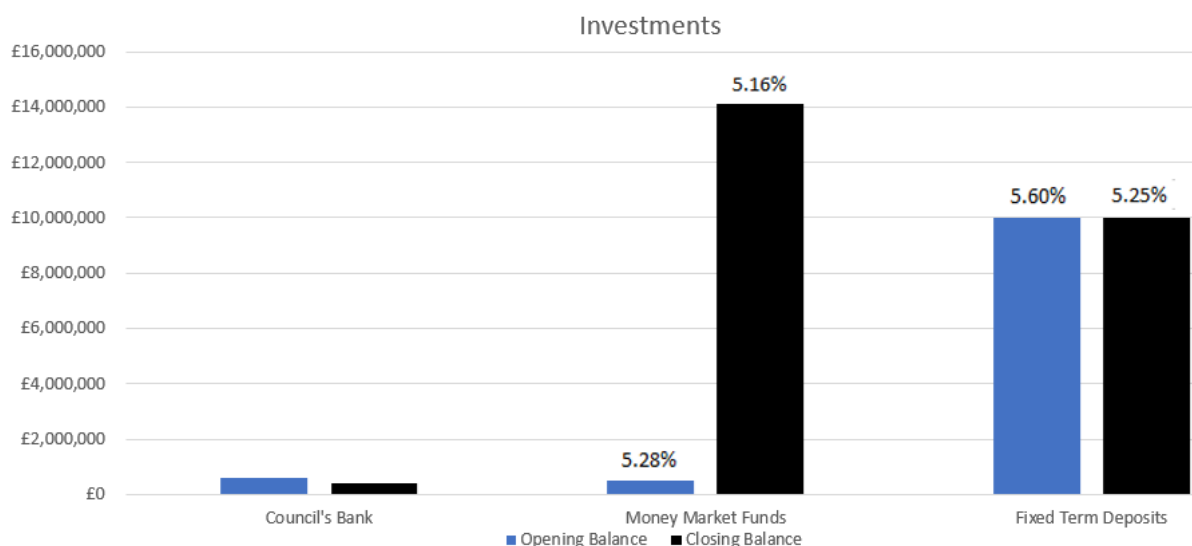
In terms of performance against external benchmarks, the return on investments compared to the SONIA (average) and bank rates at the end of the period is as follows. This is viewed as positive performance, especially given the need to prioritise security of investments, and liquidity (i.e. making sure that the Council's cashflow meets its needs):

Base Rate	5.00%
SONIA (average)	5.12%
Lancaster City Council investments	5.19%

Investment Balances – quarter ended 30 September 2024

At the start of the year investments totalled £10.5M rising to £24.1M by 30 September. Fixed term investments remained at £10M whilst Money Market Fund balances increased from £0.5M to £10.1M.

Other Investments	Term	Maturity Date	Opening 1.4.24 £	Closing 30.09.24 £	Indicative Rate (YTD)	Current Fixed Rate	Interest to Date £
Call Accounts							
Natwest (Cash Manager Plus)			610,437	408,484	5.20%		13,271
Money Market Funds							
Aberdeen Life Investments			0	6,000,000	5.16%		139,287
Blackrock Sterling Liquidity First Fund LGIM			0	1,600,000	5.09%		38,411
Insight			500,000	6,000,000	5.17%		148,085
Goldman Sachs			0	500,000	5.15%		55,367
			0	0	5.01%		6,109
Fixed Term Deposits							
Halton Borough Council	134 days	20/11/2024	0	5,000,000		5.25%	96,370
West Dunbartonshire	182 days	22/05/2024	5,000,000			5.55%	38,774
West Dunbartonshire	120 days	03/12/2024	0	5,000,000		5.25%	86,301
Waltham Forest Council	189 days	30/05/2024	5,000,000			5.65%	45,664
Sub-total			11,110,437	24,508,484			667,640
Budgeted income							273,243
							394,398



Approved Limits

Officers can confirm that, with one exception where funds held in the Council's bank account overnight exceeded the £1.5M specified limit, the approved limits within the Annual Investment Strategy were not breached during the period ended 30th September 2024.

Borrowing

The Council's capital financing requirement (CFR) for 2024/25 was forecast as £103.52M as set out in **Annex A**. The current forecast CFR at quarter 2 is, £101.13M. This is principally due to slippage identified as part of the Capital Programme Mid-Year Review. The CFR denotes the Council's underlying need to borrow for capital purposes. If the CFR is positive the Council may borrow from the PWLB or the market (external borrowing), or from internal balances on a temporary basis (internal borrowing). The balance of external and internal borrowing is generally driven by market conditions. The Council currently has borrowings of £57.97M and has utilised £43.06M of cash flow funds in lieu of borrowing. This is a prudent and cost-effective approach in the current economic climate but will require ongoing monitoring if gilt yields remain elevated, particularly at the longer-end of the yield curve (25 to 50 years).

No new external borrowing has, to date, been undertaken. The capital programme is being kept under regular review due to the effects of ongoing budgetary pressures. Our borrowing strategy will, therefore, also be regularly reviewed and then revised, if necessary, to achieve optimum value and risk exposure in the long-term.

Gilt yields and PWLB certainty rates were less volatile than at this time last year. Overall, the 10, 25 and 50-year part of the curve endured a little volatility but finished September very much as it started in April.

Where there was some movement downwards, this came in the shorter part of the curve as markets positioned themselves for Bank Rate cuts in the second half of 2024 and into 2025, although the continued stickiness of inflation and the prevailing tight labour market is a concern for those looking for more sizeable falls ahead.

At the beginning of April, the 5-year certainty rate was the cheapest part of the curve at 4.72% whilst the 25-year rate was relatively expensive at 5.28%. May saw yields at their highest across the whole curve.

Conversely, 17 September saw the low point for the whole curve, with the 5-year certainty rate falling to 4.31% before rebounding to 4.55% by the end of the month. Similarly, the 50-year certainty rate fell to 4.88% but finished the month at 5.13%, slightly higher than at the start of April.

At this juncture, we still forecast rates to fall back over the next two to three years as inflation dampens, although there is upside risk to our Bank Rate forecast at present. The CPI measure of inflation is expected to fall below 2% in the second half of 2025, however, and we forecast 50-year rates to stand at 4.20% by the end of September 2026. The major caveats are that there is considerable gilt issuance to be digested by the market over the next couple of years, and geo-political uncertainties – which are generally negative for inflation prospects – abound in Eastern Europe and the Middle East, in particular.

It is anticipated that further borrowing may need to be undertaken during this financial year. The original estimate was that we would need to borrow around £9M in quarter 4 of 2024/25. However, this is currently expected to be in the region of £6M, however, the potential for further slippage within the Capital Programme and unknown large cashflows relating to the Eden Project make this difficult to quantify with certainty and the actual amount of borrowing may be lower. Consideration also needs to be given to the recent volatility in the markets leading to high PWLB interest rates. In light of this, it may be prudent to delay borrowing or consider the use of short-term borrowing as an interim measure.

7. Debt Rescheduling

Debt rescheduling opportunities have increased over the course of the past six months and will be considered if giving rise to long-term savings. However, no debt rescheduling has been undertaken to date in the current financial year.

8. Compliance with Treasury and Prudential Limits

It is a statutory duty for the Council to determine and keep under review the affordable borrowing limits. During the half year ended 30th September 2024, the Council has operated within the treasury and prudential indicators set out in the Council's Treasury Management Strategy Statement for 2024/25. The Chief Finance Officer reports that no difficulties are envisaged for the current or future years in complying with these indicators.

All treasury management operations have also been conducted in full compliance with the Council's Treasury Management Practices.

9. Other Issues

Changes in risk appetite

The 2021 CIPFA Codes and guidance notes have placed enhanced importance on risk management. Where an authority changes its risk appetite e.g. for moving surplus cash into or out of certain types of investment funds or to other types of investment instruments this change in risk appetite and policy should be brought to members' attention in treasury management update reports. There are no such changes to report.

Prudential Indicator for Capital Expenditure

This table shows the current estimates for the General Fund and Housing Revenue Account capital programmes, compared to the original estimates.

Capital Expenditure by Fund	2024/25	
	Original Estimate £m	Quarter 2 Position £m
General Fund	17.01	17.34
Council Housing (HRA)	4.77	7.47
Total Capital Expenditure	21.78	24.81

Changes to the Financing of the Capital Programmes

This table shows the changes in the financing of the capital programmes, and the level of borrowing required.

Capital Expenditure	2024/25	
	Original Estimate £m	Quarter 2 Position £m
Total capital expenditure	21.78	24.81
Financed by:		
Capital receipts	0.16	1.34
Capital grants	10.73	11.80
Reserves	4.32	5.16
Revenue	0.04	0.00
Total Financing	15.25	18.30
Borrowing Requirement	6.53	6.51

Changes to the Capital Financing Requirement

Capital Financing Requirement	2024/25	
	Original Estimate £m	Quarter 2 Position £m
General Fund	70.47	68.09
HRA	33.05	33.04
Total Capital Financing Requirement	103.52	101.13
Net movement in CFR	2.48	-2.39

Limits to Borrowing Activity

A key control over treasury management activity is to ensure that over the medium term, net borrowing (borrowings less investments) will only be for capital purposes. Gross external borrowing should not, except in the short term, exceed the total capital financing requirement.

External Debt v Borrowing Need (CFR)	2024/25	
	Original Estimate £m	Quarter 2 Position £m
External Debt	63.97	57.97
Expected Change in Other long term liabilities	7.96	7.96
Total Debt	71.93	65.93
Compared to current :		
Capital Financing Requirement	103.52	101.13
Operational Boundary:-		
Debt	104.52	104.52
Authorised Limit:-		
Debt	120.00	120.00

Definitions:

Operational Boundary

The limit beyond which external debt is not normally expected to exceed is known as the operational boundary.

Authorised Limit for External Debt

A further prudential indicator controls the overall level of borrowing. This is the authorised limit which represents the limit beyond which borrowing is prohibited. It reflects the level of borrowing which, whilst not desired, could be afforded in the short term, but it is not sustainable in the longer term. It is the expected maximum borrowing need with some headroom for unexpected movements.

Liability Benchmark

The Council's liability benchmark reflecting the mid-year position is set out below. This charts the following four key components:

1. **Existing loan debt outstanding:** the Authority's existing loans that are still outstanding in future years.
2. **Loans CFR:** this is calculated in accordance with the loans CFR definition in the Prudential Code and projected into the future based on approved prudential borrowing and planned MRP.

3. **Net loans requirement:** this will show the Authority's gross loan debt less treasury management investments at the last financial year-end, projected into the future and based on its approved prudential borrowing, planned MRP and any other major cash flows forecast.
4. **Liability benchmark (or gross loans requirement):** this equals net loans requirement plus short-term liquidity allowance.

Liability Benchmark

