

## CABINET

10.00 A.M.

23RD JULY 2013

**PRESENT:-** Councillors Eileen Blamire (Chairman), Janice Hanson (Vice-Chairman), Jon Barry, Abbott Bryning, Tim Hamilton-Cox, Karen Leytham, Ron Sands and David Smith

Officers in attendance:-

Mark Cullinan	Chief Executive
Nadine Muschamp	Chief Officer (Resources) and Section 151 Officer
Andrew Dobson	Chief Officer (Regeneration and Planning)
Liz Bateson	Principal Democratic Support Officer

### 21 MINUTES

The minutes of the meeting held on Tuesday 25 June 2013, were approved as a correct record.

### 22 ITEMS OF URGENT BUSINESS AUTHORISED BY THE LEADER

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

### 23 DECLARATIONS OF INTEREST

No declarations were made at this point.

### 24 PUBLIC SPEAKING

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

### 25 GRANT ASSISTED ALLEVIATION OF SHINGLE MIGRATION AND FLOODING, TEAL BAY, MORECAMBE

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

Cabinet received a report from the Chief Officer (Regeneration & Planning) to highlight the problems with the Bare Beck outfall at Scalestones Point in Morecambe and to inform Members of a potential offer of grant funding from the Environment Agency to help rectify the situation and reduce the risk of flooding for nearby properties.

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

	<b>Option 1:</b> Do Nothing	<b>Option 2:</b> Continue clearing when necessary	<b>Option 3:</b> Works as described in report, carried out in the next 6 – 8 weeks.
Advantages	None.	None.	Risk significantly reduced and ease of

			maintenance ensured
Disadvantages	A significant number of houses and Morecambe Golf Course at risk of flooding.	Potential to flood as option one. None grant aided cost of circa. £1k for every call out after spring tides and storms. Accessibility at some tide states can delay prompt action increasing risk.	None.
Risks	Negative public image and potential for substantial financial claims from flooded householders and the Golf Club.	Poor public perception. Protracted antagonism of Golf Club (our Tenant).	Grant approval delay, would push works to next summer due to environmental regulation, which would incur additional non grant aided clearance costs.

Option 3 was the officer preferred option. There was an on going risk of flooding and financial liability whilst the situation remained un-controlled. Major works would trigger environmental implications which would generate major environmental impact assessment with disproportionate costs and delays. Option 3 provided a solution with minimal impact and cost which would minimise the problem as well as ensuring the future management of any residual problems.

Councillor Hanson proposed, seconded by Councillor Barry:-

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

Councillors then voted:-

***Resolved unanimously:***

- (1) That, subject to receiving an offer of grant from the Environment Agency, the Chief Officer (Regeneration & Planning) be given delegated authority to accept the offer in order to fund the works as described, subject to agreement with the Chief Officer (Resources) and there being no further impact on City Council resources than those set out in the report.
- (2) That, subject to receipt of the grant, approval be given to appoint suitably experienced local contractors to carry out the works, in accordance with the City Council's contract procedure rules.
- (3) That subject to (1) above, the Chief Officer (Resources) be given delegated authority to update the General Fund Revenue and Capital Budgets

accordingly, to allow the works to progress.

**Officers responsible for effecting the decision:**

Chief Officer (Regeneration & Planning)  
Chief Officer (Resources)

**Reasons for making the decision:**

The decision was consistent with the Clean, Green and Safe Places corporate priority (maintaining standards of flood protection) and with the Health and Wellbeing corporate priority (minimising the risk of flooding) and was indicative of the key theme which underpinned the Council's priorities: to manage the Council's resources efficiently and effectively.

**26 CORPORATE PERFORMANCE MONITORING 2012/13**

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

Cabinet received a report from the Leader of the Council which presented the corporate performance monitoring end of year reports for 2012/13.

The report was for noting and comment.

Councillor Blamire proposed, seconded by Councillor Smith:-

"That the report be noted."

Councillors then voted:-

***Resolved unanimously:***

(1) That the report be noted.

**Officer responsible for effecting the decision:**

Chief Officer (Governance)

**Reasons for making the decision:**

The Council's Performance Management Framework requires the regular reporting of operational and financial performance to Cabinet as part of the Performance Review Team cycle of meetings. The Corporate PRT report provides a summary of key issues and associated actions that have arisen and have been escalated to the Leader of the Council for attention.

**27 URGENT BUSINESS REPORT**

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

The Chief Officer (Governance) submitted a report informing Members of actions taken

by the Chief Executive, in consultation with the relevant Cabinet Members in accordance with the scheme of delegation.

It was moved by Councillor Barry and seconded by Councillor Hanson:-

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

Members then voted:-

***Resolved unanimously:***

- (1) That the actions taken by the Chief Executive, in consultation with the relevant Cabinet Members in accordance with the Scheme of Delegation, in respect of the following, be noted:-

**TERMS OF REFERENCE FOR THE CANAL CORRIDOR NORTH CABINET LIAISON GROUP**

The terms of reference of the Canal Corridor North Cabinet Liaison Group were approved as follows:-

That a Cabinet Liaison Group be created to consider the emerging development proposals for the Canal Corridor site.

The purpose of the Liaison Group is to provide a forum prior to the submission of a planning application where:

- *information on the detailed studies undertaken, and the evidence base created to support the development proposals can be shared as they become available;*
- *details of the form, design and uses within the proposed development can be shared as they develop and without prejudice feedback given*
- *the group can advise the appropriate Cabinet Member(s) on how to take proper account of how best to use the City Council's landownership interests to ensure that the most appropriate regeneration solution for the land is secured within the framework of the development agreement.*

**Officer responsible for effecting the decision:**

Chief Officer (Governance)

**Reasons for making the decision:**

The decision fulfils the requirements of the City Council's Constitution in advising Cabinet of urgent decisions taken by the Chief Executive in accordance with the City Council's Scheme of Delegation.

**28 STOREY CREATIVE INDUSTRIES CENTRE: PROGRESS UPDATE**

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

Cabinet were advised that there was nothing significant to report since the last update to Cabinet on 28 May 2013.

**29 PROVISIONAL REVENUE, CAPITAL AND TREASURY MANAGEMENT OUTTURN 2012/2013**

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

Cabinet received a report from the Chief Officer (Resources) which provided summary information regarding the provisional outturn for 2012/13. It set out information regarding the carry forward of revenue budgets and capital slippage for Members' consideration. It also incorporated the treasury management outturn report and related matters.

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

**OPTIONS AND OPTIONS ANALYSIS**

The City Council had a legal requirement to ensure that its expenditure was fully funded and to produce a Statement of Accounts in accordance with proper accounting practice. In addition, the Prudential Indicators were a statutory requirement linked to the budgetary framework. For these aspects, therefore, there were no alternative options for Cabinet to consider. Members were being asked to endorse certain actions taken by the Chief Officer (Resources), and Cabinet should consider whether it had sufficient information to do so or whether it required any further justification.

The report requested Cabinet to consider a number of revenue budget carry forward matters and capital slippage. The framework for considering these was set out in the report but basically Cabinet might:

- Approve any number of the items / requests, in full or part.
- Refuse any number of the requests and if commitments had already been incurred, require alternative funding options to be identified. Cabinet should note, however, that this might impact on other areas of service delivery.
- Request further information regarding them, if appropriate. Cabinet was asked to bear in mind any work required against the value of the individual bids.

**OFFICER PREFERRED OPTION AND JUSTIFICATION**

On the assumption that the Council continued to support its previously approved spending plans then the Officer preferred options were to approve the revenue budget carry forward requests as well as capital slippage (Appendices F and H), but to require no carry forward of the overspendings (Appendix E).

Although the Council's General Fund budget and the associated Government funding reduced significantly in 2012/13, it managed these reductions well, and had again improved its financial standing as at 31 March 2013. Balances for both General Fund and the HRA were higher than forecast, and the Council had other substantial earmarked further reserves to help respond to the tough financial challenges expected over the coming years, in shaping and delivering against future corporate priorities.

Councillor Bryning proposed, seconded by Councillor Leytham:-

"That recommendations 1 to 5, as set out in the report, be approved."

Councillors then voted:-

***Resolved unanimously:***

- (1) That the provisional outturn for 2012/13 be noted, including the transfers to provisions and reserves actioned by the Chief Officer (Resources).
- (2) That Cabinet approve that no overspendings be carried forward, as reflected in Appendix E.
- (3) That Cabinet approve the requests to carry forward underspent revenue budgets as set out in Appendix F, for referral on to Council where appropriate.
- (4) That Cabinet approve the requests for capital slippage as set out at Appendix H.
- (5) That the Annual Treasury Management report and Prudential Indicators as set out at Appendix J be noted, and referred on to Council.

***The press and public were excluded from the meeting at this point when it became necessary to refer to information in the exempt Appendix and in order for consideration to be given to recommendation (6).***

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

***Resolved unanimously:***

That, in accordance with Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following item of business, on the grounds that it could involve the possible disclosure of exempt information as defined in paragraph 3 of Schedule 12A of that Act.

In relation to the exempt Appendix, the Chief Officer (Resources) outlined the intention that future decisions on this matter would be taken under existing officer delegations, following consultation with the portfolio holder, unless Cabinet indicated otherwise.

Following consideration of the exempt Appendix, Councillor Bryning proposed and Councillor Hanson seconded:

"That recommendation (6), as set out in the report, be approved."

***Resolved unanimously:***

- (6) That Cabinet endorse the actions of the Chief Officer (Resources), as set out in the exempt appendix to the report (Appendix K).

**Officer responsible for effecting the decision:**

Chief Officer (Resources)

**Reasons for making the decision:**

The Outturn and Statement of Accounts report on all the financial resources generated and/or used by the Council in providing services or undertaking other activities under the Policy Framework. The decision enabled Members to endorse certain actions taken by the Chief Officer (Resources) and with regard to reserves contributions there would be opportunities for these to be amended during the current financial year, as part of the usual arrangements.

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Chairman

(The meeting ended at 10.50 a.m.)

**Any queries regarding these Minutes, please contact  
Liz Bateson, Democratic Services - telephone (01524) 582047 or email  
ebateson@lancaster.gov.uk**

**MINUTES PUBLISHED ON THURSDAY 25 JULY, 2013.**

**EFFECTIVE DATE FOR IMPLEMENTING THE DECISIONS CONTAINED IN THESE MINUTES:  
FRIDAY 2 AUGUST, 2013.**