

CABINET

5.00 P.M.

19TH JANUARY 2021

PRESENT:- Councillors Erica Lewis (Chair), Dave Brookes, Gina Dowding, Merv Evans, Kevin Frea, Tim Hamilton-Cox, Janice Hanson, Caroline Jackson, Jean Parr and Anne Whitehead

Officers in attendance:

Kieran Keane	Chief Executive
Mark Davies	Director for Communities and the Environment
Sarah Davies	Director of Corporate Services
Jason Syers	Director for Economic Growth and Regeneration
Paul Thompson	Chief Financial Officer (Head of Finance & Section 151 Officer)
Luke Gorst	Head of Legal Services and Monitoring Officer
Debbie Chambers	Head of Democratic Services and Deputy Monitoring Officer
Joanne Wilkinson	Head of Housing (Minute 105)
Paul Rogers	Senior Regeneration Officer (Minute 100)
Fiona Clark	Planning Officer (Policy) (Minutes 98 & 99)
Liz Bateson	Principal Democratic Support Officer

94 MINUTES

The minutes of the meeting held on Tuesday 8 December 2020 were approved as a correct record.

95 ITEMS OF URGENT BUSINESS AUTHORISED BY THE LEADER

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

96 DECLARATIONS OF INTEREST

No declarations were made at this point.

97 PUBLIC SPEAKING

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

At this point the Chair requested that standing order 17 (Cabinet Procedure Rule 17) be suspended to allow for questions to be taken from all members as the reports were introduced. The proposal was moved by Councillor Brookes, seconded by Councillor Hamilton-Cox and there was no dissent to the proposal.

Resolved unanimously:

(1) That Standing Order 17 (Cabinet Procedure Rule 17) be suspended.

98 VIABILITY PROTOCOL SUPPLEMENTARY PLANNING DOCUMENT**(Cabinet Member with Special Responsibility Councillor Hanson)**

Cabinet received a report from the Director for Economic Growth & Regeneration to consider the draft Viability Protocol Supplementary Planning Document (draft SPD) and seek authorisation for the Service Manager – Planning and Housing Strategy to proceed with informal and statutory consultation.

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

Option 1: Progress the draft SPD through informal and statutorily defined consultation process.**Advantages:**

The consultation process will provide engagement with stakeholders and allow them to influence the content of the draft SPD. Consultation and appropriate consideration of the responses will ensure that the SPD can be afforded weight when determining planning applications.

Disadvantages:

No disadvantages.

Risks:

No risks.

Option 2: Do not progress the draft SPD through informal and statutorily defined consultation process.**Advantages:**

No advantages.

Disadvantages:

Additional guidance about the criteria within planning policies will not be available for prospective applicants or as a decision-making tool.

Risks:

Processing the draft SPD without the necessary consultation will reduce any weight which could be attached to it in the decision-making process.

The officer preferred option is Option 1 - Progress the draft SPD through informal and statutorily defined consultation process to ensure that if adopted it can be given weight in decision making.

Councillor Hanson proposed, seconded by Councillor Brookes:-

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

Councillors then voted:-

Resolved unanimously:

- (1) That the draft SPD be approved, and that authority be delegated to the Service Manager – Planning and Housing Strategy to advance the draft SPD through informal and statutory defined consultation processes.
- (2) That the SPD will then be adopted unless the consultation results in any significant changes to the SPD which will be reported back to Cabinet for final endorsement.

Officer responsible for effecting the decision:

Director for Economic Growth & Regeneration

Reasons for making the decision:

The decision is consistent with the Council Plan 2018-2022 which includes ambitions to improve access to quality housing. The Corporate priorities (updated January 2020) set out a priority to develop housing to ensure people of all incomes are comfortable, warm and able to maintain their independence. The Lancaster Local Plan includes policies which seek to ensure that the new housing developments include a proportion of affordable housing and provide the necessary infrastructure contributions. The draft SPD will support the implementation of policies within the Local Plan.

99 MEETING HOUSING NEED SUPPLEMENTARY PLANNING DOCUMENT**(Cabinet Member with Special Responsibility Councillor Hanson)**

Cabinet received a report from the Director for Economic Growth & Regeneration to consider the draft Meeting Housing Need Supplementary Planning Document (draft SPD) and sought authorisation for the Service Manager – Planning and Housing Strategy to proceed with informal and statutory consultation.

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

Option 1:
Progress the draft SPD through informal and statutorily defined consultation process.

Advantages:

The consultation process will provide engagement with stakeholders and allow them to influence the content of the draft SPD.

Consultation and appropriate consideration of the responses will ensure that the SPD can be afforded weight when determining planning applications.

Disadvantages:

No disadvantages.

Risks:

No risks.

Option 2:

Do not progress the draft SPD through informal and statutorily defined consultation process.

Advantages:

No advantages.

Disadvantages:

Additional guidance about the criteria within planning policies will not be available for prospective applicants or as a decision-making tool.

Risks:

Processing the draft SPD without the necessary consultation will reduce any weight which could be attached to it in the decision-making process.

The officer preferred option is Option 1 - Progress the draft SPD through informal and statutorily defined consultation process, to ensure that if adopted it can be given weight in decision making.

Following a question with regard to service charges and affordable housing it was agreed that a response would be circulated to all Councillors for information.

Councillor Hanson proposed, seconded by Councillor Parr:-

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

Councillors then voted:-

Resolved unanimously:

- (1) That the draft SPD be approved and authority be delegated to the Service Manager – Planning and Housing Strategy to advance the draft SPD through informal and statutory defined consultation processes.
- (2) That the SPD will then be adopted unless the consultation results in any significant changes to the SPD which will be reported back to Cabinet for final endorsement.

Officer responsible for effecting the decision:

Director for Economic Growth and Regeneration

Reasons for making the decision:

The decision is consistent with the Council Plan 2018-2022 which includes ambitions to enhance community cohesion and improve access to quality housing. The Corporate Priorities (updated January 2020) set out a priority to develop housing to ensure people

of all incomes are comfortable, warm and able to maintain their independence. The Lancaster Local Plan includes policies which seek to ensure that the new housing developed in the district meets the identified need in terms of the size, type and location. It provides policies which seek to ensure the delivery of affordable housing, housing which meets specific rural local needs, homes for the elderly, gypsies and travellers and sets out internal size and accessibility standards. The draft SPD will support the implementation of policies within the Local Plan.

100 CANAL QUARTER, LANCASTER - USE OF RESERVES

(Cabinet Member with Special Responsibility Councillor Hamilton-Cox)

Cabinet received a report from the Director for Economic Growth and Regeneration to consider the route and approach to implement the economic regeneration of key council land interests, particularly the area known as Cooper's Fields which is dominated by the Upper and Lower St. Leonard's Gate surface car parking and bounded by Lodge Street, Alfred Street, Seymour Street / Edward Street and St Leonards Gate. Cabinet was requested to approve the use of Reserve Funds to commission a full professional services master planning team to deliver the next key phase of the Canal Quarter project.

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

	Option 1: Approve £120K to procure a master-planning team through an existing Framework Agreement to progress the council's preferred masterplan/development solution	Option 2: Approve £120K to procure a master-planning team through open competitive tender to progress the council's preferred masterplan/development solution
Advantages	<p>Officers are experienced in progressing UK directive compliant tenders via Frameworks to appoint masterplan/design teams for projects.</p> <p>Use of a pre-approved UK directive compliant Framework will reduce the administrative burden on officers in managing a legally compliant tender process.</p>	<p>Greater likelihood of securing a high-quality team and detailed design solution for the project.</p> <p>Greater "reach" in securing interest from a range of design practices.</p> <p>Enables a wider range of national and international practices to participate.</p>
Disadvantages	"Reach" of the council's tender may not be wide enough to secure innovative thinking or creative solutions from smaller firms if a Framework is used.	Officer resource commitment would be higher particularly under an open competition with an element of negotiation/dialogue.
Risks / Mitigation	A quality design team would be appointed who progress a feasible masterplan / design	Officers are experienced in securing design teams to the requirements of UK public

	<p>solution to meet the council's and community's objectives as expressed through the CQSRF.</p> <p>The risks are therefore around whether the Framework route delivers the best possible range of expertise.</p>	<p>procurement law.</p> <p>While the demands on officer time will be higher, a wider range of national and international practices will be able to participate.</p>
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Option 2 is the preferred option. There is an onus on the council to drive forward economic regeneration initiatives as part of the pandemic recovery process. The high degree of Member, public and commercial interest (including from MCHLG and Homes England) and the complexity of addressing key issues raised through CQSRF consultation (such as car parking, traffic movement and integrating open space provision) means the progression of a detailed development masterplan is essential to make further progress.

The funds for the detailed work will be sourced from the Canal Quarter Reserve (agreed under the Outcome-Based Budgeting process of as part of the Regeneration Development Reserve) and split over the current financial year and early part of next financial year (refer to Financial Implications).

Following completion of the procurement stage the recommended master-planning team will be contracted and the work undertaken. However, the work will be supported by structured engagement with Cabinet, continued input from the existing community stakeholder group, and wider public consultation.

On conclusion of the work a report will be made to Cabinet to consider the next stages and approval of any funding from the Canal Quarter Reserve required to progress the masterplan/design ideas to investment readiness through the protocols outlined in the council's emerging Capital Investment Strategy.

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

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

Councillors then voted:-

Resolved unanimously:

- (1) That approval be given to allocate up to £120K of the Council's Canal Quarter Reserve for the management and progression of site investigations, surveys, development of a detailed masterplan, phased development delivery strategy, and feasibility appraisals for key areas of the Canal Quarter as outlined in the report.
- (2) That Tender material is prepared by officers for issue.
- (3) That following completion of the procurement stage the recommended master planning team be contracted and the work undertaken.

- (4) That the work be supported by structured engagement with Cabinet, continued input from the existing community stakeholder group, and wider public consultation.

Officer responsible for effecting the decision:

Director for Economic Growth and Regeneration

Reasons for making the decision:

The Canal Quarter site is a long-standing allocation within the Lancaster Local Plan and is identified via Policies ER4 and ER5 of the Lancaster District Core Strategy (adopted in 2008) and Policy SG5 of the Strategic Policies & Land Allocations DPD.

In terms of the potential future development proposals the outcomes, impacts and issues will be explored and tested through the master-planning phase, adhering to the principles of the council's Local Plan and Canal Quarter SRF and taking into account any further objectives as defined by the council in its master-planning brief. This will have an early focus on developing options and resolving the key issues and points of contention raised through the stakeholder / community consultation including (but not limited to) the most appropriate physical solution to issues of movement and connectivity, car parking provision and open space provision (including the relationship of development and access to the canal) .

At this point and with the agreement of the meeting the Chair adjourned the meeting for 15 minutes. The meeting reconvened at 5.50pm.

101 CORPORATE FEES & CHARGES POLICY REVIEW 2021/22

(Cabinet Member with Special Responsibility Councillor Whitehead)

Cabinet received a report from the Director of Corporate Services to endorse the Fees and Charges Policy for 2021/22 and consider the freezing of charges across all areas.

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

The policy attached to the report remains substantively unchanged and it is considered that it remains fit for purpose (at least in the short term) and it adequately covers Cabinet's budget proposals. As such, no options are presented and Cabinet is simply requested to endorse the policy, with a review being undertaken next year.

With regard to charges in general, it is proposed to freeze charges for the forthcoming financial year and the impact has been fed into the draft general fund budget for 2021/22. Should Members wish to apply inflation, further work to determine charging levels would need to take place and be fed into the budget setting process as appropriate.

The introduction of the new Housing Improvement Charge is subject to Member agreement and as such is included as a recommendation within this report.

Councillor Whitehead proposed, seconded by Councillor Parr:-

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

Councillors then voted:-

Resolved unanimously:

- (1) That Cabinet endorses the Fees and Charges Policy as set out at Appendix A to the report, and during 2021/22 as part of the mid-year budget strategy review determines whether any other areas of income generation be explored further for 2022/23 onwards.
- (2) That Cabinet endorses the freezing of charges across all areas, and notes the areas of significant reduction, as reported as part of the current 2021/22 budget setting process.
- (3) That Cabinet endorses the implementation of the new charges as reported as part of the current 2021/22 budget setting process.

Officers responsible for effecting the decision:

Director of Corporate Services
Director for Communities and the Environment
Director for Economic Growth & Regeneration

Reasons for making the decision:

Traditionally as part of the annual budget process all relevant fees and charges would be increased by inflation for the following year, in line with the annual inflationary review. However, largely due to the pandemic 2020/21 has been a totally indifferent year and key areas of income have been subject to government support equating to 75% of lost revenue, once a 5% relevant budget deduction has been applied. Whilst an inflationary freeze on fees across all areas will create further strain on the revenue budget the client base is considered to be extremely fragile at the moment. Temporary base budget reductions have prudently been included in key areas such as car parking and Salt Ayre Leisure Centre as they are not expected to return to pre-pandemic levels for budgetary purposes until 2022/23.

102 BUDGET & POLICY FRAMEWORK UPDATE

(Cabinet Member with Special Responsibility Councillor Whitehead)

Cabinet received a report from the Director of Corporate Services that provided an update on the Council's budget strategy for 2021/22 and financial outlook up to 2024/25. Specifically, the report considered the budget and council tax proposals for 2021/22.

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

Regarding the budget strategy, Cabinet may approve the proposals as set out, or require changes to be made to the suggested approach. The overriding aim of any

budget setting process is to approve a balanced budget by statutory deadlines, allocating resources to help ensure delivery of the Council's corporate and service ambitions. The proposed approach is in line with that broad aim and any changes that Cabinet puts forward should also be framed in that context.

In term of the actual budget position, this report puts forward a balanced budget. If Cabinet agrees the budget it will form their proposal to Budget Scrutiny Panel on 26 January 2021. The feedback from this meeting will be considered by Cabinet and incorporated into a final budget proposal which will be considered at the Cabinet meeting on 09 February 2021 and recommended to Council on 24 February 2021.

Councillor Whitehead proposed, seconded by Councillor Parr:-

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

Councillors then voted:-

Resolved unanimously:

- (1) That Cabinet make recommendations to Council regarding the Lancaster City Council element of the Council Tax as set out in paragraph 3.4 (option one) of the report which is a £5 increase to the Band D Council Tax (from £231.95 to £236.95).
- (2) That Cabinet makes recommendations regarding its initial budget proposals as set out in section 4 and appendix A of the report.
- (3) That the recommendations and proposals in this report be referred for scrutiny to the Budget and Performance Panel on 26 January and to full Council on 27 January for initial consideration in order that any feedback can be provided to Cabinet at its 09 February meeting.

Officers responsible for effecting the decision:

Director of Corporate Services
Chief Finance Officer

Reasons for making the decision:

The budget represents in financial terms what the Council is seeking to achieve through its Framework and incorporates measures to make progress in addressing the climate emergency and digital improvements as well as activities to address wellbeing, health and community safety. The decision enables Cabinet to make recommendations to Council in order to complete the budget setting process for 2021/22.

103 APPOINTMENT TO OUTSIDE BODIES

(Cabinet Member with Special Responsibility Councillor Lewis)

Cabinet received a report from the Chief Executive to make appointments to the vacancies on 3 outside bodies following the resignation from Cabinet of Councillor Sinclair. The vacancies related to the Lancaster Community Fund Grants Panel, the

Community Safety Partnership and to the Health and Wellbeing Partnership and Cabinet were recommended that the appointments be aligned as closely as possible to individual Cabinet Members' portfolios.

It was proposed by Councillor Lewis, seconded by Councillor Parr and resolved unanimously when put to the vote:

Resolved unanimously:

- (1) That Councillor Lewis be appointed to the Lancaster Community Funds Grants Panel and Councillor Parr appointed to both the Community Safety Partnership and the Health & Wellbeing Partnership.
- (2) That the outside bodies be notified of the revised appointments.

Officer responsible for effecting the decision:

Chief Executive

Reasons for making the decision:

Representation on Outside Bodies is part of the City Council's community leadership role and is consistent with the Council's Plan and Priorities.

104 EXCLUSION OF THE PRESS AND PUBLIC

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

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

Members then voted as follows:-

Resolved unanimously:

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

The 'live' Teams meeting concluded at 6.48pm and Cabinet convened in a private Teams meeting to consider the exempt item.

105 DISPOSAL OF SOUTH LODGE

(Cabinet Member with Special Responsibility Councillor Jackson)

Cabinet received a report from the Director for Communities and the Environment which

sought authorisation to dispose of South Lodge. The report was exempt from publication by virtue of paragraph 3 of Schedule 12A of the Local Government Act 1972.

The options, options analysis, including risk assessment and officer preferred option, were set out in the exempt report.

Resolved unanimously:

- (1) The resolution is set out in a minute exempt from publication by virtue of paragraph 3 of Schedule 12A of the Local Government Act, 1972.

Officer responsible for effecting the decision:

Director for Communities and the Environment

Reasons for making the decision:

The decision is consistent with the Council's priorities. Exactly how the decision fits with Council priorities is set out in the exempt minute.

Chair

(The meeting ended at 6.57 p.m.)

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

MINUTES PUBLISHED ON 22 JANUARY 2021.

**EFFECTIVE DATE FOR IMPLEMENTING THE DECISIONS CONTAINED IN THESE MINUTES:
1 FEBRUARY, 2021.**