

CABINET

6.00 P.M.

5TH DECEMBER 2023

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

Officers in attendance:-

Mark Davies	Chief Executive
Luke Gorst	Chief Officer - Governance and Monitoring Officer
Paul Thompson	Chief Officer - Resources and Section 151 Officer
Mark Cassidy	Chief Officer - Planning and Climate Change
Thomas Brown	Regeneration & Development Project Manager
Liz Bateson	Principal Democratic Support Officer

39 MINUTES

The minutes of the meeting held on Tuesday 24 October 2023 were approved as a correct record.

40 ITEMS OF URGENT BUSINESS AUTHORISED BY THE LEADER

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

41 DECLARATIONS OF INTEREST

No declarations were made at this point.

42 PUBLIC SPEAKING

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

43 COUNCIL PLAN 2024-2027

(Cabinet Member with Special Responsibility Councillor Phillip Black)

Cabinet received a report from the Chief Executive which presented a Council Plan for 2024-27 following the formation of a new Cabinet earlier this year.

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

	Option 1: Refer the Council Plan 2024-2027 to Council for adoption	Option 2: Take no action
Advantages	An up-to-date articulation of the Council's priorities will have been considered by the Council, with opportunity for valuable comment and	No specific advantages are identified for this option; if no action is taken, the Policy Framework would continue to be represented by the Priorities

	feedback. If adopted, subsequent strategic and financial decisions will be based on the most up-to-date ideas of Cabinet.	agreed in December 2021.
Disadvantages	No specific disadvantages are identified for this option.	The Council must have a Council Plan in place.
Risks	None identified.	The development and delivery of strategic priorities may be compromised by this option.

The recommended option is to proceed with referring the Council Plan 2024- 2027 to Council (Option 1). The report provided details of the reasons for creating the Council Plan 2024- 2027 and outlined the content of the document.

At this point in accordance with Cabinet Procedure Rule 17 (Chair's discretion regarding questions on reports) Councillor Gawith was invited to ask questions on the report.

Councillor Phillip Black proposed, seconded by Councillor Wood:-

"That the recommendation, as set out in the report, be approved with the following addition to 2.4 Investment and Regeneration : *Encouraging tourism and promoting our district as an attractive destination for leisure and culture.*"

Councillors then voted:-

Resolved unanimously:

- (1) That Cabinet recommend that Council adopt the Council Plan 2024-2027 with the revision to 2.4 Investment and Regeneration : *Encouraging tourism and promoting our district as an attractive destination for leisure and culture.*

Officer responsible for effecting the decision:

Chief Executive

Reasons for making the decision:

The Council Plan 2024-2027 will form the heart of the Council's Policy Framework, informing its strategic and financial decision-making. Adoption will enable the Council to move forward and provide direction for its Principles and Ambitions.

With the agreement of the meeting the Chair advised that he had reordered the agenda in order that the Delivering our Priorities item would be considered next.

44 DELIVERING OUR PRIORITIES: Q2 2023/24

(Cabinet Member with Special Responsibility Councillor Hamilton-Cox)

Cabinet received a report from the Chief Executive and 151 Officer that provided members with an update on performance, projects, and resources during the first two quarters of 2023/24 (April – September 2023). No options were provided as the report

was for commenting and noting.

Resolved unanimously:

- (1) That the report be noted.

Reasons for making the decision:

Performance, project and resource monitoring provides a link between the Council Plan and operational achievement by providing regular updates on the impact of operational initiatives against strategic aims.

45 MEDIUM TERM FINANCIAL STRATEGY 2024/25 - 2028/29

(Cabinet Member with Special Responsibility Councillor Hamilton-Cox)

Cabinet received a report from the Chief Finance Officer to provide an update on the Council's Medium Term Financial Strategy forecasts for 2023/24 to 2028/29 and outline the approach to balancing the budget.

As the report is for consideration no alternative options are put forward, the Cabinet could make supplementary recommendations regarding any matters.

It must be reiterated that the current forecasts do not include any interventions by Cabinet, Senior Leadership Team or the outcomes of the Local Government Settlement. Whilst some savings have been delivered, the forecasts show that potential annual and cumulative budget deficits remain over the next 5 years and continue to need to be addressed. In light of this, balancing the budget both in the short and the medium term remains a tough task and all Members must work together and recognise that they will face a number of difficult but key decisions as part of the forthcoming budget and over the coming financial years which will affect the manner in which it delivers its services.

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

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

Councillors then voted:-

Resolved unanimously:

- (1) That the draft future years estimates as set out in the report as the latest information available be noted, accepting that this is an interim position.
- (2) That the update be referred on to December Council for information.
- (3) That the Council Tax Base for 2024/25 as set out in paragraph 3.12. of the report be noted.

Officer responsible for effecting the decision:

Chief Officer Resources

Reasons for making the decision:

Performance, project, and resource monitoring provides a link between the Council Plan and operational achievement, by providing regular updates on the impact of operational initiatives against strategic aims.

46 RESOURCING THE REVIEW OF THE LANCASTER DISTRICT LOCAL PLAN

(Cabinet Member with Special Responsibility Councillor Parr)

Cabinet received a report from the Chief Officer - Planning and Climate Change to secure resourcing to support the Review of the Lancaster District Local Plan.

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

	Option 1: Resolve to resource the preparation of the revised Local Plan in accordance with the recent previous Cabinet and Council resolutions	Option 2: Resolve not to resource the preparation of the revised Local Plan in accordance with the recent previous Cabinet and Council resolutions.
Advantages	The Council will enable its officers to prepare a reviewed local plan. Having an up to date development plan is a responsibility of the authority; the need to review the plan was agreed by Cabinet in September this year and is in effect unavoidable given that it is evident the delivery of development requirements cannot now be achieved in accordance with the policies of the adopted plan. If the Council does not resource the decision to review the plan now it will have to do so in the not too distant future in any case as the Council would need to commence the review of its adopted Local Plan by July 2025	By delaying a decision to enable the review of Local Plan and maintaining reserves until such time as it does resolve to resource the necessary review of the Local Plan, the Council would retain its reserves for a longer period of time.
Disadvantages	None are apparent; except for a delay in a decision to release resources to review the Local Plan until a later date.	The Council would not enable its officers to prepare a review the local plan. The Council would therefore be a position of having acknowledged the need to review its local plan and resolved to do so; but would not have enabled that resolution to

		be achieved by resourcing it
Risks	Members have been made aware at both Cabinet and Council meetings in September of this year that the government has announced proposed changes to the national plan-making system. If the review of the Local Plan enabled by this decision is not completed by the end of 2026, or alternatively the Council later resolves to prepare a plan in accordance with the new national plan-making system, then prospectively some of the evidence that is procured to inform a review of the Local Plan under the current system may need to be refreshed and incur further cost	There would be a clear reputational risk to the Council arising from the evident inconsistency of having resolved that its Local Plan should be reviewed in September but then conversely not enabling that review to be undertaken by virtue of a decision in December. Meanwhile with the passing of time before the Local Plan would have to be reviewed in any case it would become increasingly difficult for the Council to maintain confidence in the relevance of the strategic policies of its Local Plan and continue to convincingly advocate the relevance of these policies in the determination of planning application proposals.

The officer recommendation is Option 1; to resolve to approve the recommendation of this report and thereby resource the preparation of the revised Local Plan in accordance with the recent previous Cabinet and Council resolutions. As previously advised the timetabling risks associated with the preferred option are very challenging, but it is considered to be the most appropriate response to recent developments and the likely emerging patterns of development within the district.

Councillor Parr proposed, seconded by Councillor Potter:-

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

Councillors then voted:-

Resolved unanimously:

- (1) That Cabinet approves the release from reserves for the reasons as described within this report and presented in the Financial Implications section to enable the review of the adopted Local Plan for Lancaster District during the remainder of financial year 2023/24 and continuing in 2024/25 and 2025/26.

Officers responsible for effecting the decision:

Chief Officer – Planning and Climate Change
 Chief Officer - Resources

Reasons for making the decision:

The preparation of Local Plan Documents which are part of the Council’s Development

Plan are part of the Council's Policy Framework (See Section 2.3 (c) of the Council's Constitution). The Council is obliged to prepare and maintain the Development Plan for Lancaster District as described by Section 19 of the Planning and Compulsory Purchase Act 2004. Although the Local Plan was adopted as recently as July 2020, in light of significant changes in circumstances, most particularly relating to the funding of strategic infrastructure in south Lancaster, the City Council has recently acknowledged (at Cabinet and Full Council) the need to review the Local Plan and has resolved to do so. The report sought the release of resources to enable the review to be undertaken. Maintaining an up-to-date development plan is a responsibility of the Council, thus the need to resource a review of the local plan would need to be taken at a later date in any case. By progressing the review now the Council can demonstrate that it is taking the appropriate and reasonable measures to ensure that it revisits its current development requirements and develops policies to enable delivery of them.

47 LOCALISED COUNCIL TAX SUPPORT

(Cabinet Member with Special Responsibility Councillor Hamilton-Cox)

Cabinet received a report from the Assistant Director (Head of Revenues and Benefits) to enable Cabinet to consider the existing Localised Council Tax Support ("LCTS") Scheme and the options available, ahead of formal consideration and approval by Council for application in 2024/25.

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

The challenge for the Council is to adopt a scheme that fits with its ambitions and priorities and is considered fair, deliverable and affordable, given statutory obligations and competing pressures for resources. Council is presented with two basic options:

Option 1:

Retain the existing Localised Council Tax Support (LCTS) scheme, subject to minor consequential amendments to match changes in Housing Benefit rules.

- The existing scheme is considered soundly structured and works well, and offers maximum support for low-income families, who may otherwise find themselves in mounting debt.

- current forecast assumes the continuation of the existing LCTS system and as such, maintaining current levels of support would normally have no impact on the Council's financial forecast. However, costs have increased in recent years with increased take-up due to Covid-19, although 2023/24 has seen a slow decline in the number of residents receiving LCTS, which would reduce costs if the trend continues in the longer term. However, the cost-of-living crisis may result in an increased number of claims.

- Retaining existing policy principles of keeping various positive entitlement provisions for LCTS in line with other key welfare benefits promotes equality.

Option 2: Make changes to the existing Localised Council Tax Support (LCTS) Scheme to reduce benefit entitlement for working age claimants.

- Currently 9,574 residents claim LCTS in the Lancaster district. As pensioners make up

38% (3,625) of claimants, it means any cut in the level of support provided falls on the remaining 62% (5,949) of working age people on low incomes.

- A reduction in the levels of support provided could arguably provide claimants with further incentives to work, reducing their reliance on benefits, although the jobs market is particularly uncertain at this difficult time.

- This option will have greater adverse financial impact on working age households but would help protect other Council services by requiring less savings to be made by them.

- If levels of support are reduced, the Council would be tasked with the difficulty of collecting this debt from the more vulnerable members of our society, increasing workloads and costs associated with council tax recovery.

- Additional costs associated with developing new scheme options, consultation exercise, legal changes to scheme etc.

	Option 1: Retain the existing LCTS scheme	Option 2: Amend the LCTS scheme to reduce entitlement
Advantages	The current scheme provides support up to a level of 100% and assists those on low incomes	Financial savings to Lancaster City Council and the other precepting authorities.
Disadvantages	The Government does not fully fund the cost of a 100% LCTS scheme. The additional cost falls on Lancaster City Council and the other precepting authorities	A reduction in support would result in Council Tax increases for those on low incomes. The Council Tax team would need to recover more money, often from those least able to make payments.
Risks	The cost of the scheme may increase due to an increase in new claims as the cost-of-living crisis progresses.	Reduced collection rates and increased debt. Potential reputational damage.

The officer preferred option is to retain the existing Localised Council Tax Support Scheme for 2024/25 (Option 1). This will assist financially vulnerable Council Tax customers in the Lancaster City Council District.

The Council’s existing LCTS scheme works well in terms of providing support, but at a cost, particularly for the County Council. To date the Council has attached a high priority to maintaining council tax support levels available to working age claimants (pensioners being unaffected by Council’s decision).

Adoption of a particular option should be informed by Council’s views regarding the relative priority of LCTS, compared with other services and activities in support of future corporate priorities.

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

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

Councillors then voted:-

Resolved unanimously:

- (1) That the existing Localised Council Tax Support Scheme for 2024/25 (Option 1) be retained.

Officers responsible for effecting the decision:

Assistant Director (Head of Revenues and Benefits)
Chief Officer Resources

Reasons for making the decision:

The LCTS scheme is developed in support of ambitions within the Council Plan regarding “Healthy and Happy Communities” to optimise access for those that need it most, together with welfare benefits and related support. The ambition is to continue with a LCTS scheme for the Council, which supports the objective of simplicity, but protects the most vulnerable residents in the district. The Council must continue to ensure that it has due regard to equality in making its local scheme, including how it will minimise disadvantage.

48 STRATEGIC RISK REGISTER

(Cabinet Member with Special Responsibility Councillor Phillip Black)

Cabinet received a report from the Chief Executive to provide Cabinet with an update on the authority’s progress in updating the Strategic Risk Register. The Leader had agreed for this to be considered by Cabinet following a request from the Chair of Audit Committee in accordance with Part 3, Section 2, Cabinet Procedure Rule 16 of the Constitution.

It was reported that appendix A and appendix B to the report had been considered by the Audit Committee on 22 November 2023. The Audit Committee had requested that the Council’s Strategic Risk Register, which is updated quarterly, be seen by Cabinet to be noted. No options were provided as the report was for noting.

Resolved unanimously:

- (1) That the report be noted.

Reasons for making the decision:

The Council have a Risk Management Policy, which is written to provide guidance on the management of risk. Risk Management is identified in the proposed Council Plan 2024-27.

49 RISK APPETITE

(Cabinet Member with Special Responsibility Councillor Phillip Black)

Cabinet received a report from the Chief Executive to enable Cabinet to note and

endorse the appropriate risk appetite levels for the Council. The Leader had agreed for this to be considered by Cabinet following a request from the Chair of Audit Committee in accordance with Part 3, Section 2, Cabinet Procedure Rule 16 of the Constitution.

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

	Option 1: Endorse the recommended risk appetite levels as proposed in appendix A.	Option 2: Set different risk appetite levels, using the definitions in appendix A.	Option 3: Write and adopt new risk appetite definitions, specific to LCC
Advantages	Best practice on risk categories and risk appetite levels will be adopted.	Decision makers are satisfied with the adopted risk levels.	The risk appetite definitions will be very specific to LCC
Disadvantages	Resource time is necessary to deliver this work.	Resource time is necessary to deliver this work.	Resource time and effort required to create appropriate risk appetite levels for each risk category. The risk appetite levels will not follow any kind of best practice.
Risks	Adopting best practice would strengthen the councils risk management and make it fit for the future.	Adopting best practice would strengthen the councils risk management and make it fit for the future.	Not following best practice or any defined model will not allow the council to compare its risks to that of other local authorities.

The recommended option is to proceed with endorsing the recommended the risk appetite levels as shown in appendix A (Option 1). Members considered the risk categories and definitions and after some discussion it was agreed to vote on whether 'operations' and 'legal' should be moved.

It was proposed by Councillor Wilkinson and seconded by Councillor Ainscough and agreed unanimously when put to the vote 'that Operations be amended from cautious to open.'

Resolved unanimously.

- (1) That Operations be amended from cautious to open.

It was then proposed by Councillor Hamilton-Cox and seconded by Councillor Caroline Jackson: 'that Legal be revised from minimal to cautious.' Upon being put to the vote **(8 Members (Councillors Ainscough, Phillip Black, Dowding, Hamilton-Cox, Caroline Jackson, Parr, Potter & Wilkinson) voted in favour, 1 Member (Councillor Wood) voted against and 1 Member (Councillor Peter Jackson) abstained.)**

Resolved:

- (2) That Legal be revised from minimal to cautious.

Councillor Phillip Jackson then proposed, seconded by Councillor Peter Jackson:-

“That Appendix A be amended to reflect the revisions to ‘Operations’ and ‘Legal’ and that the revised risk appetite levels for risks across the Council be adopted with the inclusion of *‘whilst recognising that it may be necessary to deviate from the adopted risk appetite for individual decisions when there is a good reason to do so.’*”

Councillors then voted:-

Resolved unanimously:

- (3) That Appendix A be amended to reflect the revisions to ‘Operations’ and ‘Legal’ and that the revised risk appetite levels for risks across the Council be adopted with the inclusion of *‘whilst recognising that it may be necessary to deviate from the adopted risk appetite for individual decisions when there is a good reason to do so.’*”

Officer responsible for effecting the decision:

Chief Executive

Reasons for making the decision:

The Council have a Risk Management Policy, which is written to provide guidance on the management of risk. Risk Management is identified in the proposed Council Plan 2024-27. Endorsing the recommended risk appetite levels will strengthen the council’s approach to risk management.

50 EXCLUSION OF THE PRESS AND PUBLIC

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

“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.

51 CENTENARY HOUSE (FORMER CO-OP DEPARTMENT STORE), REGENT ROAD, MORECAMBE: BRLF2 GRANT FUNDED ABNORMAL WORKS (Pages 13 - 15)

(Cabinet Member with Special Responsibility Councillor Wilkinson)

Cabinet received a report from the Chief Officer Sustainable Growth. The report was exempt from publication by virtue of paragraph 3, Schedule 12A of the Local Government Act, 1972.

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

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

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

Councillors then voted:-

Resolved unanimously:

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:

Chief Officer Sustainable Growth

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 7.50 p.m.)

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

MINUTES PUBLISHED ON FRIDAY 8 DECEMBER, 2023.

**EFFECTIVE DATE FOR IMPLEMENTING THE DECISIONS CONTAINED IN THESE MINUTES:
MONDAY 18 DECEMBER, 2023.**

Document is Restricted