

CABINET

6.00 P.M.

4TH JUNE 2024

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

Apologies for Absence:-

Councillor Nick Wilkinson

Officers in attendance:-

Mark Davies	Chief Executive
Luke Gorst	Chief Officer - Governance and Monitoring Officer
Joanne Wilkinson	Chief Officer - Housing and Property
Maurice Brophy	Service Manager - Planning and Housing Strategy
Liz Bateson	Principal Democratic Support Officer

1 MINUTES

The minutes of the meeting held on Tuesday 16 April 2024 were approved as a correct record.

2 ITEMS OF URGENT BUSINESS AUTHORISED BY THE LEADER

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

3 DECLARATIONS OF INTEREST

No declarations were made at this point

4 PUBLIC SPEAKING

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

It was noted that Councillor Parr had been delayed and with the agreement of the meeting the Chair suggested a revision to the order of the agenda with the item on Biodiversity Duty Obligations, which was in the names of Councillors Ainscough and Parr, considered following Councillor Parr's arrival.

5 PRODUCTIVITY IN LOCAL GOVERNMENT - 'PRODUCTIVITY PLAN'

(Cabinet Member with Special Responsibility Councillor Phillip Black)

Cabinet received a report from the Chief Executive to endorse the council's Productivity Plan, in response to the Productivity in Local Government request, from the Department for Levelling Up, Housing & Communities (DLUHC).

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

were set out in the report as follows:

	Option 1: Endorse the Productivity Plan for submission.	Option 2: Do not endorse the Productivity Plan for submission.
Advantages	If endorsed, officers will be able to finalise the Productivity Plan and submit of time.	No specific advantages are identified for this option. Although this could enable further re drafting in time for the submission deadline.
Disadvantages	No specific disadvantages are identified for this option.	The Council must submit its productivity plan by the submission date.
Risks	None identified.	None identified.

The recommended option is to proceed with endorsing the Productivity Plan so that officers can submit the final version (Option 1).

Councillor Phillip Black proposed, seconded by Councillor Hamilton-Cox:-

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

Councillors then voted:-

Resolved unanimously:

- (1) That the finalising and submission of the Productivity Plan be delegated to the Chief Executive, in consultation with the Leader.

Officer responsible for effecting the decision:

Chief Executive

Reasons for making the decision:

The Productivity Plan mirrors current Policy Framework and will contribute to strategic and financial decision-making already set out in the Council Plan 2024-2027. Cabinet endorsement will enable officers to submit the Productivity Plan to the Department for Levelling Up, Housing and Communities (DLUHC).

Councillor Parr joined the meeting during consideration of the following item.

6 ANNUAL COMPLAINTS REPORT

(Cabinet Member with Special Responsibility Councillor Wood)

Cabinet received a report from the Chief Officer- Housing and Property to provide an update on changes to complaints handling in line with the new joint Code of Practice from the Housing Ombudsman and Local Government and Social Care Ombudsman, including share performance information and required / voluntary self-assessments.

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

	Option 1: That the approach to complaint code compliance as set out in this report be approved	Option 2: That an alternative approach to complaint handling be proposed
Advantages	Reassurance remains in place with regard to housing complaints, and the Council uses the voluntary requirements of the code to improve and standardise complaint handling across the wider Council with a view to compliance within 12 months time, in preparation for the LGSCO mandating this requirement	Unknown
Disadvantages	The Council accepts current non-compliance as a realistic position for non-housing complaints with a view to continuous improvement.	Unknown
Risks	Inconsistency of complaint handling while new processes are bedded in.	Unknown

Option 1 is the preferred officer option as this allows officers to work towards a realistic plan for full compliance across the Council.

Councillor Wood proposed, seconded by Councillor Caroline Jackson:-

“That recommendation 1 as set out in the report be approved with recommendation 2 revised to read: *that Cabinet delegate the ability to provide a publishable statement to Chief Officer for Housing and Property in consultation with the portfolio holder with responsibility for Complaints.*”

Councillors then voted:-

Resolved unanimously:

- (1) That Cabinet notes the proposal set out in this report and approves the principles and approach to complaint handling across the Council.
- (2) That Cabinet delegate the ability to provide a publishable statement to Chief Officer for Housing and Property in consultation with the portfolio holder with responsibility for Complaints.

Officer responsible for effecting the decision:

Chief Officer – Housing and Property

Reasons for making the decision:

The decision is consistent with the Council Plan priority of *A Co-operative, Kind, and Responsible Council*.

Effective complaint handling and the adoption of a positive complaints culture offers vital feedback on service delivery and should be treated as an opportunity for improvement. The joint Complaint Code adopted by the HO and LGCSO provides clarity in this area. It prioritises open, transparent communication with complainants; consistency in responses and response times; accessibility for complainants; and a strong focus on evidenced learning from complaints. The proposals set out in the report outline the Council’s commitment to effective complaint handling, confirms in which areas the Council is already compliant, and outlines an ambition for full compliance.

7 MEETING THE ENHANCED BIODIVERSITY DUTY OBLIGATIONS

(Cabinet Member with Special Responsibility Councillors Parr and Ainscough)

Cabinet received a report from the Chief Officer – Planning and Climate Change to formally set out the City Council’s enhanced statutory responsibilities for biodiversity introduced as part of the Environment Act 2021. The Environment Act introduced a new Biodiversity Duty for all public authorities. The new Duty requires all public authorities who operate in England to consider what they can do to strengthen and enhance biodiversity and report on the delivery of these actions.

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

	Option 1: Cabinet approves the actions set out in ‘Meeting the Biodiversity Duty – First Considerations’ (Appendix 1 to this report) to ensure that it can demonstrate that it has taken appropriate action to address new Biodiversity Duty obligations introduced by Environment Act 2021.	Option 2: Cabinet does not approve the actions set out in ‘Meeting the Biodiversity Duty – First Considerations’ (Appendix 1 to this report) to ensure that it can demonstrate that it has taken appropriate action to address new Biodiversity Duty obligations introduced by Environment Act 2021.
Advantages	The Council sets itself a clear set of actions that should enable it to demonstrate that it has acted responsibly and appropriately to address the new Biodiversity Duty introduced by the Environment Act whilst also demonstrating actions to address its own declaration of an Ecological Emergency.	None apparent.
Disadvantages	None apparent.	The Council will not have committed to achieving a clear

		set of actions that should enable it to demonstrate that it has acted responsibly and appropriately to address the new Biodiversity Duty introduced by the Environment Act whilst also demonstrating actions to address its own declaration of an Ecological Emergency.
Risks	In describing its intentions to address the new obligations and publishing its First Considerations Report the Council will be committing itself to actions that it will need to resource.	The Council may be criticised or censured by government for not preparing a First Consideration Report when the need to do so is clearly set out by the Environment Act 2021.

The preferred option is Option 1: Cabinet approves the actions set out in ‘Meeting the Biodiversity Duty – First Considerations’ (Appendix 1 to this report) to ensure that it can demonstrate that it has taken appropriate action to address new Biodiversity Duty obligations introduced by Environment Act 2021. In doing so the Council will have set itself a clear set of actions that should enable it to demonstrate that it has acted responsibly and appropriately to address the new Biodiversity Duty introduced by the Environment Act whilst also demonstrating actions to address its own declaration of an Ecological Emergency.

Councillor Ainscough proposed, seconded by Councillor Dowding:-

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

Resolved unanimously:

- (1) That Cabinet approves the actions set out in ‘Meeting the Biodiversity Duty – First Considerations’ report to ensure that the City Council can demonstrate that it intends to take appropriate actions to address the enhanced Biodiversity Duty obligations introduced by Environment Act 2021.

Officer responsible for effecting the decision:

Chief Officer – Planning and Climate Change

Reasons for making the decision:

The decision is consistent with the Council Plan: The objectives of the report support and complement The Council Plan’s Ambition 1.4 “Respecting Nature” on Ecology & Biodiversity to “increase biodiversity, protect our district’s unique ecology and ensure the habitat provided for wildlife is maintained”.

The decision is also consistent with the Planning & Climate Change Service Business Plan 2024-2025: The objectives of the report support and complement the Service Business Plan objective 1.4 on Respecting Nature. This sets Service priorities aligned

with the Council Plan that aim to integrate the new Biodiversity Officer role into service to help deliver net gains across the district.

8 STRATEGIC RISK MANAGEMENT

(Cabinet Member with Special Responsibility Councillor Phillip Black)

Cabinet received a report from the Chief Executive that provided Cabinet with an update on the authority's progress in updating the Strategic Risk Register.

During consideration of this report clarification was sought with regard to a risk within the exempt appendix and with the agreement of the meeting Cabinet excluded the press and public whilst the Chief Executive provided that clarification. The press were then re-admitted to the meeting.

As the report was for noting no options were provided.

Resolved unanimously:

That the updated Strategic Risk Registers for Q3 and Q4 23/24, as appended to 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 Council Plan 2024-27.

9 PROJECTS AND PERFORMANCE: Q4 2023-24

(Cabinet Member with Special Responsibility Councillor Hamilton-Cox)

Cabinet received a report from the Chief Executive that provided an update on performance and projects during quarter four of 2023 - 24 (January - March 2024).

As the report was for commenting and noting no options were provided.

Resolved unanimously:

That the report be noted.

Reasons for making the decision:

Monitoring of strategic projects and key performance indicators provides a link between the Council Plan 24-27 by providing progress updates.

Chair

(The meeting ended at 7.06 p.m.)

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

MINUTES PUBLISHED ON THURSDAY 6 JUNE 2024

**EFFECTIVE DATE FOR IMPLEMENTING THE DECISIONS CONTAINED IN THESE MINUTES:
FRIDAY 14 JUNE, 2024.**