

PROCEEDINGS

A meeting of the Lancaster City Council was held in the Town Hall, Lancaster, at 6.00 p.m. on Wednesday, 31 March 2010, when the following Members were present:-

Roger Sherlock (Mayor)

June Ashworth

Jon Barry

Susan Bray

Abbott Bryning

Shirley Burns

Susie Charles

Chris Coates

Roger Dennison

Sheila Denwood

Jane Fletcher

John Gilbert

Emily Heath

Val Histed

Andrew Kay

Geoff Knight

Karen Leytham

Ian McCulloch

Joyce Pritchard

Ron Sands

Malcolm Thomas

Morgwn Trolinger

Maia Whitelegg

Peter Williamson

Robert Redfern (Deputy Mayor)

John Barnes

Eileen Blamire

Ken Brown

Keith Budden

Anne Chapman

Tina Clifford

John Day

Jean Dent

Sarah Fishwick

Melanie Forrest

Janice Hanson

Helen Helme

Tony Johnson

David Kerr

Stuart Langhorn

Geoff Marsland

Roger Plumb

Peter Robinson

Keith Sowden

Jude Towers

Tony Wade

John Whitelegg

Paul Woodruff

111 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Evelyn Archer, Rebekah Gerrard, Charles Grattan, Mike Greenall, Janie Kirkman, Roger Mace, Bob Roe, Sylvia Rogerson and Joyce Taylor.

112 DECLARATIONS OF INTEREST

Councillor Woodruff declared a personal interest at this stage in relation to markets, having a market stall lease with another local authority, should any reference be made to that authority during the course of discussions on Lancaster Market.

113 LANCASTER MARKET

Further to Minute No. 10, the Leader presented a report of Cabinet which referred to Council the options available in relation to the future of Lancaster Market.

This report had been prepared following the deliberations of the working group established by Council on 3 March 2010 to consider a proposal put forward by the market traders and to further investigate any other available options.

It was reported that the informal Cabinet Working Group had met on four occasions to gather information and consult with various relevant stakeholders, groups and organisations prior to Cabinet receiving the report on 23 March 2010. The report to Cabinet set out three options, for each of which the financial and legal implications were separately identified.

These three options were to pursue the proposal for a single retailer in the market building, to continue with the market on the upper floor only, with the ground floor let to a single retailer or to refurbish the existing market. It was noted that there was not an option to do nothing.

Having presented the report, it was moved by Councillor Charles and seconded by Councillor Bray that the meeting adjourn for 15 minutes to allow members to consider within their political groups the motions which had been tabled at the start of the meeting.

On being put to the vote, the Mayor declared the proposition clearly carried.

The meeting adjourned for 15 minutes and reconvened at 6.30pm.

On reconvening the Mayor invited questions to both the Cabinet Leader who had presented the report and also to officers present who were able to provide professional advice and clarification of the complex position.

The Mayor reminded Members that the appendices to the original report to Cabinet contained exempt information and should there be any questions on this part of the report he would take these at the end after a resolution to exclude the press and public.

There were a large number of questions on the public part of the report and it was then moved by Councillor Denwood and seconded by Councillor Hanson that the press and public be excluded from the meeting to allow questions to be asked on that part of the report which contained exempt information. On being put to the vote the Mayor declared the motion clearly carried.

Resolved:

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 press and public then left the room.

There followed many more questions on the exempt part of the report at the conclusion of which the Mayor suggested a short adjournment to allow a few minutes break whilst the press and public returned.

With the agreement of the meeting, the Mayor adjourned at this point for a five minute break.**The press and public were re-admitted to the meeting.****The meeting reconvened at 9.10pm**

It was then moved by Councillor Barry and seconded by Councillor Blamire:

'Council notes that the Council has been unable to secure a single tenant to its satisfaction since January 2008 and also that the option of a market on one floor is expensive in terms of capital costs and has many legal difficulties. Council also notes the desirability of a thriving indoor market in terms of employment and service to the district. Council therefore resolves:

- (1) That the City Council renews all existing tenancy agreements in accordance with the Landlord and Tenant Act.
- (2) That the City Council endeavours to negotiate by agreement an amendment to the terms and conditions which would permit the City Council to consider any plans to refurbish the market hall.
- (3) That a sum of £150,000 is set aside that can be used for professional advice on running a successful market and on potential costs of refurbishment. However, money spent on consultants should be kept to the minimum possible.
- (4) That the option to tax the market should be re-affirmed, should this be necessary, to protect the Council from any VAT liability on any of the proposed capital works.
- (5) That a working group of councillors from all groups be set up to oversee plans for refurbishment and revitalisation of the market. That this working group gets expert advice and considers visiting other successful indoor markets.
- (6) That this working group report back to cabinet at key points.
- (7) That the Council looks at all options in terms of reducing the overheads of the market and on the staff needed to make Lancaster market more successful.
- (8) That the working group considers the advantages of licences/tenancies for new businesses in the market.

- (9) That the working group considers options such as making the market more food-based (particularly local food), attracting key businesses, such as a bakery, and marketing the market as a visitor attraction for the city centre.'

There followed a lengthy debate, during it which it was proposed by Councillor Johnson as a friendly amendment:

"That the words 'at market rates' be added after 'tenancy agreements' in (1) above."

Councillor Barry did not accept this as a friendly amendment however and the amendment fell.

The debate continued and at the conclusion a recorded vote was requested in accordance with Council Procedure Rule 19.4. The votes were recorded as follows:

For the motion:

Councillors Jon Barry, Eileen Blamire, Abbott Bryning, Anne Chapman, Tina Clifford, Chris Coates, Sheila Denwood, Jane Fletcher, Melanie Forrest, Janice Hanson, Emily Heath, Helen Helme, Andrew Kay, Karen Leytham, Ian McCulloch, Robert Redfern, Ron Sands, Roger Sherlock, Keith Sowden, Jude Towers, Morgwn Trolinger, John Whitelegg, Maia Whitelegg and Paul Woodruff. (24)

Against the motion:

Councillors June Ashworth, John Barnes, Ken Brown, Keith Budden, Shirley Burns, Susie Charles, John Day, Roger Dennison, Sarah Fishwick, John Gilbert, Val Histed, David Kerr, Geoff Knight, Stuart Langhorn, Geoff Marsland, Roger Plumb, Peter Robinson, Tony Wade and Peter Williamson. (19)

Abstentions:

Councillors Susan Bray, Tony Johnson and Malcolm Thomas. (3)

24 Members having voted for the motion, 19 against and 3 abstentions, the Mayor declared the motion carried.

Resolved:

Council notes that the Council has been unable to secure a single tenant to its satisfaction since January 2008 and also that the option of a market on one floor is expensive in terms of capital costs and has many legal difficulties. Council also notes the desirability of a thriving indoor market in terms of employment and service to the district. Council therefore resolves:

- (1) That the City Council renews all existing tenancy agreements in accordance with the Landlord and Tenant Act.
- (2) That the City Council endeavours to negotiate by agreement an amendment to the terms and conditions which would permit the City Council to consider any plans to refurbish the market hall.
- (3) That a sum of £150,000 is set aside that can be used for professional advice on running a successful market and on potential costs of refurbishment. However, money spent on consultants should be kept to the minimum possible.
- (4) That the option to tax the market should be re-affirmed, should this be necessary, to protect the Council from any VAT liability on any of the proposed capital works.

- (5) That a working group of councillors from all groups be set up to oversee plans for refurbishment and revitalisation of the market. That this working group gets expert advice and considers visiting other successful indoor markets.
- (6) That this working group report back to cabinet at key points.
- (7) That the Council looks at all options in terms of reducing the overheads of the market and on the staff needed to make Lancaster market more successful.
- (8) That the working group considers the advantages of licences/tenancies for new businesses in the market.
- (9) That the working group considers options such as making the market more food-based (particularly local food), attracting key businesses, such as a bakery, and marketing the market as a visitor attraction for the city centre.

Mayor

(The meeting finished at 10.05 p.m.)

**Any queries regarding these Minutes,
please contact Gillian Noall, Head of Democratic Services
telephone (01524) 582060 or email gnoall@lancaster.gov.uk**