

## PROCEEDINGS

A meeting of the Lancaster City Council was held in the Town Hall, Morecambe, at 2.00 p.m. on Wednesday, 12 September 2012, when the following Members were present:-

Sheila Denwood (Mayor)	Robert Redfern (Deputy Mayor)
June Ashworth	Josh Bancroft
Jon Barry	Mark Bevan
Eileen Blamire	Dave Brookes
Abbott Bryning	Shirley Burns
Susie Charles	Chris Coates
Roger Dennison (Mayor)	Paul Gardner
Kathleen Graham	Mike Greenall
Janet Hall	Tim Hamilton-Cox
Janice Hanson	Billy Hill
Val Histed	Joan Jackson
Alycia James	Tony Johnson
Andrew Kay	Tracey Kennedy
Geoff Knight	Karen Leytham
Roger Mace	Geoff Marsland
Terrie Metcalfe	Ceri Mumford
Richard Newman-Thompson	Jane Parkinson
Ian Pattison	Margaret Pattison
Sylvia Rogerson	Richard Rollins
Ron Sands	Elizabeth Scott
Roger Sherlock	David Smith
Keith Sowden	Susan Sykes
Joyce Taylor	David Whitaker
Peter Williamson	

**56 APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Paul Aitchison, Tony Anderson, Keith Budden, Jonathan Dixon, Melanie Forrest, John Harrison, Helen Helme, David Kerr, Pam Pickles, Vikki Price, Emma Smith, Malcolm Thomas and Paul Woodruff.

**57 MINUTES**

The Minutes of the meeting held on 18 July 2012 were signed by the Mayor as a correct record.

**58 DECLARATIONS OF INTEREST**

Members advised of the following interests at this stage:

Councillor Dennison declared an interest in relation to the Urgent Business item regarding the SCIC as his son was part of a company renting an office space in the Storey building and advised he would withdraw from the meeting for that item. (Minute No. 66 refers.)

Councillor Charles reported that she would need to declare an interest should there be any reference made to land she owned during item 11, the Draft Local Plan for Lancaster District.

**59 ANNOUNCEMENTS - HONORARY FREEMAN BETTY PICKARD**

The Mayor reported the sad death of Honorary Freeman Cecilia Mabel (Betty) Pickard on Friday 27 July 2012. Mrs Pickard died peacefully at Laurel Bank Care Home at the age of 97.

Mrs Pickard was a member, latterly Alderman, of both the City and County Councils until Local Government reorganisation in 1974. She was Mayor in 1959 and was awarded the Honorary Freedom of the City in 1971.

Mrs Pickard's funeral was held on 6 August 2012.

**Members stood in a minute's silence in her memory.**

**60 ANNOUNCEMENTS - SPECIAL COUNCIL**

The Mayor reminded all Councillors that the next meeting, on 17 October, would be a Special Council meeting. Young people across the district had been invited to meet Councillors and engage in a session of 'Political Speed Dating' and play the 'Pupil Power' game. The meeting would be held at Lancaster Town Hall commencing at 1pm.

**61 ANNOUNCEMENTS - MAYOR'S LUNCHEON**

The Mayor thanked everyone who had purchased tickets for her luncheon to be held in the Banqueting Suite on 22 September 2012. The event was now sold out.

**62 ANNOUNCEMENTS - HILLSBOROUGH DISASTER**

The Mayor informed Councillors that she had been asked by a Councillor to request a minutes' silence in memory of the people who died in the Hillsborough football disaster in

1989. Members agreed to the request.

***Resolved:***

That Council observe a one minute silence, starting at 3.06pm, the time the football match was stopped by the referee, in memory of all those who died at Hillsborough.

It was noted that the Mayor had agreed to re-order the agenda in the interests of the efficient running of the meeting because several items had been deferred from the July Council meeting. Items 7 and 12 would be taken together and item 10 would follow item 15.

**63 QUESTIONS FROM THE PUBLIC UNDER COUNCIL PROCEDURE RULE 12**

The Mayor advised that no questions had been received from members of the public in accordance with the provisions of Council Procedure Rule 11.

**64 LEADER'S REPORT**

To receive the Cabinet Leader's report on proceedings since the last meeting of Council.

The Leader presented two reports, one deferred from the July Council meeting, updating Members on various issues since her last report to Council on 13 June 2012. There was one question from a Councillor, which the Leader responded to.

***Resolved:***

That the report be noted.

**65 NOTICE OF MOTION - POLICE BUDGETS**

Council considered a motion deferred from the July meeting of Council. The motion had been submitted by Councillors Ian Pattison, David Smith, Margaret Pattison, David Whitaker, Ron Sands, Paul Aitchinson and Robert Redfern.

It was moved by Councillor Ian Pattison and seconded by Councillor Whitaker:

"This Council requests that the Chief Executive of Lancaster City Council write to the Home Secretary to express growing concerns at the 20% reduction on police budgets, as discussed at a recent meeting of the Lancashire Police Authority, which stated that this reduction in the police budget has resulted in an increase in crime.

Lancaster City Council therefore calls upon Teresa May MP to seriously look at reversing these cuts to enable the people across the district to receive the level of protection and police presence they deserve."

It was noted that the proposers of the motion had asked for the wording to be changed slightly from that appearing on the Council agenda of 18 July 2012.

An Officer briefing note had been provided for Members' information.

Following a lengthy debate, the Mayor called for a vote to be taken. 24 Members voted for the motion, 17 against and 5 Members abstained. The Mayor declared the motion carried.

**Resolved:**

- (1) This Council requests that the Chief Executive of Lancaster City Council write to the Home Secretary to express growing concerns at the 20% reduction on police budgets, as discussed at a recent meeting of the Lancashire police Authority, which stated that this reduction in the police budget has resulted in an increase in crime.
- (2) Lancaster City Council therefore calls upon Teresa May MP to seriously look at reversing these cuts to enable the people across the district to receive the level of protection and police presence they deserve.

**66 A DRAFT LOCAL PLAN FOR LANCASTER DISTRICT: PREPARATION OF 'DRAFT PREFERRED OPTIONS' LAND ALLOCATION, DEVELOPMENT MANAGEMENT AND MORECAMBE AREA ACTION PLAN DPDS**

*(During this item, Members observed a one minute silence for those who died at Hillsborough.)*

Council considered a report submitted by the Head of Regeneration and Planning and deferred from the Council meeting held on 18 July 2012. The report sought a resolution from Council to publish and consult on a Draft Local Plan for Lancaster District comprising a Land Allocations Development Plan Document (DPD), Development Management (DPD) and an Area Action Plan for Morecambe (MAAP).

The key issues arising from the various documents were highlighted in the report, which advised on the arrangements for progressing the documents through to the formal publication and submission stages, commencing with an extensive period of public consultation beginning, provisionally, on Monday 22 October 2012 and concluding on Friday 14 December 2012.

There were several questions from Members which the Head of Planning and Regeneration responded to. Councillor Hanson then proposed the recommendations set out in the report, seconded by Councillor Sherlock.

Councillor Barry proposed an amendment in the form of an addendum, seconded by Councillor Blamire:

“That policy CWL5: Willow Lane/Coronation Field (page 65 of part B – Land Allocations DPD) is changed so that the second paragraph reads (addition is shown in italics):

*‘Exceptionally, the Council may support proposals for enabling development within that part of the site identified as a Regional Priority Area on this site only where the proposal is required to support quantitative and qualitative improvements to recreation and open space on the site and where recreation and open space remain the main use on this site.’*”

Councillor Barry’s amendment was accepted as a friendly amendment by the mover and seconder of the original motion.

Councillor Coates then proposed an amendment, seconded by Councillor Mace:

“That Council resolves to publish and consult on a Draft Local Plan for Lancaster District comprising a Land Allocations Development Plan Document (DPD), Development Management (DPD) and an Area Action Plan for Morecambe (MAAP).

- (1) That the Land Allocations Development Plan document includes a further option for consultation that asks the public if they would prefer to continue with the current policy detailed in the Core Strategy of urban concentration within existing urban boundaries, whereby new housing developments are carried out on brownfield sites.
- (2) That the Land Allocations Development Plan document also includes an option for consultation that asks the public whether we should allow sensitive small scale developments in rural villages where these would contribute to improving the long-term sustainability of that village.

An extensive period of public consultation will commence, provisionally, on Monday 22 October 2012 and conclude on Friday 14 December 2012.”

After a short debate, a vote was taken on Councillor Coates’ amendment. 21 Members voted for the motion, 26 against and 1 abstention. The amendment was lost.

A vote was then taken on the substantive motion, which was clearly carried.

**Resolved:**

- (1) That a Draft Local Plan for Lancaster District, comprising a Land Allocations Development Plan Document (DPD), Development Management (DPD) and an Area Action Plan for Morecambe (MAAP), be published and consulted upon.
- (2) That an extensive period of public consultation be commenced, provisionally, on Monday 22 October 2012 and conclude on Friday 14 December 2012.

**67 STOREY INSTITUTE**

***(Councillor Dennison left the meeting at this point, having previously declared an interest.)***

Members considered a report from the Chief Executive about the Storey Institute. As well as providing an update on the current position regarding the operation of the Storey, the report sought direction from the Council on the future use of the building.

The Chief Executive, Head of Resources and Head of Governance responded to a number of questions from Councillors.

Councillor Blamire proposed:

- (1) That the current position be noted.
- (2) That subject to the outcome of the liquidation process for SCIC Ltd and assuming that the headlease be forfeit, or otherwise terminated, Council's preferred direction for the Storey Institute is to seek to continue operating as a Creative Industries Centre, without excluding other options, in order to make the building sustainable.
- (3) That Officers be authorised to investigate the removal of the restrictive covenant and to develop proposals in support of (2) above.
- (4) That it be noted that future decisions regarding the Storey Institute will be taken by Cabinet, subject to them being in accordance with the direction set under (2) above

and the existing budget framework.

Councillor Hanson seconded the proposition.

Councillor Ashworth proposed an addendum to (4), which was accepted as a friendly amendment by Councillors Blamire and Hanson:

“but that any decision regarding the status of the building be brought to full Council, for example, if it were offered for sale.”

Councillor Hamilton-Cox proposed an addendum to (2), which was accepted as a friendly amendment by Councillors Blamire and Hanson:

- (2) That subject to the outcome of the liquidation process for SCIC Ltd and assuming that the headlease be forfeit, or otherwise terminated, Council's preferred direction for the Storey Institute is to seek to continue operating as a Creative Industries Centre, without excluding other options, in order to make the building sustainable and that the Council works productively with the tenants and other stakeholders, to achieve these ends.

Councillor Mumford proposed an amendment to (3), to replace the word “removal” with “details” which was accepted as a friendly amendment by the mover and seconder of the proposition:

- (3) That Officers be authorised to investigate the details of the restrictive covenant and to develop proposals in support of (2) above.

There was a short debate before a vote was taken on the proposition, which was clearly carried.

***Resolved:***

- (1) That the current position be noted.
- (2) That subject to the outcome of the liquidation process for SCIC Ltd and assuming that the headlease be forfeit, or otherwise terminated, Council's preferred direction for the Storey Institute is to seek to continue operating as a Creative Industries Centre, without excluding other options, in order to make the building sustainable and that the Council works productively with the tenants and other stakeholders, to achieve these ends.
- (3) That officers be authorised to investigate the details of the restrictive covenant and to develop proposals in support of (2) above.
- (4) That it be noted that future decisions regarding the Storey Institute will be taken by Cabinet, subject to them being in accordance with the direction set under (2) above and the existing budget framework but that any decision regarding the status of the building be brought to full Council, for example, if it were offered for sale.

***(The meeting adjourned at 4.35pm for ten minutes, in accordance with Council procedure rule 11, reconvening at 4.45pm.)***

**68 EXCLUSION OF PRESS AND PUBLIC**

The Mayor reminded Council that it had been recommended to exclude the press and

public from the meeting for the following items (items 15 and items 10) on the grounds that they could involve the possible disclosure of exempt information.

Councillor Whitaker moved, seconded by Councillor Metcalfe:

“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.”

A vote was taken and the motion was 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 Public Gallery was cleared at this point.)*

**69 LANCASTER INDOOR MARKET**

Council considered a report of the Chief Executive providing an update on progress and seeking decisions regarding the Council’s leasehold interest in the Lancaster Market building. The report was exempt from publication by virtue of paragraph 3 of Schedule 12A of the Local Government Act 1972.

The Mayor informed Council that Mr Carl Walls of Smith Lambert Hampton and representatives of the Council’s external auditor KPMG were attending for this item.

There were several questions from Councillors which Mr Walls, and the representatives of KPMG responded to.

Councillor Barry proposed, seconded by Councillor Blamire:

- (1) That the current position regarding the market building be noted, together with the estimated costs involved in gaining vacant possession.
- (2) That in view of the information included in Appendices A to C of the exempt report, Council approves the surrender of the headlease on the terms as set out in exempt Appendix B, but with additional terms being sought through negotiations, as outlined in section 6.6 of the report.
- (3) That the budget framework be updated to reflect (2) above.
- (4) That Officers be authorised to conclude the negotiations and terms for surrender of the headlease, in consultation with the relevant portfolio holder and council leader, in accordance with (2) above and report back on the outcome.

There was no debate and a vote was taken on the proposition, which was clearly carried.

**Resolved:**

- (1) That the current position regarding the market building be noted, together with the

estimated costs involved in gaining vacant possession.

- (2) That in view of the information included in Appendices A to C of the exempt report, Council approves the surrender of the headlease on the terms as set out in exempt Appendix B of the report, but with additional terms being sought through negotiations, as outlined in section 6.6 of the report.
- (3) That the budget framework be updated to reflect (2) above.
- (4) That Officers be authorised to conclude the negotiations and terms for surrender of the headlease, in consultation with the relevant portfolio holder and council leader, in accordance with (2) above and report back on the outcome.

## 70 LANCASTER INDOOR MARKET

Members considered a report about Lancaster Indoor Market which had been deferred from the July meeting of Council. The report, submitted by the Chief Executive, presented background information to the briefing notes made available to Councillors at their meetings in September and November 2011.

The report was exempt from publication by virtue of Paragraph 3 of Schedule 12A of the Local Government Act 1972.

Councillor Barry spoke as Cabinet Member with special responsibility for Markets.

### **Resolved:**

That the report be noted.

*(Members of the press and public were re-admitted at this point.)*

## 71 QUESTIONS UNDER COUNCIL PROCEDURE RULE 13.2 (Pages 1 - 4)

The Mayor advised that there were seven questions.

Two questions had been received by the Chief Executive for the July meeting of Council which had been deferred to this meeting. These were:

- (1) Councillor Johnson to Councillor Hamilton-Cox regarding photo voltaic cells on Council property.
- (2) Councillor James to Councillor Barry regarding Lancaster Indoor Market.

Councillor James informed Council that she wished to withdraw her question to Councillor Barry since the particular issue in question had been rectified since she raised it.

Five questions had been received for this meeting and these were:

- (3) Councillor Scott to Councillor David Blamire regarding telephone answering.
- (4) Councillor Scott to the Chairman of Council Business Committee, Councillor Newman-Thompson, about the use of mobile phones during meetings.
- (5) Councillor Whitaker to Councillor Hanson regarding the empty properties in the Chatsworth Gardens area.
- (6) Councillor Rollins to Councillor Sands about the use of Segway Personal Transporters on Morecambe Promenade.
- (7) Councillor Whitaker to Councillor David Smith about the disused toilet block on

Marine Road West.

Details of the questions and answers together with any supplementary questions and responses are appended to these minutes.

**72 MINUTES OF CABINET**

Council considered the Cabinet minutes of the meetings held on 29 May, 3, 17 and 24 July.

***Resolved:***

That the minutes be noted.

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Mayor

(The meeting finished at 5.35 p.m.)

**Any queries regarding these minutes,  
please contact Debbie Chambers, Democratic Services - telephone (01524) 582057, or email  
dchambers@lancaster.gov.uk**

**1 QUESTION FROM COUNCILLOR JOHNSON TO COUNCILLOR HAMILTON-COX**

Have the photo voltaic cells on Council property been signed off by the installers?

Councillor Hamilton Cox replied that they hadn't been formally handed over yet. There was a problem at Salt Ayre which was being addressed but the warranty period did not start until the installations were formally signed off.

By way of a supplementary question, Councillor Johnson asked if all Councillors could be informed with the installations were signed off. Councillor Hamilton-Cox agreed to this request and informed Councillor Johnson that he was continuing a watching brief over progress and, indeed, was able to follow amounts generated day by day in pounds and pence using the Orsis metering system.

**2 QUESTION FROM COUNCILLOR SCOTT TO COUNCILLOR NEWMAN-THOMPSON**

Please can we have an agreement that Mobiles are switched off unless Councillors are expecting an emergency call from the family and a definite ban to texting during council proceedings, as it looks unprofessional.

Councillor Newman-Thompson answered that, in order to enforce such a protocol, there would need to be provision within the Council Procedure Rules. Currently, the Rules did not refer to the use of mobile phones during Council meetings, but he would be happy for the Council Business Committee to consider an appropriate provision.

**3 QUESTION FROM COUNCILLOR SCOTT TO COUNCILLOR BLAMIRE**

Is there a policy for Council in terms of how the telephone is answered? For example: when I call, sometimes the switch board say their name only, other times they say Lancaster City Council and named person, sometimes they say, switch board. It also applies to officers when put through or when using a direct number.

Can we have a generic way of answering the telephone which is more professional in its tone. For example, "Lancaster City Council, name of service, name of person speaking".

Councillor Blamire replied:

"The telephone answering protocol is set out in the Customer Service Policy for staff which is available on the City Council's intranet. The policy, which covers all council staff, states that all callers should be greeted as follows:

"Good Morning"/"Good Afternoon"

"Lancaster City Council (if an external caller) Service Name, Your Name, "How can I help you?"

When someone calls the main council number or one of the services for which Customer Services are the first port of call, customers receive a recorded message first which says: Welcome to Lancaster City Council." Then, depending on whether they have rung the 582000 number or a direct line number, customer services will either say 'Switchboard, X speaking, how can I help' or "Good morning, customer services, X speaking, how can I help"

All staff outside of Customer Services are required to use the same standard and are reminded from time to time via the staff team briefing process."

As her supplementary question, Councillor Scott asked if staff could be reminded.

Councillor Blamire agreed to this suggestion.

#### **4 QUESTION FROM COUNCILLOR WHITAKER TO COUNCILLOR HANSON**

In view of the need to address the poor state of the disused properties within the areas of Chatsworth Gardens and the fact we have been awarded the funding of £1.9 million pounds from the Government with the condition that we match fund it - how likely is it that we can obtain this match funding in order to address the issues of unkempt empty properties within the area of Chatsworth Gardens?

Councillor Hanson replied:

“In general terms, the likelihood comes down to priorities and whether the Council wants to direct resources into tackling this issue - potentially at the expense of other services. Even though the Council has many statutory responsibilities that it has to put money into, it still provides a lot of discretionary services and one way of finding match funding could be to redirect funds from other services.

The way that the Council makes these decisions is usually through its budget process. It's known that the Council has quite a lot of financial pressures to tackle and Chatsworth Gardens is one of these. (Others include Lancaster Market, the Storey and a capital programme severely hindered by the ongoing legal proceedings relating to land at Scotforth).

That said, it isn't simply an issue of finding match funding in this difficult financial climate. As well as match funding, the delivery of a refurbishment scheme requires a complex assessment, including assumptions about private investment. It needs to show value for money.

Having devised a potential scheme, Regeneration and Resources Officers are working through the practicalities, cost assumptions and risks associated with a potential project.

There will no doubt be many other councils who will be grateful that Ministers have made the potential of this funding available to them, but equally find that the biggest hurdle is generating the match funds in similar circumstances. We are writing to the Homes and Communities Agency and David Morris MP to ask if the match funding requirement can be relaxed.”

Councillor Whitaker asked a supplementary question about what was being done to find the match funding?

Councillor Hanson re-iterated that finding match funding was extremely difficult in the current economic climate and that was why she would be writing to the MP to see if he would ask for the match funding requirement to be relaxed.

#### **5 QUESTION FROM COUNCILLOR ROLLINS TO COUNCILLOR SANDS**

Will the Cabinet Member investigate the possibility of introducing Segway personal electric transportation on Morecambe Promenade as these 'vehicles' are both environmentally friendly and would provide an additional tourist attraction.

Councillor Sands responded:

“Segway Personal Transporters are permitted for use on Morecambe Promenade by general public as they are not classed as a motorised vehicle. Currently use of such

transporters is minimal and as such does not cause any safety issues for management of the promenade.

There are various models available and, on initial research, prices range from £4,330 for a Segway i2 : to £4, 610 for a Segway x2. If the Council were to consider actively encouraging use of Segway Personal Transporters then the following issues (amongst others) would need to be further explored :

- Increased use on promenade and associated safety issues
- Cost of purchase
- Hire charges
- Management / staffing resources / supervision of children and young people

Grizedale Forest offers use of Segways with qualified leaders and charges £25 per hour for adults and same price for children (aged 10 - 17) who must be accompanied by an adult on a one-to-one basis. It would seem at this stage that any Council promoted use of Segways, including increased use by the public, would need to be carefully managed and associated resources allocated to ensure safety and a positive image is maintained.”

Councillor Rollins asked a supplementary question, saying that he hadn't anticipated the Council itself running a Segway Hire scheme, he had been thinking more about a licensed operator being allowed to run a hire scheme?

Councillor Sands replied that he would ask officers to look into this.

## **6 QUESTION FROM COUNCILLOR WHITAKER TO COUNCILLOR DAVID SMITH**

In view of the ongoing concerns from the public and visitors to Morecambe in regard to the lack of toilet facilities on the prom - what options are there for a future usage for the disused toilet block on Marine Road West?

Councillor David Smith replied that simply re-opening the existing West End toilets wouldn't be in line with the policy for public toilet provision that the City Council had in place.

If the Council could find the money to reopen them as free toilets, as they were before, it would then create two tiers of toilet provision in Morecambe. There would be the new 'pay as you go' ones which the City Council had spent a significant amount of money on and the reopening of some toilets that had been closed because they were no longer fit for purpose, were expensive to run and subject to vandalism and misuse.

The money the Council would need to find to reopen the old toilets, bearing in mind that one of the reasons they were closed was because of the amount of complaints received about the state they were in, would be considerable to get them to a decent standard. Then, ongoing monies would have to be found to run the toilets which were, prior to closure, inefficient in terms of water and electricity usage. The Council would also have to find monies to deal with vandalism and so forth. Back in 2004 the estimated annual running costs of the toilets was £25,000.

Having 2 tiers of toilet provision would also potentially impact on the income Lancaster City Council generated from its toilets which, in turn, made a contribution to the provision of modern, fit for purpose facilities.

The Council would also need to be convinced there was actually under-provision of toilets and there was no real evidence to support that. Morecambe had toilets at West End Gardens, Stone Jetty, Festival Market (including changing place facility for people with profound disabilities), Clock Tower, Library Car Park and Happy Mount Park.

To avoid having two tiers of toilet provision the building could be converted into a pay as you go, modern, improved facility like the Clock Tower. Again, evidence would be required that the toilet was needed and also about £120-150K to carry out the conversion.

By way of a supplementary question, Councillor Whitaker asked what other options there might be for the empty building?

Councillor David Smith said he thought the cost of demolition might be prohibitive, but he would talk to the Head of Environmental Services about options and inform Councillor Whitaker of the outcome.