

PROCEEDINGS

A meeting of the Lancaster City Council was held in the Town Hall, Morecambe, at 6.00 p.m. on Wednesday, 12 April 2017, when the following Members were present:-

Robert Redfern (Mayor)

Sam Armstrong

Lucy Atkinson

Alan Biddulph

Dave Brookes

Abbott Bryning

Susie Charles

Ian Clift

Claire Cozler

Andrew Gardiner

Mel Guilding

Tim Hamilton-Cox

Colin Hartley

Caroline Jackson

Andrew Kay

Geoff Knight

Karen Leytham

Terrie Metcalfe

Jane Parkinson

John Reynolds

Elizabeth Scott

Malcolm Thomas

David Whitaker

John Wild

Peter Williamson

Peter Yates

Carla Brayshaw (Deputy Mayor)

June Ashworth

Stuart Bateson

Eileen Blamire

Tracy Brown

Nathan Burns

Darren Clifford

Brett Cooper

Charlie Edwards

Nigel Goodrich

Janet Hall

Janice Hanson

Brendan Hughes

Joan Jackson

Ronnie Kershaw

James Leyshon

Roger Mace

Abi Mills

Margaret Pattison

Sylvia Rogerson

Roger Sherlock

Andrew Warriner

Anne Whitehead

Nicholas Wilkinson

Phillippa Williamson

110 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Jon Barry, Rob Devey, Sheila Denwood, Helen Helme, Rebecca Novell, Susan Sykes, Oscar Thynne and Paul Woodruff.

111 MINUTES

The minutes of the meeting held on 1 March 2017 were signed by the Mayor as a correct record.

112 DECLARATIONS OF INTEREST

There were no declarations of interest made at this stage.

113 ANNOUNCEMENT - HONORARY ALDERMAN ROBERT CARR

The Mayor reported the sad death of Honorary Alderman Robert Carr.

Robert was a longstanding rural Councillor who served as Mayor in 1988/89. He stood down from the Council on 1995 and was survived by his wife Betty.

Members stood in a minute's silence in his memory.

114 ANNOUNCEMENT - MAYOR'S FUNDRAISING

The Mayor announced two fundraising events in April. On 21 April there would be a quiz night at Father's House, tickets priced at £5, which included food. On 22 April there would be a charity bag pack at Asda.

The Mayor thanked all the Councillors and staff who had donated Easter Eggs to be given to local children in need.

115 QUESTIONS FROM THE PUBLIC UNDER COUNCIL PROCEDURE RULE 11

The Mayor advised that a question had been received from a member of the public, Mr George Smith, in accordance with the provisions of Council Procedure Rule 11. However, Mr Smith would also be making an address to Council and would ask his question at the conclusion of his address. (Minute number 117 refers.)

116 PETITION AND ADDRESS - GARDEN VILLAGE, BAILRIGG

Mr Mark Salisbury spoke in support of two petitions which had been submitted to the Planning Department in response to the Local Plan consultation. Details of both petitions and the number of signatories were set out in the agenda.

One of the petitions contained more than 200 signatures and related to no more than two wards. In accordance with the Petition Scheme in the Council's Constitution, a report had been prepared, which would normally assist Councillors to debate the matter. However, the Mayor noted that, since this was a Local Plan matter, it would not be appropriate to

allow debate by the full Council, as this might prejudice preparation of the Local Plan.

The Chief Officer (Regeneration and Planning) responded to a question from a Councillor about the report.

Councillor Hanson then responded on behalf of the Council as the relevant Cabinet Member and thanked Mr Salisbury for attending Council. The following proposition was made by Councillor Hanson and seconded by Councillor Armstrong.

“That, although the larger of the petitions contains sufficient signatures to trigger a Council debate in accordance with the Petition Scheme, the Council, in order to avoid prejudicing the preparation of the Local Plan for Lancaster District, defers consideration of the concern raised until a proposed publication version of the Local Plan is brought to council for debate in due course.”

Councillor Hamilton-Cox proposed an amendment:

“That the Council debate the matter to highlight certain issues.”

Councillor Hamilton-Cox went on to detail those issues. Council noted, however, that this course of action sought to negate, rather than change, the proposition and was not a valid amendment.

The Mayor called for a vote at this point, which was clearly carried, with 33 members voting for the proposition, six against and nine abstentions.

Resolved:

- (1) That, although the larger of the petitions contains sufficient signatures to trigger a Council debate in accordance with the Petition Scheme, the Council, in order to avoid prejudicing the preparation of the Local Plan for Lancaster District, defers consideration of the concern raised until a proposed publication version of the Local Plan is brought to council for debate in due course.

117 ADDRESS AND QUESTION MR GEORGE SMITH

Mr George Smith spoke to Council about fly-tipping. A copy of his speech had been circulated with the agenda.

After making his speech, Mr Smith asked Councillor Brendan Hughes, the Cabinet Member for Community Safety and Clean and Green:

“Can the City Council tell me how many mobile CCTV cameras, which are capable of providing satisfactory evidence to prosecute offenders, does the Council have use of?”

Mr Smith also asked his supplementary question, to allow Councillor Hughes to respond to both:

“How many fly-tip offenders has Lancaster City Council successfully prosecuted in the last ten years?”

Councillor Hughes thanked Mr Smith for his speech and questions and replied that the Council did not have mobile CCTV cameras for the purpose described, however that might be something to consider for the future.

With regard to prosecutions, Councillor Hughes explained that the Council only kept files for six years and between 2012-16 there had been three prosecutions, one in January and two very recently, only two days before the Council meeting. However, he felt that this fact did not tell the full story. During 2012-16 the Council's two person waste enforcement team attended 3,524 reported incidents of environmental crime, issued 2,302 warning letters, 898 statutory notices, 134 Fixed Penalty Notices and successfully obtained 13 prosecutions for littering. The Council also dealt with 575 reports of abandoned vehicles.

There were also a number of points that Councillor Hughes felt would be helpful to explain:

- It was the landowner's responsibility to deal with fly-tipping. Councils were only responsible for dealing with fly-tipping on public land.
- Nether Kellet's 12-fly tips per year didn't state whether they happened on public or private land. At maximum they accounted for 0.43% of fly-tips in the District. Councillor Hughes was aware of one lane that was sometimes subject to fly-tipping but that was not public land. A potential solution the Council put to the Parish Council several months ago was to install a gate, which the farmer could lock and unlock. The Council had not received a response to this suggestion from the Parish Council yet, although it remained committed to working with Parish Councillors in any way to alleviate the problem of fly-tipping.
- Following the Overview and Scrutiny report in 2007, the Council developed a strategy to improve the cleanliness of the District, recognising that fly-tipping and littering were symptoms and that tackling the causes would be most effective. This focussed on three strands: service delivery; education and enforcement. This strategy was now embedded into the Council's work practices.
- The Council took the cleanliness of the District very seriously and spent over 50% of its budget on services that directly contributed to the management and maintenance of the public realm

Councillor Hughes went on to add that he believed the Council was proactive on fly-tipping, but clearly people wanted more. He was happy to do something further but needed support from communities. He asked that a list of the top ten fly-tipping hotspots be compiled so that he could then ask officers to look at how the problem could be reduced in each area by working with Councillors and local communities to devise joint solutions. He asked Councillors to nominate hotspots to him, so that he could task Environmental Services with drawing up a list. Over the course of the next 12 months he planned to meet on site with ward Councillors and interested parties and develop a plan for each site, within existing resources. Obviously that would not make the problem go away but Councillor Hughes hoped that by involving communities in this way, in addition to the ongoing work, he could at least be confident that the Council was doing its very best.

The Mayor thanked Mr Smith for making his speech to the Council.

118 MEMBER DEVELOPMENT - MANDATORY TRAINING

Councillor Hall, Chairman of Council Business Committee, presented a report deferred from the 1 March Council meeting regarding Member Development – Mandatory Training.

Councillor Hall, seconded by Councillor Reynolds, proposed the recommendations of the Committee, as set out in the report.

Councillor Goodrich proposed a friendly amendment, which, after some clarification, was accepted by Councillors Hall and Reynolds. The amendment was to make Safeguarding/Child Sexual Exploitation training available for all Councillors, as well as mandatory for Members and substitutes on the Licensing Regulatory Committee.

In response to a question from a Councillor, officers clarified that finance training was already available for any existing Councillors on request.

The Mayor called for a vote and the proposition was clearly carried.

Resolved:

- (1) That Safeguarding/Child Sexual Exploitation training be made available for all Members and that Council makes it mandatory for:
 - (a) All members and named substitutes of the Licensing Regulatory Committee to have undertaken Safeguarding/Child Sexual Exploitation training before sitting on the Committee;
 - (b) All newly elected Members to undertake finance training.

119 MINUTES OF CABINET

Council considered the Cabinet minutes of the meeting held on 14 February 2017, deferred from the Council meeting on 1 March 2017. Councillor Clifford responded to questions.

Resolved:

That the minutes be noted.

120 LEADER'S REPORT

The Leader presented her report updating Members on various issues since her last report to Council. She then responded to a number of questions from Councillors.

Councillor Hamilton-Cox asked if Members could have access to the reports circulated at the Lancashire Combined Authority meeting on 21 March regarding the five themes. Councillor Blamire said she would look into this.

Resolved:

That the report be noted.

121 MAYOR'S ANNUAL REPORT

In accordance with Article 5.02(g) of the Constitution, the Mayor presented his Annual Report for 2016/17. There were no questions.

Resolved:

That the report be received.

122 CABINET ANNUAL REPORT

In accordance with Article 7.06(k), the Leader and each Member of Cabinet had produced a written progress report for 2016/17.

The Leader presented her annual report and answered a number of questions.

Councillors Clifford, Hanson, Hughes, Leytham, Leyshon, Pattison and Whitehead then presented their annual reports, responding to questions from Members, where raised.

During questions to Councillor Clifford about the Energy Strategy, he agreed to provide emissions data, in relation to the revised targets, to Councillor Hamilton-Cox.

An error in Councillor Hanson's annual report was picked up. Council noted that Councillor Hanson was appointed to the Museums Cabinet Liaison Group as a member of the County Council, not the City Council.

Councillor Hamilton-Cox asked Councillor Hughes if minutes of the Waste Partnership could be made available to Members. Councillor Hughes said he would look into this.

Councillor Hughes agreed to investigate and report back on the possibility of introducing a pay as you go 'white bag' scheme for garden waste and Councillor Leyshon agreed to do the same for the feasibility of RingGo being available on a monthly permit basis.

In response to a question from Councillor Parkinson about the need to resurface Bull Back car park, Councillor Leyshon said he would visit to look at it.

Councillor Leytham agreed to send details to Councillor Hamilton-Cox of the funding source and remit of the Anti-Social Behaviour Officer.

Resolved:

That the reports of Cabinet Members Councillors Blamire, Clifford, Hanson, Hughes, Leyshon, Leytham, Pattison and Whitehead be received.

123 OVERVIEW AND SCRUTINY ANNUAL REPORT

In accordance with Article 6.03(c) the Overview and Scrutiny Annual Report for 2016/17 had been published and was presented to Council by the Chairman, Councillor Ashworth.

Resolved:

That the Overview & Scrutiny Annual Report be received.

124 AUDIT ANNUAL REPORT

In accordance with Section 8.13 of Part 3 of the Council's Constitution, the Chairman, Councillor Abbott Bryning, presented the 2016/17 Annual Report of the Audit Committee.

Resolved:

That the report be received.

125 MEMBER CHAMPIONS' ANNUAL REPORT

In accordance with Part 6, Section 5 of the Constitution, annual reports were presented to Council by the Member Champions: Councillor Scott (Veterans' Champion); Councillors Guilding and Cozler (Champions for the Disabled) and Councillor Brown (Champion for Children and Young People). The Champions responded to questions from Members,

where raised.

Resolved:

That the reports be received.

126 MOTION ON NOTICE - ADOPTION OF THE IHRA WORKING DEFINITION OF ANTI-SEMITISM

The following motion, of which notice had been given to the Chief Executive in accordance with Council Procedure Rule 15, was moved by Councillor Metcalfe and seconded by Councillor Burns:-

“We are well aware that anti-Semitism continues to be a problem in this country. It is therefore right that, as a Council, we are able to demonstrate the seriousness with which we take it, as for all forms of hate crime. Anti-Semitism must be understood for what it is – an attack on the identity of people who live, contribute and are valued in our society. In light of this, Members agree to adopt the International Holocaust Remembrance Alliance working definition of anti-Semitism (below), for application by the City Council.”

“Anti-Semitism is a certain perception of Jews, which may be expressed as hatred toward Jews. Rhetorical and physical manifestations of antisemitism are directed toward Jewish or non-Jewish individuals and/or their property, toward Jewish community institutions and religious facilities.”

Background papers for the motion were attached, as was an officer briefing note.

There was a short debate and the motion was carried unanimously when put to the vote.

Resolved unanimously:-

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127 CHANGES TO COMMITTEE MEMBERSHIP

The Mayor drew Members’ attention to a list of changes submitted by the Green group, which were formally proposed by Councillor Hamilton-Cox, seconded by Councillor Brookes.

Councillor Armstrong, seconded by Councillor Brown, informed Council that the Labour Group wished to replace Councillor Sherlock with Councillor Clift on the Planning and Highways Regulatory Committee.

A vote was taken on all the proposals, which were clearly carried.

Resolved:

That the following changes to Committee Membership be approved:

- (1) **Overview and Scrutiny Committee**
Councillor Hamilton-Cox to replace Councillor Wilkinson as substitute.
- (2) **Personnel Committee**
Councillor Novell to be the second named substitute for the Green group.
- (3) **Council Business Committee**
Councillor Wilkinson to replace Councillor Hamilton-Cox as substitute.
- (4) **Appraisal Panel**
Councillor Novell to replace Councillor Hamilton-Cox.
- (5) **Planning and Highways Regulatory Committee**
Councillor Clift to replace Councillor Sherlock.

128 QUESTIONS UNDER COUNCIL PROCEDURE RULE 12 (Pages 10 - 11)

The Mayor advised that three questions had been received by the Chief Executive in accordance with Council Procedure Rules as follows:

- (1) Councillor Mace to Councillor Hanson regarding vacant buildings in the Lancaster Conservation Area.
- (2) Councillor Mace to Councillor Hanson regarding Enterprise Zone Status.
- (3) Councillor Peter Williamson to Councillor Clifford regarding Hornby Community Swimming Pool.

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

129 MINUTES OF CABINET

Council considered the Cabinet minutes of the meeting held on 21 March 2017. There were no questions.

Resolved:

That the minutes be noted.

Mayor

(The meeting finished at 8.30 p.m.)

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

Question from Councillor Roger Mace to Councillor Janice Hanson

Are there any steps the City Council is able to take to protect buildings in prominent positions in the City Centre within the heart of the Lancaster Conservation Area when such buildings have been standing vacant for over two years?

Councillor Hanson responded to say:

The Council has powers under untidy sites legislation and listed building controls to take action to secure the repair and improvement of buildings where they fall into poor condition and their condition can pass certain amenity tests. Vacancy by itself would not automatically give rise to a case for action.

Councillor Mace asked a supplementary question about one building in particular, the Oddfellows Hall in Lancaster, and what could be done to protect it. Councillor Hanson said she would provide a reply in writing.

Question from Councillor Roger Mace to Councillor Janice Hanson

Is the City Council actively seeking Enterprise Zone status for any part of the district?

Councillor Hanson replied:

There are no current opportunities to seek Enterprise Zone status for any part of the district, nor do any parts appear to meet the criteria from previous rounds to bid.

Councillor Hanson also said that the Chairman of the Lancashire Enterprise Partnership, Edwin Booth, had written to David Morris MP to let him know that the district had failed to meet the criteria. If Mr Morris, who was keen on Enterprise Zones, could assist or help, perhaps by talking with Sajid Javid MP, Secretary of State for Communities and Local Government about changing the criteria, then the Council would be only too happy to work with him.

Councillor Mace asked a supplementary question:

Could we please have circulated, to all Councillors, a comprehensive summary of the pros and cons of having an Enterprise Zone in the district?

Councillor Hanson agreed to this.

Question from Councillor Peter Williamson to Councillor Darren Clifford

Several weeks ago I asked for copies of the 'Business Cases for all three Community Swimming Pools (Carnforth, Heysham and Hornby).

Page 79 of the 2017 – 2021 Budget Process document presented to Council on 1 March 2017 talks of building business cases for Heysham and Carnforth Pools but goes on to say 'no viable business case exists for Hornby Pool'.

May I please see these three business cases to enable local residents in Hornby to make alternative provisions as they see fit.

Councillor Clifford explained that the business cases were available as part of the background papers for Cabinet in February 2017 and he had copies of the information with him which he would pass Councillor Peter Williamson. The pools in Carnforth and Heysham were housed on the same site as the schools, which wasn't the case in Hornby and this had affected the viability of any business case.

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Councillor Peter Williamson asked a supplementary question. Stressing the importance of the pool in Hornby as a facility and meeting place of great value to the rural community, not just 'a puddle of water', he asked why the pool had been treated differently to The Platform.

Councillor Clifford re-iterated that the fact the pool was not co-located with the school had been a huge problem. He cited financial outlay taking place in rural areas on other initiatives as evidence that the Council was not letting down its countryside communities.