

PROCEEDINGS

A meeting of the Lancaster City Council was held in the Town Hall, Morecambe, at 6.00 p.m. on Wednesday, 27 September 2017, when the following Members were present:-

Roger Mace (Mayor)

Jon Barry

June Ashworth

Alan Biddulph

Carla Brayshaw

Tracy Brown

Nathan Burns

Ian Clift

Rob Devey

Nigel Goodrich

Tim Hamilton-Cox

Colin Hartley

Caroline Jackson

Andrew Kay

Geoff Knight

Terrie Metcalfe

Rebecca Novell

Margaret Pattison

John Reynolds

Roger Sherlock

Oscar Thynne

David Whitaker

John Wild

Peter Williamson

Stuart Bateson (Deputy Mayor)

Sam Armstrong

Lucy Atkinson

Eileen Blamire

Dave Brookes

Abbott Bryning

Darren Clifford

Sheila Denwood

Charlie Edwards

Mel Guilding

Janice Hanson

Brendan Hughes

Joan Jackson

Ronnie Kershaw

James Leyshon

Abi Mills

Jean Parr

Robert Redfern

Elizabeth Scott

Malcolm Thomas

Andrew Warriner

Anne Whitehead

Nicholas Wilkinson

36 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Susie Charles, Brett Cooper, Claire Cozler, Janet Hall, Helen Helme, Jane Parkinson, Sylvia Rogerson, Ron Sands, Susan Sykes, Phillippa Williamson and Peter Yates.

37 MINUTES

The minutes of the meeting held on 19 July 2017 were signed by the Mayor as a correct record.

38 DECLARATIONS OF INTEREST

Members advised of the following interests at this stage:

In relation to item 11, Community Governance Review, Councillor Hartley reported that he had been one of the group who met with officers to express interest in the creation of a new parish council in the Heysham area. (Minute No. 54 refers.)

Councillor Peter Williamson declared a disclosable pecuniary interest in item 10, Arnside and Silverdale Area of Outstanding Natural Beauty (AONB) Development Plan Document. (Minute No. 53 refers.)

Councillors Pattison, Edwards and Parr declared an interest in relation to the Urgent Business item regarding City Council Museums - Management Arrangements, as Members of Lancashire County Council. The Mayor declared an interest in the same item as the Chairman of the Friends of the City Museum group, and Councillor Scott also declared an interest as an Ex-Officio Trustee of the Lancaster Kings Own Regiment. (Minute No. 52 refers.)

39 ITEMS OF URGENT BUSINESS

The Mayor informed Councillors that he had accepted one item of urgent business, a report relating to the City Council Museums – Management Arrangements and that he intended to re-order the agenda to take item 12, the Smart District, after item 8 and the urgent business item after the Smart District. Item 9, the motion on notice about plastic bottles, would be taken after item 14, Appointments and Changes to Committee Memberships.

40 ANNOUNCEMENTS - COUNCILLOR JEAN PARR

The Mayor welcomed newly-elected Councillor Jean Parr to her first meeting of Council. Councillor Parr had been elected to represent Skerton West ward at a by-election held on 7 September 2017.

41 ANNOUNCEMENTS - ESTELLE CULLIGAN

The Mayor introduced the newly-appointed Chief Officer for Legal and Governance,

Estelle Culligan, to Councillors and welcomed her to her first Council meeting.

42 ANNOUNCEMENTS - HATE CRIME

The Mayor informed Members that an afternoon workshop was being held on the increasing rate of hate crime in the North West, which all Councillors were invited to attend. He reported that the workshop was being run in collaboration with the Migrants Right Network and would take place between 12:30 – 16:30 on Wednesday 18th October at Lancaster Town Hall.

43 ANNOUNCEMENTS - MACMILLAN COFFEE MORNING

The Mayor reminded all Councillors that he would be holding a Coffee Morning event on Friday 29 September, which staff and Members were invited to attend, from 10.30am to 12pm in the Mayor's Parlour. The event was to raise funds for MacMillan Cancer Support.

44 ANNOUNCEMENT - LUBLIN

The Mayor reported back on a recent trip to the Council's Twin Town of Lublin, Poland, to attend their Grand Jubilee celebrations marking 700 years since Lublin received its City Charter. He showed Members the inscribed medal which had been presented to the Council.

45 ANNOUNCEMENTS - DUKE OF LANCASTER'S REGIMENT FREEDOM MARCH

The Mayor displayed a silver lion presented to the Council by the Dukes of Lancaster's Regiment following their Freedom March through the city on 17 July 2017.

46 ANNOUNCEMENTS - MORECAMBE LIFEBOAT EVENT

Councillors were informed of an event the Mayor was hosting to raise money for one of his charities, the Royal National Lifeboat Institution (RNLI). Tickets were on sale for a "Fish and Chips Evening" to be held at the Alhambra, Morecambe on Thursday 12 October 2017.

47 QUESTIONS FROM THE PUBLIC UNDER COUNCIL PROCEDURE RULE 11

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

48 PETITIONS AND ADDRESSES

The Mayor informed Members that no petitions or requests to address Council had been received from members of the public.

49 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 Peter Williamson paid tribute to the Father of the Council, Councillor Abbott Bryning, who had reached the milestone of fifty years of service to the Council.

Resolved:

That the report be noted.

50 THE SMART DISTRICT

The Chief Officer (Environment) submitted a report seeking Council's direction regarding the use of digital technologies to help manage the public realm, The current extension of the old CCTV system was coming to an end.

The Chief Officer (Environment) responded to members' questions about the report.

Councillor Hughes, seconded by Councillor Leyshon, proposed:

"(1) That option 1, as set out in the report, be approved."

There was a short debate followed by a vote on the proposition, which was clearly carried.

Resolved:

- (1) That the implementation of a new system to help manage the public realm, on a pilot basis, with the one-off costs being met from reserves, be approved.

51 EXCLUSION OF PRESS AND PUBLIC

The Mayor reminded Council that the following urgent business report contained information exempt from publication under Paragraphs 3 and 4 of Schedule 12A of Section 100A(4) of the Local Government Act, 1972.

Councillor Clifford moved, seconded by Councillor Pattison:

"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 Paragraphs 3 and 4 of Schedule 12A of that Act."

Responding to a question, the Chief Officer (Legal and Governance) clarified the reasons why the report had been classified as containing exempt information.

A vote was taken on the motion, which was 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 Paragraphs 3 and 4 of Schedule 12A of that Act."

(Members of the press and public left the Council Chamber.)

At this point, Councillor Hamilton-Cox, seconded by Councillor Brookes requested a short adjournment for Members to read the urgent business report. The Mayor agreed to the adjournment.

(The meeting adjourned at 6.45pm and re-convened at 6.55pm.)

52 URGENT BUSINESS - CITY COUNCIL MUSEUMS - MANAGEMENT ARRANGEMENTS

The Chief Officer (Regeneration and Planning) submitted a report seeking a decision from Council regarding the future of the current Museums Services Partnership Agreement. The reason for the urgency was set out in the report, that, if the Council wished to take back the museums service from 1 October 2018, the deadline for giving notice would be 30 September 2017.

The report was exempt from publication by virtue of paragraphs 3 and 4 of Schedule 12A of the Local Government Act 1972.

Members asked a number of questions, which the Economic Development Manager responded to.

Councillor Clifford, seconded by Councillor Thomas, proposed:

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

A vote was then taken on the proposition, which was carried unanimously.

Resolved unanimously:

That:

- (1) The Council gives notice to Lancashire County Council by the 30th September 2017 that it wishes to terminate the Museums Services Partnership Agreement, giving one year's notice as required by the recently agreed Deed of Variation to the Museums Service Partnership Agreement.
- (2) Provision is made for appropriate staff resources to be provided to ensure the smooth transition and forward management of the service, subject to these being contained either within existing budget resource, including the use of the Budget Support Reserve if needed in the current year or to be further considered and subsequently approved as part of the 2018/19 budget process.
- (3) Delegated Authority is given to the Chief Officer (Regeneration and Planning) and the Chief Officer (Resources) in consultation with the Portfolio Holder for Leisure, Culture and Tourism, to undertake all further steps necessary to effect the transfer and put in place appropriate management arrangements for the service.

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

53 ARNSIDE & SILVERDALE AREA OF OUTSTANDING NATURAL BEAUTY (AONB) DEVELOPMENT PLAN DOCUMENT

(Having previously declared a disclosable pecuniary interest, Councillor Peter Williamson left the Chamber at this point.)

The Chief Officer (Regeneration and Planning) presented a report seeking a resolution from Council to publish the Arnside and Silverdale Area of Outstanding Natural Beauty (AONB) Development Plan Document (DPD) for formal representations before submitting the document to the Planning Inspectorate for examination in public.

Members asked a number of questions, which Councillor Hanson responded to.

Councillor Hanson, seconded by Councillor Blamire, proposed that:

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

There was a short debate, followed by a unanimous vote on the proposition.

Resolved unanimously:

That the Council

- (1) Publishes the Arnside and Silverdale AONB DPD for final representations, followed by submission of the document to the Planning Inspectorate for examination.
- (2) Publishes background evidence and supporting material, including the responses to consultations, the consultants' reports on the Sustainability Appraisal and Habitats Regulations Assessment for the Plan, and the specialist landscape, biodiversity and viability assessments on the sites included in the Plan.
- (3) Authorises the Chief Officer (Regeneration and Planning) to make minor changes to improve the clarity and internal consistency of the AONB DPD prior to the publication period and between the publication period and submission.

(Councillor Peter Williamson returned to the Chamber at the conclusion of this item.)

54 COMMUNITY GOVERNANCE REVIEW OF THE DISTRICT

Council considered a report of the Chief Officer (Legal and Governance) seeking approval for officers to undertake a Community Governance review of the district and to delegate authority to Council Business Committee to agree the terms of reference for, and oversee, the review.

The Chief Officer (Legal and Governance) clarified why a Community Governance Review was being recommended to Council.

Councillor Reynolds, seconded by Councillor Clift, proposed:

- “(1) That a full Community Governance Review of the district administered by Lancaster City Council be carried out over the next year.
- (2) That Council Business Committee be authorised to develop terms of reference,

determine consultation plans, agree a timetable for the review, be consulted throughout the process and be involved in the preparation of final proposals to Council in late 2018.”

There was no debate and the proposition was clearly carried when put to the vote.

Resolved:

- (1) That a full Community Governance Review of the district administered by Lancaster City Council be carried out over the next year.
- (2) That Council Business Committee be authorised to develop terms of reference, determine consultation plans, agree a timetable for the review, be consulted throughout the process and be involved in the preparation of final proposals to Council in late 2018.

55 DESIGNATION OF MONITORING OFFICER

(The Chief Officer (Legal and Governance) left the Chamber at this point.)

The Chief Executive submitted a report seeking approval to appoint Estelle Culligan to the role of Monitoring Officer for the Council, with effect from 27 September 2017, following her appointment to the Chief Officer (Legal and Governance) post.

Councillor Blamire seconded by Councillor Thynne proposed:

- “(1) That the Chief Officer (Legal and Governance), Estelle Culligan, be designated as the Council’s Monitoring Officer with effect from 27 September 2017.
- (2) That the Chief Officer (Legal and Governance) be given delegated authority to amend the Constitution to reflect the appointment as set out in paragraph 1.7 of the report.”

A vote was taken on the proposition, which was carried unanimously.

Resolved unanimously:

- (1) That the Chief Officer (Legal and Governance), Estelle Culligan, be designated as the Council’s Monitoring Officer with effect from 27 September 2017.
- (2) That the Chief Officer (Legal and Governance) be given delegated authority to amend the Constitution to reflect the appointment as set out in paragraph 1.7 of the report.

(The Chief Officer (Legal and Governance) returned to the Chamber.)

56 MOTION ON NOTICE - REDUCTION OF USE OF PLASTIC BOTTLES AND DISPOSABLE COFFEE CUPS IN OUR DISTRICT

(During the course of the debate on this item, Councillor Edwards declared an interest as a member of the Lancashire Waste Partnership.)

The following motion, of which notice had been given to the Chief Executive in accordance

with Council Procedure Rule 15, was moved by Councillor Kay and seconded by Councillor Kershaw:

“Council notes the amount of plastic that ends up in landfill and in our oceans, and is a growing hazard to marine life. Every year millions of single use plastic bottles, nationally are disposed and estimated only 7% are recycled. Council also notes the fact that 2.5 billion coffee cups are thrown away every year in the UK – 10,000 in just 2 minutes.

To protect the environment and in furtherance of our Clean and Green Places priority under the Corporate Plan, Council resolves to:

- (1) Promote public awareness of the issue and take steps to reduce plastic bottle use. This could include our partner agencies in primary health care, and local education.
- (2) Request officers to prepare a report on the practicalities and costs of installing drinking water fountains at key city centre locations in Morecambe and Lancaster.
- (3) Support a scheme where our local food and drinks outlets provide refills or free drinking water.
- (4) Investigate the viability of the City Council launching a promotional Lancaster refillable water container to sell at tourist outlets.
- (5) Work with businesses and other organisations to promote the use of reusable coffee cups including investigating the viability of a Lancaster district reusable cup, and encouraging businesses to use genuinely recyclable or eco-friendly cups.”

Councillor Kay noted that the title of the motion should have included disposable coffee cups.

An officer briefing note was included on the agenda providing information and advice to facilitate the debate.

After some debate, an amendment to the motion was moved by Councillor Caroline Jackson, to refer the issues raised by the motion to Overview and Scrutiny for a report. Councillor Edwards seconded the amendment.

Following debate on the amendment, the Mayor called for a vote. The amendment fell, with 14 Councillors voting for the amendment, 30 against and no abstentions.

Councillor Caroline Jackson then proposed inserting the following extra point before point (1) in the original motion:

- “(1) Ask officers to refer back to the 2007 Overview and Scrutiny report about pollution in Morecambe Bay.”

With the agreement of his seconder, Councillor Kay accepted this as a friendly amendment.

Councillor Edwards then proposed that a further point be added after point (5) in the original motion, regarding setting up a working group to oversee implementation of the measures set out in the motion. Councillor Kay indicated that he and his seconder would be willing to accept this as a further friendly amendment.

The Mayor called for a very short adjournment to allow officers to assist Members with

wording of the friendly amendment. During the adjournment wording was agreed:-

“(7) Establish a working party to oversee this motion, comprised of Councillors, representatives from the retail sector and officers, as appropriate.”

At the conclusion of the debate a vote was taken on the original motion, complete with both friendly amendments. The motion was carried unanimously.

Resolved unanimously:-

Council notes the amount of plastic that ends up in landfill and in our oceans, and is a growing hazard to marine life. Every year millions of single use plastic bottles, nationally are disposed and estimated only 7% are recycled. Council also notes the fact that 2.5 billion coffee cups are thrown away every year in the UK – 10,000 in just 2 minutes.

To protect the environment and in furtherance of our Clean and Green Places priority under the Corporate Plan, Council resolves to:

- (1) Ask officers to refer back to the 2007 Overview and Scrutiny report about pollution in Morecambe Bay.
- (2) Promote public awareness of the issue and take steps to reduce plastic bottle use. This could include our partner agencies in primary health care, and local education.
- (3) Request officers to prepare a report on the practicalities and costs of installing drinking water fountains at key city centre locations in Morecambe and Lancaster.
- (4) Support a scheme where our local food and drinks outlets provide refills or free drinking water.
- (5) Investigate the viability of the City Council launching a promotional Lancaster refillable water container to sell at tourist outlets.
- (6) Work with businesses and other organisations to promote the use of reusable coffee cups including investigating the viability of a Lancaster district reusable cup, and encouraging businesses to use genuinely recyclable or eco-friendly cups.
- (7) Establish a working party to oversee this motion, comprised of Councillors, representatives from the retail sector, and officers, as appropriate.

57 APPOINTMENTS AND CHANGES TO COMMITTEE MEMBERSHIP

Councillor Clifford reported that Councillor Parr would be replacing Councillor Metcalfe on the Budget and Performance Panel. Councillor Brown seconded the change, which Councillors voted in favour of.

Resolved unanimously:

That Councillor Parr be appointed to the Budget and Performance Panel in place of Councillor Metcalfe.

58 QUESTIONS UNDER COUNCIL PROCEDURE RULE 12 (Pages 11 - 12)

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

- (1) Councillor Hamilton-Cox to Councillor Whitehead regarding council tax on second homes.
- (2) Councillor Hamilton-Cox to Councillor Hanson regarding the government consultation on calculating housing need.
- (3) Councillor Brookes to Councillor Clifford regarding a solar farm in Middleton.

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

59 MINUTES OF CABINET

Council considered and noted the Cabinet minutes of the meetings held on 8 August and 5 September 2017.

Resolved:

That the minutes be noted.

Mayor

(The meeting finished at 8.40 p.m.)

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

Council – 27 September 2017**1. Question from Councillor Tim Hamilton-Cox to Councillor Anne Whitehead**

Are you going to ensure that the council tax levied on empty and second homes is finally - as promised for 17/18 - subject to officer report and then review by members before budget-setting time?

Councillor Whitehead replied that this was on the officers' to do list for the end of this year or beginning of next year in time to be reviewed for council tax next year.

Supplementary: *The 2013 charges partly subsidised council tax support. Will council tax support be retained?*

Councillor Whitehead said yes, that was the plan and a survey was being undertaken about it at the moment.

2. Question from Councillor Tim Hamilton-Cox to Councillor Janice Hanson

Does the Government's proposed methodology for calculating the district's housing need, which sets a target of building 401 homes per year, give the portfolio-holder any reason to switch her support away from the 'emerging' target, based on Turley's work, of 675 homes per year?

Councillor Hanson replied:

The government's proposed methodology appears over simplistic and does not claim to take account of specific spatial needs to address demographic or economic growth challenges in any area. The draft guidance makes it clear that plans at an advanced stage of preparation should still progress and not be delayed. The methodology is still at an early stage of consultation, and given the widespread impact it would have nationwide it cannot be assumed that it will be implemented in this form.

Supplementary: *When do you think the district might achieve a 5-year housing land supply based on Turley's need assessment of 675 homes per year?*

Councillor Hanson referred to the timetable for the local plan and reminded Council that the government's proposed methodology was part of a consultation document which would go to Planning Policy Cabinet Liaison Group for initial comments and then to Council Business Committee to agree a response to be submitted before the deadline of 9 November 2017.

3. Question from Councillor Dave Brookes to Councillor Darren Clifford

Given that other solar farms in the district appear to be viable, when will the Council build out the planned solar farm at Middleton?

Councillor Clifford replied that in March 2017 it had been agreed to review the financial viability of this and over thirty other items. The assessment would take considerable expertise and investment. Original feasibility work in 2014/15 estimated the payback period for capital costs as 13-14 years, but the period had lengthened since then because of various factors.