

**OVERVIEW AND SCRUTINY  
COMMITTEE**

**6.00 P.M.**

**9TH MARCH 2011**

**PRESENT:-** Councillors John Gilbert (Chairman), Susan Bray (Vice-Chairman), Karen Leytham, Roger Mace (substitute for Val Histed), Roger Plumb, Roger Sherlock, Jude Towers and Morgwn Trolinger

Also Present :-

Councillors Jon Barry, John Harrison, David Kerr and Stuart Langhorn

Members observing :-

Councillors June Ashworth, Eileen Blamire, Abbott Bryning, Susie Charles, Sarah Fishwick, Tony Johnson and Robert Redfern

Apologies for Absence:-

Councillors Val Histed, Bob Roe and Ron Sands

Officers in attendance:-

Mark Cullinan	Chief Executive
Heather McManus	Deputy Chief Executive
Suzanne Lodge	Head of Health and Housing
Graham Cox	Head of Property Services
Stephen Metcalfe	Principal Democratic Support Officer
Jenny Kay	Democratic Support Officer

**50 MINUTES**

The Minutes of the meeting held on 26<sup>th</sup> January 2011 were signed by the Chairman as a correct record.

**51 DECLARATIONS OF INTEREST**

Councillors Roger Mace and John Harrison declared Personal Interests in respect of Lancaster Museum being Friends of the Museum.

**52 REQUEST FOR CALL-IN CABINET DECISION - LANCASTER MARKET - MINUTE 109**

***(Councillors Roger Mace and John Harrison declared Personal Interests in respect of the following item being Friends of the Museum.)***

Members were advised that the Cabinet Decision in relation to Lancaster Market – Cabinet Minute 109, resolutions (1), (2) and (4), had been called-in by the following 5 Members :

Councillors Susan Bray, John Harrison, Roger Mace, Ron Sands and Roger Sherlock.

Members were advised that the Call-in request had been made on the basis that the decision had not been made in accordance with all the principles set out in Article 13 (Decision making) in the Council's Constitution, in particular :

- (a) Proportionality (i.e. the action must be proportionate to the desired outcome)
- (b) Due consultation and the taking of professional advice from Officers
- (d) A presumption in favour of openness
- (e) Aims and desired outcomes will be clearly expressed
- (f) Options that were considered and the reasons for arriving at the decision will be explained

The Chairman outlined the procedure to be followed and invited Councillor Mace to summarise the reason for the call-in.

The Chairman then invited Councillor Langhorn, Leader of the Council and Councillor Barry, Cabinet Member with responsibility for the Markets Cabinet Liaison Group, to explain the reasons for the decision made by Cabinet.

The Chairman invited the signatories of the Call-in to ask questions and Councillors Langhorn and Barry, the Head of Property Services and the Deputy Chief Executive responded.

Members of Overview and Scrutiny Committee were then invited to ask questions and Councillors Langhorn and Barry, the Head of Property Services and the Deputy Chief Executive responded.

Other non-Cabinet Members present were then given the opportunity to ask questions.

**The meeting was adjourned at 7.15pm to enable the signatories to prepare a proposal.**

**The meeting reconvened at 7.25pm**

On behalf of the signatories, it was proposed by Councillor Mace and seconded by Councillor Sherlock :

"That Cabinet be recommended to reconsider and modify its resolutions (1), (2) and (4) to become as follows:-

- (1) That approval be granted to undertake further investigations into possible alternative locations to accommodate Lancaster Market and that a further report is made to Cabinet in due course prior to the appointment of external specialist consultants.
- (2) To confirm the importance of the King's Own Royal Regimental Museum and the City Museum in the current heritage offer of the district and to seek to improve that offer as opportunities arise.
- (4) That whilst investigations are undertaken into possible alternative locations to accommodate Lancaster Market, measures continue to be implemented within Lancaster Market to improve its appearance and functionality, subject to the negotiated consent of the continuing Market Tenants where necessary, and to improve the management and marketing of the market, with any costs funded from the proposed reserve."

Upon being put to the vote, 3 Members voted in favour of the proposition and 5 voted against, whereupon the Chairman declared the proposition lost.

***Resolved :***

That the Cabinet decision on Lancaster Market be upheld and that there be no referral back to Cabinet.

**53 CONSIDERATION OF ANY REQUESTS FOR COUNCILLOR CALL FOR ACTION (IN ACCORDANCE WITH THE PROCESS)**

It was noted that there had not been any requests for items to be considered in accordance with the Councillor Call for Action.

**54 CONSIDERATION OF ANY PETITIONS (IN ACCORDANCE WITH THE PROCESS)**

It was noted that there had not been any requests for items to be considered in the accordance with the Consideration of Petitions.

**55 DISCUSSIONS WITH COUNCILLOR BARRY - CABINET MEMBER WITH RESPONSIBILITY FOR ENVIRONMENT**

The Chairman thanked Councillor Barry for his attendance at the meeting.

Councillor Barry provided the Committee with an outline of his portfolio which included responsibility for Climate Change, Clean and Green, Markets and Cycling Demonstration Town Project.

The introduction of food waste was highlighted as a recent success story in Councillor Barry's portfolio as well as high turnover of recycling in the district. Public toilets had received funding for improvements in this financial year and a disabled toilet had been installed.

With regard to climate change, Members were reminded that the Council had a target reduction of 10% this year, which currently stood at around 8%.

**56 DISCUSSIONS WITH COUNCILLOR KERR - CABINET MEMBER WITH RESPONSIBILITY FOR HEALTH AND WELL BEING**

The Chairman welcomed Councillor Kerr to the meeting.

The Committee was given an outline of Councillor Kerr's portfolio which included responsibility for Housing, Environmental Health and Well Being.

Councillor Kerr informed the Committee of the work undertaken with Health and Housing Services, including rent convergence, future housing options and Council housing.

With regard to the district's cemeteries, it was reported that two had been awarded green flag status this year.

Members asked a number of questions relating to domestic violence, homelessness, registered social landlords and the re-organisation of the PCT.

**57 MORECAMBE AREA ACTION PLAN**

The Chairman advised that unfortunately, due to unforeseen circumstances, this item would not be considered at the meeting. A briefing on the Morecambe Area Action Plan for Members would be arranged as an alternative.

**58 UPDATES FROM OVERVIEW AND SCRUTINY MEMBERS**

The Committee was given an update on the work of the Budget and Performance Panel. The Panel had recently considered Service Level Agreements (SLAs) which had not been reduced in the recent budget agreed by Council. Treasury Management had also been considered at the Panel's last meeting.

With regard to the one remaining Task Group, it was reported that the Interim Report of the Older People's Task Group was being prepared.

**59 WORK PROGRAMME REPORT**

The Democratic Support Officer updated Members on the Committee's Work Programme. It was reported that a request had been received to include a presentation on Wind Energy. This had been included on the Work Programme as a future item in the new municipal year.

It was noted that a request had been made to Councillor Fletcher to attend a meeting or submit a report on her time as Cabinet Member but a response had not yet been received.

With regard to the update on the implementation of the recommendations of the Council Assets Task Group that was included in the Work Programme, it was reported that Officers had met with the Assistant Head of Community Engagement - Well Being to discuss an update. Members were advised that all the recommendations had now been dealt with.

It was agreed that a further update would be requested after a year of the report being considered by Cabinet.

Members were reminded about the Special meeting of the Committee being held on 23<sup>rd</sup> March 2011 to consider issues in playgrounds. It was agreed that the Cabinet Members with responsibility for Young People and Community Safety be invited to the meeting. It was further agreed that all Councillors should be invited to the Special meeting.

***Resolved :***

- (1) That a presentation on Wind Energy be included in the Work Programme as a future item in the new municipal year.
- (2) That a further update be requested on the implications of the recommendations of the Council Assets Task Group after a year of the report being considered by Cabinet.

- (3) That the Cabinet Members with responsibility for Young People and Community Safety be invited to the Special meeting on 23<sup>rd</sup> March as well as all Councillors.

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Chairman

(The meeting ended at 8.35 p.m.)

**Any queries regarding these Minutes, please contact  
Jenny Kay, Democratic Services - telephone (01524) 582065 or email [jkay@lancaster.gov.uk](mailto:jkay@lancaster.gov.uk)**