

PROCEEDINGS

A meeting of the Lancaster City Council was held in the Town Hall, Morecambe, at 6.00 p.m. on Wednesday, 28 July 2021, when the following Members were present:-

Mike Greenall (Mayor)	Richard Austen-Baker
Mandy Bannon	Phillip Black
Alan Biddulph	Victoria Boyd-Power
Abbott Bryning	Keith Budden
Roger Cleet	Tim Dant
Gina Dowding	Adrian De La Mare
Jason Firth	Kevin Frea
June Greenwell	Tim Hamilton-Cox
Janice Hanson	Colin Hartley
Tricia Heath	Caroline Jackson
Joan Jackson	Debbie Jenkins
Mandy King	Jack Lenox
Cary Matthews	Abi Mills
Jack O'Dwyer-Henry	Jean Parr
Faye Penny	Joyce Pritchard
Robert Redfern	John Reynolds
Oliver Robinson	Alistair Sinclair
Paul Stubbins	Malcolm Thomas
Sandra Thornberry	Katie Whearty
David Whitaker	Anne Whitehead
John Wild	Peter Yates
Joanna Young	

36 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Tony Anderson, Paul Anderton, Dave Brookes, Darren Clifford, Roger Dennison, Merv Evans, Jake Goodwin, Mel Guilding, Geoff Knight, Sarah Knight, Erica Lewis, Stewart Scothern, David Whitworth and Jason Wood.

37 MINUTES

The minutes of the meeting held on 23 June 2021 were signed by the Mayor as a correct record.

38 DECLARATIONS OF INTEREST

No declarations of interest were made.

39 ANNOUNCEMENTS

The Chief Executive reported that the Government had announced its decision to progress proposals for two unitary councils in Cumbria. Proposals for West Cumbria and East Cumbria would go forward for Parliamentary approval. The joint proposal for a new Bay Unitary Authority made up of Lancaster City Council, South Lakeland District Council and Barrow Borough council would not be progressed further.

The Mayor informed Councillors that he would re-order the agenda to take the notice on motion after the public speaker, therefore Item 12 would be taken after Item 7.

40 QUESTIONS FROM THE PUBLIC UNDER COUNCIL PROCEDURE RULE 11

It was noted that a question for Councillor Brookes, Cabinet Member for Environmental Services had been received from County Councillor Margaret Pattison.

Councillor Brookes had given apologies for the meeting and had agreed to send a written response to County Councillor Pattison in accordance with Council Procedure Rule 11.10.

41 PETITIONS AND ADDRESSES (Pages 10 - 11)

No petitions had been received.

The Mayor noted that Mr Noah Katz was in attendance to make an address. The text of his speech had been circulated to all Councillors prior to the meeting via email.

Mr Katz spoke to Councillors on behalf of the Lancaster and Lakes Jewish Community. The wording of the speech is attached to the minutes.

The Mayor thanked Mr Katz for making his address to Council.

42 MOTION ON NOTICE -AN ETHICAL AND SUSTAINABLE INVESTMENT POLICY

A motion on notice regarding an Ethical and Sustainable Investment Policy had been submitted for the meeting by Councillors Lewis, De La Mare (formerly Duggan), Hamilton-Cox and Pritchard.

The motion was set out in the agenda papers as follows:

Preamble:

At the 23rd June 2021 meeting of Lancaster City Council, a resolution was passed which expressed the Council's support for the Boycott, Divestment and Sanctions (BDS) movement and committed the council to write to Lancashire County Pension Fund urging them to divest in line with that campaign. Campaigns calling for ethical consumption and investment have a long history and have been used to influence national governments as well as individual companies e.g. Nestlé on baby milk formula, Shell for its environmental and human rights record, and apartheid in South Africa. In February 2020 the United Nations Human Rights Council received a paper from the Office of the High Commissioner for Human Rights and the Secretary-General that provided a "Database of all business enterprises involved in the activities detailed in paragraph 96 of the report of the independent international fact-finding mission to investigate the implications of the Israeli settlements on the civil, political, economic, social and cultural rights of the Palestinian people throughout the Occupied Palestinian Territory, including East Jerusalem" as had been requested by previous United Nations resolutions.

The June 2021 motion limited its scope to the Boycott, Divestment and Sanctions (BDS) of Israel. This followed on from several local mass gatherings protesting forced evictions and escalations in violence in Palestine. However, it has been suggested that by having this singular focus the motion was setting a higher standard for Israel than other nations, a form of antisemitism. This was raised during the debate, and in some emails received by the council afterwards, and several councillors also raised other human rights abuses and sustainability issues that they would like to see addressed in a comprehensive ethical and sustainable investment policy.

Given the previous motion and noting that while it has been welcomed by some residents and groups, members of our local Jewish community have expressed concern about the text of the motion, and they have communicated that the motion might create a more hostile environment for the local Jewish community. It is therefore important that this council resolves to develop a comprehensive ethical and sustainable investment policy without delay.

The Council notes that:

1. it has previously discussed the need to take an ethical and sustainable approach to investment of Lancaster City Council funds to support our priorities and to ask the same of those who manage funds on our behalf, including the Lancashire Pension Fund;
2. increasingly pension funds are large investors who are being asked to take an ethical and sustainable approach to investment including considerations of workers' condition in properties owned by funds, and where these funds have a geographic link, to support community wealth building;
3. many of the Sustainable Development Goals speak to the importance of investment as a driver for securing fundamental human rights, building resilience within communities and meeting the challenge of the climate emergency;
4. it is preferable to take a comprehensive approach to an ethical and sustainable investment policy rather than addressing it on a topic-by-topic basis;
5. taking the time to develop a comprehensive approach will strengthen the policy, give

the council one reference point for full council's position on ethical and sustainable investment, and allow for one set of new investment instructions to be made, reducing development and implementation costs.

6. bringing together a comprehensive ethical and sustainable investment policy is a significant piece of work that should involve consultation with a range of stakeholders as well as taking expert advice;
7. undertaking this process via an overview and scrutiny task group will allow councillors to explore what are often complex ethical issues in a more discursive environment and with the benefits of expert advice and a mechanism to listen to community perspectives;
8. almost by definition ethical issues are rarely clear cut and there are often reasonable competing perspectives.
9. it is important we conduct a careful and respectful debate and reaffirm our commitment to this district being a place that supports everyone to know, claim and enjoy their human rights, and to be strong allies to everyone who faces discrimination and structural oppression in all its forms.

The Council hereby resolves to:

1. request Overview and Scrutiny Committee to establish a formal task group to develop a comprehensive ethical and sustainable investment policy and to bring forward a report to cabinet no later than would allow its recommendations to be considered by council in establishing the budget framework for the next financial year.
2. make no investment changes based on ethical or sustainability concerns until a comprehensive ethical and sustainability policy is agreed by council.

The motion was accompanied by an officer briefing note.

Thanking Mr Katz for making his address to Council, Councillor Hamilton-Cox, seconded by Councillor De La Mare, requested Council's permission to withdraw the motion. He explained that the intent was to submit a fresh motion to the September Council meeting, having had more time to consult and take on board the points raised by the public speaker.

A vote was taken and the proposition to withdraw the motion was clearly carried.

43 LEADER'S REPORT

The Leader informed Council of three errors in her report.

Paragraph 3.2 COVID 19 work; The toolkit had been published by the Department of Health and Social Care, not the County Council.

Paragraph 3.5 Eden; the Chief Executive, not the Leader, would be meeting with David Morris MP in the near future.

Paragraph 4 Decisions; the Provisional General Fund Outturn 2020/21 was not considered by Cabinet on 13 July 2021. The item was deferred until the September Cabinet meeting.

The Leader then responded to questions from Councillors.

Resolved:

That the report be noted.

44 EXECUTIVE ARRANGEMENTS

The Leader had submitted a report to inform Council that she had appointed Councillor Thornberry to the Police and Crime Panel. In accordance with the wishes of the Labour Group, she appointed Councillor Wood as the substitute member for the Panel, the substitute having to come from the same political group as the appointed member, to accord with political balance rules for the Panel.

The report included a change of appointment. The Leader would replace Councillor Thornberry on the Community Safety Partnership.

Resolved:

That the report be noted.

45 MOTION ON NOTICE - REFORMS OF THE PLANNING SYSTEM (MOTION 1)

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

“The Government has published highly controversial proposals to reform the planning system.

One aspect that has raised particular concern for local authorities is the proposal to remove local residents’ right to object to individual planning applications in their own neighbourhood if the area is zoned for growth or renewal.

Last month, the House of Commons called on the Government to protect residents’ rights to retain a voice over planning applications, recognising that the best way to get necessary new homes built is to support communities, councils, and developers to work in partnership.

A motion was passed by the House of Commons, with support from MPs of all political parties, supporting the principle of protecting residents’ right to a say over individual planning applications in their own area.

Many local people have already expressed anger that this long-established democratic right is under threat.

Lancaster City Council believes:

That planning works best when developers and the local community work together to shape local areas and deliver necessary new homes; and therefore, calls on the Government to protect the right of communities to object to individual planning applications.

The City Council therefore resolves:

To write to the Secretary of State for Communities and Local Government to ask the Government to protect the right of communities to object to individual planning applications, expressing the concerns above.”

The motion was accompanied on the agenda by a briefing note from officers.

Councillor Thornberry noted that there were two very similar motions on the agenda

regarding planning. She proposed the following amendment and informed the Mayor that, if her amendment was accepted, she would withdraw the similar motion she had submitted at item 11 on the agenda.

“To insert the following into the motion:

The Council notes that:

- There is an urgent local need for affordable housing
- There are major concerns about development worsening flooding
- Lancaster City Council Cabinet has just approved a consultation draft of updates to the local plan to strengthen our response to the climate emergency, these are issues which could be ignored or bypassed if local involvement in planning is reduced
- Planning works best when developers and the local community work together to shape local areas and deliver sustainable, affordable, accessible and necessary new homes
- The Government’s proposed planning changes are a threat to local democracy and involvement.”

The amendment, which was seconded by Councillor Robinson, was accepted as a friendly amendment by Councillor Matthews and Councillor Dant.

After a short debate, the motion was put to the vote and clearly carried.

Resolved:

The Government has published highly controversial proposals to reform the planning system.

One aspect that has raised particular concern for local authorities is the proposal to remove local residents’ right to object to individual planning applications in their own neighbourhood if the area is zoned for growth or renewal.

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Lancaster City Council believes:

- That planning works best when developers and the local community work together to shape local areas and deliver necessary new homes; and therefore, calls on the Government to protect the right of communities to object to individual planning applications.

The City Council therefore resolves:

- To write to the Secretary of State for Communities and Local Government to ask the Government to protect the right of communities to object to individual planning applications, expressing the concerns above.

46 MOTION ON NOTICE - REFORMS TO THE PLANNING SYSTEM (MOTION 2)

Councillor Thornberry had submitted a motion on notice regarding Reforms to the Planning System, with Councillors Hanson, Lewis and Robinson as seconders.

The motion was included in the agenda as follows:

Last month the House of Commons called on the Government to protect residents' rights to retain a voice in planning applications.

The Government proposals to reform the planning system are based on the concept of a zoning system. If an area is zoned for growth or renewal, developers can be granted outline planning permission. The normal second stage of applying for full planning applications will be removed. Planning committees won't decide applications in the same way and people will not have the same right to comment on specific proposals.

The Council notes that:

- there is an urgent local need for affordable housing;
- there are major concerns about development worsening flooding;
- Lancaster City Council Cabinet has just approved a consultation draft of updates to the local plan to strengthen our response to the climate emergency
- these are issues which could be ignored or bypassed if local involvement in planning is reduced
- planning works best when developers and the local community work together to shape local areas and deliver sustainable, affordable, accessible and necessary new homes
- the Government's proposed planning changes are a threat to local democracy and involvement.

The Council resolves that:

- the Chief Executive write to the Secretary of State expressing our belief that the rights of our residents and local groups to be heard in the local planning process and on individual planning applications should not only be maintained, but strengthened
- all consultation responses prepared by Lancaster City Council include this position, whenever relevant.

The Officer Briefing note for the motion was the same as that attached to the similar

motion (Item 10, previous minute refers) which had just been dealt with.

In view of the motion which had just been passed by Council, Councillor Thornberry sought Council's permission to withdraw her motion, seconded by Councillor Hanson. A vote was taken and the proposal to withdraw the motion was clearly carried.

47 APPOINTMENTS AND CHANGES TO COMMITTEE MEMBERSHIP

It was reported that there had been no changes made to committee memberships since the last Council meeting.

48 QUESTIONS UNDER COUNCIL PROCEDURE RULE 12

The Mayor advised that one question had been received by the Chief Executive in accordance with Council Procedure Rules, from Councillor Dant to Councillor Lewis. Councillor Lewis had given apologies for the meeting and would circulate a written answer to Councillor Dant and all other Members.

Councillor Dant read out his question for the benefit of those present:

"On 13th November 2019 Full Council resolved:

"This council believes that it might make better use of the skills of all its councillors and improve the democratic accountability of decision making by ceasing the current leader and cabinet model of governance and implementing a committee system. Council will establish a Working Group, with membership in balance, to investigate the best way to introduce a committee system of governance, taking into account the experiences of other councils. The investigation will lead to a detailed, legally and constitutionally sound proposal to be presented to full Council for consideration on or before its meeting in September 2020. That proposal will set out a future programme for implementation of any change to the system of governance."

On the 18th of December 2019 Full Council set up a nine-member Committee System Working Party with representation in proportion to political balance. That Working Party met once on the 29th of January 2020 and has not met since. The impact of Covid19 stopped the normal workings of the Council and redirected the work of its officers so no proposal was brought to the meeting of the Council in September 2020. The delay to fulfilling the Council's resolution is very understandable given the effects of the pandemic. However, most of the workings of the Council have been resumed for more than a year now and most officers have resumed their normal roles, albeit with different working arrangements.

Question: Will the Portfolio Holder for Corporate Services please tell the Council what arrangements are being made to reconvene the Committee System Working Party and when it is expected to report to full Council in accordance with its resolution of November 2019?"

49 MINUTES OF CABINET

Council considered the Cabinet minutes of the meeting held on 8 June 2021. The Leader and other Cabinet Members responded to questions from Councillors. The Leader referred to the presentation regarding the South Lancaster Growth Catalyst provided to Councillors

before the June Council meeting. She suggested that all Members refer to the slides which had been circulated. The presentation and slides contained a great deal of useful information.

Resolved:

That the minutes be noted.

Mayor

(The meeting finished at 7.20 p.m.)

**Any queries regarding these minutes,
please contact Debbie Chambers, Democratic Services - email dchambers@lancaster.gov.uk**

Address to Lancaster City Council

Lancaster and Lakes Jewish Community is grateful to Caroline Jackson for passing our letter of 2 July to party leaders in time for their meeting of 9 July. We are pleased that our letter has made an impact. The points we made evidently helped councillors to realise that there is a real case of unconscious, and perhaps even conscious, bias. The Lancaster University Jewish Society shares this sentiment.

But we feel Council did not take time to reflect on the recent experience to learn lessons, and instead rushed to a new motion. Certainly no further discussion, as requested, has taken place.

The result is that while preparing the new motion, errors have been repeated. Once again, representative bodies have not been consulted. Once again, Israel has been singled out for critique with a jumbled and misinformed preamble. And again there is a tendentious narrative.

For example, the opening lines glide from historic boycotts to boycotts of Israel, as if there is an easy continuity. In fact, while boycott actions have 'a long history' when employed by states against states and by various organisations against economic companies, in the past twenty-five years we know of no other divestment campaign by political and civil organisations against sovereign states except for that led by the BDS movement, whose website and record clearly link to antisemitic aims. We hope this gives Councillors food for thought as they design a new ethical policy.

Councillors might also want to know that whilst the UN is an admirable organisation, essential for world peace, the UN Human Rights Council – referenced in the preamble – has little credibility not only on the issue of Israel and Palestine. To give you an idea why, here are the number of condemnations that have been issued by the UN Human Rights Council by country: China: 0, Cuba: 0, Saudi Arabia: 0, North Korea: 14, Syria: 36, Israel: 95. Clearly, Israel has been singled out for critique while places where there is severe human rights abuse receive little or no censure. It would not be right for our Council to be guided by such politics.

Having said that, our concern is not with foreign policy *per se* but for our Jewish communities. We live in a multicultural society with a patchwork of ethnicities and faiths. The Jewish community is a case in point. While Jewish diasporic communities and Israel must not be conflated *politically*, there are social, cultural, and demographic links as nearly 45 per cent of the world's Jews live in Israel. Those who propose Boycotts Divestment and Sanctions on Israel may not wish British Jews to be affected, but the hostile environments created can – in the minds of perpetrators – justify such attacks. We know of manifestations of antisemitism in Lancaster and we do not want to see any escalation. It is of particular concern as BDS activity is known to encourage antisemitism in university campuses. A 2015 report on colleges and universities in the USA concludes: 'The best statistical predictor of anti-Jewish hostility, as measured by actions that directly target Jewish students for harm, is the amount of BDS activity'.¹ We ask Council to foster harmony and respect amongst all.

Reading the proposed motion, we are further dismayed that our representation is minimised as coming from '*members of our local Jewish community*', rather than from our recognised, and democratically elected, community organisations: the Lancaster and Lakes Jewish Community and Lancaster University Jewish Society. This contributes to the tendentious narrative. At the same time, protest action with the largest demonstration reported in the local press as having 'more than 250

¹ <https://amchainitiative.org/wp-content/uploads/2016/03/Antisemitic-Activity-at-U.S.-Colleges-and-Universities-with-Jewish-Populations-2015-Full-Report.pdf>

attending'² – where antisemitic chants were reported (and antisemitism challenged by our local MP) – is cited in the motion as 'several local mass gatherings' justifying a new ethical policy.

We strongly maintain that the motion of 23 June should have been rescinded by any of the constitutional means available. It is a blight to Lancaster, and it will continue to be a source of difficulty for Lancaster Jews. The new motion must not inadvertently exacerbate the damage.

In our parents' and grandparents' lifetimes, the small German Jewish community, which numbered just 0.75 percent of the population, was demonised to the point that it became the object for the Nazi movement and world war. Some Jewish refugees found sanctuary in Lancaster and the Lakes; our community has survivors and descendants of refugees. Whatever our political views, we are particularly aware of scapegoating.

In an urgent meeting, Lancaster and Lakes Jewish Community committee and Lancaster University Jewish Society have therefore resolved to support a non-racist ethical policy in our city that will have a comprehensive consultation process, be more than a box ticking exercise, and will prioritise real ethics at home: not just policies concerning pension funds, which may or may not materialise, but the immediate ethics of neighbourliness, peace, harmony, cooperation, and care, which we all share.

Amendments to the new motion have been prepared by lawyers familiar with the matter, which we have endorsed. We trust Councillors will find them helpful and listen to our address.

Naomi Tadmor, Chair of Lancaster and Lakes Jewish Community
Noah Katz, President of Lancaster University Jewish Society

Lancaster and Lakes Jewish Community has been established since 2005 as a distinct community in our multi-cultural city. We are recognised by Council, and have acted on numerous occasions vis-à-vis Council. Currently, we have a mailing list of over 100 which includes not only individuals but persons representing entire households. As explained in our letter of 2 July, before taking action we consulted our entire mailing list and have received extremely solid support. We continue to act in full consultation with our community.

Lancaster University Jewish Society is the thriving, long-established society uniting Jewish UG and PG students who come together to celebrate Jewish religion and culture. We are the representative voice for Jewish students on Bailrigg campus (University and Scotforth Rural Ward) and exist concurrently as a campaigning group to ensure the safety of Jewish students, striving for the same equality and inclusion that is granted to our peers across the University. We work closely with the Union of Jewish Students to stand in solidarity with British Jewry at large.

² <https://www.lancasterguardian.co.uk/news/uk-news/lancaster-speak-out-for-palestine-event-draws-hundreds-following-major-increase-in-violence-3239327>