

PROCEEDINGS

A meeting of the Lancaster City Council was held in the Town Hall, Morecambe, at 6.00 p.m. on Wednesday, 28 September 2022, when the following Members were present:-

Joyce Pritchard (Mayor)

Fabiha Askari

Mandy Bannon

Alan Biddulph

Dave Brookes

Keith Budden

Tim Dant

Gina Dowding

Kevin Frea

Mike Greenall

Tricia Heath

Joan Jackson

Geoff Knight

Sally Maddocks

Abi Mills

Jean Parr

Robert Redfern

Alistair Sinclair

Sandra Thornberry

David Whitaker

Jason Wood

Ross Hunter (Deputy Mayor)

Richard Austen-Baker

Gerry Blaikie

Victoria Boyd-Power

Abbott Bryning

Roger Cleet

Roger Dennison

Jason Firth

Andrew Gardiner

Colin Hartley

Caroline Jackson

Mandy King

Jack Lenox

Cary Matthews

Stuart Morris

Margaret Pattison

Oliver Robinson

Paul Stubbins

Sue Tyldesley

John Wild

Joanna Young

Before starting the meeting the Mayor welcomed Councillor Tyldesley to her first Council meeting since being elected to represent Warton Ward in the by-election held on 8 September 2022.

54 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Tony Anderson, Paul Anderton, Phil Black, Jake Goodwin, June Greenwell, Mel Guilding, Tim Hamilton-Cox, Debbie Jenkins, Sarah Knight, Erica Lewis, Faye Penny, Luke Taylor, Malcolm Thomas, Anne Whitehead and Peter Yates.

Apologies were recorded for Councillor Jason Firth at this point, however he arrived during item 5 (minute number 57 refers).

55 MINUTES

The minutes of the meeting held on 27 July 2022 were signed by the Mayor as a correct record.

56 DECLARATIONS OF INTEREST

Councillor Dant declared an interest in relation to the report regarding a Neighbourhood Plan for Aldcliffe with Stodday in view of his membership of that Neighbourhood Planning Group. Although this was not a pecuniary interest Councillor Dant informed the Mayor that he would not participate in that item of business. (Minute No. 62 refers.)

57 ANNOUNCEMENTS

(Councillor Firth arrived at the start of this item and his apologies were withdrawn.)

The Mayor noted that this was the first full Council meeting since the sad death of Her Majesty Queen Elizabeth II. She asked that Councillors remember this event and the recent passing of Councillor Merv Evans, after a long illness, on 12 August 2022.

Councillor Evans was elected to Council for Westgate Ward in May 2019 and served as a Member of Cabinet for several months during his term of office. He passed away peacefully with his family by his side.

Members stood in a minute's silence in memory.

The Mayor informed Councillors that she intended to move items 9 and 10 to the end of the agenda because there was recommendation to exclude press and public for the restricted report on No 1 Gateway, White Lund Industrial Estate, Financing a Solar Array Proposal.

58 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.

59 PETITIONS AND ADDRESSES

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

60 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.

Resolved:

That the report be noted.

61 COMMITTEE SYSTEM WORKING GROUP

Councillor Dant, Chair of the Committee System Working Group, presented the Group's report updating Council on its work.

There were no questions about the report.

Councillor Dant proposed:

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

Councillor Heath seconded the proposition.

There was no debate. The proposition was carried unanimously when put to the vote.

Resolved unanimously:

- (1) That the report be noted.
- (2) That no further work be carried out by the Working Group during the 2022/23 municipal year.
- (3) That the facts and information gathered by the Working Group be held by Democratic Services to assist the Council should this issue be raised again following the Council's May 2023 elections.

62 ALDCLIFFE WITH STODDAY NEIGHBOURHOOD PLAN

(Councillor Dant, having previously declared an interest in this item, abstained from voting.)

Council considered a report of the Director of Economic Growth and Regeneration regarding a Neighbourhood Plan for Aldcliffe with Stodday.

The report sought Council's permission to formally "make" the Aldcliffe with Stodday Neighbourhood Plan with immediate effect, with the consequence that it would become part of the statutory Development Plan for the area.

Councillor Dowding, Cabinet Member for Planning and Place Making, presented the report, which was received with no questions from Councillors.

The recommendation set out in the report was proposed by Councillor Dowding, seconded by Councillor Robinson.

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

Resolved:

- (1) That the Council, under section 38A(4) of the Planning and Compulsory Purchase Act 2004, formally makes the Aldcliffe with Stodday Neighbourhood Plan with immediate effect, with the consequence that it becomes part of the statutory Development Plan for the area.

63 ANNUAL TREASURY MANAGEMENT OUTTURN REPORT 2021/22

The Chief Finance Officer had submitted a report of the Annual Treasury Management Outturn for 2021/22. The report was for noting.

The Cabinet Member for Finance and Resources had given apologies for the meeting, therefore the Leader presented the report to Council and responded to questions, assisted by the Chief Finance Officer.

Resolved:

That the report and prudential indicators be noted.

64 ALLOCATION OF SEATS TO POLITICAL GROUPS

Councillors considered a report of the Head of Democratic Services advising them of the calculations relating to the allocation of seats in accordance with the Local Government and Housing Act 1989 following a change to the political composition of the Council.

The changes were following the sad death of Councillor Merv Evans (Westgate Ward), the resignation of Councillor Katie Whearty (University and Scotforth Rural Ward) and the election of Councillor Sue Tyldesley (Warton Ward).

Councillor Wood proposed, seconded by Councillor Knight:

“That in accordance with Section 15 of the Local Government and Housing Act, 1989 and Part 4 of the Local Government (Committees and Political Groups) Regulations, 1990, the City Council approves the calculations and allocation of seats set out in the report, including the adjustments set out in the table in 3.4 of the report.” It was noted that the recommendation in the report incorrectly referred to a table in paragraph 2.3 of the report instead of 3.4.

The proposition was carried unanimously when put to the vote.

Resolved unanimously:

- 1) That in accordance with Section 15 of the Local Government and Housing Act, 1989 and Part 4 of the Local Government (Committees and Political Groups) Regulations, 1990, the City Council approves the calculations and allocation of seats set out in the report, including the adjustments set out in the table in 3.4 of the report.

65 APPOINTMENTS AND CHANGES TO COMMITTEE MEMBERSHIP

The following changes to Committee Memberships were reported since the last Council meeting:

For the Labour Group Councillor Parr had replaced Councillor Robinson on the Audit Committee. Councillor Lewis had replaced Councillor Wood as a named substitute on the same committee.

To effect the adjustments required as a result of the revised political balance calculation (minute 64 refers), the Independent Group had given up the seat on the Personnel Committee held by Councillor Jenkins to the Green and Independent Group.

The Green and Independent Group appointed Councillor Stubbins to the Personnel Committee.

No other adjustments were required as a result of the calculation, the Bay Independent Group and the Liberal Democrat Group having agreed to allow the Independent Group to keep the seat that would otherwise have been a three way 'tie'.

The Green and Independent Group also informed Council that Councillor Tyldesley would replace Councillor Bannon on the Planning Regulatory Committee.

66 QUESTIONS UNDER COUNCIL PROCEDURE RULE 12

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

- (1) Councillor Dant to Councillor Dowding regarding Lancashire County Council's consultations on road schemes.
- (2) Councillor Whitaker to Councillor Brookes regarding West End Gardens.

Councillor Dant asked:

Between 26/10/2020 - 08/12/2020 Lancashire County Council undertook a consultation on two schemes:

- *The M6 Junction 33 Link Road and Infrastructure concerns the delivery of infrastructure to deliver new housing in south Lancaster (the South Lancaster Strategic Growth Area); and,*
- *The Lancaster City Centre Movement and Public Realm Strategy concerns the improvement of accessibility for walking, cycling and public transport in and around the city centre.*

Councillors and residents in Lancaster have had no further information on either scheme since the options were discussed at the County Cabinet meeting in February 2021. The County's website promises further modelling, an assessment of air quality and "further consultation in late 2021 on a preferred option" for the City Centre Movement strategy. Many possible transport issues and developments in Lancaster are dependent on what the County Council is going to do about changes to highways infrastructure in the City:

- *Air pollution in the City Centre and in Galgate continues to exceed WHO guidance.*
- *The overcrowded city centre roads are dangerous for all but the most confident cyclists.*
- *The gyratory system continues to allow through traffic and HGVs continue to make the left turn into Meeting House Lane and use Station Road to access the Lune Industrial Estate.*
- *There is no plan for how the J33 Link Road and the City Centre will be connected for*

transport. The much talked about cycle-superhighway and better buses schemes for Lancaster still have no routes that can inform planning decisions and to which residents can look forward.

- The City is spending precious planning resources on an Area Action Plan for South Lancaster without any clear plan for how, when or where the roads for the so-called Bailrigg Garden Village will go, or how they will traverse the West Coast Mainline and connect with the existing or emerging road system in the City.*
- There has been no progress on the long-awaited changes to the Pointer Roundabout which still has no adequate crossings for pedestrians on three of the two-lane roads that enter it or on providing a safe route for cyclists through the roundabout, despite this being funded through the Department for Transport Safer Roads funds -which has already been secured.*

Can the Cabinet member for Planning please tell us how these key planning issues for the City of Lancaster are going to be resolved?

Councillor Dowding thanked Councillor Dant for his question and responded:

Your question raises some very important points.

Of course, Lancashire County Council is the transport and highway authority for the district. It is responsible for the planning and delivery of any proposed changes to the district's road network and cycling and walking infrastructure.

The consultation to which Councillor Dant refers was indeed twofold. Lancashire County Council established a website called 'Transforming Travel in Lancaster' to keep residents and other stakeholders informed regarding progress with both the M6 Junction 33 scheme; and the City Centre Movement and Public Realm Strategy. I note that there has been no recent update to the County Council's website, and therefore perhaps I should advise Councillor Dant and others that Lancashire County Council would be best placed to respond to these questions directly. However in the absence of them being here, I can advise as follows:

It is anticipated that the County Council will submit a planning application for the Junction 33 works in due course, and there is no precise timetable currently available to suggest when this might be. It will be the County Council, acting in their separate role as the local planning authority for highway/road building projects, who will determine the planning application. Lancaster City Council would be a statutory consultee.

The City Centre works are more complex. In February 2021, the County Council's Cabinet agreed to take forward three city centre gyratory options for further analysis, including detailed transport modelling. The County Council envisaged a "further consultation" late last year, aimed at arriving at a preferred option. This consultation did not occur in 2021, and there is, as yet no indication from the County Council that any such consultation is imminent.

Set against this lack of progress are the County Council's responsibilities as Local Highway Authority to deliver the remaining requirements of the Development Consent Order (an Act of Parliament) for the Bay Gateway. The Development Consent Order requires the County Council to introduce complementary traffic measures no later than 10 years of the opening of the Bay Gateway. The Bay Gateway opened on 31 October 2016. The measures must "aim to prevent road traffic growth with the Central Lancaster area increasing to predicted "do minimum" levels between the opening and design years of the link road and contain a timetable for implementation of the measures carried out."

The County Council also agreed (Page 20 of the Lancaster District Highways and Transport Masterplan, 2016) that notwithstanding the identified measures, their “philosophy is to go beyond this ‘do minimum’ approach and instead to make full use of the potential for transformational change within the district that completion of the (Bay Gateway) link road gives.”

It is clear that the County Council is mandated through the Act of Parliament to deliver complementary traffic measures irrespective of the delivery of works in South Lancaster. In the absence of any apparent, recent progress being made, I can advise that the City Council can formally write to the County Council, querying their compliance with all the requirements of the Development Consent Order, and also asking whether related initiatives (such as the Pointer Roundabout to which Councillor Dant referred) are programmed to be delivered. In the meantime our own local planning authority is, rightly, continuing to progress evidence-gathering which will inform a first draft of an Area Action Plan (AAP) for Lancaster South. The AAP will be subject to various stages of engagement and consultation. The County Council will be a consultee and important stakeholder in this process.

By way of a supplementary question, Councillor Dant asked how, on behalf of residents, Councillors could ensure that the County Council’s legal obligation would be fulfilled. Was there something more that could be done besides a letter. For example, could they be sued?

Councillor Dowding said she thought this was a valid question because six years had already passed. She could not offer an answer on the legal possibilities but would ask officers to look into that and would get back to Councillor Dant with a response.

Councillor Whitaker asked:

The West End of Morecambe West End Gardens has been neglected in regard to the planting of flowers and it has looked neglected over the summer period. People were expecting to see flowers planted and the area to look presentable.

Why has flower planting stopped in this area of Morecambe?

Councillor Brookes responded:

West End Gardens is planted with low maintenance shrubs and grasses. As you pointed out, there is no annual bedding, but there hasn’t been for quite some time. The Head of Public Realm says for at least six years and his predecessor reckons it is more like a decade. So I’m tempted to say that I’m the wrong person to ask. But I will answer the question.

I think it was likely part of a more widespread cutback of annual bedding to protect other areas of the Council’s budget. I have a vague memory of formerly planted areas of Lancaster which have been converted to low maintenance shrubs. Annual bedding obviously requires new plants every year which comes with a cost and it is resource intensive to plant and clear the beds. Nevertheless, the City Council continues to maintain a number of areas of annual bedding, predominantly in Morecambe and the gardening team devotes a significant amount of time to that.

By way of a supplementary question, Councillor Whitaker asked:

I take your points onboard, but can we expect some spending or attention given to those gardens next year at least? We need to be doing that, we’ve got possibly Eden coming

hopefully and visitors coming to the area. This is a very prominent area of Morecambe.

Councillor Brookes replied:

All I can say is that the Council will continue to maintain the gardens. I would love to be able to promise you that there will be a transformation, but as you know the budget situation is only going in one direction. But I'm sure officers have heard what you have said and it is something that can be considered.

67 MINUTES OF CABINET

Council considered the Cabinet minutes of the meetings held on 12 and 26 July 2022. No questions were raised.

Resolved:

That the minutes be noted.

68 MINUTES OF COMMITTEES

Council considered the minutes of Committee meetings approved since the last Council meeting. These were:

- a) Audit Committee, 25th May 2022
- b) Licensing Committee, 30th June 2022
- c) Budget and Performance Panel, 6th July 2022
- d) Overview and Scrutiny Committee, 14th July 2022
- e) Planning Regulatory Committee, 18th July 2022
- f) Licensing Committee, 28th July 2022
- g) Planning Regulatory Committee, 15th August 2022

No questions were raised on any of the minutes.

Resolved:

That the minutes be noted.

69 EXCLUSION OF THE PRESS AND PUBLIC

The Mayor reminded Council that it had been recommended to exclude the press and public from the meeting for the following item on the grounds that it could involve the possible disclosure of exempt information.

Councillor Caroline Jackson moved, seconded by Councillor Wood:

"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 ground that it could involve the possible disclosure of exempt information as defined in paragraph 3 of Schedule 12A of that Act.

(The Council Chamber was cleared of any press or public present at this point.)

70 NO 1. GATEWAY WHITE LUND INDUSTRIAL ESTATE: SOLAR ARRAY PROPOSAL
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(The full minute and resolution for this item is included in a minute which is exempt from publication under paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972.)

It was noted that the report submitted had a slightly different title to the report listed on the agenda.

Councillor Hamilton-Cox, Cabinet member for Sustainable Economic Prosperity, had given apologies for the meeting. In his place, Councillor Dowding introduced the report and responded to a number of questions from Councillors.

Councillor Dowding then proposed the recommendations, as set out in the exempt report, seconded by Councillor Heath.

Following a lengthy debate, a vote was taken on the propositions, which were clearly carried.

Mayor

(The meeting finished at 7.40 p.m.)

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

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