

PROCEEDINGS

A meeting of the Lancaster City Council was held in the Town Hall, Morecambe, at 6.00 p.m. on Wednesday, 15 March 2023, when the following Members were present:-

Joyce Pritchard (Mayor)

Fabiha Askari

Mandy Bannon

Gerry Blaikie

Victoria Boyd-Power

Keith Budden

Roger Dennison

Kevin Frea

Mike Greenall

Mel Guilding

Colin Hartley

Joan Jackson

Geoff Knight

Erica Lewis

Paul Stubbins

Sue Tyldesley

Anne Whitehead

Jason Wood

Joanna Young

Ross Hunter (Deputy Mayor)

Richard Austen-Baker

Phillip Black

Alan Biddulph

Dave Brookes

Roger Cleet

Gina Dowding

Andrew Gardiner

June Greenwell

Tim Hamilton-Cox

Caroline Jackson

Mandy King

Jack Lenox

Abi Mills

Sandra Thornberry

David Whitaker

John Wild

Peter Yates

137 APOLOGIES

Apologies were received from Councillors Tony Anderson, Paul Anderton, Abbott Bryning, Darren Clifford, Tim Dant, Jason Firth, Tricia Heath, Debbie Jenkins, Sarah Knight, Sally Maddocks, Cary Matthews, Stuart Morris, Jean Parr, Faye Penny, Oliver Robinson, Alistair Sinclair, Luke Taylor and Malcolm Thomas.

138 MINUTES

The minutes of the meeting held on 22 February 2023 were signed by the Mayor as a correct record.

139 DECLARATIONS OF INTEREST

Councillor Tyldesley declared an 'other' interest in Item 11 Community Governance Review – Creation of Yealands Parish Council in view of her being a member of Yealand Conyers Parish Council.

140 QUESTIONS FROM THE PUBLIC UNDER COUNCIL PROCEDURE RULE 11

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

141 PETITIONS AND ADDRESSES

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

142 LEADER'S REPORT

The Leader presented her report updating Members on various issues since her last report to Council.

Councillor Black moved that Council Procedure Rule 12 be suspended for this item of business. The proposition was seconded by Councillor Gardiner and was carried when put to the vote.

The Leader then responded to a number of questions from Councillors.

Resolved:

That the report be noted.

143 COUNCIL TAX PREMIUMS ON SECOND HOMES AND EMPTY PROPERTIES

Council considered a report of Cabinet to determine options for proposed changes to Council Tax premiums as included within the Levelling Up and Regeneration Bill which, subject to the Bill receiving Royal Assent prior to 31 March 2023, was due to become effective from 1 April 2024.

Members asked a number of questions and Councillor Lewis proposed that the meeting be adjourned briefly in order that clarification could be sought on the issues raised so that a decision could be taken at this meeting as it was not appropriate to defer the item to April's

Council. The proposal to adjourn was seconded by Councillor Whitaker and clearly carried when put to the vote.

The meeting adjourned at 6.40pm and reconvened at 6.45pm.

On reconvening Councillor Whitehead proposed, seconded by Councillor Hamilton-Cox:

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

Following a brief debate in accordance with regulations and with Council Procedure Rule 19.7 a recorded vote was taken in respect of the decision relating to the making of a Council Tax calculation.

For the proposition: Councillors Askari, Austen-Baker, Bannon, Biddulph, Black, Blaikie, Boyd-Power, Brookes, Budden, Cleet, Dowding, Frea, Gardiner, Greenwell, Guilding, Hamilton-Cox, Hartley, Hunter, Jackson (Caroline), Jackson (Joan), King, Knight (Geoff), Lenox, Lewis, Mills, Pattison, Pritchard, Redfern, Stubbins, Thornberry, Tyldesley, Whitaker, Whitehead, Wild, Wood, Yates and Young. (37)

Against the proposition: None

Abstentions: Councillors Dennison and Greenall. (2)

Resolved:

(1) That Full Council approves that the following additional Council Tax premiums be applied from 1 April 2024, or as soon as possible thereafter, subject to the required legislation being in place.

- 100% premium for dwellings occupied periodically.
- 100% premium for properties which have been empty and unfurnished for a period of between 1 (previously 2) and 5 years.

144 FLEXIBLE USE OF CAPITAL RECEIPTS STRATEGY 2023-24

Council considered a report of Cabinet which proposed a Flexible Use of Capital Receipts Strategy for 2023-24 to complement the Council's Outcomes-Based Resourcing programme. Statutory guidance from the Department for Levelling Up, Homes and Communities (DLUHC) and the Chartered Institute of Public Finance and Accountancy (CIPFA) enabled local authorities to make flexible use of capital receipts to fund projects which were likely to generate savings to the authority and / or other public bodies. To make use of this provision, authorities must submit to the Secretary of State a Flexible Use of Capital Receipts Strategy setting out how the provision would be applied in the next financial year.

There were no questions on the report and Councillor Whitehead proposed, seconded by Councillor Hamilton-Cox:

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

There was no debate and when put to the vote Members voted unanimously in favour of the proposition.

Resolved unanimously:

- (1) That Full Council approves the Flexible Use of Capital Receipts Strategy 2023/24 set out in the report, in accordance with the relevant statutory guidance.

145 COMMUNITY GOVERNANCE REVIEW - CREATION OF YEALANDS PARISH COUNCIL

Council received a report of the Council Business Committee to enable Council to consider agreeing an Order for the creation of the Yealands Parish Council.

No questions were raised and Councillor Knight proposed, seconded by Councillor Lewis:

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

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

Resolved unanimously:

- (1) That the Order for the creation of the Yealands Parish Council as attached to the report be approved.

The Chief Executive, Monitoring Officer and Section 151 Officer left the meeting whilst the following item was considered.

146 PAY POLICY STATEMENT 2023/24

Council received a referral report from the Personnel Committee to consider and agree the Personnel Committee’s recommendation for the Pay Policy Statement for 2023-24 as required by the Localism Act 2011.

Councillor Wood proposed, seconded by Councillor Askari:

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

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

Resolved unanimously:

- (1) That the Pay Policy Statement 2023-24 be approved.

At this point the Chief Executive, Monitoring Officer and Section 151 Officer returned to the meeting.

147 MOTION ON NOTICE - RULES REGARDING MOTIONS ON NOTICE

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

RULES REGARDING MOTIONS ON NOTICE

The Council notes that:

- (a) A number of debates at full Council concern matters irrelevant to the business of a district council (such as nuclear warheads, foreign policy, the mode of conducting

parliamentary elections), usually brought tenuously within the ambit of the Council's Constitution by including a resolution that the Chief Executive write a letter to some external authority or body reflecting the outcome of the debate.

- (b) Although the financial cost to the Council of writing such letters is confined to the cost of the paper, envelope and postage, the debates themselves take up the time of councillors and officers, and also delay other Council personnel staffing the building leaving for the day.
- (c) The debates also involve the use of energy for lighting and heating in the Council chamber and other parts of Morecambe Town Hall, beyond what would be necessary if the debates did not occur, thus also generating concomitant carbon dioxide emissions, contrary to the purposes of the Council's declaration of a Climate Emergency.
- (d) Debates the substantive content of which is beyond the competence of a District Council are apt to bring local government into disrepute.

It is therefore RESOLVED that:

- (1) Save as provided in paragraph (2), below, the Chief Executive shall rule out of order (in accordance with clause 15.4 of the Constitution of Lancaster City Council) any motion on notice for an ordinary meeting of the Council, the substantive content of which does not, in his reasonable opinion, fall within the scope of district council responsibilities, notwithstanding that the notice includes a resolution technically within the power of the Council to carry into effect.
- (2) Notwithstanding paragraph (1), above, the Chief Executive may allow a motion on notice which, whilst falling to be ruled out of order under paragraph (1), above, falls within the terms of clause 15.4 of the Council Constitution, only provided that the matter so raised affects "the area or residents, workers or visitors to the District" in a degree significantly greater than it affects residents, workers or visitors to other districts in England, so making its discussion of particular pertinence to Lancaster City Council.
- (3) The Monitoring Officer be authorized to make such amendment to the Constitution of the Council as is required to give effect to the above resolutions.

An officer briefing note had been circulated with the agenda.

The Mayor asked Councillor Austen-Baker if he wished to propose the motion and he replied that he did. Councillor Joan Jackson seconded the motion.

The Mayor moved on to take questions for the proposer of the motion and Councillor Austen-Baker responded to a number of questions before moving to debate.

At the conclusion of a lengthy debate a vote was taken and the motion was lost, with 8 Members in favour, 27 against and 2 abstentions.

148 CARNFORTH NEIGHBOURHOOD PLAN - ADOPTION (MAKING) OF THE NEIGHBOURHOOD PLAN

Council received a report from the Head of Planning and Place to formally “make” the Carnforth Neighbourhood Plan with immediate effect, with the consequence that it would become part of the statutory Development Plan for the area.

No questions were asked in relation to the report.

Councillor Dowding proposed, seconded by Councillor Yates:

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

There was no debate and at this point Councillor Dowding asked that congratulations be noted and passed to Carnforth Town Council.

Councillors then voted on the proposition which was unanimously carried when put to the vote.

Resolved unanimously:

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

149 APPOINTMENTS AND CHANGES TO COMMITTEE MEMBERSHIP

No changes to Committee memberships were reported.

150 QUESTIONS UNDER COUNCIL PROCEDURE RULE 12 (Pages 8 - 9)

The Mayor advised that one question had been received by the Chief Executive in accordance with Council Procedure Rules. The question was from Councillor Whitaker to Councillor Matthews. As Councillor Matthews had sent her apologies for the meeting Councillor Whitaker agreed that a written response would be acceptable, and the response is appended to the minutes.

151 MINUTES OF CABINET

Council considered the minutes of Cabinet held on 7 February 2023.

Resolved:

That the minutes be noted.

Mayor

(The meeting finished at 8.08 p.m.)

**Any queries regarding these Minutes,
please contact Democratic Services - email democracy@lancaster.gov.uk**

Agenda Item 16: Questions on Notice Under Council Procedure 12Question from Councillor David Whitaker to Councillor Cary Matthews.

A lot of media and people are getting excited about seeing work slowly commencing on the Eden site and we all should celebrate that, but Eden is clearly going to have a detrimental impact on some members of our community, and it already is with greedy property speculators taking advantage of the recent news.

What has The Council done and will do to ensure that people are not forced out of their homes as a result of Eden and the ongoing rise in the cost of living?

Written Response from Councillor Matthews:

I can confirm that housing teams have been contacted and confirm the following:-

Whilst there has been an increase in private sector evictions post Covid as a result of the evictions ban restrictions being lifted, there has been no disproportionate increase in evictions in Morecambe to date.

The Private Sector Housing Standards Team will continue to work with private sector landlords to prevent unlawful evictions occurring and will take enforcement action where necessary.

The council's Housing Options Team will proactively work with any local residents to prevent homelessness wherever possible and will take homelessness applications from anyone who is threatened with homelessness. Income maximisation and advice around debt issues already forms part of the work undertaken by the Housing Options Team as well as signposting to any other appropriate advice agency.

The most common reason for homelessness applications being made continues to be relationship breakdown/family no longer able to accommodate.

The Housing Options Team will of course keep a close eye on this and members will be able to gain a more in depth analysis when the homelessness strategy is presented to Cabinet later this year.

Should you have any further queries then please do not hesitate in contacting me.