

COUNCIL BUSINESS COMMITTEE

Consultation – Lancaster Port Commission Harbour Review Order

31 August 2023

Report of the Monitoring Officer

PURPOSE OF REPORT

To enable the Committee to consider a response from a request from Councillor Sally Maddocks, in her capacity as Ward Councillor, to respond to the Marine Management Authority regarding the Lancaster Port Commission Harbour Revision Order.

This report is public.

RECOMMENDATIONS

- (1) That the Committee considers a request from Ward Councillor Sally Maddocks to make a response to the Marine Management Authority regarding the consultation on the Lancaster Port Commission Harbour Revision Order.
- (2) That, should the committee decide to respond, the wording of the response be agreed at this meeting or, if that is not possible, be agreed via email following the meeting and submitted to the MMO by Democratic Support to meet the deadline of 8 September 2023.

1.0 Introduction

- 1.1 The Marine Management Organisation (MMO) launched a consultation on 13 July 2023 regarding an application in September 2022 from the Lancaster Port Commission to the “MMO” under Section 14 of the Harbours Act 1964 for a Harbour Revision Order (“HRO”).
- 1.2 The MMO set out that *“The proposed HRO would define the limits of Lancaster Port. The proposed HRO would also modernise the Commission’s powers to manage and regulate the port, including powers, to give general and special directions, establish an advisory body or bodies of port stakeholders, for the making of byelaws, navigational safety, conservation, dredging, moorings, bunkering, levying of charges and the use of port revenue and powers to vest in the Commission to borrow, to establish a reserve fund, to develop or dispose of land, and to grant tenancies.”*
- 1.3 The Port of Lancaster currently operates at Glasson Dock. Councillor Sally Maddocks, one of two ward councillors for the ward where Glasson Dock is located, contacted Democratic Support to formally request that this committee make a

response to the consultation. The closing date of the consultation was originally 23 August 2023, however the MMO extended this to 8th September 2023 to take account of the summer holiday period.

2.0 The Consultation

- 2.1 Full details of the consultation can be found online [here](#)

3.0 Suggested Local Planning Authority response

- 3.1 In addition to Councillor Sally Maddocks' request to this Committee, the MMO included the City Council as a consultee and contacted officers via email on 13 July 2023 at the start of the consultation period.

- 3.2 It is appropriate for the City Council in its role as the local planning authority to make a formal response, however that would be quite separate to any response the Committee might choose to submit on behalf of the Council. The local planning authority's response would be factual and would simply serve to inform the MMO that there is an ongoing planning enforcement case relating to the planning status of a parcel of land that is within the Port's ownership. It would not disclose any further information arising from this enforcement case, or offer further commentary.

- 3.3 The suggested wording for the local planning authority response from officers is set out below:

"Thank you for your correspondence of 13 July 2023 regarding the proposed Lancaster Port Commission Harbour Revision Order.

Lancaster City Council's local planning authority has an ongoing enforcement case regarding the planning status of a parcel of land within the proposed operational area (rear of Railway Place). This case involves continuing discussions with the Port's planning representatives.

The local planning authority neither supports nor objects to the Harbour Revision Order proposal, but simply wishes to make the MMO aware of this ongoing planning enforcement case."

- 3.4 This suggested local planning authority response would be independent of any separate response that the Committee wishes to make.

4.0 Conclusion

- 4.1 The Committee is asked to consider Ward Councillor Sally Maddocks' request to make a response to the MMO's consultation on the Harbour Revision order for the Port of Lancaster (Glasson Dock). If the committee is minded to make a response, consideration to be given to the method of agreeing the response to be submitted before the deadline.

CONCLUSION OF IMPACT ASSESSMENT (Including Diversity, Human Rights, Community Safety, Sustainability and Rural Proofing)

None identified.

FINANCIAL IMPLICATIONS

None identified.

LEGAL IMPLICATIONS

None identified.

SECTION 151 OFFICER COMMENTS

The Section 151 Officer has been consulted and has no comments.

MONITORING OFFICER'S COMMENTS

The terms of reference for this Committee include the following:- "To determine the method of response and, where necessary, agree responses, on behalf of the Council, to requests for responses to consultations made to the Council". Cllr Maddocks, as Ward Cllr, has made a request to this Committee and therefore it is a Committee decision as to the method and/or content of any response on behalf of the Council.

BACKGROUND PAPERS

Councillor Sally Maddocks' email request to the Committee with supporting documents.

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