

**COUNCIL BUSINESS  
COMMITTEE**

4.30 P.M.

17TH JANUARY 2008

**PRESENT:-** Councillors Susan Bray (Chairman), Morgwn Trolinger (Vice-Chairman), Shirley Burns, Geoff Knight, Karen Leytham and Joyce Pritchard Abbott Bryning (substitute for Rob Smith)

Apologies for Absence  
Councillor Rob Smith

Officers in attendance:-

James Doble

Principal Democratic Support Officer

Liz Bateson

Senior Democratic Support Officer

**29 MINUTES**

The Minutes of the meeting held on 15<sup>th</sup> November 2007 were signed by the Chairman as a correct record.

**30 CIVIC PROGRAMME - RECEPTION FOR OVERSEAS STUDENTS**

Members considered a report of the Head of Democratic Services requesting Members to consider the options in relation to the holding of a Civic Reception for Overseas Students.

Members were requested to consider the three options outlined in page 2 of the agenda. After some discussion Members agreed to support option 3 to discontinue the event with the following amendment:

“That the event be discontinued if attempts to communicate, publicise and promote the event with Lancaster University Students Union are not successful.”

***Resolved:***

That the event be discontinued if attempts to communicate, publicise and promote the event with Lancaster University Students Union are not successful.

**31 H M REVENUES & CUSTOMS - VAT REGULATIONS**

The Principal Democratic Support Officer introduced a report to advise Members of a request from West Lothian Council requesting support for their position regarding changes in VAT regulations affecting not for profit leisure trusts. It was reported that this was not relevant to the City Council as it treated such membership packages as standard rate and was already abiding by the Court's decision.

***Resolved:***

That no further action be taken.

**32 LOCAL PETITIONS AND CALLS FOR ACTION - CONSULTATION RESPONSE**  
(Pages 1 - 4)

The Principal Democratic Support Officer presented a report to enable Members to comment on a proposed consultation response relating to the Department for Communities and Local Government (DCLG) consultation on Local Petitions and Calls for Action. It was agreed that it was appropriate to respond to public petitions. Members were asked to consider a draft response for submission to the DDLG.

***Resolved:***

- (1) That the draft consultation response attached as an appendix to these minutes be approved for submission as the Council's response to the DCLG consultation exercise on Local Petitions and Calls for Action.
- (2) That work on developing a process for dealing with Local Petitions and Calls for Action be included as part of the Democratic Renewal Phase 2 Report.

**33 NORTH WEST DEVELOPMENT AGENCY DRAFT CORPORATE PLAN - CONSULTATION RESPONSE** (Pages 5 - 7)

The Principal Democratic Support Officer presented a report to allow Members the opportunity to comment on a proposed consultation response relating to the North West Development Agency (NWDA) Draft Corporate Plan.

***Resolved:***

- (1) That the draft consultation response attached as an appendix be approved for submission as the Council's response to the NWDA consultation exercise on its draft Corporate Plan.
- (2) That it be noted that the points raised in the draft response have been forwarded to the Lancashire Economic Partnership (LEP) as this Council's contribution to an overall response and any amendments agreed at this meeting will be reported to the LEP meeting on 21<sup>st</sup> January 2008.

**34 REVIEW OF COMPUTER USAGE BY MEMBERS**

The Principal Democratic Support Officer introduced a report regarding computer usage by Members and whether current provision was appropriate for Members' needs. Reference was made to the slowness of network speed. Members agreed that option 3, to undertake a review of the existing arrangements was the most appropriate way forward.

It was suggested that feedback regarding this paperless meeting should be included and Members agreed that the next meeting should be paperless. It was noted that several Members had created a personal website and the Principal Democratic Support Officer offered to provide training on this to interested Members.

***Resolved:***

- (1) That officers be requested to carry out a survey of Members' views on a range of issues relating to the usage of computers by Members for Council business and

report back to this Committee on the results and any recommendations for change.

- (2) That the next Council Business Committee be paperless.

**35 APPOINTMENTS TO COMMITTEES AND CHANGES TO MEMBERSHIP**

Group Administrators were invited to put forward nominations for any changes to membership of Committees. The changes submitted by the Conservative group were accepted.

***Resolved:***

Budget and Performance Panel

Delete Tony Johnson and add Peter Williamson

Overview and Scrutiny Committee – substitute

Delete Keith Sowden and add Sylvia Rogerson

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Chairman

(The meeting ended at 5.25 p.m.)

**Any queries regarding these Minutes, please contact  
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Chief Executive

**Mark Cullinan**

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18<sup>th</sup> January 2008

Dear Ms Milner

### **LOCAL PETITIONS AND CALLS FOR ACTION CONSULTATION**

Thank you for the opportunity to respond to the above consultation. The consultation document was considered by the Council Business Committee on 17<sup>th</sup> January 2008 and the response of Lancaster City Council is set out below.

Lancaster City Council firmly supports the Government's initiatives to empower communities. The City Council welcomes the intention of the Secretary of State to formalise the process regarding the submission of petitions and create a duty on local authorities to respond. Whilst the City Council takes petitions very seriously and there is a formal process in place for petitions and addresses to be presented to full Council this is not well developed and has rarely been used for the submission of a petition, nor for a Councillor to take up a cause on behalf of a local community.

The Council would support the principle that the subject of petitions should be broad, as set out in paragraph 19a and not just limited to local authorities statutory duties, as this fits well with the Council's ambitions in terms of community leadership and place shaping.

#### Organiser-of-Record

Again we would support the principle that the organiser-of-record of local petitions should be a local person. In terms of this definition we would propose the adoption of the following:

- a person appearing in the electoral register for the local authority's area
- any adult who works in the area at the time the petition is submitted.
- children and young people who live or attend full time education in the area at the time the petition is submitted.

The Council believes that the definition as set out above is open whilst protecting the 'local' nature of petitions. The Council notes that whilst it would be difficult beyond reasonable doubt to substantiate the eligibility of the last two clauses, it is our belief that on balance this offers a reasonable approach, whilst ensuring inclusivity. The Council does not support option (c) which

proposes a 'qualifying period' which would be difficult to verify and is unnecessarily bureaucratic.

## Levels of Support

The Council supports the principle that the level of support required for a petition would best be expressed in terms of:

- an absolute number or a given proportion of the population, which ever is lower.

The Council believes that the example of 200 or 5% of the **relevant** population offers a reasonable threshold which does not discriminate against small communities. The Council proposes the use of census figures to determine the relevant population threshold, which includes those not on the electoral roll e.g. children and young people. These figures are also readily available.

The Council does not support an absolute number which would discriminate against small communities or a proportion of the electorate which would discriminate against those not on the electoral roll and involve time and resources in obtaining this information

## Signatures

In order to ensure simplicity the signatures on local petitions should be the same criteria that is adopted for the organiser-of-record, therefore our proposal would be:

- a person appearing in the electoral register for the local authority's area
- any adult who works in the area at the time the petition is submitted.
- children and young people who live or attend full time education in the area at the time the petition is submitted.

In terms of validity the Council would support the principle that signatures should be collected within 12 months of the date of the first signature. The Council would at this stage support that petitions are restricted to paper based documents containing the Signature, Date and **Qualifying** and home address of petitioners. At present it is felt difficult if not impossible to verify the authenticity of electronic petitioners with greater opportunities for abuse of the system, the Council is of the view that this should be linked to the proposals regarding declaration of voters and the same principles applied where possible.

The Council supports the principle that local authorities should be able to accept signatures without further validation; but should be empowered to investigate if they felt necessary, and to strike them out if appropriate. Experience from petitions for the creation of town and parish councils has proven that validation is an onerous and resource intensive process.

## Presentation of Petitions

The Council would support that each Council should have the duty of specifying in their constitution the process for the presentation of petitions. There is merit in the options being retained of presentation to a Councillor or Council/ Committee meeting (as specified in the constitution) which would enable the Organiser-of-Record to approach a Councillor if they did not feel able to present the petition at a meeting. The Council would further propose that Councillors should have the option of agreeing or declining to accept a petition, but where they have agreed to accept a petition there is a duty on them to present the petition to the next

available Council meeting (as specified in the constitution). This is important, in order to ensure that petitions are properly recorded, tracked and the duty to respond complied with.

The Council believes this is important as the petition may be on an issue which the Councillor feels for moral, religious or political reasons they do not wish to be associated, this does not affect the right of the Organiser-of-Record to approach a different Councillor or to present the petition themselves.

## Outcomes

The Council would support Councils having a menu of options as to the way they could decide to deal with a petition once presented, they should include:

- The referral to a Committee
- The referral to Overview and Scrutiny for investigation (equating to a Call for Action)
- A report on the issues prepared by officers for consideration.
- Other course of action

The Council would also support a duty being placed upon Councils to specify to the Organiser-of-Record when they will receive a response to the issue they have raised.

## Councillor Call for Action Excluded Matters and Guidance

In effect Overview and Scrutiny at Lancaster City Council has for the last four years allowed Councillors to trigger informal calls for action through requesting Overview and Scrutiny to consider and look at an issue. Overview and Scrutiny then considers the issue and if it decides not to investigate gives the reasons for this and consequently has some experience in already operating informal 'Excluded Matters'. The Council would suggest from its experience the following should constitute Excluded Matters:

- Planning decisions and items which may be brought for decision.
- Licensing decisions and items which may be brought for decision.
- Audit process and items which are likely to be considered by the Audit process.
- Standards decisions and items which may be brought for decision.
- Appeals decisions and items which may be brought for decision.
- Matters within the proper remit of the Section 151 and Monitoring Officers.
- Breaches of the Constitution and its protocols e.g. Code of Conduct etc.
- Matters relating to the terms and conditions of employment or conduct of individual or groups of staff or Members.
- Matters relating to a particular identifiable service recipient or potential service recipient.
- Complaints or matters before the courts or local government Ombudsman.
- Contractual matters, other than performance monitoring and review.

The Council believe it would be helpful if the Secretary of State provided minimum standards to be observed with regard to the Councillor Call for Action, which allowed local authorities flexibility to tailor this to their own Overview and Scrutiny processes.

## Overall Conclusions

The Council believes that petitions and Councillor Call for Action are but parts of the democratic process and need to be considered alongside existing engagement mechanisms such as public speaking at meetings, the right to attend meetings, consultation, co-option, stakeholder engagement, appointments to Standards Committees and Independent Remuneration Panels

etc. as well as the proposals being brought forward with regard to community engagement, neighbourhood governance and devolution. The Council would suggest that the Secretary of State may wish to issue guidance to encourage Overview and Scrutiny Committees to consult the public with regard to potential issues for their annual work programmes, in addition to advertising the greater use of a better defined petitioning process.

Yours sincerely

**CHIEF EXECUTIVE**

**LANCASTER CITY COUNCIL****NORTHWEST REGIONAL DEVELOPMENT AGENCY CORPORATE PLAN 2008-2011 – CONSULTATION RESPONSE****January 2008**

The City Council appreciates the opportunity to comment on NWDA's Corporate Plan and, in broad terms, supports the Plan's overall direction and the specified corporate objectives. As a general principle, we very much welcome the Government's proposals in the Sub National Review of Economic Development and Regeneration but appreciate that this leads us all into a period of change. We therefore emphasise the importance of consultation and involvement of Local Authority and other partners in the development of new ways of working together in the interests of the region. We look forward to making a positive contribution to this process over the coming years.

With regard to the Corporate Plan there are a number of specific points we wish to make:

**1. Delegating decisions and programme approach**

In line with the Sub National Review, we strongly support the move towards a programme rather than a project approach and the delegation of more responsibility for project funding decisions to local authorities or sub-regions. Reference is made at several points in the document to this new approach (eg under 3. Policy Context), but it is not entirely clear at what level NWDA sees this delegation taking place. Within the principles of the SNR, we believe that such delegation should be to the level most appropriate to economic and geographic circumstances and at which effective programme delivery is optimised. We would suggest that in some circumstance this might be to the level of a single local authority or Vision Board. As an example, Lancaster District is a relatively self-contained area and is one of the five recognised sub-areas within the Lancashire Economic Strategy. Consequently, a programme approach would be very appropriate for delivery of the Lancaster & Morecambe Vision. We would, therefore, hope that NWDA will seek to be flexible in its delegation arrangements and consider the potential to apply the programme approach to Vision Boards in particular.

**2. Outputs**

We welcome the rationale, under 'Setting NWDA priorities for investment', for development of a range of outputs to monitor progress on outcome delivery. However, we have some concerns on how this would work in practice, especially in linking outputs back to GVA/head for certain areas of activity, for example public realm. We would wish to see additional information, and perhaps consultation, as the outputs are developed.

**3. Growth sectors**

We feel some clarification is needed regarding target sectors in the section on Growth Sectors. The sectors listed under outcomes appear to be those which 'contribute to widespread employment' and include those (retail, construction, distribution) which are very reliant on the performance of other sectors of the economy. Whilst there may be a cross-reference to the Regional Economic Strategy, we feel there would be merit in reiterating, under Outcomes, the key internationally



competitive sectors such as digital and creative industries and energy and environmental technologies.

We also note the reference in the final bullet point under 'Activity' to public realm and the built and natural environment. This is important to coastal and heritage towns such as Morecambe and Lancaster and perhaps there should be reference to the NWDA work related to Coastal Resorts and Historic Towns and Cities

#### **4. Enterprise support**

We note the reference to the targeted nature of the Regional Start Up and Survivability project and would restate our view that there should be a universal one-to-one counselling service for all who seek such support, with enhanced and proactive support for under-represented groups. The current position has the effect of denying one-to-one counselling for, among others, males in the most deprived areas of Lancaster District including wards/SOAs in Morecambe which are among the most deprived nationally. It also seems contradictory that the RES is a growth focused strategy and yet support for business start up and entrepreneurship is being targeted away from areas such as Lancaster which have greatest potential for such growth. It also runs contrary to the objectives of the Lancashire LAA, which seeks to improve business start up activity for **all** residents of the county.

Whilst we recognise this is an approach that NWDA are firmly committed to, we would suggest that there is a need for some independent evaluation to assess the impact on business start up activity outside the targeted areas, and an appropriate review.

We welcome the Finance for Business programme and its aim to improve the availability of, and access to, finance for SMEs. This is a barrier which has been highlighted through the Lancaster and Morecambe Vision Board, and also InfoLab21 Advisory Group, but it will be essential that any additional finance is attractive to businesses, and especially high growth businesses, and that it is actively marketed if take-up is to be improved.

#### **5. Competitive Business & Innovation**

We welcome recognition of the continuing need to ensure availability of globally competitive broadband infrastructure and services. However, we would suggest that the reference to ICT support being focused on places currently experiencing low rates of broadband coverage, ICT adoption and exploitation, should be extended to include reference to opportunities to develop leading edge ICT networks which are capable of driving content development. We would also wish to see reference to support for sector networks and demonstrator projects to encourage adoption of new technologies.

#### **6. Higher Level Skills Development**

We are surprised there is no reference to graduate retention activities as this is critical if increases in student numbers are to impact on regional growth. It also underlines the importance of investment in science parks as a means of generating jobs attractive to graduates.

## **7. Size of the Workforce**

We note with some concern the statement that 'a large proportion of investment in this area will be focused to achieve the outcomes outlined in the three City Employment Strategies.' The funding allocated to this objective is relatively limited and we would wish to ensure adequate funding is available to ensure a meaningful programme of worklessness activity can be undertaken throughout Lancashire. We would also wish to see some reference to the evaluation of worklessness activity to date and the potential to roll-out activity which has been shown to be most effective.

## **8. Employment Sites and Premises**

We would expect to see the full list of strategic sites, including Lancaster Science Park, rather than a selected list. The subsequent comments in the Plan regarding potential NWDA support for delivery capacity is particularly important in this context to enable major projects to be developed to the point of implementation.

## **9. Conditions for Private Sector Investment**

This is a critical objective for Lancaster District. We welcome the acknowledgement of public realm and regional parks. However, we feel there should at least be reference to the Coastal Resorts strategy and the potential impact on coastal towns of investment in public realm improvements.

We also welcome the reference to rural key centres but, in the absence of any statement regarding the priority that will be given to rural areas generally within the Corporate Plan, we are concerned that adequate resources would be available.

## **10. Climate change**

We would suggest the possible inclusion of recognition of the need to monitor potential changes in the nuclear energy sector. We would also propose the inclusion of innovative pilot projects under Resulting Activity.

## **11. Rural matters**

We note the reference to rural affairs being integrated and mainstreamed into the corporate plan (under Sustainable Development). However, we feel there is scope for the corporate plan to include a statement of NWDA's approach to rural matters, including reference to its role in delivery of the Rural Development Programme for England.