

## PROCEEDINGS

A meeting of the Lancaster City Council was held in the Town Hall, Morecambe, at 2.00 p.m. on Wednesday, 15 April 2015, when the following Members were present:-

Susie Charles (Mayor)

Tony Anderson

Jon Barry

Eileen Blamire

Abbott Bryning

Chris Coates

Sheila Denwood

Jack Filmore

Paul Gardner

Tim Hamilton-Cox

John Harrison

Joan Jackson

Tony Johnson

Tracey Kennedy

Karen Leytham

Geoff Marsland

Abi Mills

Jane Parkinson

Margaret Pattison

Robert Redfern

Richard Rollins

Elizabeth Scott

David Smith

Keith Sowden

Malcolm Thomas

Peter Williamson

Helen Helme (Deputy Mayor)

June Ashworth

Mark Bevan

Dave Brookes

Keith Budden

Roger Dennison

Jonathan Dixon

Melanie Forrest

Mike Greenall

Janice Hanson

Caroline Jackson

Alycia James

Andrew Kay

Geoff Knight

Roger Mace

Terrie Metcalfe

Richard Newman-Thompson

Ian Pattison

Pam Pickles

Sylvia Rogerson

Ron Sands

Roger Sherlock

Emma Smith

Joyce Taylor

David Whitaker

Paul Woodruff

**117 APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Shirley Burns, Kathleen Graham, David Kerr, Janet Hall, Vikki Singleton and Susan Sykes.

**118 MINUTES**

The minutes of the meeting held on 4 March 2015 were signed by the Mayor as a correct record.

**119 DECLARATIONS OF INTEREST**

Members advised of the following interests at this stage:

Councillor Brookes declared a disclosable pecuniary interest in relation to the motion regarding Lancaster University on-campus rents in view of his wife's employment; Councillor Mills declared a similar interest in respect of her husband's employment and Councillor Metcalfe in respect of her partner's employment. (Minute No.130 refers.)

Councillor Margaret Pattison declared a personal interest as a Council appointed member of the Court of Lancaster University. (Minute No.130 refers.)

Councillor Pickles declared a disclosable pecuniary interest in relation to the motion regarding Lancaster University on-campus rents in view of her employment. (Minute No.130 refers.)

Councillor Dixon declared a personal interest as a student of the University and as a Council appointed member of the Court of Lancaster University. (Minute No.130 refers.)

Councillor Knight declared a disclosable pecuniary interest in relation to the motion regarding Lancaster University on-campus rents in view of his wife's employment. (Minute No.130 refers.)

Councillor Ashworth declared a personal interest as member of the Happy Mount Park project group. (Minute No.129 refers.)

Councillor Parkinson declared a disclosable pecuniary interest in relation to the motion regarding Lancaster University on-campus rents, being a landlord of a student property. (Minute No. 130 refers.)

Councillor Hamilton-Cox declared a disclosable pecuniary interest in relation to the motion regarding Lancaster University on-campus rents in view of his wife's employment. (Minute No. 130 refers.)

**120 ANNOUNCEMENTS**

The Mayor thanked all Members who would not be standing for re-election on 7 May 2015 for their contribution to the Council during their years as Councillors and wished them well for the future.

**121 QUESTIONS FROM THE PUBLIC UNDER COUNCIL PROCEDURE RULE 12**

The Mayor advised that no questions had been received from members of the public in accordance with the provisions of Council Procedure Rule 12.

**122 PETITIONS AND ADDRESSES**

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

**123 LEADER'S REPORT**

The Leader presented her report updating Members on various issues since her last report to Council. She thanked all Councillors for working together throughout the four years of her leadership.

***Resolved:***

That the report be noted.

**124 MAYOR'S ANNUAL REPORT**

In accordance with Article 5.02(g) of the Constitution, the Mayor presented her Annual Report for 2014/15.

***Resolved:***

That the Mayor's Annual Report for 2014/15 be noted.

**125 EXECUTIVE ANNUAL REPORT**

***During the course of this item when questioning Councillor Sands about the City Museum, Councillor Mace declared a personal interest as the Chairman of the Friends of Lancaster City Museum.***

In accordance with Article 7.06(k), the Leader and each Member of Cabinet had produced a written progress report for 2014/15.

The Leader presented her annual report and responded to questions.

Councillors Barry, Bryning, Hamilton-Cox, Hanson, Leytham, Sands and David Smith then presented their reports. Councillors Barry, Bryning, Leytham and Sands replied to questions put to them by Councillors.

***Resolved:***

That the 2014/15 Annual Reports of Cabinet Members Councillors Blamire, Barry, Bryning, Hamilton-Cox, Hanson, Leytham, Sands and David Smith be noted.

**126 OVERVIEW AND SCRUTINY ANNUAL REPORT**

In accordance with Article 6.03(c) the Overview and Scrutiny Annual Report for 2014/15 had been published and was presented to Council by the Chairman, Councillor Ashworth.

***Resolved:***

That the Overview & Scrutiny Annual Report 2014/15 be noted.

**127 AUDIT ANNUAL REPORT**

In accordance with Section 8.13 of Part 3 of the Council's Constitution, the Chairman, Councillor Malcolm Thomas, presented the 2014/15 Annual Report of the Audit Committee.

***Resolved:***

That the 2014/15 Annual Report of the Audit Committee be noted.

**128 MEMBER CHAMPIONS' ANNUAL REPORT**

In accordance with Part 6, Section 5 of the Constitution, annual reports were presented to Council by the Member Champions: Councillor Taylor (Champion for Young People); Councillor Margaret Pattison (Champion for Older People) and Councillor Scott (Veterans' Champion).

***Resolved:***

That the Member Champions' Annual Reports for 2014/15 be noted.

**129 NOTICE OF MOTION - HAPPY MOUNT PARK**

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

"There are problems arising from the occasional situation of the gates of Happy Mount Park not being locked at night.

This has resulted in cars driving in, and youths congregating inside, with the possibility of accidents and vandalism.

Proposal:

This council agrees to request officers to develop a contingency plan for the locking of H.M.P. gates each evening at dusk. This contingency plan should include the resources of the friends group."

An officer briefing note to aid the debate had been included in the agenda. An email from an officer in the Neighbourhood Policing Team of Lancashire Constabulary to Councillor Dennison was also circulated at the meeting. The Chief Executive responded to questions relating to the briefing note and the crime statistics quoted in the email.

An amendment to the motion was moved by Councillor David Smith:

"That the word 'include' in the proposal be changed to 'consider'."

Councillor Hanson seconded the amendment and, with the agreement of his seconder, Councillor Dennison accepted this as a friendly amendment.

At the conclusion of the debate a vote was taken and the motion was clearly carried.

**Resolved:-**

There are problems arising from the occasional situation of the gates of Happy Mount Park not being locked at night.

This has resulted in cars driving in, and youths congregating inside, with the possibility of accidents and vandalism.

This council agrees to request officers to develop a contingency plan for the locking of H.M.P. gates each evening at dusk. This contingency plan should consider the resources of the friends group.

**130 NOTICE OF MOTION - LANCASTER UNIVERSITY ON-CAMPUS RENTS**

***Members who had declared a disclosable pecuniary interest in this report earlier in the meeting left the Council Chamber at this point, as did Councillor Margaret Pattison. (Minute no. 119 refers.)***

***Councillor Blamire declared a personal interest as a Council appointed member of the Court of Lancaster University.***

Councillor Filmore proposed the following motion having given the required notice to the Chief Executive in accordance with Council Procedure Rule 15:-

"This council notes:

1. Lancaster University intends to increase on-campus rents by 2.5% and international and postgraduate tuition fees by 5%.
2. These increases come at a time when the University is running a substantial budget surplus.
3. The Court of Lancaster University recently voted against the increases.
4. The average on-campus rent advertised for 2015/16 is approx. £109 per week for a single room in shared accommodation.
5. This let is equivalent to 76% of the maximum student maintenance loan, leaving some students dependant on their parents or part-time jobs to meet their basic living costs.
6. The local housing allowance rate for a single bedroom in a shared house is approx. £55 per week, almost half the average rent on campus.

This council believes:

1. Students make an important contribution to the prosperity of Lancaster and the district.
2. That above inflation increases in rent and fees will cause some students considerable financial hardship.
3. That the financial wellbeing of students is inextricably linked to the economic wellbeing of the district.
4. That in the spirit of the university's motto – 'truth lies open to all' – education at Lancaster University should be accessible for everyone.

This council resolves:

To write to the Vice Chancellor of Lancaster University, expressing serious concern regarding the proposed fee and rent increases, and ask what the University is doing to

ensure students from unprivileged backgrounds are able to afford their studies.”

Councillor Kay seconded the motion.

There was a lengthy debate on the proposal before a vote was taken and the motion was clearly carried.

**Resolved:-**

This council notes:

1. Lancaster University intends to increase on-campus rents by 2.5% and international and postgraduate tuition fees by 5%.
2. These increases come at a time when the University is running a substantial budget surplus.
3. The Court of Lancaster University recently voted against the increases.
4. The average on-campus rent advertised for 2015/16 is approx. £109 per week for a single room in shared accommodation.
5. This let is equivalent to 76% of the maximum student maintenance loan, leaving some students dependant on their parents or part-time jobs to meet their basic living costs.
6. The local housing allowance rate for a single bedroom in a shared house is approx. £55 per week, almost half the average rent on campus.

This council believes:

1. Students make an important contribution to the prosperity of Lancaster and the district.
2. That above inflation increases in rent and fees will cause some students considerable financial hardship.
3. That the financial wellbeing of students is inextricably linked to the economic wellbeing of the district.
4. That in the spirit of the university's motto – 'truth lies open to all' – education at Lancaster University should be accessible for everyone.

This council resolves:

To write to the Vice Chancellor of Lancaster University, expressing serious concern regarding the proposed fee and rent increases, and ask what the University is doing to ensure students from unprivileged backgrounds are able to afford their studies.

### **131 TERM OF OFFICE OF THE LEADER**

Council considered a report of the Monitoring Officer which explained that an amendment to the Local Government Act 2000 now allowed local authorities to choose to appoint a leader annually, rather than for a full four year term, as had previously been the case.

The Monitoring Officer responded to Members' questions about the report.

Councillor Newman-Thompson, seconded by Councillor Dennison, proposed:

- “(1) That a decision on the term of office of the Leader be deferred until the Annual Business Council meeting on 26 May 2015.”

The proposal was put to the vote and was clearly carried.

***Resolved:***

- (1) That a decision on the term of office of the Leader be deferred until the Annual Business Council meeting on 26 May 2015.

**132 CONSTITUTION: APPEALS COMMITTEE'S TERMS OF REFERENCE**

The Monitoring Officer submitted a report requesting Council to consider a change to the terms of reference for the Appeals Committee and responded to Members' questions.

Councillor Mace proposed, seconded by Councillor Dennison:

"That the terms of reference of the Appeals Committee be amended under 'Composition of the Appeals Committee' as follows:

"Members of the Planning and Highways Regulatory Committee must not sit on the Appeals Committee to decide formal objections to Tree Preservation Orders if they have previously considered a directly related planning application.""

After a short debate, a vote was taken and the proposition was clearly carried.

***Resolved:***

That the terms of reference of the Appeals Committee be amended under 'Composition of the Appeals Committee' as follows:

"Members of the Planning and Highways Regulatory Committee must not sit on the Appeals Committee to decide formal objections to Tree Preservation Orders if they have previously considered a directly related planning application."

**133 APPOINTMENT OF MAYOR'S SERGEANT**

Council considered a report of the Chief Officer (Governance) recommending an appointment to the vacant post of Mayor's Sergeant.

Councillor Blamire proposed, seconded by Councillor Barry:

"That the Council's Senior Democratic Support Officer, Peter Baines, be appointed Mayor's Sergeant."

Councillor Dennison further proposed:

"That there be a vote of thanks to the previous incumbent, Jenny Kay."

The Mayor seconded the proposal.

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

***Resolved:***

- (1) That the Council's Senior Democratic Support Officer, Peter Baines, be appointed Mayor's Sergeant.
- (2) That there be a vote of thanks to the previous incumbent, Jenny Kay.

**134 QUESTIONS UNDER COUNCIL PROCEDURE RULE 13.2 (Pages 9 - 10)**

The Mayor advised that two questions had been received by the Chief Executive in accordance with Council Procedure Rules as follows. Both questions were from Councillor Mace to Councillor Blamire.

Details of the questions and answers are appended to the minutes.

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Mayor

(The meeting finished at 4.00 p.m.)

**Any queries regarding these minutes,  
please contact Debbie Chambers, Democratic Services - telephone (01524) 582057 or email  
dchambers@lancaster.gov.uk**



**QUESTION FROM COUNCILLOR MACE TO COUNCILLOR BLAMIRE**

*Legislation provides for the council to recover prescribed licensing costs through the licence fees, namely from those who were regulated by the legislation. Despite an increase in charges for 2015-6 by more than the inflation rate, expected costs of £226,100 still exceed expected revenues for the current year by approx £66,000. This annual deficit has risen substantially in recent years.*

*Minutes of the Licensing Regulatory Committee (LRC) for the March 2015 meeting report that Members asked that options for reducing the deficit be presented to the committee.*

*Council Tax payers may be surprised to learn that the under recovery of costs incurred in the regulation of Hackney Carriages and Private Hire in the District costs them so much when reasonable costs can be recovered (but not exceeded) by fees charged.*

*Options available to the LRC are not the same as the options available to Cabinet as the Cabinet has an executive role that the LRC does not have. Will the Leader of the Council instruct that costed options for reducing this annual deficit be presented to Cabinet?*

Councillor Blamire replied:

As indicated in the question, the setting of taxi licence fees is, by law a matter for the Regulatory Committee and not Cabinet. It is therefore for the Committee to determine, within the framework of the legislation, the level at which the fees are set, and to what extent the costs of providing the service should be recovered through the fees.

However, Cabinet is responsible for determining the structure and scale on which the Licensing service is provided, and this of course affects the cost. I will ask for a report to enable Cabinet to consider all the options available. These may include making savings by reducing the level of service provided to the trade and to the public in terms of responding to inquiries and complaints and undertaking enforcement action. However, other options that Cabinet may wish to consider may be to maintain or increase the level of service, and particularly enforcement, to ensure that the Council carries out its role as a responsible regulatory authority.

Once Cabinet has set the level of service to be provided, it is of course for the Regulatory Committee to consider whether or not the fees should be set at a level which will recover all the costs that the legislation permits.

**QUESTION FROM COUNCILLOR MACE TO COUNCILLOR BLAMIRE**

*In view of the name given to the recently announced Rolls Royce 4x4, of which images were released last week, will the Leader of the Council please indicate what plans she has for replacing the Council's official vehicle currently carrying the registration plate L50?*

*(Councillor Mace explained that the name of the new vehicle was "The Cullinan").*

Councillor Blamire replied:

As Councillor Mace says, and for those who do not read the motoring press, Rolls Royce has recently announced a new prototype, which it has named the Cullinan. Unfortunately, this is not in honour of our Chief Executive, but refers rather to the Cullinan diamond which was discovered in South Africa in 1905 and is now mounted on the Queen's sceptre as part of the Crown Jewels.

The vehicle which currently bears the L50 plate is not owned or selected by the Council, but is provided by the Council's contractor as part of the provision of beadle services.