

PROCEEDINGS

A meeting of the Lancaster City Council was held in the Town Hall, Morecambe, at 6.00 p.m. on Wednesday, 16 December 2015, when the following Members were present:-

Jon Barry (Mayor)	Caroline Jackson (Deputy Mayor)
Sam Armstrong	George Askew
Lucy Atkinson	Stuart Bateson
Alan Biddulph	Eileen Blamire
Carla Brayshaw	Dave Brookes
Tracy Brown	Abbott Bryning
Susie Charles	Darren Clifford
Brett Cooper	Claire Cozler
Sheila Denwood	Rob Devey
Charlie Edwards	Andrew Gardiner
Nigel Goodrich	Mel Guilding
Janet Hall	Tim Hamilton-Cox
Janice Hanson	Colin Hartley
Helen Helme	Brendan Hughes
Joan Jackson	Andrew Kay
Ronnie Kershaw	Geoff Knight
James Leyshon	Karen Leytham
Roger Mace	Matt Mann
Terrie Metcalfe	Abi Mills
Richard Newman-Thompson	Rebecca Novell
Jane Parkinson	Margaret Pattison
Robert Redfern	Sylvia Rogerson
Ron Sands	Elizabeth Scott
Roger Sherlock	David Smith
Susan Sykes	Malcolm Thomas
Andrew Warriner	David Whitaker
Anne Whitehead	John Wild
Nicholas Wilkinson	Peter Williamson
Phillippa Williamson	Paul Woodruff
Peter Yates	

80 APOLOGIES FOR ABSENCE

There were no apologies for absence.

81 MINUTES

The minutes of the meeting held on 21 October 2015 were signed by the Mayor as a correct record.

82 DECLARATIONS OF INTEREST

There were no declarations of interest made at this stage.

83 ANNOUNCEMENTS - COUNCILLOR GEORGE ASKEW

The Mayor made a number of announcements.

First, he welcomed Councillor Askew to his first Council meeting since being elected to represent Carnforth and Millhead Ward in the by-election held on 26 November 2015.

84 ANNOUNCEMENTS - RECENT FLOODS

The Mayor's second announcement was to publicly thank local radio stations BBC Radio Lancashire and The Bay for staying on air during the recent floods and power failures and providing a source of information and advice to local residents able to tune in and listen.

The Mayor also reminded Councillors of the good work that Council staff had done assisting with the clean-up of streets and the opening of Salt Ayre Sports Centre as a rest centre for people without electricity. (*See also minute 86.*)

85 ANNOUNCEMENTS - CHRISTMAS COUNCIL

The Mayor informed Council that, since this would be the last meeting before Christmas, he intended to adjourn the meeting for 20 minutes at a suitable break around 8pm to allow members to join him in the Committee rooms for sandwiches and mince pies.

86 ANNOUNCEMENTS - FORMER COUNCILLOR DEREK SYKES

The Mayor reported the sad death of former Councillor Derek Sykes on 22 October 2015 at Chirnside House.

Mr Sykes represented Scotforth West Ward and was Deputy Mayor in 1988-89. His funeral was held on 6 November 2015.

Members stood in a minute's silence in his memory.

87 ANNOUNCEMENTS - MAYOR'S CHRISTMAS BASH

The Mayor thanked everyone who had attended his Christmas Bash on Friday 11 December which had raised over £1,000 for his charities.

He also informed Members that a band were recording a single 'It won't be long 'til Christmas', as a fundraiser for local people affected by the floods.

At this point, Councillor Sykes requested that weightier thanks be given to the many people in the public and commercial sector who had worked tirelessly, during and after the recent floods, to make sure the situation was resolved swiftly and did not worsen. She asked that this be done by resolution of Council. The Mayor seconded the proposition and it was clearly carried.

Resolved:

That Council's thanks be recorded to the many people in the public and commercial sector who had worked tirelessly, during and after the recent floods, to make sure the situation was resolved swiftly and did not worsen.

88 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.

89 PETITIONS AND ADDRESSES

The Mayor informed Council that two members of the public had registered to speak on different matters.

Ms Janet Taylor, from the Denny Beck Residents Action Group, addressed Council, expressing opposition to the number of houses recommended in the Turley report. A copy of her address had been previously circulated.

The Leader thanked Ms Taylor and invited Councillor Hanson to respond.

Councillor Hanson pointed out that the matter would be discussed later in the agenda when item 11, a motion on notice regarding the Strategic Housing Market Assessment (SHMA) would be considered (minute 93 refers). She invited Ms Taylor to stay to hear the debate.

Ms Taylor returned to the public gallery and Mr Michael Greenhalgh stepped forward to address Council on the development of the Canal Corridor site. Mr Greenhalgh's address was in support of retail and leisure development on the site.

After Council had heard Mr Greenhalgh's address, the Mayor asked Councillor Hanson if she wished to respond. Councillor Hanson expressed her agreement with the content of his address. She hoped that progress would be made at the meeting when the matter of the Canal Corridor site was debated later in the agenda. *(NB: The item was subsequently deferred until January 2016, see minute 98.)*

The Mayor thanked Mr Greenhalgh for addressing Council.

90 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.

(The Chief Officer (Regeneration and Planning) and the Chief Officer (Resources) left the room at this point, both having an interest in the next report.)

91 CHIEF EXECUTIVE RECRUITMENT - REMUNERATION

Council considered a report of the Chief Executive Recruitment Committee recommending a salary for the post of Chief Executive, prior to advertisement in the new year.

Members asked a number of questions, which the Chairman of the Committee, Councillor Blamire, responded to.

Councillor Blamire, seconded by Councillor Hanson, proposed:

“(1) That the annual salary for the post of Chief Executive be £107,000, exclusive of Returning Officer fees.”

Councillor Caroline Jackson then proposed an addendum, seconded by Councillor Sykes:

“And that the Chief Executive be paid £95,000 in the first year, rising by five annual increments to £107,000, subject to successful performance against targets set each year.”

There was extensive debate on the addendum, during which Members asked for figures for the fees paid to the Returning Officer and the Chief Officer (Governance) informed Council of those figures for elections held from 2011-2015.

The Mayor drew debate to a close and a vote was taken on the addendum. 25 Members voted for the addendum, 31 voted against and the addendum fell.

At this point, Councillor Clifford wished to clarify that the City Council only paid Returning Officer fees for City and Parish Council elections. Returning Officer fees for all other elections were not funded by the City Council. The Chief Officer (Governance) confirmed that this was the case.

Councillor Peter Williamson then proposed an amendment, seconded by Councillor Mace:

“That the recommendation be referred back to the Chief Executive’s Recruitment Committee and then back to the Council meeting in February 2016.”

A vote was taken on the amendment, which was clearly lost.

The Mayor then called for a vote on the substantive motion. The proposition was carried, with 34 Members voting for and 18 against.

Resolved:

(1) That the annual salary for the post of Chief Executive be £107,000, exclusive of Returning Officer fees.

(The Chief Officer (Regeneration and Planning) and the Chief Officer (Resources) returned to the room at this point.)

92 FINANCIAL REFERRALS: TREASURY MANAGEMENT AND BUDGET UPDATE

Members considered a report of Cabinet providing updates on treasury management progress during the year and on the 2016/2020 budget process.

Councillor Newman-Thompson, Cabinet Member for Finance and the Chief Officer (Resources) responded to questions from Councillors and the Chief Officer (Resources) clarified issues raised by Members about investment activities. All were in line with the Council's approved Treasury Strategy for 2015/16.

The report was for noting.

Resolved:

- (1) That the mid-year treasury management progress set out at Appendix 1 of the report, be noted.
- (2) That the budget update report as set out in Appendix 2 of the report, be noted.

93 STRATEGIC HOUSING MARKET ASSESSMENT (SHMA)

(During the course of the following item, Councillor Clifford declared a non-prejudicial 'other' interest as a Member of Morecambe Town Council's Planning and Development Committee.)

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

This council notes that the 'Turley report' (Lancaster Strategic Housing Market Assessment (SHMA), October 2015) recommended a requirement to plan for 13000-14000 new homes between 2011 and 2031 in the district. This council also notes that the recommendation underpinned the identification of potential urban extensions - on top of extensive sites identified in the latest iteration of the Strategic Housing Land Availability Assessment, which have not been explicitly consulted upon – which were the focus of the recent public consultation.

This council recognises that the potential implications of over-allocating land for housing for distinct communities across the district, and for the environment, are severe.

This council further notes that a number of other local authorities have commissioned independent reviews of the SHMA to ensure that it provides a sound basis for the identification of objectively assessed housing need.

Accordingly this council resolves that:

Prior to officers drafting land allocation proposals to meet Turley's housing requirement recommendation, that recommendation and the SHMA from which it derives, be subject to review by a third party which has a university base or established academic standing in assessing the factors behind the sound determination of a local authority's housing requirement.

The proposer and seconders provided background information to their motion as follows:

There is a significant risk that the Turley recommendation, if adopted, would lead to a very considerable over-allocation on the basis of forecasts for job creation, and projections for population and household formation, which are disconnected from recent trends and which incorporate assumptions which are not sufficiently tested in Turley's analysis. At this stage market signals do not indicate the need for a step-change in house-building targets and there is a risk that necessary regeneration of brownfield sites in the district is prejudiced by over-allocation. All members owe it to the communities affected by the allocations in both the consultation and in the Strategic Housing Land Availability Assessment to re-appraise the assumptions used so council can be sure that allocations of greenfield land for housing on such an unprecedented scale are the result of a process of evaluation grounded in reality.

There is no question that land needs to be allocated for future development. The question is how much. When that is more confidently established, members can decide more rationally where it should be allocated across the district.

An officer briefing note was attached.

An amendment to the motion was moved by Councillor Whitehead and seconded by Councillor Hanson:

"Turleys have recommended an Objective Assessment of Housing Need (OAN) range in their report of October 2015. These figures have been informed by data that include employment projections provided by Experian. Officers will continue to engage with Turleys during the process of plan preparation in 2016. Specifically, Turleys will be asked, as a matter of urgency, to recalculate the recommended OAN range using alternative employment projections from Oxford Economics and Cambridge Economics. Turleys will also be asked to provide the input data that leads to the housing projections made in Figures 5.3, 5.7 and 5.9 of their October 2015 report and for the additional projections. Any intermediate datasets that will help in understanding the projections, especially those stratified by age group and other key factors, should also be provided."

A lengthy debate followed during which Councillors sought the advice of the Chief Officer (Regeneration and Planning). He advised Councillors that the Lancaster District Local plan was their plan. Officers could only advise on how members should react to the evidence base. It was now for Members to decide how to proceed.

The Officer position was that the Turley recommendations in the second iteration of the Lancaster Housing Requirements Study (October 2015) were sound and in line with the National Planning Policy Framework's methodology. This resulted from the advice they had received from counsel and the Planning Advisory Service that the work was properly completed in line with national methodology.

There was also the real risk that using other data could produce higher need figures and Members needed to recognise this.

Some Members questioned why officers might be put in a position where they could not professionally defend the Council's ultimate position on housing targets. An explanation was given to clarify why officers could not defend at examination a line of planning argument that they did not professionally concur with.

The Chief Officer, however, also made it clear that he would always defend the democratic right of Members to depart from officer recommendations where they thought fit.

At the conclusion of the debate a vote was taken on the amendment, which was carried. The amendment then became the substantive motion and a further vote was taken, which was clearly carried.

Resolved:-

Turleys have recommended an Objective Assessment of Housing Need (OAN) range in their report of October 2015. These figures have been informed by data that include employment projections provided by Experian. Officers will continue to engage with Turleys during the process of plan preparation in 2016. Specifically, Turleys will be asked, as a matter of urgency, to recalculate the recommended OAN range using alternative employment projections from Oxford Economics and Cambridge Economics. Turleys will also be asked to provide the input data that leads to the housing projections made in Figures 5.3, 5.7 and 5.9 of their October 2015 report and for the additional projections. Any intermediate datasets that will help in understanding the projections, especially those stratified by age group and other key factors, should also be provided.

(The meeting adjourned at 9.15pm and reconvened at 9.35pm.)

94 COMBINED AUTHORITY FOR LANCASHIRE

(During the course of the following item, Councillor Hanson declared a non-prejudicial other interest as a Member of Lancashire County Council, which would be considering a similar report at its next meeting.)

The Chief Executive submitted a report regarding Combined Authorities for Lancashire. He responded to Members' questions.

Councillor Blamire proposed that:

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

Councillor Hanson seconded the proposition.

Councillor Caroline Jackson proposed that the words "subsequent to positive consultation" be added to recommendation (6). After consultation with the proposer and seconder of the motion it was agreed to accept that the words "subject to positive consultation" be added as a friendly addendum to recommendation (6).

After a lengthy debate, the Mayor put the proposition to the vote in stages, asking for a vote on recommendations (1) to (4) first, then recommendation (5), (6) and (7) separately. All the recommendations were clearly carried.

Resolved:

That:

- (1) The contents of the report be noted.
- (2) The content of the Lancashire Governance Review (Appendix 1 of the report), and recommendation therein, be noted.
- (3) The content of the draft Scheme for a Combined Authority (Appendix 2 of the report), be noted.

- (4) Lancaster City Council agrees to take part in the public consultation in January/February which will seek views on the formation of a Combined Authority for Lancashire.
- (5) Lancaster City Council agrees to consider the feedback from the public consultation and note that following this, those authorities who wish to form a Lancashire Combined Authority will submit a proposal to the Secretary of State for consideration.
- (6) Lancaster City Council agrees in principle to becoming a constituent member of the combined authority for Lancashire, subject to positive consultation.
- (7) The Council's meeting in April gives final consideration to becoming a constituent member of a Lancashire Combined Authority.

95 ALLOCATION OF SEATS TO POLITICAL GROUPS

Council considered a report of the Chief Executive advising Council of the calculations relating to the allocation of seats in accordance with the Local Government and Housing Act 1989 and the Council's agreed protocol, following the recent by-election in Carnforth and Millhead Ward. The result of the proportional representation calculations following the by-election had been to return to the position following the May 2015 elections, effectively reversing the position reported to the Council meeting on 21 October 2015.

The Mayor explained that two adjustments to membership of committees were required as a result of the new calculation, with a seat passing from the Labour Group to the Conservative Group on both the Budget and Performance Panel and the Audit Committee.

Councillor Phillippa Williamson proposed, seconded by Councillor Gardiner:

"That recommendation (1), as set out in the report, be approved and that Councillor Sykes be nominated for Budget and Performance Panel and Councillor Askew for the Audit Committee."

Councillor Gardiner seconded the nominations.

A vote was taken and the nominees were appointed.

Resolved:

- (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 Appendices B and C of the report.
- (2) That the adjustments required to the Grouping of committees, detailed in paragraph 2.3 of the report, be approved; and
 - a) Councillor Sykes be appointed to the Budget and Performance Panel.
 - b) Councillor Askew be appointed to the Audit Committee.

96 GAMBLING ACT 2005 - STATEMENT OF GAMBLING LICENSING POLICY 2016-2019

The Chief Officer (Governance) submitted a report to seek Council's approval of the Council's statement of Gambling Licensing Policy for 2016/19.

Councillor Metcalfe, seconded by Councillor Biddulph proposed:

"That the draft Statement of Gambling Licensing Policy 2016/19 appended to the report be approved for publication in accordance with the requirements of the Gambling Act 2005."

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

Resolved:

That the draft Statement of Gambling Licensing Policy 2016/19 appended to the report be approved for publication in accordance with the requirements of the Gambling Act 2005.

97 LICENSING ACT 2003 - STATEMENT OF LICENSING POLICY 2016-21

Council considered a report of the Chief Officer (Governance) seeking Council's approval of the Council's statement of Licensing Policy under Section 5 of the Licensing Act 2003 for 2016/21.

Councillor Metcalfe, seconded by Councillor Biddulph proposed:

"That the draft Statement of Licensing Policy 2016/21 be approved for publication in accordance with Section 5 of the Licensing Act 2003."

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

Resolved:

That the draft Statement of Licensing Policy 2016/21 be approved for publication in accordance with Section 5 of the Licensing Act 2003.

98 QUESTIONS UNDER COUNCIL PROCEDURE RULE 12

The Mayor advised that ten questions had been received by the Chief Executive and that, in view of the time, written answers to these questions would be circulated by email to all Councillors by Democratic Services.

Additionally, because it was after 10pm at this point with several items still to consider, the Mayor informed Councillors he would arrange a meeting in January 2016 for Council to deal with the remaining reports.

Mayor

(The meeting finished at 10.05 p.m.)

**Any queries regarding these minutes,
please contact Debbie Chambers, Democratic Services - telephone (01524) 582057 or email
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