

**OVERVIEW AND SCRUTINY  
COMMITTEE**

**6.00 P.M.**

**4TH JANUARY 2017**

**PRESENT:-** Councillors June Ashworth (Chairman), Caroline Jackson (Vice-Chairman), Alan Biddulph, Tracy Brown, Brett Cooper, Rob Devey, Roger Mace, Phillippa Williamson, Janice Hanson and James Leyshon

Janice Hanson - Cabinet Member with responsibility for Economic Regeneration and Planning

James Leyshon - Cabinet Member with responsibility for Property Services

Apologies for Absence:-

Councillors Janet Hall and David Whitaker

Officers in attendance:-

|                  |   |
|------------------|---|
| Andrew Dobson    | Chief Officer (Regeneration and Planning)     |
| Nadine Muschamp  | Chief Officer (Resources)                     |
| Stephen Metcalfe | Principal Democratic Support Officer          |
| Jenny Kay        | Civic & Ceremonial Democratic Support Officer |

**37 REQUEST TO CALL-IN CABINET DECISION - HEYSHAM GATEWAY - CABINET MINUTE 38**

Members were advised that the Cabinet decision in relation to the Heysham Gateway - Cabinet Minute 38 had been called-in by the following 5 Members:

Councillors Caroline Jackson, Phillippa Williamson, Tim Hamilton-Cox, Roger Mace and Dave Brookes.

Members were informed that the Call-in had been made on the basis that the decision had not been made in accordance with all the principles set out in Article 13 (Decision Making) of the Constitution, in particular :

- (b) Lack of, or insufficient consultation and the taking of professional advice from Officers.
- (d) Lack of openness.
- (f) Insufficient information about the options that were considered or the reasons for arriving at the decision.
- (g) Other (reasons contained in the Call-in notice).

The Chairman outlined the procedure to be followed and invited the Councillors who had made the Call-in request to summarise the reasons for the Call-in. Councillor Jackson set out the reasons for the Call-in.

The Chairman invited Councillor Janice Hanson (Cabinet Member with responsibility for Economic Regeneration and Planning) and Councillor James Leyshon (Cabinet Member

with responsibility for Property Services) to explain the reasons for the decision of Cabinet.

The Chairman invited signatories to the Call-in to ask questions and Councillor Hanson, Councillor Leyshon, the Chief Officers (Regeneration & Planning) and (Resources) responded.

During the course of the questioning it became necessary to refer to the exempt background papers of the Cabinet report.

It was moved by Councillor Caroline Jackson and seconded by Councillor Phillippa Williamson:-

“That, in accordance with Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting on the grounds of the possible disclosure of exempt information as defined in paragraph 3 of Schedule 12A of that Act.”

***Resolved:***

That, in accordance with Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting on the grounds of the possible disclosure of exempt information as defined in paragraph 3 of Schedule 12A of that Act.

The Chairman invited the signatories to the Call-in to continue to ask questions.

The Overview and Scrutiny Committee Members were then invited to ask questions and Councillor Hanson, Councillor Leyshon, the Chief Officers (Regeneration & Planning) and (Resources) responded.

**The meeting adjourned at 7.20pm and re-convened at 7.40pm  
to allow the Call-in signatories to confer.**

It was proposed by Councillor Caroline Jackson and seconded by Councillor Roger Mace:-

That the Overview and Scrutiny Committee asks Cabinet to note:

- (1) Our belief that understanding of Cabinet’s decisions in relation to property development and disposal will be enhanced, and the need for calling-in decisions will be reduced, if additional information is shared with Overview and Scrutiny Members.

Therefore, when Cabinet is asked to approve the disposal of each parcel of land on Heysham Gateway, such additional information should include presentation of the development appraisals for purchasers.

- (2) Our interpretation of the reference in resolution 3 to “the principles at section 4.11 of the report” is that this is equivalent to “a decision in principle” and that it is therefore not a mandatory decision to follow the section to the letter in every case.

This interpretation is based on information – not spelled out in the original report to Cabinet but - provided to Overview and Scrutiny Members during a site visit to the Heysham Gateway on 3<sup>rd</sup> January 2017.

- (i) That key larger plots will be sold on long leasehold (rather than as freeholds) to allow both local authorities to retain sufficient control over the site to maintain over a long period the environmental and other standards expected in a quality industrial park.
- (ii) That in line with option B3, smaller plots will be disposed of in ways that will accommodate the differing needs of smaller and start-up businesses that may require 25 year leases or licences to occupy developed sites for short periods subject to costs of remediation of the land not inhibiting such development.
- (iii) That Cabinet will receive an accurate acreage of its landholding in the area, both total and developable.”

It was then proposed by Councillor Tracey Brown and seconded by Councillor Alan Biddulph by way of a friendly amendment :-

“That opportunities may arise for sharing of heating or power supplies within an integrated business/industrial park and that nothing in Cabinet’s December 2016 decision would prevent the City Council from developing units within the Heysham Gateway for short term occupational lease should it decide to emphasise obtaining future revenue from the site, rather than using its landholdings to generate capital receipts as is the current focus of the County Council.”

The proposer and seconder accepted the amendment as a friendly amendment.

Upon being put to the vote 5 Members voted in favour of the proposal and 3 abstained, whereupon the Chairman declared the proposition carried.

It was then further proposed by Councillor June Ashworth, seconded by Councillor Caroline Jackson and unanimously agreed:-

“That the Overview and Scrutiny Committee requests sight of the City Council’s agreement with the Lancashire Regeneration Property Partnership.”

***Resolved:***

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- (i) That key larger plots will be sold on long leasehold (rather than as freeholds) to allow both local authorities to retain sufficient control over the site to maintain over a long period the environmental and other standards expected in a quality industrial park.
  - (ii) That in line with option B3, smaller plots will be disposed of in ways that will accommodate the differing needs of smaller and start-up businesses that may require 25 year leases or licences to occupy developed sites for short periods subject to costs of remediation of the land not inhibiting such development.
  - (iii) That Cabinet will receive an accurate acreage of its landholding in the area, both total and developable.”
- (3) That opportunities may arise for sharing of heating or power supplies within an integrated business/industrial park and that nothing in Cabinet’s December 2016 decision would prevent the City Council from developing units within the Heysham Gateway for short term occupational lease should it decide to emphasise obtaining future revenue from the site, rather than using its landholdings to generate capital receipts as is the current focus of the County Council.
- (4) That the Overview and Scrutiny Committee requests sight of the City Council’s agreement with the Lancashire Regeneration Property Partnership.

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Chairman

(The meeting ended at 7.50 p.m.)

**Any queries regarding these Minutes, please contact  
Jenny Kay, Democratic Services - telephone (01524) 582065  
or email [jkay@lancaster.gov.uk](mailto:jkay@lancaster.gov.uk)**