



LANCASTER
CITY COUNCIL

Promoting City, Coast & Countryside

COUNCIL MEETING

**Wednesday, 26 September 2018 -
6.00 p.m.
Morecambe Town Hall**

Susan Parsonage,
Chief Executive,
Town Hall,
Dalton Square,
LANCASTER,
LA1 1PJ



LANCASTER CITY COUNCIL

Promoting City, Coast & Countryside

Sir/Madam,

You are hereby summoned to attend a meeting of the Lancaster City Council to be held in the Town Hall, Morecambe on Wednesday, 26 September 2018 commencing at 6.00 p.m. for the following purposes:

1. **APOLOGIES FOR ABSENCE**

2. **MINUTES**

To receive as a correct record the Minutes of the Meeting of the City Council held on 18th July 2018 (previously circulated).

3. **DECLARATIONS OF INTEREST**

To receive declarations by Members of interests in respect of items on this Agenda.

Members are reminded that, in accordance with the Localism Act 2011, they are required to declare any disclosable pecuniary interests which have not already been declared in the Council's Register of Interests. (It is a criminal offence not to declare a disclosable pecuniary interest either in the Register or at the meeting).

Whilst not a legal requirement, in accordance with Council Procedure Rule 9 and in the interests of clarity and transparency, Members should declare any disclosable pecuniary interests which they have already declared in the Register, at this point in the meeting.

In accordance with Part B Section 2 of the Code Of Conduct, Members are required to declare the existence and nature of any other interests as defined in paragraphs 8(1) or 9(2) of the Code of Conduct.

4. **ITEMS OF URGENT BUSINESS**

5. **ANNOUNCEMENTS**

To receive any announcements which may be submitted by the Mayor or Chief Executive.

6. **QUESTIONS FROM THE PUBLIC UNDER COUNCIL PROCEDURE RULE 11**

To receive questions in accordance with the provisions of Council Procedure Rules 11.1 and 11.3 which require members of the public to give at least 3 days' notice in writing of questions to a Member of Cabinet or Committee Chairman.

7. **PETITIONS AND ADDRESSES**

To receive any petitions and/or addresses from members of the public which have been notified to the Chief Executive in accordance with the Council's Constitution.

8. **LEADER'S REPORT** (Pages 1 - 3)

To receive the Cabinet Leader's report on proceedings since the last meeting of Council.

REPORTS REFERRED FROM CABINET, COMMITTEES OR OVERVIEW AND SCRUTINY

9. **COMMUNITY GOVERNANCE REVIEW OF THE DISTRICT: OUTCOME AND ORDER TO AMEND THE NAME OF THURNHAM PARISH COUNCIL** (Pages 4 - 9)

Referral from Council Business Committee.

10. **REVIEW OF THE COUNCIL'S CONSTITUTION: UPDATE** (Pages 10 - 34)

Referral from the Constitutional Working Group.

11. **PAY POLICY**

Referral from Personnel Committee.

Report to Follow.

MOTIONS ON NOTICE

12. **MOTION ON NOTICE - FRACKING** (Pages 35 - 38)

To consider the following motion submitted by Councillors Caroline Jackson, Dave Brooks and Tim Hamilton-Cox.

"Lancaster City Council notes that on 23 September 2015, this Council voted in favour of a motion that stated:

This council agrees to:

- (a) *Oppose fracking in the Lancaster district, or fracking outside our district which could affect residents within our district, and call upon the Government to reconsider its policy of encouraging fracking. (Thereafter giving 3 clear and detailed environmental reasons for this opposition – see original motion);*
- (b) *Urge the Government to scrap proposals to remove responsibility for determining fracking planning applications from local councils. (See original motion for more detail).*

Additionally, this Council further notes that:

*In May this year Ministers outlined a proposal in a Written Ministerial Statement to redefine non-hydraulic fracturing shale gas exploration applications as **permitted development** and to redefine large scale shale gas production sites as **Nationally Significant Infrastructure Projects**, thus removing any local authority control and community involvement in decision-making.*

That on 5 July 2018, a report by the cross-party Housing, Communities and Local Government Committee warned the Government against its proposals concluding that Mineral Planning Authorities, i.e. Lancashire County Council, were best placed to understand the local area and how fracking could best take place. And that the above report also said the Nationally Significant Infrastructure Projects regime was unlikely to speed up the application process for fracking.

Lancaster City Council believes:

- *It continues to support and promote its September 2015 resolution opposing fracking;*
- *That moving decisions about fracking, which have huge implications for local communities, to a national level contradicts the principles of localism;*
- *That 'Permitted Development' was designed for developments with low environmental impacts and is therefore not an appropriate category for drilling with such wide-reaching implications for local communities and climate change;*
- *That bringing fracking applications under the Nationally Significant Infrastructure Projects regime will be harmful to local communities; and,*
- *That local authorities are best placed to continue to make decisions throughout the planning process for shale gas exploration drilling, appraisal and production.*

Lancaster City Council resolves:

1. *To respond to the forthcoming government consultation with these views.*
2. *To share this response with Lancashire MPs and relevant government ministers.*
3. *To reaffirm its policy commitment to "oppose fracking in the Lancaster district, or fracking outside our district which could affect residents within our district".*
4. *To embed this policy within our Climate Change policy and the Council Plan (see resolution 23 July 2018) and so to communicate this policy to our residents, other local authorities, partner agencies and contractors."*

An officer briefing note is attached.

13. MOTION ON NOTICE - LOCAL PLAN

To consider the following motion submitted by Councillors Tim Hamilton-Cox, Caroline Jackson and Dave Brookes.

"This council notes that:

1) Among the four recommendations approved by full council on 20th December in connection with 'Advancing the Local Plan for Lancaster district', the second recommendation stated:

'[Full council] Delegates to the Chief Officer (Regeneration and Planning) the authority to make minor changes to improve the clarity, consistency and appearance of the documents and policies maps, and, insert additional illustrative or factual material prior to formal publication and submission.'

2) The edition of the 'STRATEGIC POLICIES & LAND ALLOCATIONS DPD - PRE EXAMINATION (AUGUST 2018) presented to Planning Policy cabinet liaison group (PPCLG) at its meeting on 11th September, contained a significant number of 'suggested modifications' which were described variously as both 'minor' and

'main'.

- 3) PPCLG 'is a non-decision making consultative forum' and therefore is not in a position to formally approve the suggested 'main' modifications on behalf of full council.

Accordingly, full council resolves to bring the edition of the 'STRATEGIC POLICIES & LAND ALLOCATIONS DPD', which is to be submitted to the public examination starting in January 2019, back to full council on 14th November. This will ensure that full council has an opportunity to debate the revised content, and to amend and approve the development plan document as necessary."

An officer briefing note to follow.

OTHER BUSINESS

14. DESIGNATION OF SECTION 151 OFFICER

To consider the report of the Chief Executive.

Report to Follow.

15. CONSTITUTION: AMENDMENT TO THE SCHEME OF DELEGATION (NON-EXECUTIVE FUNCTIONS) (Pages 39 - 43)

To consider the report of the Monitoring Officer.

16. APPOINTMENTS AND CHANGES TO COMMITTEE MEMBERSHIP

Group Administrators to report any changes to Committee Membership.

17. QUESTIONS UNDER COUNCIL PROCEDURE RULE 12

To receive questions in accordance with the provisions of Council Procedure Rules 12.2 and 12.4 which require a Member to give at least 3 working days' notice, in writing, of the question to the Chief Executive.

18. MINUTES OF CABINET (Pages 44 - 59)

To receive the Minutes of Meetings of Cabinet held 7th August and 4th September 2018.



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Chief Executive

Town Hall,
Dalton Square,
LANCASTER,
LA1 1PJ

Published on Tuesday 18th September 2018.