

## PROCEEDINGS

A meeting of the Lancaster City Council was held in the Town Hall, Morecambe, at 6.00 p.m. on Wednesday, 29 September 2021, when the following Members were present:-

Mike Greenall (Mayor)  
Richard Austen-Baker  
Phillip Black  
Dave Brookes  
Keith Budden  
Tim Dant  
Gina Dowding  
Kevin Frea  
June Greenwell  
Tim Hamilton-Cox  
Colin Hartley  
Caroline Jackson  
Debbie Jenkins  
Jack Lenox  
Cary Matthews  
Jack O'Dwyer-Henry  
Robert Redfern  
Alistair Sinclair  
Sandra Thornberry  
David Whitaker  
John Wild  
Peter Yates

Geoff Knight (Deputy Mayor)  
Mandy Bannon  
Alan Biddulph  
Abbott Bryning  
Roger Cleet  
Roger Dennison  
Adrian De La Mare  
Andrew Gardiner  
Mel Guilding  
Janice Hanson  
Tricia Heath  
Joan Jackson  
Mandy King  
Erica Lewis  
Abi Mills  
Joyce Pritchard  
Oliver Robinson  
Malcolm Thomas  
Katie Whearty  
Anne Whitehead  
Jason Wood

**55 APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Tony Anderson, Paul Anderton, Vicki Boyd-Power, Merv Evans, Jake Goodwin, Sarah Knight, Stuart Morris, Jean Parr, Faye Penny, Stewart Scothern, Paul Stubbins and Joanna Young.

The Mayor reminded Members that there had been a spike in Covid infections in the district during the last couple of weeks and asked that speeches in debate be brief to limit the length of the meeting.

**56 MINUTES**

The minutes of the meeting held on 28 July 2021 and the extraordinary meeting held on 25 August 2021 were signed by the Mayor as a correct record.

**57 DECLARATIONS OF INTEREST**

Members advised of the following interests at this stage:

Councillor Guilding declared an 'other' non-pecuniary interest in relation to item 9, the motion on notice regarding Primary Care Patients in Lancaster, in view of sitting on the local Integrated Care Communities (ICCs). (Minute No. 62 refers.)

Councillor Dennison declared an 'other' non-pecuniary interest in relation to the motion on notice he had submitted at Item 10, regarding the Armed Forces. This was in view of his role as the Council's Veterans' Champion. (Minute No. 63 refers.)

**58 ANNOUNCEMENTS**

The Mayor reminded Councillors of the recent resignation of former Councillor John Reynolds. He advised that a casual vacancy for that seat in Carnforth and Millhead Ward was currently advertised on the website along with the vacancy in Bare Ward.

**59 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.

**60 PETITIONS AND ADDRESSES**

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

**61 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. She agreed to look into the invitations to Ward Councillors to the opening of the Caton Road Flood Defences on 1<sup>st</sup> October as it appeared that not all relevant Councillors had received an invitation.

Councillor Gardiner queried the word 'unwilling' in paragraph 3.6 of the report about the Eden project, regarding David Morris MP. The Leader explained that no criticism had been

intended and she had in fact spoken to Mr Morris informally about the project at a social event where both happened to be in attendance.

The Leader agreed to provide a written answer to a question posed by Councillor Robinson regarding what plans the Council had made to establish itself as a trusted partner for major project delivery such as Eden North.

***Resolved:***

That the report be noted.

**62 MOTION ON NOTICE - PRIMARY CARE PATIENTS IN LANCASTER**

The following motion on notice had been submitted by Councillor Austen-Baker:-

"Whereas there is some disquiet among residents at the service provided to primary care patients since the merger into one of several hitherto independent primary medical practices in Lancaster.

And whereas the Council is involved in the anticipated development of large numbers of new residential units to the south of the city, which, if realised, is likely to add significantly to demand for primary medical care in the district.

And whereas plans being developed by the Council, with partners, also anticipate the development of new primary medical care facilities, it is hereby resolved that:

- (1) The Council, by its Cabinet and its executive officers, will take all such steps, working with its partners, as are lawful and practicable, to bring about (or facilitate the bringing about of) the establishment of new primary medical care facilities for NHS patients within a new practice, independent of existing practices within the Lancaster district; and
- (2) The Council, by its Cabinet and its executive officers, will take a proactive approach, so far as lawful and practicable, to attracting to the area provision of primary medical care services ("general practice") for private patients within the Lancaster district."

The motion was accompanied by an officer briefing note.

Councillor Austen-Baker asked Council's permission under Council Procedure Rule 17.3 to amend the motion, replacing the wording at (2) with:-

- "(2) The Overview and Scrutiny Committee establish an annual meeting to discuss healthcare matters in the district, to which should be invited representatives of relevant NHS bodies, including the local Clinical Commissioning Group."

Councillor De La Mare seconded the request to amend the motion and Council signified agreement when a vote was taken.

Councillor De La Mare seconded Councillor Austen-Baker's amended motion and there was a short debate.

The Mayor called for a vote and the motion was clearly carried.

***Resolved:-***

Whereas there is some disquiet among residents at the service provided to primary care patients since the merger into one of several hitherto independent primary medical practices in Lancaster.

And whereas the Council is involved in the anticipated development of large numbers of new residential units to the south of the city, which, if realized, is likely to add significantly to demand for primary medical care in the district.

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- (2) The Overview and Scrutiny Committee establish an annual meeting to discuss healthcare matters in the district, to which should be invited representatives of relevant NHS bodies, including the local Clinical Commissioning Group.

### 63 MOTION ON NOTICE - ARMED FORCES

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

"This Council recognises the sacrifices both physical and mental suffered by our armed forces in serving our nation both locally and internationally. To show our commitment to them all, serving, reserves and veterans, I ask that Lancaster City Council commit itself to achieving Covenant Gold Status as an employer by the end of 2022."

Councillor Heath seconded the motion.

An officer briefing note had been provided with the motion.

A number of councillors expressed support for the motion. At the conclusion of the debate a vote was taken and the motion was clearly carried.

***Resolved:-***

This Council recognises the sacrifices both physical and mental suffered by our armed forces in serving our nation both locally and internationally. To show its commitment to them all, serving, reserves and veterans, Lancaster City Council commits itself to achieving Covenant Gold Status as an employer by the end of 2022.

### 64 MOTION ON NOTICE - ETHICAL AND SUSTAINABLE APPROACH TO INVESTMENT

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

"The Council notes that:

- a) it has previously discussed the need to take an ethical and sustainable approach to

investment of Lancaster City Council funds to support our priorities and to ask the same of those who manage our officers' pensions through the Lancashire Pensions Fund and Local Pensions Partnership;

- b) increasingly pension funds are large investors who are being asked to take an ethical and sustainable approach to investment including considerations of workers' condition in properties owned by funds, and where these funds have a geographic link, to support community wealth building;
- c) many of the Sustainable Development Goals speak to the importance of investment as a driver for securing fundamental human rights, building resilience within communities and meeting the challenge of the climate emergency;
- d) it is preferable to take a comprehensive approach to an ethical and sustainable investment policy rather than addressing it on a topic-by-topic basis;
- e) taking the time to develop a comprehensive approach will strengthen the policy, give the council one reference point for full council's position on ethical and sustainable investment, and allow for one set of new investment instructions to be made, reducing development and implementation costs.
- f) bringing together a comprehensive ethical and sustainable investment policy is a significant piece of work that should involve consultation with a range of stakeholders as well as taking expert advice;
- g) undertaking this process via an overview and scrutiny task group will allow councillors to explore what are often complex ethical issues in a more discursive environment and with the benefits of expert advice and a mechanism to listen to community perspectives;
- h) almost by definition ethical issues are rarely clear cut and there are often reasonable competing perspectives.
- i) it is important we conduct a careful and respectful debate and reaffirm our commitment to this district being a place that supports everyone to know, claim and enjoy their human rights, and to be strong allies to everyone who faces discrimination and structural oppression in all its forms.
- j) consistently with the obligation in section 149 of the Equality Act 2010, the development of the policy must have due regard to the need to foster good relations between persons of different nationalities, ethnicities and religions.

The Council hereby resolves to:

- (1) Recommend that Overview and Scrutiny Committee establish a formal task group to consult on and develop a comprehensive ethical and sustainable investment policy for consideration by Cabinet;
- (2) To amend Council's previous resolution of 23 June 2021 (in respect of the Boycott, Divestment and Sanctions movement motion) to have the effect of not making or requesting any investment changes until a comprehensive ethical and sustainability policy is agreed by Council and that any future requests be made in accordance with that policy."

In accordance with Council Procedure Rule 18.1 regarding resolution (2), fifteen

Councillors, being a quorum of Council, had signed up to the notice of motion; Councillors Erica Lewis, Caroline Jackson, Cary Matthews, Richard Austen-Baker, Merv Evans, Anne Whitehead, Sandra Thornberry, Oliver Robinson, Jason Wood, Jean Parr, Mandy King, Tim Hamilton-Cox, Dave Brookes, Adrian De La Mare and Tricia Heath.

An officer briefing note had been circulated with the agenda.

Councillor Heath moved a procedural motion to go to the vote, seconded by Councillor Matthews. Council signified its agreement to go straight to the vote and the motion was clearly carried.

**Resolved:-**

The Council notes that:

- a) it has previously discussed the need to take an ethical and sustainable approach to investment of Lancaster City Council funds to support our priorities and to ask the same of those who manage our officers' pensions through the Lancashire Pensions Fund and Local Pensions Partnership;
- b) increasingly pension funds are large investors who are being asked to take an ethical and sustainable approach to investment including considerations of workers' condition in properties owned by funds, and where these funds have a geographic link, to support community wealth building;
- c) many of the Sustainable Development Goals speak to the importance of investment as a driver for securing fundamental human rights, building resilience within communities and meeting the challenge of the climate emergency;
- d) it is preferable to take a comprehensive approach to an ethical and sustainable investment policy rather than addressing it on a topic-by-topic basis;
- e) taking the time to develop a comprehensive approach will strengthen the policy, give the council one reference point for full council's position on ethical and sustainable investment, and allow for one set of new investment instructions to be made, reducing development and implementation costs.
- f) bringing together a comprehensive ethical and sustainable investment policy is a significant piece of work that should involve consultation with a range of stakeholders as well as taking expert advice;
- g) undertaking this process via an overview and scrutiny task group will allow councillors to explore what are often complex ethical issues in a more discursive environment and with the benefits of expert advice and a mechanism to listen to community perspectives;
- h) almost by definition ethical issues are rarely clear cut and there are often reasonable competing perspectives.
- i) it is important we conduct a careful and respectful debate and reaffirm our commitment to this district being a place that supports everyone to know, claim and enjoy their human rights, and to be strong allies to everyone who faces discrimination and structural oppression in all its forms.
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development of the policy must have due regard to the need to foster good relations between persons of different nationalities, ethnicities and religions.

The Council hereby resolves to:

- (1) Recommend that Overview and Scrutiny Committee establish a formal task group to consult on and develop a comprehensive ethical and sustainable investment policy for consideration by Cabinet;
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## **65 APPOINTMENT OF THE ELECTORAL REGISTRATION OFFICER**

Councillor Lewis, as portfolio holder for Corporate Services, presented a report recommending that Mr Mark Davies, currently the Council's Returning Officer and Director for Communities and the Environment, be appointed to the role of Electoral Registration Officer. She proposed the recommendation as set out in the report:-

"That Mr Mark Davies, the City Council's Returning Officer and Director for Communities and the Environment, be appointed to the additional role of Electoral Registration Officer with immediate effect."

Councillor Dennison seconded the proposition. There was no debate and the motion was clearly carried when put to the vote.

### ***Resolved:***

That Mr Mark Davies, the City Council's Returning Officer and Director for Communities and the Environment, be appointed to the additional role of Electoral Registration Officer with immediate effect.

## **66 APPOINTMENTS AND CHANGES TO COMMITTEE MEMBERSHIP**

It was noted that since the last meeting, Councillor Young had been appointed to the Chief Executive Recruitment Committee and Councillor De La Mare had been appointed to the Council Business Committee. The Labour Group had also appointed substitute members to the Chief Executive Recruitment Committee.

The Head of Democratic Services reminded Councillors that not all political groups had notified her of their members to be appointed to the reconvened Committee System Working Group and asked that they provide that information as soon as convenient.

## **67 QUESTIONS UNDER COUNCIL PROCEDURE RULE 12**

Councillor Whitaker had submitted three questions for Councillor Brookes, portfolio holder for Environmental Services, regarding fly tipping. The first question was:

*What standard of service can our residents expect in relation to the management of fly tipping and litter in accordance with The Environmental Protection Act?*

Councillor Brookes replied:

The Environmental Protection Act 1990 imposes duties in Part 1 and Part 2 on certain landowners and occupiers to keep specified land clear of litter and refuse and the local authority and Secretary of State to keep clean public highways for which they are responsible.

Part 1 contains a Code of Practice issued under Section 89, Part 7 of the Act. It seeks to encourage duty bodies to maintain their land within acceptable cleanliness standards. The emphasis is on the appropriate and consistent management of an area to keep it clean not on how often it is cleaned. The principle of the Code of Practice is practicability. The Council's street cleansing operations are designed to take account of the guidance contained in the Code of Practice in practical terms. This means that areas that are likely to generate more waste and litter, eg, town centres, densely populated areas, visitor areas, etc, will have more cleansing staff allocated to them. Harbour Ward, as an example, has areas near shops and the promenade that are machine swept every day and also has frequent litter picking and machine sweeping of residential areas. Morecambe as a whole has a response team allocated to it to remove fly tipping every day and there is a similar response team operating in Lancaster.

Councillor Whitaker asked for his thanks to staff involved in cleansing to be recorded, as he recognised that they had a very challenging job. He then asked a supplementary question:

*Has there been research and evaluation in regard to best practice in management of fly tipping and littering? And what guidance is the Government offering for us to address this issue as an authority?*

Councillor Brookes replied:

There is a Public Realm Development Officer busy researching ways of improving the response to fly-tipping in the district.

Councillor Whitaker's second and third questions were asked together:

*How many Fly Tipping incidents have been recorded within The West End of Morecambe since January 2021?*

*What have they cost to clear up?*

Councillor Brookes responded:

In the nine months to October 2022 there have been 123 reported cases in Harbour Ward.

For further context there were 438 reported cases in Harbour Ward in the last financial year from April 2020 to March 2021. So we are now seeing a significant decline in numbers since the highs of lockdown. In 2019/20 across the whole district 1942 instances of fly tipping were recorded. 1,113 were back alley incidents. Of these, further action was taken in 961 cases, which means it is not just cleared, something else happens, and further investigation was carried out in 594 cases. 200 warning letters were subsequently issued, 159 statutory notices were issued, which is action which precedes prosecution, 8 cases resulted in fines in court of up to £1,000.

Number of fly tipping incidents recorded in the district in the past few years are 3,717 in 2014/15; 2,750 in 2015/16; 3,765 in 2016/17; 4,006 in 2017/18; 2,708 in 2018/19 and 1,942 in 2019/20. Obviously during the pandemic, it has spiked back up. So the point



being, although we know there were significant increases during the pandemic, before the exceptional circumstances of lockdown there had been a significant downward trend.

On costs, it is not practical to work out cost per incident, but the annual cost of the Morecambe fly tipping response team is in the region of £70k per annum, plus some additional disposal costs for large items, such as fridges. There are also indirect costs associated with fly tipping including the customer services centre, enforcement team and legal.

While it is unlikely we would reduce staffing levels if fly tipping disappeared overnight, officers in these areas have plenty of other things they could concentrate on to benefit the district.

## 68 MINUTES OF CABINET

The minutes of the Cabinet meeting held on 13 July 2021 were considered. There were no questions.

***Resolved:***

That the minutes be noted.

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Mayor

(The meeting finished at 7.10 p.m.)

**Any queries regarding these minutes,  
please contact Debbie Chambers, Democratic Services - email [dchambers@lancaster.gov.uk](mailto:dchambers@lancaster.gov.uk)**