

PROCEEDINGS

A meeting of the Lancaster City Council was held in the Town Hall, Morecambe, at 6.00 p.m. on Wednesday, 13 December 2023, when the following Members were present:-

Roger Dennison (Mayor)	Martin Bottoms (Deputy Mayor)
Suhir Abuhajar	Joanne Ainscough
Catherine Armistead	Mandy Bannon
Matthew Black	Phillip Black
Louise Belcher	Gerry Blaikie
Phil Bradley	Dave Brookes
Keith Budden	Roger Cleet
Ruth Colbridge	Brett Cooper
Claire Cozler	Gina Dowding
Tom Fish	Andrew Gardiner
Martin Gawith	Erin Hall
Tim Hamilton-Cox	John Hanson
Chris Hanna	Prof Chris Harris
Colin Hartley	Ross Hunter
Caroline Jackson	Peter Jackson
Jack Lenox	John Livermore
Sally Maddocks	Sophie Maddocks
Sarah McGowan	Abi Mills
Hamish Mills	Jean Parr
Paul Newton	Margaret Pattison
Sue Penney	Catherine Potter
Joyce Pritchard	Sarah Punshon
Robert Redfern	Sam Riches
James Sommerville	Paul Stubbins
Sandra Thornberry	Sue Tyldesley
Paul Tynan	David Whitaker
Nick Wilkinson	Jason Wood

81 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Paul Gardner, Alan Greenwell, Paul Hart, Kate Knight, Shelagh McGregor and John Wild.

82 MINUTES

The minutes of the meeting held on 8 November 2023 were signed by the Mayor as a correct record.

83 DECLARATIONS OF INTEREST

No declarations of interest were made.

84 ANNOUNCEMENT - ASSISTANT CHIEF CONSTABLE PETER LAWSON

The Mayor informed Councillors that he had three announcements.

Firstly, it was his sad duty to report the sad and sudden passing of Assistant Chief Constable Peter Lawson of Lancashire Constabulary. The Council sent its deepest condolences to his family, friends and colleagues.

Members stood in a minute's silence in memory of Assistant Chief Constable Peter Lawson

85 OTHER ANNOUNCEMENTS

On behalf of Marsh Ward Councillors, Councillor Dowding had asked the Mayor to thank the Chief Executive and all the staff who had been involved in dealing with the fire on the Lune industrial estate. They had been working round the clock in stressful conditions and their efforts were much appreciated.

The Mayor reminded Councillors that tickets were on sale for his Christmas Carol Concert to be held on Friday 15th December at 7pm. The St John's Hospice choir would be performing to raise funds for the Hospice. Tickets were still available priced at £10, available from the Mayor or the Mayor's office.

86 QUESTIONS FROM THE PUBLIC UNDER COUNCIL PROCEDURE RULE 11

The Mayor advised that one question had been received from a member of the public in accordance with Council Procedure Rule 11. He invited Mr Khaldoun Jayousi to put his question to the Council.

A copy of the question had been circulated at the commencement of the meeting. Mr Jayousi asked:

Do you agree that international violence and the current situation in Gaza, the West Bank and Israel is having a terrible impact on the well-being and safety of many residents in our local community and do you recognise this is making Arabs and Muslims of Lancaster more exposed than before to racism, islamophobia and attacks?

He also asked his supplementary question at the same time:

What are you, as a City Council, prepared to do using your influence to end the violence in the Middle East and help us all live in peace in this district?

Councillor Peter Jackson, Cabinet Member for Communities, Well-Being and Partnerships responded:

Yes, I do wish to respond on behalf of the City Council. I do agree, and the Council agrees, that the current situation in Gaza, Israel and the West Bank is having terrible effects for some Lancaster residents. I also agree that this situation may increase the risk of Islamophobic attacks, and the fear of such attacks, for our Arab and Muslim residents. Council must, of course, consider the interests of all residents and I note that the risk to our Jewish community of antisemitic attacks, and fear of such attacks, may also be increased because of this situation. Council will seek to monitor these risks through the Community Safety Partnership and, in cooperation with the Police, will respond if attacks on any member of any community occur. Thus far, since October 7th, there are very few reported hate crimes in our district. You have just referred to one tonight, and the right thing to do is to report it to the Police as you have done, as should anyone who encounters hate crime.

Regarding Mr Jayousi's supplementary question Councillor Peter Jackson responded:

As I have described, Council accepts that it has a duty to work for the safety of all communities. It does this through the Community Safety Partnership which is made up of a wide range of bodies from our district, Police, Fire Service, Health etc, and it addresses issues based on assessment of the risk they present. We also facilitate the Communities Together group. This is an independent group, not a Council group, although we facilitate it, where many local ethnic and faith communities meet to increase mutual understanding and good relations.

However, while individually councillors and political groups may express their concerns and opinions about the violence in the Middle East, Council, again as previously stated, will focus on the safety of our residents and not express a view about how to end the ongoing violence.

The Mayor thanked Mr Jayousi and Councillor Peter Jackson for their question and response.

87 PETITIONS AND ADDRESSES

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

The texts of all three addresses had been circulated to Councillors at the start of the meeting.

The first two addresses were about the same topic, the Israel-Gaza conflict, so would be heard together before a response would be given by Councillor Peter Jackson, Cabinet Member with particular responsibility for Communities, Well-Being and Partnerships.

Mr Peter Moser spoke first, followed by Ms Audrey Glover. There was disruption from the public gallery during the address from Ms Glover and during the response which followed from Councillor Peter Jackson.

Finally, Mr Chris Dealtry, who had submitted an address about Constitutional matters and telecommunications masts was invited by the Mayor to deliver his speech. Mr Dealtry chose not to do this, instead he spoke about matters raised by the previous speakers and the question from the public. He was informed by the Mayor that he must deliver his submitted speech or be silent.

Mr Dealtry suggested that the Council hold a one-minute silence for the lives lost in the Israel-Gaza conflict and the Mayor agreed, since Councillors and the public in attendance expressed a wish to do so.

Councillors and attendees stood to observe a one minute silence for the victims of the conflict in Israel and Gaza.

Councillor Peter Jackson asked that it be minuted that he thanked the members of the public in the gallery for listening to his response.

88 LEADER'S REPORT

(Immediately prior to this item, the Mayor reminded Councillors Colbridge, Dowding and Punshon, who all attempted to speak about the conflict in Israel-Gaza, that he had moved to item 8 on the agenda, the Leader's report and their contribution could not be heard. Councillor Colbridge had asked for a letter from the Council in support of a ceasefire, a request which the Leader picked up on. His response is minuted below.)

The Leader presented his report updating Members on various issues since his last report to Council. At the Leader's invitation, the Chief Executive gave an update to Councillors about the fire on the Lune Industrial Estate.

The Leader then responded to a number of questions from Councillors and assured Councillor Colbridge that there had already been discussions about a letter to the Prime Minister with support for calls for a ceasefire to the conflict in Israel-Gaza. He informed Councillors that he would undertake to send a letter in his name as Leader of the Council with that aim in mind.

Resolved:

That the report be noted.

89 COUNCIL PLAN 2024-2027

The Leader, Councillor Phil Black, presented a draft Council Plan 2024/2027 to Members for approval.

He responded to questions from Councillors before proposing::

"That the Council Plan 2024/2027, as recommended by Cabinet, be approved."

Councillor Caroline Jackson seconded the proposition.

There was a short debate before a vote was taken and the proposition was clearly carried.

Resolved:

That the Council Plan 2024/2027, as recommended by Cabinet, be approved.

90 LOCAL COUNCIL TAX SUPPORT SCHEME 2024/25

Councillor Hamilton-Cox, Cabinet Member with responsibility for Finance and Resources, presented a report regarding the Local Council Tax Support Scheme 2024/25 to Council and took questions from Members.

Councillor Black asked a question about Councillors who may be in receipt of Council Tax benefit and whether they should declare an interest.

The Deputy Monitoring Officer sought definitive advice from the Monitoring Officer, who was in attendance remotely via the livestream having tested positive for COVID. The Mayor agreed to move to a break at that point in the meeting to facilitate that, rather than taking the break at the scheduled time of 8pm.

(The meeting adjourned at 7.20pm, reconvening at 7.30pm.)

The Deputy Monitoring Officer gave advice on interests, quoting from government guidance provided by the Monitoring Officer during the adjournment.

Councillor Hamilton-Cox responded to questions from Councillors before proposing, seconded by Councillor Dowding:

- “(1) That Option (1) in the report, the retention of the existing Localised Council Tax Support (LCTS) scheme for 2024/25, subject to minor consequential amendments to match changes in Housing Benefit rules, be approved.
- (2) That that the s151 Officer be authorised to finalise and publish the Council’s approved Scheme for 2024/25 and make all other necessary arrangements for its implementation in the next financial year.”

Debate followed. When a vote was taken on the proposition, it was clearly carried.

Resolved:

- (1) That Option (1) in the report, the retention of the existing Localised Council Tax Support (LCTS) scheme for 2024/25, subject to minor consequential amendments to match changes in Housing Benefit rules, be approved.
- (2) That that the s151 Officer be authorised to finalise and publish the Council’s approved Scheme for 2024/25 and make all other necessary arrangements for its implementation in the next financial year.

91 MEDIUM TERM FINANCIAL STRATEGY 2024/25 - 2028/29

Councillor Hamilton-Cox, Cabinet Member for Finance and Resources, presented the Medium Term Financial Strategy which provided an update on the Council’s financial forecasts for 2024/25 to 2028/29 and outlined the approach to balancing the budget.

Councillors asked a number of questions which Councillor Hamilton-Cox responded to.

The report was for Council’s consideration and noting.

Resolved:

That the report be noted.

92 TREASURY MANAGEMENT MID-YEAR REVIEW 2023/24

Councillor Hamilton-Cox presented a report of the Chief Finance Officer seeking Council's consideration of various matters in connection with the Treasury Management Mid-Year Review 2023/24.

He responded to questions from Councillors before proposing:

- “(1) That the amendments to the Treasury Management Strategy for 2023/24 (as set out in Appendix B of the report) in accordance with CIPFA Code of Practice on Treasury Management (the Code) and the CIPFA Prudential Code for Capital Finance in Local Authorities (the Prudential Code) be approved.
- (2) The various matters in connection with the Treasury Management Mid-Year Review 2023/24 be noted.”

Councillor Hunter seconded the proposition which was put to the vote after a short debate.

The proposition was clearly carried.

Resolved:

- (1) That the amendments to the Treasury Management Strategy for 2023/24 (as set out in Appendix B of the report) in accordance with CIPFA Code of Practice on Treasury Management (the Code) and the CIPFA Prudential Code for Capital Finance in Local Authorities (the Prudential Code) be approved.
- (2) The various matters in connection with the Treasury Management Mid-Year Review 2023/24 be noted.

93 LANCASHIRE DEVOLUTION DEAL - CONSULTATION

The Leader of the Council presented a report of the Chief Executive to allow Council to consider the draft Lancashire Devolution Deal and agree the principles of a response to the formal consultation.

There were a number of questions from Councillors which the Leader responded to, before proposing the recommendations set out in the report:

- “(1) That Council notes the draft Lancashire Devolution Deal and Proposal set out in Appendix A and B of the report.
- (2) That Council agrees to submit a response to the eight sections of the formal consultation, feeding back the comments in part 3.0 of the report.
- (3) To delegate authority to the Chief Executive, in consultation with the Leader, to finalise the consultation response (including completion of the online consultation and a formal written response) based on recommendation (2), above.

- (4) That the Council promotes the consultation and seeks to encourage our district's residents and organisations to respond."

Councillor Hamish Mills seconded the proposition.

After a lengthy debate, the Mayor called for a vote. The proposition was carried unanimously.

Resolved unanimously:

- (1) That Council notes the draft Lancashire Devolution Deal and Proposal set out in Appendix A and B of the report.
- (2) That Council agrees to submit a response to the eight sections of the formal consultation, feeding back the comments in part 3.0 of the report.
- (3) To delegate authority to the Chief Executive, in consultation with the Leader, to finalise the consultation response (including completion of the online consultation and a formal written response) based on resolution (2), above.
- (4) That the Council promotes the consultation and seeks to encourage our district's residents and organisations to respond.

94 APPOINTMENT OF MAYOR-ELECT

The Chief Executive reported that he had contacted Councillor Abi Mills, the most senior Member of the Council eligible to be invited to become Mayor in accordance with the Constitution. Councillor Mills had indicated that she would be happy to accept such an invitation.

It was then moved by Councillor Cooper and seconded by Councillor Caroline Jackson:

"That Councillor Abi Mills be invited to hold the office of Mayor of the City of Lancaster for the Municipal Year 2024/25."

A vote was taken on the motion which was carried unanimously.

Resolved unanimously:

That Councillor Abi Mills be invited to hold the office of Mayor of the City of Lancaster for the Municipal Year 2024/25.

95 APPOINTMENTS AND CHANGES TO COMMITTEE MEMBERSHIP

The Labour Group reported that Councillor Thornberry would be a named substitute member of the Audit Committee.

96 QUESTIONS UNDER COUNCIL PROCEDURE RULE 12 (Pages 9 - 10)

The Mayor advised that two questions had been received by the Chief Executive in accordance with Council Procedure Rules as follows:

- (1) Councillor Fish Councillor Wood regarding the Council's Constitution.
- (2) Councillor Abuhajar to Councillor Peter Jackson regarding tackling racism,

antisemitism and Islamophobia.

Details of the questions and answers together with any supplementary questions and responses are appended to the minutes.

The Mayor invited Councillor Hamilton-Cox to clarify a matter regarding questions on notice which had been submitted by Councillor Sally Maddocks.

Councillor Hamilton-Cox explained that Councillor Sally Maddocks had submitted two questions on notice before the deadline. She subsequently withdrew one, but not both of her questions. Due to a misunderstanding, the question she wished to ask, which was about housing benefit, had not been put forward to the meeting. Councillor Hamilton-Cox offered to provide a written response to Councillor Sally Maddocks who agreed that this would be acceptable.

The Mayor thanked everyone for their attendance and closed the meeting.

Mayor

(The meeting finished at 9.10 p.m.)

**Any queries regarding these Minutes,
please contact Debbie Chambers, Senior Manager, Democratic Support & Elections/Deputy
Monitoring Officer - email dchambers@lancaster.gov.uk**

1. Councillor Fish asked Councillor Jason Wood

Given that our motion about the crisis in Gaza was not allowed to come to this Council meeting, which would have denounced antisemitism and Islamophobia in our district and urged the Prime Minister to support a ceasefire, I would like to ask you if you agree that the Council's constitution needs to change so that we can discuss international issues that affect our residents going forward.

Councillor Wood replied:

Thank you for your question Councillor Fish. As those of you who have been on Council for some time will appreciate, I always welcome opportunities to discuss the constitution and procedural matters. Now that is not to diminish the frustration and anguish that we all share about the subject matter of the motion that you wished to bring on the horrific events and tragic loss of life in recent months in Israel and Gaza. However, your question to me was about the Constitution and procedural rules and I will confine my answer to those procedural matters.

In order for any motion on notice to proceed to consideration at a Council meeting, the procedural rules from the constitution, Part 3, Section 1, Rule 15.4 apply. I won't read those out to you, because I'm sure that everyone who has ever tried to present a motion before has familiarised themselves with the clauses in Rule 15.4.

The full explanation has been provided to Cllr Fish as to why the Chief Executive ruled the proposed motion as being unconstitutional. This explanation, which has been published in the press, outlined the reasons for the ruling based on the procedure rules. I won't go through the full explanation but I did want to pick up on a key point and that's concerning the need for officers to provide an accompanying briefing note, setting out any pitfalls or key risks together with the key legal and financial implications associated with accepting the motion. Councillors will appreciate that we have had a look at the Council's finances, we've been in a difficult position for the last ten years and our officer support base, particularly in policy areas, has diminished to almost nothing. Simply put, this local district council does not have the knowledge or expertise to be commenting, as local government officers, on matters such as this and the risks that may be associated.

Continuing and long-standing Councillors will note that this chamber has previously considered a wide range of matters where the drafters carefully constructed a proposal with sufficient local application and content to fit within the procedural rules as outlined under the scoping clause of procedure rule 15.4. Some of you may remember that towards the end of the previous Council, in January this year, the Conservative Group was so incensed by the number of motions coming to Council that sought to bring an amendment to the constitution to – in their view – further tighten this area and prevent further motions on national and international matters being brought forward for consideration.

That motion drafted and presented by the then Cllr Austen-Baker – a constitutional law academic, asked Council to note among other things:

“(a) A number of debates at full Council concern matters irrelevant to the business of a district council (such as nuclear warheads, foreign policy, the mode of conducting parliamentary elections)...

He went on to say a great many other things - that I won't read out - in his proposed amendment to the Constitution, which was heavy legalese. At that time a number of Green Group councillors spoke against that proposal stating that the current Rule 15.4 was fit for purpose and did not need changing.

So; you ask if I “... agree that the Council's constitution needs to change ...”. My short answer is I agree with your Green Group colleagues who previously felt this clause was sufficient as it currently stands. Thank you.

By way of a supplementary question, Councillor Fish asked Councillor Wood:

How can we change the constitution so that we can create meaningful change and express horror at war, conflict and the killing of innocent children, in Council?

Councillor Wood thanked Councillor Fish for his supplementary questions. He replied:

Constitution Part 1 Section 1 Clause 3.6

“3.6 All Councillors meet together as members of the Council. Councillors approve the Constitution, any significant amendments to the Constitution “

Part 1 Section 1 Clause 10 goes on to explain how the Constitution is monitored and reviewed.

“0.1 Full Council adopts the Constitution.

10.2 The Monitoring Officer will monitor and review the operation of the Constitution on a regular basis, in order to ensure that it is up-to-date and is empowered to make changes to ensure that among other things consequential amendments are made as a result of Council decisions; and

The Council's constitution and in particular relation to this matter, the procedural rules can be changed in accordance with Rule 25.2 which reads:

“25.2 Amendment

Any motion to add to, vary or revoke these Council Procedure Rules will, when proposed and seconded, stand adjourned without discussion to the next ordinary meeting of the Council.”

So, in summary, the constitution and procedure rules can be changed by a majority vote at Council.

2. Councillor Abuhajar asked Councillor Peter Jackson

As well as changes to the constitution so that we may use our lobbying power in the future – what is the Council doing to combat racism, antisemitism and Islamophobia and how can it do more?

Councillor Peter Jackson replied:

Council, as I did say already in my previous remarks tonight, works with community groups and will continue to do so. Personally I propose to make further contact with people who spoke here tonight, ask questions and investigate the information that they have about incidents that are happening. I felt as if they knew a lot more about the things that are going on in their community than we in Council currently know. We need to know that, so I will be making contact with them and encouraging them to be in contact with our Community Connectors so that we are able to hear and understand the things that are actually happening.

You will have heard Councillor Phil Black say earlier that he is prepared to write to the Prime Minister as Leader of this Council. I would say as Leader of the Liberal Democrat Group, I will happily sign such a letter and I would hope that Leaders of other groups on this Council would also be prepared to sign it so that we can, as politicians, express a view which we are clearly entitled to express but which Council Officers have ruled that Council cannot express.

Obviously I am aware that you are the Chair of Communities Together which I think is an important group that could, perhaps, be larger in scope. If you've got further suggestions then certainly I'd be interested in discussing those with you.

When asked if she had a supplementary question, Councillor Abuhajar raised several queries with Councillor Peter Jackson:

Can you explain what exactly has changed the Leader's mind in agreeing now to write a letter. Was it just representations from the activists and community groups at this meeting and can you explain whether the Leader is writing in his own capacity or as the official Leader of this Council. Will a vote be required?

Councillor Peter Jackson was unable to speak for the Leader on all of these questions.