

CITY COUNCIL – SPECIAL MEETING

TUESDAY 14 DECEMBER 2010 AT 6.45 PM

PRESENT: The Mayor (Councillor Mrs Styth), Councillors Allison, Atkinson, Bainbridge, Bell, Betton, Bloxham, Boaden, Bowditch, Mrs Bowman, Bowman (S), Mrs Bradley, Cape, Mrs Clarke, Clarke (M), Collier, Craig, Devlin, Earp, Ellis, Farmer (C), Mrs Farmer, Glover, Graham, Harid, Hendry, Layden, Lishman, Mrs Luckley, Mrs Mallinson, Mallinson (J), McDevitt, Mitchelson, Morton, Nedved, Mrs Parsons, Ms Patrick, Ms Quilter, Mrs Riddle, Mrs Robson, Mrs Rutherford, Scarborough, Mrs Southward, Stothard, Tootle, Mrs Vasey, Mrs Warwick, Watson, Weber, Weedall and Wilson

C.167/10 APOLOGY FOR ABSENCE

An apology for absence was submitted on behalf of Councillor Mrs Geddes.

C.168/10 PUBLIC AND PRESS

RESOLVED – That the Agenda be agreed as circulated.

C.169/10 DECLARATIONS OF INTEREST

Councillor Mrs Riddle declared a personal interest in accordance with the Council's Code of Conduct in respect of Item 7(i) – Tullie House Trust Governance Arrangements. The interest related to the fact that Councillor Mrs Riddle is a Friend of Tullie House Museum and Art Gallery.

Councillor Mrs Mallinson declared a personal interest in accordance with the Council's Code of Conduct in respect of Item 7(i) – Tullie House Trust Governance Arrangements. The interest related to the fact that Councillor Mrs Mallinson was a Friend of Tullie House Museum and Art Gallery and served on the Board of Riverside Carlisle.

C.170/10 ANNOUNCEMENTS

(a) The Mayor

The Mayor reported that, at the last meeting, she had asked all Members of the City Council and also staff to vote and pledge support for the Healthlands Project which provided education, development, support and encouragement to people with disabilities. As a result of support received the project had been awarded £50,000 from the Big Lottery grants programme to progress

their very important work, and the Mayor extended her thanks to all those who had helped to make that possible.

The Mayor further reminded Members that the Civic Carol Service would take place on 19 December 2010 in St Cuthbert's Church and asked that they attend and support the Chaplain to the Council.

(b) The Leader of the Council

The Leader announced the following revised arrangements in respect of forthcoming meetings of the Executive:

- The special meeting of the Executive scheduled for 20 December 2010 had been rearranged to take account of the late announcement of the Revenue Support Grant Settlement, and would now take place on Wednesday 22 December 2010 at 11.00 am.
- In light of the above, it had been necessary to rearrange the Executive meeting scheduled for 17 January 2011 in order to comply with the four week consultation process on the budget. That meeting would now take place on Wednesday 19 January 2011.

(c) Members of the Executive

There were no announcements from Members of the Executive.

(d) Town Clerk and Chief Executive

There were no announcements from the Town Clerk and Chief Executive.

C.171/10 NOTICE OF MOTION

Pursuant to Procedure Rule 12, the Town Clerk and Chief Executive reported that no motions had been submitted on notice by Members of the Council.

On a point of procedure, Councillor Watson questioned the process around the submission of Notices of Motion to the Council. He referred in particular to the meeting of the Resources Overview and Scrutiny Panel which had taken place on 7 December 2010 (i.e. after the deadline for submission of Motions for this special City Council meeting) and questioned the means by which the Labour Group could have submitted a Motion to Council on business discussed by the Panel should they have wished to do so. Councillor Watson sought legal advice on that issue.

In response, the Assistant Director (Governance) outlined the constitutional requirements and procedural implications in relation to the submission of Motions to Council, together with the action open to Members in that regard. He further undertook to provide a written response to Councillor Watson on the matter.

RESOLVED – That the Assistant Director (Governance) provide a written response to the issue raised by Councillor Watson concerning the submission of Notices of Motion to the City Council.

C.172/10 PROPOSALS FROM THE EXECUTIVE

- (i) EX.170/10, EX.178/10 and EX.213/10 – Tullie House Trust Governance Arrangements

Councillors Mrs Mallinson and Mrs Riddle, having declared personal interests, remained within the meeting and took part in discussions on this item of business.

Pursuant to Minute EX.170/10, EX.178/10 and EX.213/10, consideration was given to recommendations from the Executive regarding Tullie House Trust Governance Arrangements. A copy of Report GD.43/10 and relevant Minute Extracts had been circulated.

Councillor Ellis moved and Councillor Mitchelson seconded the recommendations that, further to earlier reports and the comments received from the Community and Resources Overview and Scrutiny Panels, the City Council:

1. Agree in principle to the transfer of the operation of Tullie House Museum and Art Gallery to a new charitable trust, subject to completion of the legal framework identified in the body of report GD.43/10 and achievement of the proposed levels of annual funding specified in the Business Case.
2. Agree that final sign off of the legal framework, including the Partnership and Funding Agreement, be delegated to the Leader of the Council, Portfolio Holder for Performance and Development and Chief Executive.

Substantial and detailed debate arose, with input from a number of Members of the City Council.

Councillor Glover wished to place on record his personal thanks to the staff of Tullie House for their considerable dedication and work over many years which made the Museum the success it was today.

Following voting thereon, it was:

RESOLVED - that, further to earlier reports and the comments received from the Community and Resources Overview and Scrutiny Panels, the City Council:

1. Agreed in principle to the transfer of the operation of Tullie House Museum and Art Gallery to a new charitable trust, subject to completion of the legal framework identified in the body of report GD.43/10 and achievement of the proposed levels of annual funding specified in the Business Case.
2. Agreed that final sign off of the legal framework, including the Partnership and Funding Agreement, be delegated to the Leader of the Council, Portfolio Holder for Performance and Development and Chief Executive.

(ii) EX.083/10 and EX.190/10 – Executive Arrangements

Pursuant to Minute EX.083/10 and EX.190/10 consideration was given to a recommendation from the Executive that, having regard to the requirements of the Local Government and Public Involvement in Health Act 2007 with respect to Executive arrangements, and in the light of public consultation and any other relevant considerations, the City Council:

- (1) Determine to adopt, with effect from the third day after the May 2011 Elections, the Strong Leader and Cabinet Executive (England) Model as specified in the said Act;
- (2) Approve the consequential amendments to the Council's Constitution as detailed in Appendix 2 to take effect from the day specified in (1) together with the transitional changes as detailed in Appendix 1 of Report GD.63/10.

A copy of Report GD.70/10 and relevant Minute Extracts had been circulated.

Councillor Mitchelson moved and Councillor Mallinson (J) seconded the above recommendation.

RESOLVED – That, having regard to the requirements of the Local Government and Public Involvement in Health Act 2007 with respect to Executive arrangements, and in the light of public consultation and any other relevant considerations, the City Council:

- (1) Determined to adopt, with effect from the third day after the May 2011 Elections, the Strong Leader and Cabinet Executive (England) Model as specified in the said Act;
- (2) Approved the consequential amendments to the Council's Constitution as detailed in Appendix 2 to take effect from the day specified in (1) together with the transitional changes as detailed in Appendix 1 of Report GD.63/10.

C.173/10 COMMITTEE NOMINATIONS

Councillor Mrs Farmer reported on a change to Liberal Democrat Group membership on the Environment and Economy Overview and Scrutiny Panel. She moved that Councillor Mrs Luckley should replace Councillor Farmer (C) as Vice-Chairman of the Panel.

RESOLVED – That Councillor Mrs Luckley replace Councillor Farmer (C) as Vice-Chairman of the Environment and Economy Overview and Scrutiny Panel.

C.174/10 COMMUNICATIONS

There were no communications or items of business brought forward by the Mayor as a matter of urgency to be dealt with at the meeting.

(The meeting ended at 8.35 pm)