

CITY COUNCIL

TUESDAY 24 APRIL 2018 AT 6.45 PM

PRESENT: The Mayor (Councillor Mrs Vasey), Councillors Alcroft, Allison, Bainbridge, Bell, Betton, Mrs Birks, Bloxham, Bomford, Bowditch, Mrs Bowman, Bowman (S), Mrs Bradley, Burns, Christian, Mrs Coleman, Collier, Earp, Ellis, Mrs Finlayson, Glendinning, Glover, Harid, Higgs, Layden, McDonald, Mrs McKerrell, McNulty, Mrs Mallinson, Mallinson (J), Morton, Nedved, Mrs Parsons, Paton, Patrick, Ms Quilter, Mrs Riddle, Robson, Shepherd, Miss Sherriff, Sidgwick (S), Sidgwick (T), Southward, Stothard, Dr Tickner, Tinnion, Mrs Warwick, Watson and Ms Williams

ALSO

PRESENT: Town Clerk and Chief Executive
Corporate Director of Governance and Regulatory Services

C.55/18 APOLOGIES FOR ABSENCE

Apologies for absence were submitted on behalf of Councillors McDevitt, Mitchelson and Wilson.

C.56/18 MINUTES

The Mayor moved the receipt and adoption of the Minutes of the Meeting of the City Council held on 6 March 2018.

RESOLVED – That the Minutes of the meeting of the City Council held on 6 March 2018 be received and signed as a true record of the meeting.

C.57/18 PUBLIC AND PRESS

RESOLVED – That the Agenda be agreed as circulated.

C.58/18 DECLARATIONS OF INTEREST

There were no declarations of interest affecting the business to be transacted at the meeting.

C.59/18 ANNOUNCEMENTS

(i) The Mayor

The Mayor announced that Councillors Bowditch, Mrs Bradley, Burns and Wilson would not be standing for re-election as Members of the City Council at the forthcoming elections on 3 May 2018.

Speaking on behalf of the Council, she expressed sincere thanks to the Members for their commitment to the City over many years and extended best wishes for a happy retirement.

The Leader rose to comment upon what was a momentous occasion for the Labour Group. The four Labour Group Members alluded to included three former Mayors of the City, and had amassed a total of seventy five years' service.

The Leader then paid tribute to each of the Members in turn, summarising in some detail the significant contribution and dedicated service given to the Council and its various Committees / Panels and many outside bodies; personal achievements; and tireless work undertaken on behalf of the residents of Carlisle. He thanked the Members for their service.

The Leader added special thanks to Councillor Mrs Bradley (Economy, Enterprise and Housing Portfolio Holder) who had amassed thirty years' service on this Council. Councillor Mrs Bradley possessed a wealth of in depth knowledge, had been a great source of advice and also a strong friend. He would miss Councillor Mrs Bradley immensely and wished her well for the future.

Speaking as Leader of the Conservative Group, Councillor Mallinson (J) endorsed the sentiments expressed above, together with the comprehensive summary of the Members' achievements provided by the Leader. Councillor Mallinson further commented upon his own experience of the Members, and wished them good luck for the future.

Councillors Allison, Mrs Parsons, Paton, McNulty, Collier and Mrs Warwick paid tribute recalling, at some length, their own personal experiences of serving with the Members.

At the invitation of the Mayor, the Council applauded Councillors Bowditch, Mrs Bradley, Burns and Wilson for their considerable and important service and, indeed, all those who served the Council.

(ii) The Leader of the Council

It was with sadness that the Leader announced the passing of Mrs Molly Little, former Mayoress of the City in 1973/74. Details of Mrs Little's funeral service would be circulated in due course.

(iii) Members of the Executive

There were no announcements from Members of the Executive.

(iv) Town Clerk and Chief Executive

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

C.60/18 QUESTIONS BY MEMBERS OF THE PUBLIC

Pursuant to Procedure Rule 10.1, the Corporate Director of Governance and Regulatory Services reported that no questions had been submitted on notice by members of the public.

C.61/18 PETITIONS AND DEPUTATIONS

Pursuant to Procedure Rule 10.11, the Corporate Director of Governance and Regulatory Services reported that no petitions or deputations had been submitted by members of the public.

C.62/18 QUESTIONS FROM MEMBERS OF THE CITY COUNCIL

Pursuant to Procedure Rule 11.2, the Corporate Director of Governance and Regulatory Services reported that no questions had been submitted on notice by Members of the City Council.

C.63/18 EXECUTIVE

Councillor Glover formally moved and Councillor Dr Tickner formally seconded that the Minutes of the meetings of the Executive held on 12 March and 9 April 2018 be received and adopted.

The Deputy Leader, and Finance, Governance and Resources Portfolio Holder and the Culture, Heritage and Leisure Portfolio Holder then responded to Members' questions.

RESOLVED – (1) That the Minutes of the meetings of the Executive held on 12 March and 9 April 2018 be received and adopted.

(2) That the Culture, Heritage and Leisure Portfolio Holder arrange for a written update on the Tourism Review to be provided to Councillor Mrs Bowman (Minutes of the Joint Management Team meeting held on 12 February 2018 referred).

C.64/18 PORTFOLIO HOLDER REPORTS

Copies of reports from the following Portfolio Holders had been circulated prior to the meeting:

Leader
Finance, Governance and Resources
Environment and Transport
Economy, Enterprise and Housing
Communities, Health and Wellbeing
Culture, Heritage and Leisure

The Leader; the Deputy Leader, and Finance, Governance and Resources Portfolio Holder; the Environment and Transport Portfolio Holder; the Communities, Health and Wellbeing Portfolio Holder; and the Culture, Heritage and Leisure Portfolio Holder formally moved their reports.

On the occasion of her final report to Council, the Economy, Enterprise and Housing Portfolio Holder took the opportunity to thank Officers (past and present) for their experience, expertise and skills which had assisted all Councillors in undertaking their role as elected Members. The Portfolio Holder also expressed personal gratitude to those Officers and Members who had provided support to her personally.

The Economy, Enterprise and Housing Portfolio Holder further informed Members that today was the 86th anniversary of the Kinder Scout Mass Trespass which had led to the founding of the Ramblers' Association, and given all the right to roam the countryside. She concluded by formally moving her report.

Discussion arose on the subject of the Audit Review of the Arts Centre – Carlisle Old Fire Station, during which certain Members raised, and other Members responded to, concerns with regard to the audit findings.

Members further questioned individual Portfolio Holders on details of their reports and it was:

RESOLVED – (1) That the reports of the Portfolio Holders be received.

(2) That the Leader give consideration to what arrangements may be made to mark the 100th anniversary (on 29 December 2018) of Woodrow Wilson's visit to Carlisle, as requested by Councillor Bainbridge.

(3) That the Environment and Transport Portfolio Holder investigate the location of / enforcement of licences for A-boards and signage within the City Centre in response to the concerns expressed by Councillor Morton; and provide a written response to the Councillor (the issue was previously raised under Minute C.11/17).

(4) That the Economy, Enterprise and Housing Portfolio Holder note Councillor Nedved's request that, if possible, the Carlisle Station Masterplan be reported to Scrutiny at the earliest opportunity.

(5) That the Culture, Heritage and Leisure Portfolio Holder arrange to respond in writing to the concerns expressed by Councillors Christian, Ellis, Mrs Mallinson and Mallinson (J) with regard to the findings of the Audit of Arts Centre – Carlisle Old Fire Station.

C.65/18 SCRUTINY MINUTES AND SCRUTINY CHAIRMEN'S REPORTS

(a) Health and Wellbeing Scrutiny Panel

Councillor Paton moved and Councillor Burns seconded that the Minutes of the Meetings of the Health and Wellbeing Scrutiny Panel held on 22 February and 29 March 2018 be received and adopted.

Councillor Paton also provided a verbal report, informing Council that the 29 March 2018 Panel meeting focussed in the main upon the Carlisle Partnership. Unfortunately, only the Carlisle Partnership Manager was in attendance. Her presentation was, however, extremely detailed and very informative; covering a range of subjects from domestic abuse to the place standard. It was requested that the Manager circulate written information regarding the 'Place Standard' to the Panel.

The Panel further requested that a report on the Audit Review of the Old Fire Station be submitted to their next meeting.

Councillor Paton thanked all staff members for their impeccable work and support, and extended his best wishes to Councillor Burns on his retirement from politics.

Councillor Paton then responded to a question regarding the Old Fire Station Arts Centre progress and performance report.

RESOLVED – That the Minutes of the Meetings of the Health and Wellbeing Scrutiny Panel held on 22 February and 29 March 2018 together with the Chairman's verbal report be received and adopted.

(b) Business and Transformation Scrutiny Panel

Councillor Mrs Riddle moved and Councillor Mrs Bowman seconded that the Minutes of the Meeting of the Business and Transformation Scrutiny Panel held on 22 March 2018 be received and adopted.

Councillor Mrs Riddle also presented her Chairman's Report.

RESOLVED – That the Minutes of the Meeting of the Business and Transformation Scrutiny Panel held on 22 March 2018 together with the Chairman's Report be received and adopted.

(c) Economic Growth Scrutiny Panel

Councillor Nedved moved and it was seconded that the Minutes of the Meetings of the Economic Growth Scrutiny Panel held on 8 February and 1 March 2018 be received and adopted.

Councillor Nedved also presented his Chairman's Report.

RESOLVED – That the Minutes of the meetings of the Economic Growth Scrutiny Panel held on 8 February and 1 March 2018 together with the Chairman's Report be received and adopted.

C.66/18 SCRUTINY ANNUAL REPORT 2017/18

There was submitted Report OS.13/18 enclosing the Annual Report of the Council's Overview and Scrutiny function for 2017/18. The report summarised the work of the Scrutiny Panels over the last year. It also provided recommendations for future work programmes and recorded that there were no amendments to working methods proposed for 2018/19.

In accordance with agreed procedure, the report had been considered by the Business and Transformation; Health and Wellbeing; and Economic Growth Scrutiny Panels, with the Scrutiny Chairs Group having endorsed the final version at their meeting on 9 April 2018.

Councillor Mrs Riddle moved the report and responded to a Member's question.

Councillor Nedved seconded the report, and it was:

RESOLVED – That the Council formally accepted the Annual Report of the Council's Overview and Scrutiny function for 2017/18.

C.67/18 REGULATORY PANEL

Councillor Bell moved and Councillor Ms Williams seconded that the Minutes of the Meeting of the Regulatory Panel held on 28 February 2018 be received and adopted.

RESOLVED – That the Minutes of the Meeting of the Regulatory Panel held on 28 February 2018 be received and adopted.

C.68/18 DEVELOPMENT CONTROL COMMITTEE

Councillor Mrs Warwick moved and Councillor Mrs Parsons seconded the receipt and adoption of the Minutes of the Meetings of the Development Control Committee held on 9 February and 14 March 2018.

RESOLVED – That the Minutes of the Meetings of the Development Control Committee held on 9 February and 14 March 2018 be received and adopted.

C.69/18 APPEALS PANEL

Councillor Harid moved and Councillor Collier seconded that the Minutes of the meeting of Appeals Panel 3 held on 19 February 2018 be received and adopted.

RESOLVED – That the Minutes of the Appeals Panel meeting held on 19 February 2018 be received and adopted.

C.70/18 AUDIT COMMITTEE

Councillor Patrick moved and Councillor Bowditch seconded the receipt and adoption of the Minutes of the Meeting of the Audit Committee held on 19 March 2018.

RESOLVED – That the Minutes of the Meeting of the Audit Committee held on 19 March 2018 be received and adopted.

C.71/18 NOTICE OF MOTION

(1) Flood Defences

Pursuant to Procedure Rule 12, the Corporate Director of Governance and Regulatory Services reported the receipt of the following motion submitted on notice by Councillor Alcroft:

“This council notes with deep concern the apparent lack of progress with regard to improving flood defences in the city.

Storm Desmond hit the city on 5th December 2015. 28 months have now elapsed since residents and businesses were devastated and they are still waiting for a start date for the strengthening of the flood defences to begin. In the meantime flood victims are living in fear every time there is a flood alert.

We call on the Government and the two local MPs to make sure that the Environment Agency has the necessary resources not only to expedite the work but to ensure that the enhanced defences will maximise the protection of Carlisle from the impact of future incidents of this type.”

Councillor Alcroft moved and Councillor Glendinning seconded the motion.

Councillor Alcroft began by adding her thanks to the four Members who were leaving the Council, and whose expertise would be missed. She then elaborated in some detail upon the reasons for submission of the motion, and requested that Members lend their support.

Councillor Betton gave notice of an amendment, copies of which were tabled:

Third paragraph - that the words ‘our City and County Council’ be inserted between ‘Government’ and ‘and’.

The substantive motion would read:

"This council notes with deep concern the apparent lack of progress with regard to improving flood defences in the city.

Storm Desmond hit the city on 5th December 2015. 28 months have now elapsed since residents and businesses were devastated and they are still waiting for a start date for the strengthening of the flood defences to begin. In the meantime flood victims are living in fear every time there is a flood alert.

We call on the Government, our City and County Council and the two local MPs to make sure that the Environment Agency has the necessary resources not only to expedite the work but to ensure that the enhanced defences will maximise the protection of Carlisle from the impact of future incidents of this type."

Councillor Betton moved the amendment, which was seconded by Councillor Bomford.

Councillor Betton then outlined the reasons for submission of the amendment.

The amendment of Councillor Betton was accepted by the Mover of the Motion and the Motion as amended became the substantive motion.

Discussion ensued on the substantive motion, during which Councillor Glover paid tribute to Mr Andy Brown and his colleagues from the Environment Agency who were doing an incredible job in taking the matter forward.

Councillor Alcroft then responded to Members’ questions, and it was:

RESOLVED – That the Motion of Councillor Alcroft, as amended by Councillor Betton, and set out above be AGREED.

(2) Government Litter Strategy

Pursuant to Procedure Rule 12, the Corporate Director of Governance and Regulatory Services reported the receipt of the following motion submitted on notice by Councillor Nedved:

"This Council supports the new Government Litter Strategy to curb littering with proposals for new enforcement, education and community engagement.

This Council supports tough new measures that would include proposed £150 fines for littering and measures punishing motorists with penalty notices for litter thrown from their vehicle.

The Council agrees with the statement that litter blights our countryside, harms our wildlife, pollutes our sea, spoils our towns and gives visitors a poor impression of our country"

Councillor Nedved moved and Councillor Christian seconded the motion.

Councillor Nedved then elaborated in some detail upon the reasons for submission of the motion, which he hoped would receive cross-party support. He also expressed thanks to the Green Spaces and the Street Scene and Enforcement Teams for their hard work in helping to keep Carlisle clean.

Councillor Paton gave notice of an amendment, copies of which were tabled:

That the words 'engaging also with the Police on this issue' be inserted at the end of the first paragraph.

The substantive motion would read:

"This Council supports the new Government Litter Strategy to curb littering with proposals for new enforcement, education and community engagement, engaging also with the Police on this issue.

This Council supports tough new measures that would include proposed £150 fines for littering and measures punishing motorists with penalty notices for litter thrown from their vehicle.

The Council agrees with the statement that litter blights our countryside, harms our wildlife, pollutes our sea, spoils our towns and gives visitors a poor impression of our country."

Councillor Mrs Parsons declared an interest in accordance with the Council's Code of Conduct due to the fact that her son served in the Police force. Councillor Mrs Parsons took no part in discussion on this item of business.

Councillor Paton moved the amendment, which was seconded by Councillor Bomford.

Councillor Paton then outlined the reasons for submission of the amendment.

Councillor Nedved, as the mover of the original motion, accepted the amendment of Councillor Paton and, following some discussion, the motion as amended and as set out above was AGREED.

C.72/18 AUDIT COMMITTEE'S ANNUAL REPORT

Pursuant to Minute AUC.21/18, consideration was given to the Annual Report of the Audit Committee for the municipal year 2017/18 (RD.51/17). An extract from the Minutes of the Audit Committee meeting held on 19 March 2018 was also submitted.

Councillor Patrick moved the Annual Report. In so doing, she highlighted:

- the revised format thereof which it was hoped would aid readability
- pre-briefing sessions took place immediately prior to Audit Committee meetings, the aim of which was to raise Members' understanding of particular issues
- The Committee undertook an effectiveness review in 2016 and received an update in July 2017 setting out the steps to be taken next to enhance their effectiveness
- The in-house Internal Audit Service required to have a full external assessment of compliance with the Audit Standards at least once every five years. A preliminary readiness review was carried out in January 2018; informal feedback from the assessor being positive
- The importance of independence and objectivity, which all should be mindful of

Councillor Patrick concluded her presentation by expressing appreciation to Councillor Bowditch who had been an excellent Vice Chairman of the Audit Committee.

She then moved the report, which was seconded by Councillor Bowditch.

Councillor Mrs Mallinson congratulated Councillor Patrick on what was an excellent report, and thanked Councillor Bowditch for his input as Vice Chairman of the Committee.

RESOLVED – That the Council noted and accepted the Audit Committee's Annual Report for 2017/18.

C.73/18 PROPOSALS FROM THE EXECUTIVE IN RELATION TO THE COUNCIL'S BUDGET AND POLICY FRAMEWORK

(i) Resurfacing of City Council Car Parks

Pursuant to Minute EX.28/18, consideration was given to a recommendation from the Executive concerning proposals for the resurfacing of City Council car parks. A copy of report CS.25/18 and the Minute Extract had been circulated.

During his presentation of the report, Councillor Dr Tickner commented upon the clear need for the resurfacing works to the Caldew Riverside, Viaduct and Back Corporation Road car parks in terms of offering a quality service to residents and to protect the Council. He also summarised the tender process and funding mechanism for the works.

Councillor Dr Tickner formally moved, Councillor Glover formally seconded, and it was:

RESOLVED – That the City Council approved the carry forward of £47,000 from 2017/18 into 2018/19 for the re-surfacing work thereby increasing the overall capital programme for 2018/19 by £164,323 as detailed in Report CS.21/18.

(ii) Civic Centre Reinstatement

Pursuant to Minute EX.17/18 and EX.33/18, consideration was given to a recommendation from the Executive concerning final proposals for the reinstatement of the Civic Centre. A copy of Report GD.30/18 and relevant Minute Extracts had been circulated.

Councillor Dr Tickner presented the report. In so doing, he provided an overview of the background to and reasoning for the proposed reinstatement works; the final layout and design details; and proposals for an extension to the Civic Centre public car park, details of which were set out within the report.

Councillor Dr Tickner then formally moved the recommendation, which was formally seconded by Councillor Glover.

Discussion ensued during which certain Members outlined their opposition on the grounds that, in their view, the reinstatement proposals were ill advised and unnecessary; concern regarding the resilience of the ground floor in the event that future flooding occurred; the lack of a proper business case / consultation; demolition of the Octagon; retention of the interpretation panel currently located within the Council Chamber; and how quickly all of the demountable equipment could be removed should a flood event be predicted.

It was suggested that the ground floor may be better used as a crèche / staff room; that the proposals should be put on hold pending receipt of the Environment Agency report; erection of new flood defences; and to allow for public consultation.

Another Member spoke in support of the proposals, which he considered would facilitate access for the disabled.

Councillor Glover and Councillor Dr Tickner then responded, in detail, to the issues raised; emphasising that the authority owed it to the staff, who had done an incredible job working in temporary accommodation, and the people of Carlisle to find a permanent solution including the delivery of modern, high quality facilities.

They reiterated that the redesign of the ground floor would seek to improve customers, partners, members and staff usage of the entire site. Importantly, the work would resolve the current poor access arrangements to the chamber by bringing the facility to ground floor level; would follow good practise on design for physical access, dementia, sight and hearing loss across the property.

Councillor Collier supported by one fourth of the Members present requested under Procedure Rule 17.4 that a recorded vote be taken.

The following Members voted for the motion of Councillor Dr Tickner:

Councillors Alcroft, Allison, Bell, Betton, Mrs Birks, Bomford, Bowditch, Mrs Bradley, Burns, Mrs Coleman, Glendinning, Glover, Harid, McDonald, McNulty, Paton, Patrick, Mrs Riddle, Miss Sherriff, Sidgwick (S), Sidgwick (T), Southward, Stothard, Dr Tickner, Tinnion, Mrs Warwick, Watson and Ms Williams

The following Members voted against the motion of Councillor Dr Tickner:

Councillors Bainbridge, Bloxham, Bowman (S), Mrs Bowman, Christian, Collier, Earp, Ellis, Mrs Finlayson, Higgs, Layden, Mrs Mallinson, Mallinson (J), Mrs McKerrell, Morton, Nedved, Mrs Parsons, Robson, Shepherd and Mrs Vasey

RESOLVED – That, subject to approving the final arrangements for funding the development, using the City Council's insurance settlement, capital programme and the proposed 'invest to save' initiative as included in Report reference GD.31/18 (later on the Agenda), the City Council approved the final layout and design proposals contained within report GD.23/18, both for the ground floor reinstatement and the other plans for the entire site.

C.74/18 OPERATION OF THE PROVISIONS RELATING TO CALL-IN AND URGENCY

Pursuant to Procedure Rule 15(j) of the Overview and Scrutiny Procedure Rules, the Corporate Director of Governance and Regulatory Services reported GD.28/18 on the Operation of Call-in and Urgency Procedures over the past year.

RESOLVED – That the report be noted.

C.75/18 COMMUNICATIONS

Further to the Leader's announcement earlier in the meeting, The Mayor reported that she had just been informed that Mrs Little's funeral service would take place at 12.20 pm on Wednesday 2 May 2018 at Carlisle Crematorium.

C.76/18 PUBLIC AND PRESS

RESOLVED – That in accordance with Section 100A(4) of the Local Government Act 1972 the Public and Press were excluded from the meeting during consideration of the following item of business on the grounds that it involved the likely disclosure of exempt information as defined in the paragraph number (as indicated in brackets against the minute) of Part 1 of Schedule 12A of the 1972 Local Government Act.

C.77/18 CIVIC CENTRE REINSTATEMENT

(Public and Press excluded by virtue of paragraph 3)

Pursuant to Minute EX.18/18 and EX.35/18, consideration was given to a recommendation from the Executive concerning proposals for the final reinstatement of the Civic Centre. A copy of private Report GD.31/18 and relevant Minute Extracts had been circulated.

Councillor Dr Tickner presented the report, drawing Members' attention to the financing proposals detailed therein.

Councillor Dr Tickner then formally moved, Councillor Glover formally seconded, and it was:

RESOLVED – That the City Council approved the arrangements for funding the development, using our insurance settlement, capital programme and the proposed ‘invest to save’ initiative as set out in Report reference GD.27/18.

[The meeting ended at 9.38 pm]