

## **CITY COUNCIL**

**TUESDAY 4 NOVEMBER 2014 AT 6.45 PM**

**PRESENT:** The Mayor (Councillor Bowditch), Councillors Allison, Bainbridge, Bell, Betton, Bloxham, Boaden, Mrs Bowman, Bowman (S), Mrs Bradley, Burns, Collier, Dodd, Earp, Ellis, Ms Franklin, Gee, Glover, Graham, Harid, Higgs, Layden, Mrs Mallinson, Mallinson (J), Mrs McKerrell, Mrs Martlew, Mitchelson, Morton, Nedved, Mrs Parsons, Ms Patrick, Mrs Prest, Mrs Riddle, Scarborough, Miss Sherriff, Southward (C), Mrs Southward, Mrs Stevenson, Stothard, Taylor, Tickner, Mrs Vasey, Mrs Warwick, Watson, Weber and Wilson

Town Clerk and Chief Executive  
Director of Governance

### **C.145/14 APOLOGIES FOR ABSENCE**

Apologies for absence were submitted on behalf of Councillors Mrs Atkinson, Caig, Cape, Mrs Geddes, McDevitt and Ms Quilter.

### **C.146/14 MINUTES**

The Minutes of the Meeting of the City Council held on 9 September 2014 were submitted.

Councillor Higgs indicated that, although he had been present at the meeting, his attendance was not recorded within the Minutes. He asked that the Minutes be amended accordingly.

**RESOLVED** – That, subject to the correction highlighted above, the Minutes of the meeting of the City Council held on 9 September 2014 be received and signed as a true record of the meeting.

### **C.147/14 PUBLIC AND PRESS**

**RESOLVED** – That the Agenda be agreed as circulated.

### **C.148/14 DECLARATION OF INTEREST**

Councillor Bainbridge declared a disclosable pecuniary interest in accordance with the Council's Code of Conduct in respect of Item 18(2) – Notice of Motion – Car Parking. Councillor Bainbridge indicated that he was employed by Millies Cookies, situated within the City Centre, as a Shop Manager, and that Councillor Ellis would move the Motion on his behalf.

## **C.149/14     ANNOUNCEMENTS**

### **(i)     The Mayor**

The Mayor announced that, following the informal Council briefing scheduled for 16 December 2014, he would host a reception. Members were most welcome to bring their husbands/wives/partners on that occasion.

### **(ii)     The Leader of the Council**

There were no announcements from the Leader of the Council.

### **(iii)     Members of the Executive**

The Deputy Leader, and Environment and Transport Portfolio Holder announced that, at a meeting today, the Cumbria Waste Management Environment Trust Board had granted funding to the City Council in the sum of £60,000. That money was of great assistance to the Council in terms of project delivery and the Deputy Leader thanked the Trust for their generosity.

### **(iv)     Town Clerk and Chief Executive**

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

## **C.150/14     QUESTIONS BY MEMBERS OF THE PUBLIC**

Pursuant to Procedure Rule 10.1, the Town Clerk and Chief Executive reported that no questions had been submitted on notice by members of the public.

## **C.151/14     PETITIONS AND DEPUTATIONS**

Pursuant to Procedure Rule 10.11, the Town Clerk and Chief Executive reported that no petitions or deputations had been submitted by members of the public.

## **C.152/14     QUESTIONS FROM MEMBERS OF THE CITY COUNCIL**

Pursuant to Procedure Rule 11.2, the Town Clerk and Chief Executive reported that no questions had been submitted on notice by members of the City Council.

## **C.153/14     EXECUTIVE**

Councillor Glover moved and Councillor Mrs Martlew seconded the Minutes of the meetings of the Executive held on 15 and 17 September, and 13 October 2014.

The Leader; the Economy, Enterprise and Housing Portfolio Holder; and the Communities, Health and Wellbeing Portfolio Holder, then responded to Members' questions regarding the call-in of Executive Decision EX.93/14 (Development at Rosehill); Engaging Social Landlords in Healthy Eating; and Community Centre Funding.

RESOLVED – That the Minutes of the meetings of the Executive held on 15 and 17 September, and 13 October 2014 be received and adopted.

## **C.154/14      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, Leisure and Young People

The Leader rose to formally move his report.

The Finance, Governance and Resources Portfolio Holder moved his report, making particular reference to the Member/Officer Forum which had taken place earlier in the day. A great deal of work had gone into the event and the Portfolio Holder thanked all members of staff involved for their efforts.

The Portfolio Holder also welcomed the ongoing commitment to the employment of apprentices, the feedback from the LGA Peer Team following the recent peer review which focussed on growth and partnership working to raise the profile of Carlisle, and the level of commitment demonstrated by staff; the work undertaken by Internal Audit; and the excellent report received from Grant Thornton (the external Auditor) on the 2013/14 final Accounts process. The Audit Committee and all members of staff were to be congratulated on that achievement.

The Mayor added his thanks to those staff involved in the Member/Officer Forum

The Deputy Leader, and Environment and Transport Portfolio Holder moved her report. In so doing, the Deputy Leader made reference to the Garden of Memories Project – a very successful collaboration between the Eden Valley Hospice and the Council. She expressed sincere congratulations to all those involved.

The Deputy Leader further drew attention to the free parking for late night Christmas Shoppers in Carlisle. In addition she had, the week before, announced that free parking would be provided all day in eleven car parks managed by the City Council on 7, 14 and 21 December 2014. She expressed the hope that people would take advantage of the initiative, which would benefit shops and businesses within Carlisle.

The Deputy Leader added that the Council was seeking feedback on the promotion and would be asking businesses to monitor the impact (i.e. whether Christmas was the best time to run the promotion) and let the authority know in the New Year. The results would then be evaluated.

Whilst moving her report, the Economy, Enterprise and Housing Portfolio Holder raised a point of clarification on the section concerning the Local Plan, namely that the Carlisle Local Area Committee had contributed £15k towards a necessary study.

The Communities, Health and Wellbeing Portfolio Holder moved her report. The Portfolio Holder was particularly pleased that Carlisle had received the WHO Healthy City

Certificate and repeated her thanks to all those involved in that achievement. She added that Members would have the opportunity to hear more on the subject at the informal Council Briefing on 16 December 2014.

The Leader moved the report of the Culture, Leisure and Young People Portfolio Holder in her absence.

The Mayor announced that, during a recent visit to Tullie House, the Chinese delegation had presented the City with a Silk Charter. He would arrange to put the Charter on display as soon as possible.

Members 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 Deputy Leader, and Environment and Transport Portfolio Holder raise the issue of weed control at the next meeting of the Highways and Transport Working Group as requested by Councillor Nedved.

#### **C.155/14      OVERVIEW AND SCRUTINY MINUTES AND CHAIRMEN'S REPORTS**

##### **(a)      Community Overview and Scrutiny Panel**

Councillor Burns moved and Councillor Mrs Prest seconded that the Minutes of the Meetings of the Community Overview and Scrutiny Panel held on 8 and 11 September 2014 be received and adopted.

Councillor Burns presented his Chairman's Report. He urged fellow Members to complete and return the questionnaire recently distributed by the Member Involvement Task Group. The Chairman added that the Report / Minutes from the meeting of the Cumbria Health Scrutiny Panel held on 16 October 2014 were available for perusal in the Labour Group Office.

The Chairman then responded to Members' questions.

RESOLVED – That the Minutes of the Meetings of the Community Overview and Scrutiny Panel held on 8 and 11 September 2014 together with the Chairman's Report be received and adopted.

##### **(b)      Resources Overview and Scrutiny Panel**

Councillor Watson moved and Councillor Bowditch seconded that the Minutes of the Meeting of the Resources Overview and Scrutiny Panel held on 18 September 2014 be received and adopted.

Councillor Watson also presented his Chairman's Report and responded to a Member's questions.

RESOLVED – That the Minutes of the Meeting of the Resources Overview and Scrutiny Panel held on 18 September 2014 together with the Chairman's Report be received and adopted.

(c) Environment and Economy Overview and Scrutiny Panel

Councillor Nedved moved and Councillor Watson seconded that the Minutes of the Meetings of the Environment and Economy Overview and Scrutiny Panel held on 8 and 25 September 2014 be received and adopted.

Councillor Nedved also presented his Chairman's Report.

RESOLVED – That the Minutes of the meetings of the Environment and Economy Overview and Scrutiny Panel held on 8 and 25 September 2014 together with the Chairman's Report be received and adopted.

**C.156/14 REGULATORY PANEL**

Councillor Bell moved and Councillor Ms Franklin seconded the receipt and adoption of the Minutes of the Meetings of the Regulatory Panel held on 3 September and 8 October 2014.

RESOLVED – That the Minutes of the Meetings of the Regulatory Panel held on 3 September and 8 October 2014 be received and adopted.

**C.157/14 LICENSING COMMITTEE**

Councillor Bell moved and Councillor Ms Franklin seconded the receipt and adoption of the Minutes of the Meeting of the Licensing Committee held on 8 October 2014.

RESOLVED – That the Minutes of the Meeting of the Licensing Committee held on 8 October 2014 be received and adopted.

**C.158/14 DEVELOPMENT CONTROL COMMITTEE**

Councillor Scarborough moved and Councillor Bloxham seconded the receipt and adoption of the Minutes of the Meetings of the Development Control Committee held on 18, 27 and 29 August 2014.

Referring to Planning Application 14/0778 (Erection of 277 no. dwellings (including 83 no. affordable dwellings), associated open space and infrastructure on land to the North East of Windsor Way, Carlisle, Councillor Mrs Mallinson asked whether the City Council was working in partnership with the County Council to address issues including the provision of schools, highways and drainage.

The Leader stated that the Council was working closely with the County Council on the preparation of an Infrastructure Deficit Plan. He would ask the Director of Economic Development to provide a written response for all Members.

RESOLVED – (1) That the Minutes of the Meetings of the Development Control Committee held on 18, 27 and 29 August 2014 be received and adopted.

(2) That the Director of Economic Development be requested to provide a written response to the question raised by Councillor Mrs Mallinson regarding Planning Application 14/0778.

## **C.159/14      AUDIT COMMITTEE**

Councillor Ms Patrick moved and Councillor Mrs Mallinson seconded the receipt and adoption of the Minutes of the Meetings of the Audit Committee held on 14 April and 24 September 2014.

Councillor Ms Patrick made reference to the fantastic opinion received from the Auditors, Grant Thornton (Minute AUC.58/14). Staffing resources were stretched, and the Chairman asked that the Council reiterate the Audit Committee's comments in thanking members of staff involved in the preparation of the Council's financial statements with a view to letting them know that the Council was proud of their achievements.

RESOLVED – That the Minutes of the Meeting of the Audit Committee held on 24 September 2014 be received and adopted.

## **C.160/14      EMPLOYMENT PANEL**

Councillor Glover moved and Councillor Stothard seconded the receipt and adoption of the Minutes of the Meeting of the Employment Panel held on 2 September 2014.

RESOLVED – That the Minutes of the Meeting of the Employment Panel held on 2 September 2014 be received and adopted.

## **C.161/14      APPEALS PANEL**

Councillor Harid moved and Councillor Bloxham seconded the receipt and adoption of the Minutes of the Meeting of Appeals Panel 2 held on 29 September 2014.

RESOLVED – That the Minutes of the Meeting of Appeals Panel 2 held on 29 September 2014 be received and adopted.

## **C.162/14      NOTICE OF MOTION**

### **(1)      Maternity Service**

Pursuant to Procedure Rule 12, the Town Clerk and Chief Executive reported the receipt of the following Motion submitted on notice by Councillor Mrs Martlew:

“This Council believes it is crucial that a consultant led maternity service be maintained at the Cumberland Infirmary.

We call on the Members of Parliament for Carlisle and Penrith & the Borders to use their influence to ensure that this service is not down-graded.”

Councillor Mrs Martlew moved and Councillor Glover seconded the motion.

Councillor Mrs Martlew then elaborated in some detail upon the reasons for submission of the motion, expressing the hope that the City Council would lend unanimous support.

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

Remove the final sentence and insert

“This council welcomes the improvements to medical care outlined by Dr Jeremy Rushmer the medical director of the North Cumbria NHS Trust that epidurals in particular are long overdue.

We would like to thank the Members of Parliament for Carlisle and Penrith and the Borders for using their influence to ensure that maternity services in the Cumberland hospital are to be improved and invested in.”

The meeting adjourned at 8.03 pm and reconvened at 8.13 pm

Councillor Ellis moved the amendment, which was seconded by Councillor Mrs Mallinson.

Councillor Ellis further outlined in some detail the reasons for submission of the amendment.

Substantial discussion took place, during which various Members expressed their support for / opposition to the amendment.

Following voting, the amendment to the original Motion FELL.

Discussion then took place on the original Motion, with input from a number of Members of the City Council.

During the above discussion mention was made of the Care Quality Commission. Councillor Bloxham immediately declared an interest and retired from the meeting room for the remainder of this item of business.

On a personal explanation (Standing Order 14.13), Councillor Mrs Martlew emphasised that she had not referred to the Care Quality Commission during the debate.

Following further voting, it was:

RESOLVED – That the Motion of Councillor Mrs Martlew as set out below be CARRIED:

“This Council believes it is crucial that a consultant led maternity service be maintained at the Cumberland Infirmary.

We call on the Members of Parliament for Carlisle and Penrith & the Borders to use their influence to ensure that this service is not down-graded.”

Councillor Graham wished it to be recorded that he had taken no part in the above item of business.

The Mayor thanked all those who had participated in the debate for their commitment and passion.

## **(2) Car Parking**

Councillor Bainbridge, having declared a disclosable pecuniary interest, retired from the meeting and took no part in discussions on this item of business.

Pursuant to Procedure Rule 12, the Town Clerk and Chief Executive reported the receipt of the following Motion submitted on notice by Councillor Bainbridge:

“Recently Carlisle City Council announced the Christmas parking promotion for the City. Whilst a free parking day on the 13<sup>th</sup> of November, and free parking after 3 pm for one day a week on six occasions, in 11 car parks is welcome, given the need to attract more people to Carlisle at this time, the Council agrees to extend the free parking dates to include Sundays between the 16<sup>th</sup> of November and the 21<sup>st</sup> of December in the same car parks.”

Councillor Ellis moved and Councillor J Mallinson seconded the Motion.

Councillor Ellis then made reference to discussions earlier in the meeting concerning the announcement made by the Deputy Leader, and Environment and Transport Portfolio Holder (Cumberland News – 31 October 2014) to provide free parking all day in eleven car parks managed by the City Council on 7, 14 and 21 December 2014.

Referring to Standing Order 14.7 (Alteration of Motion), Councillor Ellis indicated a willingness to amend his Motion to cover only the month of December in order to allow the decision taken by the Deputy Leader, and Environment and Transport Portfolio Holder to become live with immediate effect. The Council and seconder consented to the alteration.

Following discussion, it was:

**RESOLVED – That the substantive Motion, as set out below, be UNANIMOUSLY AGREED:**

“Recently Carlisle City Council announced the Christmas parking promotion for the City. Whilst a free parking day on the 13<sup>th</sup> of November, and free parking after 3 pm for one day a week on six occasions, in 11 car parks is welcome, given the need to attract more people to Carlisle at this time, the Council agrees to extend the free parking dates to include Sundays 7, 14 and 21 December in the same car parks.”

### **C.163/14 OVERVIEW AND SCRUTINY PROCEDURE RULES CALL-IN AND URGENCY**

Pursuant to Regulation 5 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, consideration was given to a report of the Director of Governance (GD.51/14) on procedures in respect of occasions where decisions taken by the Executive were urgent.

**RESOLVED – That the report be noted.**

### **C.164/14 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.



## **C.165/14 PUBLIC AND PRESS**

RESOLVED – That in accordance with Section 100(A)(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.166/14 PROPOSALS FROM THE EXECUTIVE IN RELATION TO THE COUNCIL'S BUDGET AND POLICY FRAMEWORK**

### **EX.101/14 – Proposed Leasing Arrangement**

(Public and Press excluded by virtue of paragraph 3)

Pursuant to Minute EX.101/14, consideration was given to a recommendation from the Executive that the City Council approve the leasing of Herbert Atkinson House to the Tullie House Museum and Art Gallery Trust. A copy of Report GD.55/14 and relevant Minute Extract had been circulated.

Councillor Tickner moved and Councillor Glover seconded the recommendation.

RESOLVED – That Council approved the leasing of Herbert Atkinson House to the Tullie House Museum and Art Gallery Trust at a peppercorn rent which was less than best consideration.

(The meeting ended at 9.10 pm)