

CITY COUNCIL

TUESDAY 11 SEPTEMBER 2012 AT 6.45 PM

PRESENT: The Mayor (Councillor Wilson), Councillors Allison, Atkinson, Bainbridge, Bell, Betton, Bloxham, Boaden, Bowditch, Mrs Bowman, Bowman (S), Mrs Bradley, Cape, Collier, Earp, Ellis, Forrester, Ms Franklin, Ms Gallagher, Mrs Geddes, Glover, Harid, Hendry, Layden, Lishman, Mrs Luckley, Mallinson (J), Mrs Martlew, McDevitt, Mitchelson, Morton (until 9.05 pm), Nedved, Mrs Parsons, Ms Patrick, Mrs Prest, Ms Quilter, Mrs Riddle, Scarborough, Miss Sherriff, Mrs Southward, Mrs Stevenson, Stothard, Tickner, Mrs Vasey, Mrs Warwick, Watson, Weber and Whalen

C.135/12 APOLOGIES FOR ABSENCE

Apologies for absence were submitted on behalf of Councillors Mrs Clarke, Craig, Graham and Mrs Mallinson.

C.136/12 MINUTES

The Minutes of the meetings of the City Council held on 25 June and 17 July 2012 were received and signed as a true record of the meetings.

In response to a question, the Director of Governance clarified the procedure to be followed in terms of the circulation of written responses to Members of the City Council.

C.137/12 PUBLIC AND PRESS

RESOLVED – That the Agenda be agreed as circulated.

C.138/12 DECLARATIONS OF INTEREST

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

C.139/12 ANNOUNCEMENTS

(a) The Mayor

It was with much sadness that The Mayor reported the death on 16 July 2012 of Mrs Margaret Evans, who was Mayoress of the City in 1992/93.

The Mayor was also greatly saddened to announce the passing on 2 August 2012 of His Honour Alistair Bell, who was Honorary Recorder of Carlisle from 1990-1998.

Members stood for a Minutes Silence as a mark of respect to the memory of Mrs Evans and His Honour Alistair Bell.

The Mayor further informed Members that he had, on 6 September 2012, represented Councillor Mrs Parsons at the 2012 Cumbria in Bloom Awards Ceremony in Kendal. He extended congratulations to the following prize winners:

- Stanwix – best urban community trophy;
- Barn Close Residential Home – winner in the residential homes category; and
- Barras House, Dalston – winner of the community champion award

Speaking on behalf of the people of Stanwix, Councillor Nedved expressed special thanks to all those involved.

(b) The Leader of the Council

There were no announcements from the Leader.

(c) Members of the Executive

Councillor Glover stated that, as had been reported in the Press, Officers had attended a meeting between Carlisle United and Kingmoor Park Properties to discuss proposals for a stadium at Kingmoor Park to replace the Brunton Park ground. The Club said that they may now have to give further consideration to the plans.

Further to a question raised at the last meeting of the City Council, Councillor Ms Quilter congratulated the Carlisle Fair Trade Steering Group on the award they are due to be presented. She looked forward to working with them in the future.

(d) Town Clerk and Chief Executive

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

C.140/12 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.141/12 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.142/12 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 Council.

C.143/12 EXECUTIVE

Councillor Glover moved and Councillor Hendry seconded the Minutes of the meeting of the Executive held on 6 August 2012.

Members of the City Council asked a number of questions on those Minutes, to which the Leader and Portfolio Holders responded.

RESOLVED – (1) That the Minutes of the meeting of the Executive held on 6 August 2012 be received and adopted.

(2) That the Culture, Health, Leisure and Young People Portfolio Holder arrange to provide Councillor Mitchelson with details of the specification for procuring support to deliver a Sports Strategy (Minute JMT.93/12 refers).

C.144/12 PORTFOLIO HOLDER REPORTS

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

Leader's Portfolio
Finance, Governance and Resources
Environment and Transport
Economy and Enterprise
Communities and Housing
Culture, Health, Leisure and Young People

In moving his report, the Leader highlighted, in particular, the wonderful opportunity afforded by the return to the City of the Tour of Britain on 12 September 2012. He further clarified that the words "Nuclear Commission Authority" on page four should in fact read "Nuclear Decommissioning Authority".

In moving his report, the Finance, Governance and Resources Portfolio Holder drew attention to the assurance ratings attached to nine final Audits undertaken; together with progress on the Asset Review Disposal Programme. The Portfolio Holder further reported that verbal confirmation had been received that the North West Charter for Member Development would be retained. He paid tribute to the Organisational Development Manager; Learning and Development Co-ordinator; the Business Administration Apprentice; and Members for their contribution.

The Environment and Transport Portfolio Holder moved her report, outlining the current position with regard to public realm improvements; environmental health; cut fruit sampling; Keenan Park Play Trail and Youth Shelter and Seagulls. Referring to the Youth Shelter, the Portfolio Holder clarified that the 'Together We Can' group was from both Harraby and Botcherby. She expressed thanks to Cumbria County Council and especially Councillors Weber and Young for their input.

Whilst presenting his report, the Economy and Enterprise Portfolio Holder updated Members on the latest position with regard to the Ministerial Visit – Longtown MOD Site; and the West Coast Mainline. He was particularly delighted to report the recent announcement by Pirelli that they would be investing £9 million in their plant in Carlisle.

The Communities and Housing Portfolio Holder moved her report, highlighting the information provided with regard to Crime and Disorder; Carlisle Community Neighbours; Low Harker Dene; and the Shaddon Gateway Centre and Dispersed Foyer Services. The Portfolio Holder further reported that arrangements had been made for a presentation on the Localisation of Council Tax and Welfare Reform to be provided to Members at the informal Council meeting on 23 October 2012. She asked that Members note that date in their diaries.

In moving her report, the Culture, Health, Leisure and Young People Portfolio Holder outlined the many events taking place across the City as part of Carlisle's second Healthy City Week. She commended the work undertaken by the Team and all partner organisations.

Members then 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 Environment and Transport Portfolio Holder:

(a) convey congratulations to Mr Robert Mitchell, Senior Grounds Supervisor, for his exemplary attitude to his work; and

(b) arrange for a response to be provided to the concerns expressed by Councillor Mrs Luckley with regard to the invasion of Parks by Japanese Knotweed, and whether work to eradicate the weed would be included within the DEFRA grant criteria.

(3) That the Economy and Enterprise Portfolio Holder arrange for a written response to the question from Councillor Mrs Prest as to whether Sinclairs had been approached to help with the funding of training for workers facing redundancy following relocation of the company and, if not, that the City Council would fund the full costs of any such training required.

(4) That the Culture, Health, Leisure and Young People Portfolio Holder arrange for a written response to the questions raised by Councillor Mrs Luckley concerning:

(a) the Government announcement that £25m would be available to promote rural tourism (with £10 million within the Rural Development Programme to develop rural tourism destinations) and whether the City Council had made an application for funding; and

(b) the action being taken in relation to the Catering Skills Centre.

(5) That the Culture, Health, Leisure and Young People Portfolio Holder convey the thanks of Councillor Mrs Bradley and many of the children who had visited the Georgian Exhibition held at Tullie House Museum and Art Gallery to all staff involved.

C.145/12 OVERVIEW AND SCRUTINY MINUTES AND CHAIRMEN'S REPORTS

(a) Community Overview and Scrutiny Panel

Councillor Mrs Luckley moved and Councillor Mrs Prest seconded that the Minutes of the Meeting of the Community Overview and Scrutiny Panel held on 19 July 2012 be received and adopted.

Councillor Mrs Luckley also presented her Chairman's Report.

RESOLVED – That the Minutes of the Meeting of the Community Overview and Scrutiny Panel held on 19 July 2012 together with the Chairman's Report be received and adopted.

(b) Resources Overview and Scrutiny Panel

Councillor Watson moved and Councillor Whalen seconded that the Minutes of the Meeting of the Resources Overview and Scrutiny Panel held on 26 July 2012 be received and adopted.

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

RESOLVED – That the Minutes of the Meeting of the Resources Overview and Scrutiny Panel held on 26 July 2012 together with the Chairman's Report be received and adopted.

(c) Environment and Economy Overview and Scrutiny Panel

Councillor Layden moved and Councillor Whalen seconded that the Minutes of the Meeting of the Environment and Economy Overview and Scrutiny Panel held on 2 August 2012 be received and adopted.

Councillor Layden also presented his Chairman's Report.

RESOLVED – That the Minutes of the meeting of the Environment and Economy Overview and Scrutiny Panel held on 2 August 2012 together with the Chairman's Report be received and adopted.

C.146/12 REGULATORY PANEL

Councillor Bell moved and Councillor Cape seconded the receipt and adoption of the Minutes of the Meeting of the Regulatory Panel held on 8 August 2012.

RESOLVED – That the Minutes of the Meeting of the Regulatory Panel held on 8 August 2012 be received and adopted.

C.147/12 DEVELOPMENT CONTROL COMMITTEE

Councillor Scarborough moved and Councillor Whalen seconded the receipt and adoption of the Minutes of the Meetings of the Development Control Committee held on 5, 6, 11 and 13 July; and 3 August 2012.

RESOLVED – That the Minutes of the Meetings of the Development Control Committee held on 5, 6, 11 and 13 July; and 3 August 2012 be received and adopted.

C.148/12 AUDIT COMMITTEE

Councillor Ms Patrick moved and Councillor Bowditch seconded the receipt and adoption of the Minutes of the Meeting of the Audit Committee held on 12 July 2012.

RESOLVED – That the Minutes of the Meeting of the Audit Committee held on 12 July 2012 be received and adopted.

C.149/12 EMPLOYMENT PANEL

Councillor Glover moved and Councillor Atkinson seconded the receipt and adoption of the Minutes of the Meeting of the Employment Panel held on 14 August 2012.

RESOLVED – That the Minutes of the Meeting of the Employment Panel held on 14 August 2012 be received and adopted.

C.150/12 NOTICE OF MOTION

(1) West Coast Main Line Rail Franchise

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

“Carlisle City Council urge the Government to reconsider the decision to award the West Coast Main Line rail franchise to First Group.

First Group has one of the worst rail passenger satisfaction ratings in the UK. In contrast, it is acknowledged that Virgin Trains, in recent years, have provided a good and reliable service.

This Council fears that the service operated by First Group will deteriorate, that there will be job losses and that the financial promises made will not be kept.”

Councillor Martlew moved and Councillor Hendry seconded the motion.

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

Following substantial debate, with input from a number of Members of the City Council and voting thereon, the Motion of Councillor Mrs Martlew was CARRIED.

Councillors Earp and Mitchelson abstained from voting on the motion.

(2) Electoral Arrangements for Carlisle City Council

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

“That the Council request the Boundary Commission to review the electoral arrangements for Carlisle City Council in the light of the final recommendations made by them in relation to the electoral review of the boundary arrangements in relation to Cumbria County Council.”

Councillor Mallinson (J) moved and Councillor Layden seconded the motion.

Councillor Mallinson (J) then elaborated in some detail upon the reasons for submission of the motion, expressing the hope that the City Council would lend their support.

Following substantial debate, with input from a number of Members of the City Council and voting thereon, the Motion of Councillor Mallinson (J) was DEFEATED.

C.151/12 PROPOSALS FROM THE EXECUTIVE IN RELATION TO THE COUNCIL’S BUDGET AND POLICY FRAMEWORK

(i) EX.090/12 and EX.107/12 - Medium Term Financial Plan (Incorporating the Corporate Charging Policy) 2013/14 – 2017/18

Pursuant to Minute EX.090/12 and EX.107/12, consideration was given to a recommendation from the Executive regarding the Medium Term Financial Plan (Incorporating the Corporate Charging Policy) 2013/14 – 2017/18. A copy of Report RD.29/12 and relevant Minute Extracts had been circulated.

Councillor Tickner moved the recommendation that the Medium Term Financial Plan (Incorporating the Corporate Charging Policy) 2013/14 to 2017/18 be approved.

RESOLVED – That the Medium Term Financial Plan (Incorporating the Corporate Charging Policy) 2013/14 to 2017/18 as attached to Report RD.29/12 be approved.

(ii) EX.091/12 and EX.108/12 - Capital Strategy 2013/14 – 2017/18

Pursuant to Minute EX.091/12 and EX.108/12, consideration was given to a recommendation from the Executive regarding the Capital Strategy for 2013/14 – 2017/18. A copy of Report RD.30/12 and relevant Minute Extracts had been circulated.

Councillor Tickner moved the recommendation that the Capital Strategy be approved.

He also responded to a Member’s question.

RESOLVED – That the Capital Strategy 2013/14 to 2017/18 as attached to Report RD.30/12 be approved.

(iii) EX.092/12 and EX.109/12 - Asset Management Plan 2012 - 2017

Pursuant to Minute EX.092/12 and EX.109/12, consideration was given to a recommendation from the Executive that the Asset Management Plan for 2012 – 2017 be adopted. A copy of Report RD.36/12 and relevant Minute Extracts had been circulated.

Councillor Tickner moved the above recommendation and responded to a Member's question.

RESOLVED – That the Asset Management Plan as attached to Report RD.36/12 be approved and adopted.

C.152/12 OVERVIEW AND SCRUTINY PROCEDURE RULES CALL-IN AND URGENCY

Pursuant to Overview and Scrutiny Procedure Rule 15(i), consideration was given to a report of the Director of Governance (GD.46/12) on procedures in respect of occasions where decisions taken by the Executive were urgent.

RESOLVED – That the report be noted.

C.153/12 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.154/12 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.155/12 CODE OF CONDUCT: APPOINTMENT OF AN INDEPENDENT PERSON TO ADVISE ON STANDARDS

(Public and Press excluded by virtue of paragraph 1)

Pursuant to Minute ST.11/12, consideration was given to a report of the Director of Governance (GD.45/12) detailing the recommendations of the Standards Committee following its meeting on 31 August 2012; together with a Note setting out the recommendations of the Independent Remuneration Panel on 5 September 2012.

A copy of Report GD.45/12, Minute Extract ST.11/12 and the Notes of the Independent Remuneration Panel had been circulated.

Councillor Mrs Bradley moved and Councillor Boaden seconded the recommendations of the Standard Committee with regard to the appointment of an Independent Person to serve on the Council's Standards Committee under 30 June 2013; together with the recommendations of the Independent Remuneration Panel concerning the level of allowances and expenses payable to the Independent Person / Reserves.

RESOLVED – (1) That, pursuant to the Localism Act 2011, Candidate 3 be appointed as the Council's Independent Person to serve on the Standards Committee until 30 June 2013 with Candidate 1 and Candidate 2 being appointed as reserves.

(2) That the post of the Independent Person be advertised as widely as possible in 2013.

(3) That the recommendations of the Independent Remuneration Panel on the level of allowances and expenses payable to the Independent Person and Reserves (as set out in the Notes of the Panel meeting held on 5 September 2012) be agreed.

(The meeting ended at 9.37 pm)