

CITY COUNCIL

TUESDAY 16 JULY 2013 AT 6.45 PM

PRESENT: The Mayor (Councillor Bloxham), Councillors Allison, Mrs Atkinson, Atkinson, Bainbridge, Bell, Betton, Boaden, Bowditch, Mrs Bowman, Bowman (S), Mrs Bradley, Cape, Collier, Craig, Earp, Ellis, Forrester, Ms Franklin, Mrs Geddes, Glover, Graham, Harid, Layden, Lishman, Mrs Luckley, Mrs Mallinson, Mallinson (J), Mrs Martlew, McDevitt, Mitchelson, Morton, 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, Whalen and Wilson

Town Clerk and Chief Executive
Director of Governance

C.90/13 APOLOGY FOR ABSENCE

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

C.91/13 MINUTES

The Minutes of the meetings of the City Council held on 30 April and 20 May 2013 were received and signed as a true record of the meetings.

C.92/13 PUBLIC AND PRESS

RESOLVED – That the Agenda be agreed as circulated.

C.93/13 DECLARATIONS OF INTEREST

The following Members declared a disclosable pecuniary interest in accordance with the Council's Code of Conduct in respect of Item 20(iv) – Food Law Enforcement Service Plan for the reasons stated:

- Councillor Mitchelson – due to his business interests
- Councillor Harid – due to the fact that he is a self employed restaurateur
- Councillor Bainbridge – due to his business interests

Councillor Mrs Bradley declared a registrable interest in accordance with the Council's Code of Conduct in respect of Item 27 – Standards Arrangements – Appointment of Independent Person. Councillor Bradley stated that she had sat on the Governing Body of Carlisle College alongside one of the applicants.

Councillor Glover declared a disclosable pecuniary interest in accordance with the Council's Code of Conduct in respect of Item 20(vi) – Scheme of Housing Assistance (Empty Properties and Disabled Facilities Grants). Councillor Glover stated that he is the Executor of an Estate involved.

C.94/13 ANNOUNCEMENTS

(a)(i) The Mayor

The Mayor drew Members' attention to the Council Chamber which had recently been upgraded. The works included new air conditioning units; and a full rewire, including new lights and sockets in each of the desks which would assist Members wishing the use tablets / laptops in the future. The Mayor acknowledged the hard work undertaken by the Buildings Manager and his staff in getting the Chamber ready in time for the meeting.

It was with great sadness that The Mayor reported the death on 30 May 2013 of Professor Councillor Joseph Duncan Hendry, Leader of the City Council 2012-13 and Member of the Council since 2003.

Deepest sympathies had been received from the City of Slupsk on the sudden passing of Councillor Hendry, who would be remembered as a person of extraordinary knowledge and charisma. Councillor Hendry was well respected and recognised for his great commitment to the problems of unemployment, youth policy and education. He would always be a friend of the City of Slupsk and remain in their hearts.

The City of Flensburg had extended their condolences directly to Mrs Hendry.

Members stood for a minutes silence as a mark of respect to the memory of Councillor Hendry.

Councillor Glover paid tribute to Councillor Hendry, commenting that sometimes people did not realise how special someone was until they were not there. Councillor Hendry had been a personal friend and mentor, who always had a wise word and was ready to provide advice or assistance to a new Member. He always made time for people both within and out with the Labour Group.

Councillor Glover recalled that on many occasions the telephone would ring and Councillor Hendry would say that he had an idea which they would talk through. Councillor Hendry commanded immense respect from people across the City with his energy, enthusiasm and vision.

The picture of Councillor Hendry set out on the Order of Service for his Civic Funeral, with his huge smile and red rose, would be Councillor Glover's lasting memory.

Councillor Glover added that Councillor Hendry had been proud of so many things, including his home city of Glasgow, his family, Carlisle and Celtic Football Club. Although Councillor Hendry may have left us in person, his legacy and many memories would live on.

In summary, Councillor Glover said that it had been a privilege to serve with Councillor Hendry who was very sadly missed by both Members and Officers of the City Council.

On behalf of the Conservative Group, Councillor J Mallinson said that it had been an extremely cruel blow to hear of Councillor Hendry's passing, particularly since he appeared to be on the road to recovery. If you wished to assess the broad and deep effect

Councillor Hendry had, one only had to look to the many people from all walks of life who had attended his funeral service.

Councillor Mallinson recalled that he had first known Councillor Hendry during the 1990s when he was a Corporate Director at the County Council. Councillor Hendry had been there for all, whether on his political group or not. He had enormous pride in Carlisle and in Glasgow, and had many ideas as to how he wished to improve the lot of people living in Carlisle. It was very sad that he did not have time to put those ideas into practice.

Councillor Mallinson had shared two passions with Councillor Hendry, namely Robert Burns and malt whisky. They had also attended Town Twinning events and the LGA, during which Councillor Hendry had proved to be very good company. Councillor Hendry spoke of his family with enormous love. He was a person who had a very complete life, professionally, politically and personally. Councillor Mallinson was proud to call Councillor Hendry his friend and would miss him.

Speaking on behalf of the Liberal Democrat Group, Councillor Allison remembered Councillor Hendry as a softly spoken gentleman, which belied his strong political convictions and tenacity. Councillor Allison quoted a number of examples, adding that Councillor Hendry had learnt his door knocking skills in Glasgow, later adapting them to Carlisle.

Councillor Allison added that Councillor Hendry displayed quiet determination and both Councillor Mrs Luckley and himself respected the dignity with which he projected it.

Councillor Whalen indicated that this was the first time he had spoken about Councillor Hendry in public. He recalled that it was through Councillor Hendry that he had visited the Dean of Carlisle to discuss issues including homelessness, rough sleeping and the ever increasing need for food banks. Councillor Hendry had indicated a willingness to “back him to the hilt” to sort those issues out. Councillor Whalen outlined a number of particularly serious examples of people in need.

Councillor Whalen stated that Councillor Hendry was always very concerned for people, and he very much appreciated all that Councillor Hendry had done by way of assistance. Councillor Whalen added that Councillor Hendry would be remembered in his prayers.

Councillor P Atkinson also had many memories of Councillor Hendry who had been a very affable, likeable man of ideas. He was a great conversationalist, their discussions in the main being around football and Scotch whisky.

Councillor Atkinson recalled that the last time he had seen Councillor Hendry was the day before his passing. He had been in very good spirits, very lucid, with the drive to move matters forward. Councillor Hendry was never discriminatory or bigoted, and would have enjoyed the fact that the Civic Procession had assembled in St George’s United Reformed Church Hall, Warwick Road before proceeding to Our Lady and St Joseph’s Roman Catholic Church for his funeral service.

Councillor Atkinson was sorry that Councillor Hendry had gone. He had, however, left many good memories and it was those memories which would give his family strength at this very difficult time. May he rest in peace.

(ii) The Deputy Leader of the Council

The Deputy Leader announced that he had, on 15 July 2013, had the privilege of attending the official opening (by The Mayor; and Communities and Housing Portfolio Holder) of the new Women's and Families' Accommodation on Water Street, Carlisle.

The Deputy Leader wished to place on record thanks to all those who had contributed to the design, development, and delivery of what was a very successful project. Those who had visited the accommodation would know what a fabulous facility it was for people to rebuild their lives. During his speech The Mayor had alluded to the fact that the boundary fencing had been replaced by a wall which would allow children to play in safety and in privacy.

(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.

(b) Councillor Mrs Geddes

The Council placed on record its sincere appreciation of the services rendered as a Councillor of the City by Councillor Mrs Geddes over a period of 20 years. It was with great pleasure that The Mayor presented Mrs Geddes with an Illuminated Address as a token of the Council's appreciation.

C.95/13 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.96/13 PETITIONS AND DEPUTATIONS

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

C.97/13 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.98/13 EXECUTIVE

Councillor Glover moved the Minutes of the meetings of the Executive held on 7 and 31 May, 17 June and 1 July 2013.

The Culture, Health, Leisure and Young People Portfolio Holder then responded to Members' questions on those Minutes.

RESOLVED – (1) That the Minutes of the meetings of the Executive held on 7 and 31 May, 17 June and 1 July 2013 be received and adopted.

(2) That the Culture, Health, Leisure and Young People Portfolio Holder arrange to provide a written response to the questions raised by Councillor Bainbridge concerning Officer Decision (OD.017/13 – Hadrian’s Wall Trust Service Level Agreement), namely:

- Have all signatories of the Agreement agreed to contribute the same level of annual funding and, if not, what steps are in the Agreement to guard against the Council’s contribution being spent on other areas if contributions were not made elsewhere both now and in the future.
- Could the Portfolio Holder check the statement that there were eight local authorities as the stakeholder consultation listed ten.

C.99/13 PORTFOLIO HOLDER REPORTS

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

Deputy Leader; and Economy and Enterprise
Finance, Governance and Resources
Environment and Transport
Communities and Housing
Culture, Health, Leisure and Young People

Whilst moving his report the Deputy Leader; and Economy and Enterprise Portfolio Holder stated that the most significant item related to the Local Plan, and he would reserve comment until the item was considered by the Council later on the agenda. He further highlighted for Members a number of events, including Carlisle Design Week; together with the current position regarding the City Centre Business Group; and the Sense of Place Launch.

The Finance, Governance and Resources Portfolio Holder moved his report.

In moving her report, the Environment and Transport Portfolio Holder updated Members on a number of issues, including difficulties in relation to parking enforcement on Annetwell Street; CCTV; Clean Up Carlisle; Gulls; Hammond’s Pond and Talkin Tarn; the Cenotaph Project; Willowholme; and problems of weeds on roads and pavements.

The Portfolio Holder commended Ms Donna Hastie (Environmental Health Officer) for her work in relation to Illegal and Dangerous Tattooing; and members of staff on the multi-disciplinary task force assembled to clear the Willowholme site following its vacation by a number of travelling families.

The Environment and Transport Portfolio Holder also expressed grateful thanks to Councillor Weber for his assistance in seeking to progress the issues which she had raised with him.

Speaking on behalf of the Stanwix Ward Members, Councillor Mrs Mallinson commended Officers of the Green Spaces Team for their attendance in the run up to the Cumbria in Bloom judging, and for their interaction with Stanwix School. The Team was a credit to the authority.

In response, the Environment and Transport Portfolio Holder paid tribute to the residents of Stanwix, whose hard work dovetailed with the Council's strategy. She wished them well with their campaign.

Whilst moving her report, the Communities and Housing Portfolio Holder commented upon the wonderful Women's and Families' accommodation at Water Street, Carlisle. She expressed grateful thanks to all those who had contributed towards bringing the project to such a successful conclusion.

The Communities and Housing Portfolio Holder also outlined the position with regard to the Welfare Reform Board; Housing Benefits and the Carlisle and Eden Community Safety Partnership.

In moving her report, the Culture, Health, Leisure and Young People Portfolio Holder referred to the section concerning forthcoming events, in particular, the Carlisle Pageant / Chester Midsummer Watch. The late Leader of the City Council had been very proud to be involved in events within the City, and the Portfolio Holder liked to think that he would be with Members and Officers in spirit. She further drew Members' attention to the position regarding Sports Development and the physical refurbishment works to the Old Town Hall.

The Culture, Health, Leisure and Young People Portfolio Holder also confirmed her agreement with the sentiments expressed by Councillor Mrs Mallinson in relation to Ellis Kirkbride (aged 15 years) who had been selected to cycle in the Youth Olympics in Holland representing Team GB. She congratulated Ellis on what was a fantastic achievement. The Portfolio Holder recognised that there were many other talented children / young people who struggled with funding to attend / compete in events. The issue would be considered as part of the ongoing sports development and she would keep Members informed.

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 Environment and Transport Portfolio Holder arrange to provide a written response to Councillor Ellis's request for details of how many parking spaces in the Annetwell Street area are enforceable

(3) That the Culture, Health, Leisure and Young People Portfolio Holder respond to Councillor Mrs Prest's request for clarification as to whether City Council funding was being withdrawn from Brampton Tourist Information Centre and, if so, who made that decision.

C.100/13 OVERVIEW AND SCRUTINY MINUTES AND CHAIRMEN'S REPORTS

(a) Community Overview and Scrutiny Panel

Councillor Mrs Luckley moved and it was seconded that the Minutes of the Meetings of the Community Overview and Scrutiny Panel held on 30 May and 20 June 2013 be received and adopted.

Councillor Mrs Luckley also presented her Chairman's Report.

RESOLVED – That the Minutes of the Meetings of the Community Overview and Scrutiny Panel held on 30 May and 20 June 2013 together with the Chairman's Report be received and adopted.

(b) Resources Overview and Scrutiny Panel

Councillor Watson moved and it was seconded that the Minutes of the Meeting of the Resources Overview and Scrutiny Panel held on 6 June 2013 be received and adopted.

Councillor Watson also presented his Chairman's Report.

RESOLVED – That the Minutes of the Meeting of the Resources Overview and Scrutiny Panel held on 6 June 2013 together with the Chairman's Report be received and adopted.

(c) Environment and Economy Overview and Scrutiny Panel

In his capacity as former Chairman, Councillor Layden moved and Councillor Whalen seconded the minutes of the meeting of the Environment and Economy Overview and Scrutiny Panel held on 8 May 2013.

Councillor Whalen added that Councillor Layden had always been very fair and it had been a pleasure to serve on the Panel with him.

Councillor Layden also presented his Chairman's Report.

Councillor Mrs Bowman moved and it was seconded that the Minutes of the Meetings of the Environment and Economy Overview and Scrutiny Panel held on 13, 20 and 25 June 2013 be received and adopted.

Councillor Mrs Bowman also presented her Chairman's Report.

RESOLVED – That the Minutes of the meetings of the Environment and Economy Overview and Scrutiny Panel held on 8 May, 13, 20 and 25 June 2013 together with the Chairmen's Reports be received and adopted.

C.101/13 REGULATORY PANEL

Councillor Ms Franklin moved and Councillor Scarborough seconded the receipt and adoption of the Minutes of the Meeting of the Regulatory Panel held on 17 April 2013.

Councillor Bell moved and Councillor Scarborough seconded the receipt and adoption of the Minutes of the Regulatory Panel held on 29 May 2013.

RESOLVED – That the Minutes of the Meetings of the Regulatory Panel held on 17 April and 29 May 2013 be received and adopted.

C.102/13 LICENSING COMMITTEE

Councillor Ms Franklin moved and Councillor Scarborough seconded the receipt and adoption of the Minutes of the Meeting of the Licensing Committee held on 17 April 2013.

Councillor Bell moved and Councillor Scarborough seconded the receipt and adoption of the Minutes of the Licensing Committee held on 29 May 2013.

RESOLVED – That the Minutes of the Meetings of the Licensing Committee held on 17 April and 29 May 2013 be received and adopted.

C.103/13 DEVELOPMENT CONTROL COMMITTEE

Councillor Scarborough moved and Councillor Earp seconded the receipt and adoption of the Minutes of the Meetings of the Development Control Committee held on 17 and 19 April; and 5 June 2013.

RESOLVED – That the Minutes of the Meetings of the Development Control Committee held on 17 and 19 April; and 5 June 2013 be received and adopted.

C.104/13 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 15 April 2013.

RESOLVED – That the Minutes of the meeting of the Audit Committee held on 15 April 2013 be received and adopted.

C.105/13 EMPLOYMENT PANEL

Councillor Glover moved and Councillor P Atkinson seconded the receipt and adoption of the Minutes of the meetings of the Employment Panel held on 10 and 20 May 2013.

RESOLVED – That the Minutes of the Meetings of the Employment Panel held on 10 and 20 May 2013 be received and adopted.

C.106/13 STANDARDS COMMITTEE

Councillor Boaden moved and it was seconded that the Minutes of the meeting of the Standards Committee held on 26 June 2013 be received and adopted.

RESOLVED – That the Minutes of the Meeting of the Standards Committee held on 26 June 2013 be received and adopted.

C.107/13 APPEALS PANEL

Councillor Collier moved and Councillor Boaden seconded the receipt and adoption of the Minutes of the Meeting of Appeals Panel No. 3 held on 16 April 2013.

RESOLVED – That the Minutes of the Meeting of Appeals Panel No. 3 held on 16 April 2013 be received and adopted.

C.108/13 NOTICE OF MOTION

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

“This Council welcomes the cross party support for Welfare Reform and the spending policies of the current Coalition Government.”

Councillor Ellis moved and Councillor Nedved seconded the motion.

Councillor Ellis then elaborated in some detail upon the reasons for submission of the motion, commenting that the Welfare Reform changes were about fairness and decency.

Councillor Glover gave notice of the following amendment, copies of which were tabled:

Delete the word “welcomes” and replace with “acknowledges”;

Delete the words “and the spending policies of the current Coalition Government”

The substantive Motion would read:

“This Council acknowledges the cross party support for Welfare Reform.”

Councillor Glover moved his amendment, which was seconded by Councillor Mrs Riddle.

Councillor Glover then elaborated in some detail upon the reasons for submission of the amendment, expressing the hope that the City Council would lend their support.

Following substantial discussion, with input from a number of Members of the City Council, Councillor Ellis indicated that he accepted the amendment of Councillor Glover.

The Mayor sought and received the consent of the City Council that the amendment of Councillor Glover, as outlined above, be accepted.

Following voting, it was:

UNANIMOUSLY RESOLVED – That the Substantive Motion of Councillor Glover as set out above be CARRIED.

In response to comments by the Environment and Transport Portfolio Holder, Councillor Morton raised a point of order under Order 14.12. He emphasised that, at no point, had he or the other Belah Ward Members, voted for the demolition of Belah School.

By way of personal explanation under Standing Order 14.13 the Environment and Transport Portfolio Holder clarified that, although not a Council Member at the time of the closure of Belah School, she had been involved to a great extent as part of her work. The Portfolio Holder added that the Member of Parliament had at that time been in correspondence with the Council outlining a number of options, including downsizing, to keep the school on site. It was her recollection that support was not forthcoming from the Conservative side of the house.

C.109/13 PROPOSALS FROM THE EXECUTIVE IN RELATION TO THE COUNCIL'S BUDGET AND POLICY FRAMEWORK

(i) EX.48/13 – Provisional General Fund Revenue Outturn 2012/13

Pursuant to Minute EX.48/13, consideration was given to a report of the Director of Resources (RD.12/13) providing details of the 2012/13 provisional outturn for the General Fund Revenue Services. It should be noted that the information contained within the report was provisional, and subject to the formal audit process.

Extracts from the Minutes of the Executive and the Resources Overview and Scrutiny Panel had been circulated. The report would also be considered by the Audit Committee on 22 July 2013.

Councillor Tickner wished to place on record thanks to the Director of Resources and his staff for their work and assistance on the matter.

Councillor Tickner then moved, Councillor Mrs Martlew seconded, and it was AGREED that the City Council:

1. approved the carry forward requests totalling £696,400 (£677,400 to be met in 2013/14, and £19,000 in 2014/15), as set out in Report RD.12/13;
2. approved the release of £1,878 balance from the Sheepmount Reserve into the General Fund Reserve, as detailed in paragraph 4.1;
3. approve the release of £29,670 balance from the Job Evaluation Reserve to the General Fund Reserve, as detailed in paragraph 4.2;
4. approved the write-off to the General Fund Reserve of the accrued deficit of £190,000 on the On Street Parking Reserve, outlined in paragraph 4.3;
5. approved the transfer of £200,000 into the Transformation Reserve, as detailed in paragraph 4.4;
6. approved the £175,000 to be set aside for the Municipal Mutual Insurance provision, as outlined in paragraph 4.5; and
7. approved the establishment of the Welfare Reform Reserve and transfer of £200,000 into the reserve, as detailed in paragraph 4.6.

(ii) EX.49/13 – Provisional Capital Outturn 2012/13 and Revised Capital Programme 2013/14

Pursuant to Minute EX.49/13, consideration was given to a report of the Director of Resources (RD.11/13) providing details of the 2012/13 provisional outturn for the Council's Capital Programme, together with details of the revised Capital Programme for 2013/14.

Extracts from the Minutes of the Executive and the Resources Overview and Scrutiny Panel had been circulated. The report would also be considered by the Audit Committee on 22 July 2013.

Councillor Tickner spoke to place on record thanks to the Director of Resources and his staff for their work and assistance on the matter.

Councillor Tickner moved, Councillor Mrs Martlew seconded, and it was AGREED that the City Council –

1. approved the carry forward requests totalling £1,822,500 (£1,822,500 to be met in 2013/14) as set out in Report RD.11/13;
2. approved the requests to carry forward £6,200 for new items of expenditure to be met in 2013/14;
3. approved the removal of the Asset Management Plan expenditure budgets from the Council's capital programme (£1,546,800 from 2012/13, £6,272,500 from 2013/14, £1,035,800 from 2014/15 and £4,045,500 from 2015/16) to be released back from reserves on approval by Executive when revenue generating opportunities for land and property acquisitions became available;
4. approved the revised Capital Programme for 2013/14 onwards should the carry forwards and Asset Management Plan budget revisions be approved.

(iii) EX.50/13 – Treasury Management Outturn 2012/13

Pursuant to Minute EX.50/13, consideration was given to a report of the Director of Resources (RD.13/13) providing the annual outturn on Treasury Management as required under both the Financial Procedure Rules and the CIPFA Code of Practice on Treasury Management. Also included was the regular report on Treasury Transactions.

Extracts from the Minutes of the Executive and the Resources Overview and Scrutiny Panel had been circulated. The report would also be considered by the Audit Committee on 22 July 2013.

Councillor Tickner acknowledged that this was a particularly difficult time for investments, and expressed thanks to all members of staff involved for their input.

Councillor Tickner then moved, Councillor Mrs Martlew seconded, and it was AGREED:

(1) That the Council approved the Treasury Management Outturn report for 2012/13 as required under the both the Financial Procedure Rules and the CIPFA Code of Practice on Treasury Management.

(2) That the Finance, Governance and Resources Portfolio Holder respond in writing to Councillor Allison's request for a workshop session / brief explanatory document in relation to the long term loan (i.e. the £15m stock issue).

(iv) EX.40/13 and EX.65/13 – Food Law Enforcement Service Plan

Councillors Bainbridge, Harid and Mitchelson, having declared a disclosable pecuniary interest, took no part in this item of business.

Pursuant to Minute EX.40/13 and EX.65/13, consideration was given to a recommendation from the Executive concerning the Food Law Enforcement Service Plan. A copy of Report LE.20/13 and relevant Minute Extracts had been circulated.

Councillor Mrs Martlew thanked the members of staff involved in preparation of the report who had done a great job.

Councillor Mrs Martlew then moved the recommendations set out within the report, which were duly seconded.

RESOLVED – That the City Council approved the Environmental Health Service Food Law Enforcement Plan and the General Plan 2013 to 2014, in accordance with the Council's Budget and Policy Framework.

(v) EX.35/13 and EX.53/13 – Carlisle and Eden Community Safety Partnership Plan

Pursuant to Minute EX.35/12 and EX.53/12, consideration was given to a recommendation from the Executive that the Carlisle and Eden Community Safety Partnership Plan for 2013/14 be approved and adopted. A copy of report CD.43/13 and relevant Minute Extracts had been circulated.

Councillor Mrs Riddle moved the recommendation, which was duly seconded.

RESOLVED – That the Carlisle and Eden Community Safety Partnership Plan for 2013/14, as attached to Report CD.43/13, be approved and adopted.

(vi) EX.41/13 and EX.66/13 – Scheme of Housing Assistance (Empty Properties and Disabled Facilities Grants)

Councillor Glover, having declared a disclosable pecuniary interest, retired from the meeting during consideration of this item of business.

Pursuant to Minute EX.41/13 and EX.66/13, consideration was given to recommendations from the Executive concerning the Scheme of Housing Assistance (Empty Properties and Disabled Facilities Grants). A copy of report CD.42/13 and relevant Minute Extracts had been circulated.

Councillor Mrs Riddle moved the recommendations as set out in the report, which were duly seconded.

RESOLVED – That the City Council:

1. Approved the new Policy for Housing Assistance and the use of funds as described in Appendix 2 of Report CD.42/13 in accordance with the Council's Budget and Policy Framework.
2. Noted and accepted the decision of the Executive to delegated responsibility for the use of funds as outlined at Appendix 2 and the granting of grants and loans to the Director of Community Engagement and Director of Resources.
3. Noted and accepted the decision of the Executive to delegate decision making on proceeding with future Empty Property schemes to the Portfolio Holder.

(vii) EX.42/13 and EX.67/13 – Treasury Management Counterparties

Pursuant to Minute EX.42/13 and EX.67/13, consideration was given to recommendations from the Executive concerning Treasury Management Counterparties. A copy of Report RD.08/13 and relevant Minute Extracts had been circulated.

Councillor Tickner moved and Councillor Weber seconded the recommendations as set out in the report.

RESOLVED – That the City Council:

(1) Approved the investment counterparty limits, as outlined at Appendix A and set out in paragraph 2.7 of Report RD.08/13.

(2) Noted that the contract for Treasury Management Advisory Services had been re-tendered and awarded under powers delegated to the Director of Resources.

(viii) EX.54/13 – Release of Funding for Interim Provision of Bring Site Service

Pursuant to Minute EX.54/13, consideration was given to a recommendation from the Executive that the City Council approve an increase to the capital programme in 2013/14 by £227,000, funded initially from capital receipts but repayable over 4 – 5 years from revenue savings, to fund the new vehicles required to provide an in-house service and place orders for machinery and ancillary equipment with immediate effect (should the service be outsourced in 2015, the vehicles and machinery would be included within the specification for the contract).

A copy of report LE.21/13 and relevant Minute Extracts had been circulated.

Councillor Mrs Martlew moved and Councillor Tickner seconded the recommendation.

RESOLVED – That the City Council approved an increase to the capital programme in 2013/14 by £227,000, funded initially from capital receipts but repayable over 4 – 5 years from revenue savings, to fund the new vehicles required to provide an in-house service and place orders for machinery and ancillary equipment with immediate effect (should the service be outsourced in 2015, the vehicles and machinery would be included within the specification for the contract).

(ix) EX.55/13, EX.64/13, EX.68/13 and EX.79/13 – Carlisle District Local Plan 2015 – 2030 Preferred Options Consultation – Policies and Allocations Combined

Pursuant to Minute EX.55/13, EX.64/13, EX.68/13 and EX.79/13, consideration was given to a recommendation from the Executive that the City Council approve the Carlisle District Local Plan 2015-2030 Preferred Options for public consultation and the supporting documents. A copy of report ED.20/13 and relevant Minute Extracts had been circulated.

Further to publication of the Agenda Document Pack, the Executive had on 15 July 2013 considered the Carlisle District Local Plan – Land Allocations. Copies of the Minutes of that special meeting had been tabled prior to the Council meeting.

Councillor Glover outlined the background to the matter, reiterating his previous expressions of thanks to the Planning Policy Team and members of the cross-party Working Group who had done a tremendous job in bringing the documentation before Council for consideration.

Councillor Glover moved and Councillor Whalen seconded the recommendation.

Councillor Betton addressed the Council commenting that he had a number of concerns, which included the serious shortage of availability of 1 bed flats. He was also of the opinion that the concerns raised by local residents as part of the consultation on the previous Local Plan had not been addressed. Councillor Betton had no confidence in the process and could not, therefore, support the recommendation.

The Mayor reiterated that the City Council was this evening being asked to approve the Carlisle District Local Plan 2015 – 2030 Preferred Options and the supporting documentation for public consultation. By way of assistance, he suggested that Councillor Betton and others may wish to raise any concerns they may have in writing as part of the consultation process.

Referring to pages 98 and 99 of the Local Plan report, Councillor Mrs Prest pointed out that the total urban and total rural figures did not equate to 3,000.

Councillor Glover replied that the figures would be checked prior to the document going out to public consultation.

The Mayor added that the Director of Economic Development could respond to Councillor Allison's question regarding how effective consultation could be undertaken on such a large document.

RESOLVED – That the City Council approved the Carlisle District Local Plan 2015-2030 Preferred Options and the supporting documents for public consultation.

C.110/13 APPOINTMENT OF THE LEADER OF THE COUNCIL

Pursuant to Article 7.03 of the Council's Constitution Councillor Boaden indicated that, although the background circumstances had been very difficult and sad for all Members and Officers of the Council, it gave him great pleasure to move that Councillor Glover be appointed as Leader of Carlisle City Council until the Annual Meeting of the Council in 2017 (or until the end of his term of office as a Member, whichever was the shorter).

Councillor Mrs Martlew seconded the nomination.

The Mayor asked whether there were any other nominations, but none were forthcoming.

RESOLVED UNANIMOUSLY – That Councillor Glover be appointed as Leader of Carlisle City Council until the Annual Meeting of the Council in 2017 (or until the end of his term of office as a Member, whichever was the shorter).

In response, Councillor Glover expressed sadness at the passing of the former Leader of the Council which had led to his appointment. He greatly appreciated the support he had

received in the interim; for the nomination, and would endeavour to serve the City to the best of his ability.

Councillor Glover further informed Members that:

- His Leader's Scheme of Delegation would be circulated in due course;
- Councillor Mrs Martlew had been appointed Deputy Leader of the Council; and
- Councillor Mrs Bradley would join the Executive as Portfolio Holder for Economy and Enterprise

Councillor J Mallinson rose to congratulate Councillors Glover, Mrs Martlew and Mrs Bradley on their appointments.

On behalf of the City Council, the Mayor reiterated those sentiments.

C.111/13 REPRESENTATIVES ON OUTSIDE BODIES

Consideration was given to a report of the Director of Governance (GD.35/13) regarding City Council nominations on outside bodies.

Councillor Boaden moved the following nominations:

- Cumbria Pensions Forum – Councillor Tickner
- Reserve Forces and Cadets Association for the North West of England – Councillor Stothard
- Cumbria Police and Crime Panel – Councillor Bowditch

RESOLVED – (1) That Councillor Tickner be nominated as the City Council's Representative on the Cumbria Pensions Forum.

(2) That Councillor Stothard be nominated as the City Council's Representative on the Reserve Forces and Cadets Association for the North West of England.

(3) That Councillor Bowditch be nominated as the City Council's Representative on the Cumbria Police and Crime Panel.

C.112/13 CODE OF CONDUCT: PRINCIPLES IN PUBLIC LIFE

Pursuant to Minute ST.11/13, consideration was given to a report of the Director of Governance (GD.36/13) reviewing the first twelve months' operation of the City Council's Code of Conduct and proposing amendment to the seven principles of public life in accordance with the January 2013, fourteenth report of the Committee on Standards in Public Life.

A copy of the report and Minute Excerpt had been circulated.

Councillor Boaden moved and Councillor Mrs Bradley seconded the recommendations set out in the report.

RESOLVED That the City Council:

1. Noted the operation of the new Standards arrangements during their first twelve months.
2. Had considered and approved the recommendation of the Standards Committee that the Code of Conduct be amended to incorporate the updated wording associated with the “seven principles of public life”.

C.113/13 COMMITTEE NOMINATIONS

Councillor J Mallinson moved and it was seconded and agreed that Councillor Mitchelson replace Councillor Lishman as a substitute Member on the Environment and Economy Overview and Scrutiny Panel.

Councillor Boaden moved, Councillor Mrs Bradley seconded, and it was agreed that Councillor Stothard replace the late Councillor Hendry as a full Member on the Employment Panel; and Councillor Bowditch replace Councillor Stothard as a substitute Member on the Panel.

C.114/13 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.34/13) on procedures in respect of occasions where decisions taken by the Executive were urgent.

RESOLVED – That the report be noted.

C.115/13 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 Mayor reported that he had the privilege of opening the new Asda Store on St Nicholas Gate which would be an additional boost for that area of the City.

C.116/13 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.117/13 STANDARDS ARRANGEMENTS: APPOINTMENT OF INDEPENDENT PERSON

(Public and Press excluded by virtue of paragraph 1)

Councillor Mrs Bradley, having declared a registrable interest, took no part in discussion on this item of business.

Pursuant to Minute ST.13/13, consideration was given to a report of the Director of Governance (GD.37/13) detailing the recommendations of the Standards Committee following its meeting on 26 June 2013.

A copy of Report GD.37/13 and Minute Extract ST.13/13 had been circulated.

Councillor Boaden wished to place on record thanks to Dr Peter Tiplady; the Reverend John Libby and Mr Fraser for their support to the Standards Committee.

Councillor Boaden then moved and Councillor Mrs Bowman seconded the recommendations of the Standard Committee with regard to the appointment of Independent Persons to serve on the Council's Standards Committee, pursuant to Section 28(7) of the Localism Act 2011 and the Council's arrangements for dealing with Standards matters.

RESOLVED – (1) That, pursuant to Section 28(7) of the Localism Act 2011 and the Council's arrangements for dealing with Standards matters, Candidate (i) (Mr Keith Sinclair Thomas) be appointed as the Council's Independent Person to serve on the Standards Committee until 30 June 2017; and Candidate (ii) (Ms Jane Salmon) be appointed as Independent Person until 30 June 2016.

(2) That the City Council's thanks and appreciation be conveyed to Dr Peter Tiplady; Reverend John Libby and Mr Fraser.

(The meeting ended at 9.25 pm)