

CITY COUNCIL

TUESDAY 27 APRIL 2021 AT 6.45 PM

PRESENT: The Mayor (Councillor Mrs Bowman), Councillors Alcroft, Allison, Mrs Atkinson, Bainbridge, Betton, Birks, Bomford, Brown, Christian, Collier, Dr Davison, Denholm, Ellis, Ms Ellis-Williams, Mrs Finlayson, Mrs Glendinning, Glover, Higgs, Mrs McKerrell, Mrs Mallinson, Mallinson (J), Meller, Mitchelson, Morton, Nedved, Paton, Patrick, Robson, Shepherd, Miss Sherriff, Southward, Tarbitt, Dr Tickner, Tinnion and Miss Whalen.

ALSO

PRESENT: Deputy Chief Executive
Corporate Director of Governance and Regulatory Services

C.64/21 APOLOGIES FOR ABSENCE

There were no apologies for absence.

C.65/21 DECLARATIONS OF INTEREST

In accordance with the Council's Code of Conduct, Councillor Glover declared a registrable interest in item 11(i) – Culture, Heritage and Leisure Portfolio Holder report. The interest related to the fact that he is a Trustee of Cumbria's Museum of Military Life.

In accordance with the Council's Code of Conduct, the undernoted Members declared a disclosable pecuniary interest in Item 10 – Minutes of the Executive (6 April 2021 – Green Homes Grant Local Authority Delivery (LAD) Phase 2) for the reasons stated:

- Councillor Mrs Mallinson – is a private landlord
- Councillor Mallinson (J) – is a private landlord

C.66/21 HIS ROYAL HIGHNESS THE PRINCE PHILIP, DUKE OF EDINBURGH

Speaking on behalf of the City of Carlisle, the Mayor wished to extend deepest sympathies to Her Majesty the Queen on the passing of His Royal Highness The Prince Philip, Duke of Edinburgh.

Prince Philip had given great service to his country and his Queen for in excess of 73 years and, as a mark of respect, the Mayor expressed the hope that the Council would join her in a Minute's Silence.

Members observed a Minute's Silence as a mark of respect to the memory of His Royal Highness The Prince Philip, Duke of Edinburgh.

The Mayor then extended an invitation to any Member who wished to pay respects to His Royal Highness The Prince Philip, Duke of Edinburgh.

Speaking on a personal note, Councillor Christian recalled that he had met the Duke of Edinburgh when taking part in the Duke of Edinburgh's Awards Scheme. Taking part in the Scheme had been very important and he was impressed that someone of Prince Philip's standing had spoken to him at an event. Prince Philip had shown an interest and was exceptionally good in the manner by which he approached a young person of whom he knew

nothing. Councillor Christian was very grateful for that, indicating that the Award Scheme now extended to 144 countries including, he believed, around 300,000 participants each year.

For everyone who cared about the environment, Councillor Christian added that Prince Philip was one of those founding inspirational people who were present at the transfer from a generation who shot animals to one which cared for them. He was the founder of the World Wildlife Fund, now the World-wide Fund for Nature and was, he understood, an extremely active President for many years. Those were two areas whereby the Duke of Edinburgh had left a lasting legacy in the world.

Councillor Mallinson (J) stated that he too wished to pay tribute to Prince Philip at this time. When the world was informed of the passing of Prince Philip it had come as a great shock and a great sadness.

No-one could deny that Prince Philip's impact upon his adopted country was immense, both in achievement and duration. From a distinguished war time career in the Navy he moved on to be the Consort to Her Majesty on the Ascension to the throne in 1952, before many in this Chamber tonight were actually born.

Councillor Mallinson (J) added that Prince Philip had many other interests and achievements in his almost 70 years tenure, including establishment of the Duke of Edinburgh's Award Scheme which many young people had benefitted from. He had a great interest in environmental issues and many other interests and patronages far too numerous to mention. Most of all Prince Philip would be remembered for his unswerving support and loyalty to Her Majesty the Queen, his monarch and his wife.

Councillor Mitchelson informed the meeting that he and Mrs Mitchelson had the privilege of hosting the Queen and Prince Philip on their last official visit to Carlisle in 2002, when they visited Tullie House, the Millennium Gallery and the Castle.

Both the Queen and Prince Philip put Mrs Mitchelson and himself at ease, and he was particularly struck by their knowledge of Carlisle and humour throughout the tour. Prince Philip's curiosity, quick wit and interest in the exhibitions was wonderful; and Councillor Mitchelson recalled specific examples thereof.

In conclusion, Councillor Mitchelson said that Prince Philip was a real gentleman and a very humorous person who devoted his life to the Queen and country, and one should remember that, in addition to being the royal family, they were a real family. Thoughts were with them as they mourned their sad loss.

Councillor Glover noted that much had been said about many aspects of the Duke of Edinburgh's life, covering his military career, service to the nation and, of course, his dedication to supporting Her Majesty the Queen.

Further to Councillor Christian's comments, Councillor Glover wished to focus on aspects specifically relative to Cumbria and particularly to young people. Members would be aware that the Duke of Edinburgh was fond of visiting Cumbria, not only to carry out official duties, but also to spend some leisure time. He was particularly passionate about providing opportunities for young people to develop personal skills and enable them to access activities that they may not otherwise have been able to participate in.

The Duke of Edinburgh's Award Scheme was founded in 1956 to help young people develop life skills and increased confidence from adolescence through to adulthood and, since then, the

programme had grown internationally to the point that it now helped young people across the globe in various formats but within the same principles.

Councillor Glover advised that the Duke of Edinburgh was also a Trustee, Chairman and subsequently Patron of the Outward Bound Trust which did much valuable work in Cumbria and further afield. His interest in the work extended far beyond official duties and he often made private visits to offer support to instructors to students. Prince Philip showed a personal interest in the Trust for in excess of 70 years and, when it encountered financial difficulties, it was the Duke who stepped in and rallied support to ensure that the work of the Outward Bound Trust could continue.

In 2016 the Duke of Edinburgh made his final visit to an Outward Bound Centre before retiring when he visited the £3m redevelopment of the Ulswater Centre. Although many Cumbrians would have differing reasons for remembering him, an important part of his legacy would be the personal development and adventures that thousands of young people had benefitted from as a result of the plans he was an important part of establishing and which he continued to support throughout his life.

The Mayor concluded by thanking Members for their tributes to His Royal Highness The Prince Philip who would be sadly missed.

C.67/21 MINUTES

The Mayor moved the receipt and adoption of the Minutes of the Meetings of the City Council held on 17 and 23 February; and 2 March 2021.

RESOLVED – That the Minutes of the meetings of the City Council held on 17 and 23 February; and 2 March 2021 be received; and would be signed as a true record of the meetings at the first practical opportunity.

C.68/21 PUBLIC AND PRESS

RESOLVED – That the Agenda be agreed as circulated.

C.69/21 ANNOUNCEMENTS

(i) The Mayor

Referencing the extremely successful roll-out of the COVID-19 vaccination programme, the Mayor expressed huge thanks to all those people who had worked on the organisation and administration thereof. It had been excellently done and provided hope that all would now be able to move on to some normality in their lives.

The meeting this evening could therefore be the last virtual meeting of the City Council during the current Municipal Year. So with that the Mayor wished to thank the Democratic Services Officers who had, behind the scenes, ensured the success of all of the Council's meetings from the early days of lockdown; and all those for their hard work in making Council services happen.

The Mayor also expressed thanks and appreciation to the Corporate Director of Governance and Regulatory Services for his continued help, support, care and attention throughout those virtual meetings.

(ii) The Leader of the Council

The Leader announced that there had, in recent weeks, been a great deal of press and social media speculation regarding the Turkish Baths. He had therefore decided to prepare a statement outlining the Council's position.

The Leader indicated that the Victorian Health Suite was an important part of Carlisle's heritage and the authority was exploring how best to manage the facility following relocation of the Pools to the Sands Centre.

When the Pools were demolished new boilers would be required to replace the old Pools boilers and supply hot water. A budget had been identified within the Borderlands project to fund that - £200,000 funding to make good the external parts of the Turkish Baths post demolition of the Pools, and a further £200,000 to facilitate refurbishment of the building. Detailed surveys of the building had been undertaken to ensure that all relevant services would be available when the Pools were demolished. In addition, a Statement of Significance had recently been completed on the Baths which looked at the history of the site and its heritage value.

The Carlisle Station Gateway and Citadels project would regenerate the area around Carlisle Station, including the area where the Victorian Health Suite was located. Following consultation plans had been drawn up for the area.

In the meantime, GLL, who managed the Council's leisure facilities, were re-opening facilities in line with the Government's roadmap wherever possible.

The Leader added that the Turkish Baths were currently being used to facilitate safe and COVID secure swimming sessions for Schools. GLL was planning to re-open the Turkish Baths on 21 June 2021 so long as it was safe and Government restrictions permitted.

In terms of the long-term future of the Turkish Baths, the Leader could only say that he and his administration were much heartened by the intense social media interest evidenced in recent times; and took that as an indicator that the Turkish Baths were wanted and needed by the people of Carlisle. If that generated increased usage of the facility then it could only bode well for the long-term future and preservation of a building of great historic interest.

For the avoidance of doubt the Leader stated that his administration had not, and never had, any interest in seeing the building demolished.

(iii) Members of the Executive

The Economy, Enterprise and Housing Portfolio Holder was pleased to confirm that the Government had in recent weeks allocated £96,000 to Carlisle City Council from the Welcome Back Fund which was designed to promote and create a safe public environment for local trade and tourism, particularly in the high street as it re-opened after the COVID-19 pandemic.

As well as the high street, that allocation could also assist Parish Councils with neighbourhood retail areas such as Brampton, Longtown and Dalston. The projects were being considered with the assistance of the Regeneration Team, subject to certain criteria.

(iv) Deputy Chief Executive

There were no announcements from the Deputy Chief Executive.

C.70/21 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.71/21 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.72/21 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.73/21 EXECUTIVE

Councillor Mallinson (J), having declared a disclosable pecuniary interest relating to other matters, responded to a Member's questions concerning the Carlisle Plan (Minute EX.30/21) and the Victorian Health Suite / Turkish Baths.

Councillor Mrs Mallinson, having declared a disclosable pecuniary interest, made no comment on the Executive Minutes.

Councillor Mallinson (J) moved and Councillor Ellis seconded that the Minutes of the meetings of the Executive held on 8 March and 6 April 2021 be received and adopted.

RESOLVED – That the Minutes of the meetings of the Executive held on 8 March and 6 April 2021 be received and adopted.

C.74/21 PORTFOLIO HOLDER REPORTS

Councillor Glover, having declared a registrable interest in respect of the Culture, Heritage and Leisure Portfolio Holder's report, made no comment on the report

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

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

The Culture, Heritage and Leisure Portfolio Holder; and the Deputy Leader, and Finance, Governance and Resources Portfolio Holder moved their reports.

The Communities, Health and Wellbeing Portfolio Holder moved her report. The Portfolio Holder wished to place on record thanks an appreciation to the Customer Contact Centre management and staff for all of their hard work throughout the pandemic and lockdown periods.

The Environment and Transport Portfolio Holder moved his report and, in so doing, expressed huge thanks for the work undertaken by the front-line staff within Neighbourhood Services, Regulatory Services and Bereavement Services.

The Economy, Enterprise and Housing Portfolio Holder moved his report, indicating that he wished to thank all officers and members of staff involved in his portfolio area for their immense work and immeasurable support during the past year.

The Leader then moved his report. Referencing the questions posed earlier by Councillor Ms Ellis-Williams, the Leader clarified that the £600,000 she alluded to and the £400,000 mentioned in his statement this evening were separate sums.

Members questioned individual Portfolio Holders on details of their reports, during which Councillor Alcroft wished to thank the Discover Carlisle Team for their enabling work in supporting a local tour guide on the production of virtual city tours during lockdown; and it was:

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

(2) That the Culture, Heritage and Leisure Portfolio Holder respond in writing to the undernoted questions posed by Councillor Ms Ellis-Williams regarding sports and leisure services:

- Is the £200,000 funding alluded to by the Leader in his statement earlier in the meeting (Minute C.69/21(ii) referred) for making good the exterior of the Turkish Baths, additional to the sum of £600,000 (for the demolition of the 1970's pools building and the making good of the exterior of the Listed Turkish Baths building once the demolition of the modern section has been completed) referenced in the Portfolio Holder's written response dated 20 January 2021?
- Can an assurance be provided to full Council that the £200,000, to undertake necessary internal upgrading works to the listed Turkish Baths building in order to bring it up to the standard needed to make a repurposing scheme feasible, mentioned in the Portfolio Holder's said written response, is additional to the necessary improvements highlighted at the end of 2019, and which were due to be carried out by GLL in the first quarter of 2020; have said improvements been completed; and what does 'repurposing' actually mean?
- The Portfolio Holder's written response (20 January 2021) also alluded to a Feasibility Study scheduled to commence imminently. Can Council be provided with the Terms of Reference for the Feasibility Study; details of who will be carrying it out; when it is expected to report, together with the associated costs. Can that information be made available on the Council's website?

(3) That the Environment and Transport Portfolio Holder:

- convey congratulations to the Enforcement Team for their hard work in addressing the incidence of fly-tipping, as requested by Councillor Tinnion and reiterated by Councillor Dr Davison.
- communicate to Bereavement Services Councillor Birks' comments concerning the benefits of the 'live streaming' service in terms of accessibility; and gratitude for their hard work and for the polite, helpful and supportive manner by which officers undertook their duties.

(4) That the Economy, Enterprise and Housing Portfolio Holder investigate the potential establishment of a 'Supply Local Carlisle Project' (potential wholesale suppliers and exporting as opposed to importing of products) and provide a written response to Councillor Bomford.

(5) That the Leader provide Councillor Betton with a detailed written response, outlining the plans which the City Council has in place to continue to support staff and to assist children, young people and other members of the community who have been affected financially and emotionally as the country moves towards recovery from the COVID-19 pandemic.

C.75/21 MINUTES

The Mayor moved and the Deputy Mayor seconded the receipt and adoption of the Minutes of the meetings as detailed within Minute Book Volume 47(6):

Committee	Meeting Date
Health and Wellbeing Scrutiny Panel	25 February 2021
Business and Transformation Scrutiny Panel	18 February 2021
Economic Growth Scrutiny Panel	4 March 2021
Regulatory Panel	24 February 2021
Development Control Committee	17 and 19 February 2021
Audit Committee	15 March 2021
Standards Committee	31 March 2021

RESOLVED – That the Minutes of the meetings as detailed above be received and adopted.

C.76/21 SCRUTINY

(a) Health and Wellbeing Scrutiny Panel

Councillor Mrs Finlayson (Vice-Chair) moved her Vice-Chair's Reports.

It was noted that Councillor Paton (Chair) was no longer in attendance. In accordance with the Virtual Meetings – Rules and Protocol, the Corporate Director of Governance and Regulatory Services advised that the meeting be paused in order that Councillor Paton may re-establish his attendance.

The meeting paused at 8.09 pm and reconvened at 8.14 pm

Since it had not yet been possible to re-establish Councillor Paton's attendance, his Chair's Report was tabled.

RESOLVED – That the Reports of the Chair and Vice-Chair be received and adopted.

(b) Business and Transformation Scrutiny Panel

Councillor Bainbridge moved his Chair's Report.

RESOLVED – That the Report of the Chair be received and adopted.

(c) Economic Growth Scrutiny Panel

Councillor Meller moved his Vice-Chair's Report.

Councillor Brown moved her Chair's Report.

RESOLVED – That the Reports of the Chair and Vice-Chair be received and adopted.

C.77/21 SCRUTINY ANNUAL REPORT

There was submitted Report OS.13/21 enclosing the Annual Report of the Council's Overview and Scrutiny function for 2020/21. The report summarised the role of Scrutiny at Carlisle City Council and reported on the work of the Scrutiny Panels during 2020/21.

In accordance with agreed procedure, the report had been considered by the Business and Transformation; Health and Wellbeing; and Economic Growth Scrutiny Panels on 1 April; 8 April and 12 April 2021 respectively. Extracts from the Minutes of those meetings were also submitted.

Councillor Bainbridge moved the report and, in so doing, expressed appreciation on behalf of himself and all Panel Members to the Overview and Scrutiny Officer and Democratic Services Team who had, over the past year and in difficult circumstances, performed their duties in a professional and courteous manner.

Whilst seconding the report, Councillor Brown echoed the above comments, adding the thanks of the Economic Growth Scrutiny Panel to the Overview and Scrutiny Officer and all who had provided assistance during the past year.

RESOLVED – That the Council formally accepted the Annual Report of the Council's Overview and Scrutiny function for 2020/21.

C.78/21 NOTICE OF MOTION

Pursuant to Procedure Rule 12, the Corporate Director of Governance and Regulatory Services reported that no motions had been submitted on notice by Members of the Council.

C.79/21 AUDIT COMMITTEE'S ANNUAL REPORT

Pursuant to Minute AUC.07/21, consideration was given to the Annual Report of the Audit Committee for the municipal year 2020/21 (RD.62/20). An extract from the Minutes of the Audit Committee meeting held on 15 March 2021 was also submitted.

Councillor Meller moved the Annual Report, which was duly seconded by Councillor Mrs Bowman.

RESOLVED – That the Council noted and accepted the Audit Committee's Annual Report for 2020/21.

C.80/21 APPOINTMENT OF INDEPENDENT PERSON

Pursuant to Minute ST.05/21, consideration was given to a recommendation from the Standards Committee that Council continue the appointment of Jane Elliott until a review date of 30 June 2024 and Keith Thomas as an Independent Person(s) until a review date of 30 June 2023.

A copy of Report GD.30/21 and relevant Minute Extract had been circulated.

Councillor Mrs Bowman (Chair) moved, Councillor Mrs Mallinson seconded, and it was:

RESOLVED: That the City Council continued the appointment of Jane Elliott until a review date of 30 June 2024 and Keith Thomas as an Independent Person(s) until a review date of 30 June 2023.

[Councillor Paton was not in attendance during consideration of this item of business]

C.81/21 CARLISLE CITY COUNCIL CODE OF CONDUCT, ARRANGEMENTS AND GUIDANCE REVISION

Pursuant to Minute ST.06/21, consideration was given to a recommendation from the Standards Committee that Council adopts from the date of today's meeting the LGA Code of Conduct (as amended), the Arrangements for Dealing with Standards Matters and the Code of Conduct Guidance, as set out in Report GD.31/21.

A copy of report GD.31/21 and the Minute Extract had been circulated.

Councillor Mrs Bowman (Chair) moved and Councillor Mrs Mallinson seconded the recommendation.

A number of observations were raised during the debate, including

- the importance of ensuring that a Hearing takes place as soon as possible following the receipt of a Code of Conduct complaint
- the wording of the policy should be more specific and include sanctions in the event that a Hearing is not held timeously.
- the revised policy was welcomed and came before Council for approval at an opportune time
- everyone in public office should uphold the Seven Principles of Public Life, also known as the Nolan Principles.

Examples of alleged breaches of the standards were discussed and points of order raised in accordance with Procedure Rule 14.12.

In response, the Monitoring Officer advised that, as relevant Standards Committee proceedings were ongoing, those proceedings should not be discussed this evening for fear of prejudicing any future Hearing.

RESOLVED – That the City Council adopts from the date of today's meeting the LGA Code of Conduct (as amended), the Arrangements for Dealing with Standards Matters and the Code of Conduct Guidance, as set out in Report GD.31/21.

[Councillor Paton returned to the meeting during consideration of the above item]

C.82/21 EXTENSION OF INTERIM CHIEF EXECUTIVE ARRANGEMENTS WITH EDEN DISTRICT COUNCIL

Consideration was given to a report of the Town Clerk and Chief Executive (CE.02/21), the purpose of which was for Carlisle City Council to consider a request from Eden District Council (EDC) for an extension to the agreement between the two Councils for Carlisle provision of a temporary part-time support of Interim Chief Executive at EDC.

Councillor Mallinson (J) presented the report and moved the recommendations as detailed therein.

Councillor Ellis seconded the recommendations.

Speaking on behalf of the Labour Group, a Member asked that if, following the announcement by the Secretary of State, local government reorganisation did not proceed or Carlisle and Eden were not together, then Eden District Council should proceed with the recruitment of a Chief Executive as quickly as possible.

Councillor Mallinson (J) replied that he took the Member's point and, with that caveat, recommended the report to Council tonight.

In response to questions, Councillor Mallinson (J) also provided a brief update on the temporary shared Chief Executive arrangement, including the impact in terms of additional workload on the Deputy Chief Executive / other members of the Senior Management Team and officers.

RESOLVED – That the City Council:

- (i) Agree the request from Eden District Council for Carlisle City Council to extend the agreement.
- (ii) Delegate authority to the Corporate Director of Governance and Regulatory Services to agree the extension with Eden District Council; subject to the caveat alluded to above concerning local government reorganisation in Cumbria.

C.83/21 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.29/21) on the Operation of Call-in and Urgency Procedures over the past year.

RESOLVED – That the report be noted.

C.84/21 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.85/21 MAYOR'S COMMENTS

In bringing this final meeting of the Municipal Year to a close, the Mayor thanked Members for their contributions and attendance over the past two years which was much appreciated. Although COVID-19 restrictions meant that it was not possible to enjoy each other's company this evening, she expressed the hope that some kind of normality would return in the not too distant future.

[The meeting ended at 8.43 pm]