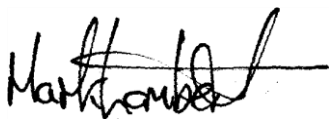


SUMMONS

To the Mayor and Members of Carlisle City Council

You are summoned to attend the Meeting of Carlisle City Council which will be held on **Tuesday, 09 November 2021** at **18:45**, in the **Cathedral Room, Civic Centre, Carlisle, CA3 8QG**



Corporate Director of Governance and Regulatory Services

AGENDA

1. The Mayor will invite the Chaplain to say prayers.
2. The Town Clerk and Chief Executive will open the meeting by calling the roll.

3. **Minutes**

The Council will be asked to receive the Minutes of the meeting of the City Council held on 14 September 2021.

4. **Public and Press**

To determine whether any of the items of business within Part A of the Agenda should be dealt with when the public and press are excluded from the meeting.

To determine whether any of the items of business within Part B of the Agenda should be dealt with when the public and press are present.

5. Declarations of Interest

Members are invited to declare any disclosable pecuniary interests, other registrable interests and any interests, relating to any item on the agenda at this stage.

6. Announcements

- (i) To receive any announcements from the Mayor
- (ii) To receive any announcements from the Leader of the Council
- (iii) To receive any announcements from Members of the Executive
- (iv) To receive any announcements from the Town Clerk and Chief Executive

7. Questions by Members of the Public

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

8. Presentation of Petitions and Deputations

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

9. Questions from Members of the Council

Any views or opinions expressed in the question set out in this Agenda paper are those of the person submitting the question and do not necessarily reflect the position, views or opinions of the Council.

Pursuant to Procedure Rule 11.2, the Corporate Director of Governance and Regulatory Services to report the receipt of the following question submitted on notice by Councillor Alcroft:

"Given the importance of the COP 26 climate talks in Glasgow, can the portfolio holder advise on progress against Carlisle's own climate change strategy, including any updates since the document was published on the council website in April this year?"

10. Minutes of the Executive

The Council will be requested to receive the Minutes of the meetings of the Executive held on 27 September 2021 and 25 October 2021 and ask questions of the Leader and Portfolio Holder on those Minutes.

11. Executive - Portfolio Holder Reports

The Council will be asked to receive reports from the following Portfolio Holders:

11.(i) Culture, Heritage and Leisure 9 - 12

11.(ii) Communities, Health and Wellbeing 13 - 16

11.(iii) Environment and Transport 17 - 20

11.(iv) Economy, Enterprise and Housing 21 - 24

11.(v) Finance, Governance and Resources 25 - 26

11.(vi) Leader 27 - 30

and ask questions of the Leader and Portfolio Holders on those reports.
(Copy Reports herewith)

12. Amendments to Council Procedure Rules 31 - 34

To consider a report of the Corporate Director of Governance and Regulatory Services seeking an amendment to Council Procedure Rule (CPR) 17 as regards methodology of voting. It also proposed the removal of CPR 27 which related to Virtual Meetings.
(Copy Report GD.69/21 herewith)

13. **Minutes**

The Council will be asked to receive the Minutes of the meetings as detailed within Minute Book Volume 48(3); and ask questions of the Leader, Portfolio Holders and Committee Chairs.

For ease of reference the Minutes are:

Committee	Meeting Date
Health and Wellbeing Scrutiny Panel	2 September 2021
Business and Transformation Scrutiny Panel	26 August and 7 October 2021
Economic Growth Scrutiny Panel	9 September 2021 and 21 October 2021
Regulatory Panel	22 September 2021
Development Control Committee	8 September and 10 September 2021
Audit Committee	24 September 2021
Standards Committee	20 September 2021
Employment Panel	14 September 2021
Appeals Panel	5 October 2021

14. **Scrutiny**

The Council will be asked to receive reports from the following:

- 14.(i) **Vice Chair of the Health and Wellbeing Scrutiny Panel** 35 - 38
- 14.(ii) **Chair of the Business and Transformation Scrutiny Panel** 39 - 42
- 14.(iii) **Chair of Economic Growth Scrutiny Chair** 43 - 44

(Copy Reports herewith)

15. **Notice of Motion**

Pursuant to Procedure Rule 12, the Corporate Director of Governance and Regulatory Services to report the receipt of the following motion submitted on notice by Councillor Brown.

"This Council believes that the Covid-19 pandemic has only served to exasperate levels of poverty and food insecurity

amongst Children and Adults in both its urban and rural wards. We note the exemplary work of the local authority during the pandemic but fear much more needs to be done to address the immediate crisis of food insecurity.

According to data collected by No Child Left Behind, 4,469 children are living in poverty in Carlisle. School staff, youth workers and community workers in Carlisle report families struggling financially, unable to afford uniform, children (from families both in work and out of work) coming to school or youth groups hungry.

Figures for Cumbria now show 10,692 children receiving Free School Meals but as the thresholds for eligibility are so low, Child Tax Credit and an annual gross income of no more than £16,190 or Universal Credit household income must be less than £7,400 a year, those just above the threshold are struggling with no support. With the Government cutting the Universal Credit uplift approx 8,871 families in Carlisle will be worse off, not only risking pushing these families into further food insecurity, but taking millions out of our local economy.

The right to food is a fundamental human right, enshrined in the International Covenant on Economic, Social and Cultural Rights adopted by the United Nations. People have the right to eat with dignity and with choice, and not only have the right to food, but to good food.

Therefore, we commit this council to the following actions.

1. To join Councils in Liverpool, Manchester, Greater Manchester Combined Authority, Liverpool Combined Authority, Rotherham, Brighton and Hove, Haringey, St Helens, Newcastle, Portsmouth by declaring Carlisle a Right to Food City and formally support the Right to Food Campaign started by Fans Supporting Food Banks
2. Calls on the Chief Executive to write to our MP's and ask them to actively campaign to enshrine a Right to Food in UK law: universal free school meals; community kitchens; reasonable portions in benefits and wages; ensured food security; and independent enforcement, as recognised by the UN, bringing the country into line with the best international practice.
3. Calls on Carlisle City Council Executive, Officers and Scrutiny Panels to support local recognition of food poverty and insecurity as issues demanding priority action; to pledge to measure annually food insecurity in Carlisle as a whole; develop and work with communities to understand need accurately; to develop robust emergency planning for future

crises which challenge food insecurity; scrutinise the availability of healthy food vs. junk food in local areas; consider local transport and accessibility to healthy food outlets; People in the community (in receipt of help) should be the ones who drive the emergence of an actual plan, rather than one being imposed.

4. Sign the Glasgow Food and Climate Declaration - A commitment by subnational governments to tackle the climate emergency through integrated food policies and a call on national governments to act."

16. Code of Conduct Complaint - Councillor Ellis 45 - 50

Pursuant to Minutes ST.13/21 and ST.15/21, to consider a report of the Chair of the Standards Committee and Monitoring Officer setting out the decision of the Standards Committee following their consideration of two Code of Conduct Complaints.
(Copy Report GD.75/21 herewith)

17. Community Governance Review 51 - 56

The Council to consider whether it wishes to explore the undertaking of a Community Governance Review (CGR) and to set up a working group to consider the practicalities and potential timescales and terms of reference for any such review for reporting back to Council.
(Copy Report GD.80/21 herewith)

18. Appointment of Chair 57 - 58

Pursuant to Minute AP.01/21, and in accordance with Procedure Rule 7.3, the Council is asked to appoint a Chair of the Appeals Panel 3 for the 2021/22 Municipal year.
(Copy Minutes herewith)

19. Committee Nominations

The Council to note and approve the following nominations for changes to committee membership:

Labour Group:

Development Control Committee

Councillor Brown to replace Councillor Miss Whalen as a full Member
Councillor Patrick to replace Councillor Brown as a substitute Member

20. Communications

To receive and consider communications and to deal with such other business as may be brought forward by the Mayor as a matter of urgency, in accordance with Procedure Rule 2.1(xv) to pass such resolution or resolutions thereon as may be considered expedient or desirable.

PART 'B'

To be considered in private

- NIL -

Meeting Date: 9th November 2021

Public/Private*: Public

Title: **Culture, Heritage & Leisure Portfolio Holder's Report –
Councillor Stephen Higgs**

CITY OF LIGHTS 2021

Carlisle City of Lights was held from 14th - 16th October and was once again a great success. The event was significantly larger than the pilot event in February 2020 and used outdoor spaces at Carlisle Cathedral, Tullie House Museum and Carlisle Castle. Dramatic outdoor lighting schemes including lasers from the top of the Castle complemented the immersive sound & light experiences at Carlisle Cathedral and Carlisle Castle. Around 4,500 tickets were sold, and many more thousands of people came out to see the external lighting of buildings including the Citadel, Court Square, Cathedral and Castle. The event generated an incredible buzz around the City. I would like to thank all of those involved including staff here at Carlisle City Council who managed the event, and our partners Cumbria County Council, Carlisle Cathedral, English Heritage, Tullie House, Eden Rivers Trust, Just Beam It Lasers, SVL Hire and Luxmuralis.

HM THE QUEEN'S DIAMOND JUBILEE CELEBRATIONS

These will cover four days, 2nd – 5th June 2022. Hadrian's Wall has been selected by Her Majesty's Pageantmaster as a key location for the Jubilee Beacons Event, planned for the evening of 2nd June. A letter is going to all Town and Parish Councils informing them of the event and local authorities are encouraged to get their whole communities involved, not just those along the Wall.

HADRIAN'S WALL 1900th ANNIVERSARY

Events are being planned throughout 2022 to mark the 1900th anniversary of the start of the building of Hadrian's Wall. It is thought that the Emperor visited Britain in 122 AD and gave the order for construction to start. So far, over £500,000 has been secured to fund the programme, with more bids in progress. Over 60 groups in Cumbria have currently

registered their plans. Some of the intended benefits include the community being more engaged, major international publicity and attraction for a staycation market.

UNCOVERING ROMAN CARLISLE

The excavations at the Bathhouse at Carlisle Cricket Club have mostly come to an end, with some extra days for the volunteers already involved to help with consolidation of the site before it is reburied for preservation. A volunteer “thank you” event on the site had around 100 in attendance, plus talks on discoveries/artefacts displayed. With a target of around 300 Volunteer Days, we now stand at 1,000 and counting. 2,300 visited the engagement section of the site, run by Tullie House. 5,000 approx. visited the excavation, including 469 pupils from eight schools. International media attention included a National Geographic documentary for 2022 filmed on site, the Smithsonian Magazine, British Archaeology, BBC, ITV, Radio Cumbria, Cumbria Crack, News and Star, etc. Post-excavation examination of artefacts (at least five times what was anticipated has been discovered) is ongoing at Wardell Armstrong, with volunteers involved in the process. A touring exhibition is planned for March 2022 onwards. It will involve volunteer contributions and will start at Tullie House and then visit six venues around Carlisle.

TULLIE HOUSE

Tullie House has had a strong six weeks in terms of visitor numbers, driven by the newly opened Costume Galleries and two new popular contemporary art exhibitions in our main temporary exhibition gallery. After much deliberation, the Museum’s Senior Leadership Team decided to move to a six-day opening week (Monday – Saturday) during school term times to support financial sustainability and in response to continuing impacts on staff and volunteer availability as a result of Covid-19. The Museum’s ambitious capital programme *Project Tullie* continues at pace. As Members are aware, the Council submitted an application for the project to the Levelling Up Fund in June (outcome expected this Autumn), and the Museum will be submitting a further project application to the National Lottery Heritage Fund (outcome expected in December). The Museum Trust has already secured £2m from the UK Government and a further £900k from the Town Deal Fund.

OLD FIRE STATION

The Old Fire Station has successfully relaunched following the easing of government restrictions under the new operators. There is a varied and full programme for the rest of 2021 and many events booked for 2022. Please visit ofscarlisle.co.uk for more details.

CARLISLE STATION GATEWAY & CITADELS PROJECTS

Good progress continues to be made with the development and delivery of the Carlisle Station Gateway and Citadels projects. These two regeneration projects will transform the southern area of the city centre and secure the long-term future and maintenance of significant listed buildings. The Council continues to explore the options as to how to take

the Victorian Health Suite forward, once the swimming pools are relocated to The Sands Centre and the modern Pools building is demolished.

DISCOVER CARLISLE

The Discover Carlisle team have been working to attract travel influencers to visit the city and district. Two visits have been secured and featured sites including Birdoswald Roman Fort, Lanercost Priory, Talkin Tarn, Tullie House, Carlisle Cathedral, Carlisle Castle, Cumbria's Museum of Military Life and Bitts Park. These were Black Kintsugi and North East Family Fun. Carlisle was featured in the Glasgow Evening Times as a 'family friendly adventure' for half term on 8th October.

<https://www.glasgowtimes.co.uk/news/19632462.enjoy-family-friendly-adventures-cumbria-half-term/>

<https://blackkintsugi.com/9-must-do-activities-when-visiting-carlisle-solway-coast/>

<https://www.northeastfamilyfun.co.uk/search?q=carlisle>

Arts Council England visit

We've recently had a visit from Darren Henley, CEO of Arts Council England. He enjoyed a tour of key sites within the city including the new Fraternity building, West Walls Street Art and Tribe Carlisle, concluding with a round table discussion held at Tullie House.

Meeting Date: 9th November 2021

Public/Private*: Public

Title: **Communities, Health and Wellbeing Portfolio Holder's Report –
Councillor Elizabeth Mallinson**

CUSTOMER SERVICES

Customer Services fully reopened to the public on 30th September. We have seen a steady increase in footfall and have served 174 customers face-to-face from 30th September to 13th October. We have also returned to the office full time and switched back to our normal phone system from our temporary phone system. Emails also remain higher than pre-Covid levels with an additional 200 per week, along with an increase in web interactions of 100 per week.

REGULATORY SERVICES

Homelife are continuing to promote the Hospital Discharge Grants to health and social care professionals during the current crisis at our hospitals, to ensure that they can assist with helping residents be discharged from hospital as quickly as possible. Popular measures include supply and fit of key-safes which allow carers to securely access homes (key-safes can usually be fitted within 24 hours from referral); one-off deep-cleans; gas safety and heating repairs and furniture moving to allow equipment such as specialised beds be put downstairs. Grants can be given for any housing measures relating to the home environment that may be delaying discharge from hospital. Hospital Discharge Grants Are not means-tested, and all housing tenures are eligible.

HEALTHY CITY TEAM

Active Spaces

- Work to install two new items of play equipment and surfacing has recently been completed at Chances Park to a value of £45,000. The new steel items, a zip wire and large climbing unit, have replaced previous timber equipment which had reached the end of its life. The surfacing under the zip wire has also been upgraded from grass to rubber

Food Carlisle

- On the run up to COP26 (United Nations Climate Change Conference), Food Carlisle hosted a Low Carbon Lunch for its partners and network members which was organised to coincide with the national Sustainable Food Places Day of Celebration and Action on Wednesday, 29th September. Food served was all locally procured or rescued from going to landfill. A low carbon lunch includes mostly plants, with meat, fish, and dairy from sustainable sources with high animal welfare and sourced in ways that result in healthier and prosperous communities was served to Health and Wellbeing Scrutiny Members after their last meeting.

Welcome to your City

- 'Welcome to your City' is an initiative which aims to engage with community groups and individuals who usually don't feel confident enough or welcome to use local facilities and socialise in society

The initiative started with Carlisle United who invited a group of 20 people to have a 'match day experience' which included a tour of the grounds, taking part in some sport, having lunch and then attending the match. Every home game this season will have a group attending. Groups have been made up of Refugees, Young carers, The Mosque, Carlisle People First and many more.

The Old Fire Station is about to begin its own 'Welcome to your City' experience. The intention being that groups can either attend shows or host their own events working with the Community Federation and other partners to offer the community advice and sign posting around 'winter warmth resilience' and isolation. There are already events organised for Longtown, Brampton & Botcherby.

Walking for Health

- The new walking for health programme started on Wednesday, 13th October with a morning and afternoon walk around Bitts Park, with 27 people attending the morning walk and 12 people attending the afternoon walk. The current programme includes walks in the City Centre, Dalston and Longtown and runs to the end of March 2022. The volunteer led Tuesday Trundles are continuing with a new programme of walks held fortnightly throughout October and November. 12 people are to attend the walk on Tuesday, 19th October at Talkin Head

Volunteering

- We have been working with the Get Cumbria Buzzing Project Officer within the Cumbria Wildlife Trust, to develop a wildflower planting session at the Swifts site for young people from MENCAP on 28th September. Members of the Healthy City Team have also been working with the Organisational Development Team to develop a wildflower planting session for City Council staff which took place the Swifts site on 13th October, as part of the Council's events for World Mental Health Day

ARMED FORCES BILL 2021

The primary purpose of the Armed Forces Bill 2021 is to renew the Armed Forces Act 2006 (itself renewed by the Armed Forces Acts of 2011 and 2016). The Bill requires specified public bodies to have due regard to the principles of the Armed Forces Covenant in the areas of housing, education and healthcare.

The Armed Forces Bill has reached the Committee stage in the House of Lords, with a line by line examination of the Bill scheduled to begin on 27th October 2021. Cumbria Armed Forces Covenant Partnership recognises that the Bill will be a significant influence on public bodies in the future. Members of the Partnership have highlighted that, as it will be a statutory duty, it needs to be on the Local Government Reorganisation agenda.

Remembrance Sunday

A wreath laying ceremony will take place at 11.00 a.m., 14th November in Carlisle City Centre on Remembrance Sunday. Prior to the ceremony, a service will be held at Carlisle Cathedral.

Carlisle and Eden Forces Link Project

Cumbria Council for Voluntary Service continue to deliver this project. A new co-ordinator, Lucy Lamb, has been appointed to take over running the project. The previous co-ordinator, Richie Hinson, has left this post but will remain involved in its work.

The Forces Link will be set up as a North Cumbria based social enterprise to help secure the long-term sustainability of the project, and the prospect for it to grow further. The project continues to seek opportunities to link up with people locally, developing mental health support and setting up a training package, which will be available to local employers to support them in offering employment opportunities to veterans.

WORLD HEALTH ORGANISATION (WHO)CARLISLE HEALTH FORUM.

The Carlisle Health Forum met on 22nd October 2021 and the follow were on the agenda:-

- Current Situation update on COVID in our District
- Public Health alliance and update on this Committee was given
- Thriving Communities presentation and the way forward after the results of the Morton and Brampton pilots were collated
- Presentation on Health Equity Commission following on from the Marmot Review
- Social Enterprise City – should the City become one

Meeting Date: 9th November 2021

Public/Private*: Public

Title: **Environment & Transport Portfolio Holder's Report –
Councillor Nigel Christian**

PARKING AND ENFORCEMENT

As part of the National Great Big Green Week that took place in September, Civil Enforcement Officers attended an event hosted by Sustainable Carlisle in the City Centre. They engaged with members of the public on Climate Change, provided advice on waste and recycling and Keeping Carlisle Clean as well as showcasing our new fleet of fully-electric vehicles.

We continue to deploy the camera van and it has been to various locations to raise awareness of the problem of fly-tipping, littering and dog fouling. Locations include Keenan Park and Eastern Way, Harraby, Holmehead Way and Richardson Street, Denton Holme and Talkin Tarn, Wetheral and Hayton.

Although the Courts are still catching up on prosecutions, we have seen two successful prosecutions in Court with fines of over £1,800 (including costs) being imposed. There are still 23 outstanding cases awaiting hearing by the Courts from last year plus a further 20 cases from this year awaiting Court action.

FLEET

The Mayor's new lease car has been ordered and is expected to arrive by May 2022. This will be a new plug-in hybrid petrol / electric car (Mercedes E Class) that will replace the current diesel Jaguar.

OPERATIONS

Members will be aware that our services have been impacted by the lack of HGV drivers locally and nationally. The Council has worked hard to prioritise and protect refuse and recycling collections but for the last month or so, we have been unable to operate garden waste collections at full service. We have now recruited additional drivers and have been able to fill some of our vacancies, but we still have two driver vacancies to fill and are

looking at how we can resolve this. I am pleased to say that we have been able to appoint our own staff into three driving roles; these are staff who joined us as loaders and were supported in their training as HGV drivers by the Council. I am sure Members will want to join me in passing on my thanks for the ongoing efforts of our frontline teams in maintaining services in very challenging times.

ENVIRONMENT AGENCY

In October, the Mayor and members of the Executive met with Environment Agency CEO, Sir James Bevan, on a tour of the completed flood defence schemes in Melbourne Park and Bitts Park. The Agency have secured funding for a feasibility study to identify more climate resilient options (including upstream flood storage) for managing flood risk along the River Caldw. There will be opportunities for residents, businesses, and local interest groups to contribute to this feasibility study.

CLIMATE CHANGE

Northumbria University Business Clinic

We have received the final report from the students at Northumbria University, 'Marketing for a Greener Future'. The recommendations in this report will help inform our communication and engagement work as we implement the Local Environment (Climate Change) Strategy.

REGULATORY SERVICES

On 30th September, an article in the News & Star reported that Carlisle has been named as one of the most hygienic cities in the UK for a night out. The study was undertaken by surveyors Property Inspect, who utilised the food hygiene inspection data submitted to the Food Standards Agency by our Environmental Health Officers. Carlisle was identified as the fifth best in the country, with 80.2 per cent of all venues receiving a 5 rating in their last inspection. Based on the standards of hygiene maintained by our businesses over many years, I am confident that the inspections going forward will continue to give the assurances that the public would like to see.

It is very much a concern that we are seeing an increase in COVID rates locally and nationally, with Cumbrian districts having some of the highest rates in the Country. In response to these rising rates, I am pleased to report that we have again strengthened Carlisle's Track & Trace Team. The team are working extremely hard to support the Cumbrian-wide response, led by Colin Cox, and the National NHS Test and Trace service. The main priorities for the Carlisle team are to track and trace all local cases the National Team have failed to contact and identify cases who have been in work settings or attended events and significant gatherings. As part of the localised outbreak control, Officers are contacting businesses where positive cases have entered the work setting during their infectious period. Businesses are very appreciative of the advice and support Officers are providing.

GREEN SPACES AND GROUNDS MAINTENANCE

Work has recently been completed on two land drainage projects, one at Yewdale Park, Sandsfield and Morton West, and the other at Briar Bank, Belah and Kingmoor. Existing field drainage has been improved and extended at both sites, aiming to tackle water which is affecting neighbouring residents.

A new footpath, approximately 300 metres in length, has been constructed to provide a formal pedestrian link between communities in Meadow View and Hunters Crescent, Harraby South and Parklands. The path, funded by S106 developer contributions, follows a well-used route which becomes waterlogged and very muddy during winter months. Further enhancements are planned in this area, with tree planting in the green space to the South of Pennine Way Primary School due to commence shortly.

Thomas Armstrong Contractors have completed the bridge deck replacement on Skew Bridge. The bridge is part of a vital pedestrian and cycling route bringing users into the heart of the city. Funded by the City Council capital budget the new decking will provide a safe non-slip surface for walkers and cyclists for many years to come.

A new Talkin Tarn leaflet has been completed with up-to-date information on Tarn facilities, what's on offer, and details of our water sports provider 'Talkin Adventures'. The Fellfoot Forward Landscape Partnership Scheme has developed six new resources, for young people, schools, youth groups and families. The six resources are: Art at the Tarn, Wonderful Water, Beneath the Surface, Nature Detectives, Reading the Landscape and Wildlife Matters, are available to download from the Talkin Tarn website.

Meeting Date: 9th November 2021

Public/Private*: Public

Title: **Economy, Enterprise & Housing Portfolio Holder's Report –
Councillor Paul Nedved**

TOWN DEAL

Business Case Development

- Business Cases are required to be completed and submitted to Government by the end of March 2022. To help with the project delivery the Department of Levelling Up, Communities and Housing (DLUCH) have released an early payment of 5% of the Heads of Terms Offer – this equates to £985,000.
- Two business cases are to be accelerated:
 - Citadels Business Infrastructure and Lighting Up Carlisle
 - The five remaining business cases will be submitted in March 2022

ST CUTHBERT'S GARDEN VILLAGE

Work on the St Cuthbert's Local Plan continues at pace with the commencement of vital additional evidence being commissioned. This is necessary to underpin the policies within the Plan. An early exploratory meeting with the Planning Inspectorate had been held to confirm the approach, especially in view of the recent changes to the NPPF.

In advance of the Local Plan being adopted, the decision-making framework is set by the recently adopted Strategic Design Supplementary Planning Document (SPD). This document has recently been shortlisted for the Plan Making category of the RTPI NW Planning Awards.

Work has begun to prepare the business case for a long-term delivery vehicle. Over the next two years, this will explore the opportunities for a delivery and stewardship of strategic infrastructure such as green infrastructure, community facilities.

A national landscape design competition is currently being held for the central piece of strategic green infrastructure in the Garden Village. The competition 'Start with the Park' is being facilitated by the Landscape Institute and funded by the Town Deal capacity

funding with additional sponsorship from United Utilities (UU). Stage 1 of the competition is now complete and three successful entrants have been shortlisted to move to Stage 2 of the competition. A public drop in event was held at the Racecourse on 19th October <https://competitions.landscapeinstitute.org/st-cuthberts/> and was very well attended.

Following Cumbria County Council's approval of the Carlisle Southern Link Road in November 2020, Morgan Sindall have been appointed to deliver the Stage 1 detailed design contract.

Completion of the CSLR remains on track to be delivered by 2024. Consultation on the proposed art works for the roundabouts will commence in early Autumn.

CUSTOM & SELF-BUILD HOUSING EVENT

An information and awareness raising session was held online on the evening of Tuesday, 5th October for customers on the Council's Custom and Self-Build Register. The varied agenda included updates from the Council's Housing and Planning Policy Officers, along with external speakers:-

- *Custom Build Homes* – gave a detailed overview on how to secure a suitable building plot for people interested in building or commissioning their own home
- *Build Store* – provided information on self-build mortgages and financing a self-build project
- *Cumbria and Lancaster Community-Led Housing Hub* – delivered a presentation on self-build for community groups
- *St Cuthbert's Garden Village* – an update on the emerging custom and self-build policies, in the draft SCGV Local Plan, was provided by the Council's Planning Policy Team
- *Self-build Grant Programme* – details of the Council's grant programme, providing grants of up to £2,000 towards set-up costs for people on the Council's Custom & Self-Build Register, were provided by the Council's Housing Development Officer

REGULATORY SERVICES

Homelife HIA are waiting for a decision from BEIS this Autumn on the Sustainable Warmth Competition encompassing Local Authority Delivery (LAD) Green Homes Grants and Home Upgrade Grants (HUG) for off mains gas homes. Carlisle has applied as The Lead Authority on a Cumbrian consortium of District Councils for funding to deliver low carbon measures to homes across Cumbria.

Landlord Electrical Safety Enforcement

In the summer I reported that by the 1st April 2021 Private Landlords in Carlisle had been required to have the electrical installations in their rental properties checked by a qualified electrician, to ensure that they are safe. Although I can report that most Landlords have been found to be meeting their legal obligations, there are a significant number who think it is an excuse not to have the tests completed until asked to do so by Regulatory Services. It is the Landlords responsibility to ensure that their properties are safe and to comply with

their legal obligations, Regulatory Services have served a number of housing enforcement notices since June on non-compliant Landlords.

Emergency Accommodation

150 people were accommodated in temporary accommodation in the last six months, with six clients placed in B&B due to additional vulnerabilities or health / care needs. The service remains fully operational 24 hours a day, with an ongoing need to relet units in line with covid guidance and to build resilience throughout the winter period. The service is required for example, to keep self-isolation zones, including separate safe areas for people with higher health needs, and to not have 'non-households' sharing certain facilities etc. This means there are less units available within the portfolio at any one time compared to pre-covid. By way of reassurance, the service has not experienced any issues throughout the pandemic where demand exceeds capacity.

In terms of demands, the service has seen an increase in cases during the last quarter for domestic abuse, hospital discharge and more complex cases for those with social care needs.

The service continues to manage a higher positive throughput rate by increasing access to all housing options via working closely with landlords in both the social sector and private sector and making incentivised offers such as funding and specialist floating support for a period throughout the tenancy from the Council's specialist Officers. There are currently four residents being supported by the team who are wheelchair users, as such two have been placed within adapted units within B&B with Council staff providing in reach support several times a week. Please note that this would have been the case pre-covid as there are only two fully equipped DDA units suitable for wheelchair users (one in the men's scheme and one in the women and family scheme).

Despite the additional challenges, there was an average positive move on rate of 78% from the accommodation services where people have successfully been supported to be rehoused or safely returned home; with an average move on time of 56 days.

Meeting Date: 9th November 2021

Public/Private*: Public

Title: **Finance, Governance & Resources Portfolio Holder's Report –
Councillor Gareth Ellis**

FINANCIAL SERVICES

At the time of writing the audit of the 2020/21 Statement of Accounts is ongoing and nearing its conclusion with an expectation from the Auditors that this can be completed by the end of October.

Work is starting on the budget process for 2022/23 with initial reports to be considered by the Executive on 22nd November which will then be followed by all Scrutiny Panels receiving the Reports for consideration.

Work is starting to support the LGR process.

HR & PAYROLL

- **COVID-19:** The team has continued to support staff and managers with Covid needs including; supporting communications through FAQs and guidance documents, reports to relevant Government departments as well as internally to SMT.
- **HR & Payroll Software Procurement:** The new contract has been implemented. The implementation was seamless.
- **Recruitment:** Development of the iTrent Recruitment module has been paused pending consideration by the appropriate LGR HROD Workstream
- **Improving Attendance Policy:** At their meeting on 14th September 2021, the Employment Panel approved the proposed Improving Attendance Policy. The new policy came into effect from 22nd September 2021. Transition arrangements have been set out for those staff who are currently subject to the formal policy

ELECTORAL REGISTRATION

The Elections Team are well into the annual canvass and have commenced door knocking. There are just over 4000 properties outstanding out of approximately 54,000. The revised Register Of Electors will be published on 1st December.

We are now liaising with the Elections Teams in Allerdale and Copeland, ahead of the May 2022 elections for the new Shadow Council of “Cumbria West”. This early planning is to ensure we have a consistency across the three council areas and is in the very early stages.

INFORMATION MANAGEMENT – LEGAL SERVICES

- Recent counts for information requests (From 21st August 2021 – 15th October 2021):
- Environmental Information Regulations requests received - 14
- Environmental Information Regulations requests responded to - 8
- Freedom of Information Act requests received – 93
- Freedom of Information Act requests responded to - 108
- Data Protection Act requests received – 4
- Data Protection Act requests responded to – 4

REGULATORY SERVICES

On 8th September, a former Carlisle woman pleaded guilty to a charge of animal cruelty and three offences of breaching her dog breeding and dog day care licences. She appeared in front of magistrates on 6th October and received a 16-week custodial sentence, suspended for 18 months. She was ordered to pay the City Council costs of £16,961.83 and a Victim Surcharge of £128 within 28 days. She is banned from owning, keeping, dealing, or transporting animals, and from working in a business involving animals. She may not appeal to have the ban lifted for three years. She is banned for life from having a Local Authority licence to run a business involving animals. The successful prosecution followed an extensive investigation by Officers of the Food & Public Protection Team, responsible for the enforcement of licensable activities involving animals. This result demonstrates the City Council take our licensing responsibilities very seriously and highlights the serious issues of animal welfare.

Meeting Date: 9th November 2021

Public/Private*: Public

Title: **Leader's Portfolio Holder Report –
Councillor John Mallinson**

CARLISLE PROJECTS

Good progress continues to be made on Carlisle projects - Carlisle Station and Citadels:

Carlisle Station

- A further public consultation has been held 22nd September – 3rd November
- Initial designs of the proposed improvements have been prepared for the consultation. The views gathered on the design options will be used to inform plans as they are developed for approvals and consents
- The County Council will publish a feedback report, summarising the public views on the scheme design, and how this has been used to inform the project development

Citadels

- The Full Business Case (FBC) for a new campus for the University of Cumbria on the Citadels site has been submitted and the Department for Levelling Up, Housing and Communities (DLUHC), formerly the Ministry for Housing, Communities and Local Government (MHCLG) are in the final stages of appraisal, with a decision expected in the coming weeks
- The business case for the £4m A decision by the MHCLG is anticipated towards the end of this year
- A scheme has been developed also includes 888 sq. m of business interaction space to be included within the scheme, to be funded through the Town Deal, is nearing finalisation and will be submitted to Government for consideration and a funding decision imminently

Caldew Riverside

- The second stage of detailed site investigations works, monitoring and sampling has now concluded

- An Interpretative Report is now being produced, which will set of the nature and location of the contamination. The report will then inform the development of the Remediation Strategy which will be produced towards the end of this year
- The first phase of remediation is scheduled for early 2022 and will involve the removal of underground storage tanks from the site

Central Plaza

- Plans for the redevelopment of the former Central Plaza site continue to be progressed as part of the Future High Street Fund
- The Council has undertaken the first stage of works – which involved a detailed site investigation, archaeological survey and a topographical survey
- These investigations and surveys have allowed us to better understand the ground conditions and any potential constraints to redevelopment
- Consultants have been appointed to undertake further due diligence, design and feasibility work to identify development options for the site that can be delivered by the City Council within the timeframe of the Future High Street Fund programme, so that the funding can be spent by March 2024
- In tandem, the site is also being marketed to see whether there is any interest from the private sector

FUTURE HIGH STREET FUND

Castle Street Properties

- Tender out for survey work and essential repairs
- Commission and works to be concluded early 2022

Central Plaza

- As previously mentioned, consultants have been appointed to identify options for the site and agents instructed to market the site
- Both workstreams to be concluded early 2022

Devonshire Street / Market Square

- Current finalising the agreement between the city council and the county council regarding roles, responsibilities and delivery of these two projects
- Design work for Devonshire Street to begin before the end of this year

CARLISLE AMBASSADORS

Meetings: The latest meeting of Carlisle Ambassadors took place on 14th September 2021 at Carlisle Racecourse. This was the first face to face meeting to be held since March 2020. The event was very well attended 210 booked on and 180 attending on the actual day. The theme was 'Health and Wellbeing' with 22 showcases and speakers from Active Cumbria, Cumbria Constabulary, Caroline Pett Anxiety Coach, with updates from Carlisle City Council and Discover Carlisle

Membership: The membership has grown considerably over the last year with membership now at 323.

COMMUNICATIONS

Newsletter: The regular 'e' newsletter is growing more popular with nearly 1,600 subscribers. The content is put together in collaboration with Economic Development and Communications colleagues in the City Council who provide updates and information on a daily basis. A new newsletter is now being worked on in partnership with the University of Cumbria and Lancaster, Digital Cumbria, LEP, Cumbria Tourism, Cumbria Chamber etc to send out a monthly newsletter covering events and programmes for the following month.

Website: The website is mainly up to date, except for the videos from the last meeting, which will be uploading soon.

FLOOD DEFENCES

On Wednesday, 13th October the Environment Agency celebrated the completion of a key phase of the flood defences for Carlisle. The completed key works will better protect over 80 properties and vital infrastructure from the River Eden.

Sections of the Carlisle scheme were also completed during 2020 providing over 1,300 residential properties, commercial properties as well as key transport routes with increased flood protection.

Report to Council

Item
12.

Meeting Date: 9 November 2021
 Portfolio: Finance, Governance & Resources
 Key Decision: N/A
 Policy and Budget Framework: Yes
 Public / Private: Public

Title: Amendments to the Council Procedure Rules
 Report of: Corporate Director of Governance & Regulatory Services
 Report Number: GD.69/21

Purpose / Summary:

This Report seeks an amendment to Council Procedure Rule (CPR) 17 as regards methodology of voting. It also proposes the removal of CPR 27 which relates to Virtual Meetings.

Recommendations:

It is recommended that Council amend its Council Procedure Rules as set out in the report and particularly:

1. CPR 17.3 is amended to read as set out in paragraph 1.5.1; and,
2. CPR 27 relating to virtual meetings is deleted.

Tracking

Executive:	
Scrutiny:	
Council:	09/11/21

1. METHOD OF VOTING

- 1.1. CPR 17.3 provides that “[u]nless a recorded vote is demanded under Rule 17.4, the chairman will take the vote by show of hands, or if there is no dissent, by the affirmation of the meeting.”
- 1.2. Members will be aware that at the last meeting of the Council on 14 September 2021, on the authority of the Mayor as Chair of the Meeting and the consent of the Council, the Council trialled the use of electronic voting using the new equipment in the Council Chamber. The trial was successful with the new system proving effective and convenient.
- 1.3. Concern was expressed by some Members that they felt it needed to be seen at the Meeting which way individual Members of the Council voted on particular matters. Since the 14 September Meeting, officers have been in dialogue with the providers of the technology and arrangements have now been made so that the required information is able to be displayed on the large screen.
- 1.4. Whilst the proposal is to allow the use of the technology, it is important that we retain the ability to utilise a show of hands so as to cater for a technology failure and the Council committee meetings where the technology is not available. Given that there will now be an alternative within the rule, it is important that there is certainty as to which is the definitive method at any particular meeting, and it is proposed that the ruling of the Chair will be final.
- 1.5. Subject to the proposal in para 2, it is proposed that CPR 17.3 be amended to read as follows:
 - 1.5.1. Unless a recorded vote is demanded under Rule 17.4, the chairman will take the vote by either show of hands or electronic means, or if there is no dissent, by the affirmation of the meeting. The ruling of the Chairman as to the voting methodology to be used will be final.

2. CPR 27 – VIRTUAL MEETINGS AND PROTOCOL

- 2.1. At the onset of the Covid-19 pandemic, emergency legislation (the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020/392) was enacted to enable the Council to hold its formal meetings virtually. The legislation was time limited and expired on 6 May 2021 meaning that it was no longer lawful to hold such meetings.

2.2. CPR 27 is no longer required, and it is recommended that it is removed from the CPRs.

3. PROPOSALS

3.1. It is proposed that the changes to the Council's CPRs, as set out in sections 1 and 2 of this report be approved.

4. RISKS

4.1. Approving the proposals set out in the Report do not pose any risk to the Council.

5. CONSULTATION

5.1. No formal consultation has been carried out but the views of Members expressed in conversation have been taken account of. The removal of the CPR relating to virtual meetings simply reflects the current Law.

6. CONCLUSION AND REASONS FOR RECOMMENDATIONS

6.1. The proposed changes to the CPRs ensure that they are up to date and effective.

7. CONTRIBUTION TO THE CARLISLE PLAN PRIORITIES

7.1. Effective CPRs ensure that the Council is best able to take procedurally correct democratic decisions to deliver its services and priorities.

Contact Officer: Mark Lambert

Ext: 7019

**Appendices None
attached to report:**

Note: in compliance with section 100d of the Local Government Act 1972 the report has been prepared in part from the following papers:

- **None**

CORPORATE IMPLICATIONS:

LEGAL – Incorporated into the Report

PROPERTY SERVICES - None

FINANCE – None

EQUALITY – None

INFORMATION GOVERNANCE – None

Meeting Date: 9th November 2021

Public/Private*: Public

Title: **Health & Wellbeing Scrutiny Panel Vice Chairman's Report –
Councillor Christine Finlayson**

THE ANNUAL EQUALITY REPORT 2021 AND THE EQUALITY ACTION PLAN

These Reports came to Scrutiny on 2nd September 2021 for the Panel to consider and comment on the content of both Reports.

It was clear there is a lot of importance placed on both the Report and the Plan giving much confidence of Fairness all round in a safe environment for those who may be more vulnerable than others and may have had issues with discrimination in the past, a very reassuring Report.

COVID 19 RECOVERY STRATEGY AND PARTNERSHIP UPDATE

The Cumbria Local Resilience Forum (CLRF) transitioned from response to recovery in April 2021, allowing other groups to take over and continue the completion of the Recovery Strategy.

NATIONAL INTEGRATED REVIEW AND RESILIENCE STRATEGY

A new National Resilience Strategy is being developed including 'Community : A whole -of-society approach will be central to strengthening the UK's resilience, with a revived effort to inform and empower all parts of Society who can make a contribution.

SANDS CENTRE REDEVELOPMENT

The Deputy Chief Executive submitted his Report on the current progress of the Sands Centre.

We had to marvel at the news of the progress that the whole project was only three days behind schedule. Considering so many elements that made progress difficult, i.e. shortage of building materials - workforce issues during lockdowns, its truly an amazing achievement to be so close to the target. Well done WAITES.

ARMED FORCES COVENANT

The Council is in a good position to demonstrate it has due regard to the principles of the Covenant and how it will develop this work in the future. The Bill will incorporate the Armed Forces Covenant into legislation.

ZERO CARBON CUMBRIA PARTNERSHIP

The Policy & Communications Manager and the Zero Carbon Cumbria Partnership Manager presented their Reports to the Panel which detailed much of the work achieved since the set-up of Zero Carbon Cumbria Partnership (ZCCP) adopted by the Council in 2019.

There are a wide range of organisations involved in the ZCCP with the hope of further organisations joining.

The Report provides an Assessment of the amount of carbon emitted from different activities in the County such as transport and energy consumption. The Report provides an important reference document on which to base future action to reduce carbon emissions in the County. It sets out different dates, scenarios, and pathways to achieving a net zero carbon position as a County, the target date being 2037 which is being worked towards.

The broader work of the Partnership will be communicated through newsletters and websites to enable the wider public to be kept informed of Project progress and targets.

The September Newsletter was provided with the Report to the Panel which outlined progress and updates, also other news.

HOUSING ASSISTANCE GRANTS, DISABLED FACILITIES GRANTS, REPAIR ASSISTANCE AND EMPTY PROPERTY GRANTS

The Regulatory Service Manager updated the Panel on the work achieved so far on housing assistance grants, repair assistance, and the disability grants.

The Housing Renewal Assistance Policy 2018 made the commitment that the Council would use its Discretionary Housing Grants to assist the Elderly, Disabled, and other vulnerable groups to live independently and to improve their living conditions and well-being.

Carlisle's Discretionary Housing Grants are targeted at making the homes of the elderly, disabled and other vulnerable groups, with qualifying health conditions, warm and safe thereby reducing the illness that may lead to hospital admissions.

Delayed transfer of care, people staying unnecessarily long in hospital has been a problem for Carlisle and the Housing Renewal Assistance Policy created the post of Homelife

Liaison Officer to liaise with the NHS and Adult and Social Care to assist in identifying where the DFG process, and other Grants, to help people move back into their homes.

There was a slight slow decrease due to the lockdown, the smaller grants were less affected as many contractors were still operating providing essential electrical or boiler repairs, insulation and heating works.

The Discretionary Housing Grant's offered by the City Council include:

- Safe and Warm Grants, Dementia Friendly Grants, and Energy Efficiency Grants
- Assistance with hospital discharge cases became a priority for the discretionary Grant's in 20/21

The Report also gave four case studies which included:

- Hospital Discharge: Furniture Move
- Hospital Discharge: Deep Clean
- Hospice Discharge: Boiler, Key Safe and Front Door
- Hospital Discharge: Lock Change, Key Safe & Deep Clean

Full details of this discussion can be found in the Minute Book.

Cllr Christine Finlayson
Vice Chairman

Meeting Date: 9th November 2021

Public/Private*: Public

Title: **Business & Transformation Scrutiny Panel Chairman's Report –
Councillor James Bainbridge**

Meeting date 26th August 2021

Members will recall that at this meeting we handled a call-in request regarding the tendering of the contract for the Old Fire Station (OFS). Due to the issue relating to tendering it fell to the BaTS Panel to assess rather than the Health & Wellbeing, which would normally have dealt with areas of operation relating to the OFS. It was also a Part B agenda item, and as such the standard rules relating to this area apply. Members had a series of questions relating to the issue, with Officers and the Executive Member for Finance, Governance and Resources responding. There are three options open for a call-in to conclude. A call-in can be referred to full Council, referred to the Executive again or not referred onwards in which case the decision becomes live following the meeting. After a vote, this latter option was the outcome. The tender has now been signed by all parties. This has moved the operation of the Old Fire Station to Greystone Development Ltd, with the City Council retaining the freehold.

Following this we considered the Draft Medium Financial Plan, Capital Investment Strategy and Asset Management from 2022/23 to 2026/27. An ambitious timescale considering under the intended Local Government Reform we will cease to exist in May 2023, however it has always been the policy of the Council to consider these plans annually on a projected four-year basis. Under the circumstances the questions of the Panel concentrated more to the immediate future, rather than on the projections at the back end of the timescale

After noting the Audit reference, we moved onto the Sickness Absence Report. The new HR Manager outlined the actions being taken. Whilst the previous year had shown a marked, and perhaps surprising improvement in sickness and absence, the figures in the first quarter has shown a slippage backwards, which was a concern. It is difficult to extrapolate firm conclusions from one quarter, particularly as standard working practices have been so changed in the last 18 months.

Meeting date 7th October 2021

Considering the first quarter Revenue and Capital Reports, Members had several questions. There is a Revenue underspend so far, but as Members will be aware, a variance at this stage does not always result in a similar position once the future three quarters are considered. The Corporate Director has not commissioned any projected borrowing now but is keeping the situation under review and will act if it appears that interest rates will be increased. Similarly increasing energy costs (or energy inflation) will expose the Council to some additional and unbudgeted costs, which the virement system will be used to counter. The Skew Bridge project has now completed since the meeting took place.

It was decided to not carry on with the Commercialisation Task & Finish Group as a consequence of Local Government Reform limiting the options that the Group could consider and the feeling that in light of this Member and Officer time might be allocated elsewhere on identifiable issues. Thank you to the Members who offered to join this Group, to Cllr Patrick who was chairing the Group and to the Members who gave up their time for training. Personally, I found the training very valuable and hope others did as well.

We moved to the Sands Centre and Civic Centre Reports. When you consider the issues that have been and are presently occurring in the international supply chain the progress on both these schemes has been positive. They are within tolerable budgetary levels, working relationships between clients and constructors are positive and work is progressing, at present there is a one-week delay to the Sands Centre, which is reasonably positive all things considered.

I always knew that one day something would come to the Panel which I would personally struggle with, and so this was the case with Squad Working, a new approach to team working and project management, though in reality as a Council, projects like the Sands and Civic Centre already have a strong bias towards Squad Working. The Report set out to formalise this approach within a 50-page policy. In essence, the Panel split between those who understood the general approach and had little to no reservations in advancing it, to those who felt more knowledge on the subject would be required before they would be entirely content in endorsing it. We will therefore be receiving a further update.

Nationally across Councils and Public Sector bodies, there is considerable debate about the future role of the workplace, working from home and adaptations to working practices. Covid-19 has probably as an event pushed this scenario further up the workplace agenda than it would have otherwise appeared. We received from Officers the results of a staff survey on this issue, which will be used to establish a way forward.

Lastly, we considered a Part B agenda item on the ongoing ICT Services. Members had received an update three months ago and wished for this to be presented quarterly such was our view on the importance of this issue. This still is the case, and whilst Part B rules

apply, I hope that Members will take the time to update themselves on this issue from Group Members who were present, or Officers involved. We will continue to monitor this on a three-month basis.

Full details of the discussions are to be found within the Minute Book

Cllr James Bainbridge
Chairman

Meeting Date: 9 November 2021

Public/Private*: Public

Title: **Economic Growth Scrutiny Panel Chair's Report – Councillor Lisa Brown**

Since my last report the Panel has met on the 9th of September and again on the 21st of October, but unfortunately due to an emergency I was unable to chair the October meeting.

Our Panel always covers a good overview on some of the biggest projects and funds that effect Carlisle and September was no different. First up we had City Centre Recovery Action Plan, to which the Regeneration Manager submitted the Economic Action Plan, which contributed to Carlisle's recovery from the challenges presented as Carlisle moved towards economic recovery and renewal post the Covid-19 pandemic.

There were some concerns over the suggestion that Carlisle could benefit from a community ran cinema as members noted it had not been long since Carlisle's Independent cinema had been closed despite a public campaign to save it.

One of the Panels resolutions asked that the recommendations for such a proposal were considered very carefully and that an Informal Council be arranged to receive a presentation from the Regeneration Manager on the Economic Action Plan - responding to Covid-19 in Carlisle city centre and the supporting evidence. This was agreed and hopefully will be actioned soon.

Full details of the meeting and questions by members can be found in the minutes of the meeting.

Back in August the Panel was asked by the Director of Economic Development to consider a joint scrutiny item looking at the feasibility study of the Turkish Baths to be added to our October Agenda. This was agreed and a site visit was arranged for members.

Unfortunately, the Regeneration Manager at the beginning of October asked if it would be possible to defer the item that EGSP were due to take, moving it to 2nd December.

The reason for the deferral given was that further costing and commercial viability work was being undertaken, which would be incorporated into the feasibility study. This feasibility study has been promised for a good few months now so I really hope we can receive this as promised, imminently.

Finally, a workshop has been scheduled for the 2nd of November to look at getting the most out of upcoming items of our work programme in the second half of the year.

Cllr Lisa Brown

Chair – Economic Growth Scrutiny Panel

Carlisle City Council

Report to COUNCIL

Item
16.

Report details

Meeting Date:	9 November 2021
Portfolio:	Finance, Governance and Resources
Key Decision:	No
Policy and Budget Framework	Yes/No
Public / Private	Public
Title:	Code of Conduct complaint: Cllr G Ellis
Report of:	Chair of Standards Committee and Monitoring Officer
Report Number:	GD.75/21

Purpose / Summary:

On 20th September 2021 the Standards Committee heard and upheld two complaints that Cllr G Ellis had breached the Council's Code of Conduct for Elected Members. The Standards Committee determined that a formal report should be brought to Council.

Recommendations:

That Council receive and note the decisions of the Standards Committee.

Tracking

Standards Committee:	20 th September 2021
Council:	

1. Background

1.1. The Monitoring Officer received two complaints that Cllr Ellis had breached the Code of Conduct for Members. Specifically, the complaints were as follows:

1.1.1. Complaint No 1:

- 1.1.1.1. During a meeting of the City Council on 7th January 2020, in the Council Chamber, a Member was on her feet speaking to her motion which had not, at that point, been seconded. As the Member was speaking, Cllr Ellis spoke over her, interrupted her and tried to put an amendment. The manner in which he did so was rude and insulting and the interruption was designed to put her off and detract from what she was saying.
- 1.1.1.2. During the subsequent debate, Cllr Ellis was rude, insulting and bullying. He referred to the other Member in a dismissive manner and dismissed points which she had made. As she responded to his points, he sat speaking to another councillor and paid no attention to her, showing a lack of respect.
- 1.1.1.3. The conduct of Cllr Ellis fell below the standard to be expected of an Elected Member.

1.1.2. Complaint No 2:

- 1.1.2.1. Following the meeting of the City Council on 7th January 2020 Cllr Ellis made a number of posts on social media about a fellow councillor, including to his facebook account on 17th January 2020 at 20.24 in which he referred to the councillor as a 'violent little thug', referred to his 'violent little outbursts' and 'using violence and threatening behaviour' and also described the councillor as being a member of Momentum which was incorrect.
- 1.1.2.2. The conduct of Cllr Ellis thereby fell below the standard to be expected of an Elected Member.

1.2. The complaints were heard at a meeting of the Council's Standards Committee on Monday 20th September 2021.

2. Decision

2.1 Having weighed the evidence the Standards Committee held that:

2.2 Complaint No 1:

- 2.2.1 Cllr Ellis did breach the Code of Conduct, in particular paragraphs 5(5) (to treat people with respect, regardless of their sex, race, age, religion, gender, sexual orientation or disability) and 5(11) (to promote and support high standards of conduct when serving in office).

2.2.2 The Committee did not, however, consider that Cllr Ellis had brought his office or the authority into disrepute.

2.3 Complaint No 2:

2.3.1 Cllr Ellis breached the Code of Conduct, in particular paragraphs 5(5) (to treat people with respect, regardless of their sex, race, age, religion, gender, sexual orientation or disability) and 5(11) (to promote and support high standards of conduct when serving in office).

2.3.2 The Committee did not, however, consider that Cllr Ellis had brought his office or the authority into disrepute.

3. Sanctions

3.1 That a formal letter be sent to Cllr Ellis; and

3.2 That the findings of the Standards Committee be reported to the Council for information.

Contact details:

Contact Officer: Clare Liddle

Ext: 7305

Appendices attached to report:

- None

Note: in compliance with section 100d of the Local Government Act 1972 the report has been prepared in part from the following papers:

- None

EXCERPTS FROM THE MINUTES OF THE STANDARDS COMMITTEE HELD ON 20 SEPTEMBER 2021

**ST.13/21 ALLEGATION THAT AN ELECTED MEMBER HAS BREACHED THE CODE OF
CONDUCT (1)**
(Public and Press Paragraph 1)

Also Present – Elected Member
 Elected Member's Representative

The Deputy Monitoring Officer presented report GD.62/21 regarding an allegation that an Elected Member had breached the Members' Code of Conduct.

The Investigating Officer presented his finding and responded to questions from the Committee.

The Elected Member's Representative addressed the Committee on behalf of the Elected Member.

The Elected Member's Representative responded to questions from the Committee.

The Investigating Officer and the Elected Member's Representative each summed up.

The Investigating Officer, Elected Member and Elected Member's Representative withdrew from the meeting whilst the Committee gave detailed consideration to the matter. The respective parties returned, and it was:

RESOLVED – That the Standards Committee had considered the evidence set out in report GD.62/21 and listened to the submission made by the Elected Member's Representative.

The Standards Committee agreed that the Elected Member had breached the Members' Code of Conduct by failing to treat another with respect and failing to promote high standards of conduct.

The Standards Committee considered the sanctions available to them and agreed the following sanctions for the Elected Member:

That a formal letter be sent to the Elected Member
That the Standards Committee report its findings in public to the Council

**ST.15/21 ALLEGATION THAT AN ELECTED MEMBER HAS BREACHED THE CODE OF
CONDUCT (3)**
(Public and Press Paragraph 1)

Also Present – Complainant
 Complainant's Representative
 Elected Member
 Elected Member's Representative

The Deputy Monitoring Officer presented report GD.64/21 regarding an allegation that an Elected Member had breached the Members' Code of Conduct.

The Investigating Officer presented his finding.

The Complainant addressed the Committee.

The Deputy Monitoring Officer provided legal advice regarding the relevant legislation and case law which the Committee must take into account.

The Complainant responded to questions from the Elected Member's Representative and Investigating Officer.

The Elected Member's Representative addressed the Committee on behalf of the Elected Member.

The Elected Member's Representative and the Elected Member responded to questions from the Committee, the Investigating Officer and the Complainant's Representative.

The Investigating Officer and the Complainants Representative each summed up.

The Investigating Officer, Complainant, Complainant's Representative, Former Elected Member and Former Elected Member's Representative withdrew from the meeting whilst the Committee gave detailed consideration to the matter. The respective parties returned, and it was:

RESOLVED – That the Standards Committee had considered the evidence set out in report GD.64/21 and listened to the submissions made by the Complainant and the Elected Member's Representative.

The Standards Committee agreed that the Elected Member had breached the Members' Code of Conduct by failing to treat another with respect and failing to promote high standards of conduct.

The Standards Committee considered the sanctions available to them and agreed the following sanctions for the Elected Member:

That a formal letter be sent to the Elected Member

That the Standards Committee report its findings in public to the Council

Carlisle City Council

Report to Council

Item
17.

Report details

Meeting Date:	9 November 2021
Portfolio:	Finance, Governance & Resources
Key Decision:	N/A
Policy and Budget Framework	Yes
Public / Private	Public
Title:	Community Governance Review – Carlisle
Report of:	Corporate Director of Governance & Regulatory Services
Report Number:	GD.80/21

Purpose / Summary:

To consider whether the Council wishes to explore the undertaking of a Community Governance Review (CGR) and to set up a working group to consider the practicalities and potential timescales and terms of reference for any such review for reporting back to Council.

Recommendations:

That Council:

1. Resolve to advise the Department for Levelling Up, Housing and Communities that it supports the establishment of Charter Trustees for the Carlisle area to protect the City's civic history and identity; and
2. Approve such option(s) as it deems suitable from section 2 of the Report.

Tracking

Executive:	
Scrutiny:	
Council:	9 November 2021

1. Background

- 1.1. The Local Government and Public Involvement in Health Act 2007 (“the 2007 Act”) transferred full responsibility for parish reviews, now called Community Governance Reviews (CGR), to principal councils (Carlisle City Council) in England.
- 1.2. Currently, within Carlisle’s district there are 34 Parishes with 32 Parish Councils. There have been no recent CGRs in Carlisle but Members will recall that the Council, at its last meeting, received a petition requesting a review for the Stanwix area of the City. Following the Government’s announcement for the creation of new unitary authorities within Cumbria Members may consider it appropriate to consider a review of parishes within the City Council’s area.
- 1.3. A CGR is the process used to consider whether existing parish arrangements should be changed in any way. This may consider the creation, abolishing, merging or altering of parish councils and any subsequent electoral arrangements. New parishes may be created as a result of the geography of the area, the make-up of the local community, or sense of identity. All parishes must fall within the existing City Council boundary.
- 1.4. On the creation of a town and parish council, the only function they have a duty to take on is allotments as in a parished area they become the allotment authority. Typically, parish and town councils also by arrangement look after facilities such as parks, playgrounds, public seats, public toilets, cemeteries and burial grounds, village greens, etc. They can provide and support crime prevention services, traffic calming measures and co-ordinate community and voluntary sector activity. The exact responsibilities vary between councils and to some extent the activities carried out by any new parish or town council created as a result of a CGR would be shaped by the review and will then be within the remit of those elected to any new parish or town council.
- 1.5. A new parish council would be able to hold any relevant historic property, including those of a civic and ceremonial nature, hold and manage land and buildings, ranging from allotments through to community buildings and assets and potentially develop and support new community services.
- 1.6. Parish councils are also able to perform functions on behalf of other local authorities. Any new parish or town council created as a result of CGR could therefore perform functions on behalf of the new unitary for West Cumbria. It would be a matter for the new unitary council to decide which, if any, functions it wanted a parish/town council to carry out and it would be a matter for the parish/town council to decide which functions it wished to take on.

- 1.7. Guidance on Community Governance Reviews issued by the Department of Communities and Local Government and the Local Government Boundary Commission for England in March 2010 is referenced as a background document for members.
- 1.8. Once a CGR has commenced legislation requires that it must be completed within 12 months from the date the Council begins the review. The Council must agree the Terms of Reference of any CGR before it commences.
- 1.9. At the outset it is important for Members to note that due to the forthcoming reorganisation of local government in Cumbria, once the transition period under the Structural Change Order starts, the decision as regards any recommendations made as the result of a community governance review rests with the Shadow Executive of the Shadow Council. It will not be possible to complete the CGR process prior to the transition period starting. So, the City Council may receive the results of the CGR but may only make recommendations to the Shadow Council.
- 1.10. If Members wish for a CGR to be considered further it is proposed that a Community Governance Working Group be established to consider any advice which may be received with regards to timing and the local government reorganisation process and to consider a draft timetable and terms of reference for reporting back to Council.
- 1.11. Given existing Parish Councils are already satisfactorily established, it is recommended that any CGR the Council does conduct is for the unparished area only.

Charter Trustees

- 1.12. Of importance to many Members is the protection and continuation of the City's Civic history and Council should note that there are rules which allow what are known as Charter Trustees. These would be catered for in supplementary legislation and create a group of trustees from whose number is elected a Mayor each year. The trustees are non-elected and initial appointments are likely to be made from the City Councillors ranks by the relevant Order but, as the Carlisle Charter Trustee area is a city, subsequent appointments would be made by the Council for the area. They have the authority to hold as custodians the Civic Regalia and ensure that the Mayoralty continues and is able to carry out all ceremonial and social functions. It is important that this option is pursued given the decision as regards a Town Council is outwith the City Council's control. If a Town Council subsequently came into being then the role of the Charter Trustees would cease and their role would be taken over by the new administrative body.

Whether to carry out a Community Governance Review

- 1.13. A CGR will take approximately 12 months to complete and carries with it a cost, estimated to be in the region of £20,000 upwards (more if a referendum is held). In addition, our area is also currently going through Local Government Reorganisation which will demand significant resources and full use of the capacity we have.
- 1.14. Members should consider which option will best protect and project Carlisle's City of Cumbria status: is this aspiration best served by being a leading part within the new Council or via a new 'town' ("City") Council with the limited powers outlined above?
- 1.15. LGR is intended to promote effective and efficient local government for an area and Members should consider whether it is appropriate for us to instigate the CGR or leave it to the new Council to decide whether it wishes to hold one (noting that in any event the new Council will be the decision maker)?

Petition for Stanwix Parish Council

- 1.16. Members will recall that they received a petition from persons relating to a CGR in the Stanwix area. If the Council decides that it wishes to conduct a CGR of the wider area then the Terms of Reference will be adapted to take account of both matters.

Community Governance Working Group

- 1.17. The Working Group for the Stanwix CGR comprises of the local ward Members but this will need to be adapted if a wider CGR is to be implemented. To be balanced on similar lines to the Council as a whole it is proposed that a Working Group of six Members (three conservative, two labour and one member not in either of those parties) be established.

2. Proposals/Recommendations

2.1 The Report has been brought to Council at Members' request and the options available are:

- a. Decide not to carry out a wider Community Governance Review and continue with the Stanwix CGR.
- b. Decide not to carry out a wider Community Governance Review, continue with the Stanwix CGR and resolve to request the Shadow Council/new Council to carry out a CGR.
- c. Consider whether it wishes to carry out a Community Governance Review in accordance with the Local Government and Public Involvement in Health Act

2007 and if so to indicate whether this should be for the whole District or just the unparished area of the District;

- d. If the Council does wish to proceed with a Community Governance Review it agrees to the establishment of a cross party Community Governance Working Group (CGWG) of 6 Members to consider the practicalities of any such review, Terms of Reference and timetable for a CGR for recommendation to full Council and to make appointments to the group so that it is comprised of three Conservative, two Labour Members and one other Member outside of those two parties.

3. Risks

- 3.1 There is a risk that attention and resources will be diverted on to the CGR instead of the ongoing local government reorganisation. If the CGR is to proceed then additional resources and support would be necessary.

4. Consultation

- 4.1 None at the moment.

5. Conclusion and reasons for recommendations

- 5.1 As set out in the report.

6. Contribution to the Carlisle Plan Priorities

- 6.1 Whichever decision Members reach should contribute to effective and efficient local government in the area.

Contact details:

Contact Officer: Mark Lambert

Ext: 7019

Appendices attached to report:

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Note: in compliance with section 100d of the Local Government Act 1972 the report has been prepared in part from the following papers:

- Community Governance Review Guidance 2010:
 - [Community governance reviews: guidance - GOV.UK \(www.gov.uk\)](http://www.gov.uk)

Corporate Implications:

Legal – Contained within the body of the report.

Property Services – None.

Finance – There will be costs involved in carrying out a Community Governance Review which still have to be quantified but will be in excess of £20,000. As there is no current budget allocation, these costs will have to be funded from either existing base budgets (through the virement process) or through a supplementary estimate and additional use of reserves which will require Council approval.

Equality - None

Information Governance- None.

Appeals Panel 3

Date: Tuesday, 05 October 2021

Time: 14:00

Venue: Eden Room

Item
18.

Present: Councillor Robert Betton, Councillor Mrs Elizabeth Mallinson

Also Present: Complainant x2

Officers: Assistant Solicitor

AP.01/21 APPOINTMENT OF CHAIR

The Assistant Solicitor welcomed all those in attendance and sought nominations for the Chair of the Appeals Panel 3 for the 2021/22 municipal year. At the request of a Member the Assistant Solicitor confirmed that the appointment of Chair was for the whole municipal year.

Councillor Betton nominated himself.

Councillor Mrs Mallinson nominated herself.

Neither nomination was seconded.

Councillor Mrs Mallinson nominated Councillor Dr Tickner.

The nomination was not seconded.

The Assistant Solicitor asked for nominations for a Chair for this meeting only.

Councillor Betton nominated himself.

Councillor Mrs Mallinson nominated herself.

Neither nomination was seconded.

The Democratic Services Officer set out the process should a Chair not be appointed and asked the Panel if they would agree to the Assistant Solicitor chairing the meeting.

Councillor Mrs Mallinson agreed, Councillor Betton did not.

The Democratic Services Officer explained that the meeting could not proceed without a Chair. Pursuant to Procedure Rule 7.3 the election of Chair of the Appeals Panel for the Municipal Year 2021/22 should be referred to Council for determination.

The Meeting ended at: 14:26

