

CITY COUNCIL

TUESDAY 5 NOVEMBER 2013 AT 6.45 PM

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

Town Clerk and Chief Executive
Director of Governance

C.138/13 APOLOGIES FOR ABSENCE

Apologies for absence were submitted on behalf of Councillors Bell, Collier, Craig, Lishman and Mitchelson.

C.139/13 MINUTES

The Minutes of the meeting of the City Council held on 10 September 2013 were submitted.

Referring to Minute C.127/13 – Resolution (4), Councillor Mrs Prest pointed out that she had yet to receive a written response to her question regarding the funding available from Section 106 Agreements for offsite affordable housing.

The Communities and Housing Portfolio Holder apologised and undertook to ensure that the Councillor received that response.

RESOLVED – (1) That the Minutes of the meeting of the City Council held on 10 September 2013 be received and signed as a true record of the meeting.

(2) That the Communities and Housing Portfolio Holder arrange for a written response to be provided to the question raised by Councillor Mrs Prest as detailed above

C.140/13 PUBLIC AND PRESS

RESOLVED – That the Agenda be agreed as circulated.

C.141/13 DECLARATIONS OF INTEREST

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

C.142/13 ANNOUNCEMENTS

(i) The Mayor

1. Further to the Dalston by-election held on 17 October 2013, The Mayor welcomed Councillor Gee to his first meeting of the City Council.
2. The Mayor stated that he had not been aware, until informed by Councillor Wilson, that The Mayor was Honorary President of the Royal National Lifeboat Institution (Carlisle Branch). Sadly his first duty had been to attend the last meeting of the Branch, prior to its disbandment, because there was no one to hold office. He had therefore taken the decision to ask for the future of the Carlisle Branch to be held in abeyance pending consideration of the way forward.

The Carlisle Branch had received a Citation in recognition of their 104th AGM, from the organisation's Chief Executive and had asked The Mayor to take it for safe keeping, along with a gavel with stand which would be put on display in the cabinet on the first floor here at the Civic Centre.

The Mayor had thanked Members of the Carlisle Branch for all of the work they had undertaken over many years.

3. The Mayor and Mayoress had, for the first time, hosted a "Medieval Banquet", followed by a Performance of John Mortimer's "Dock Brief" at the Tithe Barn, West Walls on 1 November 2013 in aid of The Mayor's Charity Fund 2013/14.
4. The Mayor expressed the hope that all Members would be able to attend the Remembrance Sunday Service, followed by a Ceremonial Parade, Service and Wreath Laying Ceremony on Sunday 10 November 2013.
5. The Mayor informed Members that a number of journalism students from the University of Cumbria were observing the meeting this evening. He extended a warm welcome to the students, expressing the hope that they would find the meeting to be of interest.
6. The Mayor indicated that he was wearing his Mayoral Badge of Office and expressed the hope that other future Mayors would do likewise at future meetings of the Council.

(ii) The Leader of the Council

1. The Leader rose to welcome Councillor Gee following his successful election as a Member of the City Council, commenting that it was a real privilege to serve the people of Carlisle.
2. The Leader reported that, at the time of the last Council meeting, the Director of Community Engagement (Mr Gerrard) had received an offer of employment from Liverpool City Council. Mr Gerrard had now left Council and, although tribute had been paid to him at the Executive meeting on 28 October 2013, the Leader wished

to place on record grateful thanks to Mr Gerrard for his service to the City, and to extend best wishes to him for the future.

3. The Leader was also delighted to announce that, following the return of the 2nd Battalion, The Duke of Lancaster's Regiment from their Tour of Duty in Afghanistan, a Service of Thanksgiving and Homecoming Parade would take place in Carlisle on Monday 25 November 2013.

The Service of Thanksgiving would commence at 10.30 am in Carlisle Cathedral, followed by a Parade through the City at 11.40 am (when The Mayor and Colonel of the Regiment would take the salute in front of the Old Town Hall). Afterwards, at 12.30 pm, a Civic Reception would take place at the Sands Centre.

The Mayor had written to Head Teachers of Schools in the City inviting them to join the Council on that day.

(iii) Members of the Executive

Councillor Mrs Martlew announced that she had taken a Portfolio Holder Decision to provide free parking after 3 pm on all City Council car parks on each Thursday when late night shopping was available, between 14 November and 19 December 2013. It was estimated that the decision would result in the region of £7,000 loss of income / additional costs to the Council. She added that the aim was to support local businesses by encouraging visits to the City Centre when late night shopping was taking place.

Councillor Ticker reported that, as Members would be aware, the living wage had the day before been increased from £7.45 to £7.65. The Council would implement that increase for their staff as from 1 November 2013 and he hoped that other employers would do likewise.

(iv) Town Clerk and Chief Executive

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

C.143/13 APPOINTMENT OF COMMITTEES AND PANELS 2013/14

Consideration was given to a report of the Director of Governance (GD.52/13) regarding adjustments required to the allocation of seats on and the appointment of Members to the various Committees and Panels following the by-election in Dalston on 17 October 2013. The report advised Members that following the election a recalculation had become necessary and the allocation of seats needed to reflect that the Liberal Democrat Group had now increased by one Member and the Council was now up to its fully elected complement of 52 Members. The report and Schedules set out the revised entitlements of the Groups to seats on the Committees and Panels following the recalculation.

The Mayor moved receipt of the report and associated schedules; and that the Council approve the changes to the allocation of seats on, and the appointment of Members to, the various Committees and Panels, as set out in the above report.

RESOLVED – That Council received and approved the changes to the allocation of seats on, and the appointment of Members to, the various Committees and Panels, as set out in Report GD.52/13 and associated Schedules.

C.144/13 QUESTIONS BY MEMBERS OF THE PUBLIC

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

C.145/13 PETITIONS AND DEPUTATIONS

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

C.146/13 QUESTIONS FROM MEMBERS OF THE CITY COUNCIL

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

C. 147/13 EXECUTIVE

Councillor Glover moved and Councillor Mrs Martlew seconded the Minutes of the meetings of the Executive held on 2 and 30 September 2013.

Referring to Minute JMT.54/13 – Hostel Review, Councillor Bainbridge noted that the Minute recorded that a special JMT had been arranged for 12 August 2013 to discuss the matter. He questioned whether the special meeting had taken place.

In response, the Leader undertook to check and provide a written reply.

RESOLVED – (1) That the Minutes of the meetings of the Executive held on 2 and 30 September 2013 be received and adopted.

(2) That the Leader provide a written response to the above question raised by Councillor Bainbridge.

C.148/13 PORTFOLIO HOLDER REPORTS

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

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

The Leader moved his report.

The Finance, Governance and Resources Portfolio Holder moved his report, highlighting in particular the fact that the external auditors, Grant Thornton, had issued an unqualified opinion on both the Accounts and the VFM Conclusion by the statutory date of 30 September 2013. The Portfolio Holder wished to place on record his thanks to Members of the Audit Committee and Grant Thornton for the very complicated work undertaken throughout the year.

In moving her report, the Deputy Leader; and Environment and Transport Portfolio Holder informed Members that the Union Lane Car Park would be resurfaced next year.

Councillor Mallinson (J) referred to the paragraph entitled "City Engineers", noting that work had begun to install the Winter Lights and the Festive Lights; and that sponsorship was being sought from local businesses to help defray the Council's costs. He asked whether there had been any success in that regard to date.

The Deputy Leader; and Environment and Transport Portfolio Holder acknowledged that sponsorship was important and undertook to investigate the position.

Whilst moving her report, the Economy and Enterprise Portfolio Holder drew attention to the fact that Economic Development was the lead on several key projects within the Carlisle Plan. In order to engage Members in the process, a Member Workshop was scheduled for 20 November 2013 and would cover three projects (The Old Town Hall Phase 2; Public Realm and City Centre Masterplanning) which would benefit from consultation with Members. The Portfolio Holder added that Members were most welcome to drop in at their convenience during the session.

The Communities and Housing Portfolio Holder moved her report.

In moving her report, the Culture, Health, Leisure and Young People Portfolio Holder expressed grateful thanks to all those who had worked extremely hard to ensure the success of the Fire Show held in Bitts Park on 2 November 2013. She particularly thanked the Carlisle College for their sponsorship towards the event.

Councillor Nedved rose to congratulate Tullie House for their achievement in securing the Crosby Garrett Roman Helmet for display for the first time in Cumbria between 1 November 2013 – 26 January 2014. The Culture, Health, Leisure and Young People Portfolio Holder indicated her agreement with those sentiments.

In response to Members' comments regarding Portfolio Holder attendance at scrutiny meetings, the Mayor noted that clearly there were occasions when Members could not be present as evidenced at the meeting tonight. He suggested that good practice would be for apologies to be submitted in advance of the meeting in question, thus preventing any misunderstanding.

Members questioned individual Portfolio Holders on details of their reports and it was:

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

(2) That the Deputy Leader; and Environment and Transport Portfolio Holder provide written details of any sponsorship received from local businesses to help defray costs associated with installation of the Festive Lights in response to the request raised by Councillor Mallinson (J).

C.149/13 OVERVIEW AND SCRUTINY MINUTES AND CHAIRMEN'S REPORTS

(a) Community Overview and Scrutiny Panel

Councillor Mrs Luckley moved and Councillor Mrs Prest seconded that the Minutes of the Meetings of the Community Overview and Scrutiny Panel held on 22 August and 3 October 2013 be received and adopted.

Councillor Mrs Luckley also presented her Chairman's Report; and responded to a question from Councillor Ellis regarding Welfare Reform.

RESOLVED – That the Minutes of the Meetings of the Community Overview and Scrutiny Panel held on 22 August and 3 October 2013 together with the Chairman's Report be received and adopted.

(b) Resources Overview and Scrutiny Panel

Councillor Watson moved and Councillor Miss Sherriff seconded that the Minutes of the Meetings of the Resources Overview and Scrutiny Panel held on 29 August and 10 October 2013 be received and adopted.

Councillor Watson also presented his Chairman's Report.

Councillor Mrs Bowman referred to Minute ROSP.75/13 – Corporate Risk Management, noting that two new corporate risks had been added (Asset Business Plan – Asset Disposal Strategy; and Asset Business Plan – Asset Acquisition Strategy). The recommendation on Report SD.06/13 suggested that the Panel scrutinise corporate risk management issues on a six monthly, rather than quarterly, basis. She sought clarification of the decision concerning future scrutiny of the matter.

In response, Councillor Watson undertook to investigate the position.

RESOLVED – (1) That the Minutes of the Meetings of the Resources Overview and Scrutiny Panel held on 29 August and 10 October 2013 together with the Chairman's Report be received and adopted.

(2) That the Chairman of the Panel investigate and provide a written response to the question raised by Councillor Mrs Bowman regarding future scrutiny of corporate risk management issues.

(c) Environment and Economy Overview and Scrutiny Panel

Councillor Mrs Bowman moved and Councillor Whalen seconded that the Minutes of the Meeting of the Environment and Economy Overview and Scrutiny Panel held on 12 September 2013 be received and adopted.

Councillor Mrs Bowman also presented her Chairman's Report, and responded to questions raised previously by Councillor Bainbridge regarding the University of Cumbria.

RESOLVED – That the Minutes of the meeting of the Environment and Economy Overview and Scrutiny Panel held on 12 September 2013 together with the Chairman's Report be received and adopted.

C.150/13 REGULATORY PANEL

Councillor Scarborough moved and Councillor Cape seconded the receipt and adoption of the Minutes of the Meetings of the Regulatory Panel held on 11 September and 16 October 2013.

RESOLVED – That the Minutes of the Meetings of the Regulatory Panel held on 11 September and 16 October 2013 be received and adopted.

C.151/13 LICENSING COMMITTEE

Councillor Scarborough moved and Councillor Cape seconded the receipt and adoption of the Minutes of the Meeting of the Licensing Committee held on 16 October 2013.

RESOLVED – That the Minutes of the Meeting of the Licensing Committee held on 16 October 2013 be received and adopted.

C.152/13 DEVELOPMENT CONTROL COMMITTEE

Councillor Scarborough moved and Councillor Whalen seconded the receipt and adoption of the Minutes of the Meetings of the Development Control Committee held on 28 and 30 August 2013.

RESOLVED – That the Minutes of the Meetings of the Development Control Committee held on 28 and 30 August 2013 be received and adopted.

C.153/13 AUDIT COMMITTEE

Councillor Ms Patrick moved and Councillor Bowditch seconded the receipt and adoption of the Minutes of the Meeting of the Audit Committee held on 26 September 2013.

Councillor Ms Patrick reiterated that the external auditors, Grant Thornton, had issued an unqualified opinion on both the Accounts and the VFM Conclusion by the statutory date of 30 September 2013. She expressed thanks to all of the members of staff involved for their hard work.

RESOLVED – That the Minutes of the meeting of the Audit Committee held on 26 September 2013 be received and adopted.

C.154/13 APPEALS PANEL

Councillor Boaden moved and Councillor Mrs Luckley seconded the receipt and adoption of the Minutes of the Meeting of Appeals Panel No. 3 held on 7 October 2013.

RESOLVED – That the Minutes of the Meeting of Appeals Panel No. 3 held on 7 October 2013 be received and adopted.

C.155/13 NOTICE OF MOTION

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

Snares

“That this Council introduce a policy of not permitting snares to be used on Council land and ask that this Council asks the County Council to introduce a similar policy.”

Councillor Mrs Parsons moved and Councillor Layden seconded the motion.

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

Following discussion, with input from a number of Members of the City Council, it was:

UNANIMOUSLY RESOLVED – That the Motion of Councillor Mrs Parsons as set out above be AGREED.

C.156/13 PROPOSALS FROM THE EXECUTIVE IN RELATION TO THE COUNCIL'S BUDGET AND POLICY FRAMEWORK

(i) EX.106/13 – Repairs to The Cenotaph and other War Memorials

Pursuant to Minute EX.106/13, consideration was given to a recommendation from the Executive that the City Council approve the development of the project and the release of capital funding of £40,000 to be spent as detailed at paragraph 4 of Report RD.34/13. A copy of Report RD.34/13 and relevant Minute Extract had been circulated.

Councillor Tickner moved the recommendation.

Whilst rising to second the recommendation, Councillor Mrs Martlew paid tribute to the professionalism displayed by the Building Services Manager in progressing the matter.

Councillor Mrs Martlew further indicated that the Director of Governance had made enquiries following the Resolution of the City Council (Minute C.134/13) relating to the local Victoria Cross Holders Rear Admiral Edward Courtney Boyle VC and Second Lieutenant Joseph Henry Collin VC, concerning the state of their Graves. As expected, the grave of Second Lieutenant Collin VC, which was at Vielle-Chapelle New Military Cemetery, Lacouture, was in excellent condition and she had photographs should any Member wish to see them. Rear Admiral Boyle VC had been cremated at Woking Crematorium in December 1967.

Councillor Mrs Martlew then responded to Members' questions and concerns regarding consultation in relation to Report RD.34/14 and the Planning Application submitted for the provision of kissing gate into existing railings surrounding The Cenotaph War Memorial, Rickerby Park; together with access arrangements (particularly for the disabled), and the potential provision of a temporary ramp / gates as a means of access to the Cenotaph.

Councillor Mrs Martlew gave an assurance that consultation was ongoing, and everything possible would be done to address the concerns raised.

Councillor Mrs Luckley also pointed out a typographical error within the report relating to the spelling of a Victoria Cross holder's name, asking that care be taken in that regard.

RESOLVED – That the City Council approved the development of The Cenotaph and other War Memorials repair project, and the release of capital funding of £40,000, to be spent as detailed at paragraph 4 of Report RD.34/13.

(ii) EX.108/13 – Old Town Hall – Phase 2 Update

Pursuant to Minute EX.108/13, consideration was given to a recommendation from the Executive that the City Council approve the release of funding to deliver the Phase 2 repair project in line with the programme and budget outlined in Report ED.36/13. A copy of Report ED.36/13 and relevant Minute Extracts had been circulated.

Councillor Mrs Bradley moved and Councillor Miss Sherriff seconded the recommendation.

RESOLVED – That the City Council approved the release of funding to deliver the Phase 2 repair project to the Old Town Hall in line with the programme and budget outlined in Report ED.36/13.

C.157/13 COMMUNICATIONS

There were no communications or items of business brought forward by the Mayor as a matter of urgency to be dealt with at the meeting.

(The meeting ended at 8.08 pm)