



BARROW BOROUGH COUNCIL

TOWN HALL
DUKE STREET
BARROW-IN-FURNESS

12th January, 2015

To: The Members of Barrow Borough Council

Madam Mayor, Ladies and Gentlemen

You are hereby summoned to attend a meeting of BARROW BOROUGH COUNCIL to be held in the COUNCIL CHAMBER at the TOWN HALL, BARROW on TUESDAY the 20th day of JANUARY, 2015 COMMENCING AT 5.30 PM for the transaction of the business specified below.

Executive Director

Prior to the business of the meeting, Prayers will be offered.

Business

1. DECLARATIONS OF INTEREST.

To receive declarations by Members and/or co-optees of interests in respect of items on this Agenda.

Members are reminded that, in accordance with the revised Code of Conduct, they are required to declare any disclosable pecuniary interests or other registrable interests which have not already been declared in the Council's Register of Interests. (It is a criminal offence not to declare a disclosable pecuniary interest either in the Register or at the meeting).

Members may however, also decide, in the interests of clarity and transparency, to declare at this point in the meeting, any such disclosable pecuniary interests which they have already declared in the Register, as well as any other registrable or other interests.

2. MINUTES. To confirm the Minutes of the Council's proceedings held on 14th October, 2014.

To expedite the business of the meeting, Members are requested to give the Executive Director adequate notice of any Amendment which they propose to raise.

3. TO RECEIVE APOLOGIES FOR ABSENCE.
4. ANNOUNCEMENTS – To receive any announcements from the Chairman, Leader or Head of Paid Service.
5. (A) TO RECEIVE REPORTS FROM THE FOLLOWING COMMITTEES AND CONSIDER RECOMMENDATIONS:-

- (1) Planning
- (2) Licensing Regulatory
- (3) Licensing
- (4) Executive
- (5) Audit

(B) QUESTIONS TO THE LEADER OF THE COUNCIL

Council has agreed that time be set aside for questions to the Leader of the Council.

Standing Order 10.2 and 10.4 set out the procedure for questions to the Leader and the notice period required.

The Leader will also take any questions without notice relevant to the reports and minutes detailed on the agenda.

6. CHANGE OF COUNCIL MEETING DATES.
7. OVERVIEW AND SCRUTINY COMMITTEES ANNUAL REPORT.
8. NOTICE OF MOTION UNDER RULE 11
To consider the following motion signed by Councillors Sweeney, M. A. Thomson and C. Thomson.

Council notes that once again the Tory Liberal Democrat Government has given the people of the Borough of Barrow-in-Furness one of the worst funding settlements in the country.

Council resolves to continue with the financial plan presented to the Executive Committee on 10th September and work to protect the homes, jobs and well-being of the people of the Borough.

9. NOTICE OF MOTION UNDER RULE 11
To consider the following motion signed by Councillors Pidduck and Sweeney.

This Council supports Furness Economic Delivery Forum and the proposals in its Delivery Plan. Council resolves to lobby Cumbria Local Enterprise Partnership, other agencies and central government to deliver the strategic infrastructure improvements required in the South and West of Cumbria, in particular improvements to the A590 and A595 and the electrification of the Furness rail line.

10. TO PASS THE FOLLOWING RESOLUTION, THAT IS TO SAY:

That the Council authorises the fixing of its Common Seal to any documents to give effect to the Minutes and proceedings of the Committees submitted to or approved by this meeting and any other matters dealt with at this meeting.

To expedite the business of the meeting, Members are requested to give the Executive Director adequate notice of any Amendment which they propose to raise.

COUNCIL	Agenda Item 5(A)(1)
Date of Meeting: 20th January, 2015	
Reporting Officer: Executive Director	
<p>REPORT OF THE PLANNING COMMITTEE (Report of the meetings held on 4th November, 2nd December and the Special meeting held on 9th December, 2014 and 6th January, 2015</p> <p>Recommendations:</p> <p>There were no recommendations referred to Council from the above meetings.</p> <p><u>Delegated Decisions</u></p> <p>The matters determined by the Planning Committee in exercise of the powers which have been delegated to the Committee will be detailed in the Minutes of the meetings noted above reproduced in Volume 3 2014/15 of the printed Minutes.</p> <p><u>Background Papers</u></p> <p>Nil</p>	

COUNCIL	Agenda Item 5(A)(2)
Date of Meeting: 20th January, 2015	
Reporting Officer: Executive Director	
<p>REPORT OF THE LICENSING REGULATORY COMMITTEE (Report of the meetings held on 16th October, 13th November and 18th December, 2014)</p> <p>Recommendations:</p> <p>There were no recommendations referred to Council from the above meetings.</p> <p><u>Delegated Decisions</u></p> <p>The matters determined by the Licensing Regulatory Committee in exercise of the powers which have been delegated to the Committee will be detailed in the Minutes of the meetings noted above reproduced in Volume 3 2014/15 of the printed Minutes.</p> <p><u>Background Papers</u></p> <p>Nil</p>	

COUNCIL	Agenda Item 5(A)(3)
Date of Meeting: 20th January, 2015	
Reporting Officer: Executive Director	
REPORT OF THE LICENSING COMMITTEE	
The meetings to be held on 16th October, 13th November and 18th December, 2014 were cancelled.	
<u>Background Papers</u>	
Nil	

COUNCIL	Agenda Item 5(A)(4)
Date of Meeting: 20th January, 2015	
Reporting Officer: Executive Director	
<p>REPORT OF THE EXECUTIVE COMMITTEE (Report of the meetings held on 22nd October and 3rd December, 2014)</p> <p>Recommendations:</p> <p>The following recommendations have been referred to Council.</p> <p><u>Executive Committee – 22nd October, 2014</u></p> <p>1.0 Data Protection Policy</p> <p>1.1 The Director of Resources' report contained the Council's Revised Data Protection Policy.</p> <p>1.2 Recommendation:-</p> <p>To recommend the Council to approve the revised Data Protection Policy.</p> <p>2.0 Access to Information Policy</p> <p>2.1 The Director of Resources' report contained the Access to Information Policy in relation to Committee papers and attendance.</p> <p>2.2 Recommendation:-</p> <p>To recommend the Council to approve the Access to Information Policy in relation to Committee papers and attendance.</p> <p>3.0 Discretionary Income Policy</p> <p>3.1 The Director of Resources' report sets out the Council's Discretionary Income Policy.</p> <p>3.2 Recommendation:-</p> <p>To recommend the Council to approve the Council's Discretionary Income Policy.</p>	

Executive Committee – 3rd December, 2014

4.0 Establishment of New Off-Street Parking Service

4.1 The Executive Director's report informed the Committee that Cumbria County Council had given the Council notice that they would be taking the enforcement and administration of on-street car parking restrictions, plus the administration of resident permits into their direct control. That meant that the Council would be required to transfer staff to Cumbria County Council under the Transfer of Undertakings (Protection of Employment) Regulations (TUPE). As a result, the Council would have to establish a new structure in order to continue to deal with the enforcement and administration of parking restrictions and functions for the Councils car parks. The report identified the posts subject to transfer under TUPE and the proposed new structure.

4.2 Recommendation:-

To recommend the Council to approve the under-mentioned new staffing structure in order to continue enforcement and administration of parking restrictions and functions for the Councils car parks as follows:-

**1 x Car Parks and Admin Team leader – SO1/SO2 (full time);
1 x Notice Processing Officer Scale 4 (30 hours); and
2 x Car Parks Enforcement Officer Scale 2/3 (full time).**

5.0 Park Leisure Centre Establishment

5.1 The Director of Resources' report informed the Committee that Post OLS 080 sat within the Park Leisure Centre and required deletion from the establishment as a vacant post that was no longer required; the annual cost of that post was £23,180. It was proposed that post be replaced by a new part time, 20 hours, Communications Officer on Scale 3. The annual cost of the new post was £10,300; if recruitment occurred in 2014-2015 the cost could be accommodated within staff turnover and the cost for 2015-2016 would be included in the proposed manpower budget.

The new post would provide an opportunity to increase the Park Leisure Centre social media presence for promotion and marketing to increase business and income growth.

5.2 Recommendation:-

To recommend the Council to agree that post OLS 080 be deleted from the establishment and that a new part time 20 hours, Communications Officer post on Scale 3 be created.

6.0 Review of Constitution

- 6.1 The Monitoring Officer's report informed the Committee that the Constitution had been reviewed to ensure compliance with Section 37 Local Government Act 2000, clearly setting out how decisions were made and by whom and the procedures which were followed to ensure these were efficient, transparent and accountable to local people. The Constitution would be regularly updated and publicised.

No additional delegations to Committees or Officer were proposed in the review. The review had resulted in a revised format which was considered by the Committee dividing it into parts and amendments were highlighted in yellow:-

Part 1 - Summary and explanation, explained the purpose and content of the Constitution.

Part 2 – Was divided into 14 Articles which set out the basic rules on how the Council operated. There had been no changes made to that Part.

Part 3(1) – Dealt with delegation to committees and the divisions of responsibilities for functions between the (Full) Council and its committees. That was now provided for in table format and included membership make up and onward delegation to Officers.

Part 3(2) – Described the roles of Officers and the arrangements made for them to discharge functions. The post of Democratic Services Manager was now included at Section F.

In accordance with the requirements of the Local Government Finance Act 1988 the Section 151 Officer had appointed Deputy Section 151 Officers and the responsibility was within the posts of Accountancy Services Manager and Financial Services Manager.

Under power conferred under Section 5(7) Local Government and Housing Act 1989 the Monitoring Officer had appointed a Deputy Monitoring Officer and the responsibility was within the post of Corporate Support Officer.

A new table relating to the Appointments of Proper Officer and Deputy Proper Officer had been inserted.

Part 4 - Contained the Rules of Procedure including Financial Regulations and Contract Standing Orders. There had been no changes made to that Part.

Part 5 - Contained information about procedures for members and staff including the Code of Conduct for Members, the Code of Conduct for Staff, and the Protocol for Member Officer Relations and the Scheme of Members' Allowances. It also contained information on the requirement for members to register any Disclosable Pecuniary Interests and the registers of such interests. There had been no changes to that Part.

Part 6 – Member's Allowances Scheme – There had been no changes to that Part.

6.2 Recommendation:-

To recommend the Council to approve the new structure, amendments and the Constitution as a whole to ensure it remained an up to date and robust document for the effective governance of the Council.

7.0 Parks Department/Streetcare Establishment Changes

7.1 The Executive Director's report informed the Committee that the Parks and Playgrounds Manager had applied for redundancy under the Council's current scheme. Allowing that post to be deleted from the establishment would require operational changes to the existing structure within the Parks and Streetcare Departments. The report proposed bringing the Parks and Streetcare Department together under the operational leadership of the Streetcare Manager. It proposed that all public realm, parks and playgrounds and cemetery ground maintenance be monitored through the work of the Streetcare Department, through the assimilation of the two sections.

The report proposed a re-grading for the Streetcare Manager; a re-designation from Parks and Amenities Officer to Parks, Playgrounds and Amenities Officer and a re-grading for that post; and a re-designation from Parks and Playgrounds Monitoring Officer to Streetcare Officer with re-grading for that post. These changes were proposed in order to reflect the changes in responsibilities and duties. The structural change would result in an annual saving to the Council of £27,282.00

7.2 Recommendation:-

To recommend the Council to agree that with effect with effect from 1st April, 2015:

- (i) Post DES100 be deleted from the establishment;**
- (ii) Post DSC010 be re-graded to PO8;**
- (iii) Post DES110 be re-graded to Scale 6 and be re-designated as Parks, Playgrounds and Amenities Officer; and**
- (iv) Post DES113 be re-graded to Scale 5 and be re-designated as Streetcare Officer.**

Delegated Decisions

The matters determined by the Executive Committee in exercise of the powers which have been delegated to the Committee will be detailed in the Minutes of the meetings noted above reproduced in Volume 3 (2014/15) of the printed Minutes.

Background Papers

Nil

COUNCIL	Agenda Item 5(A)(5)
Date of Meeting: 20th January, 2015	
Reporting Officer: Executive Director	
<p>REPORT OF THE AUDIT COMMITTEE (Report of the meeting held on 11th December, 2014)</p> <p>Recommendations:</p> <p>There were no recommendations referred to Council from the above meeting.</p> <p><u>Delegated Decisions</u></p> <p>The matters determined by the Audit Committee in exercise of the powers which have been delegated to the Committee will be detailed in the Minutes of the meeting noted above reproduced in Volume 3 (2014/15) of the printed Minutes.</p> <p><u>Background Papers</u></p> <p>Nil</p>	

COUNCIL	Agenda Item 6
Date of Meeting: 20th January, 2015	
Reporting Officer: Executive Director	
<p>Title: Change of Council Meeting Dates</p> <p>Summary and Conclusions:</p> <p>The report seeks Members agreement to change the date of Council to be held in March and Annual Council.</p> <p>Recommendations:</p> <ol style="list-style-type: none"> 1. To change the Council meeting from 24th March, 2015 to 17th March, 2015; and 2. To change Annual Council from 12th May to 18th May, 2015. 	

Report

It is necessary to change the Council meeting from 24th March to 17th March, 2015 to enable the Notice of Election for the Borough and Parish Council Elections to be published earlier on 20th March, 2015. This would aid the administration of the elections.

Also it is requested that the date of Annual Council to be changed from 12th May to 18th May, 2015. This would enable a Member Induction briefing on Thursday 14th May, 2015.

Background Papers

Nil

COUNCIL	Agenda Item 7
Date of Meeting: 20th January, 2015	
Reporting Officer: Corporate Support Manager	
<p>Title: Overview and Scrutiny Committee Annual Report</p> <p>Summary and Conclusions:</p> <p>The Annual Report details the work undertaken by the Overview and Scrutiny Committee for 2013/14.</p> <p>Recommendations:</p> <p>To accept the Annual Report from the Overview and Scrutiny Committee.</p>	

Report

Foreword

The Council has one Overview and Scrutiny Committee with the remit to investigate, scrutinise, monitor, oversee and comment on service delivery mechanisms, policy implementation, or any other issue affecting the Borough or its residents provided that they have previously been considered by either the Executive Committee or Council.

Membership of the Overview and Scrutiny Committee in 2013/14:

Councillors Roberts (Chairman)
Cassidy (Vice-Chairman)
Derbyshire
Hamilton
Husband
Johnston
R. McClure
Maddox
Opie
C. Thomson
M. A. Thomson
Wall

Members had previously agreed to develop a four year work programme up to March 2015 and identified topics for review. These are presented in table 1.

The Committee recognises that additional urgent items may be identified during the period and they will be considered in an appropriate timeframe.

In October the Executive Committee requested that this Committee considered the impact of localised flooding as an additional item.

Item	Topic	Scope of the review
1	Allotments.	To review the Council's arrangements for managing tenancies and the waiting list. Ensure the allotment service is financially sustainable
2	Street cleanliness.	To review to Council's arrangements for working with the contractor to deliver a higher standard of street cleanliness. To ensure appropriate arrangements are in place to manage external factors the impact on street cleanliness e.g. seagulls and fly tipping.
3	Coastal protection.	The implementation of phase four of the Flood and Coastal Erosion Risk Management Strategy has resulted in changes to way in which coastal defence projects are funded. The review will focus on our medium term project plan and how it will be funded.
4	Estates and asset management.	To review arrangements for maximising income from our assets and the potential for the disposal of redundant assets.
5	Town centres development and supporting local traders.	Review arrangements for supporting local traders in the current economic climate.
6	Highways and car parking	Review the provision of highways maintenance by Cumbria County Council. Review street lighting and on-street parking arrangements.
7	Economic Development, planning and development control.	Review arrangements for planning and economic development in light of the reduced funding as a result of the Governments deficit reduction programme. Ensure the Council still has appropriate arrangements in place to access development funding
8	Cultural Services	Review the impact of the Council's service review on cultural services. The review will consider events, distribution of funding and service charges.

9	Policy and strategy	Monitor the development of and performance against the council's key priorities.
10	Housing strategy	Review availability of private sector and socially housing and consider partnership arrangements to ensure that the availability of housing in the borough meets demand.
11	Localised flooding	Review arrangements to protect residents and property against local flooding.

In May 2013 Members agreed that this Committee would review Cultural Services and Asset Management in 2013/14.

The Cultural Services review was completed within 2013/14 and the output is detailed below. The Asset Management Review was suspended because the department was involved in a significant restructure of services.

In 2013/14 the Scrutiny Committee invited representatives from the University Hospitals Trust of Morecambe Bay to attend the meeting. Philip Woodford (Deputy Director of Corporate Affairs) and Joanne Borthwick (Assistant Chief Executive Officer) attended the meeting and provided Members with a briefing regarding the improvements that were being delivered at Furness General Hospital.

Members asked a number of detailed questions relevant to the business of the meeting and requested information regarding the future of Furness General Hospital.

Philip Woodford and Joanne Borthwick responded to the questions and addressed the concerns raised.

In 2013/14 the Scrutiny Committee, having reviewed the requirements for retaining Fairtrade status, agreed that there is continuing demand for Fairtrade products in the Borough and recommended that we retain our Fairtrade town status. This was endorsed by the Executive Committee.

Cultural Services

The Scrutiny Committee established a work group to review the delivery of Cultural and Leisure Services and agreed the following Terms of Reference:-

1. Gain a clear understanding of the leisure services we provide at our three core venues;
2. Examine performance of each venue in terms of costs, income and number of users;

3. Establish what residents expect from our leisure services in terms of provision and cost; and
4. Identify areas where potential improvements in performance value for money and public satisfaction can be achieved.

Members think that there needs to be a forum to discuss these suggestions.

Members are aware that Management Board is developing a framework for implementing efficiency improvements to support making savings required in the budget strategy. Members welcome this initiative as a mechanism for engaging staff in delivering improvements and reducing costs.

Members concluded that formal discussions with Senior Managers should take place to clarify the Council's strategic approach to delivering Leisure Services. Members think that it would be appropriate to re-establish the Cultural Services Board as a forum for these discussions. It is envisaged that the Board will provide strategic guidance based on the Members perspective.

Background Papers

Nil

