



BARROW BOROUGH COUNCIL

TOWN HALL
DUKE STREET
BARROW-IN-FURNESS

13th January, 2014

To: The Members of Barrow Borough Council

Mr 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 21st day of JANUARY, 2014 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 15th October, 2013.
3. TO RECEIVE APOLOGIES FOR ABSENCE.

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.

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
- (3) Executive
- (4) 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. REVIEW OF REPRESENTATION OF POLITICAL GROUPS ON COMMITTEES.

7. 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: 21st January, 2014	
Reporting Officer: Executive Director	
<p>REPORT OF THE PLANNING COMMITTEE (Report of the meetings held on 5th November, 3rd December, 2013 and 7th January, 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 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 2013/14 of the printed Minutes.</p>	

COUNCIL	Agenda Item 5(A)(2)
Date of Meeting: 21st January, 2014	
Reporting Officer: Executive Director	
REPORT OF THE LICENSING COMMITTEE (Report of the meetings held on 17th October, 14th November and 19th December, 2013	
Recommendations:	
There were no recommendations referred to Council from the above meetings.	
<u>Delegated Decisions</u>	
The matters determined by the Licensing 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 2013/14 of the printed Minutes.	

COUNCIL	Agenda Item 5(A)(3)
Date of Meeting: 21st January, 2014	
Reporting Officer: Executive Director	

**REPORT OF THE EXECUTIVE COMMITTEE
(Report of the meetings held on 16th October, 13th November
and 18th December, 2013)**

Recommendations:

The following recommendations have been referred to Council.

Executive Committee – 16th October, 2013

1.0 Lowsy Point Beach Huts and Piel Island Cottages

1.1 The Borough Treasurer reported that there were a small number of properties with particular characteristics where the Council awards a discretionary discount of 50%. The discretionary discount was awarded on an annual basis.

1.2 Recommendation:-

To recommend the Council that for 2014-15, the Council awarded to 50% discretionary discount to the properties set out in the report.

2.0 Parishes and Local Council Tax Support Grant

2.1 The Borough Treasurer reported that the Financial Settlement included the Council Tax Support Grant for the Council and its parishes. The report sought Members approval to continue funding the cost of the Local Council Tax Scheme impact on parishes.

2.2 Recommendation:-

To recommend the Council to approve the principle of allocating Council Tax Support Grant to parishes so that it will fund the full cost of the impact from the Local Council Tax Support Scheme.

3.0 War Pensions Disregard 2014-15

3.1 The Borough Treasurer reported that Local Authorities could disregard up to 100% of war pension payments when calculating entitlement to Housing Benefit and the Council Tax support; the first £10 was statutorily disregarded for Housing Benefit. That included all War Disablement Pensions, War Widow's Pensions, Armed Forces Compensation Scheme payments and any corresponding pensions payable to a widower or a surviving civil partner.

3.2 Recommendation:-

To recommend the Council to approve the disregard of war pensions at 100% for Housing Benefit for 2014-15.

4.0 Whitsun Bank Holiday Opening

4.1 The Deputy Executive Director's report reminded the Committee that the Council had closed for most of its business on the Tuesday and Wednesday after Whit Monday for many years. To facilitate that employees were required to take their two extra statutory day's holiday on these two days.

The inevitable disruption to the delivery of services to customers caused by the extended closure was becoming more apparent; there was no indication that demand for key services reduced on these two days.

It was proposed to end that practice, and recommended that with effect from May 2014, services to the public resumed on Tuesday after Whit Monday.

4.2 Recommendation:-

To recommend the Council:-

- 1. To agree that the Council opens for business on the Tuesday after the Whitsun Bank Holiday Monday; and**
- 2. To agree that the two extra statutory holidays used in the past by staff to facilitate closure on the subsequent two days, be transferred to Annual Leave entitlement to be taken as and when staff wish.**

5.0 Licensing Committee Restructuring

5.1 The Executive Director informed the Committee that the Council was responsible for a wide range of licensing functions and it was necessary from time to time to review the way licences were processed and determined. In a recent review which had looked at best practice elsewhere in England and Wales it had become clear that it would be beneficial to create an additional Licensing Regulatory Committee to sit alongside the existing Licensing Committee. That new Committee would deal with all licences and associated functions except those covered by the Licensing Act 2003 and the Gambling Act 2005.

5.2 Recommendation:-

To recommend the Council:-

- 1. To approve the creation of a new Licensing Regulatory Committee and its Terms of Reference; and**
- 2. To agree to the amendments of the Terms of Reference of the existing Licensing Committee.**

Executive Committee – 13th November, 2013

There were no recommendations referred to Council from the above meeting.

Executive Committee – 18th December, 2013

6.0 Barrow Borough Polling District Review

6.1 The Electoral Registration Officer informed the Committee that in compliance with Section 17 of the Electoral Registration and Administration Act 2013 every Council in England and Wales must introduce compulsory review periods for polling district and polling places in its area within the period of 16 months beginning with 1st October, 2013.

6.2 Recommendation:-

To recommend the Council that no changes be made to the Polling Districts and Polling Places.

7.0 Council Priorities 2013-2016

7.1 The Executive Director informed the Committee that a policy document had been drafted to set out a clear direction for the Council in the medium term. It re-stated that the Vision Statement of the Council, set out the key priorities for the period 2013-2016 and gave details of objectives, actions and expected outcomes which would form the basis of the Council's performance monitoring over the period.

7.2 Recommendation:-

To recommend the Council to approve the Council Priorities 2013-2016 document.

8.0 Regrading Applications/Rewards for Business Improvement Team

8.1 The Executive Director informed the Committee that Management Board had examined the Council's establishment to identify those posts which had taken on significant additional duties and responsibilities and concluded that 13 posts should be regarded.

Management Board had also given consideration to how best to recognise the substantial contribution made to improving the efficiency of the Council by the Business Improvement Team and recommend that each of the four members of the team received an ex-gratia payment of £1,000

He commented that an appeal had been lodged by Postholder OHS 030. That post had therefore been excluded from the posts recommended for approval.

8.2 Recommendation:-

To recommend the Council:-

- 1. To agree that the Management Board's proposal to regrade 12 posts be approved with effect from 8th November, 2013; and**
- 2. To agree that an ex-gratia payment of £1,000 be made to the four members of the Business Improvement Team.**

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 (2013/14) of the printed Minutes.

COUNCIL	Agenda Item 5(A)(4)
Date of Meeting: 21st January, 2014	
Reporting Officer: Executive Director	
<p>REPORT OF THE AUDIT COMMITTEE (Report of the meeting held on 12th December, 2013)</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 (2013/14) of the printed Minutes.</p>	

COUNCIL	Agenda Item 6
Date of Meeting: 21st January, 2014	
Reporting Officer: Executive Director	
<p>Title: Review of Representation of Political Groups on Committees</p> <p>Summary and Conclusions:</p> <p>A review of arrangements is required following the creation of a new Licensing Regulatory Committee to sit alongside the existing Licensing Committee.</p> <p>This report deals with that review and the consequent recommendations.</p> <p>Recommendations:</p> <p>To recommend the Council -</p> <ol style="list-style-type: none"> 1. To agree the size of Committees; 2. To agree the allocation of seats and substitute seats to political groups in accordance with the details at Appendix 1; 3. To appoint a Chairman and Vice-Chairman to the Licensing Regulatory Committee for the remainder of the Municipal Year; and 4. To appoint existing Members of the Licensing Committee to the Licensing Regulatory Committee. 	

Report

The Council is responsible for a wide range of licensing functions and it is necessary from time to time to review the way licences are processed and determined. In a recent review which has looked at best practice elsewhere in England and Wales it has become clear that it would be beneficial to create an additional Licensing Regulatory Committee to sit alongside the existing Licensing Committee. This new Committee would deal with all licences and associated functions except those covered by the Licensing Act 2003 and the Gambling Act 2005.

It is the duty of the Council or of a relevant Committee in performing this function to determine the allocation to different political groups of the seats which fall to be filled by appointments and in making such determinations to give effect, so far as reasonably practicable, to the following principles:-

1. That not all the seats on the body are allocated to the same political group.
2. That the majority of the seats on the body is allocated to a particular political group if the number of members belonging to that group is a majority of the Authority's membership.
3. Subject to Nos. (1) and (2) above, that the number of seats on the ordinary Committees of the Authority which are allocated to each political group bears the same proportion to the total of all seats on the ordinary Committees of that Authority as is borne by the number of Members of that group to the membership of that Authority; and
4. Subject to Nos. (1) and (3) above, that the number of the seats on the body which are allocated to each political group bears the same proportion to the number of all the seats on that body as is borne by the number of Members of the group to the membership of the Authority.
5. The number of seats held on the Council by each group is:-

Labour Group	29
Conservative Group	7

The relevant Regulations require that so far as is reasonable the proportion of the total seats on Committees and on individual Committees held by the Political Groups bear the same proportion to their seats on the Council.

Appendix 1 shows the recommended allocation of seats on Committees and Sub-Committees.

Members are asked to note the following:-

1. The number of seats on the Executive, Licensing, Licensing Regulatory, Planning and Overview and Scrutiny Committee have been set at twelve.
2. The Council's Constitution provides that –
 - (a) Members of the Executive Committee shall not be eligible to be members of the Planning Committee and vice-versa.
 - (b) One Executive Committee member from each political group may be appointed to the Overview and Scrutiny Committee subject to the proportionality rules. All other Councillors qualify to sit on the Committees and any Sub-Committee established.
3. The number of Councillors on the Housing Management Forum has been set at eight.
4. The number of Councillors on the Audit Committee has been set at six.

APPENDIX 1

JANUARY 2014 CALCULATION OF POLITICAL BALANCE ON COMMITTEES

STAGE 1 – Percentage Representation on the Council:

Party	Membership	Percentage %
Labour	29	80.56
Conservative	7	19.44

STAGE 1A – Total number of seats on Committees to be Allocated:

Committee	Membership
Executive	12
Planning	12
Licensing Regulatory	12
Licensing	12
Overview and Scrutiny	12
Audit	6
Total	66

STAGE 2 – Total Allocation of Seats to Each Party

(To ensue as far as reasonably practicable that the numbers of seats allocated to a group in total is in the same proportion as the number of members of the group on the council as a whole)

Party	Number of seats	Seats (rounded up)
Labour	53.16	53
Conservative	12.83	13

STAGE 3 – Percentage Allocation of Total Number of Seats on Committees:

Party	Number of seats	%
Labour	53.16	80.56
Conservative	12.83	19.44
Total		100%

STAGE 4 – Allocations on Individual Committees

To ensure that so far as reasonably practicable the number of seats allocated to a group on each committee is in the same proportion as the number of members of the group on the council as a whole)

Committee	Party	Seats on Committee	Seat Entitlement	Total
Executive	Labour	12	9.67	10
	Conservative		2.33	2
Planning	Labour	12	9.67	10
	Conservative		2.33	2
Licensing Regulatory	Labour	12	9.67	10
	Conservative		2.33	2
Licensing	Labour	12	9.67	10
	Conservative		2.33	2
O&S	Labour	12	9.67	10
	Conservative		2.33	2
Audit	Labour	6	4.83	5
	Conservative		1.17	1
			Total Seats	66
			Labour	55
			Conservative	11

Under this option the Conservatives need to be allocated two additional seats in place of the Labour Group from the Executive, Planning, Licensing or Regulatory Licensing Committees, which would satisfy the statutory political balance rules. It is recommended that the seats be allocated to the Planning, Licensing or Regulatory Licensing Committees. The Council would need to decide which.

SUB-COMMITTEE

Licensing	Labour	3	2.42	2
	Conservative		0.58	1