



BARROW BOROUGH COUNCIL

TOWN HALL
DUKE STREET
BARROW-IN-FURNESS

5th October, 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 13th day of OCTOBER, 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 21st July, 2015.
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 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. NOTICE OF MOTION UNDER RULE 11

To consider the following motion signed by Councillor Sweeney and Councillor M. A. Thomson:-

This Council applauds the work done by local groups to collect items for Syrian refugees. Council reaffirms its commitment to work with the County Council and voluntary groups to support refugees in their desperate plight.

7. NOTICE OF MOTION UNDER RULE 11

To consider the following motion signed by Councillor Pidduck and Councillor Brook:-

Council believes that improving transport infrastructure and increasing skills levels are key, both to delivering the major projects in South and West Cumbria and to getting the maximum benefit for local people.

Council supports Furness Economic Development Forum and urges Cumbria LEP to prioritise transport infrastructure and also skill development and re-skilling for all age groups and across the whole range of skill levels.

8. 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.

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| COUNCIL | Agenda Item 5(A)(1) |
| Date of Meeting: 13th October, 2015 | |
| Reporting Officer: Executive Director | |
| <p>REPORT OF THE PLANNING COMMITTEE (Report of the meeting held on 11th August, the special meeting held on 1st September and the meetings held on 15th September and 6th October, 2015.</p> <p>Recommendations:</p> <p>There were no recommendations referred to Council from the above meetings.</p> <p>If necessary an addendum to this report will deal with any recommendations from the Planning Committee to be held on 6th October, 2015.</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 2 2015/16 of the printed Minutes.</p> | |

Background Papers

Nil

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| COUNCIL | Agenda Item 5(A)(2) |
| Date of Meeting: 13th October, 2015 | |
| Reporting Officer: Executive Director | |

**REPORT OF THE LICENSING REGULATORY COMMITTEE
(Report of the meeting held on 23rd July, the special meeting held 13th August, and the meeting held on 3rd September, 2015)**

Recommendations:

There were no recommendations referred to Council from the meeting held on 23rd July and the special meeting held on 13th August, 2015.

The following recommendation has been referred to Council.

Licensing Regulatory Committee – 3rd September, 2015

**1.0 Zoo Licensing Act 1981 (as amended)
Policy for Fee Setting Application to all Zoo Licences**

1.1 The Principal Environmental Health Officer reported that the Borough Council was responsible for administering a range of licences and approvals resulting from both national legislation and discretionary functions that are agreed locally. For the majority of these regimes the costs are recovered through fees set by each Council and paid by the licence applicant. Locally set fees are a vital means of ensuring that costs can be recovered by each and every Council, rather than rely on subsidy from local tax payers.

The Council is enabled by Section 15 Zoo Licensing Act 1981 to charge fees and other charges in respect of a zoo licence. The recent case of R (on the application of Hemming (T/A Simply Pleasure Ltd)) v Westminster City Council has examined this issue and confirmed that fees must reflect administrative and compliance costs, but cannot include the costs of enforcement action against unlicensed operators.

1.2 Recommendation:-

To recommend that the Council adopts the Policy.

Delegated Decisions

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 2 2015/16 of the printed Minutes.

Background Papers

Nil

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| COUNCIL | Agenda Item 5(A)(3) |
| Date of Meeting: 13th October, 2015 | |
| Reporting Officer: Executive Director | |
| <p>REPORT OF THE LICENSING COMMITTEE (Report of the meetings held on 23rd July and 3rd September, 2015)</p> <p>Recommendations:</p> <p>There were no recommendations referred to Council from the meeting on 23rd July, 2015.</p> <p>The meeting to be held on 3rd September, 2015 was cancelled.</p> <p><u>Delegated Decisions</u></p> <p>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 meeting noted above reproduced in Volume 2 2015/16 of the printed Minutes.</p> | |

Background Papers

Nil

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| COUNCIL | Agenda Item 5(A)(4) |
| Date of Meeting: 13th October, 2015 | |
| Reporting Officer: Executive Director | |

**REPORT OF THE EXECUTIVE COMMITTEE
(Report of the meetings held on 29th July and 9th September, 2015)**

Recommendations:

The following recommendations have been referred to Council.

Executive Committee – 29th July, 2015

1.0 Financial Outturn 2014-2015

1.1 The Director of Resources report contained the financial outturn for the year ended 31st March, 2015. The report also included all aspects of the Council's finances, General Fund, Housing Revenue Account, Collection Fund, Capital Programme and Treasury Management.

1.2 Recommendation:-

To recommend the Council:-

- (i) To note the financial outturn for 2014-2015;**
- (ii) To approve the final 2014-2015 budget as £12.582m;**
- (iii) To approve the addition of £300k to the General Fund balance;**
- (iv) To approve the movements in reserves as set out in Section G of the report;**
- (v) To approve the addition of £36k to the Housing Revenue Account balance;**
- (vi) To note the annual treasury management review; and**
- (vii) To note the amounts written off under delegation in 2014-2015.**

2.0 Establishment of a Market Liaison Committee

- 2.1 The Executive Director reported that the Council had recently invested considerable capital monies into the refurbishment of the Market Hall. The Market was an important element of the Town's retail offer and it was important that it thrived and encouraged enterprise. It sustained not only existing and long established businesses, but also acted as an entrepreneurial hub for new businesses.

With the proposed establishment of a Barrow Business Improvement District, and the need to work together to improve the vitality of the Town Centre, it was considered that the formal channel of communication between the Council and tenants should be established. The Council which had been appointed in May was working on its budget strategy and plans for the next four years and in the light of the considerable challenges facing Town Centres, the Liaison Committee would be extremely useful.

The proposed Markets Liaison Committee would report to the Overview and Scrutiny Committee.

2.2 Recommendation:-

To recommend the Council:-

- (i) To establish a Market Liaison Committee, with the terms of reference set out in the appendix attached to the report; and**
- (ii) To agree to appoint four Members namely Councillors Barlow, Burns, Pidduck and one Conservative representative.**

3.0 Risk Management Policy

- 3.1 The Executive Director's report informed the Committee that the Council's Risk Management Policy had been reviewed and updated. The policy set out the Council's approach to risk management and the risk assessment process adopted.

3.2 Recommendation:-

To recommend the Council approve the Risk Management Policy.

Executive Committee – 9th September, 2015

4.0 Housing Management Forum Recommendations: Gas Maintenance and Responsive Repairs Contract

4.1 The purpose of the Assistant Director - Housing's report was to re-affirm the term of the recently awarded Gas Maintenance and Responsive Repairs Contract.

4.2 Recommendation:-

To recommend the Council confirm the term of the Contracts as three years, plus one year with potentially a further six years with two yearly break clauses.

5.0 Local Council Tax Reduction Scheme 2016-2017

5.1 The Director of Resources report reminded the Committee that the Local Council Tax Reduction Scheme for 2016-2017 must be adopted by 31st January, 2016. There were consultation requirements if changes were to be made to the existing scheme.

5.2 Recommendation:-

To recommend the Council to agree to continue with the current Local Council Tax Reduction Scheme for 2016-2017.

6.0 Establishment Changes

6.1 The Director of Resources report informed the Committee that three voluntary redundancy application had been approved by the Early Retirement/Voluntary Redundancy Panel on 12th August, 2015. Following those approvals a number of establishment changes required Council approval.

6.2 Recommendation:-

To recommend the Council:-

- (i) To approve the deletion of post OHS512 with effect from 3rd October, 2015;**
- (ii) To approve the deletion of post OHS523 with effect from 1st November, 2015;**

- (iii) To approve the deletion of post CLA040 with effect from 1st April, 2016;
- (iv) To approve the creation of a permanent full time Property Information Team trainee on Scale 2/5 (£15,207 to £22,212 per annum), with an agreed grading review following the completion of a GIS related qualification and appropriate experience. The post to be funded within the deletion of post CLA040; and
- (v) To approve the use of reserves to fund the Property Information Team trainee until 31st March, 2016.

7.0 Social Media Policy

7.1 The Director of Resources report considered the Council's Social Media Policy. The document set out the purpose of the Policy and explained the responsibilities and application of social media in the workplace. The Policy also covered the use of social media outside the workplace in relation to Council business.

The Council had a number of active social media accounts and these were administered within specific services. Once the website redesign was completed, there would be a feed for all news to be broadcast on social media channels – that would also be linked to the department specific accounts.

The Council did not permit the personal use of any social media websites through its systems and networks in any circumstances.

7.2 Recommendation:-

To recommend the Council to approve the Social Media Policy.

8.0 Customer Services Strategy

8.1 The Director of Resources report considered the Council's Customer Service Strategy. The document set out the purpose of the Strategy and explained the Council's aims in relation to customer services. The Council provided services from its main operational premises together with telephone and online options.

The Customer Service Strategy had the overall aim of making sure that the provision matched, as far as possible, the customers' needs and expectations. The Strategy set out the actions that would facilitate that as an on-going review; the cross-service Customer Strategy Group would deliver the Strategy.

The Strategy complimented the IT Services Strategic Plan in relation to the enhanced website and self-service functionality.

8.2 Recommendation:-

To recommend the Council to approve the Customer Service Strategy.

9.0 Craven House Roofing

9.1 The Committee considered a report of the Director of Resources regarding Craven House Roofing. She reminded the Committee that the project had been procured and managed by Cumbria County Council. The report set out a proposed alteration to the Contract Standing Orders to establish the smooth running of contracts of that nature.

9.2 Recommendation:-

To recommend the Council:-

- (i) To note the project review report;**
- (ii) To authorise the Monitoring Officer to append the additional text to Contract Standing order 16 as set out in the report; and**
- (iii) To endorse the exemptions applied to the Craven House Roofing project in terms of the requirements of the Contract Standing Orders.**

10.0 Nomination of MS Centre, Schneider Road, Barrow as An Asset of Community Value

10.1 The Executive Director's report informed the Committee that a nomination to include the MS Centre, Schneider Road, Barrow-in-Furness on the List of Assets of Community Value had been received from Ormsgill Youth and Community Association. Local Authorities had been given powers under the Localism Act 2011 and subsequent regulations and these had been summarised for Members.

As that was the first request the Borough had received, the report also requested Members authorise the content of the list, the duration of entries, the form of publication and delegate consideration of future nominations to the Executive Committee to meet deadlines set out in the regulations. As the nomination met the tests set out in the legislation and regulations, Members were requested to recommend the Council to approve the MS Centre as an Asset of Community Value.

10.2 Recommendation:-

To recommend the Council:-

- (i) To agree that the information set out at (a) in the report be held on the List of Assets of Community Value for successful and unsuccessful nominations;**
- (ii) To agree that successful and unsuccessful nominations would remain on the List of Assets of Community Value for five years;**
- (iii) To agree that the List of Assets of Community Value for successful and unsuccessful nominations were published on the Council's website;**
- (iv) To agree that authority to approve or reject nomination for inclusion on the List of Assets of Community Value under Section 88 of the Localism Act 2011 be delegated to the Executive Committee and Part 3 of the Constitution regarding the terms of reference for the Executive Committee be amended accordingly;**
- (v) To accept the nomination submitted by Ormsgill Youth and Community Association to place the MS Centre, Schneider Road, Barrow-in-Furness on the List of Assets of Community Value; and**
- (vi) To request the Executive Director to arrange a meeting with the Multiple Sclerosis Society and the Schneider Road Pre School/Nursery.**

11.0 Appointment of Independent Persons

- 11.1 The Monitoring Officer's report reminded the Committee that Section 28(7) of the Localism Act placed an obligation on all authorities to appoint at least one Independent Person.**

Suitable Independent Persons had been identified who would provide advice to the Monitoring Officer and Deputy Monitoring Officer in the event that complaints are received about Members breaching the Code of Conduct.

11.2 Recommendation:-

To recommend the Council that Steve Murray and Jeff Bright be appointed as the Council's Independent persons for a period of four years with immediate effect.

12.0 IT Services Strategic Plan

12.1 The Committee considered the IT Services Strategic Plan for 2015/16. The Plan covered key issues such as Internal IT Service Provision, its fit within the corporate framework and the Council's IT development framework.

12.2 Recommendation:-

To recommend the Council to approve the IT Services Strategic Plan.

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 2 2015/16 of the printed Minutes.

Background Papers

Nil

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| COUNCIL | Agenda Item 5(A)(5) |
| Date of Meeting: 13th October, 2015 | |
| Reporting Officer: Executive Director | |

**REPORT OF THE AUDIT COMMITTEE
(Report of the meeting held on 24th September, 2015)**

Recommendations:

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

Delegated Decisions

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 2 2015/16 of the printed Minutes.

Background Papers

Nil