



## BARROW BOROUGH COUNCIL

TOWN HALL  
DUKE STREET  
BARROW-IN-FURNESS

11th January, 2016

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 19th day of JANUARY, 2016 COMMENCING AT 5.30 PM for the transaction of the business specified below.

Executive Director

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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 13th October and the Extraordinary Meeting held on 15th December, 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. APPOINTMENT OF OFFICIAL SPOKESPERSON - HEALTH AND WELLBEING.
7. NOTICE OF MOTION UNDER RULE 11

To consider the following motion signed by Councillors Pidduck and Sweeney:-

Council offers its sympathy to those people in Cumbria and further afield affected by flooding over recent weeks and will continue to offer what support it can.

Council regards the level of government support as grossly inadequate for the damage that has been suffered and instructs the Leader of the Council and the Executive Director to lobby with the other Local Authorities for increased funding for repairs and for long term solutions to the flooding risks.

Council is also very concerned at the apparent lack of resilience in electricity supplies, communications and transport links, highlighted especially in Lancaster. Council urges the government to carry out an urgent review of the recent incidents and, unlike on previous occasions, to listen to expert advice and take action.

8. NOTICE OF MOTION UNDER RULE 11

To consider the following motion signed by Councillors Pidduck and Sweeney:-

Council notes that once again Central Government has hit hardest, Councils with small tax bases and high levels of social need.

Next year the people of the Borough of Barrow-in-Furness will have the biggest cut in funding of any area of the County, whilst affluent areas in the South of England get big increases in their funding.

9. 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.**

<b>COUNCIL</b>	<b>Agenda Item 5(A)(1)</b>
<b>Date of Meeting: 19th January, 2016</b>	
<b>Reporting Officer: Executive Director</b>	
<p><b>REPORT OF THE PLANNING COMMITTEE</b>  <b>(Report of the meetings held on 3rd November, 1st December, 2015 and 5th January, 2016)</b></p> <p><b>Recommendations:</b></p> <p>There were no recommendations referred to Council from the meetings held on 3rd November, 1st December, 2015 and 5th January, 2016.</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 2015/16 of the printed Minutes.</p>	

Background Papers

Nil

<b>COUNCIL</b>	<b>Agenda Item 5(A)(2)</b>
<b>Date of Meeting: 19th January, 2016</b>	
<b>Reporting Officer: Executive Director</b>	
<p><b>REPORT OF THE LICENSING REGULATORY COMMITTEE (Report of the meetings held on 15th October, 12th November and 17th December, 2015)</b></p> <p><b>Recommendations:</b></p> <p>There were no recommendations referred to Council from the meetings held on 15th October, 12th November and 17th December, 2015.</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 2015/16 of the printed Minutes.</p>	

Background Papers

Nil

<b>COUNCIL</b>	<b>Agenda Item 5(A)(3)</b>
<b>Date of Meeting: 19th January, 2016</b>	
<b>Reporting Officer: Executive Director</b>	
<p><b>REPORT OF THE LICENSING COMMITTEE (Report of the meetings held on 15th October, 12th November and 17th December, 2015)</b></p> <p><b>Recommendations:</b></p> <p>The meeting to be held on 15th October, 2015 was cancelled.</p> <p>There were no recommendations referred to Council from the meetings held on 12th November and 17th December, 2015.</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 meetings noted above reproduced in Volume 3 2015/16 of the printed Minutes.</p>	

Background Papers

Nil

<b>COUNCIL</b>	<b>Agenda Item 5(A)(4)</b>
<b>Date of Meeting: 19th January, 2016</b>	
<b>Reporting Officer: Executive Director</b>	

**REPORT OF THE EXECUTIVE COMMITTEE  
(Report of the meetings held on 21st October and  
2nd December, 2015)**

**Recommendations:**

The recommendations of the Executive Committee meeting held on 2nd December on the Review of Statement of Gambling Licensing Policy and the Review of Statement of Licensing Policy were reported to the Council on 15th December, 2015.

The following recommendations have been referred to Council.

**Executive Committee – 21st October, 2015**

**1.0 Acting as Accountable Body**

1.1 The Director of Resources report reminded the Committee that at its meeting on 20th May, 2015 it had recommended that the Council act as the Accountable Body for the Coastal Communities Fund Supply Chain Strengthening Project. The report had outlined the project, including responsibilities, potential risk and the project finances. A key item of consideration was the project value of £1.2m and the arrangements for the Council's ability to control costs and to generate the project's co-financing whilst eliminating any unknown financial liability to the Council.

**1.2 Recommendation:-**

**To recommend the Council to agree the following Accountable Body principles:**

**The Council may act as Accountable Body without formal approval by Full Council where the project was no more than £50k and satisfied the requirements of the Financial Regulations; Management Board retained the option to request Full Council approval.**

## **2.0 Establishment Change**

- 2.1 The Director of Resources report informed the Committee that the Dock Museum staffing operated on a four week rota with a small bank of casual staff used for cover. Recent changes in personnel had prompted a review of the allocation of hours within the four week rota as a number of staff had a small number of core hours. The review had been submitted by the Premises Manager to Management Board and alterations had been agreed. There was one item which required a change to the establishment that was outside the scope of delegation to Officers.

It was proposed that Council approved the creation of a permanent part time Maintenance Assistant on Scale 1 (£13,500 to £15,207 per annum); 2.5 average weekly hours. There were no budget implications as that post was created from other alterations within the overall Dock Museum staffing. The duties of that new post had been separated from an existing post and in order to offer a permanent contract to a separate individual, it was necessary to create the new post on the establishment of the Council.

### **2.2 Recommendation:-**

**To recommend the Council to approve the creation of a permanent part-time Maintenance Assistant on Scale 1.**

## **3.0 Statement of Policy – Determination of Criminal Convictions in Relation to Animal Licences**

- 3.1 The Committee considered a detailed report of the Assistant Director (Regeneration and Built Environment) regarding the Statement of Policy – Determination of Criminal Convictions in Relation to Animal Licences.

The Committee was informed that legislation was in place that required licences to be held by those who owned or looked after animals for commercial gain and it was the duty of the Licensing Authority to manage such licences. The various pieces of enabling legislation detailed the types of convictions or disqualifications that, if held and unspent, may, and in some cases shall, render a person unsuitable for holding such a licence.

The policy brought all the relevant information together in one document and was intended to promote consistency, transparency and fairness for all stakeholders involved in the animal licensing process.

### **3.2 Recommendation:-**

**To recommend the Council that the Statement of Policy Determination of Criminal Convictions in Relation to Animal Licences as amended be adopted.**

### **4.0 Zoo Licensing Act 1981 (as amended) – Policy for Recharging Zoo Licensing Fees within Barrow Borough Council**

4.1 The Committee considered a report regarding the Zoo Licensing Act 1981 (as amended) Policy for Recharging Zoo Licensing Fees within Barrow Borough Council.

The Committee was informed that at its meeting on 3rd September, 2015 the Licensing Regulatory Committee had taken account of comments received during a consultation for the above policy and had approved changes in line with Officer recommendations for points 6 (Cost Setting) and 7 (Variation in Maintenance Costs). The amended policy was considered by the Committee.

Members also agreed to recommend the policy only to the Executive Committee to recommend that the Council adopt the policy.

It was not the purpose of the report to set the actual fees, but to approve the policy only, and recommend to Council that it be adopted.

### **4.2 Recommendation:-**

**To recommend the Council to approve the Policy for Recharging Zoo Licensing Fees within Barrow Borough Council.**

### **5.0 St Francis Church**

5.1 The Electoral Registration Officer reminded the Committee that at its last meeting a nomination had been received from Ormsgill Youth and Community Association to include the MS Centre, Schneider Road on the List of Assets of Community Value.

As the situation with Richard Cave MS Centre was uncertain it had been necessary to find an alternative polling station for Polling District/Polling Place FB in Ormsgill ward.



## **5.2 Recommendation:-**

**To recommend the Council to designate St Francis Church as the Polling Station for Polling District/Polling Place FB instead of the Richard Cave MS Centre for the Ormsgill Ward.**

## **6.0 Reviewing the Member Development Strategy**

6.1 The Committee were informed that the Member Training Working Group had revised the Member Development Strategy to ensure continuation of effective Member Development. The Strategy was reviewed on a biennial basis in conjunction with the Democratic Services Manager, the Democratic Services Officer (Member Support) and the Member Training Working Group.

The Member Training Working Group had revised the Strategy document and referred it to this Committee for approval. A copy of the revised Strategy was considered by the Committee.

## **6.2 Recommendation:-**

**To recommend the Council to approve the revised Member Development Strategy.**

## **Executive Committee – 2nd December, 2015**

## **7.0 Housing Management System Replacement**

7.1 The Business Support Manager's report explained that the Housing Department carried out a comprehensive ICT systems review in 2014 which concluded that the current In-house system met 50%-60% of its needs and that a new integrated Housing Management System was the only option going forward. Housing Management Forum had approved the strategy to source a replacement product and award the contract using the Crown Commercial Service framework. The purpose of the report was to provide Member's with the business case which supported the replacement and recommended the supplier.

## **7.2 Recommendation:-**

**To recommend the Council to approve the choice of Civica cx as replacement of the existing Housing Management System and agree that the costs were met from the HRA balance and that a 10% capital contingency be available from the HRA balance should it be needed.**

## **8.0 Council Finances Quarter 2 2015-2016**

8.1 The Director of Resources report set out the Council's finances for the period ended 30th September, 2015. The report had included the General Fund, Capital Programme, Treasury Management, Reserves and Balances and the Housing Revenue Account.

### **8.2 Recommendation:-**

**To recommend the Council:-**

- (i) To approve the inclusion of the replacement Housing Management System as a project of £240,433 with agreed funding in the Capital Programme; and**
- (ii) To approve the use of £10,000 from the budget contingency reserve for new Chapel furniture.**

## **9.0 HRA Balance**

9.1 The Director of Resources report sought approval to fund the agreed settlement of the uplift, agreed additional works and inflation thereon for the housing maintenance contract from the HRA balance. The HRA balance had the benefit of these unpaid amounts for each year of the contract. The amounts could not be accrued within the accounts as they were not at a firm enough stage to make a reasonable estimate. The approval was sought in principle so that Officers may continue discussions and make payment once settlement was agreed.

### **9.2 Recommendation:-**

**To recommend the Council agree that the HRA balance be used to fund the settlement of the Housing Maintenance Contract uplift incorporating agreed additional works and inflation thereon, and that Officers make payment once settlement was agreed.**

## **10.0 Establishment Change**

10.1 The Director of Resources informed the Committee that the workload within Development Services had continued at levels which exceeded current resources. The Executive Committee on 20th May, 2015 had supported a temporary twelve month addition to the resources of the centralised Development Services administration team and Management had agreed an increase in part time officers' working hours.

It was Management's opinion that the current activity levels would sustain for the next two years. In order to support the centralised Development Services administration team in managing workload and time pressures, it was asked to approve the creation of a full time Temporary Administrative Assistant on Scale 2/3 (£15,207 to £17,372 per annum), for two years; funded from additional unbudgeted income generated by the service.

The pressures on the Development Services administration resource had been raised to Management. In order to maintain service delivery it had been necessary to recruit a short-term temp to fulfil that role. It was proposed that, subject to the usual assurances, that candidate be offered the remaining term of the two year period and that there would be no further recruitment process.

In total, including the short-term temp, the proposed post would be on the establishment of the Council for a two year period.

#### **10.2 Recommendation:-**

**To recommend the Council:-**

- (i) To approve the creation of a full time Temporary Administrative Assistant on Scale 2/3 (£15,207 to £17,372 per annum) in Development Services, for two years to be funded by additional unbudgeted income; and**
- (ii) To agree that the short-term temp recruited in the interim, be offered the remaining term of the two year period and that there would be no further recruitment process.**

#### **11.0 Barrow and District Credit Union Deposit**

11.1 The Director of Resources report requested Members continue the corporate membership of the Barrow and District Credit Union and delegate some aspects of the operational matters to her.

#### **11.2 Recommendation:-**

**To recommend the Council:-**

- (i) To agree to continue to place £10,000 as a corporate deposit with the Barrow and District Credit Union;**
- (ii) To agree that the annual review of the corporate deposit be performed by the Director of Resources with any concerns reported to the Executive Committee at the first opportunity; and**

- (iii) **To delegate the withdrawal of funds from the Council's corporate deposit to the Director of Resources or the Executive Director, subject to the notice period.**

## **12.0 Members' Allowances Scheme – Report of the Independent Remuneration Panel**

- 12.1 The Director of Resources report reminded the Committee that a Council can amend its scheme of allowances as long as any proposals were in accordance with the regulations governing Members' Allowances and the Council had considered the views of its Independent Remuneration Panel (IRP) on the proposals.

The adopting of an allowances scheme for Members was a function of the Council (Article 4.02 of the Constitution).

The Council's Members' Allowances Scheme along with the Mayoral Personal Allowance had last been reviewed in 2012. The current scheme was due to expire on 31st March, 2016.

### **12.2 Recommendation:-**

- (i) **To agree that the Council remove Recommendation 3(ii) – Travel Inside the Borough - 40p per mile; and**
- (ii) **To recommend the Council to accept the Recommendations of the Independent Remuneration Panel for inclusion in the Scheme with the above variation.**

## **13.0 Smoke and Carbon Monoxide Alarm (England) Regulations 2015**

- 13.1 The Executive Director informed the Committee that on 1st October, The Smoke and Carbon Monoxide Alarm (England) Regulations 2015 had come into force. Arrangements for implementing these regulations were proposed. Members were also invited to approve a statement of principles for determining penalties to be applied in cases where the regulations were breached.

### **13.2 Recommendation:-**

#### **To recommend the Council:-**

- (i) To authorise the Assistant Director of Regeneration and Built Environment to approve remedial notices and penalty charge notices, and other notices as required by the Regulations, and to approve in writing Officers to act as “authorised persons” who can take remedial action;**
- (ii) To authorise the Executive Director and Director of Resources to carry out reviews of penalty charge notices; and**
- (iii) To approve the Statement of Principles for determining the amount of penalty charges.**

### **14.0 Letting Agents – Requirement to Belong to a Redress Scheme**

14.1 The Executive Directors report informed the Committee that from 1st October, 2014 it had been a requirement that letting agents must belong to one of three redress schemes that were approved by the government. That allowed tenants who were dissatisfied to complain to an independent person about the service they had received.

### **14.2 Recommendation:-**

#### **To recommend the Council:-**

- 1. To authorise the Assistant Director of Regeneration and the Built Environment to approve remedial notices and penalty charge notices, and other notices as required by the Regulations, and to approve in writing officers to act as “authorised persons” who can take remedial action;**
- 2. To authorise the Executive Director and Director of Resources to carry out reviews of penalty charge notices; and**
- 3. To approve the statement of principles for determining the amount of penalty charges.**

## **15.0 Members Travelling on Council Business**

15.1 The Director of Resources report set out the policy to be applied for Members travelling in their own vehicles on Council business.

### **15.2 Recommendation:-**

**To recommend the Council to approve the Policy for Members travelling on Council business.**

## **16.0 Absence Management**

16.1 The proposed Absence Management Policy and Procedure had been reviewed with the assistance of an external consultant. The policy set out the Council's approach to the management of sickness absence.

### **16.2 Recommendation:-**

**To recommend the Council to approve the Absence Management Policy and Procedure.**

### 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 (2015/16) of the printed Minutes.

### Background Papers

Nil

<b>COUNCIL</b>	<b>Agenda Item 5(A)(5)</b>
<b>Date of Meeting: 19th January, 2016</b>	
<b>Reporting Officer: Executive Director</b>	
<p><b>REPORT OF THE AUDIT COMMITTEE (Report of the meeting held on 10th December, 2015)</b></p> <p><b>Recommendations:</b></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 (2015/16) of the printed Minutes.</p>	

Background Papers

Nil

<b>COUNCIL</b>	<b>Agenda Item 6</b>
<b>Date of Meeting: 19th January, 2016</b>	
<b>Reporting Officer: Executive Director</b>	
<p><b>Title: Appointment of Official Spokesperson - Health and wellbeing</b></p> <p><b>Summary and Conclusions:</b></p> <p>This report deals with a change in the appointment of the Council's Official Spokesperson for Health and Wellbeing.</p> <p><b>Recommendations:</b></p> <p>To determine the appointment of a Member as the Council's Official Spokesperson for Health and Wellbeing.</p>	

### **Report**

Former Councillor Lesley Graham was the Council's Official Spokesperson for Health and Wellbeing.

As she resigned as a Councillor in September 2015 the Council are now requested to appoint a Member as the Council's Official Spokesperson for Health and Wellbeing.

### **Background Papers**

Nil