



## BARROW BOROUGH COUNCIL

TOWN HALL  
DUKE STREET  
BARROW-IN-FURNESS

8th May 2017

To: The Members of Barrow Borough Council

Madam Mayor, Ladies and Gentlemen

You are hereby summoned to attend the Annual Meeting of BARROW BOROUGH COUNCIL which will be held in the COUNCIL CHAMBER at the TOWN HALL, BARROW on TUESDAY the 16<sup>th</sup> day of MAY, 2017 COMMENCING AT 2.00 P.M. 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. TO ELECT THE CHAIRMAN AND MAYOR FOR THE ENSUING YEAR.
2. TO ELECT THE VICE-CHAIRMAN AND DEPUTY MAYOR FOR THE ENSUING YEAR.
3. (A) VOTE OF THANKS TO THE EX-CHAIRMAN AND MAYOR AND RETIRING MAYORESS.  
  
(B) PRESENTATION OF FORMER MAYOR'S MEDAL.
4. 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.

5. MINUTES. To confirm the Minutes of the Council's proceedings held on 21st March, 2017.
6. TO RECEIVE APOLOGIES FOR ABSENCE
7. TO RECEIVE ANY ANNOUNCEMENTS FROM THE CHAIRMAN AND/OR HEAD OF THE PAID SERVICE.
8. TO ELECT THE LEADER OF THE COUNCIL.
9. TO RECEIVE A REPORT FROM THE MONITORING OFFICER.
10. TO APPOINT THE FOLLOWING COMMITTEES:
  - (1) Executive
  - (2) Planning
  - (3) Licensing
  - (4) Licensing Regulatory
  - (5) Overview and Scrutiny
  - (6) Audit
11. TO AGREE THE TERMS OF REFERENCE OF THE ABOVE COMMITTEES, THE SCHEME OF DELEGATION FOR COMMITTEES AND OFFICERS.
12. ANNUAL COUNCIL MEETING 2018 - DATES AND TIMES OF COUNCIL AND COMMITTEE MEETINGS IN 2017/2018.
13. TO RECEIVE A REPORT FROM THE EXECUTIVE DIRECTOR ON A REVIEW OF THE REPRESENTATION OF THE DIFFERENT POLITICAL GROUPS OF THE COUNCIL ON COMMITTEES AND DECIDE:
  - (i) The size of Committees
  - (ii) The allocation of seats and substitute seats to political groups, and
  - (iii) Delegate to Committees the power to make appointments to outside bodies appropriate to their terms of reference.
14. TO RECEIVE NOMINATIONS AND APPOINT COUNCILLORS (AND SUBSTITUTES) TO SERVE ON COMMITTEES. **To follow**
15. TO APPOINT THE CHAIRMEN AND VICE-CHAIRMEN OF COMMITTEES. **To follow**
16. TO APPOINT THE CHAIRMAN AND MEMBERS OF THE HOUSING MANAGEMENT FORUM. **To follow**

17. TO APPOINT THE FOLLOWING OFFICIAL SPOKESPERSONS:-

Children and Young People  
Economic Development/Regeneration  
Environment and Planning  
Equalities and Diversity  
Health and Safety  
Health and Well-being  
Housing  
Human Resources  
Leisure and Tourism  
Licensing and Environmental Health  
Media  
Community Member Development  
Sport  
Wildlife, Heritage and Culture

18. 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.

<b>COUNCIL</b>	<b>Agenda Item 9</b>
<b>Date of Meeting: 16th May, 2017 (Annual Meeting)</b>	
<b>Reporting Officer: Monitoring Officer</b>	
<p><b>Title: Constitution</b></p> <p><b>Summary and Conclusions:</b></p> <p>The Monitoring Officer has amended the Constitution to reflect a minor change made to the Constitution since it was last updated.</p> <p><b>Recommendations:</b></p> <p>To note the minor change to the Constitution contained in the report.</p>	

### Report

The Monitoring Officer may make minor changes to the Constitution which do not have a material effect on the operation of the document in which case the Monitoring Officer be authorised to make the change and report such change for information to the Council.

A minor change has been made to the Officers' Code of Conduct to insert the words after "employment" at 6.1 of the code.

"written consent should be given by the line manager concerned in consultation with the relevant Management Board member.

### Background Papers

Nil

<b>COUNCIL</b>	<b>Agenda Item 12</b>
<b>Date of Meeting: 16th May 2017(Annual Meeting)</b>	
<b>Reporting Officer: Executive Director</b>	
<p><b>Title: Annual Council Meeting 2018 – Dates and Times of Council and Committee Meetings in 2017/2018</b></p> <p><b>Summary and Conclusions:</b></p> <p>This report puts the under-mentioned recommendations for the date and time of the Annual Council meeting in 2018 and other meetings during 2017/2018.</p> <p><b>Recommendation:</b></p> <p>That,</p> <p>i) The Annual Council meeting in 2018 will be held on Tuesday, 15th May, 2018 at 2.00 p.m.</p> <p>ii) The under-mentioned dates be fixed for Council meetings in 2017/2018 namely:-</p> <p style="padding-left: 40px;">18th July, 2017 10th October, 2017 23rd January, 2018 1st March, 2018 (Budget Council) 20th March 2018</p> <p>iii) The programme of ordinary meetings for Committees and the Housing Management Forum shown at <b>Appendix 1</b> to this report be agreed.</p>	

### **Report**

The Annual Council meeting is to be held in May on a date and at a time fixed by the Council.

The Council at its Annual meeting is also required to approve a programme of ordinary meetings of the Council for the year a copy of which is attached at **Appendix 1**.

### Background Papers

Nil

2017	May	June	July	August	September	October	November
Mon	1 EARLY MAY BANK HOLIDAY						
Tue	2			1			
Wed	3			2			1
Thur	4 COUNTY COUNCIL ELECTIONS	1 OVERVIEW & SCRUTINY (2:00pm)		3			HOUSING MANAGEMENT FORUM (2:00pm)
Fri	5	2		4	1		3
Sat	6	3	1	5	2		4
Sun	7	4	2	6	3	1	5
Mon	8	5	3	7	4	2	6
Tue	9	6	4	8	5 PLANNING (2:30pm)	3 PLANNING (2:30pm)	7 PLANNING (2:30pm)
Wed	10	7	5	9	6 EXECUTIVE (2:00pm)	4	8
Thur	11	8	6	10	7 LICENSING/ REGULATORY (2:00pm)	5 LICENSING/ REGULATORY (2:00pm)	9 LICENSING/ REGULATORY (2:00pm)
Fri	12	9	7	11	8	6	10
Sat	13	10	8	12	9	7	11
Sun	14	11	9	13	10	8	12
Mon	15	12	10	14	11	9	13
Tue		13 PLANNING (2:30pm)	11 PLANNING (2:30pm)	15 PLANNING (2:30pm)	12		14
Wed	17 EXECUTIVE (2:00pm)	14	12	16	13 OVERVIEW & SCRUTINY (2:00pm)	11	15
Thur	18 LICENSING/ REGULATORY (2:00pm)	15 HOUSING MANAGEMENT FORUM (2:00pm)	13 OVERVIEW & SCRUTINY (2:00pm)	17	14 HOUSING MANAGEMENT FORUM (2:00pm)	12	16
Fri	19	16	14	18	15	13	17
Sat	20	17	15	19	16	14	18
Sun	21	18	16	20	17	15	19
Mon	22	19	17	21	18	16	20
Tue	23 PLANNING (2:30pm)	20		22	19	17	21
Wed	24	21	19	23	20	18 EXECUTIVE (2:00pm)	22
Thur	25	22	20 LICENSING/ REGULATORY (2:00pm)	24	21 AUDIT (2:00pm)	19	23
Fri	26	23	21	25	22	20	24
Sat	27	24	22	26	23	21	25
Sun	28	25	23	27	24	22	26
Mon	29 SPRING BANK HOLIDAY	26	24	28 SUMMER BANK HOLIDAY	25	23	27
Tue	30	27	25	29	26	24	28
Wed	31	28 EXECUTIVE (2:00pm)	26 EXECUTIVE (2:00pm)	30	27	25	29 EXECUTIVE (2:00pm)
Thur		29 LICENSING/ REGULATORY (2:00pm)	27 AUDIT (2:00pm)	31	28	26 OVERVIEW & SCRUTINY (2:00pm)	30
Fri		30	28		29	27	
Sat			29		30	28	
Sun			30			29	
Mon			31			30	
Tue						31	

2018	December	January	February	March	April	May
Mon		1 NEW YEAR'S DAY				
Tue		2				1
Wed		3				2
Thur		4	1 OVERVIEW & SCRUTINY (2:00pm)			3
Fri	1	5	2	2		4
Sat	2	6	3	3		5
Sun	3	7	4	4	1	6
Mon	4	8	5	5	2	7
Tue	5 PLANNING (2:30pm)	9	6 PLANNING (2:30pm)	6 PLANNING (2:30pm)	3	8
Wed	6 OVERVIEW & SCRUTINY (2:00pm)	10	7 EXECUTIVE (2:00pm)	7 EXECUTIVE (2:00pm)	4	9
Thur	7 LICENSING/ REGULATORY (2:00pm)	11	8	8 LICENSING/ REGULATORY (2:00pm)	5	10
Fri	8	12	9	9	6	11
Sat	9	13	10	10	7	12
Sun	10	14	11	11	8	13
Mon	11	15	12	12	9	14
Tue	12	16 PLANNING (2:30pm)	13	13	10	
Wed	13	17	14	14 OVERVIEW & SCRUTINY (2:00pm)	11	16 EXECUTIVE (2:00pm)
Thur	14 AUDIT (2:00pm)	18 HOUSING MANAGEMENT FORUM (2:00pm)	15	15 HOUSING MANAGEMENT FORUM (2:00pm)	12	17 LICENSING/ REGULATORY (2:00pm)
Fri	15	19	16	16	13	18
Sat	16	20	17	17	14	19
Sun	17	21	18	18	15	20
Mon	18	22	19	19	16	21
Tue	19		20		17	22 PLANNING (2:30pm)
Wed	20	24	21	21	18	23
Thur	21	25 LICENSING/ REGULATORY (2:00pm)	22	22 AUDIT (2:00pm)	19	24
Fri	22	26	23	23	20	26
Sat	23	27	24	24	21	26
Sun	24	28	25	25	22	27
Mon	25 CHRISTMAS DAY	29	26	26	23	28 SPRING BANK HOLIDAY
Tue	26 BOXING DAY	30	27	27 PLANNING (2:30pm)	24 PLANNING (2:30pm)	29
Wed	27 TOWN HALL CLOSED	31	28	28	25	30
Thur	28 TOWN HALL CLOSED			29	26	31
Fri	29 TOWN HALL CLOSED			30 GOOD FRIDAY	27	
Sat	30			31	28	
Sun	31				29	
Mon					30	

<b>COUNCIL</b>	<b>Agenda Item 13</b>
<b>Date of Meeting: 16th May, 2017</b>	
<b>Reporting Officer: Executive Director</b>	
<p><b>Title: Review of Representation of Political Groups on Committees</b></p> <p><b>Summary and Conclusions:</b></p> <p>Section 15 of the Local Government and Housing Act, 1989 places a duty on the Local Authority at its Annual Meeting (or as soon as practicable after the meeting) to review the representation of the different Political Groups on the Council.</p> <p><b>Recommendations:</b></p> <p>To recommend the Council :-</p> <ol style="list-style-type: none"> <li>1. To agree the size of Committees and the allocation of seats and substitute seats to political groups in accordance with the details at <b>Appendix 2</b>;</li> <li>2. To agree the allocation of seats on Outside Bodies, the number of seats and allocations in respect of Forums, Panels, Working Groups etc. in accordance with the details at <b>Appendix 3</b> and (with the exception of the Housing Management Forum) delegate to the appropriate committees the power to make the necessary appointments; and</li> <li>3. To confirm the appointment of Members to Committees by the Labour Group.</li> </ol>	

### **Report**

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;
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; and
5. The number of seats held on the Council by each group is:-
 

Labour Group	27
Conservative Group	8
Independent	1

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 2** 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.
4. The number of Councillors on the Housing Management Forum has been set at eight.
5. The number of Councillors on the Audit Committee has been set at six.

The recommended seat allocations in respect of those Outside Bodies to which the proportionality rules have been applied and in respect of Forums, Working Groups and Panels are at **Appendix 3**.

It is recommended that the Council delegate to Committees the power to make appointments to outside bodies etc. appropriate to their terms of reference.

## APPENDIX 2

### MAY 2017 CALCULATION OF POLITICAL BALANCE ON COMMITTEES

#### STAGE 1 – Percentage Representation on the Council:

Party	Membership	Percentage %
Labour	27	75
Conservative	8	22.22
Independent	1	2.78

#### 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
<b>Total</b>	<b>66</b>

#### 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	49.5	50
Conservative	14.7	15

(One seat would remain unallocated because one Independent cannot be treated as a political group).

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

Party	Number of seats	%
Labour	50	75.76
Conservative	15	22.73

#### **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)

<b>Committee</b>	<b>Party</b>	<b>Seats on Committee</b>	<b>Seat Entitlement</b>	<b>Total</b>
Executive	Labour	12	9	9
	Conservative		2.66	3
Planning	Labour	12	9	9
	Conservative		2.66	3
Licensing Regulatory	Labour	12	9	9
	Conservative		2.66	3
Licensing	Labour	12	9	9
	Conservative		2.66	3
O&S	Labour	12	9	9
	Conservative		2.66	3
Audit	Labour	6	4.5	5
	Conservative		1.33	1
Total Seats				66
Labour				50
Conservative				(16)15

Under this option the Conservative Group need to lose one seat from either the Executive, Planning, Licensing or Regulatory Licensing Committees, which would satisfy the statutory political balance rules. The Council would need to decide which.

An Independent Member is not part of a political group and has no legal entitlement to a seat on a Committee. If the Council wishes to allocate the one residual seat then this would be a resolution of Council against wish no Member votes. If this is not possible the seat would remain unallocated.

#### **SUB-COMMITTEE**

Licensing	Labour	2	2.25	2
	Conservative	1	0.66	1

COUNCIL MEETING, 16TH MAY, 2017

OUTSIDE BODIES ETC.

	<u>SEATS</u>	<u>NOTIONAL SEAT ALLOCATIONS</u>	<u>SEE NOTES ON CATEGORIES</u>	
		<u>LAB</u> <u>CON</u>		
Allotments Liaison Committee	9	7	2	(1)
Barrow Local Committee – Highways Advisory Group	3	2	1	(2)
Barrow Borough Sports Council	3	2	1	(2)
Cumbria Police and Crime Panel	1	1	0	(2)
Cumbria Local Nature Partnership Board	1	1	0	(2)
Wildlife and Heritage Advisory Committee	9	7	2	(2)
	26	20	6	

Categories

- (1) A body established to advise on a particular matter or administer a particular budget allocated by the Council and as such, subject to the Proportionality Rules.
- (2) A Committee on which the Local Authority is represented, which is advisory and which deals with matters which may have a bearing on a Local Authority's functions or makes representations on its behalf and which, on balance, are subject to the Proportionality Rules applied so far as reasonably practicable.
- (3) A Committee either established (or not) by this Local Authority, although it has representatives appointed to it, and is not subject to the Proportionality Rules.
- (4) An advisory body the representation on which has been determined by the Local Authority on a Ward basis.

<u>FORUMS, WORKING GROUPS, PANELS ETC.</u>	<u>SEATS</u>	<u>NOTIONAL SEAT ALLOCATIONS</u>	<u>SEE NOTES ON CATEGORIES</u>
Housing Management Forum	8	6	2
Renovation Grants Panel	4	3	1
*Medical Assessment/Housing Applications Appeals Panel	*3	-	-
*Review Board - Housing Register/Homeless Applicants	*3	-	-
Planning Policy Working Group (2 Members Executive Committee and 4 Members Planning Committee)	6	5	1
Planning Panel	5	4	1
*Appeals Panel	*4	-	-
Early Retirement/Voluntary Redundancy Panel	4	3	1
Grading Appeals Panel	4	3	1
Tenant Scrutiny Working Party	3	2	1
Taxi/Private Hire Liaison Group	3	2	1
Taxi Licensing Working Party	4	3	1
Licensing Policy Consultation Working Group	4	3	1
Barrow Alcohol Inquiry Working Party	4	3	1
Member Training Working Group	4	3	1
Health and Safety Management Board	5	4	1
Constitution Working Group	4	3	1
Tenants Complaints Panel	1	1	0
Leisure Services Group	5	4	1
Housing Services Review Working Group	4	3	1
Barrow Market Liaison Committee	4	3	1
Excluding	*76	58	18

\*Selected by Executive Director in accordance with proportionality rules when required