



# BARROW BOROUGH COUNCIL

TOWN HALL  
DUKE STREET  
BARROW-IN-FURNESS

12th March, 2018

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 20th day of MARCH, 2018 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 1st March, 2018.
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

(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. 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: 20th March, 2018</b>	
<b>Reporting Officer: Executive Director</b>	
<p><b>REPORT OF THE PLANNING COMMITTEE (Report of the meetings held on 6th February and 6th March, 2018)</b></p> <p><b>Recommendations:</b></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 4 2017/18 of the printed Minutes.</p>	

Background Papers

Nil

<b>COUNCIL</b>		<b>Agenda Item 5(A)(2)</b>
<b>Date of Meeting:</b>	<b>20th March, 2018</b>	
<b>Reporting Officer:</b>	<b>Executive Director</b>	
<p><b>REPORT OF THE LICENSING REGULATORY COMMITTEE (Report of the meeting held on 25th January, the special meeting held on 21st February and the meeting held on 8th March, 2018)</b></p> <p><b>Recommendations:</b></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 4 2017/18 of the printed Minutes.</p>		

Background Papers

Nil

<b>COUNCIL</b>		<b>Agenda Item 5(A)(3)</b>
<b>Date of Meeting:</b>	<b>20th March, 2018</b>	
<b>Reporting Officer:</b>	<b>Executive Director</b>	
<p><b>REPORT OF THE LICENSING COMMITTEE (Report of the meetings held on 25th January and 8th March, 2018)</b></p> <p><b>Recommendations:</b></p> <p>The meetings to be held on 25th January and 8th March, 2018 had been cancelled.</p>		

Background Papers

Nil

<b>COUNCIL</b>	<b>Agenda Item 5(A)(4)</b>
Date of Meeting: 20th March, 2018	
Reporting Officer: Executive Director	
<p><b>REPORT OF THE EXECUTIVE COMMITTEE (Report of the meeting held on 7th March, 2018)</b></p> <p><b>Recommendations:</b></p> <p>The following recommendations have been referred to Council.</p> <p><b><u>Executive Committee – 7th March, 2018</u></b></p> <p><b>1.0 Council Finances and Performance</b></p> <p>1.1 The Committee considered a detailed report of the Director of Resources that set out the Council finances and performance for the period ended 31st December, 2017. The report had included the General Fund, Capital Programme, Treasury Management, Reserves and Balances and the Housing Revenue Account.</p> <p>1.2 Recommendation:-</p> <p>To recommend that Council approve the 2017-2018 revised budget as £10,046,410.</p> <p><b>2.0 Treasury Management Strategy Statement</b></p> <p>4.1 The Committee considered a report of the Director of Resources that set out the Treasury Management Strategy Statement for 2018-2021. The Local Government Act 2003 required the Council to comply with the CIPFA Prudential Code for Capital Finance in Local Authorities when carrying out capital and treasury management activities.</p> <p>2.2 Recommendation:-</p> <p>To recommend that Council approve the Treasury Management Strategy Statement which included the Prudential Indicators and limits and Minimum Revenue Provision statement.</p>	

### **3.0 Pay Policy 2018/19**

- 3.1 The Director of Resources' report reminded the Committee that the Pay Policy was subject to review on an annual basis being approved at Council by 31st March each year.

The Pay Policy Statement set out the Council's approach to pay policy in accordance with the requirements of Section 38 of the Localism Act 2011.

The purpose of the statement was to provide transparency with regard to the Council's approach to setting the pay of its employees.

Minor amendments had been made to the policy to reflect salary changes and the resulting update to the pay multiple (see section on Lowest Paid Employees).

#### **3.2 Recommendation:-**

To recommend the Council to approve the Pay Policy for 2018/19.

### **4.0 Reviewing the Member Development Strategy**

- 4.1 The Committee were informed that Member Training 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. A copy of the revised Strategy was considered by the Committee.

#### **4.2 Recommendation:-**

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

### **5.0 General Data Protection Regulation Policy**

- 5.1 The Committee were reminded that a new statutory requirement for protecting personal data comes into force on 25th May, 2018. The General Data Protection Regulation (GDPR) sets out greater requirements for data management and the rights that individuals had with regard to their personal data. The Council were undertaking a programme of work to prepare the Council for compliance with GDPR.

The Council's GDPR Policy was considered by the Committee which superseded the Data Protection Policy.

In addition to the policy the Council was processing mapping the data that was held and a number of protocols would be produced to help staff to comply with GDPR and protect individuals privacy.

## **5.2 Recommendation:-**

- 1. To request the Director of Resources to report back to the Committee on the implementation of GDPR; and**
- 2. To recommend the Council to approve the General Data Protection Regulation Policy.**

## **6.0 Environmental Health Delegations**

- 6.1** The report of the Director of Resources set out the proposed revisions following a restructure of the Environmental Health Department and consequently the following changes to the Constitution would be required to come into effect from 1st April, 2018:

All references to the Environmental Health Manager shall be changed to the Public Protection Manager.

The following paragraphs shall be inserted into the delegation for the Public Protection Manager:-

"The Commercial Team Leader shall also have delegated powers in relation to the delegations of the Public Protection Manager under the following headings:

- a) Taxi, Gaming, Food, Miscellaneous Licensing and registration functions (other than functions under the Licensing Act 2003 and Gambling Act 2005)
- b) Functions under the Licensing Act 2003 and Gambling Act 2005 Powers under the Licensing Act 2003
- c) Powers under the Gambling Act 2005"

"The Environmental Protection and Public Health Team Leader shall also have delegated powers in relation to the delegations of the Public Protection Manager under the following headings:



a) Other Delegations.”

The delegation of the Assistant Director of Regeneration and the Built Environment shall be changed to allow the Officer to exercise the delegations of the Public Protection Manager contained in Section I of Part 3(2) of the Constitution.

**6.2 Recommendation:-**

**To recommend the Council approve the revisions to the Environmental Health delegations within the Council's Constitution.**

**7.0 Pay and Regrading Review**

7.1 The Executive Director's report reminded the Committee that the current procedure for regrading applications had been agreed in October 2013 and had been based upon demonstration of significant additional responsibility not additional tasks.

Since introduction of the policy 130 regradings had been agreed with post holders by Management Board and 17 had been rejected. These rejections had resulted in ten regrading appeals being considered by the Member Appeal Panel nine of which had been upheld and one had been rejected. It had been clear from the decisions record of the Appeals Panel that Members were dissatisfied with the process of regrading and sought something more akin to a job evaluation process.

It was quite correct that the Appeals Panel had operated independently but recent decisions had disregarded the advice of officers who sat on the panel to advise members and also disregarded the approved procedure. That had led to a stream of applications for regrading based upon successful appeal decisions. Since introduction of the Grading Appeals Procedure the Council had increased its staffing costs by £41,000 from regrading appeal decisions.

The Council's appraisal process should have ensured, over time, that all job applications were updated, and in addition all Departmental Managers had been asked to update all job descriptions into a new format listing the responsibilities and duties of the post rather than tasks. That should be completed by the end of March 2019. Over time job descriptions would be updated annually by Managers rather than forming part of the appraisal process.

It was clear that the current process of assessing applications for regrading was not fit for purpose and should be suspended pending a review by the Overview and Scrutiny Committee.

## **7.2 Recommendation:-**

To recommend the Council that a moratorium be placed on all applications for regradings after 27th February, 2018 pending a review by the Overview and Scrutiny Committee of the existing policy and procedure.

## **8.0 Establishment Matters**

8.1 The Director of Resources submitted a report that set out the proposed changes to Development Services following a departmental review of planning performance improvements given the 20% increase in fee income.

## **8.2 Recommendation:-**

To recommend the Council:-

1. To create a new permanent full time Data Technician post on Scale 4/5 from 1st April, 2018;
2. To permanently increase the Planning Enforcement Officer's PLN003 hours by 7.5, making a 30 hour post;
3. To create a new permanent part time (30 hours) Heritage and Conservation Officer on PO4 from 1st April, 2018 with recruitment being ring-fenced to Development Services; post to be filled internally, with the deletion of the subsequent vacancy, or not filled;
4. To create a new permanent part time (30 hours) Senior Policy Officer on PO4 from 1st April, 2018 with recruitment being ring-fenced to Development Services; post to be filled internally, with the deletion of the subsequent vacancy, or not filled;
5. To create a new permanent full time Principal Planning Officer on PO4 from 1st April, 2018 with recruitment being ring-fenced to Development Services; post to be filled internally, with the deletion of the subsequent vacancy, or not filled; and
6. To retitle and upgrade the current Principal Planning Officer (Policy) PLN010 post holder to Development Services Manager on PO11 from 1st April, 2018.

## **9.0 Essential User Allowance**

9.1 The Director of Resources submitted a report that set out the proposed Policy Statement in relation to the Essential user Allowance and a list of the posts that would be affected. There was also confirmation of the motor cycle mileage rate.

### **9.2 Recommendation:-**

**To recommend the Council:-**

- 1. To agree the Essential User Policy Statement;**
- 2. To agree that Essential User status be reviewed against the Policy Statement as posts become vacant and were advertised;**
- 3. To agree the posts identified under the Policy Statement had Essential User status from 1st April, 2018; and**
- 4. To agree that the motor cycle user mileage rate was 30p per mile.**

### 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 4 2017/18 of the printed Minutes.

### Background Papers

Nil