



## BARROW BOROUGH COUNCIL

TOWN HALL  
DUKE STREET  
BARROW-IN-FURNESS

8th October, 2012

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 16th day of OCTOBER, 2012 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 17th July, 2012.

#### 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 Amendments which they propose to raise.**

4. ANNOUNCEMENTS – To receive any announcements from the Chairman, Leader or Head of Paid Service.

5. PETITION – ROOSECOTE POWERSTATION

Referring to Minute No. 23 – debate on the petition presented by Furness Opposes Biomass.

Copies of the petition question will be available for Members of the Council at the meeting.

6. QUESTIONS BY THE PUBLIC

I have received two questions from a member of the public regarding ARC.

- 1) Have the items donated to the Company been given to a Charity by a Councillor as was the office equipment last year?
- 2) I posed a related question to the Local County Council Committee regarding the items of equipment funded by them to which I received a reply. At the last Council meeting a Councillor was asked the same question but was told the Council had the matter in hand can you now give an answer?

A copy of the letter will be available at the meeting.

7. (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.

8. OVERVIEW AND SCRUTINY COMMITTEES ANNUAL REPORT.

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 Amendments which they propose to raise.**

<b>COUNCIL</b>	<b>Agenda Item 7(A)(1)</b>
<b>Date of Meeting: 16th October, 2012</b>	
<b>Reporting Officer: Executive Director</b>	
<p><b>REPORT OF THE PLANNING COMMITTEE</b>  <b>(Report of the meetings held on 7th August, 4th September and 9th October, 2012)</b></p> <p><b>Recommendations:</b></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 9th October, 2012.</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 2012/13 of the printed Minutes.</p>	

<b>COUNCIL</b>	<b>Agenda Item 7(A)(2)</b>
Date of Meeting: 16th October, 2012	
Reporting Officer: Executive Director	
<p><b>REPORT OF THE LICENSING COMMITTEE</b>  <b>(Report of the meetings held on 26th July, 6th September and 11th October, 2012)</b></p> <p><b>Recommendations:</b></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 Licensing Committee to be held on 11th October, 2012.</p> <p><u>Delegated Decisions</u></p> <p>The matters determined by the Licensing Committee in exercise of its terms of reference are detailed in the Minutes of the meetings reproduced in Volume 2 2012/13 of the printed Minutes.</p>	

<b>COUNCIL</b>	<b>Agenda Item 7(A)(3)</b>
<b>Date of Meeting: 16th October, 2012</b>	
<b>Reporting Officer: Executive Director</b>	

**REPORT OF THE EXECUTIVE COMMITTEE  
(Report of the meetings held on 18th July and 19th September, 2012)**

**Recommendations:**

There were no recommendations referred to Council from the meeting of 18th July, 2012.

The following recommendations have been referred to Council.

**Executive Committee – 19th September, 2012**

**1.0 Council Tax Technical Reforms**

1.1 The Borough Treasurer's report considered the proposals to change a number of Council Tax discounts and premiums from April 2013 and presented other Council Tax technical reforms.

**1.2 Recommendation:-**

**To recommend the Council that from April 2013:**

- (i) The Council Tax discount on second homes be reduced from 10% to 0%;**
- (ii) A Council Tax premium of up to 50% be applied (subject to any statutory or locally determined exemptions) to houses empty for more than two years;**
- (iii) The Council Tax discount on houses empty for more than six months be reduced from 50% to 0%;**
- (iv) The Council Tax discount for properties subject to major works or structural alteration remained at 100% (for up to twelve months);**

- (v) **The Council Tax discount for properties vacant for up to six months remained at 100%; and**
- (vi) **To agree to fund any shortfall between the costs of the Council Tax Reduction Scheme and the changes from the Council Tax Technical Reform from the Councils' reserves.**

## **2.0 Empty Property Policy**

2.1 The Executive Director submitted a policy to address problematic empty properties.

### **Recommendation:-**

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

- (i) **To approve the Empty Property Policy attached to the report;**
- (ii) **To delegate to the Executive Committee authority to make resolutions concerning the registration of appropriate charges with the Land Registry under the Enforced Sales Procedure; and**
- (iii) **To delegate authority to the Assistant Director, Regeneration and Built Environment serve the relevant notices pursuant to the Law of Property Act where the Enforced Sales Procedure was being used.**

## **3.0 Clusters of Empty Property Fund – Private Sector Housing Assistance Policy**

3.1 The Executive Director submitted a revised policy for the provision of Private Sector Housing Assistance.

### **3.2 Recommendation:-**

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

- (i) **To approve the proposed Private Sector Housing Assistance Policy attached to the report; and**
- (ii) **To delegate authority to the Housing Renewal Manager (a) to draw up detailed procedures for the provision and authorisation of these agreed forms of assistance, and (b) to authorise assistance consistent with these procedures and the agreed policy statement.**

#### **4.0 Appointment of Independent Person**

4.1 The Deputy Executive Director's report informed the Committee that Officers had identified a suitable Independent Person who would provide advice to the Monitoring Officer and Deputy Monitoring Officer in the event that complaints were received about Members breaching the Code of Conduct.

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

**To recommend the Council that Amanda Bligh be appointed as the Council's Independent Person for a period of four years with immediate effect.**

#### **5.0 West Shore Park Coastal Defence Works**

5.1 The Executive Director's report informed the Committee that contributions towards the cost of providing a 20 year temporary sea defence at West Shore Park had been agreed with DEFRA, the Regional Flood Committee and Embra Investments Ltd. That left a gap of £55,000 which the Council was asked to finance. The proposed contribution from the Council was not currently within the agreed Capital Programme and would need to be funded from the Asset Investment Fund.

#### **5.2 Recommendation:-**

**To recommend the Council:-**

- (i) To note the report;**
- (ii) To agree to commit £55,000 from the Capital Programme Asset Investment Fund in 2013/14 and 2014/15 towards the cost of a temporary sea defence protecting the frontage of West Shore Park;**
- (iii) To instruct the Executive Director to commission and implement the above works; and**
- (iv) To agree that the Council lobby the Environment Agency to re-profile all GiA for the project to the 2013/14 financial year.**

## **6.0 Housing Grants Officer**

6.1 The Deputy Executive Director's report informed the Committee that a request had been received from Postholder DEH 041 for voluntary redundancy.

### **6.2 Recommendation:-**

- 1. To authorise the Deputy Executive Director to commence the recruitment process immediately to ensure that staff at risk of compulsory redundancy could be considered for the new post; and**
- 2. To recommend the Council:-**
  - (i) To agree a 5% administration charge on all Disabled Facilities Grants; and**
  - (ii) To appoint a post of Housing Grants Officer on a grade of Scale 6.**

### Delegated Decisions

The matters determined by the Executive Committee in exercise of its terms of reference are detailed in the Minutes of the meetings reproduced in Volume 2 of the printed Minutes.



<b>COUNCIL</b>	<b>Agenda Item 7(A)(4)</b>
Date of Meeting: 16th October, 2012	
Reporting Officer: Executive Director	
<p><b>REPORT OF THE AUDIT COMMITTEE</b>  <b>(Report of the special meeting held on 25th July and the meeting held on 27th September, 2012)</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 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 of the printed Minutes.</p>	

<b>COUNCIL</b>	<b>Agenda Item 8</b>
<b>Date of Meeting: 16th October, 2012</b>	
<b>Reporting Officer: Policy Review Officer</b>	
<p><b>Title: Overview and Scrutiny Committees Annual Report</b></p> <p><b>Summary and Conclusions:</b></p> <p>The Annual Report details the work undertaken by the Overview and Scrutiny Committee for 2011/12.</p> <p><b>Recommendations:</b></p> <p>To accept the Annual Report from the Overview and Scrutiny Committee.</p>	

## **Report**

### **Foreword**

In 2011/12 only one Committee was appointed called the Overview and Scrutiny Committee. The responsibility for monitoring the Council's risk management and performance management arrangements has been transferred to the Audit Committee in line with recognised good practice.

Membership of the Overview and Scrutiny Committee in 2011/12:

Councillors Roberts (Chairman)  
Doughty (Vice-Chairman)  
Biggins  
Derbyshire  
Hamilton  
Husband  
Johnston  
R. McClure  
Opie  
Preston  
C. Thomson  
M. A. Thomson

In May 2012 Councillor Preston was replaced by Councillor Murphy.

Members agreed to develop a four year work programme up to March 2015 and identified topics for review these are presented in Table 1.

The committee recognises that additional urgent items may be identified during the period and they will be considered in an appropriate timeframe.

It is anticipated that we will complete two or three reviews per year depending on the availability of resource.

**Table 1**

<b>Item</b>	<b>Topic</b>	<b>Scope of the review</b>
1	Allotments.	To review the Council's arrangements for managing tenancies and the waiting list. Ensure the allotment service is financially sustainable.
2	Street cleanliness.	To review to Council's arrangements for working with the contractor to deliver a higher standard of street cleanliness. To ensure appropriate arrangements are in place to manage external factors and the impact on street cleanliness e.g. seagulls and fly tipping.
3	Coastal protection.	The implementation of phase four of the Flood and Coastal Erosion Risk Management Strategy has resulted in changes to way in which coastal defence projects are funded. The review will focus on our medium term project plan and how it will be funded.
4	Estates and asset management.	To review arrangements for maximising income from our assets and the potential for the disposal of redundant assets.
5	Town centres development and supporting local traders.	Review arrangements for supporting local traders in the current economic climate.
6	Highways and car parking	Review the provision of highways maintenance by Cumbria County Council. Review street lighting and on-street parking arrangements.
7	Economic Development, planning and development control.	Review arrangements for planning and economic development in light of the reduced funding as a result of the Governments deficit reduction programme. Ensure the Council still

		has appropriate arrangements in place to access development funding.
8	Cultural Services	Review the impact of the Council's service review on cultural services. The review will consider events, distribution of funding and service charges.
9	Policy and strategy	Monitor the development of and performance against the Council's key priorities.
10	Housing strategy	Review availability of private sector and social housing and consider partnership arrangements to ensure that the availability of housing in the borough meets demand.

The review of allotments was completed in December and recommendations relating to allotment provision and administration were implemented.

Members agreed that the street cleanliness review would be an on-going standing item at every meeting so they could monitor this essential Council service.

The Coastal protection review is on-going and will be completed in 2012/13.

In March 2012 the committee agreed to add Tenant Co-regulation to the work programme as an urgent review in response to the Co-regulation legislation and the way that tenants are involved in the management of social housing. This review is on-going and will be completed in 2012/13.