



BARROW BOROUGH COUNCIL

TOWN HALL
DUKE STREET
BARROW-IN-FURNESS

14th March, 2011

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 22nd day of MARCH, 2011 COMMENCING AT 7.00 PM for the transaction of the business specified below.

Chief Executive

Business

1. DECLARATIONS OF INTEREST. A Member with a Personal Interest in a matter to be considered at this meeting must either before the matter is discussed or when the interest becomes apparent disclose:-
 - (1) the existence of that interest to the meeting;
 - (2) the nature of the interest concerned; and
 - (3) decide whether they have a prejudicial interest.

A note on declaring interests at meetings, which incorporates certain other aspects of the Code of Conduct and a pro-forma for completion where interests are disclosed accompanies the agenda and reports for this meeting.
2. MINUTES. To confirm the Minutes of the Council's proceedings held on 25th January and 1st March, 2011.
3. TO RECEIVE APOLOGIES FOR ABSENCE.
4. ANNOUNCEMENTS – To receive any announcements from the Chairman, Leader and Head of Paid Service.

To expedite the business of the meeting, Members are requested to give the Chief Executive adequate notice of any Amendment which they propose to raise.

5. (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.

6. STATEMENT OF RETIREMENT OF MEMBERS OF THE COUNCIL.

7. 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 Chief Executive adequate notice of any Amendment which they propose to raise.

BOROUGH OF BARROW-IN-FURNESS

AN EXTRAORDINARY MEETING OF THE COUNCIL of this Borough was held at the Town Hall, Barrow-in-Furness at 2.00 p.m. on Tuesday 1st day of March, 2011 to take into consideration and determine upon the following subjects, namely: -

1. - DECLARATIONS OF INTEREST (IF ANY).
2. - TO RECEIVE APOLOGIES FOR ABSENCE.
3. - TO RECEIVE A REPORT FROM THE EXECUTIVE COMMITTEE AND CONSIDER RECOMMENDATIONS ON:-
 - (1) BUDGET PROPOSALS
2011/12
 - (2) THE HOUSING REVENUE
ACCOUNT 2011/12.
4. - GENERAL FUND REVENUE BUDGET
2011/12 AND THE OUTCOME OF THE
CONSULTATION EXERCISE.
5. - TO CONSIDER A REPORT BY THE
BOROUGH TREASURER ON THE SETTING
OF THE COUNCIL TAX FOR THE YEAR
COMMENCING 1ST APRIL, 2011 AND
ADOPT THE RECOMMENDATIONS
SUMMARISED IN THE REPORT.
6. - TO ORDER THE COMMON SEAL TO BE
AFFIXED TO DOCUMENTS.

Present:- Councillors McClure (Mayor in the Chair), Barlow, Bell, Biggins, Dawes, Doughty, English, Flitcroft, Guselli, Hamezeian, Hammond, Heath, Husband, Irwin, Jefferson, McCormick, McEwan, Maddox, Marcus, Pidduck, Pointer, Richardson, Roberts, Sweeney, C. Thomson, M. A. Thomson, Unwin, Waiting Williams and Wood.

The meeting was opened with prayers by the Mayor's Chaplain.

59 – Declarations of Interest

Councillor Waiting declared a personal and prejudicial interest in Agenda Item No. 3(i) as her husband was a Member of the Keeping Our Future Afloat Campaign.

60 – Apologies for Absence

Apologies for absence were submitted from Councillors Callister, Garnett, James, Maltman, Murphy and Stephenson.

61 – Report of the Executive Committee: Budget Proposals 2011/12, Housing Revenue Account 2011/12, General Fund Revenue Budget 2011/12 and the Outcome of the Public Consultation Exercise

The Leader of the Council made the following statement:-

“As Members are aware the 2011/12 is the beginning of a process to substantially reduce the Council’s expenditure to meet projected reductions in Government grant over the period for the current spending review.

This process will require the Council to re-evaluate its priorities and set a policy platform to guide how these reductions will be made and I hope Members will agree that with the election of a new Council to serve for a period of four years in May, as many of the decisions about spending priorities as possible should be left to the newly elected Council.

That said the budget before you makes a good start to the process by identifying over £1.1M of savings without affecting front line services.

The Government has recognised that Barrow has fared badly from the overall loss of spending power and has provided over £4M in transition funding over the next two years to help us make the adjustment.

This budget proposes to use around £700,000 of that transition funding to provide continuation funding until March, 2013 for the Neighbourhood Warden Service and CCTV system and to underwrite a small deficit or around £400,000 in the current account, thereby delaying the impact of the grant reduction in 2011/12.

Both the Neighbourhood Warden Service and the CCTV system would have ended in March, 2011 without this extra funding and I hope Members will support these proposals.

We also propose in this budget to take advantage of the additional grant being offered to Councils which freeze their Council Tax and so this

budget proposes no increase in Council Tax in 2011/12. This I am sure will be welcomed by local residents during this difficult financial period for everyone as we come out of recession.

Our Capital Programme is also greatly reduced, but we have given priority to two major regeneration projects in the Borough, that is to say completing the Town Centre Housing Renewal Programme and continuing the development and investment necessary to deliver the Marina Village project and I hope Members will also support the Capital Programme.

In conclusion then the Council faces difficult decisions on how to balance its budget over the next four years. The 2011/12 budget before you makes an important start to this process without constraining the options of the incoming Council and I recommend its adoption by Council”.

Members considered the recommendations from the Executive Committee meeting held on 2nd February, 2011 in respect of the budget proposals for 2011/12 and the Housing Revenue Account. In addition, the Borough Treasurer had reported on the final budget position following the outcome of the public consultation process relating to the budget proposals. He reported that part of the budget process was to submit the budget proposals for public consultation and that this had been carried out from 2nd February to 18th February, 2011 by publishing the proposals on the Council’s website and advertising the process in the local press.

The budget proposals had been reported to a Joint meeting of the Overview and Scrutiny Committees on 9th February, 2011. At that meeting, Members of the Committee had been supportive of the budget proposals and a copy of the minutes of that meeting had been appended to the Borough Treasurer’s report.

It was moved by Councillor Richardson and seconded by Councillor Williams that the report of the Executive Committee from 2nd February, 2011 which included the budget proposals and the Housing Revenue Account be received and that each of the recommendations contained therein be adopted. In addition he requested Members to note the increase in the Government grant of £185,386 for the 2011/12 (the Formula grant increased by £48,504 and the Transition grant increased by £136,882) and to agree to add this amount earmarked restructuring reserve. Members were also requested to note the recommendations of the Joint Overview and Scrutiny Committees held on 9th February, 2011 and note that no responses had been received as a result of the public consultation exercise.

It was further moved by Councillor Hamezeian and seconded by Councillor McEwan that in the face of the recession and deep financial problems the following amendment be made to the budget:-

“We propose a reduction of 15% in the Chief Executive’s salary (£117,310) and a 10% reduction in other Chief Officers’ salaries. The Director of Regeneration and the Director of Corporate Services (£88,760) and the Borough Treasurer (£70,080)”.

The amendment was declared invalid as it was not within the jurisdiction of the full Council to amend Officers’ salaries. The Chief Executive advised Council that Members could only resolve the negotiate salary reductions.

RESOLVED:- To approve the recommendations detailed in the report namely:-

1. Budget Proposals 2011/12

- (i) To agree to set the budget at £13,825,838 with no increase in the Council Tax for Barrow. The annual Band A tax would remain at £134.58 and Band D tax at £201.87;
- (ii) To agree the Parish precepts of £102,500 (Dalton with Newton £73,000, Askam and Ireleth £27,000 and Lindal and Marton £2,500). The total revenue budget including Parish precepts was £13,928,338;
- (iii) To agree the targeted savings of £1,193,100 as detailed on page 5 of the budget proposals booklet 2011/12; Amendments to certain elements in conditions of service for staff would be the subject of future reports to the Executive Committee;
- (iv) To confirm the previous year’s decision to use the final instalment of £155,000 from reserves set aside in 2009/10 to soften the impact of lower interest rates on the Council Tax;
- (v) To agree that £121,480 be used from the Area Based Grant earmarked reserve to fund the Neighbourhood Management Team for 2011/12 and £73,440 for 2012/13;
- (vi) To agree the following changes in earmarked reserves:-
 - To set aside £1,868,978 from the Transition Grant to be used as follows:-
 - £1,698,978 for a restructuring reserve to facilitate the move to a lower support base from Central Government;
 - £120,000 to fund the CCTV service for 2012/13; and

- £50,000 to fund the Neighbourhood Management Team for 2012/13.
- To reclassify the opportunity fund as follows:-
 - £500,000 public buildings reserve; and
 - £303,284 general reserve;
- (vii) To agree the proposed public consultation process;
- (viii) To approve the medium term budget projections;
- (ix) To adopt the prudential indicators and limits for 2011/12 to 2013/14.
- (x) To approve the Minimum Revenue Provision (MRP) Statement which set out Council's policy on MRP.
- (xi) To approve the Treasury Management Strategy 2011/12 to 2013/14 and the Treasury Prudential Indicators;
- (xii) To approve the Authorised Limit for borrowing;
- (xiii) To approve the Investment Strategy for 2011/12 contained in the Treasury Management Strategy and the detailed criteria included in Part Two of the report;
- (xiv) To approve and agree to submit the four year Capital Programme for consultation; and
- (xv) To approve the recommendations of the Housing Management Forum regarding the Housing Revenue Account.

2. The Housing Revenue Account

- (i) To note the information at (1) of the report;
- (ii) To note the information on balances at (2) of the report;
- (iii) To agree the 2011/12 budget as shown at Appendix A to the report;
- (iv) To agree an average increase of 6.05% in line with rent restructuring guidelines and note the effect on individual rents as shown at Appendix B of the report;
- (v) To agree an increase of garage charges at 6.05% at point 4.1 of the report;

- (vi) To agree the deletion of the Homelink Supervisor Post (Post Number OHS200) at point 4.2 of the report; and
 - (vii) To agree the action contained in point 4.3 of the report.
3. To approve the decision of the Executive Committee relating to approving the budget for 2011/12;
 4. To note the increase in the Government Grant of £185,386 for 2011/12 (the Formula grant increased by £48,504 and the Transition grant increased by £136,882) and to agree to add this amount to the earmarked restructuring reserve.
 5. To note the recommendations of the Joint Overview and Scrutiny Committee held on 9th February, 2011; and
 6. To note that no feedback had been received as a result of the public consultation exercise.

62 – Setting the Council Tax for the Year Commencing 1st April, 2011

The Borough Treasurer reported on the Council Tax for the year commencing 1st April, 2011. His report analysed the components of and recommended the setting of the Council Tax for the Borough Council.

The calculation and setting of Council Tax for the Council's area was closely prescribed by legislation. His report set out the individual components of the calculation and concluded with the formal resolution in accordance with the statutory requirements.

At the meeting, the Council had approved the 2011/12 General Fund Revenue Budget of £11,358,131. The Council's budget requirement was the amount to be met from Revenue Support Grant, redistributed Business Rates and Council Tax income. It therefore comprised of the Revenue Budget plus any precepts issued by the Parish Councils. The following precepts had been received:-

Dalton with Newton Parish Council	73,000
Askam and Ireleth Parish Council	27,000
Lindal and Marton Parish Council	2,500

The Council's budget requirement was, therefore, £11,460,631 made up as follows:-

Revenue Budget	11,358,131
Add: Parish Precepts	102,500
TOTAL	11,460,631

The legislation required the budget requirement to be grossed up to show the Council's estimates of total expenditure and income for 2011/12. These figures were as follows:-

Total Expenditure	44,096,937
Total Income	(32,636,306)
NET TOTAL	11,460,631

Collection Fund Surplus/Deficit

The Council had been required to estimate whether the Collection Fund would show a surplus or deficit for the financial year 2010/11 for the collection of the Council Tax. The tax base had also been adjusted by an estimated provision of 2% for non-collection. The percentage used in 2010/11 had been maintained for 2011/2012.

The estimate of these items result in a deficit balance of £10,615 on collections over that anticipated in setting the 2010/11 Council Tax, therefore, an addition had been made to the collection requirements for 2011/12.

Revenue Support Grant and National Non-Domestic Rate Distribution

The DCLG had notified the Council of its share of the distribution of Revenue Support Grant (RSG) and National Non-Domestic Rate (NNDR) for 2011/12 as follows:-

Revenue Support Grant	1,656,828
National Non-Domestic Rates	5,360,118

These amounts had been deducted from the Council's budget requirement prior to calculating the Council Tax.

Council Tax Base

The following tax bases for the Council's and the parished areas had been set for 2011/12 as agreed by the Executive Committee on 15th December 2010 as follows:-

Whole Area	21,557.44
Dalton with Newton	2,490.51
Askam and Ireleth	1,114.99
Lindal and Marton	262.94

Calculation of the Council Tax for the Borough Council

The Council's basic amount of tax for Band D dwellings had been calculated as follows:-

Budget Requirements	11,460,631
Less: Revenue Support Grant	(1,656,828)
National Non-Domestic Rates	(5,360,118)
Actual deficit on the Collection Fund at 31/3/2009	10,615
Amount to be met from Council Tax	4,454,300
Divided by the Tax Base for Whole Area	21,557.44
Gives the Basic Amount of Council Tax	206.62

This Band D rate of Council Tax was, in effect, an average across the parished and unparished areas of the Borough. The statutory calculation then arrived at the basic amounts of Council Tax (for Band D dwellings) for the individual areas as follows:-

Barrow (unparished)	201.87
Dalton with Newton Parish	231.18
Askam and Ireleth Parish	226.09
Lindal and Marton Parish	211.38

The rates of Council Tax for the eight Valuation Bands had been calculated by applying the appropriate proportions to the Band D basic amounts as follows:-

Band	Ratio	Barrow (£.p)	Dalton with Newton (£.p)	Askam and Ireleth (£.p)	Lindal and Marton (£.p)
A	6/9	134.58	154.12	150.72	140.92
B	7/9	157.01	179.81	175.84	164.41
C	8/9	179.44	205.49	200.96	187.89
D	9/9	201.87	231.18	226.09	211.38
E	11/9	246.73	282.55	276.33	258.35
F	13/9	291.58	333.93	326.57	305.32
G	15/9	336.44	385.30	376.81	352.30
H	18/9	403.73	462.36	452.17	422.76

Cumbria County Council and Police Authority Precepts and Amounts of Council Tax

Cumbria County Council had set its budget for 2011/12 resulting in a precept of £25,039,000. The Police Authority had set its budget with a precept of £4,177,550 which together resulted in the following Council Tax:-

Band	County Council (£.p)	Police Authority (£.p)	Total (£.p)
A	774.33	129.26	903.59
B	903.39	150.80	1,054.19
C	1,032.44	172.35	1,204.79
D	1,161.50	193.89	1,355.39
E	1,419.61	236.98	1,656.59
F	1,677.72	280.06	1,957.78
G	1,935.83	323.15	2,258.98
H	2,323.00	387.78	2,710.78

Setting the Council Tax

The calculated Borough, Police Authority and County Council basic taxes had been added to calculate the composite tax. The Council Tax for each category of dwellings would be as follows:-

Band	Barrow (£.p)	Dalton with Newton (£.p)	Askam and Ireleth (£.p)	Lindal and Marton (£.p)
A	1,038.17	1,057.71	1,054.31	1,044.51
B	1,211.20	1,234.00	1,230.03	1,218.60
C	1,384.23	1,410.28	1,405.75	1,392.68
D	1,557.26	1,586.57	1,581.48	1,566.77
E	1,903.32	1,939.14	1,932.92	1,914.94
F	2,249.36	2,291.71	2,284.35	2,263.10
G	2,595.42	2,644.28	2,635.79	2,611.28
H	3,114.51	3,173.14	3,162.95	3,133.54

After setting the Council Tax, the Council was required to advertise the amounts within 21 days in at least one local newspaper.

Schedule of Precept Instalments

The precepts issued by Cumbria County Council and the Police Authority would be payable in equal monthly instalments on dates to be agreed with the two Authorities. The Borough Council's demand would be paid to the General Fund by instalments on the same dates. The three Parish precepts would be paid over in full on 9th May 2011.

Instalment Dates

Council Tax and National Non Domestic Rates (NNDR) bills were payable in ten instalments as follows:-

2011 1st April
2nd May
1st June
1st July
1st August
1st September
3rd October
1st November
1st December
2012 3rd January

The payment dates would maximise cash flow but may have to be adjusted in the event of any delay in issuing bills.

Councillor Richardson reported that the purpose of this agenda item was to consider business expressly required by statute and the procedure required by legislation for prescribing the method of the calculation and setting of the Council Tax.

The Borough Treasurer's report noted the gross precept of the Borough Council and the three Parish Councils, the details of the Collection Fund, the details of the Revenue Support Grant and the National Non Domestic Rate (NNDR) allocations and the tax bases for the whole Borough and Parished areas. Applying this information, the Borough Council's Tax had been calculated for a Band D dwelling. Amounts of Council Tax for the eight Valuation Bands had been calculated by applying the appropriate proportions to the basic amount of tax for the Parished areas of Dalton with Newton, Askam and Ireleth, Lindal and Marton and to the Unparished area of Barrow. The report also dealt with the precepts and amounts of Council Tax required by Cumbria County Council and the Police Authority following their budget meetings.

It was moved by Councillor Richardson and seconded by Councillor Williams that the Council adopted the recommendations set out in the Borough Treasurer's report (Agenda Item 5) to calculate and set the Council Tax for 2011/12 in accordance with the appropriate provisions of the Local Government Finance Act 1992 and Regulations made thereunder, for each of the categories of dwellings listed in the different valuation bands in respect of the Parished areas of Dalton with Newton, Askam and Ireleth, Lindal and Marton and all other parts of the Borough Council's area; and that a public notice of the amounts of Council Tax be published in at least one newspaper circulating in the Borough Council's area.

RESOLVED:- (i) To note the budget requirement of Barrow Borough Council and its three Parishes as £11,460,631;

(ii) To agree that a Collection Fund deficit of £10,615 be applied to this calculation;

(iii) To note the Revenue Support Grant (RSG), National Non Domestic Rate (NNDR) allocations from Central Government to the Borough as follows:-

RSG	£1,656,828
NNDR	£5,360,118

respectively, and that these amounts would be deducted from the Council's requirements in the process of calculating the tax level;

(iv) To note the following tax bases:-

Whole Borough	£21,557.44;
Dalton with Newton	£2,490.51;

Askam and Ireleth £1,114.99; and
Lindal and Marton £262.94;

- (v) To agree that the Basic Band D rate of Council Tax for the Borough and Parish precepts was £206.62;

This applied to the individual areas of the Borough as follows:-

Barrow (unparished) £201.87;
Dalton with Newton £231.18;
Askam and Ireleth £226.09; and
Lindal and Marton £211.38;

- (vi) To note that the precepts from Cumbria County Council and Cumbria Police Authority for Band D Council Tax were as follows:-

Cumbria County Council £25,039,000; and
Cumbria Police Authority £4,179,772;

- (vii) To resolve that the foregoing be combined into the Band D Council Tax levels for the individual parts of the Borough for the year commencing 1st April, 2011 as follows:-

Barrow (unparished) £1,557.26;
Dalton with Newton £1,586.57;
Askam and Ireleth £1,581.48; and
Lindal and Marton £1,566.77.

63 – Common Seal

RESOLVED:- That the Council authorises the affixing 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.

The meeting closed at 2.50 p.m.

COUNCIL	Agenda Item 5(A)(1)
Date of Meeting: 22nd March, 2011	
Reporting Officer: Chief Executive	
<p>REPORT OF THE PLANNING COMMITTEE (Report of the meetings held on 1st, 22nd February and 15th March, 2011)</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 15th March, 2011.</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 of the printed Minutes.</p>	

COUNCIL	Agenda Item 5(A)(2)
Date of Meeting: 22nd March, 2011	
Reporting Officer: Chief Executive	
REPORT OF THE LICENSING COMMITTEE (Report of the meeting held on 3rd February, 2011)	
Recommendations:	
There were no recommendations referred to Council from the above meeting.	
<u>Delegated Decisions</u>	
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 4 of the printed Minutes.	

COUNCIL	Agenda Item 5(A)(3)
Date of Meeting: 22nd March, 2011	
Reporting Officer: Chief Executive	
<p>REPORT OF THE EXECUTIVE COMMITTEE (Report of the meeting held on 2nd February and 16th March, 2011)</p> <p>Recommendations:</p> <p>The Housing Revenue Account 2011/2012 and Budget Proposals 2011-2012 were dealt with at Council on 1st March, 2011.</p> <p>There were no other recommendations referred to Council from the above meeting.</p> <p>If necessary an addendum to this report will deal with any recommendations from the Executive Committee to be held on 16th March, 2011.</p> <p><u>Delegated Decisions</u></p> <p>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 of the printed Minutes.</p>	

COUNCIL	Agenda Item 5(A)(4)
Date of Meeting: 22nd March, 2011	
Reporting Officer: Chief Executive	
<p>REPORT OF THE AUDIT COMMITTEE (Report of the meeting held on 8th March, 2011)</p> <p>Recommendations:</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 4 of the printed Minutes.</p>	

COUNCIL	Agenda Item 6
Date of Meeting: 22nd March, 2011	
Reporting Officer: Chief Executive	
<p>Title: Statement of Retirement of Members of the Council</p> <p>Summary and Conclusions:</p> <p>To consider the Statement of Retirement of Members of the Council.</p> <p>Recommendations:</p> <p>To note the report.</p>	

Report

Members will recall that at Council on 21st April, 2009 (Minute No. 73) it resolved that in accordance with Section 33 of the Local Government and Public Involvement in Health Act 2007, the Council's electoral cycle move from the holding of Ordinary elections by thirds, to whole Council elections for all Councillors of the Borough Council to come into effect for the May elections in 2011 and every four years after and the terms of office of all Members of the Council expires on 9th May, 2011.