



BARROW BOROUGH COUNCIL

TOWN HALL
DUKE STREET
BARROW-IN-FURNESS

16th January, 2012

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 24th day of JANUARY, 2012 COMMENCING AT 5.30 PM for the transaction of the business specified below.

Chief Executive

Prior to the business of the meeting, Prayers will be offered.

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 11th October, 2011.
3. TO RECEIVE APOLOGIES FOR ABSENCE.
4. ANNOUNCEMENTS – To receive any announcements from the Chairman, Leader or 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. 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

A MEETING OF THE COUNCIL of this Borough was held at the Town Hall, Barrow-in-Furness at 5.30 p.m. on Tuesday the 11th day of October, 2011 to take into consideration and determine upon the following subjects, namely: -

1. - DECLARATIONS OF INTEREST (IF ANY).
2. - MINUTES.
3. - TO RECEIVE APOLOGIES FOR ABSENCE.
4. - ANNOUNCEMENTS.
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.
6. - TO ORDER THE COMMON SEAL TO BE AFFIXED TO DOCUMENTS.

PRESENT:- Councillor Murphy (Mayor in the Chair) and Councillors Barlow, Biggins, Burns, Callister, Cassidy, Garnett, Graham, Guselli, Hamilton, Husband, Irwin, Johnston, R. McClure, W. McClure, McKenna, Maddox, Murray, Opie, Pemberton, Pidduck, Pointer, Preston, Richardson, Roberts, Seward, Sweeney, C. Thomson, M. A. Thomson, Wall and Williams.

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

33 – Declarations of Interest

Councillor Biggins declared a personal interest in Minute No. 50 of the Executive Committee meeting held on 21st September, 2011 (Heart Town Initiative) as his wife worked for the British Heart Foundation.

Councillor Burns declared a personal interest in any items relating to Cumbria County Council as she was a Member of that Council.

Councillor Graham declared a personal interest in any items relating to Cumbria County Council as she was an employee of that Council.

Councillor Guselli declared a personal interest in Minute No. 132 of the Planning Committee meeting held on 26th July, 2011 and Minute No. 139 of the Planning Committee meeting held on 20th September, 2011 (South Lakes Wild Animal Park) as he was a season ticket holder. He also declared a personal interest in any items relating to Cumbria County Council as he was a Member of that Council.

Councillor Hamilton declared a personal interest in any items relating to Cumbria County Council as he was a Member of that Council.

Councillor R. McClure declared a personal and prejudicial interest in Minute No. 47 of the Executive Committee meeting held on 21st September, 2011 (Former Presbyterian Church, School Street, Barrow-in-Furness) as he owned the property adjacent to the Church on the same land.

Councillor W. McClure declared a personal and prejudicial interest in Minute No. 47 of the Executive Committee meeting held on 21st September, 2011 (Former Presbyterian Church, School Street, Barrow-in-Furness) as she owned the property adjacent to the Church on the same land.

Councillor Pointer declared a personal interest in Minute No. 134 of the Planning Committee meeting held on 26th July, 2011 (Former Avon Garden Centre, Mill Lane, Barrow-in-Furness) and Minute No. 200 of the Planning Committee meeting held on 20th September, 2011 (John Trelore, Bath Street/Nelson Street, Barrow-in-Furness) as both of the families were known to him.

Councillor Preston declared a personal and prejudicial interest in Agenda Item 5(A)(3) Point 2 – Housing Maintenance Contract 2011-15 as her brother worked for Integral which was the previous Housing Maintenance Contractor.

Councillor Richardson declared a personal interest in Minute No. 132 of the Planning Committee meeting held on 26th July, 2011 and Minute No. 139 of the Planning Committee meeting held on 20th September, 2011 (South Lakes Wild Animal Park) as he was an acquaintance of the applicant.

Councillor Roberts declared a personal interest in any items relating to Cumbria County Council as he was a Member of that Council.

Councillor C. Thomson declared a personal interest in Minute No. 134 of the Planning Committee meeting held on 26th July, 2011 (Former Avon Garden Centre, Mill Lane, Barrow-in-Furness) as the applicant was known to him.

Councillor M. A. Thomson declared a personal interest in Minute No. 132 of the Planning Committee meeting held on 26th July, 2011 and Minute No. 139 of the Planning Committee meeting held on 20th September, 2011 (South Lakes Wild Animal Park) as she had been a Planning Committee Chairman on previous applications and had been involved in Planning Applications and Enforcement for South Lakes Wild Animal Park in the past.

34 – Minutes

The Minutes of the meeting of the Council held on 19th July, 2011 were taken as read and confirmed.

35 – Apologies for Absence

Apologies for absence were submitted from Councillors Derbyshire, Doughty, Thurlow and Wilson.

REPORTS OF COMMITTEES

36 – Planning

It was moved by Councillor M. A. Thomson, and

RESOLVED:- That the meetings of the Planning Committee held on 26th July and 20th September, 2011 be received.

37 – Licensing

It was moved by Councillor Callister, and

RESOLVED:- That the meetings of the Licensing Committee held on 28th July and 8th September, 2011 be received.

38 – Executive

It was moved by Councillor Pidduck and seconded by Councillor Garnett that the report of the meetings of the Executive Committee held on 20th July and 21st September, 2011 be received and that each of the recommendations contained therein be adopted.

RESOLVED:- That the report of the meetings of the Executive Committee held on 20th July and 21st September, 2011 be received and that each of the recommendations contained therein be adopted.

39 – Audit

It was moved by Councillor Burns, and

RESOLVED:- That the report of the meeting of the Audit Committee held on 29th September, 2011 be received.

40 – Questions to the Leader of the Council

Councillor Roberts asked if the Leader was happy with the conduct of the Planning Committee.

The Mayor halted the discussion following previous advice from the Monitoring Officer in relation to Minute No. 36 - Planning in respect of the Planning Committee meetings held on 26th July and 20th September, 2011.

41 – 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 5.58 p.m.

COUNCIL	Agenda Item 5(A)(1)
Date of Meeting: 24th January, 2012	
Reporting Officer: Chief Executive	
<p>REPORT OF THE PLANNING COMMITTEE (Report of the meetings held on 18th October, 15th November, 13th December, 2011 and 17th January, 2012)</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 held on 17th January, 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 3 of the printed Minutes.</p>	

COUNCIL	Agenda Item 5(A)(2)
Date of Meeting: 24th January, 2012	
Reporting Officer: Chief Executive	

**REPORT OF THE LICENSING COMMITTEE
(Report of the meetings held on 3rd November and 8th
December, 2011**

Recommendations:

There were no recommendations referred to Council from the above meetings.

Delegated Decisions

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 of the printed Minutes.

COUNCIL	Agenda Item 5(A)(3)
Date of Meeting: 24th January, 2012	
Reporting Officer: Chief Executive	

**REPORT OF THE EXECUTIVE COMMITTEE
(Report of the meetings held 19th October, 16th November and
14th December, 2011)**

Recommendations:

The following recommendations have been referred to Council.

Executive Committee – 19th October, 2011

1.0 Budget Strategy – Deficit Reduction

1.1 The report set out a detailed strategy to balance the Council's General Fund Budget by 2015/16.

1.2 Recommendations:

To recommend the Council to endorse the Budget Strategy.

2.0 Budget Strategy – Establishment Changes

2.1 The detailed report set out how the Council could reduce the manpower costs by £1.72m (28%).

2.2 Recommendations:

To recommend the Council:-

- (i) To agree the voluntary redundancy of the Chief Executive with an effective date of 30/06/2012;**
- (ii) To approve the revised management structure and grades as set out within the report, including the deletion of posts indicated;**
- (iii) To approve the appointment of the Director of Regeneration and Community Services to the post of Executive Director effective from 1/07/2012;**

- (iv) To approve the appointment of the Assistant Director of Personnel and Performance as Deputy Executive Director effective from 1/04/2012; and subject to any representations by trade unions:
- (v) To agree to the deletion of all posts listed in the report;
- (vi) To agree the amendments to hours and grade of the posts detailed in the report;
- (vii) To agree the changes to the Dock and TIC posts set out in the report; and
- (viii) To instruct the Chief Executive to prepare a further list of posts for deletion to meet the outstanding deficit of £317k, for this Committee's consideration and seek delegated authority from Council for this Committee to take any steps necessary to achieve the target reduction required, including implementation of compulsory redundancies.

Executive Committee – 16th November, 2011

3.0 Budget Strategy – Dock Museum

- 3.1 The Budget Strategy had included proposals to close the Dock Museum between October and March to reduce staffing and operational costs.

The Museum Collections Manager has submitted an alternative proposal within the same budget criteria and staffing costs, which would allow the Museum to open five days a week between the hours of 11.00am - 4.00pm, closing every Monday and Tuesday.

3.2 Recommendations:

To recommend the Council to agree that the Dock Museum opens five days a week (all year) between the hours of 11.00am and 4.00pm, closing every Monday and Tuesday.

4.0 Budget Strategy – Members Allowances

- 4.1 Members had requested a report setting out Members Allowances paid in 2010/11 and 2011/12 (up to and including September). The report illustrated that the allowances paid to Borough Councillors were significantly lower than those paid to County Councillors, and there appeared little justification for reducing Borough Councillors allowances. The report considered Members Mileage, Telephone and Broadband Allowances.

4.2 Recommendations:

To recommend the Council

- (i) To agree not to amend the Members Allowances paid to Borough Councillors;**
- (ii) To agree that Members mileage allowances be reduced by adopting Officers mileage allowances namely 40p in Borough and 30p out of Borough; and**
- (iii) To accept a flat rate fee payment of £20 per month towards the cost of telephone and broadband.**

5.0 Timing for Council Meetings

5.1 The Chief Executive reported that the scheduled Council meetings had been brought forward to 5.30pm from 7.00pm to help reduce staffing and energy costs. Members had asked for a report identifying the pros and cons of bringing this time forward.

5.2 Recommendations:

To recommend the Council to agree that the timing for Council meetings remain at 5.30pm.

Executive Committee – 14th December, 2011

6.0 Housing Management Forum: Recommendations

Homelink Charging Arrangements

6.1 The Housing Manager's report requested Members to agree changes to the charging arrangements for the Homelink Service following the review of the Service.

6.2 Recommendations:

To recommend the Council:-

- (i) To agree that the service charges for Tenants receiving a Community Alarm Service be revised to £1 per week from 2nd January, 2012 and for the Housing Manager to have delegated authority to remove the service charges as necessary as changes in services were reviewed as outlined in Minute No. 35; and**

- (ii) To agree that the service charges for residents in Dalton and Eamont Close be reduced to £1 per week at the appropriate time to reflect the change in contract arrangements.

7.0 Local Government Act 2003 – Regulation of Acupuncture, Tattooing, Semi-Permanent Skin Colouring, Cosmetic Piercing and Electrolysis

7.1 The Chief Environmental Health Officer's report informed the Committee that the Local Government (Miscellaneous Provisions) Act 1982 had introduced specific controls for certain skin piercing activities such as ear piercing, tattooing, acupuncture and electrolysis. The controls had enabled Local Authorities to require the registration of such activities to ensure that operators meet hygienic standards. The principal reason for the introduction of the controls related to the risks of transmission of blood borne diseases such as Aids and Hepatitis.

7.2 Recommendations:

To recommend the Council:-

- (i) To approve the adoption of powers contained within Section 120 Local Government Act 2003 together with model byelaws, to require the registration of acupuncture, tattooing, semi-permanent skin colouring, cosmetic piercing and electrolysis activities and to set a registration fee for semi-permanent skin colouring and cosmetic piercing equal to the fee payable for registration in respect of persons and premises for electrolysis, tattooing and acupuncture, currently £93.00;
- (ii) To adopt the powers and byelaws as detailed in Appendix 1 in the report; and
- (iii) To revoke existing byelaws as detailed in Appendix 2 in the report.

8.0 Criminal Justice and Police Act 2001 – Alcohol Consumption and Designated Places Order

8.1 The Chief Environmental Health Officer reported that in December 2008 the Council had resolved to make Orders under the provisions of the Criminal Justice and Police Act 2001 which provided control to limit the consumption of alcohol in designated places.

8.2 Recommendations:

To recommend the Council to authorise the Chief Executive to make Orders to control alcohol consumption in designated places in respect of Dalton Leisure Centre, Four Groves, Ormsgill Community Centre and Shops as defined in the report, subject to no objections being received.

9.0 Capital Programme 2011-2012 Monitoring Report as at 30th November, 2011; Capital Strategy and Proposed Capital Programme for 2012-2013 to 2015-2016

9.1 The Borough Treasurer's report informed the Committee that the monitoring report for the Capital Programme for 2011-2012 had included the variations since the last report on 20th July, 2011 and the expenditure as at 30th November, 2011. The Capital Strategy adopted by Council in March 2010 had been reviewed and updated to reflect the Key Priorities adopted by Council in October 2011.

9.2 Recommendations:

To recommend the Council:-

- (i) To approve the variations to the 2011-2012 Capital Programme and note the expenditure as at 30th November, 2011;
- (ii) To approve the updated Capital Strategy;
- (iii) To approve the Capital Programme for 2012-2013 to 2015-2016; and
- (iv) To agree that the use of the miscellaneous properties funding be delegated to the Executive Committee and the delegation would be exercised when urgent or confidential matters arise.

10.0 Borrowing Limits

10.1 The Borough Treasurer's report informed the Committee that a new system of financing the Housing Revenue Account would come into effect from 1st April, 2012. Instead of paying or receiving housing subsidy, the government would end the subsidy regime by making or receiving payment from all housing authorities in England.

10.2 Recommendations:

To recommend the Council to increase the 2011-2012 Authorised Limits for borrowing to £47 million and the Operational Boundary for borrowing to £44 million.

11.0 Barrow Carnival

11.1 The Chief Executive reported that two years ago, at the request of retailers in the town centre, the Rotary club had reviewed the route of the Carnival, and have moved the event from Barrow Park to the Town Centre, in an attempt to encourage more people to visit and stay in town on Carnival Day. The dancing competitions had been staged in Forum 28. The dancing schools now wished to dance in the open air rather than on the Forum stage.

11.2 Recommendations:

To recommend the Council:-

- (i) To agree that the Rotary Club of Furness be offered the use of Market Street Car Park and the Main Hall of Forum 28 on Saturday 30th June, 2012;**
- (ii) To agree that the Council do not levy any hire charges for these venues; and**
- (iii) To agree that any shortfall in car parking income across car parks on the day was met from the Council's Festival Fund.**

12.0 Grant Payments to Outside Bodies

12.1 The Chief Executive reminded the Committee that the Council's budget strategy required a 50% reduction in resources for grant aid to outside bodies and the deletion of all discretionary rate relief funding, the arts development budget and grant aid to Community Transport with effect from April 2012.

12.2 Recommendations:

To recommend the Council:-

- (i) To delegate expenditure of the Grant Aid Transition Fund to the Executive Committee; and**
- (ii) To agree that the Executive Committee established a Sub-Committee of Members (four Labour and one Conservative) to consider and recommend to the Executive Committee how best to use these resources and that replaced the existing Grants Sub-Committee which would no longer be required.**

13.0 Dalton Drill Hall – Request for Capital Grant

13.1 The Director of Regeneration and Community Services informed the Committee that a request had been received for a capital contribution of £19,000 to convert the first floor of Dalton Drill hall to a youth facility.

13.2 Recommendations:

To recommend the Council:-

- (i) To agree to provide a capital contribution of £19,000 to convert the first floor of Dalton Drill Hall to a youth facility from the 2011/12 Capital Programme Asset Investment Fund; and**
- (ii) To ask Officers to draft a policy regarding similar future applications.**

14.0 Establishment Changes – Failure to Agree

14.1 The Chief Executive informed the Committee that representations had been received from Unison with respect to the job title and grade of the proposed Planning Team Leader post.

14.2 Recommendations:

To recommend the Council:-

- (i) To reject the request to amend the grade of the proposed Planning Team Leader Post;**
- (ii) To agree to re-title the Planning Team Leader Post to Planning Manager; and**
- (iii) To confirm the recommended grade of the Planning Manager at PO 10.**

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 of the printed Minutes.

COUNCIL	Agenda Item 5(A)(4)
Date of Meeting: 24th January, 2012	
Reporting Officer: Chief Executive	
<p>REPORT OF THE AUDIT COMMITTEE (Report of the meeting held on 15th December, 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 3 of the printed Minutes.</p>	