



## BARROW BOROUGH COUNCIL

TOWN HALL  
DUKE STREET  
BARROW-IN-FURNESS

29<sup>th</sup> April 2016

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 10<sup>th</sup> day of MAY, 2016 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 22nd March, 2016.
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 2017 - DATES AND TIMES OF COUNCIL AND COMMITTEE MEETINGS IN 2016/2017.
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: **To follow**
  - (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.

## 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 22nd day of March, 2016 to take into consideration and determine upon the following subjects, namely: -

1. - DECLARATIONS OF INTEREST.
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 REGULATORY
  - (3) LICENSING
  - (4) EXECUTIVE
  - (5) AUDIT
- (B) QUESTIONS TO THE LEADER OF THE COUNCIL.
6. - TO ORDER THE COMMON SEAL TO BE AFFIXED TO DOCUMENTS.

PRESENT:- Councillor M. A. Thomson (Mayor in the Chair) and Councillors Barlow, Brook, Burns, Callister, Cassells, Cassidy, Gawne, Gill, Hamilton, Husband, Johnston, R. McClure, W. McClure, McEwan, McLeavy, Maddox, Murphy, Murray, Pemberton, Pidduck, Preston, Proffitt, Seward, Sweeney, C. Thomson, Thurlow, Wall and Williams.

Officers Present:- Phil Huck (Executive Director), Sue Roberts (Director of Resources), Jon Huck (Democratic Services Manager and Monitoring Officer), Keely Fisher (Democratic Services Officer) and Sharron Rushton (Democratic Services Officer).

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

### **80 – Minutes Silence**

The Mayor requested Members to stand and observe a one minute's silence as a mark of respect for all victims of the Belgium bombings which had happened earlier today.

## **81 – Declarations of Interest**

Councillor Cassells declared a Disclosable Pecuniary Interest in Minute No. 119 of the Executive Committee (Voting in the Barrow Business Improvement District Ballot) as he had voting powers in the BID. He stated that he would leave the meeting if this matter was discussed.

## **82 – Minutes**

The Minutes of the meeting held on 1st March, 2016 were taken as read and confirmed.

## **83 – Apologies for Absence**

Apologies for absence were submitted from Councillors Biggins, Derbyshire, Heath, Opie and Roberts.

## **84 – Announcements**

The Leader of the Council made the following announcement:-

“Cumbria Devolution Deal – I last made a statement on the Devolution Deal for Cumbria to Council on 15th December, 2015 and I felt it would be helpful – particularly in view of recent media coverage – to update Council on the current position.

Since I last reported to you there have been several rounds of negotiations between Government, including the Treasury and a delegation from Cumbria appointed to negotiate on behalf of all Council's. The negotiations have sought to clarify the deal on offer and agree a document which all Cumbria Local Authorities could support. This document would be the basis of a further formal agreement setting out the details of how an Elected Mayor and Combined Authority would operate. This more detailed document would require formal agreement of all constituent Council's in Cumbria.

Throughout the course of the negotiations it became clear that:-

1. Government would not accept a deal unless it included an Elected Mayor, with the first election in 2017;
2. There had been a significant reduction in the amount of money offered as part of the deal. Originally the offer was £450m over a 15 year period (£30m per annum), the final offer from Government on 10th March was for £10m per annum over a 30 year period with 5 year gateway assessments by Treasury to determine if funding should continue;
3. The Government required significant additional powers for the Mayor, transferring all highways functions to their office and giving them a strategic land use function and 'call-in' powers to determine planning applications;

4. Government had imposed a timetable for a response to announce a successful deal as part of the Budget on 23rd March.

It was clear to me that the reduction in funding, the Government's timetable for implementation of an Elected Mayor, the lack of any meaningful discussions on new powers for the Mayor, and, in particular the impression that we were being forced into an early decision, was not acceptable to me and at a telephone conference with all other constituent Council's on 10th March I confirmed this view. The majority of Council's shared this view and the Government were notified that the Deal could not be accepted on 10th March. All the Council's indicated they wished to continue negotiations to achieve a deal.

I have seen no formal response from Government, but there are ongoing discussions about timetable with DCLG officials, and I await the outcome of these to determine if a deal can be agreed at some point in the future, and I will update Council further when able to do so".

## REPORTS OF COMMITTEES

### **85 – Planning**

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

RESOLVED:- That the report of the meetings of the Planning Committee held on 2nd February and 8th March, 2016 be received.

### **86 – Licensing Regulatory**

It was moved by Councillor Callister, and

RESOLVED:- That the report of the meetings of the Licensing Regulatory Committee held on 4th February, the special meetings held on 23rd and 24th February and 2nd March and the meeting held on 10th March, 2016 be received.

### **87 – Licensing**

It was moved by Councillor Callister, and

RESOLVED:- To note that the meetings of the Licensing Committee on 4th February and 10th March, 2016 had been cancelled.

### **88 – Executive**

It was moved by Councillor Pidduck and seconded by Councillor Sweeney that the report of the meetings of the Executive Committee held on 2nd December, 2015, 20th January and 9th March, 2016 be received and that each of the recommendations contained therein be adopted.

The Letting Agent Item recommendations of 2nd December, 2015 had been transposed incorrectly and therefore required reaffirming by the Council.

The recommendations of 20th January, 2016 regarding the Council Budget had been approved by Council on 1st March, 2016.

RESOLVED:- That the report of the meetings of the Executive Committee held on 2nd December, 2015, 20th January and 9th March, 2016 be received and that each of the recommendations contained therein be adopted, as follows:-

**1. Letting Agents – Requirement to Belong to a Redress Scheme**

RESOLVED:-

- (i) To authorise the Assistant Director of Regeneration and Built Environment to authorise notices of intent, and if no representations or objections were raised to authorise final notices; and
- (ii) To authorise the Executive Director and Director of Resources to consider any representations and objections received from persons on whom notices of intent were served, and in those cases to authorise final notices, either as set out in the Notice of Intent, in modified form or to withdraw notices.

**2. Parental Leave Policy**

RESOLVED:- To approve the amendments to the Council's Parental Leave Policy.

**3. Licensing Regulatory Committee – Unmet Demand Survey - Hackney Carriage Vehicle Licences – Quality Control Policy**

RESOLVED:-

- (i) To accept the conclusion of the report, that there was no significant unmet demand; and
- (ii) To approve a Quality Control Policy that imposed a maximum limit of 120 Hackney Carriage Vehicle Licences.

**4. Drug and Alcohol Recovery Capital Grant – Accountable Body Status**

RESOLVED:- To agree that the Council acted as an Accountable Body for the application by The Well for Public Health England Drug and Alcohol Recovery Capital Grant.

**5. Council Finances Quarter 3 2015-2016**

RESOLVED:- To revise the 2015-2016 General Fund Revenue Budget as £12,219,620.

6. **Anti-Fraud and Corruption Strategy**

RESOLVED:- To approve the Anti-Fraud, Theft, Bribery and Corruption Strategy and Response Plan.

7. **Contract Standing Orders**

RESOLVED:- To approve the updated Contract Standing Orders.

8. **Homeworking Policy Statement**

RESOLVED:- To approve the Homeworking Policy Statement.

9. **Employer Discretions Policy**

RESOLVED:- To agree that the HRA balance be used to fund the settlement of the Housing Maintenance Contract uplift incorporating agreed additional works and inflation thereon, and that Officers make payment once settlement was agreed.

10. **Establishment Changes**

RESOLVED:-

- (i) To approve the deletion of post DES015 from 1st April, 2016;
- (ii) To approve the creation of a Market Supervisor post on Scale 5, part time on 22.5 hours per week; and
- (iii) To place on record the appreciation of the Council to the Town Centre and Festivals Manager.

11. **Election Volunteers**

RESOLVED:- To approve the award of a pro-rata day of annual leave for direct employees who volunteered for election duty as a Presiding Officer; a Poll Clerk; a Polling Station Inspector; or an Officer of the Electoral Staff working on polling day.

12. **Medium Term Financial Plan 2016-2020**

RESOLVED:-

- (i) To approve the Medium Term Financial Plan 2016-2020 financial projections and assumptions; and
- (ii) To approve the updated Reserves and Balances policy.



### **13. Treasury Management Strategy Statement**

RESOLVED:- To approve the Treasury Management Strategy Statement, including:-

- (i) The Prudential Indicators and limits for 2016-2017 to 2019-2020; and
- (ii) The Minimum Revenue Provision statement which sets out the Council's policy for charging revenue.

### **14. Parental Leave Policy**

RESOLVED:- To agree to adopt the 'default' Parental Leave Scheme limiting parental leave to a maximum of four weeks per year, in one week blocks which overrides the decision to amend the policy at the Executive Committee on 20th January, 2016.

### **15. Pay Policy**

RESOLVED:- To agree to the minor changes to the Pay Policy for 2016/17.

### **16. Voting in the Barrow Business Improvement District Ballot**

RESOLVED:- To agree that the Executive Director be authorised to complete the Business Improvement District Ballot for all eligible Council owned properties after consultation with the Leader and Deputy Leader of the Council.

## **89 – Audit**

It was moved by Councillor Burns and,

RESOLVED:- That the report of the meeting of the Audit Committee held on 3rd March, 2016 be received.

## **90 – Questions to the Leader of the Council**

There were no questions submitted to the Leader of the Council under Notice as required by Standing Order 10.2 and 10.4.

It was moved by Councillor Sweeney that Council Procedure Rule 11.1 (Motions on Notice) be suspended to enable a motion to be moved without notice under Rule 12 as a matter had arisen since the closure of the deadline for Motions on Notice.

This was duly seconded by Councillor Cassells and voted upon, and

RESOLVED:- That Council Procedure Rule 11.1 be suspended to enable a motion to be moved without notice under Rule 12.

## **91 – Motion**

The following motion was submitted by Councillor Sweeney and seconded by Councillor Cassells as follows:-

“This Council is appalled that last week’s budget announcements did nothing to address the transport needs of South and West Cumbria and brought additional uncertainty about the future of Local Government funding from Business Rates. Council also notes with dismay the further downgrading of train services to Manchester revealed this week.

Council resolves to continue to support campaigns to improve the A590, A595 and rail links and fully backs the LGA’s campaign on Local Government finance”.

The motion was debated and duly voted upon and it was unanimously,

**RESOLVED:-** That this Council was appalled that last week’s budget announcements did nothing to address the transport needs of South and West Cumbria and brought additional uncertainty about the future of Local Government funding from Business Rates. Council also noted with dismay the further downgrading of train services to Manchester revealed this week.

Council resolved to continue to support campaigns to improve the A590, A595 and rail links and fully backed the LGA’s campaign on Local Government finance.

## **92 – 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 6.08 p.m.

<b>COUNCIL</b>	<b>Agenda Item 9</b>
<b>Date of Meeting: 10th May, 2016 (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 the changes made to the Constitution throughout the municipal year by Council.</p> <p><b>Recommendations:</b></p> <p>To recommend the Council that the changes be noted.</p>	

### **Report**

The Constitution has been updated to reflect the changes made to the Constitution throughout the municipal year by Council.

A copy of the Constitution can be viewed at [www.barrowbc.gov.uk/council-democracy/council-constitution/](http://www.barrowbc.gov.uk/council-democracy/council-constitution/)

A copy of the Constitution has also been emailed to every Councillor.

### **Background Papers**

Nil

<b>COUNCIL</b>	<b>Agenda Item 12</b>
<b>Date of Meeting: 10th May 2016(Annual Meeting)</b>	
<b>Reporting Officer: Executive Director</b>	
<p><b>Title: Annual Council Meeting 2017 – Dates and Times of Council and Committee Meetings in 2016/2017</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 2017 and other meetings during 2016/2017.</p> <p><b>Recommendation:</b></p> <p>That,</p> <p>i) The Annual Council meeting in 2017 will be held on Monday, 8th May, 2017 at 2.00 p.m.</p> <p>ii) The under-mentioned dates be fixed for Council meetings in 2016/2017 namely:-</p> <p style="padding-left: 40px;">19th July, 2016 11th October, 2016 17th January, 2017 2nd March, 2017 (Budget Council) 21st March 2017</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

# APPENDIX NO 1

2016	May	June	July	August	September	October	November
Mon				1			
Tue				2			1
Wed		1		3			2
Thur		2 OVERVIEW & SCRUTINY		4	1 LICENSING/ REGULATORY		3
Fri		3	1	5	2		4
Sat		4	2	6	3	1	5
Sun	1	5	3	7	4	2	6
Mon	2 EARLY MAY BANK HOLIDAY	6	4	8	5	3	7
Tue	3	7	5	9	6 PLANNING	4 PLANNING	8 PLANNING
Wed	4	8	6	10	7 EXECUTIVE	5	9
Thur	5 Police and Crime Commissioners Election	9 HOUSING MANAGEMENT FORUM	7 OVERVIEW & SCRUTINY	11	8 OVERVIEW & SCRUTINY	6	10 HOUSING MANAGEMENT FORUM
Fri	6	10	8	12	9	7	11
Sat	7	11	9	13	10	8	12
Sun	8	12	10	14	11	9	13
Mon	9	13	11	15	12	10	14
Tue	10 ANNUAL COUNCIL	14 PLANNING	12 PLANNING	16 PLANNING	13	11 COUNCIL	15
Wed	11 EXECUTIVE	15	13	17	14	12	16
Thur	12 LICENSING/ REGULATORY	16 AUDIT	14	18	15 AUDIT	13 LICENSING/ REGULATORY	17 LICENSING/ REGULATORY
Fri	13	17	15	19	16	14	18
Sat	14	18	16	20	17	15	19
Sun	15	19	17	21	18	16	20
Mon	16	20	18	22	19	17	21
Tue	17 PLANNING	21	19 COUNCIL	23	20	18	22
Wed	18	22	20	24	21	19 EXECUTIVE	23
Thur	19	23 European Union Referendum	21 LICENSING/ REGULATORY	25 HOUSING MANAGEMENT FORUM	22	20 OVERVIEW & SCRUTINY	24
Fri	20	24	22	26	23	21	25
Sat	21	25	23	27	24	22	26
Sun	22	26	24	28	25	23	27
Mon	23	27	25	29 SUMMER BANK HOLIDAY	26	24	28
Tue	24	28	26	30	27	25	29 PLANNING
Wed	25	29 EXECUTIVE	27 EXECUTIVE	31	28	26	30 EXECUTIVE
Thur	26	30 LICENSING/ REGULATORY	28		29	27	
Fri	27		29		30	28	
Sat	28		30			29	
Sun	29		31			30	
Mon	30 SPRING BANK HOLIDAY					31	
Tue	31						

2017	December	January	February	March	April	May
Mon						1 EARLY MAY BANK HOLIDAY
Tue						2
Wed			1 EXECUTIVE	1 OVERVIEW & SCRUTINY		3
Thur	1 OVERVIEW & SCRUTINY		2 LICENSING/ REGULATORY	2 BUDGET COUNCIL		4 ELECTIONS
Fri	2		3	3		5
Sat	3		4	4	1	6
Sun	4	1 NEW YEAR'S DAY	5	5	2	7
Mon	5	2 BANK HOLIDAY	6	6	3	8 ANNUAL COUNCIL
Tue	6	3 PLANNING	7	7 PLANNING	4 PLANNING	9
Wed	7	4	8	8 EXECUTIVE	5	10 EXECUTIVE
Thur	8	5	9 OVERVIEW & SCRUTINY	9 LICENSING/ REGULATORY	6	11 LICENSING/ REGULATORY
Fri	9	6	10	10	7	12
Sat	10	7	11	11	8	13
Sun	11	8	12	12	9	14
Mon	12	9	13	13	10	15
Tue	13	10	14	14	11	16
Wed	14	11	15	15	12	17
Thur	15 LICENSING/ REGULATORY	12 HOUSING MANAGEMENT FORUM	16	16	13	18
Fri	16	13	17	17	14 GOOD FRIDAY	19
Sat	17	14	18	18	15	20
Sun	18	15	19	19	16	21
Mon	19	16	20	20	17 EASTER MONDAY	22
Tue	20	17 COUNCIL	21	21 COUNCIL	18	23 PLANNING
Wed	21	18	22	22	19	24
Thur	22 AUDIT	19	23 HOUSING MANAGEMENT FORUM	23 AUDIT	20	25
Fri	23	20	24	24	21	26
Sat	24	21	25	25	22	27
Sun	25 CHRISTMAS DAY	22	26	26	23	28
Mon	26 BOXING DAY	23	27	27	24	29 SPRING BANK HOLIDAY
Tue	27 BANK HOLIDAY	24	28	28	25 PLANNING	30
Wed	28 TOWN HALL CLOSED	25		29	26	31
Thur	29 TOWN HALL CLOSED	26		30	27	
Fri	30 TOWN HALL CLOSED	27		31	28	
Sat	31	28			29	
Sun		29			30	
Mon		30				
Tue		31 PLANNING				