



BARROW BOROUGH COUNCIL

TOWN HALL
DUKE STREET
BARROW-IN-FURNESS

15th January, 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 23rd day of JANUARY, 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 Annual Council's proceedings held on 10th October, 2017.

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
- (5) 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 RECEIVE A REPORT FROM THE EXECUTIVE DIRECTOR REGARDING THE APPEALS PANEL.

7. NOTICE OF MOTION UNDER RULE 11

To consider the following motion signed by Councillors Pidduck and Sweeney:-

Since Britain joined the European Union, Structural Funds have co-financed a vast range of initiatives to promote economic growth, particularly in older industrial areas. With Brexit, that source of funding will disappear. This Council therefore welcomes the UK Government's commitment to establishing a UK Shared Prosperity Fund as a potential source of new funding.

However, several issues are unresolved that could play a pivotal role in delivering growth and job in the places that need this the most. The Industrial Communities Alliance has proposed that:

- The Shared Prosperity Fund's budget should be set at a level that not only compensates for the loss of EU funding (£1.5bn a year) but also provides additional resources to match the scale of the challenge to deliver growth and prosperity across Britain.
- The Fund should focus on narrowing local and regional differences in economic well-being.
- Local authorities should have a strong hand in the management of the new Fund. Local authorities are most closely attuned to local needs and should take the key decisions about spending priorities.

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.

This Council agrees to write to the Chancellor, and Secretaries of State for Business and Communities, with copies to local MPs, calling on the UK Government to incorporate these proposals into the structure of the UK Shared Prosperity Fund.

8. NOTICE OF MOTION UNDER RULE 11

To consider the following motion signed by Councillors Sweeney and L. Roberts:-

This Council is dismayed and angered by the recent scenes in emergency departments across the country. Council condemns the Government for its failure to adequately fund the NHS and the care system, which has put lives at risk and placed intolerable burdens on hospital staff. Council resolves to do all within its power to assist the NHS, but is fully conscious that there is no substitute for adequate funding from the Government.

9. NOTICE OF MOTION UNDER RULE 11

To consider the following motion signed by Councillors McEwan and Cassidy:-

Council notes that: homelessness has risen by 65% since 2010, rough sleeping by 134% since 2011 and currently over 120,000 children are living in temporary accommodation. Council shares the Public Accounts Committee opinion that the government has been unacceptably complacent in the face of this national crisis. Council calls on the government to immediately implement the recommendations of the Public Accounts Committee and also to allow councils to build the new housing so desperately needed.

10. 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.

COUNCIL	Agenda Item 5(A)(1)
Date of Meeting: 23rd January, 2018	
Reporting Officer: Executive Director	
<p>REPORT OF THE PLANNING COMMITTEE (Report of the meetings held on 7th November, 5th December, the Special meeting held on 19th December, 2017 and the meeting held on 16th January, 2018</p> <p>Recommendations:</p> <p>There were no recommendations referred to Council from the meetings held on 7th November, 5th December and the special meeting held on 19th December, 2017.</p> <p>If necessary an addendum to this report will deal with any recommendations from the Planning Committee to be held on 16th January, 2018.</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 2017/18 of the printed Minutes.</p>	

Background Papers

Nil

COUNCIL	Agenda Item 5(A)(2)
Date of Meeting: 23rd January, 2018	
Reporting Officer: Executive Director	
<p>REPORT OF THE LICENSING REGULATORY COMMITTEE (Report of the meetings held on 5th October, 9th November and 7th December, 2017)</p> <p>Recommendations:</p> <p>There were no recommendations referred to Council from the meetings held on 5th October, 9th November and 7th December, 2017.</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 3 2017/18 of the printed Minutes.</p>	

COUNCIL		Agenda Item 5(A)(3)
Date of Meeting:	23rd January, 2018	
Reporting Officer:	Executive Director	
<p>REPORT OF THE LICENSING COMMITTEE (Report of the meetings held on 5th October, 9th November and 7th December, 2017)</p> <p>Recommendations:</p> <p>The meetings to be held on 5th October, 9th November and 7th December, 2017 had been cancelled.</p>		

COUNCIL	Agenda Item 5(A)(4)
Date of Meeting: 23rd January, 2018	
Reporting Officer: Executive Director	
<p>REPORT OF THE EXECUTIVE COMMITTEE (Report of the meetings held on 18th October, 29th November and the special meeting held on 18th December, 2017)</p> <p>Recommendations:</p> <p>There were no recommendations referred to Council from the special meeting held on 18th December, 2017.</p> <p>The following recommendations have been referred to Council.</p> <p><u>Executive Committee – 18th October, 2017</u></p> <p>1.0 Travel and Subsistence Claims</p> <p>1.1 The Director of Resources report set out a number of updates to allowances and requested a cut-off period for claims.</p> <p>1.2 Recommendation:-</p> <p>To recommend the Council:-</p> <ol style="list-style-type: none"> 1. To approve the casual user mileage rate at 40p for in and out of Borough Claims; 2. To approve the ending of the separate training mileage leaving officers to claim at their usual rate; 3. To approve the casual mileage rate for reimbursing interview candidates; 4. To approve the updated subsistence allowances set out in Section D of the report; 5. To approve the three month cut-off period for claims, with an initial three month amnesty; 6. To agree that the Officer allowances applied to Members; and 7. To approve the effective date as 1st February, 2018. 	

2.0 Minor Amendment to the Constitution

2.1 The Director of Resources report informed the Committee that the Assistant Directors currently had delegations under The Anti-Social Behaviour, Crime and Policing Act 2014 on behalf of the Council. The Environmental Health Manager had a different delegation which must be mirrored onto the Assistant Directors delegations for consistency and to allow any future action to be undertaken.

It was recommended that (v) Issuing community protection notices be added to the current Assistant Director delegation in respect of The Anti-Social Behaviour, Crime and Policing Act 2014.

2.2 Recommendation:-

To recommend the Council to agree that the Constitution be amended to include to the current Assistant Director's delegation in respect of The Anti-Social Behaviour, Crime and Policing Act 2014:

(v) Issuing Community Protection Notices.

3.0 Dog Control and borough Council Kennelling Service

3.1 The Executive Director's report covered a number of issues relating to the control of stray dogs, operation of the Borough Kennels and extension of existing dog exclusion and control orders.

3.2 Recommendation:-

1. To recommend the Council to agree that the Stray Dogs Enforcement Policy be adopted; and

2. To undertake a full review of fees and charges for the Council kennelling service as part of the 2018/19 budget; and

3. To agree that the duration of the following local orders:

- (i) Dogs Exclusion from Various Play Areas
- (ii) Dogs on Leads Order 2008
- (iii) Dogs on Leads by Direction Order 2008
- (iv) Dogs Exclusion Order 2008

be extended under Section 60 of the Anti Social Behaviour, Crime and Policing Act 2014 for a period of three years.

Executive Committee – 29th November, 2017

4.0 Revenues and Benefits and Customer Services

4.1 The Committee considered a detailed report of the Director of Resources which set out the considerations and conclusions regarding the Council's Revenues, Benefits and Customer Services that were contracted-out until 30th September, 2018. Officers sought Members' instructions and had made recommendations for some aspects of the services concerned.

4.2 Recommendation:-

To recommend the Council:-

1. To agree that the telephony licences and support be competitively procured from the market;
2. To agree that Customer Services was insourced;
3. To agree that Customer Services across the Council were reviewed as part of a service re-design project;
4. To agree that the Revenues and Benefits services were considered as a single service division;
5. To agree that continued outsourcing and insourcing were the service delivery models considered for Revenues and Benefits; and
6. To agree to insource the Revenues and Benefits service division.

5.0 Consultation on Council Plan

5.1 The Committee was reminded that the Council Plan had been approved for consultation in June, 2017. It had been agreed that there should be an 'in depth' consultation process engaging with key partners through meetings to discuss the plan and any amendments they recommended to the consultation document. The Plan had also been advertised on the Council's website.

It was reported that since June, consultation meetings had been carried out with the following organisations: Cumbria Constabulary; Cumbria Local Enterprise Partnership; Furness College; Barrow Business Improvement District; Cumbria County Council; South Lakeland District Council; Furness Economic Development Forum; Locality Health and Well Being Forum; Cumbria County Council Local Committee; BAE Systems; Morecambe Bay Clinical Commissioning Group; and Homes and Communities Agency. A meeting with Voluntary Representatives had been planned for early December.

The principal outcome of the consultation process had been one of support for the Council's vision, priorities and objectives and a willingness to engage to ensure their delivery over the timescale of the plan. Consultees thought the plan was clearly articulated and set a new direction for the future of the area. Some textual alterations had been suggested and agreed and these were considered by the Committee.

5.2 Recommendation:-

To recommend the Council to approve the Council Plan 2017-2020.

6.0 Neighbourhood Planning Protocol

6.1 The Committee considered a detailed report of the Executive Director regarding a Neighbourhood Planning Protocol.

He informed the Committee that a Neighbourhood Planning Protocol and Guidance documents had been prepared to allow the Council to respond to its planning duties and the opportunities for local communities arising from the Localism Act 2011 and Neighbourhood Planning Regulations 2012 (and 2015 amendment).

The protocol and guide which were considered by the Committee set out the roles and responsibilities for the Council and those preparing Neighbourhood Plans.

6.2 Recommendation:-

1. To note the content and approach set out within the report on Neighbourhood Planning; and
2. To agree that the Neighbourhood Planning Guidance and Protocol documents be adopted as the Council's formal approach to Neighbourhood Planning.

7.0 Off Street Parking Places – New Traffic Regulation Order (TRO) for Council Owned Car Parks and Land

7.1 The Committee was informed that The Council of the Borough of Barrow-in-Furness (Off-Street Parking Places) Order 2013 ("TRO 2013") had taken effect on 2nd December, 2013 and had recently been reviewed. The review had highlighted that there was a requirement to include the Town Hall Courtyard, Grange and Cartmel Crescent and McClean Close resident's parking, also to remove Hindpool Road Contract Car Park, and make a new Order, The Council of the Borough of Barrow-in-Furness (Off-Street Parking Places) Order 2018 ("TRO 2018").

7.2 Recommendation:-

To recommend the Council to agree to revise the current TRO 2013 in accordance with the requirements of the Local Authorities Traffic Regulation Order (Procedure) (England and Wales) Regulations 1996 and delegate authority to the Executive Director to make a new Order to take effect from 1st April, 2018.

8.0 The Council's IT Strategic Plan

8.1 The Committee considered the IT Strategic Plan for 2017-2020. The Committee were informed that a reliable infrastructure and compliance with Public Sector Networks requirements and was critical to supporting the needs of the business. The four main objectives of the strategic plan were: Providing a robust and reliable IT infrastructure; Developing the services offered by the IT Department to meet the needs of the business and support the Council's services; Provide a secure IT environment to allow the Council to carry out its business and comply with PSN requirements; and Providing resilience by having effective business continuity and disaster recovery arrangements in place.

Understanding and supporting the future needs of the business would be achieved by regular meetings with Service Heads to agree future IT requirements and by robust evaluation of future IT projects to ensure that they were a priority for service delivery and that appropriate skills and resource were available to deliver the Plan.

8.2 Recommendation:-

To recommend the Council:-

1. To approve the IT Strategic Plan; and
2. To agree to invite Councillor Brook onto the IT Monitoring Group.

9.0 Employment Matters

9.1 The Committee requested a permanent part-time post within the Human Resources Department.

9.2 Recommendation:-

To recommend the Council to approve a permanent part-time HR Officer, 22.5 hours a week on Scale SO1/2 from 1st April, 2018.

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 (2017/18) of the printed Minutes.

Background Papers

Nil

COUNCIL	Agenda Item 5(A)(5)
Date of Meeting: 23rd January, 2018	
Reporting Officer: Executive Director	
<p>REPORT OF THE AUDIT COMMITTEE (Report of the meeting held on 14th December, 2017)</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 (2017/18) of the printed Minutes.</p>	

Background Papers

Nil

COUNCIL	Agenda Item 6
Date of Meeting: 23rd January, 2018	
Reporting Officer: Executive Director	
<p>Title: Appeals Panel</p> <p>Summary and Conclusions:</p> <p>The purpose of this report is to establish alternative arrangements for the Appeals Panel in exceptional circumstances.</p> <p>Recommendations:</p> <p>To recommend the Council to agree that the Director of Resources is delegated to establish alternative arrangements for the Appeals Panel in exceptional circumstances.</p>	

Report

The Appeals Panel relates to the Council's employer role and membership is selected by the Executive Director in accordance with proportionality rules when required; there are 4 seats.

It is proposed that where the Director of Resources concludes that there are exceptional circumstances, for example a conflict of interest, the Director of Resources may establish alternative arrangements for the Appeals Panel by appointment of an independent expert to hear the appeal. The exceptional circumstances would be considered in consultation with the Monitoring Officer.

Members are recommended to agree that the Director of Resources is delegated to establish alternative arrangements for the Appeals Panel in exceptional circumstances.

Background Papers

Nil