

BOROUGH OF BARROW-IN-FURNESS

A VIRTUAL MEETING OF THE COUNCIL of this Borough was held at 5.30 pm. on Wednesday the 25th day of February, 2021.

PRESENT:- Councillor Hamilton (Mayor in the Chair) and Councillors Assouad, Barlow, Biggins, Blezard, Brook, Burley, Burns, Cassidy, D. Edwards, H. Edwards, Gawne, Hall, Husband, Johnston, W McClure, McEwan, McLeavy, Maddox, Mooney, Morgan, Nott, Pemberton, Preston, Roberts, Robson, Seward, Shirley, C. Thomson, M. A. Thomson, Wall and Worthington.

Officers Present:- Sam Plum (Chief Executive), Susan Roberts (Director of Resources), Steph Cordon (Director of People and Place), Debbie Storr (Head of Legal and Governance and Monitoring Officer, Jon Huck (Democratic Services Manager) and Sharron Rushton (Democratic Services Officer).

90 Apologies for Absence

An apology for absence was submitted from Councillor Callister.

91 Minutes

The Minutes of the meeting of the Council held on 26th January, 2021 were taken as read and confirmed.

92 Announcement

The Leader of the Council made the following announcement:-

LGA Re-Organisation

On Monday evening, the Council received confirmation that MHCLG was commencing consultation on proposals for Local Government Re-Organisation in Cumbria, which would include consultation on the proposal for the creation of The Bay Unitary Council. Government was consulting on each of the proposals for Local Government Re-Organisation in Cumbria:

- The Bay and North Cumbria
 - Two unitary in Cumbria – Eden, Carlisle and Allerdale / Copeland Barrow and South Lakeland – as proposed by Carlisle and Eden Councils
 - Carlisle, Allerdale and Copeland / Barrow, South Lakeland and Eden - as proposed by Allerdale and Copeland Councils
 - Single unitary for Cumbria – as proposed by Cumbria County Council
- Further, this Council was also being consulted on proposals for Local Government Re-Organisation in North Yorkshire.

The consultation would run to 19th April 2021, and was hosted on the Government's online platform Citizen Space. Links would be forwarded to all Members.

The Government was consulting with a range of stakeholders. The consultation was open to any person or organisation wishing to express a view on local government reorganisation.

The three councils would make all local stakeholders and communities aware and encourage their participation in the consultation. The Council encouraged Ward Councillors to encourage their local residents and communities to respond to the consultation.

This Council would present a draft of its consultation responses to Executive Committee and Council for approval. Due to the timing of the consultation additional special meetings for this purpose may be required. The websites provided the links to the consultation and copies of all relevant documents to The Bay and North Cumbria.

The Council was pleased that the Government had included The Bay and North Cumbria in the consultation.

It was the Secretary of State's intention to lay the necessary orders before Parliament to postpone local elections to the Principal Authorities. By- elections to the Principal Councils, elections for the PCC and Town and Parish Councils would continue. Members would be kept updated.

93 Report of the Executive Committee

It was moved by Councillor Brook and seconded by Councillor Roberts that the report of the meeting of the Executive Committee held on 10th February, 2021 be received and that each of the recommendations contained therein be adopted.

A number of Members expressed their thanks to the Director of Resources for delivering the budget in such difficult times. Councillor Hamilton extended the thanks to the Housing Department.

A named vote was taken and recorded as follows:-

Those in favour; 22 namely: Councillors Assouad, Barlow, Biggins, Blezard, Brook, Burns, Cassidy, Hamilton, Husband, Johnston, McEwan, Maddox, Mooney, Morgan, Nott, Preston, Roberts, Robson, Seward, C. Thomson, M. A. Thomson and Wall.

Those abstained; 10 namely: Councillors Burley, D. Edwards, H. Edwards, Gawne, Hall, McClure, McLeavy, Pemberton, Shirley and Worthington.

RESOLVED:- (i) That the report of the meeting of the Executive Committee held on 10th February, 2021 be received and that each of the recommendations contained therein be adopted as follows:-

1. Housing Revenue Account 2021-2022

RESOLVED:-

1. To note the information provided within the report;

2. To note the Expected Outturn Budget for 2020/2021 would be a surplus of £161,390 including the original budgeted contribution to Earmarked Reserves of £105,720;
3. To note the balances on the Expected Outturn Budget for 2020/2021;
4. To agree the basis on which the 2021/2022 draft Budget had been proposed in points 3.6.1 to 3.6.4 of the report;
5. To agree dwelling rent increase of 1.5% as outlined in point 3.7 of the report;
6. To agree garage dwelling rent increase of 1.5% as outlined in point 3.8 of the report;
7. To agree as outlined in points 3.9.1 to 3.9.5 of the report, the other additional considerations; and
8. To agree the approach to priorities for the year 2021/2022 raised in points 3.10.1 to 3.10.05 of the report.

2. Budget Proposals 2021-2022

RESOLVED:-

1. To set the 2021-2022 General Fund revenue budget as £7,238,320 including £141,640 for parish precepts;
2. To agree a Council Tax increase of £5 on Band D which is equivalent to 2.08% on all Council Tax bands (paragraph 3.4.8 refers);
3. To agree the use of £3,792,850 of earmarked reserves (paragraph 3.3.2 refers);
4. To note the budget pressures set out in paragraph 3.8 and:
 - a. To agree to set aside £0.5m for the delivery of major projects within earmarked reserves;
 - b. To agree to transfer £624k between reserves to increase the Transformation Reserve;
5. To agree the fees and charges set out in paragraph 3.6.2;
6. To approve the Pay Policy for 2021-2022; and
7. To agree to release £0.4m of the General Fund balance to meet COVID-19 pressures on the Council budget beyond those already incorporated in the proposed 2021-2022 budget.

94 Setting the Council Tax for the year commencing 1st April, 2021

The Director of Resources reported on the Council Tax for the year commencing 1st April, 2021.

The calculation and setting of the Council Tax for the Borough area was closely prescribed by legislation. Her 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 2021-2022 General Fund Revenue Budget of £7,238,320; which had included £141,634 of Parish Council precepts.

The Council's budget was the amount required to meet the years estimated expenditure net of any income raised in fees, charges or service specific grant funding.

The budget included the following precepts issued by the Parish Councils for 2021-2022:-

Precept	£
Dalton with Newton Town Council	120,279
Askam and Ireleth Parish Council	17,006
Lindal and Marton Parish Council	4,349
Total parish precepts	141,634

The Council Tax Requirement for the Borough was £4,975,092 and was made up as follows:-

Item	£
General Fund revenue budget	7,096,686
Less general grants	(6,083,035)
Plus the Collection Fund deficit	3,819,807
Council Tax Requirement excluding parish precepts	4,833,458
Plus the parish precepts	141,634
The Council Tax Requirement	4,975,092

The legislation required the Council's revenue budget to be grossed up to show the estimated total expenditure and income for 2021-2022:-

Item	£
Total gross expenditure	64,242,357
Total gross income	(59,267,265)
The Council Tax Requirement	4,975,092

Council Tax Base

The following Council Tax Bases for the Borough and the parished areas had been set for 2021-2022 as notified to the Executive Committee on 10th February, 2021:-

Whole Area	19,695.44
Dalton with Newton	2,355.65
Askam and Ireleth	1,097.84
Lindal and Marton	257.02

Calculation of the Basic Council Tax for the Borough Council

The Council's Basic Amount of Council Tax for Band D dwellings had been calculated as follows:-

The Council Tax Requirement excluding parishes	£4,975.092
Divided by the Council Tax Base for the Whole Area	19,695.44
Gives the Basic Amount of Council Tax	£252.60

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:-

Area	Basic Amount
Barrow (unparished)	£245.41
Dalton with Newton Parish	£296.47
Askam and Ireleth Parish	£260.90
Lindal and Marton Parish	£262.33

The Table in Section 3.8.4 indicated the tax amounts for each band and parish in the Council's area.

Cumbria County Council and the Police and Crime Commissioner for Cumbria precepts and amounts of Council Tax

Cumbria County Council had set its budget for 2021-2022 resulting in a precept of £29,504,557. The Police and Crime Commissioner for Cumbria had set its budget with a precept of £5,360,311. The Table in Section 3.8.5 showed the banded amounts of Council Tax.

Setting the Council Tax

The calculated Borough, Police and Crime Commissioner for Cumbria and Cumbria County Council elements were added to calculate the composite Council Tax. The Council Tax for each category of dwellings was shown in the Table in Section 3.8.6. 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 and Crime Commissioner for Cumbria were 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 the April precept payment date.

Instalment dates

Council Tax and NNDR bills were payable in ten instalments. The payment dates, which would maximise cash flow, were as follows; these may have to be adjusted in the event of any delay in issuing bills:-

Instalment	Date	Instalment	Date
1	1st April 2021	6	1st September 2021
2	1st May 2021	7	1st October 2021
3	1st June 2021	8	1st November 2021
4	1st July 2021	9	1st December 2021
5	1st August 2021	10	1st January 2022

It was moved by Councillor M. A. Thomson and seconded by Councillor Roberts to approve the formal Council Tax resolutions as detailed in Section 3.8 of the report.

A named vote was taken and recorded as follows:-

Those in favour; 22 namely: Councillors Assouad, Barlow, Biggins, Blezard, Brook, Burns, Cassidy, Hamilton, Husband, Johnston, McEwan, Maddox, Mooney, Morgan, Nott, Preston, Roberts, Robson, Seward, C. Thomson, M. A. Thomson and Wall.

Those abstained; 10 namely: Councillors Burley, D. Edwards, H. Edwards, Gawne, Hall, McClure, McLeavy, Pemberton, Shirley and Worthington.

RESOLVED:-

1. It be noted that on 10th February, 2021, the Council calculated the Council Tax Base for the year 2020-2021 in accordance with Regulations made under Section 33(5) of the Local Government Finance Act 1992, as amended (the Act):-
 - a. for the whole Borough area as 19,695.44 in accordance with Regulation 3 of the Local Authorities (Calculation of Council Tax Base) Regulation 1992, as its Council Tax Base for the year;
 - b. for dwellings in those parts of the Borough area to which a Parish Precept relates; being the amounts calculated by the Council, in accordance with Regulation, as the amounts of its Council Tax Base for the year for dwellings in those parts of its area to which one or more special items related:-

Dalton with Newton	2,355.65
Askam and Ireleth	1,097.84
Lindal and Marton	257.02

2. That the Council Tax Requirement for the Council's own purposes for 2021-2022 (excluding Parish Precepts) was £4,833,458.
3. That the following amounts be calculated for the year 2021-2022 in accordance with Sections 31 to 36 of the Local Government and Finance Act 1992:-
 - a. £61,438,557 being the aggregate of the amounts, which the Council estimates for the items, set out in Section 31A (2) of the Act taking into account all precepts issued to it by Parish Councils.
 - b. £56,463,465 being the aggregate of the amounts, which the Council estimates for the items, set out in Section 31A (3) of the Act;
 - c. £4,975,092 being the amount, by which the aggregate at 3(a) above exceeds the aggregate at 3(b) above, calculated by the Council in

accordance with Section 31A (4) of the Act, as its Council Tax requirement for the year;

- d. £252.60 being the amount at 3(c) above, all divided by the item at 1(a) above, calculated by the Council, in accordance with Section 31B of the Act, as the Basic Amount of its Council Tax for the year (including Parish Council precepts);
 - e. £141,634 being the aggregate amount of all special items (Parish Council precepts) referred to in Section 34(1) of the Act;
 - f. £245.41 being the Basic Amount of its Council Tax for the year for dwellings in those parts of its area to which no Parish precept relates as set out in Section 52ZX of the Act.
4. Council Tax for parts of the Council's Area:-

Band	Ratio	Barrow	Dalton with Newton	Askam and Ireleth	Lindal and Marton
A	6/9	£163.61	£197.65	£173.94	£174.89
B	7/9	£190.87	£230.58	£202.92	£204.03
C	8/9	£218.14	£263.53	£231.91	£233.18
D	9/9	£245.41	£296.47	£260.90	£262.33
E	11/9	£299.95	£362.36	£318.88	£320.63
F	13/9	£354.48	£428.23	£376.85	£378.92
G	15/9	£409.02	£494.12	£434.84	£437.22
H	18/9	£490.82	£592.94	£521.80	£524.66

5. That it be noted that for the year 2020-2021, Cumbria County Council and the Police and Crime Commissioner for Cumbria had issued precepts to the Council in accordance with Section 40 of the Local Government Finance Act 1992 for each of the categories of dwellings as follows:-

Band	Ratio	Cumbria County Council	Police & Crime Commissioner for Cumbria
A	6/9	£998.69	£181.44
B	7/9	£1,165.15	£211.68
C	8/9	£1,331.59	£241.92
D	9/9	£1,498.04	£272.16
E	11/9	£1,830.93	£332.64
F	13/9	£2,163.84	£393.12
G	15/9	£2,496.73	£453.60
H	18/9	£2,996.08	£544.32

6. That the Council, in accordance with Sections 30 and 36 of the Local Government Finance Act 1992, hereby sets the aggregate amounts of Council Tax for the year 2021-2022 for each of the categories of dwellings:-

Band	Ratio	Barrow	Dalton with Newton	Askam and Ireleth	Lindal and Marton
A	6/9	£1,343.74	£1,377.78	£1,354.07	£1,355.02
B	7/9	£1,567.70	£1,607.41	£1,579.75	£1,580.86
C	8/9	£1,791.65	£1,837.04	£1,805.42	£1,806.69
D	9/9	£2,015.61	£2,066.67	£2,031.10	£2,032.53
E	11/9	£2,463.52	£2,525.93	£2,482.45	£2,484.20
F	13/9	£2,911.44	£2,985.19	£2,933.81	£2,935.88
G	15/9	£3,359.35	£3,444.45	£3,385.17	£3,387.55
H	18/9	£4,031.22	£4,133.34	£4,062.20	£4,065.06

95 Appointment of Independent Person(s)

The Head of Legal and Governance reported that Under the Localism Act 2011, the Authority was required to appoint at least one Independent Person (IP) who must be consulted by the Authority before it made a finding as to whether a Member and co-opted Member had failed to comply with the Code of Conduct, or decided on action to be taken in respect of that Member. The Independent Person may also be consulted by the Authority in respect of standards complaints at any other stage and by a Member or co-opted Member of the Borough Council or of a Parish or town Council against whom a complaint had been made.

Council were asked to consider the appointment of an Independent Person and reserve Independent Person in accordance with the Act for code of conduct matters and matters relating to Officer Employment Procedural Rules.

It was moved by Councillor M A Thomson and seconded by Councillor Burns that Peter Kuit be appointed as Independent Person and Steve Forster Reserve Independent Person as detailed in the report on the basis of a fixed term of up to 4 years (two years, with delegation to the Monitoring Officer in consultation with the Chair/vice Chair of Audit and Governance Committee to extend for a further two years).

It was unanimously:-

RESOLVED:- To appoint Peter Kuit as Independent Person and Steve Forster Reserve Independent Person as detailed in the report on the basis of a fixed term of up to 4 years (two years, with delegation to the Monitoring Officer in consultation with the Chair/vice Chair of Audit and Governance Committee to extend for a further two years).

The meeting closed at 6.15 pm.